International Norm Diffusion? Durable Solutions and Displaced Persons from
Post-War Bosnia and Herzegovina – 2000-2010

Justyna Janicka

Doctoral Thesis

Submitted in partial fulfilment of the requirements

for the award of

Doctorate of Philosophy of Bournemouth University

December 2019

COPYRIGHT STATEMENT

ABSTRACT

The key aim in this study is to investigate the linkages, synergies and misalignments between the United Nations High Commissioner for Refugees' (UNHCR) 'top-down' policy development in relation to the specific case on durable solutions with a detailed exploration of the 'bottom-up' views of actual refugees and displaced migrants. Put simply the aim is to provide more detailed insight into whether the 'top-down' policy initiatives of UNHCR also take into account and are synergised with 'bottom-up' approaches and concepts of the actual refuges. By taking this approach, the thesis argues that if we are to meet the growing challenges of today, then there is a need to have very clear assessments of the performance of 'top-down' policy initiatives established by UNHCR and, in particular, in relation to the past and present approaches to durable solutions. Here the focus should be on not just establishing and outlining UNHCR's awareness of the perceptions, interests, and perceived predicaments of displaced people, but also actually on emphasising a focus that seeks to identify and address any misalignments between the top-down policy development of UNHCR and the real-time 'bottom-up' perspectives of the refugees. This is especially important since refugee groups have – in practice – significant political capacity and considerable interest in shaping durable solutions to suit their needs. However, this thesis also argues that evidence suggests that there is – at present - insufficient awareness among refugees on how the development of policy themes at UNHCR level are actually informed by the 'bottom-up' refugee perspectives and norm diffusion. Furthermore, on this basis, there are notable asymmetries between the 'top-down' policy development of UNHCR and the actual 'bottom-up' perspectives of refugees that can explain why aspects of UNHCR's durable solutions continue to be controversial and not always that successful.

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

ACKNOWLEDGEMENTS

I could never adequately express my gratitude to the people who guided, inspired, and assisted me throughout the years. Undertaking this PhD has been a truly life-changing experience for me, and it would not have been possible without the support and guidance that I received from many people.

I would like to first say a very big thank you to my supervisor Professor Lee Miles for all the support and encouragement he gave me. He gave unstintingly of his time, and his many suggestions served to improve this research and keep it focused.

Besides my supervisor, I would like to thank my examiners: Dr. Lorraine Brown and Prof. Laurence Hollingworth for their insightful comments and encouragement, but also for the hard question which incented me to widen my research from various perspectives.

Completing this work would have been all the more difficult were it not for the support provided by other members of Bournemouth University's Disaster Management Centre (Richard Gordon, Director of BUDMC, Dr. Henry Bang, Dr. Chris Baker-Beall and Lauren Jarrad).

To my family, thank you for encouraging me in all of my pursuits and inspiring me to follow my dreams.

ABBREVATIONS

BiH	Bosnia and Herzegovina
CRPC	Committee on Real Property Claims
CRRF	Comprehensive Refugee Response Framework
EU	European Union
EUPM	European Union Police Mission
OECD-DAC	Economic Co-operation and Development – Development Assistance Committee
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Persons
IR	International Relations
IO	Intergovernmental organisations
JNA	Jugoslovenska Narodna Armija
NGO	Non-governmental organisations
PLIP	Property Law Implementation Plan
RRTF	Reconstruction and Return Task Force
UNHCR	United Nations High Commissioner for Refugees
UN	United Nations
UNMIBH	United Nations Mission in Bosnia and Herzegovina
UNPROFOR	United Nations Protection Force
VRP	Voluntary repatriation program
WGR	Working Group on Resettlement
QIP	Quick Impact Project
TP	Temporary Protection

CHAPTER 1: Introduction

1.1. Introduction

Global forced migration, which includes refugees, asylum seekers, and internally displaced persons, is at an unprecedented high in our world's history (Edwards, 2016). As of January 2015, the United Nations High Commissioner for Refugees (UNHCR) reported that 50.5 million people were displaced around the world (UNHCR, 2016a). Time spent in refugee camps often extends for decades, on average 25 years (UNHCR, 2015), which equates to generations being born into camps and not knowing any other life. In reality, very few refugees see any solution to their forced displacement. Most endure years and even decades away from their home country.

However, it has long been recognised that "Refugee problems demand durable solutions"; indeed, this is the opening statement of the Principles for Action in Developing Countries adopted by the 1984 Executive Committee of UNHCR (UNHCR, 1984).

For example, as long ago as the 1980s UNHCR proposed three 'durable solutions' to refugee crises (in preferred order): repatriation to the home country, local integration in the host country, or resettlement in another (usually developed) country. Consequently, these three durable solutions have become the hallmarks of United Nations (UN) principles towards refugees ever since. As described in the 2016 Report: "UNHCR global strategic priorities are: (a) a favourable protection environment; (b) fair protection processes and documentation; (c) security from violence and exploitation; (d) basic needs and services; (e) community empowerment and self-reliance; and (f) durable solutions." (UNHCR, 2016b). It seems fair to say then that durable solutions have thus gained significant attention at the global level.

Yet, both political will and capacity are necessary for the achievement of durable solutions, and many obstacles stand in the way of all three solutions. Finding durable solutions, whether integration, asylum or return of refugees, has never been more important for the process of post-conflict peacebuilding than it is today (O'Neill, 2009;

Fagen, 2009; Coffie 2014). There is increased recognition that the issue of forced migrants is not merely a humanitarian and socio-economic issue, but also a political one that complements other activities designed to produce political, social, and economic stability in countries affected by war (Chimni, 2002; Koser, 2009). Since the majority of today's refugees are in developing countries that can often ill afford the financial and human costs, there is an urgent need for a re-examination of current policies leading to a more equitable sharing of the burden between refugee-affected regions and the international community. More importantly, the present situation calls for new approaches to resolving the refugee dilemma. Specifically, the return of refugees is argued to be a major indicator of peace at the end of a conflict. As Fagen (2009, p. 32) notes, "finding a durable solution for displaced populations is a significant bellwether for the success of the overall peace process". In an address to the UN Security Council, the UN High Commissioner for Refugees (UNHCR, 2009) argued that "the scale of return and success of reintegration are two of the most important tangible indicators of progress in any peacebuilding process" (quoted in Koser, 2009, p. 6). In simple terms, 'durable solutions' has become a barometer of success of peacebuilding.

Yet, there are rather dynamic discussions pertaining to durable solutions; something that is made even more complex given the fact that there is substantial variation even on the terminology used. New ideas and partnerships have emerged, and new actors that have often developed their own language and literacy on the issue are involved. The global community, including UN agencies, policy-makers, civil society, international organisations, and the private sector are thus confronted with having to continually reflect on how to tackle these issues – seeking to balance where and how to draw (red) lines, or build walls on the one hand, and where and how to rethink the decisions around development and aid on the other, that will ultimately produce more preventive and sustainable solutions. Indeed, the diversity of the debate on durable solutions today is illustrative. Development actors and researchers have recently referred to the need for transitional solutions as a means to build

legitimacy for durable solutions (World Bank, 2015; ReDSS/ Hall, 2015).
In addition, academic discussions have, for instance, zoomed in on the
possibility of a fourth solution: highlighting 'mobility' as a durable solution
(Long, 2014, 2013a) or 'transnationalism' as a durable solution (Refugee
Studies Centre seminar, 2011). Finally, humanitarian and development
actors have worked together – at policy and technical levels – to build a
set of indicators and framework to define, measure and operationalise
durable solutions.

However, 'durable solutions' are often compromised and even fail
due to a lack of attention to and consideration of the perspectives of the
displaced persons. There is a need for a holistic approach to durable
solutions that integrates 'top-down' policy with the 'bottom-up' views of
refugees.

1.2. Aim of the Research

The key aim in this study is to investigate the linkages, synergies,
and misalignments between UNHCR's 'top-down' policy development in
relation to the specific case on durable solutions with a detailed
exploration of the 'bottom-up views of actual refugees and displaced
migrants. Put simply to provide more detailed insight into whether the
'top-down' policy initiatives of UNHCR also take into account and are
synergised with 'bottom-up approaches and concepts of the actual
refuges.[1] By taking this approach, the thesis argues that if we are to meet
the growing challenges of today, then there is a need to have very clear
assessments of the performance of 'top-down' policy initiatives
established by UNHCR and in particular in relation to the past and
present approaches to durable solutions. And here the focus should be
on not just establishing and outlining UNHCR's awareness of the
perceptions, interests, and perceived predicaments of displaced people,
but also on actually emphasising a focus that seeks to identify and
address any misalignments between the 'top-down' policy development of

---

[1] According to Easton-Calabria (2015, p. 414), "'bottom-up' approaches refer to relief
and development efforts built out of and upon the self-defined needs and interests of
affected populations, which thus directly engages them in decision-making capacities".

UNHCR and the real-time 'bottom-up' perspectives of the refugees. This is especially important since refugee groups have – in practice – significant political capacity and considerable interest in shaping durable solutions to suit their needs. This thesis also argues that there is – at present – an insufficient understanding among refugees on how the development of policy themes at UNHCR level are actually informed by the 'bottom-up' refugee perspectives and norm diffusion. And on this basis, there are notable asymmetries between the 'top-down' policy development of UNHCR and the actual 'bottom-up' perspectives of refugees that can explain why aspects of UNHCR's durable solutions continue to be controversial and not always that successful.

Of course, refugees and Internally Displaced Persons (IDPs) have always been portrayed as by-products of conflict. Both groups continue to be seen as passive victims in need of international assistance and protection. In fact, they can be both subjects and objects of political violence in forced migration crises (Eleftheriadou, 2018, Zeitzoff, 2016) To begin with, displaced people may respond to violent conflict by making decisions, within their constrained freedom of choice, about whether to leave home and/or where to relocate. For most refugees, life in exile is as bad as or even worse than the conditions fled in their countries of origin. Many are confined to temporary camps or detention centres close to the borders of their home countries where they are exposed to the risk of cross-border attacks. They depend on international or private charity for survival (Loescher and Manahan, 1989). For those refugees that are eventually resettled, many of them never emerge from the socially marginalised sectors of society. They continue to suffer alienation, underemployment, and unemployment (Ibid., p.2). Poverty among refugees includes being unable to plan for the future and living each day as it comes, dependency on others and breakdown in family, friendships or other support networks (Taylor, 2009; Phillimore and Thornhill, 2011; Allsopp et al., 2014).

1.3. Objectives of the Thesis

Finding a durable solution for refugees is a dynamic and multifaceted two-way process where 'top-down' development of UNHCR's policies on durable solutions needs to be equally informed by the 'bottom-up' identities and experiences of displaced persons as part of a 'bottom-up' norm diffusion that will shape the success and effectiveness of the durable solutions policy (especially in relation to resettlement, local integration and repatriation).

The study therefore seeks to achieve the following objectives:
(i) to investigate the experiences and 'bottom-up' perspectives of displaced persons on durable solutions;
(ii) to understand the 'top-down' drivers that have shaped UNHCR's durable solutions policy to date (with specific reference to resettlement, local integration and repatriation) and to introduce a clear notion of 'bottom-up norm diffusion' which provides value-added;
(iii) to demonstrate that a constructivist perspective and a spiral model can provide 'value-added' - informing the thesis, and evaluating the linkages and synergies between refugees' perspectives and experiences (as agents of change) and UNHCR's politics and policy of durable solutions;

1.4. Research Questions

This research is guided by the following key research questions:
1. To what extent are UNHCR's durable solutions being successfully accomplished?

Finding durable solutions to refugee situations can only be achieved if the international community is driving the process and is supportive. On this basis, UNHCR chose voluntary repatriation as the most durable and politically viable option, although the implementation of 'voluntary repatriation' in practice is often challenging. The return of refugees, for example, may sometimes not be possible at all. In addition, the integration of refugees is often not welcomed – by the public and/or policy-makers – in the host country, on the grounds that integration of refugees may exacerbate political, social and economic tensions within

the host country. Furthermore, 'resettlement' is often not seen in some quarters as a 'solution' but rather as another practical form of displacement. Moreover, as a policy domain, 'resettlement' is often in policy terms, challenging to implement effectively, given that the policy often requires a high degree of policy and logistical coordination between host countries and UNHCR, in order to facilitate any resettlement process. Hence, this research question aims to understand the complexity and drivers of UNHCR durable solutions policy and how refugees have been considered successfully to date within it

In addition, the largest obstacle faced by UNHCR is that the international community continues to place the burden of resettlement on host societies. Indeed, given the challenges of integrating refugees, it is often the case that industrialised countries often focus their efforts on restricting refugee access into their territories. Hence, it is important to understand not just whether UNHCR receives sufficient financial and political support to allow the organisation to confront the problems that cause people to flee from their countries of origin and promote development assistance, but the extent to which the durable solutions have been successfully designed 'top-down' in the fields of resettlement, local integration and repatriation, to enable the promotion of development assistance, monitor the repatriation, advise on laws and/or coordinate resettlement needs, must also be considered.

2. What are the perspectives of refugees as key stakeholders and how much influence do refugees, as agents (of change), have in the diffusion of norms, given they are both enabled and constrained by UNHCR structures and policy?

In many ways, refugees can be regarded as key (sometimes official and sometimes unofficial) stakeholders in UNHCR policy and in the development of durable solutions in practice. Indeed, refugees should also be regarded as agents who can (positively) alter the contexts of constraint and opportunity within which they operate, which are likely to lead to resource gains and losses. In addition, a constructivist perspective, by focusing on intersubjective understandings and identities and 'norm

diffusion', offers notable value-added and is well equipped to explain the specific background of agents' preferences (see next section).

Taking this a little further, Wiebelhaus-Brahm (2016) argued that "migrant populations are often keenly interested in addressing human rights violations and have the skills, resources, and connections that enable them to advance their agendas". In other words, Wiebelhaus-Brahm highlighted that refugees do possess the ability to create and mobilise agency – often in a positive way. Gitau and Rhodes (2016) also explored the theme of refugee agency since they actually highlighted that 'top-down' orchestrated UNHCR practices can impact the mental health of refugees. Yet, they suggested that refugee dependency – fostered by reliance on organisations or host states – undermines agency negatively and can lead to negative psychosocial consequences for refugees. Similarly, scholars have underscored the impact of community networks and the mobilisation of social resources in helping refugees restore their social fabric and rebuild the trust needed for successful peacebuilding and development during and after refugee camp life (Hayes, et al, 2016).

It is crucial then to consider refugee perspectives and opinions before pursuing a process of integration into the host country (Bradley, 2013). 'Solutions' to displacement may not be permanent in that many refugees and IDPs choose to move between multiple physical locations (Long, 2010, 2013b). Indeed, it is important to capture and understand the 'bottom-up' motivations and perspectives of migrants as key stakeholders that can inform durable solutions policy via norm diffusion upwards. Some, for example, hope to return home as soon as possible (particularly for cultural reasons), and will not establish themselves in the host country permanently. The same will happen with refugees who harbour the hope to be resettled in a third country. Indeed, not all refugees who are locally integrated want to be naturalised and live as citizens of the host country; some may desire to return home as soon as they have the opportunity to do so. These refugees – as stakeholders – will profit from local integration to a certain extent and thus from the outcomes of durable solutions policy, but it is also equally important to

capture that they may not have any intention to establish in the host country.

3. What actions are needed to ensure a more effective and consistent achievement of durable solutions? How can UNHCR policies be adapted to enhance prospects for durable solutions?

The key challenge may be that the means used to decide the future of displaced persons via UNHCR durable outcomes may lack the effective input of refugees or may suffer from forms of asymmetry in not considering the 'bottom-up' perceptions of refugees effectively. Mikavica and Monaghan (2016), for example, have emphasised there is a considerable need – especially as part of the process of peacebuilding – for development of practitioners to engage directly with younger populations of refugees and IDPs. UNHCR, the host country and home country most often decides refugees and IDPS fate so it would seem essential that genuinely representative refugee voices and perspectives should be included effectively and inform peacebuilding negotiations. Thus, when looking at any of the 'solutions' to a refugee situation that are to be 'durable', it is essential that the three components do not exist in a vacuum, nor in opposition to each other. Used in unison, they simultaneously encourage integration of those individuals who have developed solid economic ties to their host country or repatriate those who are truly ready to return home. The human rights of the refugees must be upheld when choosing the most appropriate solution. Furthermore, any durable solution for a refugee in exile requires the legal integration of that person into a community, either in his homeland, the country of asylum, or abroad, with access to full citizenship rights (Ryan, 2009; Klepp, 2013; Easton-Calabria and Omata, 2018).

Research questions are vital and set the scene for development of a clear research aim and objective that are inextricably linked as presented in Table 1.

Table 1: Research objectives and research questions

Research objectives	Methods	Research questions
(i) to investigate the experiences and 'bottom-up' perspectives of displaced persons on durable solutions;	Interviews	1. To what extent are UNHCR's durable solutions being successfully accomplished?
(ii) to understand the 'top-down' drivers that have shaped UNHCR's durable solutions policy to date (with specific reference to resettlement, local integration and repatriation) and to introduce a clear notion of 'bottom-up norm diffusion' which provides value-added;	Policy/Documents Survey Interviews	2. What are the perspectives of refugees as key stakeholders and how much influence do refugees, as agents (of change), have in the diffusion of norms, given they are both enabled and constrained by UNHCR structures and policy?
(iii) to demonstrate that a constructivist perspective and a spiral model inform the thesis, to evaluate the linkages and synergies between refugees' perspectives and experiences (as agents of change) and UNHCR's politics and policy of durable solutions;	Concepts/Theory Secondary documentary sources	3. What actions are needed to ensure a more effective and consistent achievement of durable solutions? How can UNHCR policies be adapted to enhance prospects for durable solutions?

Source: Author's Own

1.5. Introducing the Role of Norms

The important point – and something that is instrumental to this thesis – is that the process of norm diffusion is made up of ideas and discussions. Hence in the context of this thesis, the perspectives of refugees can – at least theoretically – impact upon and possibly even help change the identity of post-conflict states and societies and even influence international organisations.

In addition, the social roles of states are largely a product of the international environment, which means that expectations of appropriate behaviour are based on systemic characteristics. The precise definition of social expectations ultimately requires the formulation of a comprehensive role theory for the international system. Research on global norm diffusion reconstructs the processes that convert certain values into internationally authoritative norms as well as the dynamics that make those international norms meaningful in domestic contexts (and vice-versa).

To a certain extent, this perspective overcomes the segmentation of international vs national and even vs sub-national domains. It helps us to explain why when looking at refugees we need to focus less on seeing each (international, national and sub-national) level as fragmented domains and highlight the real and potential impacts of their perspectives that can transcend and shape interactions between the 'top-down' and 'bottom-up'.

Furthermore, in the context of international society, norms are contested fields that unfold their validity in stages. In successful cases, they are pushed onto the international agenda by so-called 'norm entrepreneurs', which can be agents who seek to influence states, states' migration policies and even international institutions until those norms that are championed are then transformed into widely accepted standards on the international level, and finally become internalised within national contexts (Finnemore and Sikkink, 1999, pp. 895). Yet, it is important to highlight that in the context of this thesis, it is assumed that norm diffusion may not and often does not occur in a linear 'top-down' manner from the global to the local. Rather, it represents a highly interactive, circular 'glocal' process of negotiation, appropriation and contestation in and, importantly for this thesis, between international, national and sub-national contexts. Hence, In the 'bottom-up' instance, refugees, non-

state actors and policy networks can mobilise to support and even shape a particular global norm from the 'bottom-up' and can even possibly coerce elite decision-makers to change policy to represent something much closer to their own socially constructed ideas and perspectives. Equally, elite decision-makers – be they at the state or even international level – can develop from the 'top-down' and internalise a shared understanding of the prescripts of a particular norm. In simple terms, by deploying a social constructivist approach, this thesis is able to highlight much more clearly the complex interactions of norm diffusion involving refugees and their perspectives at the interface between the 'top-down' and the 'bottom-up'.

For this thesis, the central assumption is that refugees and agents can help to shape and 'socially construct' and therefore the key is to open up the 'box of interaction'. In some instances, the cooperation and interaction of global actors and refugees – as agents of democratic change – mean that a hierarchy of compliance is constructed and maintained. In many cases, the management of compliance is also devolved from the 'top-down' to the 'bottom-up' and thus offers greater propensity for the views of agents (like refugees) to be influential. From this perspective, 'top-down' actors can promote a certain policy, they can force regulations and/or they can finance specific programmes (offer government funds or expertise). Nevertheless, and on the other hand, refugees bring important value to shaping (democratic) change and (particularly peacebuilding) efforts. For example, refugees can help to shape key norms that identify and influence the drivers of conflict and even help to build peace through, for example, their perspectives and actions towards land and property recovery and reform, community reintegration, and voluntary and safe repatriation.

In summary, the dynamics that make norms internationally and domestically convincing have to be understood as an ongoing, interactive process of cooperation and negotiation on different levels, involving interactive reciprocity between these levels and as a vibrant process of interpretation, appropriation and contextualised reformulation in order to give us a more detailed insight into how norm diffusion facilitates cooperation and the transfer of ideas (Soh, et al., 2017).

1.6. Introducing the Bosnian War

This research employs several research methods. First, it undertakes a case study approach focusing on UNHCR's durable solutions programmes in Bosnia and Herzegovina using interpretive and qualitative methods.

Indeed, it is important to highlight why the particular case study of Bosnia and Herzegovina (BiH) is appropriate for this thesis. First, while the case study of Bosnia and Herzegovina (BiH) is particularly relevant in explaining key developments in refugee policies, the reaction of states to this refugee crisis on European soil also reveals the likely direction of future policies regarding involuntary migrants. In this context, it should be noted that many other humanitarian tragedies around the world have not received the substantial coverage accorded to BiH. The implication is that it will not be surprising if victims of displacement fleeing other continents are provided with even less protection from affluent European states.

Second, the case study on the Balkans also illustrates how the states developed the exclusionary practices of temporary protection and protection 'at a distance' that are now commonplace in current rhetoric and (in)action regarding the most recent flows of refugees (European Parliament, 2018). Third, another rationale for the case selection is that it is important to investigate if it is possible to draw lessons for the current wave of refugees from Bosnian refugees displaced during the Bosnian war. For example, in March 2018 UNHCR confirmed that "many asylum seekers face obstacles accessing the asylum procedure" due to onerous registration requirements and tight deadlines for lodging applications, which was also true at the time of the Bosnian crisis (United Nations, 2018).

Fourth, this particular research consists of interviews with refugees that were accessed in a safe and secure learning environment. Conducting sensitive interviews around the topic of forced migration and suffering will always have the potential to raise anxiety and distress for participants. Indeed, King and Horrocks (2010) emphasise that any qualitative research interview has the potential to raise questions and bring back thoughts that an interviewee may find distressing. Fifth, as already mentioned above, the Bosnian war was important point in the development of durable solutions.

Each one is a result of a collaborative effort among the countries of origin, host countries, as well as, international humanitarian and donor organisations.

1.6.1. Context: The Bosnian War

The conflict in Bosnia began in 1992, shortly after the end of the Cold War. The primary reasons for the war are to be found in an orchestrated and planned aggression of the Serbian leadership to dismantle multi-ethnicity in Bosnia and annex as much Bosnian territory to Serbia as conditions would permit (Malcolm, 1996). The creation and consolidation of ethnically and nationally homogeneous political units arising from the disintegration of Yugoslavia were driven by the principle of self-determination (Salih, 2017). In conditions of political and social uncertainty, the members of any national group would choose to be sovereign instead of being ruled by any other national group (Dyrstad, 2012). As one Yugoslav observer put it (Gligorov, 1994), "why should I be a minority in your state, when you can be a minority in mine?" This underlying reasoning drove the process of dissolution, the descent into war and the specific way (ethnic cleansing) in which the war was conducted. Discourses of (in)security rely in turn on the identification of the Other as an important 'move' to stabilise the Self, making possible both its delimitation and its defence (Hansen, 2006). The term 'ethnic cleansing' has its origin in the wars of Yugoslav dissolution.[2] The expression refers to the practice of removing specific groups from a given area exclusively on the basis of ethnic criteria (Guardian, 14 July 1994). The Commission of Experts, in its First Interim Report of 10 February 1993, stated that: "The expression 'ethnic cleansing' is relatively new." A synonym for ethnic cleansing is 'forced population transfer'. Its goal is the creation of ethnically homogeneous nation-states by removing ethnic and national minorities and proceeding to a process of cultural assimilation of those who remain. In this sense, ethnic cleansing is one of the instruments of nation-state creation and consolidation (Jackson Preece, 1998). Great powers have often endorsed such instruments in the name of stability, self-determination, and the development of democracy.

---

[2] As early as 1914, a Carnegie Endowment report on the Balkan Wars points out that village-burning and ethnic cleansing had traditionally accompanied Balkan wars, regardless of the ethnic group in power. The term ethnic cleansing, a literal translation of the Serbo-Croatian phrase *etnicko ciscenje*, was widely employed in the 1990s.

In an effort to respond to demands for greater autonomy, the 1974 third constitution of Yugoslavia gave the Muslims, the third biggest national group in Yugoslavia, the status of a separate nation. At the same time authority was devolved to the six Republics constituting the Yugoslav state. Although these changes were meant to appease and calm secessionist demands, they ultimately set in place the conditions for the rise in nationalist discourse. According to Hayden (2000), the constitutional choices made by Yugoslav federal republics since 1974 and the consequent rise of 'constitutional nationalism' pointed toward the triumph of the political concept of a national state: an understanding that the state, as a set of political institutions in control of a delimited territory, manifests the sovereignty of one 'nation,' ethnically defined.

As the deteriorating economic situation throughout the 1980s reinforced social uncertainty and hampered the Federal state's ability to provide stability and deliver public goods, political opposition progressively consolidated along national lines. The institutions of the existing Yugoslav state were progressively delegitimised. By the late 1980s, the breakup of Yugoslavia was inevitable, although the scale of the violence that accompanied the breakup was beyond prediction (Rusinow, 1995).

At its 14th Congress in 1990, the Yugoslav Communist Party fell apart. By December of the same year, democratic elections were held in all six Republics that constituted the Yugoslav state, including Bosnia. Nationalist politicians gained a clear victory everywhere. The 1990 elections provided an opportunity for nations – that is, for the majority group within each republic – to gain democratic legitimacy through the elections. The nationalists who gained a clear victory did so on platforms that demanded a fit between the ethnically defined nation and the state. As Hayden (1996, p. 787) notes,

> …although this formulation was hardly new to European history, it did have sinister implications for minorities in states that were suddenly defined as the nation-states of their respective ethnic majorities. By definition, anyone not belonging to the ethno-national majority could only be a citizen of second class.

Where there was no harmony between the nation and the state, the policy of ethnic cleansing was implemented to achieve the goal of self-determination (Donia and Fine, 1994). The consequences were dire in heterogeneous areas where the population was mixed, such as in Bosnia, where no nation had an absolute majority. According to the 1991 population census, of Bosnia's 4.35 million people, 44 per cent identified themselves as Muslims, 31 per cent as Serb, and 17 per cent as Croat.

In June 1991, Slovenia and Croatia declared independence, thus beginning the process of dissolution (Wachtel and Bennett, 2013). In the meantime, Germany persuaded the rest of the European Community to recognise Slovene and Croatian independence. Arguing that the main cause of the conflict was Serbian aggression and that international recognition of the two states would signal international protection based on the right to self-determination, Germany was hoping to deter Serbia and end the war (Woodward, 1995, pp. 147, 183-189). Later, the United States followed the same logic in the case of Bosnia.

By accepting the principle of national self-determination for the independence of states – without regard to the Yugoslav conditions of multinationality and the shared rights to national sovereignty of the Titoist system, or a willingness to enforce their unilateral decision on borders – Western powers were making war over territory inevitable. The struggle to create new states out of the Yugoslav federation was a struggle to get international recognition; the fight for international opinion had been and would continue to be as important as the fight on the ground (Woodward, 1995, p. 198).

In October 1991, Muslim and Bosnian Croat parties adopted a resolution in favour of the independence of Bosnia. Bosnia's declaration of sovereignty was followed by a referendum for independence in February 1992. Bosnia declared itself independent on 3 March 1992. Hostilities started in April, when Bosnian Serbs responded by trying to partition the Republic along ethnic lines, and join Serbia, in order to form a "Greater Serbia" (Woodward, 1995). Divisions within the international community soon became apparent, resulting in mediation efforts that often worked at cross-purposes. An additional division soon emerged between those who wanted to reach a

diplomatic compromise to stop the war and those who maintained that such compromise should not sacrifice human rights and reward ethno-nationalist aggression. The mediators' attempts to stop the war were not successful until the United States took the lead and provided some coherence to international efforts. Under pressure from the United States, in March 1994 Muslims (who by then had adopted the ethnic term 'Bosniak') and Bosnian Croats signed an agreement creating a joint Federation. This agreement provided the parties with the necessary tactical military cooperation to roll back the advances of Bosnian Serbs and create the foundations for a post-war power-sharing cooperation between the two groups. By summer 1995, the balance of forces on the ground shifted against the Bosnian Serbs. In early August, Croatia took over the 'Krajina Serb Republic', provoking the flow of about 200,000 Croatian Serb refugees, but at the same time removing what was perceived as a constraint to successful negotiations. On 28 August, when shelling by Bosnian Serbs killed thirty-eight people in Sarajevo's downtown marketplace, NATO decided to act. In early September 1995 at Geneva, the parties and their international patrons agreed to basic principles of Dayton Peace Agreement. Bosnia and Herzegovina would continue its legal existence with its internationally recognised borders.

In retrospect, Dayton's achievement was not simply that of stopping the war, but also of providing a blueprint for saving the country from dismemberment. The DPA promised to set up a structure where more substantive goals could be pursued, such as reversing ethnic cleansing and arresting war criminals. Under pressure, the parties agreed to "ensure the highest level of internationally recognised human rights and fundamental freedoms" (Dayton Peace Agreement, Annex 4, art. II, 1).

According to Carl Bildt (1998, p. 392), "[t]he Peace Agreement for Bosnia was the most ambitious document of its kind in modern history, perhaps in history as a whole." Others diminished the importance of the document. According to Henry Kissinger, US policy was misguided in recognising the state of Bosnia and Herzegovina, because Bosnia's multi-ethnic composition is antithetical to successful statehood and deprived it of the key attribute of "historical European nation-states." Most observers, however, agreed with the chief US negotiator Richard Holbrooke (1998, p.

205) that "implementation would be at least as difficult as negotiations themselves."

1.7. Defining the Key Contexts

<u>Introducing the United Nations High Commissioner for Refugees: How Did It Move into Refugee Policy?</u>

UNHCR was established by the United Nations General Assembly in the aftermath of WWII to provide international protection and care to refugee victims of persecution (United Nations, 28 July 1951, Article 1, paragraph C4). It has developed into an entity that currently assumes responsibility for a broad range of people,[3] many of whom have different protection needs from those of refugees (UNHCR, December 2011, p.1). UNHCR's 65-year development has taken the organisation far beyond what was envisaged or even imagined when the General Assembly promulgated its 1950 Statute with narrow authority and limited scope. UNHCR has taken on different responsibilities; it has become more active in countries of refugee origin by granting humanitarian aid, monitoring human rights violations and trying to prevent the flow of refugees. It covers both the victims of war and gross human rights violations, as well as people who have not yet crossed an international border. The extent to which UNHCR is still a 'Refugee' organisation is hard to tell, as additional commitments have been adopted alongside its primary mission and have changed its focus. UNHCR has been diverted from solely refugee protection and is now being asked to focus on human rights protection and to provide humanitarian aid in certain circumstances. There is nothing unusual about an organisation growing in status and expanding its scope of action. From persecution and refugee protection to vulnerability and protection of civilians, such is UNHCR's conceptual journey to better respond to complex humanitarian crises.

---

[3] United Nations, 28 July 1951, Article 1, paragraph A2: As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

In essence, UNHCR now stresses that forced displacement can and must be resolved through the prevention of conflict, the protection of human rights, and the promotion of sustainable development (Macrae, 1999). Thus, its previous strict humanitarian function has given way to a more overtly political focus as it takes on issues that obviously fall well outside the definition of a refugee. Given the broad scope of activities – which reflect the transnational nature of issues surrounding involuntary migration – coordinated, complementary efforts undertaken by various actors are necessary for the accomplishment of its task.

As UNHCR's new focus on 'resolving the refugee problem' is unequivocally intertwined with 'peacebuilding' efforts, neither approach can achieve its goals of ensuring peace and human security without the success of the other (UNHCR, 2006; Price 2010). To determine whether this rhetoric has been translated into reality, it is necessary to examine the disappointing results of recent international efforts to arrest conflict to determine that it has not.

Durable Solutions: Defining Resettlement, Local Integration and Repatriation

First, resettlement in a third country of asylum offers protection for refugees who are debating their next steps (and when to begin healing) after sometimes brutal and barbaric events that often cause fatalities among family and friends (van Selm, 2004, p. 40). However, resettlement policies and programmes reflect the ideologies of host countries as well as their beliefs about the needs of refugee populations. The policies and programmes, however, reveal limited insight into the perspectives of refugees and offer little foresight into the achievability of integration and incorporation over time. For one thing, durable solutions often equate refugees' needs with those of general immigrants despite significant findings to the contrary (Humpage, 2001; Korac, 2001).

Second, local integration refers to refugees who can participate while sustaining what is considered a normal life in the environment of the host region enjoying freedom and civil liberties in a community (UNHCR, Solutions). Whereas achieving integration means active involvement in the host country society in multiple ways, the primary objective of host countries for refugees

during resettlement is singular: economic self-sufficiency (see UNHCR, 2005, Handbook for Self-Reliance). In 2016, the UN adopted the Comprehensive Refugee Response Framework (CRRF) (UN General Assembly, A/RES/71/1, 2016) as a four-pillar response to the increased number of refugees in the past decade. Of its four pillars, self-reliance – or self- sufficiency – was relevant to the second pillar and the one which clearly lists integration as a goal. Hence self-sufficiency is considered one of the primary factors for successful integration into a host community. Nevertheless, it has been recognised that refugees are not provided with effective tools to achieve either short- or long-term self-sufficiency. Restrictive government policies regarding foreign qualifications, inadequate support and funding for labour market retraining, and ineffective, often underfunded, language instruction during the resettlement period contribute to refugees being funnelled into the low-wage service sector of the labour market or the public welfare system (see for example, Msabah & Bowers-Du, 2017; Campbell, 2011; Bloch, 2007a, Bazen and Marimotou, 2001; Burkhauser et al., 2000).

Third, repatriation refers to refugees returning to their place of citizenship or origin after conflict or war (UNHCR, 2008a). Repatriation can be voluntary or involuntary, whereby the government or international agencies step in and mandate the direction of the refugees' future, whereas refoulement is the expulsion or return of the refugees to a place where there is a threat to their freedoms; with refoulement, asylum must be present to preserve a secure and safe dwelling (1951 Convention).

The order of 'preferability' for policy-makers among these solutions has varied over time; however, voluntary repatriation is generally considered as the 'ideal' solution (Long, 2013b; United Nations, 1997). Return is also regarded, for example, as a solution to the challenges presented by protracted refugee situations in Africa and Asia (Crisp, 2005; Loescher and Milner, 2005; Loescher et al., 2008). As observed by Harrell-Bond (1989, p. 42), policy-makers therefore regard repatriation as a durable solution to the refugee crisis; hence, there is a need to create favourable conditions for large-scale return of refugees. Refugees themselves generally assume that most of them will, eventually, return to their own country or community (Allen and Morsink, 1994; Kibreab, 1999). These issues have brought returning refugees

within the scope of political action, policy design and academic research. The participation of refugee returnees in the process is, however, often overlooked. They are rarely present during peace negotiations, and peacebuilding activities often marginalise them (Adelman, 2002; Fagen, 2009; Koser, 2009). This is akin to what Said (1978) explained as the concept of 'otherness' in military orientalism. Said's work on Orientalism is related to the notion of the subaltern as he explains the way in which Orientalism produced the silence of the Orientals. The term 'subaltern' generally refers to marginalised groups rendered without agency. Neumann (1999) pointed out that because of the subjective use of cultural differences and groups' specific cultural aspects, any difference, however small it may be, can be used for dividing groups and distancing them from one another. In implication then, we are never safe from engaging in othering.

The 'solution', therefore, must not only address the persecution but also the underlying structural causes of migration, such as poverty, discrimination, marginalisation, and exclusion (Marks, 2011), by either preventing or remedying the conditions that compel flight (Coles, 1988).

In addition, refugees and returnees form an integral part of the healing and rebuilding process. Thus, in concurring with Korac (2003, p. 53), the current study argues that the search for a solution should be understood as 'a two-way process, rather than a kind of medication that refugees take in'. In this two-way process, refugees participate in the processes in which a solution is identified and implemented, and are not regarded merely as recipients of a solution imposed by states and UNHCR.

To the extent that durability of solutions is at stake, UNHCR has an inherent interest in fostering reconstruction and reconciliation. "In many instances, the peaceful reintegration of refugees is closely linked to the multifaceted process of peacebuilding. In recognition of this link, UNHCR pursued expanded collaboration with political leaders, human rights monitors and reconstruction and development agencies" (Ogata, 1997, pp. viix). In Adelman's words (2002, p. 273), the conventional wisdom has it that "peace depends on refugee repatriation, and every peace agreement must provide for it." Peacebuilding requires just solutions for refugees and displaced persons. In UNHCR's experience, such solutions are indispensable for lasting

peace and true stability. Ending suffering should be regarded as both a humanitarian and a political imperative: it is a function of peacebuilding. Return movements are expected to help stabilise insecure border regions, serve as an expression of confidence in the peace process, and allow formerly exiled populations to contribute to peacebuilding and development. There is a strong link to the idea of transitional justice, that is, the ideal that an expulsion of people is not accepted (McGinn, 2000; Sooka, 2006; Williams, 2007). These issues have been present in peace agreements, for example, in Cambodia, Guatemala, Sierra Leone and Burundi (Phuong, 2005, p. 6).

Debates about the role of refugees in conflict or peacebuilding and development start from the premise that an unspecified but critical number of refugees have the interest, ability, and capacity to take an active role in homeland affairs. For example, a conference in Canada in 2006[4] called for the role that diasporic groups play in peacebuilding and development in the homelands. The underlying assumption was that organised immigrant groups in industrialised countries are positioned to play important roles in peacebuilding and development and can be defined as diaspora communities: groups that maintain a sense of community identity and loyalty with their homeland over time (Kleist, 2008). Milner also focused on the potential contribution that refugees can make to peacebuilding in their country of origin if they benefit from skills training and self-reliance while in exile (Milner, 2011). Importantly for this thesis, research by Bohnet et al. shows that "any solution to protracted IDP and refugee situations requires an integrated approach of peacebuilding, humanitarian aid and development aid" (Bohnet et al., 2015, p. 8). In this respect, it is important to capture the 'bottom-up' perspectives of refugees as a part of an integrated approach.

There are numerous barriers to participation for forced migrants including lack of resources. People who have left conflict and post-conflict situations cannot always participate actively and visibly in homeland affairs

---

[4] The University for Peace organised an Expert Forum on 'Capacity Building for Peace and Development: Roles of Diaspora' in Toronto, Canada, October 19-20 2006. The Forum brought together almost 100 expert participants including senior government officials; representatives of international organisations; representatives of civil society organisations; and researchers from around the world for an in-depth discussion regarding roles of diasporas.

because of fear and danger. Sherrell and Hyndman coined the phrase "global minds, local bodies" to capture limitations on the physical mobility of Kosovar refugees in British Columbia who nonetheless see themselves as active members of the Kosovar nation and political community (Sherrell and Hyndman, 2006).

International responses to refugee crises management can be seen in three dimensions. The first dimension is the migrants themselves and their needs in their host countries. Finding solutions for refugees, including facilitating their return to and reintegration into their own communities in an appropriate way, is the second dimension. The third dimension is the fact that for host countries, there is no security, development, or humanitarian instrument to assist communities that are often devastated socially, economically, and environmentally by the sudden influx of massive numbers of non-citizens. Similarly, little is understood about how refugees can affect host country involvement in neighbouring conflict situations. This has been a major gap in the international toolkit.

Refugee

Traditionally, UNHCR was restricted operationally by the legal definition of refugees outlined in the 1951 Convention Relating to the Status of Refugees. The Convention defined a refugee as any person who:

> …owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, or political opinion, is outside the country of his nationality and is unable or, owing to such a fear or for reasons other than personal convenience, is unwilling to avail himself to the protection of that country (UN, 1951, p. 3).

> As a result of events occurring before 1 January 1951 and owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his

former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it (United Nations, 28 July 1951, Chapter 1, Article 1, paragraph A2).

In this conceptualisation, the 'state' was integral to both the definition of the problem, in the crossing of an international border, and the proposed solution, the granting of asylum. In other words, UNHCR could only assist displaced persons once they had crossed their country's external border. Those displaced internally were not recognised as such, since they remained within the internal territory. The 1951 Convention is inadequate for refugee protection because it is not flexible in the face of what are perceived to be the new refugees; those fleeing, for example, from ethnic violence.

Most organisations frame displacement in a more casual manner, in which terms such as 'refugee' or 'internally displaced' are virtually interchangeable. For example, the International Committee of the Red Cross (ICRC) abides by a more fluid definition of refugees than that of the 1951 Convention. Through its mandate under the Geneva Conventions, the ICRC is responsible for assisting the victims of armed conflict – a group that includes both refugees and the internally displaced. Hence, unlike UNHCR, the ICRC does not make the traditional distinction between refugees and the internally displaced. In short, ICRC protects victims of war, while UNHCR protects refugees.

UNHCR expand its operational realm to include internally displaced persons. For example, in the former Yugoslavia, its operations included not only refugees and internally displaced persons, but also vulnerable groups close to the areas in which UNHCR was providing assistance. UNHCR has recognised that:

…the dynamics of today's mass population displacements require an approach that is both comprehensive and integrated: comprehensive in the sense of dealing with the sequence of events and actions from prevention to emergency response to solutions, and integrated in the sense of bringing together the entire spectrum of issues and actors. (UNHCR, 1996).

The first major change in the regime resulted from the recognition that a singular situation (WWII) had given way to an ongoing phenomenon, and that limiting the scope of the regime to that displacement prompted by 'events occurring before 1 January 1951' was not sufficient. The 1967 Protocol to the Convention removed this reference. Subsequent regional agreements were reached in response to the perception of empirical variation in refugee circumstances, as well as to the growing magnitude of the predicament. While the crossing of an international border remained a part of all the conceptualisations, more flexible thinking was demonstrated in the expanding lists of possible reasons for flight. From a primary focus on fear of persecution, the possible causes came to include, among others, the sorts of circumstances most likely to prompt internal displacement.

The definition or concept of a refugee to be recommended for use is one which, in addition to containing the elements of the 1951 Convention and the 1967 Protocol, includes among refugees persons who have fled their country because their lives, safety or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order.

Over time, a shift from traditional security approaches to a more integrated approach – hanging upon concepts of 'peacebuilding' and 'human security' – took place prompted by the changing reality of conflict in the post-Cold War era (Roberts, 1998; Duffield, 2001). Of particular concern for the current study is the absence of discussion on the engagement of refugees and returnees, although both scholarship and the legal framework see peacebuilding as a precondition for the successful return and reintegration of refugees and internally displaced persons (IDPs).

Indeed, it has been agreed that understanding the views of refugees has notable value. Refugees are the 'human barometer' of political stability, justice and order in much of the world (Winter, 1994, p.2). Refugees constitute evidence for political failure or success in today's human society. On one hand they are a barometer of current thinking towards durable solutions and on the other hand they are interested in judging their effectiveness. A

considerable number of refugees living in a given place is often a good indicator of a breakdown in governance in their place of origin, an indicator of governmental abuse in the home country, or of warfare, or that coherent governance has ceased to exist (so-called failed states).

The international refugee regime is a construct that emerged at a particular geographical and temporal juncture and that continues to evolve reactively to a changing empirical context. It is 'made' at myriad levels: its basic parameters are established by international legal documents, and its character is formed through the interventions of practitioners, the analyses of scholars and the lived experiences of displacement on the ground. The history of refugee law reveals that it is not founded purely on the principles of humanitarianism or the advancement of human rights, but on compromises designed to reconcile the sovereign prerogative of states to control immigration with the reality of forced migrations of people at risk.

1.8. Organisation of the Study

The chapters of this thesis together relate to a number of core conceptual and policy questions that need to be addressed if our ability to resolve the refugee crisis is to be enhanced. Paramount among these questions is the role that UNHCR and refugees themselves should play.

Chapter Two examines the politics of forced migration and explores debates in international relations to forced migration.

Chapter Three explores the theoretical model of the thesis, findings and concepts of norm socialisation and diffusion model. The chapter introduces and discusses the study's adopted theoretical framework and includes an overview of the constructivist literature and norm development: norms, normative structures and norm entrepreneurs. It stipulates the move towards everyday resilience and the 'bottom-up' mechanisms and the potential role of refugees as 'norm entrepreneurs'.

Chapter Four provides a detailed analysis of the methodological approach outlined above and the reasons for choosing a qualitative, evaluative, single case study. It presents the overall research methodology and design of the study and discusses both the strength and the limitations of this study. In addition, it elaborates on the data collection methods, or

techniques, and expands on the operationalisation of the two concepts of forced migration and peacebuilding, which are central to this study.

The next four chapters (5, 6, and 7) present the empirical research on durable solutions. Chapter Five, therefore, discusses how Bosnian refugees experienced resettlement in a host country, to discover how Bosnian refugees perceived UNHCR resettlement programmes, and their ideas regarding the programmes' strengths and weaknesses and recommendations for improvement. It includes findings on resettlement in relation to a constructivist perspective. Chapter Six examines the process of integrating refugees into a new host society, which involves not only the refugee, but the host society and state as well. It builds on the constructivist perspective to show how local integration issues are being looked at and discusses findings from interviews in relation to Local Integration. In Chapter Seven, the starting point for examining the links between returnees and peacebuilding is analysing the transformations in their resources (material, social, political, and cultural) that result from the interaction of the agency of refugee returnees and structures during their migration experience. While repatriation is currently the preferred solution to the presence of refugees, it faces many obstacles to its implementation. This chapter introduces the idea of working within the refugee-generating country and explores the difficulties associated with returning refugees to war-torn regions. It presents findings on returning as a way of presenting primary interview material.

Chapter Eight (Conclusion) provides a conclusion and examines the norm diffusion from the refugees to UNHCR discussion to show how the findings from refugees have been diffused back to the UNCHR policy frameworks from the 'bottom-up'.

To summarise this chapter, it is evident that while international or national policies are created and implemented predominantly by host and donor governments, international organisations, and international and local NGOs, the actual success of these policies depend on those whom they address. A number of studies in the development and refugee literature point to the fact that refugees themselves are actors in the process of policy implementation, as their acceptance or rejection of certain programming might determine the fate of these policies. As Mehta and Gupte (2003) point out, an

emerging literature is now acknowledging the need to recognize the universality of recipient rights while simultaneously taking a deeper look at the individual's situation, treating individuals as responsible actors, and creating a legitimate space for involving refugees in decision-making processes. Refugees' perceptions of policies and programmes combined with their understandings of rights and own priorities have a direct influence on the outcome of policies and ultimately on the livelihoods of refugees.

CHAPTER 2: Context of Study: The Politics of Forced Migration

2.1. Introduction

In the first place, it is important to understand what is meant by 'forced migration' as a background context informing this thesis. Briefly, forced migration represents a political process in which refugees and IDPs respond to a violation of basic human rights. The term 'forced' does not necessarily mean that people simply leave their homes without any consideration. Instead, it implies that civilians are 'coerced' into making respective choices based on their expectations and perceptions of the likelihood of (i) being attacked and (ii) receiving assistance. Consequently, as argued throughout the thesis, refugees and IDPs participate in political decision-making processes that affect their lives.

Indeed, such an understanding of 'forced migration' has implications for the way we also perceive the development of the contemporary refugee regime at the international level that may have implications for how such decision-making processes may also affect their lives in practice. Briefly, this can be summarised in four ways.

First, the politicisation of (forced) migration (Castles et al., 2014) has ensured that migration – more than ever before – has become an almost continuous and key issue in national and international politics, and thus there are high degrees of contestation and controversy within these decision-making processes that influence the lives of refugees. Put simply, the international refugee regime under UNHCR serves to balance, on the one hand, contestations deriving from conflicts over the degree of international legitimacy enjoyed by UNHCR to shape the key norms relating to human rights and, on the other, the often diverging political pressures on states to also act to protect human rights in their own independent way (Loescher, 2008). Hence, not only is the relationship between 'bottom-up' refugees and 'top-down' policy-making expected to be full of contestation, but this also partly derives from the contextual background that forced migration suffers from major contestations between policy-makers 'at the top as well'.

Second, as part of this wider politicisation and political process, some European sociologists even disagree as to whether the respective UNHCR policy could be regarded as a de facto human rights instrument (Koser, 2007; Lavenex, 2006). There are disputes as to whether UNHCR policy can be seen as anything other than setting the rather general background norms governing the politics of forced migration. Hence, in terms of norm diffusion its role is actually in setting the general norms to be diffused, rather than as a policy instrument that can turn general norms into specific outcomes affecting refugees' lives on the ground. Third, even if we accept that UNHCR policy can shape specific policy instruments, there is also contestation that it may actually be facing a climate where these are likely to be less successful over time, and that the national power of states remains central to facilitating or blocking UNHCR policy instruments. Some critical studies have shown that the decreasing rates and quality of refugee protection (such as the negotiation of only temporary protection to Bosnian refugees) reflect the resurgent power of states to limit access to refugees. As Khalid Koser argues (2007, p. 242), in the 1990s, the "balance of power between states and the international refugee regime has shifted" further from human rights obligations to refugee protections rights to privilege national interests. This weakness of UNHCR has been continually demonstrated during respective conflicts, for example, in the context of the large-scale Syrian influx to Lebanon when Lebanon rejected ratification of the 1951 Convention on the Status of Refugees and its 1967 Protocol. Such practical instances and experiences have – in practice – heavily affected UNHCR's own ability to execute its international protection mandate over time (Janmyr, 2018).

Fourth, most scholarship has also highlighted that any perceived effectiveness of UNHCR policy instruments to be influential in delivering norm diffusion of preventing forced migration and furthering conflict resolution is intrinsically linked to the wider state of the international political climate and wider estimations among the international community of achieving lasting peace in areas contributing to and driving 'forced migration'. Hence, in practice, it is likely that the ability of UNHCR policy to shape norm diffusion on forced migration is also affected by wider estimations of whether this can also be conducted in areas where conflict resolution can be achieved and some

degree of peace established and restored. In simple terms, UNHCR norm diffusion on forced migration tends to be more successful at times when the likelihood and negotiation of peace agreements seems (more) viable in practice. For example, in Africa, the signing of the Peace and Reconciliation Agreement (28 August 2000) between the Tutsi-dominated government of Burundi and mainly Hutu opponents, provides an example of how 'track-two' negotiations can incorporate norms governing arrangements towards displaced populations and have a significant impact in shaping attitudes to forced migration on the ground. (Worby, 2004).

Fifth, in those instances where UNHCR policy may indeed shape norm diffusion that may eventually help displaced populations to return and reintegrate, then it is also the case that the literature also asserts that this can simultaneously address the root causes of a conflict and help prevent further displacement (RSG, 2007). While constructivist scholars have begun to investigate the impact of norms on various aspects of international politics, limited effort has been expended to scrutinise how norms relating to individual and group rights inform post-settlement peacebuilding. In simple terms, this brief analysis of the contextual background also shows that where UNHCR policy diffusion can be successful – be it in very selective and limited ways – there can be a 'knock-on' impact on whether further forced migration may take place in the future.

With these background contexts in place, this chapter now examines the context of the politics of forced migration in more detail in order to identify key factors influencing migratory patterns, the consequences of international and national refugee policy, the creative responses of people on the move to the constraints and opportunities of shifting political contexts, and the refugees' influence on conflict and peace outcomes. In particular, the intention is to outline the particular context of migration patterns at the time of the Bosnian War, and more specifically, to draw out ten important reflections that provide the backdrop for our later more detailed analysis and empirical findings.

2.2. Migratory Patterns: Ten Important Reflections

In contemporary research into forced migration then, the most frequently cited definition of forced migration, which has been adopted and promoted by the International Association for the Study of Forced Migration and Forced Migration Online, is as follows:

> …a general term that refers to the movements of refugees and internally displaced people (those displaced by conflicts) as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects (Refugee Study Center, 2012).

This definition focuses on the causes and consequences of three categories of forced migration induced by conflict, development policies, and natural disasters, with an emphasis on the experiences of those affected. Importantly for this study, this prevailing definition is largely dictated by rather practical political and policy concerns (shaped by 'top-down' practitioners) in order to pragmatically handle humanitarian demands, rather than being based on fundamentally analytical ones.

With this in mind, such a broad and rather pragmatic definition of forced migration captures the notion that forced migration is seen as having multifaceted implications for policy-makers (including those of UNHCR). Nevertheless, although the concept of forced migration should naturally encompass different forms of migration, including internal displacement and development-induced displacement, traditionally, however, it has predominantly focused by 'top-down' policy-makers on the narrow sub-category of refugees and those forced to flee due to violence, war, and insecurity (Hammerstad, 2005). Thus, while the general definition remains quite broad, the practical realities have been that 'top-down' policy has utilised some expediency in ensuring that in practice it has been translated into focusing on rather narrow sub-categories of refugees. This has important implication for this study in the following ways.

First, when translating forced migration as a policy process, this has come to also reflect the growing and key observation among 'top-down' policy-makers that these narrow sub-categories of refugees may not have

their destination in mind before they leave and that they are most likely to find a destination in the middle of movement. In other words, people respond, even in very constrained opportunities, to the triadic relationship of their countries of origin, their countries of destination, and the international community.

Second, 'force' has been largely interpreted by policy-makers as more or less close to representing the violence of conflict carried out by one or more armed groups in the competition for territory or government. That is, this definition focuses on population movement as a result of armed conflict, including genocide, political persecution, civil war, and international wars (Ball et al., 2002; Morrison and May, 1994; Moore and Shellman, 2006). In particular, there has been specific recognition that, government and armed groups have deliberately targeted civilians in order to mobilise the support of their constituencies or to exploit resources that are held by targeted groups. Governments and armed groups use violence both to prevent the defection of specific groups and to induce their compliance, particularly in civil wars and other internal conflicts (Kalyvas, 2006; Lichbach, 1995). This violence endangers the lives and security of individuals, and it becomes an imminent force. Nevertheless, it is also important to highlight that this terminology has also enabled a degree of discretion to be exercised by policy-makers from the 'top-down' since not all of these people leave home in the face of violent conflict. Internally displaced civilian populations move from one place to another, seeking safety and protection inside their own country – although from the perspective of forced migration in this thesis – it is noted that the focus of the policy-makers has largely been on cross-border rather than internal forced migration.

Third, the responses of neighbouring states and the international community affect the decision-making processes of forced migrants. International humanitarianism is not new in the history of international relations. It has evolved alongside the evolution of international conflict and cooperation. International humanitarian agencies can provide displaced people with better opportunities to be secure in many ways, especially when governments do not have the willingness and capacity to do so. As one former high-ranking UN official has written: "The coordination of global

humanitarian relief operations is as much about politics as it is about efficient and effective management" (Barber, 2015, p.187). But sometimes governments and armed groups exploit international humanitarian efforts to maximise their own interests and influence. Thus, both conflict and humanitarian responses should be taken into consideration simultaneously in order to draw a plausible causal inference.

Fourth, the concept of the forced migrant does already include some degree of international legitimacy even if there are major issues of contestation. Hence, this thesis recognises that any discussion of forced migration is working from some kind of legal foundation at the international level. This is important for our later analysis of the 'bottom-up' perception of refugees since their status is at least recognised and therefore needs to at least be partly understood within the context of international agreement where some norm diffusion has – most probably already taken place. This includes understanding the interesting dichotomy whereby refugees are recognised by the 1951 Convention Relating to the Status of Refugees, and IDPs, who are not. Hence, forced migrants are assumed to make decisions based upon their expectations of both being victimised and being secure, exercising some degree of choice. Hence, providing insight into some of these degrees of choice is important in relation to empirical investigations of this thesis.

Fifth, such understandings of the degrees of choice of migrants must also be seen and interpreted with practical qualitative caveats. Few migrants exercise either maximum choice or no choice. As Van Hear (1998, p. 42) states, "[a]lmost all migration involves some kind of compulsion; at the same time almost all migration involves choices." Although many terms such as 'forced,' 'compelled,' 'impelled, and 'compulsory' are used interchangeably to describe the phenomenon, most forced migrants are projected somewhere between the ends of the maximum choice and no-choice continuum of forced migration.

Sixth, it is important to pay attention to the impact on societies and views on societal roles towards forced migration and thus not to see any discussion of the 'bottom-up' perceptions of refugees in isolation. Societies, all over the world, have welcomed victims of persecution and violence over the centuries, even before the instruments for the regulation of the refugee law

came into force (Holmes, 1988, p. 405).[5] The international community has generally welcomed refugees, protecting their rights and hosting them, but in recent years some more negative trends have been highly discernible with national political climates, and in particular, domestic populations becoming more resistant to accepting large numbers of particular types of refugees as a matter of course. Governments have often found it difficult to reconcile their humanitarian impulses and obligations with the domestic needs and policies to assure the critical voices among domestic populations towards accepting forced migrants, especially at present with this exceptional number of migrants. States have struggled and keep struggling, trapped between maintaining solidarity with the refugees, while placating the concerns of their citizens, who feel threatened by the ongoing influx. Ultimately, the responsibility to protect refugees is borne by nation-states, with the United Nations High Commissioner for Refugees facilitating cooperation with countries to best reach goals. On this premise, refugees have been hosted all over the world but largely on the perceived conditionality that when conditions in their homeland are restored to normal, this will allow them to then return safely and with dignity. Moreover, governments cooperated with UNHCR, allowing the organisation to operate in their territories and providing funding for their own refugee programmes (Jastram and Achiron, 2001, p. 5).

Seventh, forced migration crises have come to be regarded by 'top-down' policy-makers as chronic features that have a largely negative impact on both human experience and the conduct of international relations. The absence of the clear Cold War 'structure' allowed for greater forced migration and became a key issue because of media and political attention and the strain on resources. In the late twentieth and early twenty-first centuries, the world has observed more dramatic fear of attacks, disorder, and coerced displacements of innocent populations than ever before. When the number of forced migrants is small, forced migration may not matter. However, as that

---

[5] The right to seek asylum in a church or any other holy place was first codified in law by King Ethelbert of Kent around 600 A.D. There were similar laws which were implemented by other kings throughout the world. For example, throughout the course of the nineteenth century, Britain acted as a safe European refuge for political exiles fleeing repression on the continent. It was described as 'the flag under which so many refugees, Russian, Italian, French, Hungarian and of all nations, had found asylum' (quoted Holmes, 1988, p. 405).

number increases, forced migration produces both the best and worst 'reflex' tendencies among top-down policy-makers. In many respects, forced migration demands compassion, leading both to calls for help and a fear of difference in international relations, state policies, and individuals' lives. In international relations, refugees and IDPs are "products of humanity's worst instinct" as well as "some of its best instinct" – "the willingness of some persons to oppress others" as well as "the willingness of many to assist and protect the helpless." To states, they can be "threats or weapons" as well as "trophies or embarrassment." For individuals, they matter simply because "it could be me" (Helton, 2002, p. 7).

From this perspective there is a possibility that a willingness to address the causes of flight and provide solutions helping forced migrants may increase efficiency of assistance. This can lead to norm diffusion from 'bottom-up' views and suffering to the top-down sphere where more attention could be given to international cooperation if refugee responses are to be workable and enduring. It is not just about 'burden-sharing' but success depends on the international community's appreciation of sharing all aspects of crises situations and taking into account the interests and views of those displaced.

Eighth, at the international level, the mass flights of innocent people can be influential in promoting change by senior policy-makers and/or at least them being seen as 'change agents' by refugees. The literature has identified that this is actually possible in several ways. First, the indignity and deprivation of displaced people under persecutors or tyrants often inspires the international community and 'top-down' policy-makers to cooperate in confronting this flesh-and-blood reflection of oppression (Cohen and Deng, 1998a, b; Loescher, 2001). Due to the so-called 'CNN effect,' leaders in wealthy democracies are demanded by their constituents to do more, do it better, and do it more quickly to deal with the tragic image of refugees and IDPs around the world (Robinson, 2002).

Ninth, at the state level, refugees and IDPs are important because they can be seen by policy-makers as a potential resource and/or rationale for actual peacebuilding and state-building. If refugees become active from the 'bottom-up', it is often argued that it will be difficult for international forums to

ignore their voice(s). In addition, there can be real added value-added for the careers of policy-makers if they can be individually tied to policy actions or norm diffusion that may eventually lead to discernible fundamental changes among individual lives and communal identities that will be observed in terms of race, ethnicity, language, and religion (Deng, 2006; Salehyan, 2007). Refugees then, can be 'used' by 'top-down' policy-makers and be regarded as the trophies of wider political competition and achievement in – what some regard as – zero-sum political game(s) between international policy-makers. For example, at the end of the Cold War era, the arrival of uninvited exiles precipitated state-chosen policies that both discouraged asylum seeking and facilitated the ability of exiles to live and prosper in territories close to their home countries. When militarised camps harbouring refugee warriors become endemic, for instance, all refugees and IDPs are often lumped together due to the inability of international organisations and state governments to effectively determine who deserves protection and who is guilty (Hoffman and Weiss, 2006). The containment policies of host governments, which are typically created from fear that anarchy from their neighbouring countries will seep into their own country, contribute to the increasing number of IDPs who are would-be refugees (Nahm, 2007).

Conversely, adopting critical and restrictive policies also offers opportunities for policy-makers to shape competing norm diffusion that argues against welcoming refugees and that peace building is actually built on restrictive immigration policies (Hörler Perrinet et.al. 2018). Hence, change itself remains contested and the trend is actually towards less coherence in terms of the trajectory of policy change affecting forced migration over recent decades. There are numerous instances in recent decades, such as Denmark, and even the UK via BREXIT debates, were the policy tightening has focused on promoting the greater rejection of refugees and asylum seekers (Berry et. al., 2016). Policy change agents in some instances have sought to restrict the numbers of refugees in order to achieve policy change that seeks to harden domestic security. Moreover, abuses of the asylum systems have fuelled scepticism, and led to further debates around restricting aid and to conduct change to provide for more selective targeting of those refugee groups deemed to be in need. For this reason, refugees have been

refused admission or have been expelled from asylum countries; those who reached the hosting countries have been sent back to their home countries. There have been growing instances that the wider international climate has been more (not less) tolerant of the intimidation of refugees by sceptical local communities, with growing criticism of the failures and wisdom of migration policies that promoted integration of migrants into the hosting societies (Berry, 2016). Moreover, evidence suggests that the respective hosting local population often worries about competition with the migrants, who are seen as exploiters of the economic and natural resources (von Hermanni and Neumann, 2019). Some countries have become increasingly worried about the economic and social costs of asylum, as some donor governments are struggling with the domestic expenses of receiving refugees and supporting them over long periods of time in other nations (Kancs and Lecca, 2018; Casati, 2017). This issue led to a clash between less developed countries that oppose the wealthier states, which are restricting their parameters in hosting refugees and reducing the support resources (Jastram and Achiron, 2001, pp. 6-7).

Tenth, at the individual level, refugees and IDPs are significant not only because they are the personification of harsh change with agony and despair but also because they are the reflection of failures of governments and international organisations. In this way, refugees and IDPs have wider impact on how society rates and sees itself. Listening to the voices of the refugees would mean that policy-makers would have to be accountable for refugee-related policies. As Helton (2002, p.12) says, forced migration crises raise "a basic doubt about the ability of people to live together." Refugees and IDPs are a real manifestation of the injustice and misery associated with the concept of deprivation. This is the obvious case when forced migration crises become protracted (Crisp, 2003a, b). Although forced migrants in protracted situations barely have the physical means to move or support themselves, material assistance and protection services are often selective due to the debate over the principle and practices of state sovereignty (Deng, 2006). In the worst case, the threats to their lives are exacerbated because of the political indifference of states and international organisations.

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

This thesis views refugees as political actors who influence and are influenced by processes and outcomes of forced migration. Forced migrants make provisional decisions, with constrained freedom of choice, about whether to leave home and whether to cross international borders. They do not always respond in the same way to the same root causes. They make their decisions based on both their expectation that they will be victimised and their expectation that they will be protected by the international community.

2.3. The Consequences of International and National Refugee Policy

International migration is part of a transnational shift that is reshaping societies and politics around the globe. Until recently, governments generally did not see international migration as a central political issue. UNHCR's 'search for solutions' recognises this complexity of migration flows (UNHCR, 2007; UNHCR, 2008b; UNHCR, 2008c; UNHCR, 2017). It is premised upon the notion that forced displacement can and must be resolved through the prevention of conflict, the protection of human rights, and the promotion of sustainable development. The second aspect of UNHCR mandate is to "seek permanent solutions to the problem of refugees" (The Statute, par 1). Official solutions to refugee crises have long been limited to three options: voluntary repatriation, local integration in the country of first asylum or third country resettlement.

Minority Returns and Voluntary Repatriation:

UNHCR considered the first option, repatriation, to be the most favourable (Long, 2010, p.4; Güler, 2016). It is also considerably easier for UNHCR to repatriate than to persuade a third country, usually industrialised and developed, to accept increasing numbers of refugees. For example, when the EU experienced an unprecedented influx of refugees and migrants in 2015 and 2016, the support for refugee policy began to wane, with increased

hostility towards migrants entering the political discourse. Certain countries along the migrant route began to close their borders. This dramatic increase in those seeking protection sparked a heated debate in Western countries about the impact of refugees on the receiving societies and on adequate policies for dealing with this phenomenon. One crucial aspect of this debate is the extent to which Western countries can effectively integrate asylum seekers into their labour markets and societies (Moraga and Rapoport, 2015; Hatton, 2017).

Countries of first asylum, located primarily in the south, are also becoming increasingly intolerant of hosting refugees that reach their borders (For example, in 2015 Indonesia became increasingly restrictive for Rohingya and Bangladeshi refugees). Repatriation, therefore, remains the preferred 'solution' and the official repatriation policy of UNHCR has changed dramatically over the past few decades in order to reflect these circumstances (UNHCR, 2017; O'Connor, 2013).

Voluntary repatriation is where refugees volunteer to return to their country of origin. Article V of the OAU Convention, "which is the only multilateral treaty provision so far concluded for repatriation of refugees" (Goodwin-Gill, 1983, p. 263), stresses the voluntary nature of the repatriation, the importance of collaboration between the country of origin and the country of asylum, and the principles that refugees who decide to return should not be penalised and that returnees are to be provided with assistance by the country of origin, the asylum state, and international and intergovernmental organisations to facilitate their return.

UNHCR first introduced the policy of 'minority returns' following the war in Bosnia, in which over half the population was forcibly displaced. Prior to the 1992-1995 war, most of the original ethnic Croats and Muslims remained in the Serb-controlled regions. Similarly, only a small percentage (4 per cent to 7 per cent) of ethnic Serbs remained in the joint Croat–Bosniak-controlled Federation (Bieber, 2006, p. 32). In other words, an ethnically mixed country had become almost completely unmixed in a matter of four years. Following Muller:

As a result of this massive process of ethnic unmixing, the ethnonationalist ideal was largely realized: for the most part, each nation in Europe had its own state, and each state was made up almost exclusively of a single ethnic nationality. During the Cold War, the few exceptions to this rule included Czechoslovakia, the Soviet Union, and Yugoslavia. But these countries' subsequent fate only demonstrated the ongoing vitality of ethnonationalism (2008, p. 111).

Return policy assumes that negotiations between refugees' countries of origin, UNHCR, and donor nations can result in a win-win situation (repatriation) through the country of origin and that UNHCR, representing itself, refugees and donors, can come to an agreement. The return of refugees and displaced persons, for example, requires not only political will but also minimally enabling economic conditions: returnees who lack the means to support themselves and their families are unlikely to be able to sustain themselves in vulnerable minority situations.

One problem stands out. Historically, UNHCR has allowed refugee repatriation without their consent, hence exposing them to more conflict and life-threatening environments. There are many examples of this, for example: more than 20,000 Tamils repatriated from Switzerland; more than 300,000 Bosnian refugees repatriated from Germany (Black and Koser, 1999); and 200,000 Rohingyan Muslim minority refugees repatriated from Bangladesh to Burma (Loescher, 2001). Evidence suggested that there were conflicts, remigrations, and even the possibility of 'disappearances' (a euphemism for 'killings') involving these and/or other returnees (Amnesty International 1997a, b; Van Hear, 1998; Black and Koser, 1999; Loescher, 2001; UNHCR, 2002). In one of her speeches made to the Executive Committee of UNHCR, Miss Ogata argued that refugees would be better off if they were to go "home" rather than stay in camps (for example, Statement by Mrs Sadako Ogata, UNHCR, 23 November 1996). As Loescher (2001, p. 5-7) explains, this was implemented as part of the so-called voluntary repatriation program (VRP) in which refugees were advised to return 'home' in order to benefit from UNHCR's temporary assistance for reintegration and/or to suffer the consequences of the termination of aid and protection if they failed to do so.

Initially, refugees could not be repatriated unless the situation from which they had fled had visibly improved and there was no perceived threat to their well-being upon return. From the 1980s, however, new categories were created which enabled repatriation to take place under less than ideal conditions. According to one UNHCR official, the organisation moved away from the original principles guiding repatriation because states are increasingly demanding that refugees return as quickly as possible, and furthermore, it is nearly impossible to objectively determine the level of safety in many 'post-conflict' settings (Interview 4). Thus, it appears that the concept of non-refoulement has been gradually debased. Other measures carried out by countries of asylum, however, such as reductions in food aid, relocation of camps, and harassment by security forces are all inducements for refugees to return before the situation has improved.

With no jurisdiction over the local authorities and based outside of the camps, it is very hard for UNHCR to physically protect refugees in situations of repatriation. The countries of origin usually have a poor record as regards respecting human rights, hold limited abilities to restore economic, social and political life, as well as experience difficulties in maintaining effective judicial systems, that together may bring long-term stability. It can be argued, therefore, that the facilitative role of UNHCR in repatriation is not so much a solution to the refugee crisis, as evidence of their inability to act without the permission of host country governments or support from major donors (Betts, 2018). Furthermore, with the organisation's budget being stretched further each year, repatriation is the most cost-effective way to deal with refugees, as once they are back in their country of origin, the repatriated are technically no longer under the jurisdiction of UNHCR. The shift away from absolute standards regarding the desire by refugees to repatriate given their assessment of the situation in the home country toward a comparative evaluation by agency officials regarding whether refugees would be more secure at home or in the camps has the direct implication of privileging the agency's knowledge claims over those offered by refugees.

The High Commissioner proposed an integrated approach known as "Repatriation, Reintegration, Rehabilitation and Reconstruction (4Rs)" (UNHCR, 2004). This approach brought together humanitarian and

development actors and funds, envisaging the allocation of greater resources to facilitate a more conducive environment inside the countries of origin, to deter any recurrence of mass outflows, and to facilitate sustainable repatriation. This initiative was piloted in Eritrea, Sierra Leone, Sri Lanka and Afghanistan, and promoted cooperation among the government, development actors such as UNDP, the World Bank, UNICEF and WFP, the donor community and bilateral aid agencies.

Even among critics of UNHCR's, donors' and asylum states' promotion of and preference for return as a durable solution (Chimin, 2003), a key norm has become universally accepted; namely that return is the most desirable solution and, at least, the prevailing assumption remains that every refugee desires to return 'home'.

The limitations of the solutions just described prompted discussions about Preventive Protection and Safe Havens. Preventive Protection[6] envisaged a long-term solution by proposing a shift in focus away from refugees as a problem and toward addressing the causes of refugee flows, so that people were not displaced to begin with. Safe havens[7] are proposed as an alternative to 'Preventive Protection'. The problem, however, remained that people were to be kept close to the conflict, and the proposition largely ignored the issue of later threats that this proximity might pose. The acute situation of Internally Displaced Persons fast became a crisis of global proportions and attests to the unavailability of this solution (Loescher and Milner, 2005).

Resettlement:

As to alternatives to voluntary repatriation, third country settlement (asylum) and second country integration were the normal practices of the refugee regime until the late 1980s. Resettlement to a third country of asylum was defined by UNHCR as:

---

[6] The concept used by UNHCR to help justify its shift of focus from external asylum to internal assistance. In 1992 Ogata mandated an internal working group to come up with suggestions for preventive strategies (UNHCR, 1992, quoted in Loescher, 2001, p. 297). Such ideas suited the interests of UNHCR's donors, who wanted the Bosnia displacement crisis contained within the Balkan region.

[7] Safe areas were humanitarian corridors established in 1993 in the territory of Bosnia and Herzegovina during the Bosnian War. UN Security Council Resolution 819 and 824 (1993).

"…the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit them – as refugees – with permanent residence status. The status provided ensures protection against refoulement and provides a resettled refugee and his/her family or dependants with access to rights similar to those enjoyed by nationals." (UNHCR, 2011, Chapter 1, p. 9)

The practice of resettlement is considered both a solution to the refugee situation and an avenue for other countries, especially those in the West, to share in the burden of hosting refugees by countries in the Global South (Milner, 2009). Because UNHCR's preoccupation was with returning and containing refugees, states were concerned with the passing of strict immigration laws, and TNCs' interests were the deterritorialising of spaces so that they could be made civil and convenient for profit maximisation: these were not considered at all as possible alternatives.

Generally, UNHCR is involved in seeking out this solution for refugees through settlement officers; it is ultimately, however, the receiving country that makes the final decision on who is accepted. Milner (2009) suggested that states' adoption of resettlement is influenced by both domestic pressure and foreign policy motivations. Third country resettlement is dependent on the willingness and cooperation of foreign governments in order to be implemented. As UNHCR Resettlement Handbook notes,

No country is legally obliged to resettle refugees. Only a small number of States do so on a regular basis (...) Accepting refugees for resettlement is a mark of true generosity on the part of Governments (UNHCR, 1997a, p. 5).

Looking at the effectiveness of this option in the context of this thesis, it is notable that less than one per cent of the world's refugees were resettled in third countries in 1993 (Loescher and Loescher, 1994). The end of the Cold War marked a decrease in the perceived political-strategic interest in refugees, whose presence – up until that point – had been deemed substantive (and much needed) proof of the failure of the Communist system (Roberts, 1998). The increasing reluctance of states to accept refugees in the post-Cold War

era coincided with willingness of both governments and multilateral institutions to finance humanitarian assistance in or near the country of origin. For example, the international response to the crisis in Syria places significant emphasis on resilience including through the Regional Refugee & Resilience Plan that the United Nations coordinates, and which is known as 3RP (Regional Refugee & Resilience Plan, 2017).

Currently, to achieve a more equitable sharing of burdens and responsibilities, to build capacities to receive and protect refugees and to resolve their problems on a durable basis, one of the objectives of Goal 3 of the Agenda for Protection (2003) is to use resettlement more effectively as a tool of burden-sharing between states (Dowd, 2017; Thomson, 2017). Resettlement goes far beyond the relocation of refugees to a third state; it involves a process of being received and integrated within a new society. The Working Group on Resettlement (WGR) is examining this issue with a particular focus on the strategic use of resettlement, on expanding resettlement opportunities and on enhancing resettlement capacities.

Third country resettlement was and continues to be considered the least preferred policy option. It is the most expensive of the three policy options for the international community and signals the total refusal of a country to accept refugees except for a short time. For example, the complete refusal of Southeast Asian countries to accept Vietnamese refugees for local settlement has meant a considerable strain on the availability of third country resettlement places. It has also forced the international community (e.g., UNHCR and many concerned governments such as the U.S. and Australia) to continually lobby these governments to prevent refoulement of Vietnamese boat people (Moreno-Lax, 2017).

Local Integration:

This leads to the last of the traditional solutions, which is settlement in the country of first asylum. Integration of refugees in the first country of asylum, also referred to as local integration, has always been a guiding principle of the global refugee regime. According to the 1951 Convention, restoring refugees to dignity and ensuring the provision of human rights includes an approach that would lead to their integration into the host society

(article 34). Indeed, as noted by Harrell-Bond (2000), the 1951 Convention uses the word 'assimilation', which implies the erasure of differences between refugees and their hosts, as well as permanence within the host society.

As with third country resettlement, local integration is contingent upon approval of the host government, which may not be forthcoming in situations of mass influx, given the likelihood of scarce resources as well as religious and ethnic tensions. Although the majority of the world's refugees are in the developing world, countries of asylum do not regularly grant them the right to local integration but more often limit their generosity to temporary asylum in closed refugee camps.

It is evident, therefore, that these traditional solutions often fail to ensure the safety of refugees or resolution of the situation leading to their displacement. As Erika Feller, director of UNHCR's Department of International Protection, notes, "The Convention [Relating to the Status of Refugees] is no panacea for all the problems of displacement. Root causes are outside its scope" (Feller, 2001, p. 6). Many would agree that this statement applies equally to the mandate of UNHCR.

With regard to cases where local integration of refugees in countries of asylum is a viable option, the High Commissioner proposed a strategy called 'Development through Local Integration (DLI)'. In situations where the State opts to provide opportunities for gradual integration of refugees, DLI would solicit additional development assistance with the aim of attaining a durable solution in terms of local integration of refugees as an option and not an obligation.

For example, as documented by UNHCR, since the 1980s countries such as Angola, Ivory Coast, Gabon, Guinea, Namibia, Sierra Leone, Tanzania, Zambia, Nigeria, Cameroon have not only opened their borders to the influx of refugees, but have also offered them the option of local integration over recent decades and in response to subsequent and prevailing crises. For example, in 1981 Tanzania granted 25,000 Rwandan refugees citizenship. In 2003, it offered 3,000 Somali refugees the possibility of naturalisation; and most recently, in 2008, about 218,000 Burundian refugees were granted citizenship opportunities (Fielden, 2008; Milner, 2009).

For the purpose of this thesis, the summary of durable solutions is outlined in Table 2 below:

Table 2: Summary of Durable Solutions

Voluntary repatriation*	**Resettlement***	**Local integration****
Preferred solution	Option of last resort	'Forgotten solution'
Tool to remove	Tool to burden-sharing	Neglected by states
Preconditions: 1. Safety and dignity 2. Being well-informed 3. Chance to re-start life at home **Tensions:** 1. Reintegration to local community (tensions between those who fled and those endured)	**Preconditions:** 1. Protection 2. Non-refoulement **Tensions:** 1. Another country that has agreed 2. It is seen not as a right for refugees but as a scarce resource to be distributed among only a few of the total refugees	**Preconditions:** 1. Self-reliance 2. The local population of the country of asylum and the refugees can co-exist **Tensions:** 1. Unstable asylum practices. 2. Full access to rights 3. Integration problems

Sources:

*UNHCR, Handbook Voluntary Repatriation: International Protection, 1996; and UNHCR, Handbook for Repatriation and Reintegration Activities, 2004

** UNHCR, Resettlement Handbook, 2011

*** UNHCR, Handbook of Self-reliance, 2005

The solutions to displacement that are proposed and implemented are an example of the complexities and contradictions of discourse and practice in refugee situations. Refugees look for opportunities to improve their lives through their choices and responses to their new environment. Commenting on the implications of forced displacement on the lives of refugees, Martin (2004, p. 13) asserts "for most refugees, the experience of forced migration requires continuing response to change, including the need to cope with traumatic new circumstances" and such should be the focus of UNHCR's durable solutions. There is increasing recognition that programming in the context of forced displacement cannot be credible or effective unless it incorporates and reflects the perspectives of refugees (Nah, 2010; Cohen, 2008; Brown and Mansfield, 2009).

Trajectory of UNHCR Programming

Now that there has been more detailed discussion of what constitutes the three relevant dimensions of durable solutions in relation to this thesis (namely voluntary repatriation, resettlement and local integration), it is not worthwhile to just explore what this implies in terms of our understanding of UNHCR programming. After all, and as the conceptual framework of this thesis envisages, UNHCR programming represents one of the key processes whereby top-down norm diffusion might take place in practice.

In particular, this implies that it is also valuable to consider whether the process and impacts of UNHCR programming of refugees does enable UNHCR to provide a 'top-down' mechanism/interface and actually work to ensure the protection of refugees in practice and in particular with the view that they may eventually act as citizens capable of choice and action during their displacement? On the other hand, it might also be the case and it is envisaged in this thesis that any absence of UNHCR's 'two-way' dialogue and debate with their refugee constituents regarding protection issues could be taken as a reflection of the organisation's belief that refugees are incapable of choice and action due to their displacement?

Shifting away from the root causes of displacement, it is important to note that UNHCR was largely preoccupied with supporting humanitarian relief efforts within the respective countries experiencing conflict and crisis. Through

the 1990s, it spent more time and resources on large relief operations (for example, there are 6.1 million IDPs in Syria and since 2012 UNHCR has been supporting them through the provision of protection and community services, distribution of core relief items, shelter assistance, health care services, and educational support). In 2017, UNHCR implemented the Syria Humanitarian Response Plan to respond to large-scale humanitarian and protection needs (UNHCR, Syria overview). Yet, in the main, this move into humanitarian assistance by UNHCR officials was defended as a new form of protection. The 1999 UNHCR Global Report stated that "identifying vulnerable groups and prioritising assistance to ensure their physical security, access to food, safe accommodation, and primary education' are all components of the daily practice of protection" (Feller, p. 4). Critics of this policy have pointed out that the gradual shift in focus from legal protection to emergency assistance "spawned a new cadre of logistics personnel and managers whose priorities are effectiveness of aid delivery rather than protection" (Loescher, 2001, p. 29). Emergencies in these cases are perceived "in terms of logistics and not as failures of politics, the development process or ethnic relations" (p. 29). It also shows unwillingness to fulfill its mandate of protecting civilians. Hence, it is important to highlight for this thesis that the attention and activities of UNHCR was not always focused on the three dimensions of durable solutions in the context of helping refugees. Rather it was part of a wider array of remits that at the time of the 1990s included a very large preoccupation with organising humanitarian relief.

At the same time, three further observations on UNHCR programming are of relevance to this thesis. First, it can be observed that while UNHCR programming may have been largely 'top-down' oriented and this was indeed promoted by the immediacy of organising and implementing humanitarian relief, UNHCR programming did leave some policy 'space' for taking in the view of refugees as least in theory if not always in practice. At the time, UNHCR programming was very much driven by the desire to formulate 'how' refugees participate in the process of seeking solutions. There was thus a growing 'window of opportunity' for an active interface with refugees through durable solutions policy even if this may not have been that active in practice. Second, despite the emphasis of a two-way dialogue with refugees emerging within

UNHCR programming, this was largely in contrast with the approach of states and organisations that assume the necessity of making and implementing decisions for them (refugees). Hence, there was something of a policy gulf between the trajectory of UNHCR programming that seemed to be moving towards a better interface with refugees, and the more cautious and traditional 'top-down' lines of key participating states aware of domestic political climates that have hardened towards the repatriation, resettlement and local integration of refugees.

Thus, and concurring with Korac (2003, p. 53), the current study argues that the search for a solution should be understood as "a two-way process, rather than a kind of medication that refugees take in". In this two-way process, refugees participate in identifying and implementing the solution, and are not regarded as recipients of a solution imposed by states and UNHCR. Indeed, there may have been (i) opportunities to build this more concretely through the particular trajectory of UNHCR planning, although in practical terms, (ii) this would in practice be not that easy given the perceptions and dispositions of key states faced with a more unsettled domestic political climate on refugees.

Understanding Capacity Building as Protection

Furthermore, it is also important to highlight in the context of this thesis the way capacity building was increasingly viewed as a form of protection representing a widening of the way that UNHCR envisaged providing a supportive environment in which to promote durable solutions. Put simply, an emerging feature of UNHCR's (humanitarian assistance) programming was the shift away from traditional protection strategies towards a stronger focus on capacity building. According to UNHCR, capacity building came to focus: "on existing initiatives, commitments and potential as distinct from relief, which addresses needs and problems'. Importantly, capacity building also provided for growing interactions with stakeholders and interested groups since UNHCR aimed 'to build a network of partners at various levels' that would be, 'highly participatory by nature and requires shared commitments and objectives on the part of external and domestic actors." (1999). Hence as a set of activities, capacity building now implied: "provision of technical support, including training, advisory services and specialised expertise in favour of national/local

institutions or structures, aimed at fulfilling UNHCR's primary objectives of protection and solutions" (Furley et al., 1999, p. 3).

Importantly for this thesis then, UNHCR programming and emerging ethos on capacity building as protection did specifically allow room for a stronger dialogue with interested networks, which could of course include refugees and, at least in theory, the incorporation of their 'bottom-up' perspectives on durable solutions at the very least.

It should also be noted, however, that such 'capacity building as protection' would also envisage a strong role of states, which would be both a facilitating and constraining factor on such a dialogue with refugees at various points. Importantly, this has three important implications for the way this interprets the importance of the capacity building as a protection ethos underpinning UNHCR programming on durable solutions. First, UNHCR involvement in capacity building initiatives in countries of asylum became focused – in the first instance – around fostering state responsibility for the management of asylum systems in line with international standards and practices. Hence, UNHCR programming ultimately envisaged a central role for states and this would become the prevailing feature of UNHCR dialogue where the main focus of responsibility would remain with state actors in the first instance. Second, and once accomplished, then UNHCR programming would largely seek "to strengthen the capacity of those institutions tasked with its implementation" (Ibid, p. 5). Activities closer to the people became identified as key within this emerging capacity building framework, with a stronger focus on promoting reconciliation between communities and strengthening national protection, particularly at the local level. These activities are viewed as a means of preventing repeat instances of displacement (Ibid., p. 6). Hence, the opportunities to a wider dialogue with refugees to incorporate any 'bottom-up' dimension would remain largely subservient to state interests and dialogues and compartmentalised in various parts of UNHCR programming ethos. Thirdly, and nevertheless, it is possible to argue that UNHCR (humanitarian assistance) programming thereby increasingly recognised the role of community resilience in managing refugees and this reinforces the key contention of this thesis that it remains important to examine and understand any interface/ nexus between UNHCR programming and the view of refugees, seeing it as – at least

potentially – a two-way process with important 'bottom-up' dimensions and top-down considerations.

Assistance Targeting as part of UNHCR Programming

Another important background observation informing this thesis in relation to UNHCR programming relates to the assistance targeting of returned refugees as a central activity and a common goal. Two observations are noteworthy here. First and veering away from the traditional protection mandate, UNHCR increasingly supported the principle of assistance targeting of returned refugees. This later became embodied in another key assistance initiative of the organisation known as the 'Quick Impact Project' (QIP) (United Nations Secretariat, 2013, p. 2). Used to stabilise recently returned refugee communities (in order to ensure that they do not return to the country of asylum), QIPs constituted small-scale development projects aimed at alleviating extreme poverty and intended to lead to the rapid rehabilitation of communities.

Second, this greater focus on refugee return through capacity building and limited and targeted development assistance exposes a key shift of UNHCR operational priorities from countries of asylum to countries of origin. Importantly, this represented something of a double-edged sword when it comes to how we interpret the 'bottom-up' perspectives of refugees (see Chapter 7). On the one hand, this shift actually strengthens the ability of host countries to return refugees prematurely, long before the politics and security situation in the country of origin are able to ensure their safety. At face value then, the possibilities for greater disparities and controversies between 'bottom-up' perspectives of refugees and 'top-down' orientations of refugees would seem more likely. From a broader policy perspective, these activities could be deemed detrimental to refugee populations, as the solutions to their displacement are reduced to issues of relief and limited development assistance while the root causes of the conflict leading to their displacement remain.

Indeed, increased incidents of refoulement not only result in refugees being forced back across borders against their will but could also be deemed by some as reflecting the ultimate denial of human rights. In such cases, the

ability of refugees to perceive themselves as citizens is highly limited. The absence of consensus on definitions of concepts in international human rights law, in international law and in refugee law has been a significant contributing factor to problems that emerge in guaranteeing protection of the rights of refugees. Individual countries are therefore at liberty to define and implement the law as they deem most appropriate for their domestic situation without an obligation to an established international standard. It is impossible for refugees, even those who try very hard, to know what to expect in countries of proximate refuge, countries of asylum or even countries of resettlement.

2.4. The Creative Responses of People

With this discussion of definitions and UNHCR programming now in place, it is also important to highlight that there has also been much work done on understanding that refugees as actors are not simply passive, but are also rather creative and active. Hence, it is important to note that while UNHCR process and programming may be largely focused on dialogues and networks, it is also necessary to see refugees as dynamic actors who indeed are not averse to making life-changing decisions.

If individuals leave home when facing violent conflict, they have to decide where to go. Those who cross international borders are expected to have better chances of having access to international assistance. However, not all people cross international borders even in the same conditions. Forced migrants' choices of becoming IDPs (as opposed to refugees and the refugees' choice of a destination state), are a function of their relative expectations of being victimised and of economic opportunities at their destinations (Moore and Shellman, 2006).

In their works, Moore and Shellman (Ibid.) focus on factors affecting choices of the forced migrants to become either refugees or IDPs, and refugees' choices of the destination after they have decided to flee. The level of violence in a country of origin affects the likelihood that displaced people flee (Azam and Hoeffler, 2002); at the same time, social, political, and economic conditions in neighbouring countries also pull those individuals into those countries (Castells, 1996; Davenport, Moore, and Poe, 2003). On the other hand, neighbouring countries often prevent those displaced people from

moving into their territory because mass flight causes fundamental changes in individual lives and communal identities that can be observed in terms of race, ethnicity, language, and religion (Kaufman, 2004; Salehyan, 2007b).

Studies on push factors and pull factors in forced migration crises have provided valid insights into forced migrants' movements (Davenport, Moore, and Poe 2003; Moore and Shellman 2004). Many of them find that if economic opportunities at home are negative, fewer people are likely to move out of regions that have higher levels of economic development. Furthermore, they conclude that "refugees do prefer to relocate in countries with higher average wages" and their numbers tend to be lower from countries with better economic opportunities (Moore and Shellman, 2007, p. 828). These findings suggest that economic opportunity is likely to play an important role in affecting people's decisions to leave or stay, as well as where they go once they decide to leave.

Interestingly, the role of the international community has received less attention in empirical analyses, and certainly there is limited work to suggest that international organisations like UNHCR seriously see refugees as such 'dynamic actors' rather than as passive information sources that need to be consulted as part of better process. The level of humanitarian engagement in forced migration crises may play an important role as a preventive factor as well as a pull factor. Since leaving one's home country is costly, displaced people are more likely to leave their countries of origin if there is a higher chance of having access to international assistance and protection in neighbouring countries (Moore and Shellman 2006). In this case, a large number of refugees are expected to depart for the neighbouring countries. However, if the international community is actively engaged with countries of origin, displaced people do not need to travel beyond borders; rather, they are likely to stay inside their countries of origin because they may have access to international assistance inside their countries. Furthermore, if neighbouring countries are reluctant to host refugees, displaced people are even less likely to go to those countries.

Edwards (2009) offered a computational model to explain the mechanism through which information is shared among individuals who are on the move and how the flow of information impacts people's choices. He asserts that "while conflict almost always drives displacement, more precisely, it is the

information about the conflict that drives displacement" (Ibid, p. 40). Certain events provide cues to individuals, these are transmitted to other individuals, who then process the information and decide first whether or not to flee, and then where to flee. The act of transmitting and processing information about threat at the societal level, it is argued, is critical to understanding forced migration decisions (Ibid, p. 41).

While this study makes a significant contribution to our understanding of the role of networks in explaining flight behaviour, the insights from the model can also be applied to understanding the role of social networks in allowing individuals to stay in their homes. Information transmitted through social networks can play a critical role in influencing individuals' choices of whether to flee or stay behind, and not only by providing information about threats, but also about countermeasures available to members of the community. Moreover, in their study of migration, scholars have long argued that individuals who have deep roots and large investments in their communities of origin and strong kinship ties are reluctant to leave home (Irwin et al. 2004).

UNHCR lists the following factors as 'obstacles to flight': lack of knowledge of route, lack of money to pay fare, poor security along the route, adverse climatic conditions, impassable terrain, closed borders, among others (UNHCR, 1996). These factors, which are constant, do not cause forced migration but they affect the decision-making process of individuals. Research on forced migration concludes that people have a choice either to leave or stay even under highly adverse circumstances (Moore and Shellman, 2006). Drawing on theoretical insights from the utility maximisation literature in microeconomics, this 'choice-centred' argument makes a significant contribution to laying a foundation for analysing forced migration within a constructivist framework. This literature, however, stops at pointing out that such choices are available and does not examine the reasons behind individuals' choices, or the strategies they employ to cope with conflict or adverse circumstances.

International humanitarian responses may have a marginal effect on forced migrants' decisions at this stage; however, they may affect forced migration on two levels: the expected cost-benefit structure of forced migrants' decision-making and the policy choices of governments. First, the existence of

humanitarian advocacy groups and IGO agencies in a country is likely to increase the expectation of individuals that they can be assisted and protected. With a higher level of humanitarian operations in countries of origin, the expected benefits available to forced migrants in their countries of origin increase so that forced migrants do not have to pay the expensive travel cost. Second, humanitarian operations in a country may affect the policy choice of the government of that country. When international humanitarian agencies such as UNHCR conduct field operations in a country of origin, their activities are likely to draw international attention, and the government and armed groups of the country cannot avoid damaging its legitimacy if they take military actions against its civilians (Haddad, 2008).

Although leaving home is costly to forced migrants, leaving a country is even more costly than just leaving home. The definitional difference between a refugee and an IDP simply lies in whether a forced migrant has crossed his or her country's borders. However, the levels of assistance and protection that a forced migrant may receive are significantly different based on whether he or she is given refugee status. Because of the principle of non-interference in domestic affairs among sovereign states, remaining within a country makes it difficult for displaced people to access the protection of the international refugee regime. Displaced people make their decision to leave their countries of origin based on their expectation to get assistance and protection as well as the subjective probability of being targeted; a host country undertakes a refugee policy based on its financial resources, internal security, and its international reputation; and the international community must make its decisions about the extent to which it will become involved.

This brief analysis suggests that any future discussion of the 'bottom-up' perspectives may also actually need to be placed in a context where there may less of a consensus between the 'top' and 'bottom' as to how independent and assertive refugees can actually be in practice. It is certainly important to note that refugees are not just largely passive actors involved in flight activities driven by the pull factors of host nations, which is often the focus of state perspectives at this time. Rather there remains an opportunity to understand that UNHCR programming may need to see refugees as assertive creative

people where prevention factors of their countries of origin are also part of any equation governing their 'bottom-up' attitudes towards UNHCR.

2.5. Peacebuilding

There is some limited research that considers the contributions that refugees and IDPs can make to peace processes, recovery and peacebuilding in their country of origin (Fagen, 2009; Bohnet, 2016). These contributions may result from new skills that they acquire in exile. The engagement of refugees in political activities related to their countries of origin has the potential to affect democracy-building efforts back home. A diaspora can advocate for democratic reforms in its country of origin, participate in post-conflict elections as voters, candidates or supporters of political parties, form governments-in-exile and political movements, and establish transnational networks (Betts and Jones, 2016; Ragab, 2013). This recognition has resulted in recommendations that special attention be paid to providing refugees and IDPs with training opportunities, such as language training, vocational training, professional development and peace education. Research advocates that the UN Peacebuilding Commission should take up these issues and mainstream consideration for refugees and IDPs in peace processes and peacebuilding efforts. "Refugee populations are increasingly seen not as passive victims, but as active agents engaged in the politics of the country of origin, host country and region" (Loescher et al., 2007). UNHCR considers that a coherent and constructive approach to the issue of migration and development must give due recognition to the role that forced migrants have to play in the process of peace building and reconstruction in conflict-affected states. Furthermore, the Global Compact on Refugees (2018) recognises the importance of reconciliation and confidence-building measures to prevent countries of origin from relapsing into conflict by "facilitating the participation of refugees and returnees (notably women and youth) in relevant processes and decision-making, including peacebuilding activities" (UNHCR, 2018).

This study endorses the definition of peacebuilding as a process of transmission of international norms from the international to the local domain (Paris, 2000, p. 36). Peacebuilding is "a concrete example of constructivism in action, a strategy designed to establish norms of conduct in the countries that

are being rebuilt in order to minimise, if not eliminate, the risk of a resumption of hostilities" (David, 2001, p. 3). Peacebuilding encompasses activities by many actors who collectively engage the entire society, civilian as well as military, grassroots and mid-level as well as top level. MacGinty recommends the "concept of hybridity and hybridization" of thinking about peacebuilding (2011, p.2). MacGinty, in his model of hybridity, wishes to "capture the dynamism associated with peace, conflict, and the interaction between local and international actors in seeking to bring conflict to an end" in what he sees as "the constant processes of social negotiation, coalescence, cooperation, and conflict that are associated with the creation of hybrid forms of peace and processes of peacemaking" (2011, p. 208). Locals may also support or be co-opted by liberal peacebuilding. Thus, there is a spectrum of actions on which we may find subversion, cooperation and agonism (MacGinty, 2011, p. 77 and 86). Lederach (1997) and others (Boutros-Ghali, 1995; Hemmer, 1997) criticise reliance on 'top-down' interventions which are focused on top political leaders in the hope that they will bring the rest of the society along. Regardless of the level of actor on which programmes focus, Lederach argues that we need to "build a peace constituency within the setting (...) the international community must see people in the setting as resources, not recipients (...) citizen-based peacemaking must be seen as instrumental and integral, not peripheral, to sustaining change" (Ibid., p. 94). People in conflict settings are not only resources, but also actors, and it is therefore important to build programmes based in and around local culture and in cooperation with local organisations.

'Bottom-up' peacebuilding is an important co-requisite or alternative because it empowers people instead at the grassroots to transform the society and the conflict. Their engagement through non-formal mechanisms of political participation such as civil society and diaspora organisations, protests and other forms of transnational activism – including the use of social media tools – present notable opportunities for mobilising refugee diasporas beyond the borders of their host countries. Bellamy and Williams, for instance, highlight how liberal and neoliberal intervention have "helped to create particular types of war economies, political structures, warlordism and weak states" (Bellamy and Williams, 2004). Others like Roberts call for a more emancipatory alternative, grounded in the local (Roberts, 2011). Authors writing from such a

perspective argue that liberal state-building is liberal only in rhetoric; the actual motivations underpinning post-conflict state-building have more to do with stability and status quo than with exporting Western norms and values. Roger MacGinty points out that peacebuilding must occur within a strong, established well-functioning and civil society. He contends:

> While institutions, large and small, do have a crucial role to play in peacebuilding, ultimately it is the people who experience peace and conflict in their homes, workplaces, schools and everyday lives. There is the danger that the professionalization of peacebuilding gives too much authority to 'experts' and 'peacebuilding professionals.' It is often individuals, families and communities who have to do the 'heavy lifting' of peacebuilding by learning to live with their neighbour from another religious group or learning to work alongside someone who shares very different political views (2013, p. 6).

All members of society should participate in transforming abusive episodes to allow for the transformation of the human and socio-economic, cultural and political institutional structures and realities. This transformation can help increase justice in social structures, transform relationships, rooting them in peace, and facilitate constructive dialogue.

One could see virtually all social, economic and political development efforts in a conflict zone as peacebuilding because they potentially help correct the roots of the conflict, as implied by Boutros-Ghali (1995). Cousens (2001) helpfully refines this broad definition, limiting peacebuilding to such efforts that prioritise developing capacity to solve conflicts non-violently, especially through political processes. For example, a project to simply rebuild war-damaged homes would not qualify as peacebuilding. It would come closer to the definition if it happened to involve personnel from both sides of the conflict. Such a cooperative reconstruction project would clearly be peacebuilding if it were designed to teach conflict management skills and promote longer-term cooperation.

Peacebuilding interventions aim to change a changing context. The vast majority of peacebuilding projects and programmes aim to support or catalyse

change at the individual, interpersonal, organisational, institutional, or cultural level. They aim to do so in a context that is rapidly shifting, where political alliances are being redrawn and renegotiated, renewed war and violence are a constant threat, public and private investment are surging, former combatants are trying to find new work, crime rates are increasing, and expectations for a 'peace dividend' are high after years of war.

Scholarly and best practice literature argues that increased peacebuilding effectiveness requires that peacebuilding organisations question their underlying assumptions about the causes of civil war and peace. Oliver Richmond argues that the failure of liberal peacebuilding to evaluate its claims has created a crisis of legitimacy with the local populations that it aims to help (Richmond, 2009). Richmond (2010 a, b) talks of reconstruction and the production of a post-liberal peace. For Richmond, the post-Cold War reconstruction model has been modestly successful at state-building (i.e., liberal state institutions), but generally has failed at peacebuilding (i.e., positive peace addressing the root causes of conflict). Richmond points to an inherent gap between international norms and the specific cultural contexts of reconstruction. Therefore, the limitations shown by this rationalist method of state-building seemed only natural when it came to "dealing with issues relating to justice, reconciliation, identity, gender, culture, or welfare" (Richmond, 2010, p. 26), most of which encompassed the seeds of violence and instability.

According to the Organisation for Economic Co-operation and Development – Development Assistance Committee (OECD-DAC), the "theory of change represents how the interveners (policy-makers, program designers, implementers) assume that their strategies can bring about their goals (vision of peace) in this context."

Several authors recommend that peacebuilding organisations deal with the uncertainty about the war-to-peace trajectory in the countries in which they intervene by increasing the feedback that they receive from the local population. For peacebuilding organisations to be facilitators and catalysts of a country's social change process, they would need to be highly sensitive to the different needs and perceptions in the country (Ghani and Lockhart, 2008). "Perceptions alter citizens' expectations of gain and the decisions they make in

regards to reform... [I]f local actors distrust third parties, they will remain fearful, suspicious, and unwilling to compromise" (Talentino, 2007, p.154). Understanding and managing the numerous perceptions and needs of the host state and society and engaging with the various actors in a way that encourages their buy-in and ownership would require a high degree of sensitivity and adaptation to the context.

The local and national actors, and the everyday reality in which they live, should be the focus of any peacebuilding effort. Richmond says that "A post-liberal peace requires that international actors use a range of methods that enable local actors and the most marginalised to engage with a discussion of their own requirements for needs provision and their own understanding of rights and institutions" (2011, p. 239). These mechanisms and tools can also serve as important ways of connecting refugees to their countries of origin, as well as of raising awareness among the international community of political developments in their countries of origin and exercising pressure on their host countries to act in support of democracy in the countries of origin.

It is clear that refugees are imperative contributors to peace and should therefore play a direct role in peacebuilding initiatives as a part of durable solution initiatives. Initial lessons from this study highlight how, for their part, humanitarian actors need to refocus their attention on humanitarian advocacy, monitoring the impact of peacebuilding interventions and policy changes, keeping the perspective of refugees at the centre of policies and peacebuilding interventions, and ensuring that refugees' and returnees' needs and rights are considered holistically.

2.6. Conclusion

Being at home or in place is a very basic need for survival. Losing one's place, or being displaced from one's place, is a significant struggle, and it disturbs the regularity of living and disrupts continuity of growing and causes long lasting trauma that needs to be dealt with.

Violent conflict around the world forces millions of people to flee their homes every year, placing significant burdens on the international community as well as home governments in dealing with the plight of these forgotten populations. But for every person that flees a conflict situation, there are also

many people who stay behind, raising important questions for researchers and policy-makers alike. This chapter shows three important elements that underpin our later discussions.

First, building on a 'choice-centred' approach to the study of forced migration, this chapter investigated individual behaviour in order to better understand the factors that affect people's choices under a highly dangerous circumstance. The core argument driving this research on forced migration is the assertion that people make a choice even under "extraordinary circumstances" (Moore and Shellman, 2006, p. 59).

Second, UNHCR's greatest asset to date is undoubtedly its ability to adapt to the changing needs of refugees. The role of UNHCR can best be described as a delicate balancing act between the needs of refugees and the powerful interests of nation-states. The emergence and evolution of international norms relating to the protection of refugees and IDPs has changed the perception of states on forced migration. As a result, states gradually accept international humanitarian assistance and protection for IDPs as they do for refugees. Peacebuilding efforts need to integrate attention to the specific needs of displaced persons, returnees and refugees.

Third, this chapter also offers the view that refugees and IDPs are agents during the peacebuilding process and that irrespective of the type of assistance, they are important actors in the decision and process. Peace conditionality can be applied at the local level, too. In its 'Open Cities' programme in Bosnia, for example, UNHCR allocated reconstruction aid to municipalities that demonstrated a commitment to the right of refugees and internally displaced persons to return to their homes. Refugees clearly have a stake in peace agreements. For most of them, peace – or even security without peace – will enable them to leave the camps, and perhaps return home, reclaim their land, and re-establish their livelihoods.

Fourth, displaced people are far from passive or reactionary actors and demonstrate their agency in various forms and capacities during the peacebuilding process. Refugees and IDPs have repeatedly proved that they do not simply have to be passive actors waiting for aid. Business people arriving in the camps often begin trading again: in refugee camps there are blacksmiths, tailors, fruit vendors and many others earning a living despite the

challenges. Many refugees and IDPs have successfully integrated into their host states and become part of the productive economy. There must be more programmes that are specifically aimed at rehabilitating and integrating forced migrants, employing vulnerable people and training them to tackle community needs such as rebuilding roads, collecting refuse and improving irrigation systems.

CHAPTER 3: Theoretical Considerations

3.1. Introduction

Most scholars – as discussed initially in Chapter 1 – agree that international norms, shared understandings and expectations of appropriate behaviour that are held by a community of actors matter. International norms are central to international relations because they constitute key instruments to influence state behaviour (Finnemore and Sikkink, 1998; Risse and Sikkink, 1999; Acharya, 2004). The process by which international norms diffuse is called norm diffusion (Krook and True, 2010; Towns, 2012). In this chapter, this thesis will explore the conceptual terrain of constructivism in further detail in order to further refine the conceptual underpinnings offered by a constructivist approach. In particular, the chapter will evaluate the key literature and draw upon the development of an analytical model of norm evolution (that is primarily derived from constructivism). In addition, and as highlighted initially in Chapter 1 – the constructivist approach provides pertinent conceptual insights into the relationship between structure (institutions and laws) and agents (civil society, refugees) that will later inform the evaluation of the role of refugees' agency in the latter parts of this thesis.

Briefly, constructivism – with its focus on the role that ideational factors play in international relations – emerged as a separate approach in the 1980s through the works of influential constructivist scholars like Alexander Wendt (1987), Friedrich Kratochwil (1990) and John Ruggie (1989). Among the more commonly discussed questions in norms diffusion are the conditions under which norms emerge (Hyde, 2011; Finnemore and Sikkink, 1998) and how norms spread, or diffuse, across the international system. The latter considers both the spread of norms from state-to-state (Cao, 2010; Dolowitz, 2000; Dolowitz and Marsh, 1996; Hyde, 2011) as well as through IGO networks (Brewington, Davis and Murdie, 2009; Carpenter, 2007a, 2007b).

Most scholars implicitly adopt the view that states will and do conform their behaviour to international norms. Those doing so either subscribe to: (i) the constructivist position that argues that international norms reflect a growing homogenous normative culture among states (Kratochwil, 1984; Wendt, 1987; Adler, 1997; Finnemore & Sikkink, 1998) or (ii) the neoliberal institutionalist

position that conform in order to avoid international sanctions, costs to their reputation, or to gain the long-term benefits that come from the institutionalised relationships within which the norms are embedded (Keohane, 1984, 1989; Axelrod, 1986; Axelrod and Keohane, 1993; Klotz, 1995).

Conventional and critical constructivists do share theoretical fundamentals. Both aim to empirically discover and reveal how the institutions and practices and identities that people take as natural are, in fact, the product of human agency, of social construction (Hoffman, 1987). For example, conventional constructivists – Wendt, Katzenstein, Adler, Finnemore – consider states identities being relatively stable intersubjective construct. Critical constructivists make assumptions that states identities are developed and redeveloped constantly. Unlike the conventional approach, the focus of critical constructivism is the analysis of language's role in mediating and constructing social reality. Christiansen et al. (1999, p 535-7) provides a detailed and comprehensive evaluation, for example, of the differences between constructivists. In their analysis, while the differences care acknowledged, the authors stress the ability of constructivists to talk beyond the middle ground (Christiansen et al., 1999, p. 535-7). The crucial point emphasised by Christiansen et. al. is that currently no single, unified constructivist theory exists; rather there is a range of constructivist positions. According to Jackson and Sorensen (2010, p.165), in terms of new contribution to IR theory conventional constructivism can be regarded much more productive than critical constructivism. Therefore, this study will be based more on the assumptions of the conventional constructivism.

At this point, it is appropriate in this chapter to explore the norm diffusion mechanisms through which new norms disseminations are explored. Three observations are important in this context. First, according to the literature (Guild and Moreno-Lax, 2013) current norms often limit the role of refugees and their full participation and can inhibit opportunities for resilience in the face of severe social, economic, and extreme events.

Second, to meet the new global challenge of responding to the needs of refugees via the exploratory investigation of resilience, one must first set forth a theoretical conceptual framework of resilience (Ledesma, 2014). This chapter

looks at the move towards everyday resilience and the 'bottom-up' mechanisms available to refugees.

Finally, the literature indeed confirms that the most important actor working in the interests of forced migrants in the area of refugee politics is UNHCR, due to its legal mandate (Loescher, 2017). It is also notable, however, that the literature often pays little attention to and even downplays the role of refugees in shaping those policies and thus there is a notable contribution to knowledge to be made in considering not just what role refugees' perspectives actually play but also in ensuring that forced migrants themselves must be kept as an important dimensions at the heart of any wider analysis. Furthermore, and as this chapter further explores, there is a real opportunity to consider the potential role of refugees as 'norm entrepreneurs' operating at the interface between, and linking 'bottom-up' with 'top-down' approaches.

In order to consider norm diffusion in detail, this study will now provide an overview of constructivist literature in international relations with a focus on the main building blocks involved in norm development: norms, normative structures and norm entrepreneurs. In the next section, it introduces an analytical model for tracing norm evolution to identify the crucial role of the norm entrepreneur in the emergence and diffusion phases of norm development. It identifies the conditions that facilitate successful norm development and the key mechanisms employed by norm entrepreneurs.

3.2. Constructivist Approach

In general, Constructivists approach international politics from a more sociological perspective than the microeconomic foundation of realism and neoliberal institutionalism. While the latter approaches treat states as rational and their identities and interests as given (Wendt, 1992, pp. 391-2), sociological approaches examine an actor's interests and preferences, and treat them as constructed socially and learnt through non-instrumental communication and persuasion (Checkel, 2001, pp. 559, 564).

Realist positions see states as solely egoistic, interest-driven and self-centred. As Morgenthau (1948) observed, the international system is anarchical and universal moral principles cannot be applied to the action of states. Moreover, he noted that political leaders "act in terms of interest defined

in terms of power". Coleman (1992, p. 110) noted the idea that migration flows can effectively threaten a state's order: "inflow of migrants into a state's territory bears risks". Large inflows of state immigration can contribute to the dissolution of social structures and generate tensions. On the other hand, neoliberalism tells us about the human rights agenda many states favour, about the urgent need for states to cooperate, and that non-governmental organisations (NGOs) and intergovernmental organisations (IOs) can play an important role in solving the problem. However, liberalism also reveals that a refugee regime remains weak and dependent on particular states. It reveals lack of pragmatism to offer long-term solutions and alternatives, and its failure as a response to engage in a common refugee policy (Loescher, Betts, Milner, 2008, pp. 104-133). Neoliberal policies tend to focus on their own interests and lack a significant scope on the 'other' (referring to the refugees – see Chapter 1).

Constructivist approaches unpack the notions of preferences, structures and interests by exploring the social meanings attributed to material objects and structural positions. For example, Barnett and Duvall (2005, p. 39) argue that 'power' is not restricted to coercive influence wielded by states, but logically includes prior social processes that constitute actors with differential capacities. Constructivism is not necessarily competing with the traditional IR theories, but is rather complementary to them.[8] Constructivists broaden the focus of the study of IR as well as expand the traditional theoretical discourse by putting ideational phenomena under the analytical microscope – and thereby offer a fruitful way of analysing the formation of norms in international relations. According to Fearon and Wendt: "constructivism is centrally concerned with the role of ideas in constructing social life" (2002, p. 57).

The actor's preferences and interests are therefore defined in the process of defining situations and depend on social contexts (Wendt, 1992, p. 398), including "internationally held norms and understandings about what is good and appropriate," which give meaning to international political life (Finnemore, 1996, pp. 2-3). The state may be the prominent unit within the

---

[8] The opinion that constructivism can play a complementing and supportive role with the traditional theories, instead of a competing role, is a common opinion that is shared by many academics. For example, see Adler (1997); Checkel (1997); Bjorkdahl (2002).

system, but the rise of actors such as NGOs and multilateral organisations has illustrated the problem of using a theory which assumes the unrestricted dominance of the state. Constructivists challenge assumptions underpinning the creation of any actor; rather than assuming actors to represent something close to being 'pre-given units', they see the units as socially constructed (Palan, 2000). While operating under the assumption of social construction, mainstream or conventional constructivists do not discount the material aspects of politics, only that materials must be given value through social understanding (Wendt, 1999).

Constructivists also do not deny that actors may indeed behave in a rational manner according to an analysis of costs and benefits, but rather that rationality is not a fixed assumption for actors with the same characteristics. Mainstream constructivists do not reject positivist epistemology and aim to articulate the effects of social constructs by examining areas such as cultural-institutional contexts. Actors in international politics develop their relations with and understandings of others through norms and practices. In the absence of norms, any exercise of power or any action would be meaningless. Identities and interests are partially defined by norms, which define an identity. Importantly, given the focus in this thesis on the 'bottom-up' perspectives of refugees, structure is regarded by constructivists as meaningless without some intersubjective set of norms and practices.

People act towards others on the basis of the meanings that they have for them. States do act differently toward their enemies compared to their friends (Wendt, 1992). This is because they consider enemies to be a threat to them, whereas they do not consider their friends as such. For example, Iran's nuclear capability would be more threatening to the United States than that of Great Britain because of their different significance for the United States. It is collective meanings that constitute the structures, which organise actions. Actors acquire identities by participating in such collective meanings. Identities are the basis of interests. Actors do not have a 'portfolio' of interests that they carry around independent of social context; instead, they define their interests in the process of defining situations. As Audie Klotz put it:

(t)hrough international and domestic decision-making processes, various avenues exist for norms, as embodied in individuals' beliefs or embedded in social discourse, to influence the determination of national interests and political goals (...) through social interaction individual ideologies develop into shared, intersubjective, community conceptions of normality and deviance, which produce relatively consistent interpretations of the empirical world (1995, p. 32).

Importantly for this thesis, the constructivist approach to norm diffusion explores how the collectively held understandings or intersubjective ideas about social life in one country influence the identities, interests, behaviours, practices and decisions of actors rooted in another country (Finnemore and Sikkink, 2001; Kratochwil and Ruggie, 1986). Unlike rationalist accounts of diffusion, constructivism does not start from the premise that the interests of potential adopters are given. Additionally, although some level of domestic demand for policy solutions is required for the diffusion of models and principles, demand does not always have to emerge from a country's leaders or even the elite cadre of policy-makers. There is then a place for other actors who may not always form part of a country's elite. Indeed, the demand for, or supply of, foreign models and beliefs among active, organised, and strategically placed domestic actors may be sufficient to create an environment in which domestic leaders also become interested. Elite interests, such as those of key policy-makers may alternatively change, due to interactions with the prevalent views in their surrounding environment (this may be the local, domestic, or international environment). Finally, elite actors (including leaders) may become fundamentally convinced of the value of the principles and ideas in question. In sum, intersubjectively held beliefs about social life that flow into a country from an external source may constitute, regulate or enable elite policy-makers and leaders (Kratochwil and Ruggie, 1986), increasing the likelihood that they will embrace a democratic regime change, or policies that improve the quality of democracy. By and large, constructivist perspectives on the international diffusion of norms argue that states will embrace international norms because they embrace their underlying values. In other words, actors

will aspire to emulate or adopt a well-functioning model of international norms because they consider it normatively superior.

Foreign principles and models may follow various trajectories as they come into contact with domestic actors, however. Domestic actors at various levels of analysis (based, in part, on their own intersubjective beliefs) may either embrace foreign models or principles, or call them into question (Cortell and Davis, 2000; Legro, 1997; Sikkink, 1991). Harnisch (2012) argues that role theory explains foreign policy behaviour by exploring the roles played by societies in international systems. Often, the interaction between international and domestic norms sets a dynamic process in which domestic actors and/or transnational activists work actively to make foreign models or principles more legitimate to local actors (Checkel, 2001; Farrell, 2001; Finnemore and Sikkink, 1999; Tarrow, 2005). For example, they may introduce the foreign concept strategically into the domestic environment by reframing (Finnemore and Sikkink, 1999), grafting (Risse-Kappen, 1994), localising (Acharya, 2004), and taking on a new role (Harnisch, 2012). Similarly, international actors may access influential, well-placed domestic actors who share their preference for the policy in question or share beliefs, and utilise these actors to advance the model or principle of interest (Chayes and Chayes, 1995; Checkel, 1999). Foreign practices can also become dominant domestic norms once a critical mass has embraced them (Finnemore and Sikkink, 1999), or as elite actors legitimate them via official policies or laws. Yet, it is also the case that such observations might equally apply to the perspective and beliefs of more non-traditional domestic actors, such as, refugees, if their perspectives have key resonance in a particular selective policy environment, like that of durable solutions.

So far, it seems to fair to say that the constructivist scholarship concerning international diffusion has not carefully explored and tested the above arguments with respect to refugees. Kurki and Sinclair (2010) argue that much constructivist research ignores the structures of power because of its focus on discourse and its emphasis on material resources. They suggest that mainstream constructivism is too focused on a narrative of critical liberal progress and too committed to traditional forms of agency.

Indeed, constructivist approaches often leave much of the social context of world politics unaccounted for.[9] Nonetheless, scholars who study how individuals learn via social communication advance concepts that similarly emphasise structure, norms and beliefs. For example, the structural equivalence model of social learning argues that the actions and choices of individual A, a total stranger with whom individual B may not even engage in political discussion, may nonetheless influence individual B if the former belongs to a social group whose principles appeal to the latter (Huckfeldt and Sprague, 1991). The logic behind the structural equivalence model is that people are likely to accept the practices they observe among individuals who belong to groups that share with them the same intersubjective beliefs about what is appropriate. Actors may even adopt behaviours and beliefs they know to be ineffective (irrational), so long as the transmitter of these goods belongs to the same "moral reference group" as the adopter or to a group for which the adopter has deep respect and admiration.

Although there has been significant interest in the idea of norm diffusion in recent IR scholarship (Winston, 2018; Ring, 2014; Bettiza, 2014), the concept of a norm can be especially problematic given that it can be understood in both a prescriptive sense, whereby a norm tells an actor how it ought to behave, and in a descriptive sense, whereby the norm merely describes some observable pattern of behaviour among the actors (see, for example, Axelrod, 1986). The section below engages with the discussion of norms.

3.2.1. Norms

The existence of international human rights norms can provide a set of guidelines in the areas of refugee and IDPs protection.[10] Indeed, for this thesis, several of these guidelines are worth focusing upon. First, some norms are social phenomena, because they are held in place by shared expectations about the appropriate solution to a given problem, and there is no need for

---

[9] These weaknesses are represented in constructivists' recent attempts to deal with international law (Krasner, 2000; Brunnée and Toope, 2012).

[10] Theda Skocpol and Fiorina Morris explain that "individuals who regularly interact with one another in face-to-face settings learn to work together to solve collective problems." (2004, pp. 13)

social enforcement. As social phenomena, norms provide both an enabling and a constraining structure of 'appropriateness' to politics. Hence, in the context of refugees, key norms will both act as inhibitors and facilitators of key beliefs and identities that will shape their 'bottom-up' perspectives towards durable solutions. In particular, a logic of appropriateness helps to govern the kinds of behaviour which actors consider, and likewise aids the definition of responsibilities and identities within a community. Second, norms are formed and enforced only with respect to behaviours that have some significance. These are sustained by the threat of social disapproval or punishment for norm violations (Coleman, 1990). In considering refugees, this is especially pertinent given that they often regard themselves as regularly subjected to social disapproval and even constrained by existing norms. A third enforcement mechanism arises through the internalisation of norms of appropriate behaviour. Actors that subscribe to norms around the poor treatment of refugees for example, may eventually come to view the promotion and protection of the rights of refugees as key to their self-identification.

International politics is a social activity and takes place within a certain framework which is defined by norms and guidelines (Byers, 2008). This means that norms must contend with existing acceptable terms of behaviour; because of this, norms go through a process that Finnemore and Sikkink (1998) term a "life cycle". Indeed, this thesis particularly regards the concept of a norm life cycle as offering useful value-added to this thesis and inform the later empirical evaluations and discussions. It is now appropriate to consider this particular aspect a little further.

First, as part of this 'norm life cycle', norms usually emerge 'top-down' and are promoted by norm entrepreneurs, through the use of language and framing (Finnemore and Sikkink, 1998; Payne, 2001; Acharya, 2004; Santa-Cruz, 2005). International organisations – or more accurately in this thesis – international policy-makers at UNHCR -–very often act as these norm entrepreneurs, and during the first stage, 'top-down' persuasion is the entrepreneur's main tool to push the norm forward (Elgstrom, 2000). The norm can then gain an 'organisational foothold', which allows it to be placed on the agenda and strengthens the norm itself (Kingdon, 1995; Finnemore, 1996). If entrepreneurs succeed, then norms can reach a 'tipping point', at which other

actors – usually at the state level – adopt the norm (Finnemore and Sikkink, 1998). The norm moves to stage two and 'cascades' when it reaches a 'threshold point': that is, when the norm entrepreneurs have persuaded a critical mass of key actors usually at the nation state level, and when the norm has become internationally institutionalised to a certain degree (Ibid.) the norm can be said to have reached 'prescriptive status' (Risse and Ropp, 1999). When the norm is then used frequently, and is integrated into domestic language, it becomes more firmly accepted (Risse-Kappen, 1996; Santa-Cruz, 2005) through repetition and socialisation (Payne, 2001). In the case of refugees, it might, for instance, then be expected that we start to strongly see norms appearing in their own referencing to key questions and in their discussions with and about international policies like durable solutions. Thus, the dominant mechanism in the second stage is international socialisation through international legitimacy and esteem. Finally, the norm becomes internalised (Finnemore and Sikkink, 1998; Byers, 2008). The motive to follow the norm at this stage is conformity, and usually the norm is taken care of in specific institutions or bureaucracies. These steps grant a good lens through which to review important points of norm development and help to determine when and how UNHCR is participating in norm development through the life cycle process (Figure 1).

Figure 1: Norm Life Cycle (in Finnemore and Sikkink, 1998, pp. 896)

| Norms emerge and through norm entrepreneurship by individual or other actors challenge existing norms | ➡ | Norms 'cascade' | ➡ | Norms become internalised |

| Norms gain a foothold within relevant organizations as and make their way onto the agenda | Pressure leads to 'tipping point' in norm acceptance as more states adopt the norm |
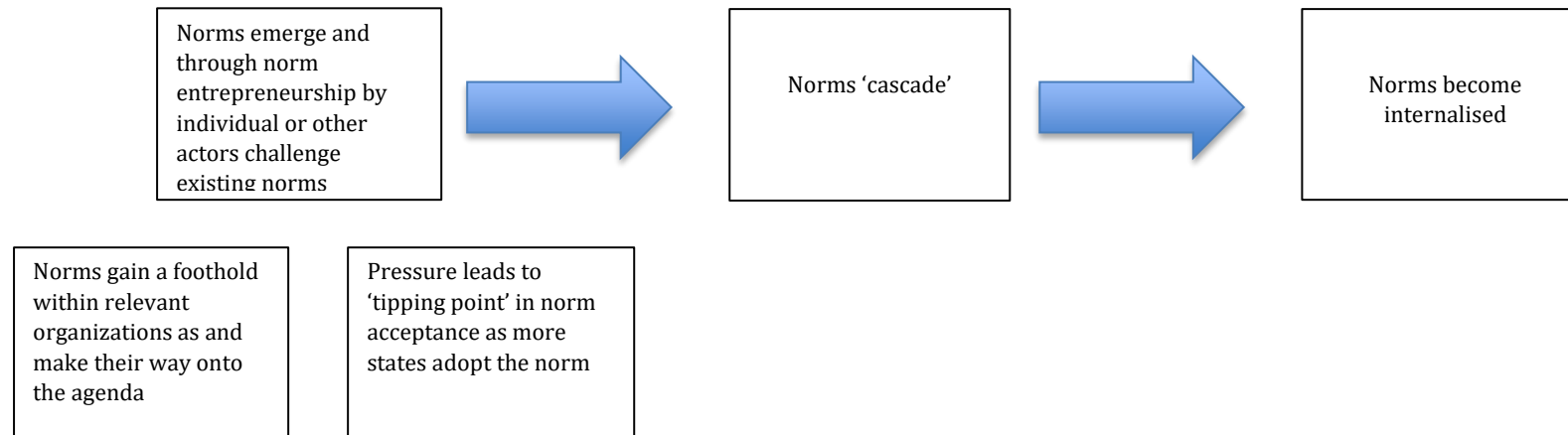
Figure 2: Norm Diffusion from 'bottom-up' perspective (compiled by Author)

| Refugees as norm entrepreneurs | ➡ | Refugees reject current practices

Refugee assimilate and establish themselves in difficult circumstances

As they learn more about the structures and understand their inner workings, refugees can start manipulating certain elements or try to change them slowly from within |
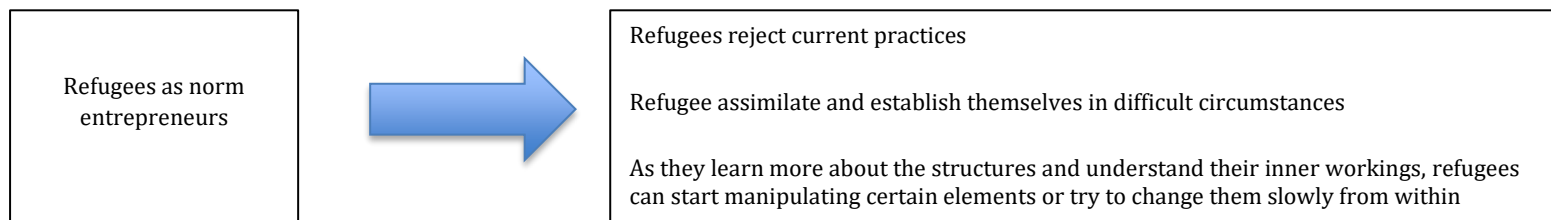
Figure 2 shows how norm entrepreneurs (refugees) are not only addressing the issue behind their emerging norm, but are also active in diffusing the norm into UNHCR. It is a complex and interactive process of norms diffusion. This research enriches the existing model because it adds that it is essential to see that norm diffusion does not cascade in such a straightforward manner as shown in Finnemore and Sikkink's Norm Life Cycle model. It is not just a case of 'top-down' norm diffusion but that the very interaction around norms also allows for 'bottom-up' norm diffusion in practice. In this way, the 'bottom-up' perspective captures cross-cultural dynamics of norm diffusion between and across levels of analysis, as norms are promoted and travel upward and downward. This allows exploring displaced persons at the 'tipping point' not solely as active norm-makers, but also as independent norm-makers. They can be norm-makers in the sense of them being norm entrepreneurs.

Norms are cultural constructions that generate and maintain a collectively agreed upon standard of appropriate behaviour (Finnemore, 1996; Checkel, 1999). According to Risse-Kappen, norms are "causally consequential in international relations" (1996, p. 365). Norms describe the boundaries of what can and should be done in various situations and how states should behave (Kowert and Legro, 1996; Risse-Kappen, 1996; Byers, 2008). And thus, from the perspective of this thesis, can be regarded as incorporating both 'top-down' and 'bottom-up' dynamics, trajectories and trends. International actors (Finnemore, 1993) and transnational communities (Haas, 1992; Keck and Sikkink 1998) can also play a role in institutional change and bureaucratic reform. But the mechanism here is not just imposition of interests by outside international actors; rather, it is regarded – and rather crucially in the context of this thesis – as a learning model whereby domestic actors get new information and reformulate interests due to their interaction with international or transnational actors. As such, normative standards create behavioural expectations between members (Finnemore, 1996; Katzenstein, 1996; Price and Tannenwald, 1996). Furthermore, states learn about what their appropriate behaviour should be from international organisations, as well as other actors (Shannon, 2000), through the emulation of institutional norms and also by means of socialisation (Adler, 2007). Norms

are constitutive and generative. They can change what states want and provide them with strategies for pursuing those ends. Entities can be, and regularly are, socialised by the international society in which they exist. Since norms help to constitute state identities, a study of them is warranted if predicting state behaviour is desirable.

Norms gain legal status and legitimacy when they are internalised by those who are expected to follow them (Koh, 1997; Sills, 2004): this is the 'customary' part of international law (Risse and Sikkink, 1999). "Norms play a crucial role in international law" (Peterson, 2007, p. 276) because of their relation to customary law, which is an important source for determining the rules of international relations. To be accepted and effective, however, norms should be generated using an accepted and appropriate formation process (the middle steps of the norm life cycle) and be logically linked to the goals of regimes (Dworkin, 1986), which are essential since regimes encompass bodies organised to enforce norms in a particular issue area (Sills, 2004). Impartial and inclusive decision-making, which motivates participation, lends legitimacy to norm creation and enforcement (Tyler, 1990; Payne, 2001). International organisations provide authority through which legitimate power can reach states (Herman, 1996; Byers, 2008; Hurd, 2009), offering an explanation as to how regimes and international organisations are able to act as efficient norm dispersers (Adler, 2007) and explaining why they are targeted at the organisational foothold stage and do the most work for the norm in the tipping point and cascade phases of the life cycle. The UN is noted as one such body (Hurd, 2009). This is an excellent reason to make an international organisation, such as UNHCR, the focus of the research in this thesis, as it is able to provide legitimacy.

Finnemore and Sikkink claim that the standards of appropriateness which a norm demands are determined by the judgements of a community or society. These standards are based on the values and expectations of that society as a whole, or at least the majority of the society. Correspondingly, it is possible to determine whether a norm exists by looking at the rules and behavioural expectations of states which can be ascertained, as already mentioned, through secondary trails of communication and evidence. Norms can also be identified, however, by looking at the kind of behaviour that

generates disapproval or outrage from other members of a community. Domestic and international norms are not separated or fundamentally different in nature but hang together.

The three stages of the life cycle of norms constitute the basic approach and theoretical framework that this thesis will use in examining the international community's understanding and response to the crisis in Bosnia and Herzegovina. It can also provide value-added in helping us to also understand the role and extent of norm diffusion present with the 'bottom-up' perspectives of refugees and thus provides useful conceptual insight that can inform the later empirical research. With this introduction, the thesis will now turn to a deeper examination of the normative life cycle model. The thesis will then proceed to the application of the norms.

3.2.2. Rethinking Life-Cycle Model

This section therefore examines the respective life cycle mode in greater detail. After the end of the Cold War, states' decisions to intervene in places where massive humanitarian crises were occurring came under increased scrutiny. In particular, there has been great interest in the reasoning which leads to such decisions, as it indicates what factors international actors find convincing when examining their policy options. Finnemore and Sikkink's model discussed in earlier posits that these sorts of political decisions can be understood by looking at changes in the international normative environment. The authors' basic premise is that the influence of norms causes actors to behave in a certain way. As norms change and develop, one can observe behavioural changes which accompany this phenomenon. Their ultimate hypothesis is that by accounting for the ways in which norms change, one can account for both stasis and change in the international political environment and actions taken therein.

Finnemore and Sikkink's model tries to give a full account of normative change at the international level. They posit that international norms develop according to a 'life cycle', where, at any point, norms can be categorised as being at one of three stages. Each stage has different causes, characteristics, and expectations for action, or what Finnemore and Sikkink call "behavioural logics". Increased acceptance of a norm will result in slow changes in

behavioural logics, so when one observes states adhering to a certain logic, one can identify which stage a norm is at.

This was later adapted into a five-stage process by W. Andy Knight (2011) (Figure 3) who infused it with the understanding that norms change as they proceed through the life cycle, and that the battle over their meanings and relevance is an integral part of the life of a norm. The five stages are:

1. **The Conception Stage** – The emergence of a new norm is aided by a 'norm entrepreneur' who calls attention to an issue that must be addressed. The entrepreneur is "embedded in the socio-political fabric, who is alert to the emergence of opportunities and acts upon them" (Petridou et al., 2015, p. 1). Critically for this thesis, such norm entrepreneurs can be found not just inside policy-making institutions but much more widely including non-state actors, like refugee organisations and communities. What is more important for this analysis is that norm entrepreneurs must possess powerful methods of persuasion in order to compel others to buy into the new norm. Sjöstedt argues that it is necessary to take the role of national and domestic identities into account in order to explain why some idea diffusion processes succeed while others do not (2013). Indeed, this also seems a critical point from the perspective of this thesis given that refugees are actually potentially involved in processes of resettlement, local integration and integration in which national and domestic identities are being discovered and re-discovered potentially. Norm entrepreneurs have two main mechanisms through which they attempt to influence decision-makers: by framing issues so that they are not only applicable to the existing normative context but also call for the immediate need for change (Björkdahl, 2002, p. 52); and by activating one norm over another, which might include blaming and shaming strategies (Keck and Sikkink, 1998). For instance, UNHCR could threaten to withdraw major funding from a country programme or change the nature of key policy guidance that impacts on the refugee communities and which is vital to that country's (and within that key sub-national groups) survival, if it continued to turn away refugees at its border.

2. **The Normative Contestation or Normative Fit Stage** – Since new norms arise from dissatisfaction with the current state of affairs and with an old norm, it follows that the new norm emerges into a contested space. During

this stage, "a new norm either clashes with an existing and more dominant norm, or when the decision is made to attach the new norm to an existing one due to its potential 'adjacency'" (Knight, 2011, p. 4). Indeed, from the perspective of this thesis, it is expected that actually there may be cases of key contested norm diffusion where norms are regarded with degrees of contestation from the experience of policy-makers at the international level of UNHCR or indeed, within the contemporary perspectives of refugees from the 'bottom-up'. Hence, it is important to recognise that – as Finnemore and Sikkink pointed out – norms are continuous rather than dichotomous entities (Legro, 1997). During this stage, the norm sharpens or dulls, and the actor reconciles or maintains its behaviour. Much of UNHCR's work, for instance, in the area of promotion of refugee policy/law is about convincing government officials to adopt 'top-down' and internalise the fundamental refugee policy and even legal principles (who is a refugee and the principle of non-refoulement) through 'framing'. Put more simply, in seeking to link such principles to the fundamental values of their audience, such as fundamental religious beliefs, the tradition of offering shelter to refugees in the country, or the history of a country's own refugees who found asylum in third countries. Persuasion, socialisation, incentives, threats, and force are all mechanisms used by states to promote norm acceptance, the choice of promotional mechanism is influenced by the relationship of the promoter and the promotee.

3. **The Diffusion/Cascading Stage** – The threshold between stages two and three is referred to as the tipping point. This occurs when norm entrepreneurs have successfully convinced a critical mass of actors to adhere to an emerging norm. The norm then cascades – usually according to Finnemore and Sikkink 'top-down' to other actors and attains widespread acceptance. Finnemore and Sikkink hypothesised that tipping rarely occurs before at least one-third of the states in the system adopt a norm (Finnemore and Sikkink, 1998, p. 902). For instance, the invitation extended to states of Central Europe to join the exclusive EU 'club' was utilised for over a decade by UNHCR as a strategic tool, as it cajoled these states into incorporating the EU asylum ainto their national legislations. However, once again it is also important to note that in this thesis, such a 'tipping point' might also exist 'from

the 'bottom-up' where the views on key norms and norm mobilisation of sub-national reaches a 'tipping point' so that it is now possible to detect their perspectives on norms influencing and appearing upwards as part of a more reciprocal and interactive notion of norm diffusion assumed in this thesis.

4. **The Internalisation and Institutionalisation Stage** – Once the norm has reached this stage, it is so widely accepted that it is taken for granted. That is, norms are so internalised that conformity to the norm is not questioned. "Actors begin to conform to the new norm in a routinised, reflexive, and almost non-reflective manner" (Knight, 2011, p. 5). Norms become internalised through various channels such as codification, institutionalisation, and universal adherence.

5. **The Resistance, Accommodation, or Dissolution Stage** – In Finnemore and Sikkink's model, there are only three places to situate a norm: norm emergence, norm cascade and norm internalisation. Knight added this final stage to acknowledge that even robust, established norms will one day be challenged by an emerging norm. When that happens, the established norm will need to be reconciled to accommodate the emerging norm, or the established norm can weaken and possibly fade away altogether. For example, safety and security are frequently invoked by states when negotiating how to help refugees. Currently demands are being made for a strict limit to the number of refugees being received in the European Union, or even for them to be sent back to their countries of origin, since Europe will not succeed in integrating all the refugees who are arriving there.

Figure 3: Five-stage process (adopted from W. Andy Knight, 2011)

The Conception Stage	The Normative Contestation or Normative Fit Stage	The Diffusion/Casc ading Stage	The Internalisation and Institutionalisa tion Stage	The Resistance, Accommodation, or Dissolution Stage

UNHCR uses persuasion or threat	UNHCR uses 'framing' to promote or convince states to internalise refugee agenda	Tipping point	Norms are internalised	Refugee norms are challenges. States invoke security or safety concerns

Refugees can renegotiate their relationships with states or UNHCR by organising and putting pressure on their governments to listen to their voices.	Living in exile can create new spaces for to organise and engage in political activism to promots refugee agenda			

Similarly refugees can affect change at the international or domestic level. For example, the decision of refugees against complying with UNHCR's and government's policy of relocation is an example of them rejecting and bypassing these structures. The way they express this decision can be in the form of open refusal to move and thus explicit challenging of official policies, or covert bypassing as they secretly hide and relocate to other areas. Refugees' actions matter and shape structures in their immediate surroundings and can trigger shifts in policies and discourses at local, national or international levels. As such, taking refugee agency seriously in planning and implementation processes pertaining to legal structures as well as the citizen-state relationship, is essential to achieve meaningful and efficient outcomes.

When UNHCR and the Refugee Convention were established in 1950 and 1951, IDPs were excluded from the international refugee regime. During the past half-century, the growth and direction of the agency has been framed by the crucial events of international politics. UNHCR has tried to project refugee norms into world politics which are dominated by state-driven concerns of national interest and security. Most of UNHCR's tactics have concentrated on persuasion and socialisation to enforce compliance and it has held states accountable for their policies and principles, especially adhering to human rights norms in their asylum and refugee admissions policies.

3.2.3. Diffusion Mechanisms

Concepts of international diffusion offer compelling explanations for how international forces influence domestic politics. Broadly speaking, they argue that political changes outside of a country's borders influence the probability that a similar change will occur within that country as well (Strang, 1991).

How does policy/norm change then occur? Under what conditions are international human rights norms, principles, and rules internalised and implemented domestically? While constructivists have devoted much attention to the process of norm diffusion, they have neglected to systematically

explore the mechanisms through which international norms reach the domestic arena (Checkel, 1999, p. 85). Indeed, in a small way, this thesis will seek to further contribute to knowledge as to how such a mechanism may have influence in the context of the interface of 'top-down' and 'bottom-up' dynamics. Moreover, constructivists have mainly focused on successful cases of norm diffusion, failing to consider the cases where norms are deeply contested in the domestic arena. Despite some successes, deeply contested cases are much more common in peacebuilding operations than clearly successful ones.

Put simply, diffusion is the spatially clustered process by which a norm is transmitted from one actor to another (Elkins and Simmons, 2003) and thus can easily incorporate notions of 'top-down' and 'bottom-up' trajectories and dynamics within such clustering Scholars of diffusion processes emphasise the interdependence of actors within the international system. If one actor adopts a certain norm it increases the likelihood that another one will follow this adoption as well (ibid.). The main argument in this literature is the fact that states do not act independently of one another, and that choices by some states affect those who decide subsequently (Braun and Gilardi, 2006). Diffusion of norms demonstrates the social mechanisms through which UNHCR may hope to influence state behaviour in refugee protection.

Most of the literature on norms starts from the assumption that normative changes are generated at the international level through convergence of ideas about the appropriate way to conduct political action. Alternatively, normative shifts can happen as a result of the global spread of domestic 'best practices'. As domestic actors in one political environment change the way they approach political problems or find a new model for dealing with a particularly critical political issue, these models will gain international traction, be accepted as examples to follow, and will then be promoted by international actors to be replicated in other domestic environments across the globe. While it may often be the case that norm diffusion is largely a 'top-down' process from the international level downwards, this thesis will also seek to show that this can also be a 'bottom-up' and more reciprocal interaction.

The global spread or diffusion of international norms is the bedrock of the constructivist understanding of how the world system works. The fundamental premise is that change in world politics occurs through shifts in understanding of what is normatively appropriate behaviour for states and state actors to engage in, and correspondingly what kinds of behaviours are no longer deemed normatively legitimate and sustainable (March and Olsen, 1998).

The internal adoption of norms represents an interactive a process of socialisation (Risse et al., 1999). The goal of socialisation is for domestic actors to internalise norms to the point that acceptance and even compliance can be guaranteed even in the absence of external pressures. Risse et al., for their part, all argue that this diffusion (socialisation) of international norms crucially depends on the establishment and the sustainability of networks among domestic and transnational actors who, as they put it, manage to link up with international regimes.

In general, though, two main models of socialisation have been discerned in the literature: the 'state-centric approach' (Waltz, 1979; Keohane and Nye, 1974) and the 'transnational social networks model' (Sikkink, 1998). The former, in accordance with traditional IR theory, adopts the assumption of the state as a unitary actor, and the latter approach extends the literature beyond the state to the transnational realm. However, this thesis draws upon and is more in accordance with an emerging third model in the literature known more commonly as the 'domestic social incorporation model' (Florini, 1996). This model examines the way in which international norms affect or have an impact upon the consciousness of domestic (as opposed to non-domestic) non-state and sub-state actors, who then utilise these norms within their domestic settings to bring about greater correspondence with international norms. This third model then incorporates more strongly the potential for 'sub-state actors' like refugees to play an impact from the 'bottom-up' within recognised processes of norm diffusion.

This brings up another facet of change. When a set of norms reaches acceptance, those adversely affected by the change will mount resistance to it. State resistance, in particular, should not be surprising. Change certainly remains possible through consistent and comprehensive approaches.

So, let us consider in a little more detail two different diffusion mechanisms that seem particularly pertinent to this thesis. These can be identified in general terms as a 'top-down' and a 'bottom-up' model (Finnemore and Sikkink 1998; Risse, Ropp and Sikkink 1999; Checkel 1999). In the first instance, non-state actors and policy networks mobilise in support of a particular global norm and coerce elite decision-makers to change state policy in accordance with its prescripts (Checkel, 1999, p. 88). In the second instance, change is not induced through political pressure, but occurs through local actor(s).

To be successful, human rights advocacy has to occur at both levels: governments need to be pressured 'from above' and 'from below' (Brysk, 1993). This distinction resonates with the one found in the peacebuilding literature on 'deductive' and 'inductive' approaches (Cousens, 2001; Doyle and Sambanis, 2000). While the former approaches focus on what international agencies and organisations have to offer,[11] the latter take as their point of departure the particular needs and capacities of individual cases. Okafor places great emphasis on combining 'top-down' and 'bottom-up' approaches (and thus from the perspective of this thesis would seem to support the logic of focusing on the interactions between the two) since: "institutions are of highest value to struggles for progressive social transformation when they are creatively deployed by, and imbricated in the domestic struggles waged within states by the local popular forces that operate in those states" (Okafor, 2007, p.1).

---

[11] Supporters of this model argue that focusing only on state actors interacting on the international plane presents a truncated picture of the impact of international norms and institutions on states. Instead they bring into the picture domestic and international Non-Governmental Organizations (NGOs), Transnational Advocacy Networks (TANs), Principled Issue Networks (PINs), as well as international organisations (Risse et al., p. 40). Keck and Sikkink (1998), for example, establish the importance of PINs and TANs for the diffusion of international norms in the human rights and environmental issue-areas. Other scholars like Peter Haas, maintain that epistemic communities are one principal mechanism by which such ideas are developed and disseminated. The members of epistemic communities often introduce national measures consistent with their beliefs, and utilise the enforcement mechanisms of the bureaucratic units in which they operate (Haas, p. 51). Audie Klotz attempts to demonstrate how the norm of global racial equality and sanctions were effectively used against South Africa by a transnational anti-apartheid coalition of governments, nongovernmental organizations and individuals (Klotz, 1995, p. 6).

Risse et al., for their part, use a 'five-phase spiral model' to understand the conditions under which socialisation and internalisation of international regimes, principles, norms and rules take place within the domestic context and thus affect political transformation processes. In particular, in an attempt to further elaborate the conditions under which principled ideas and international norms affect domestic institutional change, they apply this model to a wide range of comparative studies (Risse et al., 1999, pp. 4-5). Phase one of the model is what they call the initial state of repression on behalf of the state. During this stage, norm-violating states enact policies of oppression on the one hand. On the other hand, domestic human rights organisations attempt to document any human rights violations, and bring them to the attention of the international community. If phase one is successful, a transition to phase two takes place. This involves denial on the part of the state. In phase three, the norm-violating state makes some tactical concessions, leading to the fourth or prescriptive phase. During the latter phase, the norm-violating state is confronted with fully mobilised human rights networks and an increasing internalisation of human rights norms. This forces the norm-violating state to either liberalise its policies permanently or accept some form of constitutional or governmental change. The final phase of the model then is behaviour consistent with the rule, which involves an institutionalisation of human rights norms into actual state practice.

Having outlined the main features of constructivist theories above, it becomes necessary to see how constructivists use these concepts to present their theories on the effectiveness of forced migration issues. The constructivist approach argues that UNHCR strongly influences state responses to refugees. For example, UNHCR can frame the norms in such a way that they become widely accepted. Supportive policy-makers and thereby respective states can then become norm leaders, using their status at the international level to persuade others to adhere to the new norm (Coleman, 2013, p. 166). Given that new norms emerge into a contested normative environment, those norms must fit with the existing normative environment. Entrepreneurs use framing that legitimises and motivates collective action. However, changing policy agendas of governments, migration and asylum drives, exclusion and control demonstrate powerful restrictions upon migrants'

agency. Refugees are not necessarily without agency when they face given structures, and neither are these structures fixed and immune to the potential influence of refugees' actions. Refugees are similar to other human beings, except for the structural conditions they are situated in, which account for distinctive experiences. In order to provide a more systematic mapping of the ways in which refugees exercise agency, this thesis now addresses how traumatic experiences can form the basis of refugee resilience and help them to exercise their agency.

3.3. Resilience

The study of resilience processes has evolved over the past three decades and is often marked by three waves. During the first wave, researchers identified characteristics that differentiate individuals who thrive even when faced with tremendous adversity (Richardson, 2002). During the second wave, researchers were motivated to better understand the processes of resilience identified during the first wave. Hence, the second wave is marked by the transition from 'what' questions to 'how' questions (i.e., questions of description versus questions about underlying processes) (Wright and Masten, 2005). Resilience emerged as a "process of coping with adversity, change, or opportunity in a manner that results in identification, fortification, and enrichment of resilient qualities or protective factors" (Richardson, 2002, p. 308). In this wave, attention to behaviours and to psychological and background dynamics shifted to the forefront. The third wave of resilience research fostered the processes' development. Disruption and subsequent reintegration typify life patterns; however, resilience theory suggested that an intrinsic, motivational force resided within all individuals (Richardson, 2002). Accordingly, during the third wave, researchers were concerned with creating resilience through means of risk intervention and mediation (Masten, 2006).

Definitions of resilience have developed over time through contributions from numerous researchers. Kumpfer (1999) suggested that understanding resilience is a particularly challenging task because it has previously been so broadly defined. Connor and Davidson (2003) explained that previous research "demonstrated that resilience is a multidimensional

characteristic that varies with context, time, age, gender, and cultural origin, as well as within an individual subjected to different life circumstances" (p. 76). In addition to these factors, resilience has otherwise been described as "a dynamic process encompassing positive adaptation within the context of significant adversity" (Luthar, Cicchetti, and Becker, 2000, p. 543), "as virtually all internal and external variables or transactional and moderating or mediating variables capable of affecting a youth's life adaptation" (Kumpfer, 1999, p. 182), and as "a class of phenomena characterized by good outcomes in spite of serious threats to adaptation or development" (Masten, 2001, p. 228)

In 2002 in the Harvard Business Review article, 'How Resilience Works', Coutu stated that resilience is not a matter of virtue but rather "merely the skill and the capacity to be robust under conditions of enormous stress and change" (Coutu, 2002, p. 51). She suggested the concept of resilience was characterised by three components. The first of these building blocks suggested that approaching given situations with a realistic perspective was an essential factor of resilience. Coutu acknowledged the positive role of optimism in summoning the will to endure certain circumstances; she stated, however, that "for bigger challenges, a cool, almost pessimistic, sense of reality is far more important... The fact is, when we truly stare down reality, we prepare ourselves to act in ways that allow us to endure and survive extraordinary hardship" (p. 48). In essence, individuals who observe unanticipated circumstances through a temperate, pragmatic lens are better conditioned to persevere.

The second building block involves the pursuit and construction of 'meaning'. Coutu described this as the manner in which "resilient people build bridges from present day hardships to a fuller, better constructed future" (p. 50). 'Meaning', however, can be indefinable, obscure, or ambiguous. There is no guarantee that successfully making meaning of one set of circumstances or during one situation assures that meaning will be retained or re-discovered in the future. Coutu suggested that strong value systems could effectively address these types of complications. She asserted that values, whether positive or negative in nature, were absolutely critical to the resilience of individuals and organisations, because they "are core to us and never

change; they frame most of our important decisions" (p. 52). Consequently, individuals – such as refugees – are empowered by the strength of their values because they instil aspects of meaning to events.

Lastly, Coutu suggested skill in 'bricolage', the French term meaning 'bouncing back', was the third building block of resilience. Bricolage can also be defined "as a kind of inventiveness, an ability to improvise a solution to a problem without proper or obvious tools or materials" (p. 52). In general, the term 'bricolage' encompasses skills such as resourcefulness, ingenuity, imagination, originality, and cunning. 'Bricoler's' are adept at visualising prospects or options when placed in unexpected situations. In contrast, individuals lacking these skills are far less likely to both demonstrate resilience or overcome challenging circumstances. Consequently, traditional protocols that may limit creativity may also enable concepts of resilience to flourish during periods of instability or unrest.

Bonanno (2004) also deconstructed resilience in "Loss, Trauma, and Human Resilience: Have We Underestimated the Human Capacity to Thrive After Extremely Aversive Events?" Bonanno noted that resilience has frequently been "underestimated and misunderstood… or as something seen only in rare and exceptionally healthy individuals" (p. 20). The foundation for Bonanno's suggestions was influenced by research proposing that resilience could be achieved through multiple channels. In one example, he noted that resilient adults may frequently rely on certain techniques in times of duress and may achieve successful results, while the same techniques employed during calm or tranquil times would be unfavourable. Additionally, he identified and briefly defined four routes to resilience including hardiness, self-enhancement, repressive coping, and positive emotions and laughter.

In 2010, Buzzanell proposed a communicative framework for resilience during a Presidential Address to the International Communication Association titled 'Resilience: Talking, Resisting, and Imagining New Normalcies Into Being'. Buzzanell framed resilience as a process, not necessarily a quality of an entity or structure. The framework was built upon a definitional foundation originally offered by Richardson as "the process of reintegrating from disruptions in life" (p. 2; see also Richardson, 2002, p. 309). Buzzanell explained that these processes were triggered by an event in an individual's

life. The event could vary in severity along a spectrum of disruptions including loss, disaster, trauma, and upheaval in what one knows and values (Buzzanell, Shenoy, Remke, and Lucas, 2009). The processes that construct resilience may exhibit discursive, behavioural, and neurological elements. In addition, an individual's psychology, learning capacity, developmental background, and dependency on social capital or networks are also reflected in resilience processes.

Herrman et al. (2011) assert that resilience fundamentally refers to a positive adaptation or ability to maintain or regain mental health despite experiencing adversity. They point out that various disciplines have studied this phenomenon; however, no consensus on an operational definition exists.

This is a strength-based approach that facilitates cultural awareness around a context-specific refugee experience. The ability of individuals and groups to successfully navigate their environments to resources that support them psychologically and physically increases resilience (Ungar et al., 2013).

In discussing international interventions associated with projects of statebuilding, Chandler (2012) suggests that resilience plays an important role in the shift away from classical liberal interventionist discourses and towards greater emphasis on preventive intervention. This means a focus on "the empowerment and responsibility of agency at the local societal level, rather than upon the assertion of the right of external sovereign agency" (p. 216). Chandler observes:

> In discourses of resilience, there is a clear assumption that governments need to assume a more proactive engagement with society. This proactive engagement is understood to be preventive, not in the sense of preventing future disaster or catastrophe but in preventing the disruptive or destabilizing effects of such an event. In this sense, the key to security programs of resilience is the coping capacities of citizens, the ability of citizens to respond, or adapt, to security crises (Chandler, 2013b, p. 210).

Hence, what this brief analysis in this section concludes is that there has been a notable shift from the state to society and to individuals, and

discussion of individual resilience has played a role in this. Chandler in this rather concise key observation notes that: "Here, agency is distributed away from the formal centres of political power (the focus of liberal ontologies) and towards the margins or the 'everyday' where the 'tactics' of ordinary people contest and disrupt the strategies and understandings of the powerful" (Chandler, 2013a, p. 178). Hence, this analysis supports the choice of this thesis to further explore the 'bottom-up' perspectives of refugees that not only are now more susceptible to these new forms of agency that are distributing political power to the 'everyday' but also have directly experienced key events where norm contestation and diffusion are likely to be discernible and notable.

3.3.1. Refugees' migration experiences

When Steel et al. (2006) investigated the long-term effects of migration, they concluded that the effects of refugees' traumatic migration experiences are immeasurable, long lasting, and shattering to both their inner and outer selves. Equally, Mollica's (2000) discussion on forced migration demonstrates that nostalgia, isolation, depression, anxiety, guilt, anger, and frustration are so severe that many refugees may want to go back to their country of origin even though they fear the violent consequences. Kusnir (2005) looked at the experiences of Salvadoran families migrating and the multiple tensions that the dislocation brought on. He illustrated that most have experienced multiple losses, such as the loss of a significant other, the loss of home, and even the loss of their sense of self. He found that the added psychological distresses for survivors of torture exacerbated this stress of migration but notes that few studies demonstrating the negative psychological after-effects in victims of torture have been compared to survivors with a matched, non-tortured group (Kusnir, 2005). George (2009) looked at the influences of traumatic experiences, both pre- and post-migration, on refugees' psychological distress by examining historical, political, and social factors. The author differentiated acute versus anticipatory refugees; acute refugees, who left their home country within a few days or hours of disaster, had higher levels of psychological distress than anticipatory refugees, who planned and anticipated the move. She also noted a typology of refugee settlement; new and traditional. The key differences between new and traditional refugees are

that new refugees are culturally, racially, and ethnically vastly different from their hosts, and are likely to lack kin or potential support groups in their country of resettlement, whereas traditional refugees are culturally and ethnically similar to their host, and are likely to be welcomed and assisted by family and friends who speak their language and can cushion their adjustment. George's results demonstrate that post-migration trauma related to settling into a new environment can positively predict psychological distress. Richmond (2002) explored the economic conditions that contribute to disparity in less developed countries. According to his argument, economic inequality combined with demographic pressures and environmental crises have generated ethnic conflict, civil war, terrorist threats, and forced migration. He notes that wealthier countries are placing more restrictions on admitting refugees and allowing them to escape persecution. Despite the large number of refugees in Europe and North America, Richmond emphasises that African and Asian countries bear the greatest burden of refugees.

Papadopoulos (2007) argues along similar lines that a refugee's response to adversity is not limited to being traumatised but also includes resilience and what he calls adversity-activated development. A similar study is Overland's (2011) grounded theory approach to the study of resilience among adult survivors of the Khmer Rouge era. She defines resilience as an imminent capacity and distinguishes coping as behaviour, and asked participants why they were healthy as opposed to why they were sick. Overland found that individuals who were highly resilient did not lose a sense of their responsibility for their own lives, refused to become victims, and reaffirmed their self-reliance through work. In other words, their sense of self in the world was constructive and something that came with responsibility.

Sossou, Craig, Orgen, and Schnak (2008) reported on the coping strategies of resettled Bosnian refugee women through a qualitative investigation of their experiences as refugees and factors that contributed to resiliency. Sossou et al's findings highlight the importance of family, spirituality, and the availability of social support services that assisted with adjusting to resettlement. The implication is that resilience factors include individual qualities, such as self-determination, optimism, inner strength, and

hope, while environmental factors, including community and social support services, are also essential to understanding resilience. Furthermore, an examination of the refugees' social standings back home, educational levels, occupational skills, and even their previous exposure to urban and Western cultures were all factors in the individual qualities of resilience and rapid acculturation (Sossou et al., 2008). As the findings demonstrate, the most significant indicator of positive coping strategies was family values. As such, there is a need to understand and use family systems, and family relationships and involvement, in planned interventions (Sossou et al., 2008).

There is a clear shift in policy towards building resilience. UNHCR published its Regional Refugee and Resilience Plan (3RP) for 2017-2018 reinforced by a global commitment to invest in resilience in countries neighbouring Syria. 3RP partners strive to address the needs of the most vulnerable through effective humanitarian- and resilience-based interventions, while building a more sustainable response emphasising use of cash-based interventions for food and other basic needs assistance, integrated education, protection and youth services, and a focus on service delivery through local and municipal systems to reduce duplication and build national capacities (pp. 6-7).

3.4. Norm Entrepreneurs and Normative Structure

Resilience must be analysed in relation to an existing normative structures. Norm entrepreneurs (Miles, 2015; Davies, 2017; Madokoro, 2019) and their agency fit together in a complex mosaic of interrelated parts to influence a normative order. "Norms do not float freely, unencumbered by physical reality," as Kowert and Legro describe:

> They are attached to real physical environments and are promoted by real human agents (...). But the relationship of normative to material structures is rarely examined or explicitly theorized, despite the likelihood that the influence of norms may be related to... the qualities of the actors that adopt or promote them. (Kowert and Legro, 1996, pp. 490-1).

It is imperative that studies of international norms studies are particularly careful to specify as explicitly as possible the respective mechanisms by which norms are linked to their physical environments by entrepreneurs.

Norm entrepreneurs are actors that are active in the promotion of norms (Finnermore, 1998). A norm entrepreneur is an agent of social change with an ability to shape the collective behaviour of others. They are agenda setters or problem-solvers introducing new ideas into the international debate. According to Acharya (2010), new norms emerge in a context of pre-existing regional norms and beliefs. This often involves efforts to change the constraints and recognise opportunities of social interaction. Despite the intuitive notion that actors play a role in establishing and altering normative structures, constructivists have been criticised for failing to demonstrate how agents influence norm dynamics.

Norm entrepreneurs, utilising Annika Björkdahl's, definition, can be conceptualised as follows:

> By identifying opportunities, actors committed to a particular idea set
> out to change the existing normative context and alter the behaviour of
> others in the direction of the new norm (2002, p. 46).

They are actors who are strongly committed to a particular idea and are willing to undertake actions and promote discourses that seek to bring the idea 'upwards' at an international level. In some ways then, it seems – at least at face value – rather easy for notions of norm entrepreneurs(hip) to be compatible with 'bottom-up' thinking and perspectives; and for refugees to be candidates to undertake forms of norm entrepreneurship from the 'bottom-up'. For, in essence, the main impetus for norm development resides with the actor promoting ideational change.

Yet, we need to be careful here. Constructivists tend to neglect agency in empirical research. It remains structure-heavy, offering more theories of how norms shape states' identities and actions and fewer theories of how states make those very structures. Jeffrey Checkel (1998, p. 325) claims that "constructivism lacks a theory of agency," and "as a result, it overemphasises

the role of social structures and norms at the expense of agents who help to create and change them in the first place." An agent-focused analysis is appropriate in light of the criticism that constructivists, despite arguing that actors and structures are mutually constituted, have tended to advance a structure-centred approach in their empirical work. Although this study will give analytical priority to agency, it will attempt to explore the relationship between the actor and structure, seeking as it does to explore the role of the norm entrepreneur in the process of norm development.

Kingdon (1984, 1995) argued that policy change occurs only when a 'policy window' opens. This is when an opportunity for change arises, when problems come up for decision-making by government and can be attached to solutions. They are infrequent and fleeting and can occur either due to a regular event such as an election, or to a crisis or major shift in political power. When a policy window opens, policy entrepreneurs, or advocates for specific proposals, can push for their preferred solutions. There are more solutions in the policy choice than there are policy windows for using them, and solutions or policies come to the window when it opens. Taking this a little further then, it could be the case that this thesis examines the durable solutions policy as incorporating policy windows where policy entrepreneurs may seek to influence and promote change from the 'bottom-up'. Yet, it is also important to highlight that policy entrepreneurship may not be successful most of the time. Not all and possibly not even many windows of opportunity for change that occur will be accompanied by policy entrepreneurs selecting them for attention. There can be and are many instances, where either lack of attention/inaction or even inappropriate action results in failure of the proposals or possibly, the selection of only some for attention while others are ignored. Policy entrepreneurs play an important role in deciding which policies get chosen. They must be in a good position in terms of political and technical perspectives to take advantage of a policy window when it opens and attach their preferred policies to problems before the window closes (Kingdon, 1984, 1995).

The identity of the norm entrepreneur is crucial to the selection of potential norm candidates, the choice of diffusion strategies and the arenas favoured for the norm entrepreneurial activities. A large body of literature in IR

attests to the importance of identity in world politics (Wendt, 1994; Katzenstein, 1996). Different types of actors can be norm entrepreneurs. Some constructivist scholars have sought to understand how actors operate and the conditions that might contribute to their success. Much of this research, however, has focused on the role of activists, international organisations, and epistemic communities. Empirical research has identified the agenda-setting and pre-negotiating phases when national governments try to formulate their position in multilateral negotiations as particularly conducive for the impact of advocacy groups (Keck and Sikkink, 1998; Klotz, 1995; Price, 1995). It is recognised, however, that non-state actors are less likely to be influential in the actual negotiating processes. Although the trend of the literature on norms focuses on non-governmental organisations and social movements, Howard and Neufeldt (2000, p. 31) demonstrate that scholars who "ignore states and state actions miss significant factors in the process of norm creation.". Hence, from the perspective of this thesis then, it is expected that non-state actors, like refugees are also likely to be groups where involvement in policy entrepreneurship and advocating policy change will more likely lead to failure rather than success.

Importantly, norm entrepreneurs can include individuals, organisations or can even be as large as states – yet perhaps the key is to highlight that there is a strong focus on the role of networks and networking of particular types and forms. Keck and Sikkink in *Activists Beyond Borders* (1998) nicely supplement Risse, Ropp and Sikkink as they explore how transnational advocacy networks pressure states "from above and below" to accept human rights discourse and norms. They argue that transnational actors use four kinds of tactics in their efforts to persuade and pressure: (1) information politics (to create and move politically usable information); (2) symbolic politics (to call upon symbols and actions that make sense of a situation for others); (3) leverage politics (the ability to call upon powerful actors to affect a situation where weaker members are unlikely to have influence); and (4) accountability politics (efforts to hold powerful actors to their previously stated policies or principles) (Keck and Sikkink, 1998, p.16).

In this thesis, these concepts are instructive in that they call attention to how there is a perceived focus on the use of both power and ideas in the

norm socialisation process. Sjöstedt (2013) argues that – while the diffusion of ideas by entrepreneurs forms an important basis – it is crucial to take the role of national and domestic identities into account in order to explain why some idea diffusion processes succeed while others do not. Identity serves as a catalyst or gate-keeper of idea diffusion (p. 148) and shapes the way people think about power and ideas as norms. She further highlights that, in broad terms:

> The greater power an entrepreneur has, the more discursive space an issue will get, and the more likely that it will get the attention of a decision-making unit. The status of the entrepreneurs in terms of reputation, credibility, perceived knowledge on the topic, spatial scope, etc., also plays an important role (…) (p.150).

In a sense, this thesis is distinctive in linking together these two bodies of literature – one which addresses international norms and another which addresses the spread of beliefs and practices. Some of the norms diffusion literature (largely among law and constructivist scholars) has, of course, partially attempted this also. Perhaps the most notable contribution in this regard represents that of Keck and Sikkink (1998), who developed a theory of how transnational advocacy networks (TANs) influence states' human rights behaviour. According to their definition, these TANs consist of "international and domestic NGOs, foundations, and some governmental and intergovernmental officials who share collective understandings and a collective identity with regard to human rights norms" (1998, p. 21). Keck and Sikkink argue that TANs play an important role in urging and even getting violating states to improve their human rights practices by pressurising the violating states from both above (via international organisations and agents) and below (with domestic organisations/agents). One way in which this happens is when domestic groups seek to bypass their own government and seek out international allies to pressure their state from the outside. They call this the 'boomerang effect'. Indeed, turning back to the thesis then, this work offers several insights. First, it is important to see refugees as non-state actors or networks who may share common viewpoints as human rights

norms and may be interested in pressuring for change from below and thus undertake socialisation practices. Yet, it is also a case that the expectation is that this work and norm diffusion activity from below is also likely to be only partially and even remotely successful and thus the focus may actually be about seeing how the interface between top-end policy-making and refugee perspectives from below is constituted at this point.

Finally, moving on from these qualitative studies to take a more quantitative approach to evaluating the role of networks in changing behaviour, Goodliffe et al. (2012), for example, examined how dependence networks influenced higher level (for example, states') decisions to join the International Criminal Court (ICC). Theorising that either socialisation or fears of sanctioning could drive national elites in states to accept any sovereignty costs associated with joining the ICC, Goodliffe et al. (2012) discovered that IGO, trade, and alliance dependencies with states that have already joined the ICC made states more likely to join the institution themselves. This finding provides solid evidence for the notion that network ties influence the behaviour of national elites (states) and even international policy-makers (UN) in important ways. Hence, this thesis attempts to utilise such observations around the role of dependencies to inform analytical assumptions with respect to the role and nature of 'bottom-up' perspectives on norm diffusion analysed later.

3.4.1. Various Actors as Norm Entrepreneurs

Norms entrepreneurs are important not only for developing and sustaining international norms, but also have notable influence, during critical stages where and when norms have not yet been fully adopted or reached a consensus stage. It is generally agreed that intellectuals and other members of 'civil society' are key innovators in domestic, as well as in international society, and that human agency is critical, especially in the first stages of norm creation (Alderson, 2000; Thakur, 2006). Some research has focused increasingly upon individual norm entrepreneurs that serve in international organisations, like the UN Secretary-General (Johnstone, 2007) or state officials or bureaucrats (Blavoukos and Bourantonis, 2011). Transnational advocacy networks, like NGOs, political foundations and churches represent

another norm entrepreneur archetype. Private sector actors such as actors representing transnational corporations have also been included (Flohr et al., 2010). For the purpose of this thesis the interaction between the respective different actors is summarised in Table 3.

Table 3: Understanding Interaction Between Actors

ACTOR MAIN INFLUENCE PUT ON	ACTOR MAIN INFLUENCE PUT ON
International actors	Civil society organisations, National elites
National elites	Civil society organisations, Other national
Civil society organisations	National elites, Grassroots
Refugees and IDPs	International actors, National Elites, Civil society

Norm entrepreneurs, be they at the international or national level, use varied techniques to facilitate and promote norm diffusion. International actors try to influence 'norm breakers'. This is also a goal for civil society organisations pushing for changes at the national level. National elites can also make efforts to turn fellow national elites into 'norm followers' and as such influence policy and legislation. Such entrepreneurs can, for example, be actors seeking to influence politicians, politicians reaching out to the grassroots, women's organisations putting pressure on policy-makers or educating the public on women's political rights, to name just a few. Crucially, communication and persuasion strategies and tactics are some of the most important resources of power. As in every communicative process, the sender's appeal, its moral weight and authenticity, role and approach are of immense importance.

Turning to the thesis then, it is possible to envisage refugees and displaced people acting as potentially important groups of norm entrepreneurs. Indeed, if they are the subject of increased international pressure (top-down norm diffusion) or embark on activities that seek to influence key agendas, then they can easily be regarded as engaging in some forms of norm entrepreneurship.

In the case of forced migration, there are at least four sets of relevant actors within the international community:

1) *Representatives of international organisations* such as the United Nations (including the UN High Commissioner for Refugees, the UN Office for the Coordination of Humanitarian Affairs, the Department of Humanitarian Affairs in the UN Secretariat, and the UN Security Council) and regional multilateral institutions such as the Organisation of African States and the European Union (EU).

2) *National decision-makers of key states of the international community.*

3) *Representatives of national and international non-governmental organisations.* The numbers of NGOs continues to increase and they have become notable for their involvement in humanitarian emergencies (Duffield, 2012, 2013).

4) *Representatives of forcibly displaced populations* (refugees and IDPs). Although not as cohesively organised as some of the other actors, they nonetheless exert significant influence on the processes described here.

The relationship between norms and institutions is undeniable: according to Goertz (2003), norms are necessary for institutions to exist and reside in the realm of social context (Finnemore, 1996). If regimes represent collections of institutions, or are the same as institutions (Goertz, 2003), the three are intrinsically linked.

It is important to highlight at this point that organisations offer structure and often clarity to international systems. Thus, the power of organisations, such as UNHCR is comparatively large. This can be seen in circumstances when states first resist a norm or law by undertaking 'surface action' and duly adopt rhetoric about integration and acceptance in order to retain or enhance their respective status internationally, then later concede due to pressure from

an international organisation and truly internalising norms (Byers, 2008). International institutions set norms followed normally by states that also desire to be included in any (often declared) set of 'civilised' states (Goertz, 2003). The UN is important in many associated respects, so it is also worthwhile at this point to further consider its respective involvement in any process of norm diffusion.

Actors, international and domestic, are important aspects of constructivists' theorising and empirical work precisely because they contribute to the social construction of structures. Above all, it is an integral feature of the work of social constructivists, like Checkel. Unlike neo-realists, the focus of social constructivists on actors is not limited to the state, but more broadly includes non-state actors. The inclusion of such actors reinforces the challenge of social constructivists to the state-centric paradigm that has dominated IR (Florini, 2000). Crucially for this thesis, social constructivists' research on international organisations has focused and highlighted efforts of individuals and groups/networks to change social understandings, including those within International Governmental Organisations (IGOs), such as the UN and its agencies in particular; epistemic communities, incorporating individuals with specialised knowledge, such as lawyers; academics (Burley and Mattli, 1993; Ratner, 2000); and personnel of organisations (Adler, 1998). For the purposes of this thesis, existing social constructivist work has highlighted the standards promoted by UNHCR ensuring that the standards are reinforced by robust legal and moral authority (Zomerhuis, 2015).

Other scholars have emphasised individuals who are associated with organisations that make them 'effective engines of social construction' (see Chandler, 2010). Chandler (2010) for instance argues that: "The post-liberal paradigm tends, in fact, to reject policy goals and is concerned more with processes of engagement, held to empower the other, enabling them to pursue their goals safely and within a framework of international constraints" (Chandler, 2010, p. 193). This has profound implications on the way we should think about the role of individuals and for the way we think in this thesis about durable solutions since as Chandler (2010) denotes, it is often the task of international institutions to ensure that their main task is understood as: "the export of good governance rather than the tasks of

direction or control" (Chandler, 2010, pp. 193-4). With a more open understanding of the task of the UN – informed by social constructivist thinking – then there is also room to also enable refugees and IDPs to be viewed as (potential) policy entrepreneurs.

This thesis therefore assumes that the refugee or displaced person, like the state and UNHCR, can be an actor shaped by and with positional advantages and disadvantages who could also operate at the intersection of the domestic and the external (and possessing agential capabilities). In contrast with existing research, then, the focus of this study is on the interface between UNHCR and the displaced persons, who in the latter case represent actors and agents, with the potential to offer views and perspectives on norm diffusion and who could via active participation in each phase of the forced migration experience, seek to undertake change to the UN durable solutions policy.

3.4.2. Agency of Social Actors

Like that of structure, a watertight definition of 'agency' has proven rather elusive (Doty, 1997). Anthony Giddens (1979, 1984) offers a sociological discussion of agency concerned with structure, space and time. More specifically, Giddens is concerned with how actors create structures through constant conduct carried out at different levels. Constructivists, following Giddens's structuration theory, note that social agency depends "upon the capability of actors to make a difference in the production of definite outcomes, regardless of whether or not they intend (are aware) that these outcomes occur" (Cohen, 1987, p. 284). To make a difference, Cohen further asserts it is necessary, "to transform some aspect of the process or event; agency is therefore equated with transformative and (re)productive capacity" (ibid.).

However, more pertinent in the context of this thesis, Goddard defines agency as "the capacity and willingness of actors to take steps in relation to their social situation" (2000, p. 3). For this thesis, Goddard highlights the accompanying importance of 'intent' or 'willingness' of actors to try and make a difference. This is important since refugees vary in their experiences, and differ in their responses to flight, asylum, and return and reintegration. Some

do and some do not recognise new opportunities available to them because of their trauma and loss of resources. Others seem to cope better. Individual decisions, experiences and life courses have been seen as part of the larger cultural, socio-political and environmental complex that hold opportunities as well as constraints. Yet, importantly it is often clear that refugees want to see change and indeed are at the forefront of experiencing it in many forms and thus understanding their motivations and willingness towards change.

Furthermore, the concept of agency is used to inform the actor-oriented analysis of the current study. From this perspective, refugees are therefore regarded as active subjects with the capacity to process social experiences and invent new ways of coping with life even under extreme coercion.

While forced migration studies position refugees and returnees in distinct ways with regard to the home society and the host society in general, fleeing, living in exile and returning are actions undertaken by individual refugees who are in possession of the facts and who have experiences that are not entirely delinked from the current experience of rebuilding their lives and that of their community. Vincent and Sorensen (2001, p. 8) claim that "contrary to the common assumption about refugees, they are not poor, resource-less persons who only think of surviving their present, difficult circumstances. Some have many skills, plan and work for a better future". Bulley's (2014, p. 73) describes how refugees undermine food distribution systems in camps by the "double-entering of names on lists, registering in more than one zone or village, adding fictional family members, and declining to register deaths and departures from the camp", in order to secure more food rations. As refugees learn to navigate this state of physical, psychological and legal limbo (Lischer, 2011, p. 280), they can challenge and actively shape camps as "in-between spaces" of exception.

There is a general assumption that refugees are passive entities in terms of being 'recipients' or takers of refugee status determination processes, placing their fate into the hands of state and humanitarian authorities. Yet, even under these conditions, refugees exercise agency. When refugees aspire to obtain legal status under the 1951 UN Refugee Convention and its 1967 Protocol, the act of proving that they have a well-founded fear of persecution is a fundamental way of exercising agency.

Applying the notion of agency to the study of the impact of the structures of forced migration on the refugee/returnee resource, the study examines refugees' flight decisions and decisions about return and reintegration. This enables the study to transcend the pressured argument of Kunz (1981) that refugees act on impulse, especially during their flight, and Koser's (1997) argument that refugee agencies are only at play when return is self-directed, and not during assisted return. While located in exile, refugees sometimes try to renegotiate their relationships with their country of origin by organising and systematically putting pressure on their governments to listen to their voices. The case of the Guatemalan refugees in Mexico who strategically worked to re-establish their relationship with Guatemala, in particular the female branch of their organisations, is cited in the literature as one of the most prominent cases of refugees expressing their political agency (Billings, 2000; Rousseau, Morales, and Foxen 2001). O'Kane (2007) describes how Burmese female refugees, removed from the familiar authoritative structures they knew from home, created a network of twelve women's political and social welfare organisations in exile to document, report and publicly shame the Burmese government for its human rights abuses.

Social constructivists' presentation and definition of norms as social structures leaves more space for agency – that is, for individual actors to influence their environment as well as to be influenced by it. Social constructivists note that structures are meaningless without some intersubjective set of norms and practices.

With regard to the reflexive nature of actors in the co-constitutional relationship, it implies that the actors (refugees and returnees) reflect on their choices and decisions, and are able to learn from experience by acting within contexts that involve strategically selecting constraints and opportunities that can and do transform social structures they encounter. For example, the refugee as an actor is not static, and does not always act as a victim of his or her experiences. Like most social actors, the refugee is capable of formulating and reformulating strategies in the light of changing experiences, and has knowledge about the strategic contexts in which she or he pursues his or her goals. As Hansen (2006, p. 37) argues, identities are conceived as social phenomena that are constituted "relationally and discursively". She argues

that identity can be and is constructed in more ambiguous and complex constructions of difference in practice and that the degree and mode of difference should be a question for research carried out in this vein rather than an a priori assumption (pp. 38-41).

Furthermore, applying the theory of structure and agents, the study stresses both the opportunities and constraints of each phase of the forced migration experience. This approach also presents refugees and IDPs both as individuals and as members of a group or groups who participate in the broader socio-political conditions of every phase of their experiences, which cumulatively affects their resources and choices in various ways.

The opportunities of refugees or returnees to define problems and take part in the decision-making, concerning issues directly affecting their lives, are still limited. This is understandable, especially at the beginning of refugee operations as it is hard to form decision-making bodies in chaotic situations. However, the participation of refugees and returnees in planning and decision-making at the later stages may guarantee sustainability and success in managing problems in the long term. As such, this thesis argues that taking refugee agency seriously in terms of the planning and implementation of durable solutions is essential in order to understand the complexities of achieving effective outcomes. Political preferences among the existing durable solutions should not guide actions and options in refugee cases. A general framework on durable solutions for the purpose of this thesis is presented in Figure 4. In practice, of course, UNHCR's work has been inescapably political (Loescher, 2001, p. 2), and durable solutions have been put to the service of numerous other political, economic and strategic goals, some of which are incompatible with their humanitarian rationale (Chimni, 2004).

Figure 4: Framework on durable solutions (Author's own)
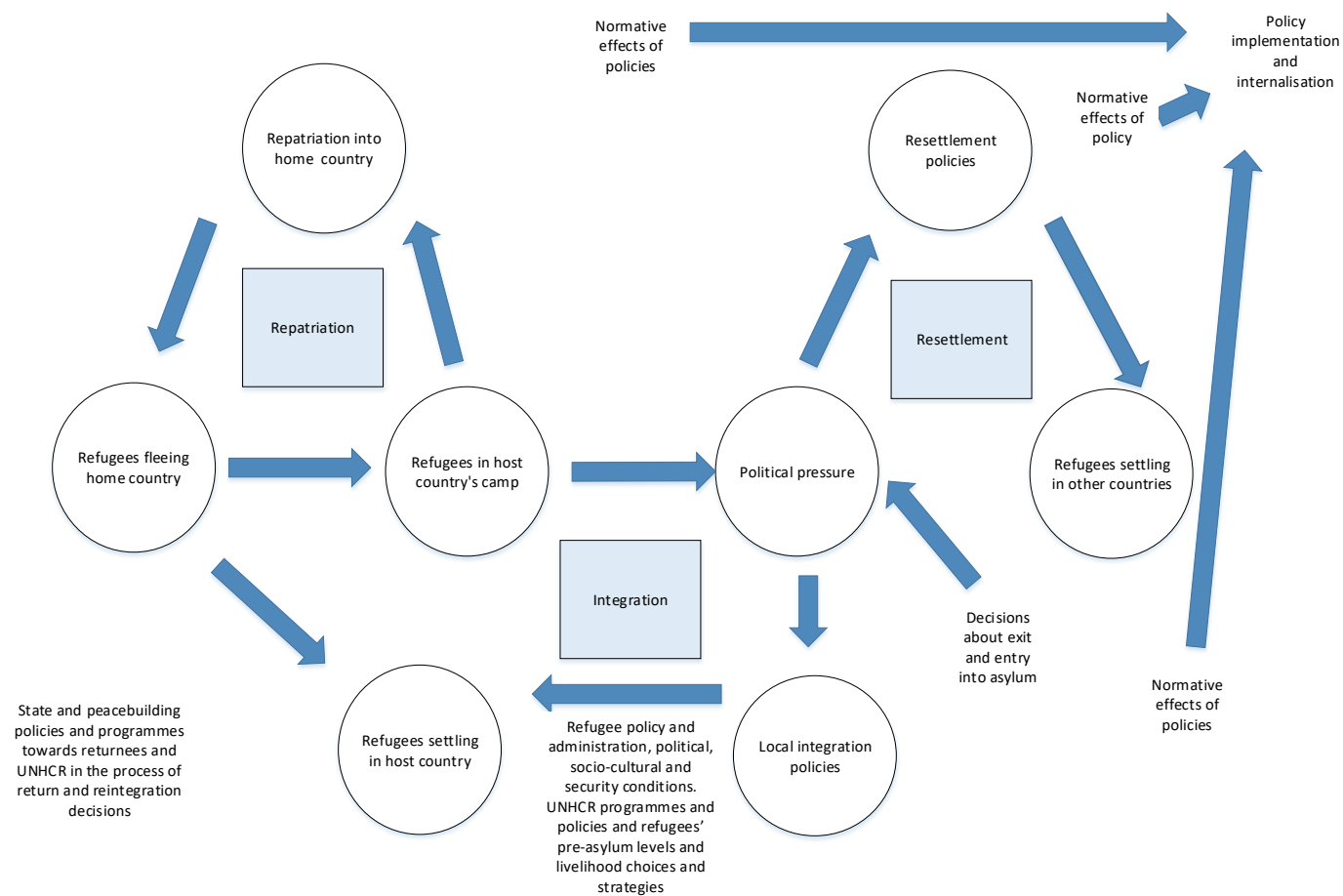
Finally, it is important to highlight that the views, attitudes and willingness of refugees to undertake agency may be affected by the 'positive; and/or 'negative' practices of their respective host societies. Shifting the focus a little to a discussion of how host societies impact the refugee's resources, Ryan et al. (2007, 2008) concluded that asylum policies and practice could either constrain or facilitate the resources of refugees, and thereby will impact upon their motivations to be involved in active forms of agency. In their study of forced migrants in Ireland, they highlight that 'positive' refugee policies and practices, such as free movement of migrants, access to housing, employment and education, enable the refugees to increase their resources and adapt better. They are therefore more likely to be passive in terms of being integrated into the politics and practices as 'new participants' in and of the host society and may actually be less interested in international engagement. However, negative asylum practices, such as the erosion of personal control through denial of asylum and its accompanying rights, constrain the refugees, leading to further resource loss. Equally, this can provoke differing more assertive forms of agency countering their views as 'victims' with a stronger motivation to act as policy entrepreneurs at the international level, including a durable solutions policy.

It is imperative to raise questions about the broader implications of an increased focus on the refugee as an agent within in the larger context of justifying refugees' right to receive the right to a durable solution.

3.5. Conclusion

(Social) constructivist approaches, with their strong emphasis on social construction, assign a very important role to international norms and institutions. In terms of the constructivist literature, much of the existing analysis on norm emergence and spread begins at the point where norm entrepreneurs are involved and actively disseminate international norms. Taking refugee agency more seriously means pushing against common treatment and representations of refugees as hapless, silent victims, which has become deeply engrained within the international refugee regime. Within this victim-discourse, which drives humanitarian responses and a state's willingness to offer shelter, refugees become anonymous objects who are

presumably stripped somewhat of their agency. By focusing on the ways in which refugees manoeuvre their circumstances, this thesis challenges these common assumptions, which continue to shape policies and practices.

The analytical model presented in this study provides an attractive conceptual framework to conduct empirical research because it explicitly addresses the emergence of norms and contains within it the mechanism of norm entrepreneurship to explain the change of norms over time. Constructivism also looks at how identities and interests evolve and why and how refugees and refugees issue change over time. According to this approach, state perceptions of the refugee problem are influenced by norms and ideas that socialise states and impact on states' interests. Constructivists argue similarly that norms embedded in structure exercise a powerful effect on state behaviour. Acknowledging that refugees are still human agents when they cross international borders to seek refuge, and do not suddenly become without agency, silent, passive beings, fundamentally recognises their humanity and, by extension, their right to have their human rights respected at the most basic level.

This chapter shows that the three clearly defined and separate phases of the norm life cycle model are in practice more complex than postulated by Finnemore and Sikkink (1998). In terms of agency, the norm life cycle model presents international organisations and the networks they form along with critical states as the drivers of norm diffusion (1998, p. 898). The main mechanism they are said to employ to make norm-violating states internalise new norms is norm socialisation (ibid). The review of literature, however, points to more varied pathways to norm diffusion and challenges the hypothesis that international actors are the sole drivers of norm transmission. This chapter concludes that the investigation into the creation, diffusion and internalisation of refugee norms and durable solutions must focus on norm entrepreneurs as the agents of normative change, both UNHCR and refugees, whose actions can impact the construction of new norms when they emerge first in a domestic context and the institutionalisation of these norms in domestic laws, policies and structures. However, as much as it is important to challenge simplistic narratives, it is imperative to raise questions about the

broader implications of an increased focus on the refugee as an agent within the larger context.

The next part of the thesis will further position the study by examining the contextual background of forced migration. This will then help to provide a robust framework informed by a constructivist perspective and located within the contextual background of forced migration that will help the reader to understand the particular focus on three particular dimensions of the durable solutions – forced migration, resettlement and repatriation and the later empirical findings.

CHAPTER 4: Methodology

4.1. Introduction

The way in which research is conducted may be conceived of in terms of the research philosophy subscribed to, the research strategy employed and so the research instruments utilised (and perhaps developed) in the pursuit of a goal – the research objective(s) – and the quest for the solution to a problem – the research question. Chapter One outlined the research questions and research objectives. This chapter explores how the methodology chosen underpins the empirical exploration of the conceptual framework and the linkages between the research questions and the methodology. Sample, and sampling strategy of the study are discussed and a justification for the data collection methodology is provided. This chapter will also describe how the research data are analysed and ethical considerations are addressed.

The research questions of this study are: (1) To what extent are UNHCR's durable solutions being successfully accomplished? (2) What is the perspective of key stakeholders? How much influence do refugees, as agents, have in the diffusion of norms, given they are both enabled and constrained by the structures? (3) What actions are needed to ensure a more effective and consistent achievement of durable solutions? How might UNHCR policies be adapted or changed to better address prospects for durable solutions?

The framework proposed here builds on constructivist insights, allowing for interplay between global ideas and local practices (Björkdahl and Höglund, 2013). Constructivism's insight that norms affect interest, and therefore that interest is changing, is particularly suited to dissect the impact of the internationally driven attempt to diffuse human rights norms.

While liberal and realist approaches adopt a materialist 'logic of expected consequences', which considers interests as given prior to social interaction, constructivism adopts an ideational 'logic of appropriateness' according to which interests can be transformed through social interaction (March and Olsen, 1998).

4.2. Constructivism and Interviews

This section focuses on the respective methodological issues and how they are resolved in order to facilitate the study of norm diffusion empirically. Theoretically, this study is situated within the constructivist paradigm. In contrast to a more traditionally positivist approach, this perspective holds that there is no one, objective reality or knowledge to be discovered and known. Rather, there are multiple and diverse realities that are constructed by the individuals living and making sense of them.

The current research, which is situated within both International Relations and Comparative Politics, employs the constructivist idea of agents and structures as mutually constituted to discern the nature of the social structures that refugees, as agents, encounter; how these structures constrain and enable the action of refugees; and how much freedom refugees (agents) have in doing what they do, given they are both enabled and constrained by the structures.

The strengths of social constructivism are in its methods of investigation. Methodologically, it employs tools that include process tracing, genealogy, structured focus comparison, interviews, participant observations, and discourse and content analysis, to understand how and why change happens and the constitution of political behaviour and effects (Wendt, 1999; Barnett and Finnemore, 1999). Constructivism does not have a single method or research design. It opens up a set of issues, and scholars choose the research tools and methods best suited to their particular question (Finnemore and Sikkink, 2001). Social constructivists thus believe that there is no neutral position from which objective data and knowledge can be gathered. Social constructivists hold assumptions that individuals seek understanding of the world in which they live and work. Individuals develop subjective meanings of their experiences-meanings directed toward certain objects or things (Creswell, 2009). The goal of the research is to rely as much as possible on the participants' views of the situation being studied (Creswell, 2009). The aforementioned subjective meanings are forged through interactions with others in the human community and through historical, social, and cultural norms that operate in individuals' lives (Ibid.).

Social inquiry is generally understood as being underpinned by the two principles of epistemology and ontology, with approaches to these key dimensions, each exerting a fundamental influence on the research process. From an ontological perspective, subjective meanings that are conceptualised and perceived by research participants are individualised and originate from distinct realities. From an epistemological perspective, the appropriated meanings constructed by my research participants from the surrounding culture and society configure or create the basis of knowledge which is subjective in nature.

Employing the social constructivist framework helps to explain the nature of the structures of forced migration, the agency of the refugee returnees during their forced migration experience, and the transformational experience of the refugee and the structures as a result of this encounter. Accordingly, durable solutions for refugees is a dynamic and multifaceted two-way process where 'top-down' development of UNHCR's policies on durable solutions needs to be equally informed by the 'bottom-up' identities and experiences of displaced persons. Moreover, the study seeks to include in the discussion of the missing voices and actions of refugees in the emerging literature that integrates forced migration in the contexts of constraint and opportunity (Koser, 2009).

The individual actor's capacity to process social experiences and devise ways of coping with life, even under the most difficult forms of constraint, is referred to as the coping strategy, and is the main attribute of the concept of the actor's agency. Even within restricted social spaces, social actors are capable of formulating decisions, acting upon them, and innovating or experimenting. Action encompasses the meaning, motivation and purpose which individuals bring to their activity: their sense of agency, or power within. While agency tends to be operationalised as decision-making, in the social science literature, it takes a number of other forms. It takes the form of bargaining and negotiation, deception and manipulation, subversion and resistance, as well as more intangible, cognitive processes of reflection and analysis. The study's attempt to include refugees and returnees as capable actors is not to impose it on the structures; nor does it present them as independent of the structures. Rather, it presents them as existing in dialectic

relations. According to Rubin and Rubin (1995, p. 5), the 'philosophy' that inform interviews is the following "Find out what others think and know, and avoid dominating your interviewees by imposing your world on theirs."

There are different approaches to qualitative interviewing; unstructured and semi-structured interviewing. Hays and Singh (2012) noted that in-depth interview is referred to as semi-structured interview. This sort of data collection method uses an interview protocol that serves as a guide and starting point for the interview experience. The research participant has more say in the structure and process. Despite the use of an interview protocol, every interview question does not have to be asked, the sequence and pace of interview questions can change, and additional interview questions can be included to create a unique interview catered to fully describing the participants' experience. The semi-structured interview includes more participant voice to provide a richer picture of a phenomenon under investigation (Hays and Singh, 2012).

During an unstructured interview the researcher might start the conversation with a question and then actively listen to the respondent who talks freely while a semi-structured interview follows a checklist of issues and questions that the researcher wishes to cover during the session (Darmer, 1995; Bryman and Bell, 2007). Thus, semi-structured interviews were chosen in this thesis. Semi-structured, in-depth interviews provided the means for gathering the forced migrants' life stories and for exploring the deeper meanings of key life events and activities, challenges, and underlying motivations or inspirations. A combination of general questions and floating prompts are sometimes enough to collect almost all of the information needed in a semi-structured interview (Leech, 2002). Such interviews seek to access not only personal experiences but also the authentic thoughts, feelings, perceptions, and meanings of the storyteller or respondent (Atkinson, 1998, 2002).

Qualitative research focuses on the insider's perspective (Holloway and Brown, 2012). This perspective pertains to exploring people's thoughts. The overarching goal is to gain insight into people's experiences, motivations, and worldviews (Boeije, 2010). As Atkinson (2002, p.132) asserted: "The quest in a life story interview is for the unique voice and experience of the

storyteller, which is morally implicative and may also merge at some points with the universal human experience." In fact, Weine's study (2011) suggested that one effective way to understand resiliency within the refugee population is to use minimally structured interviews. Shamai (2003) argued that the qualitative interview process could have a healing effect on the participant due to space being created for the participant to reflect on his or her lived experience.

4.2.1. Sampling

In qualitative research, selection of the research sample is purposeful (Bloomberg and Volpe, 2012). A qualitative researcher has reasons (purposes) for selecting specific participants. The strategy that a researcher chooses depends on the purpose of the study (Ibid). Initially a purposive sampling method involved contacting UNHCR officials whose responsibility is to assist in the resettlement of refugees and provide services (legal, social, etc.) to refugees. UNHCR officials were contacted in Geneva, London and Bosnia and Herzegovina. Numerous Bosnian organisations in the UK (Bosnia and Herzegovina Community Advice Centre – London, BHCUK BH Community UK, Remembering Srebrenica, Bosnian Community London and Bosnian Resource Information & Cultural Centre Kosovar Support) were also contacted as these are the locations from which officials interact with refugees on a daily basis and would know which refugees would be willing to participate in my project.[12] An email inviting participants for the interviews was circulated to the members of those organisations and some of them made a direct contact.

---

[12] Out of those contacted, the following officials were willing to be interviewed for my research.
1. Ewen Macleod, Director of the Policy Development and Evaluation Service.
2. Jackie Keegan, Head of Unit, Comprehensive Solutions Unit, Division of International Protection.
3. Gavin Lim, Protection Officer.
4. Larry Bottinick, Senior Legal Officer.
5. Allehone Abebe, Senior Protection Officer.
Also, UNHCR London, UNCR Bosnia and Herzegovina, the Bosnian Community Centre in Derby and Remembering Srebrenica UK were helpful with providing information.

The remaining respondents[13] were located through snowball sampling. Snowball sampling is often used in research concerning refugees, as there is a lack of formalised data available from which to obtain a sample (Bloch, 2007b).

The population for this study was Bosnian displaced people and refugees, aged eighteen years and older.

Inclusion Criteria:

- Displaced population and resettled refugees – all participants were registered refugees from Bosnia and Herzegovina and left the country after the war.

- Eighteen years of age and older – interviewees were all adults, representing an economically active segment of the population. Even if it was not a requirement, a balance of gender was achieved.

- Part of UNHCR programme of durable solutions – each participant fell under one of the durable solutions promoted by UNHCR.

Sample size in purposeful sampling is relative to the research goals and tradition, and consequently, it is very difficult to establish the 'right' number of participants (Hays and Singh, 2012). Kvale (1996, p. 101) provided an answer to the common question, 'How many interview subjects do I need?' the author replied: "Interview as many subjects as necessary to find out what you need to know." Five detailed and deep semi-structured interviews were conducted with UNHCR officials and 10 interviews with refugees and displaced people. Details of the displaced persons are outlined in Table 4.

---

[13] Interviews with UNHCR officials will be referred to as 'interview'.

Table 4: Characteristics of interviewees[14]

Name	Gender	Age	Status	Marital Status	Education	Year of Immigration	Additional information
1	Male	65	Refugee, UK	Widowed	Degree	1995	He is widowed with two children – one son and one daughter. He and his family live in Birmingham. They waited three years in Serbia for approval of their application for resettlement in the UK.
2	Male	47	Refugee, UK	Divorced	High School	1998	He escaped from Bosnia in 1992 with a convoy of refugees. He escaped with his wife, mother and sister. With the help of the Red Cross they came to Germany. They spent five years waiting for their application for refugee status to be approved and in 1998 they came to the UK.
3	Female	65	IDP	Married	Degree	N/A	She lost her son in the war. Currently lives with her husband and daughter and her family. Immediately after the war they lived a collective centre.

---

[14] Refuges interviewed will be called 'respondents'.

4	Male	57	Refugee, US	Married	Degree	2001	He is married and in his late fifties. He worked in Bosnia as an English translator. Because he could not stay in Germany, he applied for refugee status in the US.
5	Male	46	Refugee, UK	Married	High School	1999	He was in two concentration camps before he managed to arrive to the UK. Currently he has his own construction business and lives in Birmingham.
6	Male	51	Returnee	Married	Diploma	1999	He lived with his wife and children in Netherlands for a few year after the war. He decided to go back to his town in Bosnia.
7	Male	63	Refugee, UK	Married	High School	2000	Initially he wanted to resettle in Switzerland but was offered the UK. He and his wife opened a shop in London.
8	Female	40	Returnee	Married	Diploma	1999	She currently lives in Bosnia and returned from the UK with a diploma in nursing.
9	Female	56	Refugee, UK	Married	High School	2001	She has three children – one son and two daughters, who went into medicine. She and her husband opened a private business.
10	Female	45	Refugee, UK	Married	Degree	1995	Through other relatives, they contacted her

							husband's sister in Germany, and she helped them cross the border. They lived in Germany for six years. The family adjusted well, both adults worked and the children attended school. However, due to immigration policies in Germany, they could not stay there permanently so they applied to come to the UK as refugees. She and her husband have a private business importing ethnic goods to the UK.

Source: Compiled by the author.

After creating summaries of each interview, the key themes were identified across the research in line with the research questions, focusing on key themes of journeys, stories and time. To do this, the interviews were organised in relation to these broad themes. From this, the analytical chapters of the thesis were divided across the research questions and each chapter focused on answering one of the research questions. After deciding on the broad analytic themes in line with the research questions, each chapter had its own analysis. This process was broadly structured around identifying the most relevant interviews and extracts in relation to each theme and analysing these in turn.

4.3. Methods

Methodology refers to systematically structured or codified ways to test theories. Methodology is thus critical in facilitating the evaluation of theory and the evolution of research. The epistemological assumption of qualitative research conceptualises subjective evidence as it is assembled based on individual views. This is how knowledge is known and constructed through the subjective experience of people (Creswell, 2013).

This research employs a structured case study of the evolution of norms by using interpretive and qualitative methods. In tracing the development of a norm, it would be difficult to justify using other methods, as norms are inherently interpretive and would be difficult to measure as anything other than qualitative data. In addition, the methods that will be employed to conduct this study are logically interconnected through the constructivist approach. Constructivists have suggested that studies of international norms have been missing "process tracing and case research needed to explore actual diffusion mechanisms" (Checkel, 1997, p. 473). For example, the high number of speeches, statements and press releases made by government could be an indicator that they are adapting norms.

Researchers should use multiple other data sources for triangulation of data in order to establish credibility. For data triangulation, legal instruments, conventions, national laws and strategies relevant to durable solutions were collected and analysed to supplement data from interviews. The study's research methodology is outlined in Figure 5.

Figure 5: Research design

Research Questions	(i) to investigate the experiences and 'bottom-up' perspectives of displaced persons on durable solutions;d
Research Design • Qualitative • Interpretive • Case Study	(ii) to understand the 'top-down' drivers that have shaped UNHCR's durable solutions policy to date (with specific reference to resettlement, local integration and repatriation) and to introduce a clear notion of 'bottom-up norm diffusion' which provides value-added;
Data Collection Strategies • Semi structured interviews (UNHCR officials and forced migrants) • Documentary evidence (policy statements, speeches, and documents from leading international organizations)	(iii) to demonstrate that the thesis is informed by a constructivist perspective and a spiral model, to evaluate the linkages and synergies between refugees' perspectives and experiences (as agents of change) and UNHCR's politics and policy of durable solutions.
Case analysis	

Source: Compiled by the author

Qualitative methods were chosen for several reasons. Qualitative methods are important tools in eliciting refugees' personal experiences during resettlement because they allow interviewees to give voice to their own thoughts and feelings in their own way. A missing component of political discussion about refugees is their own voices. A dialogue with refugees in the context of this study provides them with an opportunity to share their perspectives. According to Holloway and Brown (2012) qualitative research

yields a 'thick' description, which covers in-depth and detailed descriptions of participants' behaviours, feelings, opinions, processes, actions, and experiences. A good 'thick' description has to be theoretical and analytical, which means that the researchers not only report the raw findings, but they also analyse and interpret them by providing relevant supporting data on the issue.

Qualitative methods are especially appropriate for studies on sensitive topics such as the exploration of refugee issues. As Padgett (1998, p.8) notes, using "a standardized, closed-ended interview would be inappropriate or insensitive" for issue areas where respondents need to articulate their experiences in their own style and own words. This is particularly applicable when respondents are recounting traumatic experiences, including cases of physical and emotional trauma.

Integration of displaced people has previously been approached from the top-down, a disempowering approach for refugees with a sole focus on the structural and organisational aspects of one country's integration system (Korac, 2003). Actively listening to refugee perspectives creates a partnership that can be a model between the host country and refugees that can in itself promote integration and empower a traditionally powerless group. By juxtaposing refugee perspectives and policies, the study compares 'lived experience' with policies on paper, thus making a contribution to refugee policies and programmes.

4.3.1 Approaches

The research approach is either quantitative or qualitative (Copper, 2006). The five specific types of qualitative research or qualitative inquiry approaches are: phenomenology, ethnography, case studies, grounded theory, and narrative research (Creswell, 2009; Johnson and Christensen, 2012). Hays and Singh (2012) defined the qualitative approaches to inquiry.

Narrative research (explores the life of an individual), phenomenology (discovers or describes the meaning or essence of participants' lived experiences), grounded theory (generates a theory that is grounded in data regarding participants' perspectives for a particular phenomenon),

Ethnography (describes and interprets a culture of a group or system), case study (develops an in-depth description and analysis of a case or multiple cases). Creswell (2013) explained that at the most fundamental level, the five approaches differ in what they are trying to accomplish – their foci or the primary objectives of the studies. The particular approach to research often directs a qualitative researcher's attention toward preferred approaches to data collection (Creswell, 2013), discussed in next section.

4.3.2. Data Gathering

Hays and Singh (2012) stated that individual interviews are the most widely used qualitative data collection method and continue to be a preferred option for unexplored and underexplored social phenomenon. Seidman (2013) explained that interviewing is based on the interest in other people's stories that constitute a way of knowing. Telling stories is essentially a meaning-making process and every word that people use in telling stories is a microcosm of their consciousness. Hatch (2002) stated that if the work is a qualitative interview study, then formal interviewing will be the data collection tool. The strength of the interviews is that they allow insight into participants' perspectives.

Hays and Singh (2012) noted that in-depth interview is referred to as a semi-structured interview. This sort of data collection method uses an interview protocol that serves as a guide and starting point for the interview experience. The research participant has more say in the structure and process. Despite the use of the interview protocol, every interview question does not have to be asked, the sequence and pace of interview questions can change, and additional interview questions can be included to create a unique interview catered to fully describing the participant's experience. The semi-structured interview includes more participant voice to provide a richer picture of a phenomenon under investigation (Hays and Singh, 2012).

Data gathering is the process of gathering and measuring information on variables of interest, in an established systematic fashion that enables one to answer stated research questions and evaluate outcomes. In addition to a thorough review of the secondary literature, primary data is collected through

policy statements, speeches, and documents from leading international organisations (mainly UNHCR) involved in work with refugees. In addition, the extensive use of semi-structured and semi-formal interviews is an integral feature of the research design of this thesis. The choice of semi-structured and semi-formal interview techniques, is as Mason (2002, p. 225) argues essentially a 'conversation with a purpose, characterised by a conversational, flexible and fluid style'. He further suggests that for the researcher to achieve his or her purpose with the interview, the interviewer has to be active in encouraging the candidate to speak about relevant issues, topics and experiences during the interview itself (Ibid.). Furthermore, the use of semi-structured questions allows the participants more freedom and creativity in their response to the questions (Sowell and Casey, 1982). Finally, because the questions are semi-structured, this approach provides reasonably standard data across participants, thus facilitating my objective of comparing and contrasting the resources of the refugees, and also allowing me flexibility to probe answers more deeply and gather more information than is found in surveys (Gall et al., 1996).

Interviews were conducted with a number of forced migrants and officials of UNHCR. Two sets of interview guides were developed and deployed: one set for forced migrants, and one set for UNHCR officials. The interviews with UNHCR officials showed that top-down approaches have struggled to create appropriate responses to refugees' displacement and that refugees continue to have little ability to shape the conditions of their own return or integration in a host state. Based on the interviews with forced migrants there must be a change in strategy that results in working with refugees and hearing what they need.

The findings and arguments presented in this study are grounded in an intensive and comprehensive review of existing literature on durable solutions including: key documents relating to the durable solutions policy and the interviews – conducted with:

- key officials from UNHCR involved in the development of durable solutions policies; and
- the refugees on their perspectives towards durable solutions.

The responses from my interviews provided:

1. Insight on the range of durable solutions programmes and coordination mechanisms;

2. Best practices, lessons learned, challenges and ways forward informing the design of existing or future durable solution initiatives; and

3. Perspectives of other non-traditional actors

The responses were then matched with desk review literature related to durable solutions including:

- International and regional policy and legal frameworks to durable solutions (including legal instruments, conventions, national laws and strategies relevant to durable solutions);

- Research published on regional displacement issues and trends as well as national level work;

- A review of mandates, coordination systems, and programmes.

4.3.3. Analysis

There are numerous methods to analyse qualitative data obtained through interviews, many of which are associated with a particular theoretical background or epistemology (Thomas, 2006). Constructivist research by Wendt (1992 a and b) and Onuf (1989), among others, has been severely criticised in the past for neglecting to illustrate any empirical applications (Björkdahl, 2002): that is, social constructivist research often lacks observable evidence. In constructivism, objective truth is not required; induction therefore poses no hindrance to constructivist research. Deduction, by contrast, does seem to limit what we can perceive, or at least what will be permitted. Floridi and D'Agostino claim that "deductive inference is usually regarded as being 'tautological' or 'analytical': the information conveyed by the conclusion is contained in the information conveyed by the premises" (Floridi and D'Agostino, 2009, p. 271).

Creswell (2007) explained that qualitative inquiry builds from the 'bottom-up', by organising the categories and themes into more abstract units of information. This deeper understanding of the meaning can be established

by empowering individuals to share their stories from their own perspective. If normative change in international relations is driven by agency along the lines that, for example, Finnemore traces, we can understand such change only by giving careful, detailed historical analyses that allow us to dissect the details of action as it unfolded. Inductive research methods allow participants to articulate their own concerns unrestricted by the researcher's assumptions of what matters most to them (Miller and Rasco, 2004).

Suggestions have been made that inductive reasoning – theory building from other than data – is undervalued in academic research today. While deductive reasoning – 'top-down' hypothesis testing – is commonly considered to be more scientific, in practice, scientific research involves both deductive and inductive processes (Coppedge, 2012). Grounded theory involves 'bottom-up' analysis, using a combination of both deductive and inductive reasoning.

An interpretive case study addresses exactly this problem, as it allows for an in-depth look into particular cases of norm promotion (Schwartz-Shea and Yanow, 2012). As Holloway and Brown (2012) suggest qualitative research may be exploratory and descriptive. Gibbs suggests that "a major concern of qualitative analysis is to describe what is happening, to answer the questions 'What is going on here?'" (Gibbs, 2017, p. 4). The case method is useful for empirical studies of complex political phenomena (Bryman, 2001). It allows the researcher to study a phenomenon intensively, interpret how theoretical elements are related to each other and thereby arrive at a better understanding of complex problems and processes such as norm diffusion. A study may contain deductive argumentation but rely mostly on inductive reasoning to arrive at general conclusions. Looking inductively at the norms allows to predict the chance that a norm actually has an effect in the state.

The transcription of each interview began immediately after the interview. The transcription aims were to clearly attribute quotations and to analyse the interview data into a manageable format. The transcription involved incorporating notes and audio tape recordings.

Esterberg (2002) pointed out that coding is the process of ensuring the collected data make sense. Coding involves categorising data, assigning numbers to the relevant categories, and creating themes that capture

participants' key responses related to the research questions. While no codes were created during the analysis, potential themes were noted. The process of data analysis involved developing an understanding or sense making of the collected data. Categorizing data was crucial to creating main headings or subheadings for the research. According to Boyatzis (1998) a theme is, at one end of the spectrum, a pattern within the data that describes your observations and, at the other end, a tool used to interpret an element of the phenomenon being studied. This process was not, however, either simple or straightforward. Instead it took an almost constant reading and then re-reading of the interviews as each new theme emerged.

4.4. Case Study and Case Selection

The research conducted in this study is designed within the framework of the comprehensive case study. According to Yin (2009), the components of case study research design are as follows: the study's questions; its propositions, if any; its units of analysis; the logic linking the data to the proposition; and the criteria for interpreting the findings.

First, the armed conflict had to occur in the post-Cold War era. These conflicts are the most accurate representation of the current and future application of UNHCR programmes. Second, third party states became involved.

Despite its distinctive features, the Bosnian case is not unique. There are important reasons, however, to pay close attention to this specific case. First, Bosnia is "one of the toughest of the 'tough cases' among post-civil war environments" (Cousens and Cater, 2001, p.133). Since the Dayton Peace Agreement left many underlying political problems unresolved, some observers fear the possibility that the peacebuilding process might stall and hostilities resume. The largest proportion of the Bosnian Diaspora is the result of tragic war conflicts that forced hundreds of thousands of Bosnians to leave Bosnia. Indeed, approximately 800,000 citizens of Bosnia and Herzegovina emigrated in just two years – 1993-1994 (Kupiszewski, 2009). This war period can be broken down into two waves: the first in 1992, the first year of the war, and the second in 1995, following the Srebrenica massacre in July of that year. Bosnians who found refuge in Europe in the early 1990s were the first

refugee group to experience a temporary protection regime. It can therefore be expected that any practical development of 'bottom-up' perspectives and viewpoints towards UNHCR and even durable solutions would be more easily detectable given the fact that this represents a path-finding case study.

Second, international attention and spending in the country has been enormous. The international peacebuilding mission to Bosnia is among the biggest ever undertaken. For most of the 1990s, the cost of peacebuilding in Bosnia amounted to about US$9 billion annually, US$7 billion of which was spent to maintain the NATO-led Stabilisation Force. The overall amount spent since 1992 is estimated to be between US$81 and 91 billion (Papic, 2003). The funds allocated for the reconstruction programme and economic rehabilitation, although less than the resources spent to maintain a military presence, are very significant. About US$1,200 per person has been made available for the Bosnian reconstruction programme – more than four times the Marshall Plan's US$275 at today's prices (Deacon and Stubbs, 1998). These inflows of remittances are a significant source of income for a large proportion of the BiH population. The total amount of money spent is difficult to estimate, given the multiplicity of donors and their tendency to be opaque about the actual amount of money disbursed. Between 1996 and 2000, according to the World Bank Mission to BiH, some KM 5.3 billion (local currency) or US$3.5 billion were spent on the reconstruction of basic infrastructure, educational and health care institutions and reconstruction of housing (World Bank, 1999). Although remittances have a positive impact on economic stability and the development of the country, channelling their use towards more productive activities, such as entrepreneurship, would have a more positive impact on the Bosnian economy, particularly in the long term. This implies not only rethinking the rules governing international finance (perhaps the most urgent challenge to be addressed) but also those that organise international trade. In the context of this thesis then, there would seem to be plenty of avenue for refugees to have – at least in theory – come into contact with and even be immersed by international norms and measures and thus provide fertile ground for the exploration of the interface between 'bottom-up' perspectives and 'top-down' norm diffusion and policies in this particular case.

Third, in response to the legal deficiencies exposed by the war in Bosnia and Herzegovina, then UN Secretary General Kofi Annan called for fresh thinking on the issue. In response, the International Commission on Intervention and State Sovereignty (ICISS) published in 2001 its seminal report entitled *The Responsibility to Protect*. It aims to find some new common ground on issues of the protection of human rights. Hence, this particular case study was also subject to changing norm diffusion on the part of the international community and institutions, providing notable opportunities for engagement with refugee networks (see also Chapter 3).

Fourth, in Chicago on 22 April 1999, in the midst of the Kosovo war, British Prime Minister Tony Blair (Blair, 1999) offered the international community a set of criteria for deciding when and how to intervene militarily in the affairs of another country where the immediate threat was not to the outside world, but to a domestic population. These proposals, originally formulated as the 'Doctrine of the International Community', have become known simply as the 'Blair Doctrine' (also known as the Chicago Doctrine). The doctrine was further built upon by the revulsion felt by the international community for the failure and indifference towards the war in Bosnia. Hence, this case study also shows the potential impact of state policies and initiatives on the perspectives of refugees.

In addition, examples can be readily drawn from a case study of the Bosnian civil war (1992-1994), which illustrate that UNHCR's extended activities both changed orientation and indeed, even compromised its basic protection responsibilities, and thus there are spaces where controversies, gaps and even tensions between UNHCR norm reorientations and refugee perspectives should be more easily discernible. While the BiH case study is particularly important in explaining how recent developments have undermined international refugee protection, the reaction of states to this refugee crisis on European soil also reveals the likely direction of future policies regarding involuntary migrants. The case of Bosnia and Herzegovina is particularly useful in examining new developments in refugee protection because the international community was actively involved in this crisis at the same time that the refugee regime was undergoing worrisome changes. A study of the events that occurred in this part of the Balkans helps to establish

the extent to which refugee protection has been diverted from traditional approaches.

Sixth, the relevance of these norm diffusions via state and UNHCR policy initiatives remains also highly contemporary. Recent war crime decisions (such as Libya's Tohami Mohamed Khaled, 2013, Sudan's Abdel Rahim Mohammed Husse, 2012) show that the impact on UNHCR and refugee perceptions has been long lasting. Hence, at least in theory, this case study might also be a way of showing the durability of 'bottom-up' perspectives of refugees that have continued to influence their thinking given the longevity of UNHCR's changed norm diffusion since then. In this way, we may need to consider both the spatial and temporal dimensions of the interface between 'top-down' and 'bottom-up' perspectives. With this in mind, it is now worth providing a more detailed explanation of timeframe.

4.4.1. Timeframe

Establishing a timeframe for implementation has an obvious advantage. At the very beginning of the peace process, for example, the withdrawal of armies to the barracks and the gradual demobilisation of the former enemies were clearly an achievement. But it is only a partial one. The long-term success of a peace process requires the local development of capacities to manage differences peacefully. This can be achieved in two ways, with important implications for the study of peacebuilding. Differences can be managed through the presence of a hegemony imposing its own agenda and version of peace. Internal conflicts, however, typically end with a stalemate requiring negotiation and compromise among the parties, instead of imposed solutions. The long-term viability of a post-settlement policy necessitates the local development of institutional and societal tools that are able to channel violent behaviour into non-violent compromise.

Ultimately, a case is made for utilising a theory framework for analysing the theory and practice of Bosnia (1992-1995) and respective post-conflict transition from 1992 to 2010.

4.5. Research Questions and Goals

The current research employs social constructivism, especially its idea of agents and structures as mutually constituted, to discern the nature of the social structures that refugees, as agents, encounter; how these structures constrain and enable the action of refugees; and how much freedom refugees (agents) have in doing what they do given they are both enabled and constrained by the structures. The case study design should help to answer questions about the relative weighting of social and instrumental motivations of international organisations, decision-makers and refugees. The use of cases should also assist in the effort to improve the role of the theory. In order to further increase the knowledge on how international norms travel, this study performs an analysis of Bosnia.

4.6. Ethical Considerations

Moustakas (1994) noted that human science researchers are guided by the ethical principles of research with human participants. Bloomberg and Volpe (2012) stated that researchers are morally bound to conduct their research in a manner that minimises potential harm to those involved in the study. The authors portrayed the criteria to assess ethical issues: Informed consent that is central to research ethics, confidentiality, participant autonomy, and researcher-participant relationship.

Since this research involves the use of human subjects, it was necessary to apply for ethics approval. The research proposal, consent form, and the interview questions were submitted at Bournemouth University in 2018.

As part of that clearance, informed consent was initially required from each of the participants, written consent was signed prior to beginning the interview process. A cover letter explaining the purpose of the research and the expectations required of the participant was sent to each participant. In addition, the cover letter included the researcher's name, phone number, and email address for any further clarification the participants needed regarding the study.

With regard to the data collection process, permission was sought from each participant to allow the interview session to be audio-taped. Each

participant was advised of his/her right to request that the audio-tape recorder be turned off at any time during the recording. They were also assured that the recorded tapes would be destroyed after they had been stored securely for a period of five years. Each interviewee was advised that he/she could request a copy of the transcript of the interview. The researcher also offered to go back later in order to clarify and validate information.

Furthermore, the participants were assured that confidentiality would be maintained and protected. The participants' names or identity and addresses would not be revealed in the thesis in any way or made known publicly. Additionally, the protection of the confidentiality of information obtained from the participants, especially with regard to sensitive interview situations where personal and private information was disclosed, was also assured.

Based on the aforementioned perspectives pertinent to the researcher-participant relationship, the research participants were engaged in a dialogue for the purpose of constructing knowledge. As the researcher, it is important to maintain high levels of both professionalism and sensitivity toward each participant throughout the interview process as "humanity is key here. To tell stories and conduct research, one would do well to remember that refugees deserve our sensitivity when dealing with their hardships" (Nayer, 2013). Although ethical considerations in social research are always important, they become almost pivotal in the use of personal experience methods. Especially when the social group under investigation, refugees, is amongst the most vulnerable in our society, and the sensitive issues of which they can tell, may include experiences such as rape and torture.

In a brief amount of time, respondents had to be instilled enough comfort and trust to be willing to share their experiences. Reminding them of past painful events and far from smooth resettlement experiences made some of the respondents visibly vulnerable. The narratives were full of suffering, pain, and disillusionment, but also hope, survival, and proactive stances. Therefore, it was ensured that the process of interviewing took into account what Abebe and Bessell (2014) term an 'ethic of care' where personal connections, relationships and responsibilities are prioritised, echoing Lawson (2007) on the importance of emotions and reciprocity in research. Many

interviews concerned issues that were sensitive; this could make interviews emotionally intense. Powles (2004, p. 17-20) notes how the sharing of personal experiences can be of some benefit to those who tell their stories. Sharing one's personal narrative has the potential to be empowering for the storyteller, especially for refugees, "it is a sign that their experiences and perspectives do matter within a humanitarian system that tends to appear otherwise. It can help refugees be more aware of the social and political roots of their suffering, to give them a sense of their own agency, and to claim the right to be heard" (ibid). Moreover, it could be seen as beneficial to refugees to talk about their past experiences, even if the listener is a researcher and not a therapist.

At the beginning of each interview each participant was assured that he or she could reschedule or terminate the interview session if the situation were to become emotional, uncomfortable or unbearable for the participant. A period of debriefing was permitted after the interview session was completed to allow each participant to express his/her feelings about the process and also to ask questions. All the participants were appreciative of the opportunity to share their experiences.

The participants were sent a letter of appreciation and gratitude for participation after the interview. A request for any feedback from the participants about the interview process and/or any further information was included in the letter of appreciation.

Beyond these various questions, the ethical concerns of this thesis were in many ways framed by a fundamental dilemma, which has been articulated by Kenneth Plummer, who asks, "by what right can an academic enter the subjective world of other human beings and report back to the wider world on them?" (2001, p. 206). This question, which relates back to the politics of knowledge production explored earlier on in this chapter, pushes to reflexively engage with how and where the stories that had been generated within the research context were going to be reported.

To sum up, ethical considerations are not something that can be discussed in one or two paragraphs at the end of the methods chapter. Instead, ethics should be an integral part of the research process, starting from accessing people, to meeting them, and interviewing them. Through

maintaining a balance between academic rigour and sensitivity to the personal refugee narratives, ethical concerns formed part of analysing the stories, and part of the process of interpretation and writing up.

4.7. Validity

Bond (2003, p. 179) commented that "(...) validity is foremost on the mind of those developing measures and that genuine scientific measurement is foremost in the minds of those who seek valid outcomes from assessment".

From this above quote, validity can be seen as the core of any form of assessment that is trustworthy and accurate. Validity is an evolving complex concept because it relates to the inferences regarding assessment results. Seeing reality as socially constructed can be thought to be one of the main characteristics of interpretivism (Klein & Myers 1999). Subjects' answers during an interview are interpretations of their initial motives, and researchers' conclusions from the collected material are interpretations as well, which are made in a certain situational context or from a certain standpoint (Stahl, 2014). What this means is that the findings of this thesis are ultimately a product that is based on the researcher's subjective understanding of related work and relevant constructs. In order to strengthen the validity of this research this study used triangulation of several data sources (interviews with UNHCR officials, displaced persons as well as using documentary sources).

4.8. Limitations of the Study

Volpe and Bloomberg (2012) noted that limitations expose the conditions that may weaken the study. The researcher needs to control for potential limitations by explicitly acknowledging them. Volpe and Bloomberg (Ibid.) stated that limitations arise from, among other things, restricted sample size, sample selection, reliance on certain techniques for gathering data, issues of researcher bias and participant reactivity, and the situation of the study within a specific context where the reader will make decisions about its usefulness for other settings; transferability.

Analyses of this thesis primarily relied on interviews and documentary analysis as the methodological approach. The verbal, explicit expressions and narratives of informants yield rich data, but ethnographic approaches,

including observation and researcher participation, may yield deeper and more contextualised insights.

Qualitative researchers bring their worldviews, beliefs and assumptions to their research, and it is important to make these assumptions and frameworks known so that readers can be aware of how they influence the inquiry (Creswell, 2007). My worldview and assumptions are the lens through which the participants' stories are interpreted and presented. Triangulation was used to eliminate as much bias as possible.

4.9. Conclusion

In order to investigate the experiences of Bosnian refugees based on their own perspectives, as well as evaluate the interplay between 'top-down' and 'bottom-up' approaches, this study uses a qualitative approach as its main methodology. In total 15 participants were recruited using convenient sampling and the snowball method. This chapter began by presenting the rationale for using a qualitative approach in general and a specific descriptive case study in specific. It discussed thoroughly the mechanisms, dynamics, and procedures related to my research sample. It also corroborated the rationale of choosing "interviewing" as the data collection method.

It is important to understand that the various conditions (structures) of the refugee experience present both opportunities and constraining effects, which exist in a strategic relationship with the choices of the refugees, resulting in gains or further depletion of their resources. The current study highlights the circumstances under which refugees and returnees develop more awareness of their social situation, and grow assertive in negotiating social spaces and conditions that can further deplete or increase their resources. Recognising refugees as knowledgeable and capable social actors requires that their voices be heard, and their actions examined, on issues concerning them, and how they in turn affect the structures of forced migration. Furthermore, to examine the refugees' engagement in the process of post-conflict peacebuilding, the concept of their resources (material, social, personal and cultural) was introduced as a lens through which to identify the transformation that refugees undergo as a result of their forced migration

experience, and how they deploy it in their integration activities, thus making them agents of their situation.

CHAPTER 5: Leaving and resettlement

5.1. Introduction

This chapter focuses on the resettlement of Bosnian refugees in host countries from 1992 to 2014. Resettlement has to be understood as moving or transitioning a refugee from the host country to the resettlement country (UNHCR, 2012). Resettlement is the process by which refugees are given permanent legal residency in a host country.[15] This means that they cannot be forced to return to their country of origin, have the right to apply for citizenship after a certain period of time, and are accorded the major benefits and entitlements possessed by citizens of the host country. Permanent resettlement is used when there are grave threats to a refugee's life, liberty, safety, health, or other fundamental human rights, either in the country of temporary asylum or the country of origin (Article 1, 1951 Convention Relating to the Status of Refugees).

Through UNHCR, and after lengthy and extensive background checks lasting about two years or more in most cases, less than 1 per cent of refugees are selected for resettlement in a host country (US Department of State Bureau of Population, Refugees, and Migration, 2013). As Collier and Betts (2017) argue the refugee crisis is the result not of numbers, but of policy. In other words, the problem is not that a great number of refugees creates an unsustainable burden but that refugees are seen as a burden in the first place. Very often refugees are presented as having no agency and described in elemental terms: burden and influx (Behrman, 2014, p. 249). The implications of UNHCR definition of a refugee also generally serve as a rubric for perception of the person as engulfed in fear and helplessness.

This chapter considers the process of resettlement from both the 'top-down' approach via UNHCR policies and the 'bottom-up' approach via experiences of refugees.

The objectives of this chapter are to address three research questions in relation to resettlement: First, to what extent are UNHCR's durable

---

[15] For more details on the definition of resettlement see Chapter 3, section 3.3.

solutions in relation to resettlement being successfully accomplished? Second, what were and are the perspectives of key stakeholders and how much influence do refugees, as agents, have in the diffusion of norms, given they are both enabled and constrained by the structures? Third, what actions are needed to ensure a more effective and consistent achievement of resettlement as a durable solution? How can UNHCR policies be policies that are adapted to enhance prospects for resettlement?

This chapter firstly discusses 'top-down' and push and pull factors recognised by studies of refugees and especially those from a constructivist perspective. Secondly, the chapter presents findings drawn from primary interviews with refugees and considers key 'bottom-up' issues and identities with resettlement. Finally, the chapter analyses UNHCR's operational guidance on resettlement and discusses and shows the challenges of norm diffusion, particularly when there are differences in the assumptions on the identities of the refugees from the 'top-down' of UNHCR operational guidance compared to the 'bottom-up' perspectives on identities among interviewed refugees.

The term 'resettlement' is considered to be a concept or act with processes and procedures. The definition of resettlement provided by UNHCR (2011a) suggests that the focus of resettlement is to clarify and streamline procedures to deliver results that are intended to improve uprooted lives that are caught up in the process. There are two related concepts: acculturation and integration. Dandy (2009) defined acculturation as "the cultural change that results when two (or more) groups come into continuous first-hand contact" (p. 226). Acculturation takes on psychological, cultural, and environmental changes for the refugee who has been uprooted from his or her native land and moved through a transitional change to redefine who he or she is in the newly relocated land. These changes may be based on group or individual level effects for refugee groups that experience sociological, cultural, and custom changes during resettlement transitioning and the coinciding elements, such as the necessary clothing, food, jobs, language barriers, and more. Refugees often experience behavioural issues and physical and psychological challenges.

Refugee integration is considered a change or movement from a less privileged society to mainstream society. Acculturation is not a requirement of integration. Integration does not require refugees to forget their culture or language, but it may require adoption of a different set of laws and values and learning a new language in their new world (Berry, 2012). Integration processes will be discussed in more detail in the next chapter.

There is a sufficient body of laws – the Charter of the United Nations and the various international and regional human rights conventions, including the Geneva Conventions on war – that can be deployed to enhance the safety of refugees and displaced persons (United Nations, 24 October 1945; International Committee of the Red Cross, 12 August 1949). However, despite the fact that many relevant norms already exist, there are nevertheless gaps in the resettlement protection framework for vulnerable migrants that need to be addressed. Nevertheless, non-refoulement has attained the status of customary international law, or, as many recent commentators have asserted, is now considered a *jus cogens* norm: that is, a norm of international law from which no derogation is allowed (Allain, 2002; Farmer, 2008).

5.2. Durable Solution: Resettlement

The Bosnian war created approximately one million refugees and one million internally displaced persons, triggering what is referred to as the "Bosnian Refugee Crisis" (UNHCR, 2000). Within a relatively short span of time, one million people left Bosnia and Herzegovina to seek refuge in neighbouring countries. The largest number of refugees and IDPs were Bosnian Muslim families fleeing Serb cleansing operations in Bosnia and Herzegovina. Between 1992 and 1995, approximately 350,000 Bosnian refugees fled to Germany, and about 86,500 went to Austria; Sweden took in the third largest number of about 70,000 (UNHCR, 2000).

Soon the 'West's' preferred solution for Bosnian refugee crises was no longer the resettlement of refugees in third countries but rather their exclusion or their repatriation to their countries of origin. Figure 6 reveals that Germany repatriated most Bosnian refugees in the aftermath of the Dayton Agreement.

Figure 6: Outflows of Bosnians from their country of reception and stock of Bosnian refugees in 2005

Host country (1992-95)	Moved to different country of reception	Repatriation to Bosnia (1996-2005)	Number of (former) Bosnian refugees remaining in 2005
Austria	5,500	10,100	70,900
Denmark	-	1,600	15,400
Germany	52,000	246,000	22,000
The Netherlands	2,000	4,000	16,000
Sweden	-	1,900	56,000
The United Kingdom*	-	-	7,000 (2004)

Source: based on Valenta and Ramet (2011).

* based on Al-Ali, N., Koser, K. (2004).

The refugee crisis was a catalyst for a number of ad hoc policies in receiving states that attempted to respond to this massive influx of protection seekers. The idea of 'temporary protection status' was one of the ad hoc policies that European states widely adopted and policy-makers and scholars have widely criticised.

Sadako Ogata, the United Nations High Commissioner for Refugees, proposed the idea of "temporary protection" (TP) shortly after the war began in Bosnia. This policy meant that "a person [could] be granted temporary asylum if fleeing situations of generalized violence in contrast to refugee status which guarantees the permanent protection of persons fleeing conditions of individual persecution as stipulated in the Geneva Convention of 1951" (Korac, 2009, pp. 59-60). Commissioner Ogata thought that temporary protection would encourage European states to 'share the burden' of refugee protection because, first, TP assured European states that the refugees would not stay forever. Second, TP gave states permission to circumvent the costly and lengthy asylum determination process that dampened interest in helping

with the refugee crisis (Al-Ali et al., 2001, p. 532). Unfortunately, the policy was not successful. It did not take into account refugees' needs, as reported by some refugees from Bosnia who felt their temporary stay was a state of limbo.

Temporary protection also did not bring about equal sharing of the 'refugee burden' as it was intended to do. Fourteen European states took in refugees from Bosnia and Herzegovina. Germany, Austria, and Sweden together absorbed 89 per cent of the refugees from the former Yugoslavia (Al-Ali et al., 2001, p. 533). Clearly, the distribution of the refugee burden was not equal. Moreover, there were other consequences of the policy. For instance, some EU countries "lower[ed] their welfare standards for refugees... [to] make their societies 'less attractive' destinations" (Korac, 2009, p. 56). In addition, since TP released states from their obligation to carry out official asylum proceedings for every refugee, temporary protection essentially negated the 1951 Refugee Convention and deprived refugees of all the rights to which they would have been entitled as 'Convention refugees'. In effect, the rights of Bosnian refugees were left to states' discretion and were contingent upon the generosity of those states (Al-Ali et al., 2001). Unfortunately, beyond motivation to showcase their humanitarianism, states had little incentive to welcome and extend their generosity to Bosnian refugees. To list a couple, Sweden was experiencing an economic slump with high unemployment, and the German economy had sunk into a recession by 1992, due in large part to the extraordinary expense associated with rebuilding East Germany in the years after reunification, to the tune of tens of billions of Deutschemarks per year (Bibow, 2001). Towards the end of 1991, unemployment, public debt and hate crimes against immigrants were rising rapidly.

The situation has hardly changed. As, noted by one of the primary respondents (UNHCR senior official): *"The cost of accommodating asylum seekers, economic migrants, refugees, particularly in Western industrialised countries is really very high (…) [I]t causes a fair amount of resentment in the time of economic stagnation in Europe in particular. So it is hard to concretely say that we have been become less welcoming, but it is probably true"* (Interview 1).

UNHCR has a prescribed refugee discourse articulating and circulating a specific refugee identity. This is the context wherein refugees have become a global problem and a shared burden; target populations have been forgotten as human beings in the course of becoming refugees. Refugees are talked about as an enduring problem, carrying with them a contagious poverty as they pour over the borders and invade the communities. In many cases UNHCR reports these as perceptions of host states, but in others it is posed as a recognised fact: "Acknowledging that refugee situations also impose considerable burdens and generate significant problems and challenges..." (UNHCR, 2009, p. 3). The Preamble of the 1951 Convention notes that "the grant of asylum may place unduly heavy burdens on certain countries, and...a satisfactory solution...cannot therefore be achieved without international cooperation" (UNHCR, 2010d, p. 13). Similar statements have been included in more than 30 conclusions of UNHCR's Executive Committee over the past 35 years (UNHCR, 2014b, pp. 4-9) and as many UN General Assembly resolutions (Milner, 2016).

In addition to being a potential financial drain and source of other difficulties, refugees, being the consummate survivors, have another trait that makes governments wary of opening the door; once here, the refugee may not want to leave. When UNHCR develops its policies, they do it only from 'top-down' perspective. The key norm of UNHCR is therefore not capacity building but burden and cost sharing as reconfirmed in Germany. Another key identity that UNHCR promoted is seen as political protection.

"[Protection] not be granted for a day longer than was absolutely necessary, and should come to an end...if, in accordance with the terms of the Convention or the Statute." (UNHCR, 1997b).

Fear is difficult to qualify and even more difficult to quantify, yet it must be present and remain present to maintain protection and aid. The 'top-down' identity advocated by the international community may perpetuate notions of the refugee as disempowered, fearful, and passive actors. Equally, from an epistemological point of view, it also empowers the 'top-down' structure of international aid intervention. It strengthens a structure built on the

recirculation of particular norms that authorise the international community to control and confine refugees for their own protection and the distribution of resources. It also enhances an accompanying discourse that denies refugees the right to be free from fear in order to enjoy the protection and provisions (care) of the international community. Restrictions in developed countries are seen as evidence of double standards and send a clear message that international obligations towards refugees no longer hold. The ripple effects of refugee policies and other border control measures introduced by Australia, European Union member states (both bilaterally and collectively) and other developed countries risk overturning the existing international refugee protection regime.

An additional reason for limiting immigrant incorporation pertains to politicians' fear of public backlash domestically (DeBono, 2018). The immigration debate was a salient issue in Germany, especially in the 1990s after the fall of the Berlin wall, and jobs became scarce around this time. The country began to experience a rapid increase in xenophobia and xenophobic attacks against foreigners just before the Bosnian War began, making the German attempts to limit its responsibilities regarding protecting Bosnian refugees particularly important to political leaders at that time (UNHCR, 1995). Therefore, the states used this protection identity in their policies.

5.2.1. UNHCR Durable Solutions: Understanding Key States as Drivers

It is probably worthwhile at this point to briefly consider the way that UNHCR durable solution identities were also shared and driven by some key states. It is after all important to be reminded that the burden of receiving Bosnian refugees was not an event shared by all states. Equally, this also implies that certain states acted as key drivers having a more notable influence on UNHCR durable solutions identities. From the perspective of this thesis, it is therefore reasonable to assume that – at least theoretically – the wider context of key states may also have a bearing on the views of refugees. Accordingly, soon after the signing of the DPA, Germany placed considerable pressure on UNHCR to devise a repatriation plan. This plan foresaw the lifting of temporary protection and the return of refugees on the basis of the fulfilment of specific benchmarks, including the implementation of the military

provisions of the DPA, the proclamation of an amnesty for crimes other than serious violations of international humanitarian law, and the establishment and effective functioning of mechanisms for human rights protection (Bagshaw, 1997).

In contrast to Germany's policy in the 1990s, Norway also received a large number of refugees from Bosnia, but gradually incorporated the concept of 'temporary protection' into its refugee policies (Koser and Black, 1999; Valenta and Bunar, 2010). The contrast however is that the temporary protection regime in Norway has also been combined with extensive, state sponsored repatriation programmes (Ibid.). Known as a 'two-track policy', it combined an active integration policy with the repatriation policy. The rationale was that refugees should be prepared for life in Norway if the conditions for repatriation failed to materialise. In Norway, refugees from Bosnia were granted collective 'temporary protection' and access to welfare systems, but when the war ended, they should either return to their countries or apply for asylum on an individual basis.

The examples above show that states accepted the particular identities diffused by UNHCR. The dominant identities on refugees have, over time, been 'repackaged' – at least in a rhetorical sense – and then more deeply embedded in the institutionalisation of practices and structures. Yet, refugees have – importantly for this thesis – very little power to affect their own outcome and are constrained by the protocols of the international community put in place 'top-down' to protect them from further harm. This brief analysis therefore suggests that resettlement should be regarded as, and is, a vertical, 'top-down' process with field workers close-up and UN policy-makers quite removed from personal interaction with refugees. Yet this leads to important observations for this thesis. First, the key insights from the analysis undertaken so far confirm that while UNHCR durable solutions were influenced and at least partly driven by the wider contexts of certain states, then this is also likely to have the potential to have some effect on the 'bottom-up' perspectives of refugees. In this way, and as this thesis continues to argue, there is a need for understanding the interface with and the role of 'bottom-up' perspectives and see them as crucial. Second, at least in the theory, the actions and 'bottom-up' perspectives of refugees could matter and

even shape structures in their immediate surroundings and have the potential to trigger shifts in policies and discourses at local, national or international levels. This more selective focus and attention on the constraining feature of structures, which presumes that refugees are rendered without agency (that is often found in parts of the existing literature – see Chapter 2) is therefore ill suited to fully grasp the complexity of the developments on the ground.

5.2.2. From limited admission to denial of access

Since the intense international involvement in preventing the conflict in Bosnia and Herzegovina had failed, it is important to examine the immediate response of regional states to the predictable refugee flows that soon attempted to cross borders. This section will analyse the extent of the willingness of certain states to admit forced migrants from Croatia and how this was replaced – several months later – by a generalised reluctance to offer asylum to refugees from Bosnia and Herzegovina. It can be argued that states build identities, in accordance with social constructivism, within regional and cultural communities (Brysk, et al., 2002). Once the armed conflict in the former Yugoslavia began in 1991, the reaction of European states toward the refugees who fled the violence comprised three essential features: limited admission (mostly by affiliated neighbours), quickly followed by general implementation of *non-entr*ée policies and finally the introduction of small quotas of externally controlled admissions. The initial admission of refugees from Croatia illustrates that "domestic politics will dictate preferential treatment for specific refugee populations" (Shacknove, 1993, p. 525).

It should be noted that the territory of present day Croatia was part of the Austro-Hungarian Empire and that the Croats had maintained political ties with their Hungarian and Germanic neighbours for centuries (Frelick, 1992, p. 25). Based on constructivism then (Chapter 3) this relationship was shaped by ideational and cultural factors. Constructivism arguments therefore, provide interesting clues for how war initially broke out stressing ethnicity. Ethnicity can often have a greater meaning to the participants of war.

The refugee protection offered by Croatia's northern neighbours contrasts with the distinctly poor response by some of the other more affluent European states such as France and the United Kingdom, which together

admitted a total of 3,000 refugees. These variations in the initial European response highlight "the preference of states to admit national or ethnic relatives, or those who are otherwise affiliated to the asylum state, and whose admission may therefore be seen to be less of an intrusion into a state's right to communal closure" (Hathaway, 1990, p. 125).

It may be argued from a social identity perspective that affiliation to community helps to explain why some states have been more willing to admit former Yugoslavs than refugees from current conflicts on more distant continents. Sweden and Switzerland initially decided to give European victims from the former Yugoslavia preferential treatment by admitting tens of thousands of people fleeing from the armed conflict. Aside from the aforementioned states, however, it should be noted that the response from European states to this new refugee crisis on European soil has generally been feeble.

Yet, as the war spread to Bosnia and Herzegovina in 1992, *non-entrée* policies were being firmly implemented (Amnesty International, 1993, p. 2). Even the states that initially perceived the admission of involuntary migrants from Croatia to be reconcilable to their own national interests actively sought to stop the outflow. The reasons for this change in attitude are many: states indicated that their absorptive capacities were close to being exhausted, the spread of the war to BiH suggested that there would potentially be many more refugees and the background (cultural, religious and social) of these new refugees was also different from the earlier victims of displacement and might have played a role to the extent that affiliation was perceived in a very narrow sense.

The logic of burden-shifting eventually had former Yugoslav Republics concerned that they would be left to assume protection of the refugees fleeing Bosnia and Herzegovina. For example, Slovenia actively sought to limit its responsibilities (US Committee for Refugees) after having offered asylum to approximately 51,000 refugees (UNHCR, 1992). Most importantly, Croatia decided that it could no longer count on other European countries to provide assistance for the significant number of refugees it was receiving. European burden-shifting was taken to its logical outcome when this primary state of first

asylum for refugees from Bosnia and Herzegovina began considering the adoption of the most direct forms of *non-entrée*

Croatia's treatment of the large number of Muslims it had already admitted deteriorated once fighting between Croats and Muslims in Bosnia and Herzegovina intensified. Pressure on these Muslims to leave Croatia was clear and reports indicate that some were victims of *non-refoulement* violations (US Committee for Refugees, 1994).

Eventually, Croatia was convinced by UNHCR to partially open its border and give transit visas to Muslim refugees if they were part of a third country temporary protection or resettlement programme arranged by UNHCR. Nevertheless, these resettlement quotas indicate that European states are primarily interested in controlling their borders and choosing which foreigners can access their protected communities.

Sweden, on the other hand, did not immediately close its borders to the Bosnian refugees. Swedish immigration officials worked to find a way to speed up the asylum determination process to accommodate the Bosnian refugees, but the refugee reception system in place at that time, as in the rest of Europe, was far too inadequate to handle the large number of applicants it received between 1992 and 1993. The decision by Swedish authorities to grant Bosnian refugees permanent residence permits entitled them to rights and status almost equivalent to those afforded to full Swedish citizens. The stability and predictability that the residence permits created in the lives of these refugees had important implications for their mental health. Furthermore, the residence permit was a key ingredient in integrating the refugees into the social and economic fabric of Sweden. Finally, permanent residence gave them the rights, resources, and access to services that made it possible for them to lead a relatively normal life in Sweden. Bosnian refugees in Germany did not enjoy such privileges, which made it much more difficult for them to lead a normal life.

In Germany, temporary protection status equated to an almost complete lack of rights and access to social and community services. It had the effect of alienating Bosnian refugees from German society and excluding them from the formal economy. The refugees received a 'Duldung' – a 'toleration permit.' *Duldung* was a short-term solution. In 1992 and 1993 it

took in approximately 70,000 Bosnian refugees (UNHCR, 1995). *Duldungs* were given to asylum seekers whose applications were found to be 'unfounded' or 'manifestly unfounded' but for whom it was unsafe to return to their country of origin. Bosnian refugees in Germany therefore held no legitimate right to reside in Germany and were forced to re-apply for a new *duldung* every three to six months, each time fearful of the possibility that it would not be renewed.

Compared to most other European countries, the UK was not a major destination country for refugees. By 1999 around 2,000 Bosnians were in Britain under the status of 'temporary protection from the conflict in former Yugoslavia'. They came as part of an agreement with UNHCR, and were given their status on arrival in the UK, although they could apply for asylum if they wished (Liebaut and Hughes, 1997). The minimal number of refugees admitted by the UK was dependent to a large extent on the policies surrounding refugees. In Britain, the government claimed that it was responding effectively to the 'Yugoslav problem' (Hansard, 1992), although it was reluctant to accept proposals from Germany for sharing the burden of asylum applications (Marshall, 1996).

The international refugee regime is characterised by norms, the most important being burden-sharing. However, it is almost the weakest of the norms due to the absence of related institutional structures. In the 1990s when the Yugoslavian refugees were in need, Germany did not react as heroically as they are reacting to the current refugee crisis. This was a process of learning and internalising. Wendt stated: "As cultural practices get routinized in the form of habits they get pushed into the shared cognitive background, becoming taken for granted rather than objects of calculation" (Wendt, 1999, pp. 310-311). Germany's social identity was constructed over many years and reflects the collective sense of duty to help the 'Other'.

5.3. Push and Pull Factors for Refugees

Perhaps the desire for resettlement is not surprising, given the multitude of factors that characterise Bosnian forced migration at this particular juncture in time and place. Although UNHCR's durable solutions are often conceived of as either distinct entities or as separate parts of a cyclical

process of forced migration, analysis of refugee resettlement demonstrates that in the practical exigencies of life in exile, durable solutions and indeed categories of migration, such as forced or voluntary, may become blurred (Van Hear, 2002). For participants in this study, as confirmed by the interviews with refugees, refugee resettlement is simultaneously an escape from an insecure life in exile and an opportunity to ensure needed health care or achieve other aspects of a stable life.

In UNHCR publications, resettlement is cast as an option for only the most vulnerable refugees, as determined by UNHCR and resettlement countries, to be offered only to a few who meet specific criteria (UNHCR, 2003, UNHCR 2011). UNHCR resettlement criteria, which emphasise vulnerability and protection needs as eligibility for third country resettlement, provide an example of what Fassin (2001, p.3) refers to as the "biopolitics of otherness". In a global context where resettlement is increasingly limited, borders are increasingly closed and the legitimacy of asylum as a category is increasingly challenged, resettlement on humanitarian grounds replaces political asylum with asylum based on medical, psychological and humanitarian criteria. Yet in order to be considered for resettlement, refugees must meet specific criteria of vulnerability and convince UNHCR and country officials that they are both credible and truly in need of protection.

In arguing for resettlement, refugees identify themselves as vulnerable on their own terms, both identifying with and challenging UNHCR criteria. Urgency and severity, as well as available resources in resettlement countries, must come into play when officials decide whether or not to recommend a refugee for resettlement.

Twenty-four nation-states[16] participated in refugee resettlement programmes, although a number of these accepted an extremely limited number of refugees under specific circumstances (UNHCR, 2010b). In 2009, the United States accepted 80,000 refugees for resettlement, the largest number of any resettlement country (US Department of State, Bureau of

---

[16] Argentina, Australia, Brazil, Bulgaria, Canada, Chile, the Czech Republic, Denmark, Finland, France, Iceland, Ireland, Japan, the Netherlands, New Zealand, Norway, Paraguay, Portugal, Romania, Spain, Sweden, United Kingdom, Uruguay, United States of America.

Population, Refugees and Migration, 2010). However, UNHCR estimated that only 10 per cent of refugees who required resettlement actually received it.

By considering refugee voice as a departure point for the creation of policies, the possibility of reforming the existing 'top-down' policy frameworks with 'bottom-up' perspectives could be achieved. Refugees' perceptions of policies and programmes combined with their understandings of rights and own priorities could have a direct influence on the outcome of policies and ultimately on the livelihoods of refugees. Bakewell (2003, p. 17) argues that this is not the case for the principles and practices put forward to refugees within UNHCR's community development approach: "An organisation that has not developed a participatory, empowering management structure cannot run a participatory program." For this shift to take place, the language of 'dependency' and 'vulnerability' needs to be removed from the operational programming of UNHCR and all other agencies (ibid). Instead, policies and programming should be based on the principles enshrined in the Convention Relating to the Status of Refugees which treats the refugee as an individual whose rights must be protected and respected.

5.4. Findings in Relation to Resettlement

The integrated perspective of both 'top-down' and 'bottom-up' perspectives[17] that this thesis has so far presented suggests that in most cases it is the 'top-down' choices made by government and international agencies that remain (potentially) influential and induce the decisive outcomes for displaced persons at micro-level. Therefore, it is important to understand how key agents are involved in the socialisation process of norm diffusion. Norm entrepreneurs change and create norms through many different tools. First, however, they must signal their dissatisfaction with the existing norm and demonstrate their commitment towards changing it. Then they often frame the issue in a way that will be easily accepted by their targeted

---

[17] See chapter 2 and Chapter 3 for a discussion on two perspectives.

audience, create coalitions to legitimise and spread the norm, and find ways to make defiance of the norm more costly.

When evaluating the institutional framework for resettlement, the refugees' own roles in this network of assessment and initiatives needs to be considered further. It is important to also consider their 'bottom-up' choices and perspectives, such as, is there any flexibility in the system and what degree of influence can a refugee exert? Can a resettled refugee choose which country he or she wants to go to?

This section, therefore, presents the selected findings drawn from the primary interviews. All participants interviewed in this study reported that they needed to make decisions for themselves and their families to flee from the occupied areas in order to survive. It was in essence very much a 'bottom-up' decision made by the refugees undertaking very specific practical appraisal of local conditions and the continuing well-being of themselves and their family. This was an extremely difficult time for many. The act of fleeing from war included many different struggles such as finding safe places to sleep in the forests, being clever about hiding places, and recognising the enemy. One interviewee noted:

"I am also a victim of the war, have been in two concentration camps. Have seen my whole city burned down to the ground. Have been tortured." (Respondent 5)

Indeed, push factors were often cited such as the fear of actual harm from military actors on the ground. One participant reported feeling helpless because the Serbian army was going to capture them if they stayed in their own homes:

They [Serbian army soldiers] were going to take us. We didn't know that they had surrounded us, and that they were attempting to capture us.
(Respondent 9)

158

"That night was the worst. My son left with my husband. There were bombings, and shootings. We didn't sleep all night. Thank God, they returned the next morning because they could not cross an area that was occupied."
(Respondent 10)

Hence, these interviews suggest that decisions to migrate were made largely on the basis of 'bottom-up' assessments of 'the push factors' of deteriorating local conditions rather than because of the 'top-down' pull of host or likely recipient countries. Nevertheless, according to the interviews (100 per cent, the key issue of concern for refugees remained effective protection and security. UNHCR maintained that it provided legal protection for refugees and that any receiving state should take up the responsibility of physically protecting refugees, as they are entitled to this by virtue of their refugee status. Yet, according to the interviews, the findings suggest something slightly different; namely that refugees, on the other hand, noted that – if they were aware of UNHCR at all – then the perceived role of UNHCR was to provide them with additional protection and assistance (alongside that of the recipient state).

For many, some of their greatest struggles occurred during the journey. According to the interviews, most respondents (70 per cent) claimed that on leaving their home, most of them did not have a very clear picture of their destination – confirming that 'bottom-up' local conditions were driving their departures rather than sophisticated appreciations of 'top-down' policies by UNHCR or indeed respective countries. Their overriding goal was achievement of safety. Most participants noted feeling helpless during this time because they did not receive any assistance:

"We were hungry, thirsty, without warmth. You know when you have everything, and then overnight you don't have anything."
(Respondent 7)

After escaping from her village, one participant found herself moving from town to town, and house to house within Bosnia in search of food and shelter.

"You didn't know where you were going, what's gonna happen, where you're gonna live."
(Respondent 10)

Through other relatives, they contacted her husband's sister in Germany, and she helped them cross the border. They lived in Germany for six years. The family adjusted well, both adults worked and the children attended school. However, due to immigration policies in Germany, they could not stay there permanently so they applied to come to the UK as refugees.

Several of the interviews (60 per cent) also highlighted that even though refugees can be provided with numerous services to meet their needs, they can remain and did remain economically isolated and therefore, as suggested in refugee testimonials, have 'hardly any rights'. Yet, the interviews also indicate that respondents have a wider definition of what they perceived as safety or protection. According to the interviews refugees (80 per cent), viewed their protection not only in terms of being free from random arrests and deportation but as linked to the provision of basic human rights, such as access to education, work, housing, and health services. Without the possibility of accessing their right to livelihood, then – according to the interviews, many refugees did not see easily the value of the protection promoted by UNHCR.

Nevertheless, the documents survey also suggests that UNHCR representations of refugees often emphasise push factors that shape leaving and give the impression that refugee fleeing is an act lacking deliberate and thoughtful decision-making (Johnson, 2011). Yet, the majority of interviewees (100 per cent) for this study also gave the resounding impression that – in reality, to flee is a very difficult decision. Above all, it is often limited or constrained by (the fear of) coercion – yet it is also important to highlight that it is often at times deeply contemplated prior to actual flight, with a very strong 'bottom-up' focus on the ongoing local conditions. Choosing to leave or

choosing to remain is not always a one-time event either. The decision to take leave is not always based purely on self-preservation. There are many influential considerations, such as, particular concern involving the bonds of human relations, family ties, and particular human attributes (gender, age, health, etc.). Respondent 10, for instance, highlighted that the process of leaving should actually be seen as a series of cumulative steps; the interviewee reported that there were actually months of living on the road and hiding from military forces, before consummating their ultimate decision to leave their homeland. The pre-flight phase is comprised of deliberation and choices – often based on 'bottom-up' assessments of the situation at the time, however constrained those choices may be.

In order to determine the effectiveness of the resettlement policies, the respondents were questioned on their particular experiences with the different aspects of those policies. Respondents had and displayed a range of knowledge about UNHCR resettlement policies. Altogether 40 per cent of respondents did not know anything about them and/or had never been offered these services. Therefore, it is clear that the 'bottom-up' conception stage may not be recognised fully by 'top-down' perspectives and norm diffusion.

"I was not offered housing or employment assistance."
(Respondent 1)

"I did not get any support whatsoever. Some people get support, but I did not because I was considered capable and could do everything for myself." (Respondent 2)

"I am not familiar with their [UNHCR] work. I can't say anything about them, because I haven't seen their work…Haven't got any help. Everywhere I come, I get the answer: "For returnees from out the Netherlands there is no help needed." (Respondent 6)

The responses above further confirm that it is therefore important to query any assumptions that refugees are always chasing services from recipient countries and that remains an overwhelmingly part of any equation

as to why they seek to flee. Indeed, it is also clear from the interviews that the road from relocation to resettlement and finally rehabilitation is a long one. Invariably, resettlement schemes perpetuate economic difficulties not only for their 'top-down' style of decision-making, but also due to the incapacity of local economies to sustain both newly resettled displaced communities as well as the host populations around new resettlement schemes. Had the protection of rights been the focus of the resettlement effort, it would have necessitated engaging refugees and local administrators in all discussions of their own goals and objectives.

Nevertheless, this is not to say that refugees are not interested in securing better services as part of this wider notion of safety. One respondent (1), for instance, highlighted that that they decided to move to Serbia with the intention of starting a new life there. While in Serbia, they lived in abandoned houses and moved frequently, but could not settle anywhere. He stated that the local people did not welcome refugees, so they decided to leave the country. They waited three years for approval of their application for resettlement in the UK. For many refugees there is often a protracted period of transitional and limbo like situations between the time they leave their country of origin and their eventual arrival in the country of resettlement.

Indeed, acquiring better services was seen by some interviewees (60 per cent) as a way of demonstrating stability given that for them the process of resettlement was also one fraught with difficulties and one that could actually heighten the sense of insecurity among refugees. One respondent, for example, stressed how refugees seek to escape from an insecure life but the process of resettlement is also insecure and often presents a greater challenge.

> *"I was part of a prisoner-of-war exchange. I was without documents, without money. I was psychologically destroyed. I registered under UNHCR's protection. I asked for Switzerland but they told me the Swiss quota of 150 prisoners-of-war and their families were filled. They offered me the UK."*
>
> (Respondent 7)

The sense of uncertainty and instability was perpetuated by the indeterminate length of the resettlement process. Although resettlement is in theory a critical component of international responsibility sharing, in reality its practice is extremely limited in relation to overall needs – raising critical questions about the ability of resettlement to represent a meaningful form of responsibility sharing today.

Another respondent (2) said that he escaped from Bosnia in 1992 with a convoy of refugees. He escaped with his wife, mother and sister. With the help of the Red Cross they came to Germany. They spent five years waiting for their application for refugee status to be approved and in 1998 they came to the UK. This finding shows that the waiting time to resettle is very long; however, it is frequently not recognised as such by UNHCR and the host country.

On the subject of permanent resettlement, the interviews also showed how the insecurity attached to the process of resettlement also led to refugees seeing any migration as a multi-stage and often dynamic process. One respondent, for example, – who migrated to the US – reported that Germany was, for him, regarded as a transit state and he had decided to relocate further as events unfolded and choices became available. Because he could not stay in Germany, he applied for refugee status in the US (Respondent 4):

> *"We were not offered any rights to asylum in Germany. We had to either go somewhere else or go back to Bosnia."*

In contrast, this shows a difference of perspectives emanating from the 'bottom-up' perspectives of the refugees, when compared to the 'top-down' policy orientations of UNHCR. In the interviews, and among those aware of UNHCR policies, UNHCR resettlement policy then came under fire with regard to selection criteria. Some respondents highlighted how a one-stop problem with resettlement and the top-down processing of refugees as a clearly identifiable group is problematic in terms of their essentially 'bottom-up' and multi-stage perspectives of refugees on migration. Hence, the 'top-down' notion and identity of resettlement differs according to and from the perspectives of the refugees looking 'bottom-up'.

Furthermore, the participants were questioned about the challenges of resettlement. Here, respondents highlighted the negative effect of that waiting time on their well-being:

"As we waited through the resettlement process, we felt anxious and afraid that they would reject us."
(Respondent 10)

Every year, UNHCR gathers information about current resettlement needs from its regional and local offices. On the basis of the information received, it compiles its annual 'Projected Global Resettlement Needs'[18] document. This document is also the main reference document for the 'Indication Conference' held each year. At this Conference, the resettlement countries provide preliminary estimations on the size of their quota allocations and the geographic areas from which they wish to accept resettled refugees. Resettlement countries that use the dossier-based method of selecting resettled refugees simply select the cases they will accept from the collection of dossiers forwarded to them by UNHCR.

Resettlement is supposed to be a method of protecting refugees from insecurity. However, the pursuit of resettlement can itself become a source of anxiety. The bureaucratic procedures to apply for resettlement often exacerbate the anxiety experienced by refugees.

Moreover, this is compounded since the respondents in this study also highlighted how they often say that attaining resettlement was and should be accompanied by increasing and rising expectations. The majority of the respondents (80 per cent) in this study believed that attaining resettlement would in itself end waiting, which should and would improve their well-being and return their pre-war identity. Most refugees viewed their situation as a temporary state of waiting that was rewarded with resettlement. When the war ended, one respondent (9) said that she and her husband were reunited with their family and relocated to Serbia. The family lived in terrible conditions

---

[18] 2019 Projected Global Resettlement Needs sets out in its detailed regional and country chapters information on the close to 1.4 million refugees identified as needing access to this key durable solution in the coming year. The total is 17per cent higher than the 2018 levels (UNHCR, 2018).

without water, electricity, or any income. They submitted an application for resettlement in the UK and this was approved in 2001. Nevertheless, the salient theme that emerged from this interview was disappointment and unmet expectations during war relocation. She stated that their troubles 'were much greater in resettlement than during the war' (Respondent 9).

Interestingly, – according to the interviews – some of the negative experiences that the Bosnian refugees encountered during resettlement only strengthened the resilience skills they had acquired in the previous phases of their journey and helped them later when providing for their families.

Furthermore, several of the interviews also highlighted how, alongside the enhancement of resilience skills, then the adaptation and resettlement of refugees into their respective new societies 'takes hard work'. According to over half of the interviews, then central to successful adaptation was the concrete acquisition of employment by respective refugees since this effectively reaffirmed the quality of their new resilience skills and the robustness of their identities.

Yet, several of the respondents also argued that the acquisition of employment, and through this successful adaptation, was something that had to be actively sought and required major effort by the refugees from the 'bottom-up'. In this way, the acquisition of employment may be seen as a central component if refugees are to play any kind of future role of as 'change agents' since it is through active employment, that respective refugees are able to clearly show that they have been active in changing their own circumstances in practice and on the ground. According to one respondent (9), it was only through the active pursuit and acquisition of employment, that participants (refugees) were able to show that they could become better equipped to resolve their conflicts in the new environment:

> *"Don't stay at home alone – try to find work. Working is essential. Staying at home means isolation and depressing thoughts"* (Respondent 9).

In this way, the findings suggest a strong qualitative link between refugee's identities for self-reliance and as successful adapters, and the concrete

acquisition of employment. Conversely, is employment was not achievable and/or secured by respective refugees, then this was seen also by the refugees themselves in rather negative terms from the 'bottom-up' – bordering on failure (Respondent 9).

It is noted elsewhere that refugees are often also likely to develop a capacity for sustainability and self-reliance (Gabiam, 2016). Yet, the findings from the interviews for this study also suggest that the lack of empathy with 'top-down' notions of resettlement actually lead to the growth of another 'bottom-up' identity among the interviewed refugees, namely an identification with sustainability, resilience and self-reliance and the production of a particular skill set among refugees where they can handle things on their own. In this way, refugees develop a strong identification with self-reliance and autonomy which can and often does make then less receptive over time to further norm diffusion by UNHCR which identifies with top-down criteria of a refugee and resettlement.

Shakespeare-Finch and Wickham's (2009) study suggests that looking ahead to the future strengthens refugee people's resilience. Despite the fears expressed by the participants in this study in relation to their uncertain futures as refugees, many of the interviewees also noted and showed strong hopes and dreams for peace and freedom, and of ultimately living a better life, with increased personal and professional development.

Indeed, several participants talked about their strength and ingenuity, which they had not realised they possessed. As a result, several participants reported that they felt much stronger and had a sense that they could handle anything that came their way. Overall, the findings from the interviews suggest that participants often demonstrated and were convinced that they had acquired stronger resilience towards stress and ultimately became more confident and active agents in determining their future from the 'bottom-up'. Yet, it is important to recognise that any growth in self-reliance was not usually accompanied by a perception among the refugees that this was a direct result of better 'top-down' policies of UNHCR.

To summarise, the interviews with refugees confirm: (i) the refugees have a more flexible 'bottom-up' notion of what constitutes resettlement with a strong emphasis on taking account of local conditions; (ii) they identify with

resettlement as a much more fluid and haphazard and multi-phase process that put them – at least to some degree – at odds with the 'top-down' policy that UNHCR was seeking to promote and; (iii) the refugees have a strong identification with self-reliance, individual resilience and autonomy that might actually make them less susceptible to the atop-down notion of resettlement. They are at least to some degree active agents with notable degrees of self-reliance and individual resilience.

5.5. Resettlement in context and the role of UNHCR

With these prior observations in mind, it therefore worthwhile exploring a little more deeply how UNHCR usually presented it 'top-down' thinking in relation to questions of resettlement. On this basis, the analysis in this thesis will now turn to a more detailed examination of key documents presented by UNHCR that potentially encapsulate the main 'top-down' thinking of UNHCR. A good place to start then is with an examination of UNHCR Resettlement Handbook(s) that were – at least partially – designed to provide guidance on resettlement thinking approaches towards the refugees.

In particular, UNHCR Resettlement Handbook (2011) "offers resettlement management and policy guidance to UNHCR staff, and is a key reference tool on global resettlement policy and practice for resettlement countries, NGOs and other partners." It presented three main functions of resettlement. The first is the importance of providing protection and meeting the needs of those being resettled. This emphasises the fact that resettlement is viewed as a humanitarian effort in order to ensure that human beings can have their basic human rights fulfilled. However, the notion of resettlement not only considers the needs of the resettled, it is also supposed to be adaptive to demands from the 'bottom-up' view of the refugees. The main definition of resettlement is based on providing protection, so here the handbooks treat refugees as rather passive and needing to be helped and not as self-reliant actors.

The second function is the emphasis on resettlement as a durable solution for larger groups of people who have been forced to move, along with the other two durable solutions. The function of resettlement in this context is a strategy for solving larger refugee displacement situations. Moreover, the

programme is not accessible to everyone, and – as the interviews for this study demonstrate – may sometimes come across as incompatible with 'bottom-up' transmission of norms from refugees themselves. This suggests that there is a problem with symmetrical norm diffusion.

The third function is the importance of recognising the sharing of responsibility within the international community, with emphasis on the importance of states demonstrating solidarity with the asylum countries that receive many refugees, an effort sometimes referred to as 'burden-sharing' (UNHCR, 2011c, p. 3). This notion is that the resettlement from the 'top-down' is also defined in terms of burden-sharing – again – where the focus is also on transmitting the demands of the supplier (states) over the demands of the receiver (the refugees). Emphasis is mainly on compartmentalising help and resources and thus 'top-down' driven' definitions of resources and services seem at odds with the focus on the individual. In order to address the needs of refugees in an appropriate fashion, government officials, counsellors, and agency personnel that work with refugees need to learn about refugees' experiences from the point of view of the refugee.

The Handbook also emphasises that UNHCR bases selection on the "refugee's objective need for resettlement and not on their subjective desire for it." (p. 216). That resettlement is not a right is often repeated to help convey this message, perhaps so as to reassure states of their sovereignty and to temper the expectations of refugees themselves. Refugees themselves have very little choice in the resettlement system, as also confirmed by the interviews. Refugees usually cannot proactively apply for resettlement. Even refugees selected for resettlement cannot choose to which country they will be resettled. Ultimately, the only agency that refugees possess in the resettlement regime is the choice not to resettle if they have been offered resettlement. This is an example of 'top-down' pressure and lack of choice and 'bottom-up' autonomy of refugees. As a result, the resettlement regime currently empowers UNHCR and states and leaves refugees without much agency in the decision, despite UNHCR's promotion of self-reliance as a core goal of durable solutions (UNHCR, 2014a).

Two preconditions for being eligible for resettlement are outlined in the Handbook. One, the applicant has to be considered a refugee according to

the UN's refugee convention; and two, resettlement is considered the most appropriate durable solution for the individual (UNHCR 2011c). However, it is the resettlement countries that make the final decision regarding from where to resettle and whom to grant permanent residence. These decisions are made on the basis of several factors such as the state's own laws, and migration policy, as well as the state's political relations with other states. In other words, the process of resettlement is entirely dependent upon nation-states' willingness to resettle.

This section illustrates that the process of seeking resettlement illuminates tensions and incompatible norm diffusion for the nature and ability of UNHCR'S Learning Programme. The figures for resettlement programmes remain low.[19] UNHCR has difficulties agreeing resettlement capacity and priorities in future. One of the key problems with why any agreement remained ad hoc is that the norm diffusion to the refugees was not that successful and that the needs of the refugees – as conceptualised as three identifications in terms of resettlement were not fully understood by UNHCR (see also Table 5).

5.6 Incompatible Norm Diffusion on Resettlement: Where the Differing Identities Meet and Do No Meet?

Implications of this understanding (or lack of understanding) are manifest in the normative expectations that influence institutional and donor actions and are illustrated below in Table 5):

---

[19] An estimated 1.19 million persons were projected to be in need of resettlement in 2017. Against this need, UNHCR had planned to submit close to 170,000 refugees for resettlement in 2017. Due to an overall reduction in the resettlement opportunities offered globally, only 75,200 submissions were made in 2017 (UNHCR, 2018).

Table 5: 'Top-down' and 'Bottom-up' Norm Diffusion? Comparing Alignments and Misalignments of Perspectives on Resettlement

	UNHCR	Refugees	Misalignment
Identity	'Top-down' Political protection and solutions perspective	'Bottom-up' Fear, security and linking with relatives and friends abroad	Protection becomes meaningful in the context of being able to access rights. This means ensuring that refugees move in a safe and dignified manner and that they are empowered, well-informed and properly prepared for third country resettlement and integration into welcoming communities.
Identity	'Top-down' Burden-sharing	'Bottom-up' Resilience and self-reliance	Seeing refugees as an investment, and not as a burden, unlocks huge potential benefits for the countries that host them as well as for the refugees themselves. Refugees are actively seeking solutions to their problems by inventing creative self-reliance strategies.
Identity	'Top-down' Passive definition of resettlement	'Bottom-up' Complex and 'active' notion of resettlement as fluid, haphazard and multi-phase process	Constant movement and being displaced multiple times. Ensuring the safe and dignified movement of refugees is central to any resettlement operation.
	Top-down approaches	**Bottom-up approaches**	

Source*:* Compiled by the author.

Table 5 shows that in the context of forced migration, resettlement can be an effective mechanism for burden-sharing and international cooperation, providing options to assist first countries of asylum consistent with the principle of international solidarity. States often regard asylum burdens as a 'zero sum phenomenon', in which a reduction of one country's burden will result in increasing burdens for the others. This means that policy-makers will try to use restrictive migration policy instruments to make sure that their country will not be seen as a 'soft touch', that is, an overly attractive destination country.

Taking into account the need for responsibility sharing in the protection of refugees and a strategic use of resettlement, UNHCR and its governmental and non-governmental partners have tried to undertake multilateral resettlement operations. UNHCR's dependence on donor, host, and resettlement countries is vital because the organisation is unable to function without monetary contributions and authorisation to work within a state's borders. This often places the organisation in a delicate position, further complicated by relationships with other actors in the international system including UN agencies, and international, national, and local NGOs.

As described in UNHCR's Resettlement Learning Programme, "whether individual refugees will ultimately be resettled depends on the admission criteria of the resettlement State as well as the willingness of the country of asylum to allow them to leave" (UNHCR, 2010b, p. 21). Resettlement is seen as sharing the burden of responsibility for providing help to refugees.

In UNHCR's Projected Global Resettlement Needs overview for 2011, of every 100 refugees identified as being in need of resettlement, only 10 were resettled each year. More specifically, UNHCR has estimated global resettlement needs at 800,000 people, whereas resettlement states provide less than 8,000 places per annum (UNHCR, 2010a, p. 2). Additionally, while UNHCR estimated that 203,000 individuals were in need of resettlement in 2010, the number of resettlement places made available by states did not increase from the 80,000 offered in 2009 (Ibid.). Unfortunately, the statistics are unsettling, even in 2015 it was estimated that 1,150,300 refugees globally were now in need of resettlement (UNHCR, 2015, p. 7). This marks a 50 per

cent increase in resettlement needs compared with the total projected resettlement needs estimated for 2012.

UNHCR continued its discussion with states to increase their resettlement capacity in order to meet the protection needs of greater numbers of forced migrants. UNHCR eventually introduced in 2005 an initiative called the Strengthening Protection Capacity Project (SPCP). This project was introduced with the aim of "facilitat[ing] national responses to protection problems through a process of protection assessment, dialogue and joint planning in States hosting refugees" (UNHCR, 2010b, p. 23).

As Barnett claims, the biggest obstacle is state sovereignty (2002, pp. 257-258). It is states that decide what their resettlement policies will be. The growing gap between the number of resettlement submissions made by UNHCR and the number of resettlement places offered by participating states demonstrates the practical difficulties. Very often public attitudes also shape policies and political debate, resulting in a cycle of mutual influence (Bansak, Hainmueller, & Hangartner, 2016). In the Progress Report on Resettlement from 2010, UNHCR suggests that:

> Measuring the success of resettlement as a protection tool and durable solution should be based not only on how many refugees have access to this solution and how many countries offer resettlement places but also on the way refugees are selected, received and supported, or in other words, the value of all of its components (UNHCR, 2010a, p. 6).

The 2010 Progress Report on Resettlement states that:

> UNHCR's resettlement priorities do not always match those of states. Greater effort is required by the international community, including resettlement countries, to operationalize the relevant paragraphs of Executive Committee Conclusions in the area of resettlement (UNHCR, 2010c, p. 5).

UNHCR Projected Global Resettlement Needs 2011 report also made this point (2011, p. 8), but again failed to expand on it. This reluctance to address

the issues facing resettlement is indicative of the fact that UNHCR is ultimately a construct of and for the interests of these states.

In the most recent UNHCR Projected Global Resettlement Needs 2018 report it states:

> Opportunities for voluntary repatriation and local integration of refugees in the current global landscape are increasingly limited, making resettlement an even more important tool for protection and for finding solutions for some of the world's most vulnerable refugees (2018).

UNHCR are recognising that while the issue of resettlement is regarded as important, this may not be balanced by any top-down recognition relating to the ability of refugees to undertake norm entrepreneurship (see Chapter 6) being somewhat limited.

Group Resettlement and Protracted Situations

The documents survey also showed that UNHCR also offer(ed) guidance on situation-specific multilateral resettlement operations. The objective was largely to consider the forms of strategic resettlement operation(s) that could benefit a much larger number of refugees, including creating a better protection environment and opening up the possibility of local integration. For example, in March 2007, UNHCR declared that Iraqis fleeing their country were entitled to *prima facie*[20] refugee status and called for their resettlement. In addition, it established 11 priority resettlement profiles to help assess the vulnerability of Iraqi refugees. Refugees belonging to one of these 11 categories were prioritised for resettlement in line with the seven globally defined resettlement criteria.

---

[20] *Prima facie* status is granted in cases where refugees are coming from a condition, such as the conflict in Iraq, in which the situation is so poor that it is more likely than not that persecution occurred and also when refugee flows are massive enough that they exceed the capacity ofUNHCR to process RSD individually. Typically, refugees must go through RSD individually and prove that they personally meet the legal definition of a refugee, as defined by either the 1951 Refugee Convention or its 1967 Protocol. *Prima facie* allows for the designation of refugee status, usually temporarily, to groups of forced migrants.

So far, this document analysis of UNHCR key reports shows how 'top-down' perspectives have largely relied upon temporary solutions in practice. In July 2011, for example, UNHCR stated that 12 countries had pledged 900 places, although almost one-third of those offered in addition to annual resettlement programmes represented an ad hoc contribution. In July 2012, according to UNHCR, 12 countries pledged 1,700 dedicated resettlement places (excluding the United States of America, which offered an open-ended number of places). Nevertheless, this kind of ad hoc of provision, on the one hand, tended to ensure that this kind of provision had some limitations. Indeed, this 'top-down' assessment was confirmed in the interviews for this thesis. One UNHCR representative during the interview, for example, highlighted that: "*huge amount of resources go into temporary solutions that in fact could be much better spent supporting the host governments in looking after the whole community, including refugees and IDPs. So it is not so much that UNHCR needs more money as that we need community that sees displacement as a development issue that goes beyond the immediate rush of humanitarian disaster*" (Interview 2). This also has some implications for how the 'bottom-up' perspectives of refuges can be interpreted since in many instances, the ad hoc nature of the 'top-down' provision might also explain why the 'bottom-up' perspectives of refugees often confirmed a perception of a lack of strong permanent commitment to them on the part of UNHCR and/or host governments and/or far from complex understanding of what UNHCR was actually doing or indeed wanted them as refugees to do.

5.7. Linkage to conceptual models

The findings from the interviews presented above can clearly be interpreted using a social constructivist perspective and through the prism of aligning 'norm diffusion'. At the core of the findings is the fact that refugees – did usually feel like disempowered objects of resettlement policy where the focus of UNHCR – if it was perceived at all – was to treat the refugees more as victims and/or commodities to be processed effectively. This in turn means that part of the misalignment represented a challenge to the social construction of the identities of refugees themselves. Durable solutions policy may have been designed through principles of, for example, 'burden-sharing'

to undertake effective ways to help refugees, but what durable solutions were actually perceived as – at least by those aware of it – were as a challenge to the particular identity of refugees as individuals who have something to say for themselves and have discernible identities built particularly around self-reliance and innovative skills. Hence, while the findings confirm that refugee protection was about the very core of UNHCR's mandate, the data also suggest that refugees felt that UNHCR failed to provide them with protection. And this may explain why the findings also reveal very little loyalty among the refugees to the durable solutions policies of UNHCR in practice. Hence, at least in terms of resettlement, the overall picture is one of only partial success for durable solutions.

Again the primary interviews reveal that the refugees often perceive that they could contribute to actively promoting norms that reflect and are compatible with existing refugee identities. However, this is problematic when it comes to refugee protection. From the top-down and UNHCR and states, the research findings reveal that refugees are not seen as norm promoters. Although they may be active in socially constructing their new identities, refugees – as stakeholders or as individuals – are not really heard in the host countries since – contrary to constructivist account – the governing narrative is often dominated by the mind-set that host states must prevail in being able to change refugee policies at the domestic level. Resettlement then is closely linked with the sovereignty of the host countries, and it is often perceived that rather than seeing refugees as potential assets, the focus of the prevailing norm is very much based on premises that refugee resettlement bears high direct costs and thus refugee resettlement is often portrayed as a policy challenge that often invokes controversy among and with existing citizens.

From a social constructivist perspective, one dominant finding from the interviews was that identities of refugees were heavily influenced by the migration journey – one that usually began by fleeing one's home and country, incurred often prolonged periods of uncertainty and travelling, and involved arrival in the (often less than welcoming) host environment. Identifies were thus being socially re-constructed as the impact of the migration journey came to bear on the 'bottom-up' perceptions of the refugees. Their identities were therefore changing from the 'bottom-up' in a way that perhaps was not

being recognised effectively from the 'top-down' of UNHCR resettlement policy.

Nevertheless, the findings also reveal that at least in terms of resettlement the ability of the refugees to upstream their changing perspectives through upward norm diffusion was highly constrained. The possibility for refugees to direct processes for change remained highly limited with the continuing implementation of outside directed assistance programming. It can be argued that the ubiquitous top-down relief model and the resultant passivity reflected the assumption that refugees cannot (or should not) strive to realise their capacity to act as citizens while displaced from their country of origin. Hence, the findings show that there is a major misalignment between the 'top-down' and 'bottom-up' over the nature of recognition of the changing identities of the refugees themselves, Thus, aligning recognition that the emergence and changes to the refugee settings are part of evolving refugee identities remains a vital component in ensuring the durability of resettlement policy and the realisation of social change through participatory development.

5.8. Conclusion

The findings on resettlement presented in this chapter reveal several significant aspects and observations on whether resettlement was actually being successfully accomplished (see Research Question 1, Chapter 1). First, the initial documents survey analysis confirmed that resettlement was offered often on a case-by-case basis to refugees (deemed especially vulnerable, in need of protection and/or who meet specific programme criteria). Second, the documents survey also reveals that refugee resettlement policy and practice was often contradictory in practice in that UNHCR policy-makers found it challenging to combine and reconcile humanitarian goals with what has been argued is an increasingly state-centred approach on the part of respective states who were in practice acting as major drivers and shapers of settlement policy from the 'top-down'. Third, this documents survey is reinforced by the findings of the interviews that demonstrate that the 'bottom-up' perspectives of refugees towards solving problems of forced migration are not necessarily aligned with those put forward by UNHCR or other decision-makers from the

'top-down'. In essence, there remains a substantial misalignment of norm diffusion (see Chapter 3) in general terms.

Turning more closely, to the significance of the findings of this chapter for the three research questions of this thesis, a number of important reflections can be made at this point in relation to resettlement aspects. Let us now turn to the three research questions of this thesis respectively at this point.

In Research Question 1:

1) To what extent are UNHCR's durable solutions in relation to resettlement being successfully accomplished?

First, the initial document analysis confirms that UNHCR remains – at least officially – one of the most dominant influences shaping norm diffusion on resettlement policy, with strong potential – even using a largely 'top-down' policy approach to promote the socialisation of local civil society actors regarding refugee protection. Thus, UNHCR can be seen as a largely 'top-down' oriented gate-keeper, not just of issues but also of tactics and strategies for advocacy. Thus, the focus of this thesis on UNCHR durable solutions policies is vindicated.

Second, the initial document analysis and respective interviews also confirm that UNHCR did largely utilise and implement 'top-down' policies on resettlement via stakeholders and partners, but only with limited levels of success.

Third, and in spite of the important role assumed by UNHCR in helping to shape the 'top-down' norm diffusion via its focus on key principles, like 'burden-sharing', the findings from the interviews also show, that – at the same time most refugees failed to associate UNHCR with having such an important role in shaping such norms, with most refugees that were interviewed for this study also highlighting that they largely perceived UNHCR and/or host government as only providing limited help and/or guidance. In this way, a misalignment between 'top-down' policy orientation and the 'bottom-up' perspectives of refugees can be detected ensuring that UNHCR durable solutions policy on resettlement remained only partially successful. Given the lack of perception at the bottom among refugees, it is possible to argue that the existence of such misalignments demonstrates the very limitations of

durable solutions success in practice since key groups perceive there to be limited impact.

Fourth, the data findings show that the agency of refugees is often highlighted – not least by the refugees themselves. The data results relating to the interviewed Bosnian refugees indicate that there is often a stronger awareness of the need for, and even a commitment to, undertaking stronger agency action on the part of the refugees – although ultimately this tended to reinforce the self-awareness and self-reliance on the respective interviewed refugees in practice. Taking this a little further, the qualitative data highlight a strong misalignment between 'top-down' and 'bottom-up' perspectives in three particular area/categories (see Table 5). This misalignment has several important reflections for this thesis.

In the first place, protection becomes meaningful particularly in the context of being able to access rights. The findings from the interviews suggest that refugee have strong self-awareness of their own resilience and thus perceive – at least from the 'bottom-up' – that they need to be treated less as victims and more as actors with rights. This consequently means ensuring that refugees move in a safe and dignified manner and that they place great emphasis on the fact that any successful resettlement also requires that they are empowered, well-informed and properly prepared for third country resettlement and integration into welcoming communities.

Second, the findings show that both UNHCR and the refugees themselves see numerous benefits in developing policies that see refugees as an investment (opportunity), and not as a burden. In particular, the findings demonstrate – especially from the primary interviews – that the refugees – in 'bottom-up' terms – perceive that they have numerous assets that provide 'value-added' and hence offer, huge potential benefits for the countries that host them (as well as for the refugees themselves). The interview findings also reveal numerous instances where refugees actively sought and continue to seek solutions to their problems by inventing creative self-reliance strategies.

Third, that there is a major misalignment around the phasing of movement by refugees and that of UNHCR inspired policy – in many instances, the interviews reveal that neither UNHCR policy nor the state

strategies really capture the fundamental dynamic that dominates the 'bottom-up' perspectives of refugees. Refugees see the process of resettlement not as a finite process but as one that is dominated by constant movement, some multi-phasing and with refugees (choosing and) being displaced multiple times. Hence, the analysis in this chapter shows that any removal of misalignments between 'top-down' policy and the 'bottom-up' perspectives of refugees requires that 'durable solutions' must incorporate the practice of ensuring the safe and dignified movement of refugees as the central feature governing any resettlement operation.

2) What is the perspective of key stakeholders and how much influence do refugees, as agents, have in the diffusion of norms, given they are both enabled and constrained by the structures?

The findings from resettlement confirm that refugees' conceptions about resettlement are informed by complex, multifaceted factors that indicate shifting understandings of their journey under a given situation, rather than a linear idea of settlement as stipulated by UNHCR. In particular, the findings from the primary interviews show a remarkably high consensus among the 'bottom-up' perspectives of refugees that they see themselves as being key potential stakeholders in durable solutions but also ones that are largely stripped of agency to influence many of the decisions that take place during the pre-resettlement. According to them this omission represents a serious problem since there is a lack of UNHCR awareness of 'bottom-up' motives and drivers dictating their ultimate resettlement destination. The findings show a strong tendency for refugees to leave for resettlement with the assumption that life, where they are sent, will at least be better than where they are coming from.

3) What actions are needed to ensure a more effective and consistent achievement of resettlement as a durable solution? How can UNHCR policies be policies be adapted to enhance prospects for resettlement?

Increased commitment by the international community to offer more resettlement opportunities for refugees will benefit refugees. This empirical chapter indicates that the effective implementation of resettlement to a third

country presents a number of challenges. On several aspects, there is broad concurrence between the investigations with senior UNHCR policy-makers and the refugees. First of all, that successful resettlement depends on the capacity of resettled refugees to integrate in the host country. Secondly, the interviews with both UNHCR and the refugees also suggest there is a general perception that resettled refugees must be able to adapt themselves to the life, culture and socio-economic structures of the host country. Thirdly, there was a concurrence of views that durable solutions to resettlement questions should always be the objective for international action.

However, the findings in this chapter also show that practical limits of law and organisation are often apparent at the grassroots level, where UNHCR, states and refugees interact in a sometimes tense relationship of competing interests. On the one hand, the documents survey and interviews with UNHCR officials show the limitations to which the senior policy-makers are willing to prioritise the views of refugees when faced with state pressures and considerations. Where these meet, state interests usually prevail.

Equally, the interviews with the refugees show the limitations to which UNHCR resettlement polices are perceived to have relevance at the grass roots level. It is no great success, even in the short term, to have refugees confined and dependent in closed camps, in a jurisdictional limbo far removed from true community. The primary interviews with the respective refugees demonstrated how strongly their actual identities were shaped by often personal histories which involved devastating, often damaging trauma, loss of family and friends, high levels of stress, which also influence bottom-up perceptions towards resettlement in a new country. The dynamic nature of the staging of the migration journey and indeed the resettlement process is revealed in this chapter as a major area of misalignment between the 'top-down' and bottom-up'.

CHAPTER 6: Local integration and Asylum

6.1. Introduction

As they fled the conflict in Bosnia, refugees from this region sought asylum in Western Europe, Australia, Canada, and the United States. Over one million of these displaced persons sought asylum in neighbouring countries or beyond Europe. Initially placed in refugee camps in Slovenia, Croatia, and Western Europe, Bosnians began to apply for permanent refugee status abroad. This chapter will examine local integration and asylum policies. With the growing number of resettled refugees, researchers and policy-makers struggled to understand what forces shape and govern the integration process.

First, starting in 2001, UNHCR made a fundamental shift in its approach to the management of these situations with a move away from long-term 'care and maintenance' programmes to an integration approach that focuses on self-reliance and local solutions that include naturalisation and integration. The 'care and maintenance' approach refers to the fact that even though, as Purkey (2014) noted, the primary responsibility for refugee assistance falls upon host states, UNHCR had to adopt an 'increasingly pragmatic and assistance-oriented role' because "refugee-hosting states lack the political will to offer long-term protection and assistance" (Purkey, 2014, p. 694).

Second, local integration – set out in international refugee conventions – in contrast, refers to the granting of full and permanent asylum, membership, and residency status by a host government. This integration takes place "through a process of legal, economic, social, and cultural incorporation of refugees, culminating in the offer of citizenship' (Kibreab, 1989, p. 469; Acobsen, 2001, p. 1).

Third, unfortunately, though, this approach may be better in theory than in execution because as Jacobsen (2001) wrote, the likelihood of a host government offering refugees permanent asylum and integration remains small. In other words, in the context of local integration there are tensions between 'top-down' norms underpinning UNHCR activity.

This chapter considers the three driving research questions in relation to local integration and asylum: First, to what extent are UNHCR's durable solutions in relation to local integration and asylum successfully accomplished? Second, what were and are the perspectives of key stakeholders and how much influence do refugees, as agents, have in the diffusion of norms, given they are both enabled and constrained by the structures? Third, what actions are needed to ensure a more effective and consistent achievement of local integration and asylum as a durable solution? How can UNHCR policies be adapted to enhance prospects for local integration and asylum.

Empirical findings in relation to perspectives on local integration and asylum are presented. Overall, the findings suggest that there remains a pressing need to understand the 'lived experiences' of asylum seekers and refugees comprehensively and holistically. This chapter also exposes the disconnects between 'top-down' UNHCR and state conceptions of asylum seekers and 'bottom-up' self-conceptions of asylum seekers.

This chapter also considers the various ways in which conditions of asylum have served to either empower or constrain the refugees as they strive to manage their situation, and the need to transform asylum practices.

6.2. Durable Solution: Local Integration and Asylum – Five Reflections

First, an 'asylum seeker' is someone who has made a claim under the Convention and is awaiting a decision on their case. That person remains an asylum seeker for so long as their application is pending (Migration Watch UK, 2006). Although UNHCR (UNHCR, 2009) validates refugees under the conditions of 'fear of or actual victimization of persecution', refugees and increasingly asylum seekers experience difficulty in accessing and securing safety and rights. The emergent concern with regard to devising policies aimed at limiting incoming asylum seekers on the basis of appropriate qualifications or other characteristics undermines the rights of asylum seekers by forcing them into a liminal zone in which their rights and safety are compromised. The consequences of these policies exacerbated refugees and asylum seekers' vulnerability by placing them into a liminal zone in which they

lack decision-making power, agency, and autonomy.[21] The liminality associated with 'top-down' policies determined by international and nation state agendas is illustrated by the failure to consider and support the refugee and asylum seeker's process in securing protection from their subjective, vulnerable standpoint.

Second, asylum and integration are usually perceived by refugee service providers as an opportunity for refugees, reflecting that seeking asylum is not understood as a right under international law. Instead, officials must determine which refugees are priorities for resettlement on the basis of which are most vulnerable and in need of protection. Integration was conceived as a balance of rights and obligations and policies took a holistic approach targeting all dimensions of integration (including economic, social, and political rights; cultural and religious diversity; and citizenship and participation).

Third, for those refugees eligible for resettlement and asylum, the process remains and continues to be fraught with uncertainty and instability, lasting months or years. For many more who cannot integrate into the host society, may not be eligible for resettlement and cannot return to the country of origin, the hope to relocate elsewhere remains consuming.[22]

Fourth, asylum offers protection for refugees who are debating their next steps and when to begin healing after sometimes brutal and highly traumatic events that often cause fatalities among their family and friends. In order to demonstrate that a fundamental shift in the practice of asylum has occurred, it is first necessary to understand the historical development of asylum policy in Europe. This will not only provide a benchmark with which to compare recent developments, but will also describe how the determinants of policy responses have contributed to changing policy directions.

The 1951 Geneva Convention was a critical event in the institutionalisation of the post-World War II regime, as it created an international framework which defined an individual in need of international protection. In addition to the Geneva Convention definition, the international

---

[21] Discussion of agency and resilience is set in Chapter 2.
[22] This resonates in my findings from the interviews in Chapter 5, 5.5. Findings in Relation to Resettlement.

refugee regime rests on two additional pillars: the right to non-refoulement (Art. 33), which stipulates that a refugee must not be sent back to a country where his life or freedom would be threatened, and the principle of international solidarity or 'burden-sharing.[23]

Fifth, progress since 1999 has been uneven, both in terms of the level of integration and the degree to which the strategy can be considered to have been comprehensive. In terms of the move towards integration, developments have been hampered by the highly sensitive nature of many of the issues under discussion and the requirement for unanimity in decision-making (Van Selm, 2004; Geddes, 2003). The factors contributing to the reluctance of states to grant asylum are twofold: the economic implications of support for asylum seekers and the political and social unrest resulting from the presence of asylum seekers.

6.2.1. Widening Definitions on Asylum

Looking at the development of asylum in both the post-war period and the three phases of European integration, it is possible to arrive at a number of observations concerning the changing nature of refugee protection. Firstly, the establishment of the refugee regime and its position in the post-war period reflected a human rights paradigm. This is not to suggest that asylum in the post-war period was immune from state interests. It has been clearly demonstrated that such considerations have influenced asylum policy since the inception of the international refugee regime. Yet, in the context of growing securitisation of migration policy and concerns over mixed flows of voluntary and involuntary migrants, with growing numbers of asylum seekers and the mixed flows of migrants, European refugee policies have shifted from being primarily rooted in humanitarian considerations to ones reflecting more global migration concerns.

This has resulted in what Andrew Geddes terms a "conceptual widening" over the past decades in the field of migration. In terms of the asylum debate, this has been evident in the linkages created between asylum and other policy fields, such as illegal migration, return policy and cooperation

---

[23] The concept of 'asylum-burden' refers to costs incurred by states that may be incurred in the process following an application for asylum (Vink and Meijerink, 2003, p. 297).

with source and transit countries (Van Selm, 2004). There has been a departure from the previous separation of immigration (or migration) concerns from refugee and asylum policy).[24]

Secondly, the construction of the European regime changed the traditional structure of refugee policy, which was previously characterised by a "clearly separated dual structure of policy-making at the international and the national levels..." This has led to the creation of "a regional system of redistribution for asylum seekers that redefines the relationship between the national and the international in new terms" (Lavenex, 1998, p. 127).

6.2.2. The asylum crisis

One indicator that can be used to suggest that the asylum system was in crisis is the rapid growth of asylum applications in EU member states since the 1980s. Governments' record that in 1983 Western Europe had about 70,000 applications for asylum; in 1992, the peak year, there were 702,000, falling to 245,000 in 1996 and rising to 335,619 in 1998 (Salts, 2001). Compared to global figures, the number of applicants seeking asylum in developed countries increased from about 50,000 per annum in the early 1970s to half a million in 2001. The EU has taken on the brunt of these increases, as nearly 68 per cent of all applications over the 20-year period have been made in European member states, with North America accounting for most of the remainder. In 2015 alone, the European Union received 1.3 million first-time asylum applicants (UNHCR, 2016c).

With a significant rise in applications, most national asylum systems experienced difficulty keeping pace, resulting in significant backlogs of applications. These backlogs seriously delayed the resolution of individual claims and have the effect of further decreasing public confidence in the asylum system. Public dissatisfaction has been further compounded by the high costs associated with refugee determination and the reception of asylum seekers.

There is also a widespread view that many people who are not refugees are seeking to gain access to new countries through the asylum

---

[24] Highlighted in which is evident in the discussion of the UK's integration and asylum policy in section 6.4.

channel. Asylum seekers might also be represented as a security threat, whether to the borders of the state or to the population from within the state. In the latter case asylum seekers might be construed as a threat to social cohesion or a threat to economic well-being among other factors. These portrayals of asylum seekers are frequently seen at the state level (Lischer, 2008; Betts, 2009). Consequently, protecting the population from the threat asylum seekers place on their well-being becomes a policy priority.

With nearly 80 per cent of persons applying for asylum in the EU in 2000 being denied refugee status (UNHCR, 2002), this view is not necessarily surprising. With no alternatives for legal migration, individuals may migrate because of family ties or to gain employment. However, this phenomenon is not easily remedied. The "migration-asylum nexus" speaks to the difficulty in distinguishing between forced and voluntary migration. It also captures the reality that the causes of forced migration are bound in the complex relationship between push, pull, and intermediate factors (Koser, 1997). As Van Selm notes, "Since 9/11, documents released by European Union institutions, the UN and states have all indicated that the moment is politically ripe for more serious, consequential and rigorous use of these exclusion clauses – as well as for appropriate and rigorous use of those clauses relating to inclusion." (2003, p. 240)

Moreover, the exponential increase in migrant trafficking and smuggling networks gained escalating attention in Europe. In 2015 and 2016, more than 2.3 million illegal crossings were detected. In 2017, the total number of illegal border crossings into the EU dropped to 204,700, its lowest level in four years (European Parliament, 2017). Considering that often the only viable alternative for asylum seekers to leave the country of origin is through the use of trafficking networks, it is not surprising that they are often considered criminals after having reached their destination countries.

The 'top-down' versus 'bottom-up' dynamic offers particular insight into categories of migration. For example, Haddad (2008) describes the analytical difference between a refugee and a migrant: refugees are forced to migrate whereas migrants choose to migrate. However, asylum seekers fall somewhere in between. They carry the burden of having to prove that their migration was forced. This burden exists in the context of state discourses

constructing asylum seekers as potential criminals, cheats, and generally undesirable persons.

6.2.3. The failure of previous control measures

Despite nearly three decades of restrictive measures to prevent or deter the arrival of asylum seekers, there is now a considerable consensus that traditional restrictive policies have often been ineffective in reducing asylum pressures. As was previously mentioned, EU member states still experience unpredictable and large numbers of refugee applications, despite the implementation of controls such as visa requirements, carrier sanctions and interdiction. There is also a growing admission that restrictive measures may lead to a growth in human trafficking and smuggling as well as illegal migration.

The distribution of asylum seekers during this period across member states was also highly uneven despite past harmonisation efforts intended to achieve greater burden-sharing. For example, in 2003, five countries (Austria, France, Germany, Sweden and the United Kingdom) received 79 per cent of all claims submitted (UNHCR, 2004). The relative importance of Europe as a destination region for asylum seekers has declined in recent years. By 2009, Europe's percentage of claims had fallen to 45 per cent (UNHCR, 2011). However, the number of asylum applications received in 2014 in European Union member states had risen by 25 per cent compared to the same period in 2013 (UNHCR, 2015). Black and Koser (1999) similarly demonstrate that during the conflict in Bosnia, where temporary protection was implemented with the intention of increasing burden-sharing, more than half a million refugees came to the EU, of whom 60 per cent settled in Germany, with a further 30 per cent in Austria, the Netherlands and Sweden.

Finally, the issue of integration and the failure of policies to effectively incorporate foreigners into host societies rose on the political agenda in light of social tensions, exclusion, and increasing public hostility to the presence of immigrants and refugees, reflected in the upsurge of nationalistic, racist and xenophobic political forces. Although the debate on integration extends

beyond the asylum debate, it nevertheless has implications for the resettlement of refugees as well as general views towards migrants.

6.3. Findings in Relation to Asylum and Local Integration

This section presents the findings from the interviews with refugees.[25] Refugees who choose integration prefer not to depend on outside help, including aid from UNHCR, but instead maintain their own livelihoods. A key finding in relation to questioning on local integration activities was that 60 per cent of the respondents expressed a desire for their resettled country to be their home. One of the main reasons consistently cited in the interviews for this 'bottom-up' preference was that the British system of granting asylum (after a certain amount of time enabling people to stay) permanently gave people, who came to this country, an opportunity to plan their lives and integrate into their new community which is seen as successful pathways to integration (Atkinson, 2018; Hayes and Endale, 2018).

The primary interviews also revealed other more common reasons (cited by refugees interviewed) for wanting to live in the UK. These included, for example: (i) the importance of existing and prevailing family connections, with 40 per cent of the interviewees noting that immediate family had already resettled in the UK; (ii) the existence of shared affinities and identities with the UK, with 40 per cent of the interviewees commenting directly that they remained comfortable and accustomed to living in the UK. Interestingly, only a smaller proportion of the interview sample cited the importance of economic factors as a driver for local integration, with only (iii) 20 per cent of the interviewees highlighting the importance of securing better living conditions; and (iv) barely 20 per cent of the interviewees arguing that they saw little or no reason to return to their home countries, as their livelihoods had been lost in their home country. Hence, in the context of this thesis, these findings confirm that the 'bottom-up' perspectives of migrants towards local integration and asylum are not always based on clear cut political or economic motives

---

[25] See Methodology chapter (Chapter 4) on the sample.

that are often assumed as being key drivers of local integration policy 'top-down'.

According to the interviews (100 per cent), they, as forced migrants, were often been exposed to traumatic situations in their country of origin including an abuse of power by totalitarian regimes or armed militant groups (see also Van de Veer, 1998), physical and psychological torture, sexual violence, bombings, living in poverty and malnourishment (see also Neuner et al., 2004). In addition to traumatic experiences in their country of origin, the interviews also revealed that the forced migrants then faced the further challenge of coping with the stressors in their new environments (see also Ellis et al., 2007). Altogether 60 per cent of the participants described a general feeling of uncertainty around the process, primarily about whether they would get a positive decision, which would allow them to remain in the UK under refugee status. Recurrent and persistent anxiety about the future in the initial stage of applying for asylum was mentioned by many participants as both a cause and an expression of their psychological situation when trying to integrate with society in a new country: *"Emotional, psychological situation was not good because we were thinking all the time, what we can do, what we are doing for the future?"* (Respondent 2). A total 50 per cent of the participants described 'feeling low' and/or being, emotional and distressed when they arrived in the UK. However, this unknown pushed them for productive action and resilience in order to move forward and continue to survive and hopefully eventually thrive.

In order to cope with the expected influx of people, the Home Office approached the Refugee Council and the British Red Cross to organise reception and resettlement facilities. Together these organisations formed – 'The Bosnia Project'. Refugees accepted on the programme were given temporary protection and were initially housed in reception centres before being given more permanent accommodation (Compass, 1997). Ager and Strang (2004, p.11) studied refugee integration in the UK. One of their respondents said: "I think a lot of people are not actually aware of what they are entitled to...in terms of education, housing needs, social services or that kind of thing...job opportunities, training...things like that" One participant/interviewee in this study, who also applied for asylum confirmed

this view, describing the asylum system in ways which could be understood as being 'de-personalising' (Respondent 10). Participants, such as Respondent 10, suggested that any initial contact with the Home Office immediately made them feel like the system did not really care about them.

> *"You have to submit yourself and then wait....It's a very depersonalised system...there should be change...they should put in place a...system that considers people...as human beings..."* (Respondent 10).

In particular, all of the interviewees (100 per cent) confirmed that they had come to the host country after surviving various forms of persecution and trauma. Many of the refugees were forced to leave home because of war in their homelands. Participants described a need for safety, and generally had to escape their country of origin because their life was in danger (see also Chapter 5). This was to be expected given the definition of asylum seekers. For example, one Bosnian interviewee stated:

> *"In my country, there was lot of fighting: there was a war there. There was no security in Bosnia. Now this is my home."* (Respondent 1).

A clear finding from the interviews is that many issues surrounding local integration revolved around the particular issue and treatment of accommodation and housing (60 per cent). This is a significant finding since, from a social constructivist perspective (see Chapter 2), securing of housing – i.e. a place to live – is often regarded as being a key part of identity formation. Housing is a physical expression of a sense of 'belonging' to a host country and thus forms an important factor in shaping not just identities but also the 'bottom-up' perspectives of the refugees.

Indeed, scholars have already identified that housing can be a significant stressor in resettlement, even jeopardising integration. Often there are problems of affordability, availability in general or availability of appropriately sized housing, and safety (Miller et al., 2002). Yet housing was also an issue where – from the 'bottom-up' perspective of the interviewee – the realities and success of local integration were most apparent. One

interviewee (a Bosnian refugee), for instance, outlined her frustrations of living in inadequate housing:

> "*I had problems with very high rent, that's why I changed my flat, and I took a very bad flat because it was less expensive and I was supposed to pay almost all my income for an apartment, for the rent.*"
> (Respondent 9)

In this way, housing was often revealed in the interviews as being closely associated with the overall 'well-being' of migrants and as a criterion on which their 'bottom-up' perceptions of successful 'self-reliance' was also somewhat judged (see Chapter 5).

The findings from the interviews also confirmed that social and community support was also identified and found to be significant in terms of how refugees viewed the process of integration. Refugees who migrated to the United Kingdom came to this country with traumatic experiences, endured at times harsh cultural adjustments to a new world, and had to find either a balance between or integration with their heritage and the newly adopted culture (Knezević and Olson, 2014). Challenges in host countries can be remediated via relevant programmes and support mechanisms. The Bosnia Project agencies actively supported the establishment of community associations. Community formation for Bosnian refugees performed many useful functions. They can help to rebuild and foster a sense of belonging. As Respondent 2 highlighted, social networks contribute to the development of stories or history, the development of identity and overall well-being:

> "*The good thing is we have...the Bosnian Community centre and we meet there a couple of times a week, have you seen the Bosnian dancing and on Saturdays there is a school in Bosnian language and a religious school, so people bring their children and they sit there and talk for a couple of hours.*"
> (Respondent 2)

Having informal support from relatives and friends, and help from the local community with housing and employment and help in addressing various resettlement issues and relieving social isolation, is critical to achieving integration (Taken from interview with Respondent 2). This is important since once again the linkage to refugees seeing themselves – at least from the 'bottom-up' – as much more 'self-reliant' is emphasised in the findings on local integration. Above all, the interviewees regularly referred to the importance of also sustaining and accessing local, migrant-based and community-focused support networks driven by the migrants themselves. Hence, this suggests some misalignment with 'top-down' local integration policy that regularly sees the migrants as often much less capable and independent in terms of producing their own support networks.

Furthermore, the findings also confirm that refugees sustained many customs in order to preserve their culture and to gain a sense of comfort in a foreign environment. For example, the Bosnian refugees built their social relationships, which gave them motivation to congregate at their local centres to meet with others who share their faith and culture. Community meetings were convened to discuss current events and issues, promoting culture by way of food festivals, dances and musical shows, pooling resources to do household chores, and various hobbies are other activities that help refugees to get acquainted with each other and with their neighbours (see Respondent 4). There are many community organisations for Bosnians in the UK: Bosnia and Herzegovina Community Advice Centre – London, BHCUK BH Community UK, Remembering Srebrenica, Bosnian Community London and Bosnian Resource Information & Cultural Centre Kosovar Support, among others. The ability of individuals and groups to successfully navigate their environments to resources that support them psychologically and physically increases resilience (Ungar et al., 2013).

Up to 50 per cent of the participants also described experiencing a sense of loss on arrival in the UK. This was characterised by suggestions that they had left everything, including their former life and jobs. In particular, on the question of restoring and adapting family life in response to the effects of war and living in a different country, respondents identified key 'bottom-up' issues of qualifications, and working traditions as something that was a key

factor in terms of understanding local integration from a 'bottom-up' perspective. Replies from respondents, for example, included:

> "It was awful because all of us had qualifications. All. Some lower, some higher qualifications and many of them who finished university had to start from the beginning."
>
> (Respondent 1)

The same respondent added that not knowing the English language has been found to be a big problem:

> "And first of all, the language, it is a big barrier. It is a big barrier for all newcomers."
>
> (Respondent 1)

Refugees' confidence was therefore perceived to be compromised and in particular influenced their ability to access mainstream services; and led them to become more isolated. Indeed, according to Respondent 9, linguistical issues also tended to reinforce the own self-reliance from the 'bottom-up'. In this way, the refugees could be judged to be linking the concrete achievement of better language skills with successful adaptation and the achievement of local integration.

> "Bosnians who live here, they have adapted to English kind of life. They, people you know they just mind their own business, they work, they come home, cook dinner, go to bed."
>
> (Respondent 9)

In terms of local integration, the crucial ingredient in the successful settlement of refugees – identified by interviewees – was that they needed to be and/or should become self-reliant and self-sufficient. This confirms observations of key scholars that local integration would require refugees to seize opportunities offered by the economic system in the West, Bosnian refugees quickly gained a reputation for their industriousness. Examples of

Bosnian industriousness that lead to economic integration within the British economic system occurs among immigrants who became ethnic entrepreneurs. These individuals serve as bridges between their ethnic community and the British economic system by opening small businesses that offer their co-ethnics access to familiar goods and services. According to Portes (1995), community networks represent an important source of social capital. For example, some refugees who find barriers to jobs in the marketplace have turned to self-employment with the support of ethnic networks and ethnic resettlement services. This was also confirmed in the interviews since several respondents highlighted that setting up their own business and being involved in self-employment was one way of demonstrating their autonomy.

Respondent 10 and her husband represent one example of the Bosnian entrepreneurial spirit. With poor English language skills and a university degree from Yugoslavia that was not recognised in the UK, they felt that their options for employment were limited. Her husband attempted carpentry and construction, but eventually they decided to import ethnic goods to the UK. She proudly proclaimed:

"You must risk everything. We took loans. You have only two options: You go down, you go up."
(Respondent 10)

On the other hand, economic integration barriers can also block participation in the host country's social, cultural, and political spheres as well. Employment contributes to one's development of a new identity in the host country by influencing one's general state of well-being, giving one's existence structure and meaning (Lavik, Hauff, Skrondal, and Solberg, 1996), and providing an environment for coming into contact with host country citizens. Unemployment or underemployment can focus one's life on subsistence issues and reduces refugees' opportunities for learning/improving host country language skills, forging links the host society and relationships with its members, learning about and connecting to the host country culture, and becoming involved in political issues which affect their lives. Thus,

achieving integration has fundamental implications for refugees' own goals for resettlement: successfully reassembling their lives, integrating into the host society, and achieving a sense of normalcy.

According to the interviews, when persevering in the face of hardship, Bosnians possess a high level of industriousness and display strong resilience following migration. Several of the interviewees also highlighted the link between local integration and the innovative skills of the refugees and how this provided a link to local communities. From the social constructivist perspective then (see Chapter 2), the findings highlight a self-image and awareness among the refugees that there could be compatible norms and affinities between the refugees and local communities built around a common self-perception that values an innovative work ethic. Another respondent described the desire to display the accoutrements of success:

"People from Bosnia are highly competitive. I need a bigger car. I need to go find work. They are highly competitive. They were competitive in Bosnia as well."
(Respondent 2)

The drive to achieve a socio-economic standard equivalent to that known in Bosnia motivates many to work hard for material success. Although forced migration may leave refugees with ambivalent feelings about the departure from home and relationship to a new culture, some Bosnians enthusiastically embrace their new lives abroad. While this discourse places the burden of socio-economic self-reliance totally onto refugees, it disguises a total unawareness of the real refugee needs.

However, generally speaking, Britain failed to incorporate the 'bottom-up' opinions of the recipients of refugee programmes. Refugees could potentially benefit the country in which they live, but what they mostly need is to be properly incorporated into society. This cannot happen if refugees are seen as a burden on society and provide little value-added to local communities. It is only when they are truly empowered that they can contribute to society.

6.4. Responses to the Resettlement of Asylum Seekers

Yet, the previous analysis of 'bottom-up' perspectives also revealed a lack of awareness of 'top-down' policy changes in relation to local integration. It is thus worthwhile at this point to consider any notable 'top-down' policy changes that nevertheless have implications for refugees in terms of local integration questions. These reflections are largely derived from the respective documents survey accompanied by findings drawn from the interviews with UNHCR officials.

Under pressure to deal effectively with displacement in the former Yugoslavia, the UN High Commissioner for Refugees initially proposed, three months after the spread of hostilities to Bosnia and Herzegovina, that states admit refugees under a temporary protection programme, which was to be framed outside the regular European refugee status determination procedures (Ogata, 1992). UNHCR encouraged this approach and consequently accepted reduced protection for refugees in order to persuade states to avoid the comprehensive implementation of *non-entr*ée policies.

In terms of 'top-down' policy-making, then several factors can be considered with regard to the external refugee option for Bosnia and Herzegovina. These factors were identified in respective documents survey and in findings from interviews. First, in the economic and political context, granting of secure conditions of exile to refugees was not seen as reconcilable with the self-interest of Western states. Consequently, the general policy commitment to immigration restriction was generally not relaxed for Bosnia and Herzegovina's involuntary migrants. This is demonstrated by the implementation of non-entréee policies (discussed in Chapter Five) in order to close the borders of potential asylum states. The introduction of temporary protection and the reduced rights regime associated with this European version of a common worldwide practice also reflected the exclusionary aims of states which sought to avoid the integration of those refugees who somehow manage to access their territories.

Second, international refugee protection also underwent dramatic change before the conflict in the former Yugoslavia erupted. Of particular importance is the development of openly exclusionary norms that were intended to deny entry to unwanted asylum seekers. At the same time,

UNHCR undertook a significant shift in its activities, as it was increasingly asked to work within refugee generating countries. While these new activities brought UNHCR dangerously close to working outside its basic protection mandate, it is the timing of this shift in focus which is important in the context of this thesis, in terms of shaping understandings of general trends in refugee protection. UNHCR purposefully (and, for Western states, conveniently) shifted its attention to protection activities in countries that produce refugee flows rather than in countries of asylum.

Around 1.1 million Bosnian refugees had arrived in European countries by mid-July 1992 (see Tables 6 and 7).

Table 6: Resettled Refugees and Asylum Applications received in the EU (1989-2000).

Year	Asylum Claims in EU		
	Received	Status Recognised	Rejection of asylum
1995	263,660	45,800	199,180
1996	226,120	44,100	234,510
1997	242,750	38,610	192,140
1998	295,280	29,050	209,120
1999	367,400	32,730	191,250

Source: UNHCR, Refugees and Others of Concern to UNHCR 1999
Statistical Overview, GENEVA, JULY 2000,
http://www.unhcr.org/3ae6bc834.pdf

Table 7: Resettled Refugees and Asylum Applications received in the US (1989-2000).

Year	Asylum Claims in the US		
	Received	Status Granted	Rejection of asylum
1995	149,070	12,450	14,090
1996	107,130	13,530	2,500
1997	52,200	10,130	2,460
1998	35,900	9,940	3,190
1999	31,740	3,220	1,760

Source: UNHCR, Refugees and Others of Concern to UNHCR 1999 Statistical Overview, GENEVA, JULY 2000, http://www.unhcr.org/3ae6bc834.pdf

As seen from the statistical overview (Tables 6 and 7), many countries within the European Union enacted more restrictive measures in asylum in the 1990s. Cooperation in the field of asylum is an instance of political integration in a highly sensitive field where states are keen on protecting their sovereignty. This might partly explain the general 'bottom-up' ambivalence of refugees (recorded in the primary interviews) towards UNHCR (see also Chapter 5).

6.5. Asylum and Integration

Nevertheless, the findings from the documents survey and interviews also indicate that the 'top-down' policy changes did ensure that achieving integration required that refugees address various challenges during resettlement. Refugees can take several avenues once resettled (assimilation, acculturation, etc.), but integration is thought to be the best result (O'Neill and Spybey, 2003). According to Favell (2001, p. 378), "Integration, not immigration control or naturalisation, may indeed be the most important immigration issue, particularly in view of problematic research in this area". Attempting to establish a comprehensive theory of integration has proven complicated, if not impossible (Ager and Strang, 2004). The term

"integration" is said to be "chaotic and vague" and "a word used by many but understood differently by most" (Robinson 1998, p. 118). Sigona (2005, p. 119) calls integration an "elusive concept". Finally, Freeman (2004) argues that trying to document the different typologies of immigrant incorporation in Western nations is pointless, and instead suggests a definition of integration that "rejects permanent exclusion but neither demands assimilation nor embraces formal multiculturalism" (p. 945). Freeman's idea of integration closely parallels the concept of selective acculturation because it eliminates the requirement for complete assimilation or acculturation in order to become a citizen in a European country.

UNHCR describes integration as "mutual, dynamic, multifaceted and ongoing" (Refugee Resettlement: An International Handbook to Guide Reception and Integration 2002, p.6). The perspectives of the refugee and the host society both factor into successful integration:

> From a refugee perspective, integration requires a preparedness to adapt to the lifestyle of the host society without having to lose one's own cultural identity. From the point of view of the host society, it requires willingness from communities to be welcoming and responsive to refugees and for public institutions to meet the needs of a diverse population (Refugee Resettlement: An International Handbook to Guide Reception and Integration, 2002, p.7).

The complex process of integration occurs on various levels: political, social, cultural and economic. As noted by UNHCR official:

> "*For example, Romania and Bulgaria, receive the large numbers of asylum seekers but they are unable to cope because their mechanisms for local integration are weak (…) It is very to implement and prioritise asylum and local integration agenda. (…) We are constrained by the political environment that we are in* (Interview 2).

Complexity is reflected in how the term integration is defined and in the numerous definitions used by researchers. In an attempt to remedy the

ambiguity of the definition, several scholars have endeavoured to create general integration models (Ager and Strang, 2008; Healey, 2006,) and models concerned with specific aspects of integration (e.g. quality of life in Ager and Strang, 2008). The individual nature of refugees, however, makes it difficult to apply integration models as universal frameworks.

The documents survey reveal that several studies have attempted to add to a comprehensive theory of forced migration by focusing on the decision-making processes of asylum seekers to determine how they choose their destination country. Most of these studies concluded that not all asylum seekers have much choice in their destination country and do not determine the destination before emigrating, although a recurrent theme shows that some admitted to influencing factors, such as being in a European country and/or the presence of friends or family (Gilbert and Koser, 2006). Robinson and Segrott (2002), for a British Home Office research project, developed a model of an asylum seeker's decision-making process. This model includes four stages: 1) the decision to leave; 2) figuring out how one will leave (whether or not one will use an agent); 3) weighing the options of where to go and 4) making the final destination choice. A scientific model of decision-making may be helpful in the abstract; however, it must be recognised that forced migrants are individuals with unique factors influencing their decision to move and do not always conform to the paths delineated in scientific models. In the context of this thesis, however, these staged models have so far had limited utility precisely because they are often unclear on the relationship between 'top-down' policy and the 'bottom-up' perspectives of refugees in practice.

Whereas achieving integration means active involvement in the host country society in multiple ways, the primary objective of host countries for refugees during resettlement is singular: economic self-sufficiency. Refugees are not provided with effective tools, however, to achieve short- or long-term self-sufficiency. Restrictive government policies regarding foreign qualifications, inadequate support and funding for labour market retraining, and ineffective, often underfunded, language instruction during the resettlement period contribute to refugees being funnelled into the low-wage

service sector of the labour market or the public welfare system as confirmed by my interviews.

As shown throughout the literature on refugee identity, the label of 'refugee' tends to have a negative impact on one's identity (Harrell-Bond, 1999). In Timotijevic and Breakwell's (2000, p. 366) study of Bosnian refugees in Britain, respondents experienced some of the same feelings about their refugee label:

"I am a refugee, and that sounds terrible, really bad...When you say to the people here that you are a refugee, everyone turns their head away from you."; "...when I go to the Home Office...I feel 'Oh, look at yourself, how low you are now, you used to be a normal person...'".

Highly skilled professionals in Colic-Peisker and Walker's (2003) study of Bosnian refugees in Australia felt uneasy about their refugee classification, since it left them socially disadvantaged.

Even if being labelled as a refugee did not affect the refugee's identity, having the label, however, often led to respondents feeling like outsiders which can prevent full integration. Timotijevic and Breakwell (2000) found a similar situation in their research on refugees from the former Yugoslavia. One Bosnian refugee contemplates whether to tell people she is a refugee or not because of what their ensuing reaction could be:

When I meet the English people and when they ask me where I am from, I think – OK, what that guy will think of me when they hear that I am a refugee, from Bosnia and all these things, that I am a refugee...I never had any kind of complexes in my life, but this has become a social complex, and you can't go straight to these people and ask – oh, can I sit here, etc., as you would do in your country. They would probably not like me because I am from Bosnia (Timotijevic and Breakwell, 2000, p. 367).

Identity reformulation depends on factors that unify or differentiate an individual from others, with the individual actively choosing the ways to

identify themselves (Mutanen, 2010). However, the findings for the primary interviews in this study do offer a number of important reflections in some cases for example, the choice is not made by the individual but by the society or state in which he or she lives (see Respondent 3). From a social constructivist perspective then, it is important to highlight that identity is constructed from a plurality of elements, and thus individuals have to choose which aspect of their identity to emphasise in different situations (Sen, 2006). For example, respondent 2 stressed the importance of individuals emphasising their innovative skills and this could be interpreted as a particular individual strategy/choice used by individual refugees to build synergies with local communities in the UK.

There were numerous instances where the implications of this understanding (or lack of understanding) were confirmed by the findings from the interviews (see Table 8):

Table 8: 'Top-down' and 'Bottom-up' Norm Diffusion? Comparing Alignments and Misalignments of Perspectives on Local Integration and Asylum

	UNHCR	Refugees	Misalignment
Identity	'Top-down' Safe third country ruling	'Bottom-up' Uncertainty about asylum claim process; fear of negative decision	Uncertainty with regard to the outcome of the asylum process, specifically whether an individual is approved or denied status, is a prevalent and continuous aspect of stress for asylum seekers.
Identity	'Top-down' To attain asylum is to gain protection for 'genuine' asylum seekers	'Bottom-up' Feeling marginalised, insecure and vulnerable	The constant exposure to risk required asylum seekers to continuously overcome obstacles. Bogus asylum seeker is a rhetorical category that is not established in international frameworks and yet is referred to in state discourse and in policy documents.
Identity	'Top-down' Asylum to offer full access to resources	'Bottom-up' Lack of resources and barriers	The lack of resources contributes to barriers toward eligibility for asylum. Labelling of asylum seekers reinforces the justifications for the current restrictive definition.
	Top-down approaches	**Bottom-up approaches**	

Source: Authors' own

As seen in Table 8 above, the documents survey and primary interviews confirm that UNHCR incorporated an overarching 'top-down' approach to refugees' rights (that entailed the protection of refugees). Yet, Table 9 also records how refugees often also regarded the reception phase of refugee newcomers as being largely detached from the potential longer-term outcome: integration of refugees. Equally, the interviews show how political parameters did restrict 'top-down' engagement with the 'bottom-up' perspectives of refugees on local integration (see also Chapter 5) fuelling misalignments, The interviews stress how a broader discourse of integration would allow the tackling of different phases of resettlement process, show greater 'top-down' sensitivity towards refugee 'bottom-up' self-reliance and fulfil those human rights that they expect to enjoy as beneficiaries of protection. Refugees' 'bottom-up' ideas of protection therefore entailed a wider assumption of human rights where situations that allowed them to flee, to seek asylum, not to be forcibly returned, to obtain the status of refugees but also to strive to bring forward a discourse of human rights within the host society could be incorporated more realistically into dialogue between senior policy-makers and the refugees.

This leads to a number of important wider reflections in relation to local integration that inform this particular study. First, the 'bottom-up' perspectives gained though primary and secondary research suggest that the system for claiming asylum remains highly complicated and difficult for many people to go through – in particular for survivors of trauma, torture and violence. While this in itself is not UNHCR's fault, it does hinder their ability to operate effectively. Three of the respondents argued that UNHCR could do more to utilise resources to convince governments of the responsibility they have to the refugees, and increase local integration and asylum opportunities.

Second, when applying for asylum, according to UNHCR, the asylum seeker should enjoy minimal protection in the member state, protection that comes from its international obligations. Yet, the findings from the interviews suggest that there are pragmatic limitations to this. In addition, and for example then, according to the Integration Policy Index (MIPEX) report of 2015, the UK's integration policy introduced by the (then) coalition Government made access to citizenship more restricted, as well as on anti-

discrimination, family reunion, migrant workers' rights and the education of migrant children matters. Together, these factors lead to asylum seekers experiencing exclusion, inequalities of access to services and marginalisation.

Third, there are often extremely stringent rules which only allow asylum seekers to work in specific circumstances and in practice, prevent them from working. This concern was cited in several of the interviews as a major 'bottom-up' concern that restricted the ability of refugees to engage in better local integration. Various respondents in the interviews noted that asylum seekers were dependent on the state and cannot make a positive financial contribution. In addition, interviewees highlighted that high levels of exclusion, unemployment and underemployment among refugees can result in them feeling even more socially marginalised (40 per cent).

6.6. Linkage to conceptual models

Using a social constructivist perspective the findings suggest that it is important to recognise that refugees seek to selectively choose compatible identities and affinities from the 'bottom-up' that can avoid stigma, and build synergies with local communities as part of demonstrating their value-added and self-reliance and resilience. In this way they are engaged in practical norm selection to enhance their agency and even have the potential when such dialogue with UNHCR was to improve to upload norm diffusion upwards from the 'bottom-up.'

The interviews confirm that refugees are exercising their political agency in response to the highly complex circumstances with little to no support or legitimacy. The interviewees in this study were additionally concerned with the growing 'stigmatisation' of asylum seekers and refugees. This notion of asylum seekers as the 'Other' and as a threat to the economy has been discussed in the above section.

The liminality associated with 'top-down' policies determined by international and nation state agendas is illustrated by the failure to consider and support the refugee/asylum seeker's process in securing protection from their subjective, vulnerable standpoint. The constraints to the articulation of a refugee identity which contains empowerment and agency are several. International norms and institutions, which could support the national

discourse to include human rights in refugee protection measures and promote multiculturalism.

A central theme which emerges in both literature and the interviews concerns the limited degree of autonomy asylum seekers have access to in reporting victimisation and seeking validation through asylum with the aim to seek a safe context in a host society. In this sense, asylum seekers are confined to a liminal zone that is a result of the conditions and uncertainty in the forced migration process, they lack agency and autonomy to decide their immigration process, and maximise their sense of security and self-worth.

'Top-down' approaches border on social engineering. Therefore, labelling refugees is an ideological practice which not only dilutes the complexity of single refugee realities but constructs their social reality. Constructive dialogue between UNHCR, the state and refugees on asylum and integration would allow the different phases of the resettlement process to be tackled and lead to refugee self-reliance and fulfilment of those human rights that they expect to enjoy as beneficiaries of protection. Their capacity and self-reliance to acquire housing and social skills would be strengthened by bringing together all top-down and local actors cooperating closely with refugees, who have evaluated the offer and accepted it prior to the relocation.

In a theoretical sense, action has been historically conceptualised as a linear process in which an actor exerts appropriate means in order to attain a specific end. This formulation tends to normalise the linearity of action, which consequently overlooks other types of actions in which a clear end was not preconceived, multiple ends were considered simultaneously, or even if the main focus of an end was to be later modified into a mean to achieve a future end.

Regardless of efforts to secure their ends, asylum seekers experience uncertainty in the process that makes them unsure as to whether they will achieve status or not. The process is broken into stages, which serve simultaneously as hurdles to be overcome in order to progress to the next stage.

6.7. Conclusion

The findings in this chapter offer a number of important observations informing this study in relation to local integration. First, while UNHCR's 'top-down' policy framework assumed that the asylum seeker has access to resources and knowledge to exert agency, there were notable limitations on this in practice. Second, overall, the results suggest that, the agency of the asylum seeker is not valued and/or validated sufficiently by the larger system and often ignored. With this in mind then, it is important to focus observations on findings on local integration and asylum in relation to the three research questions of this study.

1) To what extent are UNHCR's durable solutions in relation to local integration and asylum are successfully accomplished?

The findings from the interviews suggest the following misalignment between 'top-down' policy and 'bottom-up' perspectives of refugees. First, the findings show that while the 'top-down' policy-makers increasingly recognise the need to engage with refugees, the reality is that it is constrained by prioritising 'top-down' politics and there is some confusion on how to handle any greater focus on understanding refugees as individuals with 'bottom-up' preferences and identity formation of their own.

Second, the findings suggest that there are particular issues relating to local integration that help to define the 'bottom-up' identities of refugees and are regarded by them as criteria shaping local integration – these include for example, housing, employment rights, community support and qualifications.

Primary research confirms that asylum seekers face a plenitude of insecurities and lack of resources that contribute to their vulnerability. The overwhelming issue, from the 'bottom-up' perspective, is that international policy and its enforcers neglect to acknowledge the coerced conditions that refugees and asylum seekers' experience, and the difficulties they encounter as they exercise agency from a coerced, traumatised, and liminal space. The interviews confirm that there is uncertainty with regard to the outcome of the asylum process, specifically whether an individual is approved or denied status, and this a prevalent and continuous aspect of stress for asylum seekers.

The constant exposure to risk requires asylum seekers to continuously overcome obstacles. Bogus asylum seeker is a rhetorical category that is not established in international frameworks and yet is referred to in state discourse and in policy documents which were surveyed in this study. This is a serious example of misalignment. First, while the putative goal of policy-making has been to square asylum for genuine refugees with the prevention of 'bogus' or unfounded asylum applications, restrictive policies have often operated with insufficient regard for the protection of those with valid refugee claims. The notion of the 'bogus' asylum seeker is a familiar refrain of the tabloids and many politicians, casting most refugees as fraudulent 'economic migrants'. Labelling of asylum seekers reinforces the justifications for the current restrictive definition.

Local integration combines three dimensions: legal, economic, and sociocultural. Host countries must be willing to grant legal rights (similar to the rights of nationals) to refugees seeking asylum, assist in measures for refugees to attain a standard of living comparable to the citizens belonging to the host country and enable refugees to live and contribute to the host community without fear of persecutions. As seen in the data from the interviews, this durable solution is strongly dependent on both the willingness and the availability of resources of the country of first asylum to host refugees.

2) What is the perspective of key stakeholders? How much influence do refugees, as agents, have in the diffusion of norms, given they are both enabled and constrained by the structures?

The primary interviews reveal that refugees oppose their misrepresentation as burdens, as less human, as entitled to less rights, as victims and reclaim dignity. They try to demonstrate that they are resourceful people who 'do not want help for help' but that want to be enabled to become self-reliant. The ability to achieve economic self-sufficiency is undoubtedly one of the cornerstones of the successful integration of recognised refugees in their host country. Beyond purely financial benefits, employment plays a key role in furthering the social integration process of refugees by improving their language skills, encouraging the formation of friendships and

professional contacts with the host population, and generally helping them gain acceptance by their local communities.

The findings show that key issue of concern for asylum seekers and refugees is effective protection and security. Refugees view their protection not only in terms of being free from random arrests and deportation but as being linked to the provision of basic human rights, such as access to education, work, housing, and health services. Protection also becomes meaningful in the context of being able to access rights, especially through citizenship. As people without the protection of their own country, refugees strive to find security and stability in their lives.

The interviews confirm that refugees experience a sense of self-reliance on their ability to obtain the necessary knowledge and resources needed to apply for asylum because they did not have access to social or legal assistance. The lack of resources contributes to barriers toward eligibility for asylum. Considering that the asylum system is organised in stages based on developing an application and defending the case in an interview, asylum seekers must actively seek resources, including knowledge and strategies in order to present a sound case with supporting evidence.

There should be a genuine attempt to identify individual challenges rather than treat refugees as a monolithic category with the same needs which would contribute to self-sufficiency by highlighting refugees' individual strengths and bolstering areas where they need assistance.

3) What actions are needed to ensure a more effective and consistent achievement of local integration and asylum as a durable solution? How can UNHCR policies be adapted to enhance prospects for return of local integration and asylum.

As, noted by one of the interviewees (UNHCR senior official):

"We need] to think of durable solutions, as we say in our paperwork and our documents, but and we don't necessarily apply in practice, that we have to recognise three durable solutions, and we have to realise the quality of those solutions and make sure they are implemented on the ground" (Interview 2).

A re-conceptualisation of agency is proposed in Chapter 2 in order to acknowledge the conditions in which marginalised actors do not have the autonomy or means to modify structural barriers. As a way to displace the means-end component of action in order to emphasise structural conditions, the conceptualisation of agency includes situations in which individuals become conscious of structural barriers and respond to them. For example, asylum seekers are required to successfully advance through the application and interview process in order to attain their end of asylee status.

As illustrated with the case study, despite situations in which means are available to overcome barriers, effectiveness is not guaranteed. Asylum seekers as they navigate through the asylum system must negotiate uncertainty and the likelihood that their resources may be limited or that they will not succeed at various stages of the process. In this context, asylum seekers continuously respond to dilemmas in which they must implement strategies to further secure their ability to attain asylee status, however, fear and uncertainty make this process toward protection difficult to achieve.

CHAPTER 7: Returning and Structures of Repatriation

7.1. Introduction

Forced migration is one lens that allows us to think about the ways in which transnational processes and global asymmetries affect people's lives. The solutions to forced displacement that are proposed and implemented are an example of the complexities of discourse and practice in refugee situations. For example, voluntary repatriation was by far the most widely advocated durable solution to forced migrations despite the fact that for some refugees, return can never be an option.

Repatriation refers to refugees returning to their place of citizenship or origin after conflict or war. Repatriation can be voluntary or involuntary, where the government or international agencies step in and mandate direction for the refugees' future, whereas refoulement is the expulsion or return of the refugees to a place where there is a threat to their freedoms. With refoulement, however, asylum must be present to preserve a secure and safe dwelling (Geneva Academy of International Humanitarian Law and Human Rights, 2012). States may, however, try to justify the measures adopted, stressing the inapplicability of the rule to the specific occasions (asylum seekers who arrive by sea).

The objectives of this chapter are to address the three research questions in relation to return of refugees: First, to what extent are UNHCR's durable solutions in relation to return being successfully accomplished? Second, what is the perspective of key stakeholders and how much influence do refugees, as agents, have in the diffusion of norms, given they are both enabled and constrained by the structures? Third, what actions are needed to ensure a more effective and consistent achievement of return as a durable solution? How can UNHCR policies be adapted to enhance prospects for return of refugees?

This chapter posits that it is necessary to recognise refugee returnees as active participants in that experience. According to the interview with UNHCR Protection Officer:

"We have to recognise the agency of the persons of concern. If they don't want to return, we cannot force them to. And if the conditions, in their minds, are not conducive in all aspects – this doesn't mean just housing – they are not going to stay in the places of return" (Interview 3).

This interview as well as some recent UNHCR documents suggest that UNHCR recognises the 'bottom-up' perspectives: "Responses are most effective when they actively and meaningfully engage those they are intended to protect and assist" (UNHCR, Compact for Refugees, 2018, p.7).

7.2. Normative preferences

By the 1990s, the normative preference for ethnic homogenisation had begun to change, along with the international perception that such practice was unlawful, inhumane, and ultimately counter-productive to the bringing about of stability and democracy. The international community strongly condemned ethnic cleansing in the former Yugoslavia, Rwanda, and Cambodia, among others.

Accordingly, international intervention in post-settlement societies focused much attention on returning refugees and displaced persons to their homes. Refugee policy was dominated by the idea that repatriation is the best and 'most durable' solution to refugee crises (Harrell-Bond, 1989). As the United Nations High Commissioner for Refugees noted (UNHCR, 1997a, pp. 159-164), return contributes to peacebuilding in four ways. First, return clearly signals that conflict has ended and a state is capable of protecting its citizens. Second, it legitimises the post-conflict political order by providing validation to subsequent elections and democratic processes. Third, return deprives political elites of the possibility to manipulate refugees politically and militarily to upset the newly established peace. Finally, the return of skilled workers could contribute to the economic recovery of war-torn economies and societies.

While return to one's country of origin is the cornerstone of international refugee policy, return home was never affirmed as a right before the Dayton Peace Agreement. The international community's insistence that Bosnians return home, instead of simply returning to their country of origin,

was unprecedented (Rosand, 1998). For the first time in the history of migration, 'home of origin' was interpreted to mean the physical structure in which one lived before the war. Because often the 'home of origin' was under the control of an ethnic group other than the one to which the refugee belonged, return was inherently a difficult process involving individuals who have been improperly defined as 'minorities'. International agencies affirmed the 'right to return' as a solution to the forces that promoted ethnic cleansing. A total of 400,000 persons are estimated to have returned in 1996 and 1997, though the number of returns in 1997 was 40 per cent lower than those in 1996. In both years, 80 per cent of the returns were to the Federation rather than to the RS. In early 1998, 75 per cent of those forced to flee Bosnia remained abroad, and 85 per cent of those internally displaced were still unable to return to their place of origin (Office of War Crimes Prosecutor, 1998). The actual number of individuals who went back after the war to areas controlled by an ethnic group other than their own might even be bigger. Many returnees in fact did not register or signal their presence.

The overall success of international community policy led High Representative Ashdown to argue in late 2002 that the international community "invented a new human right here: the right to return after a war" (International Crisis Group, 2002, p. 39). This assertion represented a fairly new argument in international law and convention, which traditionally focused either on the right not to return, i.e. to stay in the country to which one fled during war, or on the right to return to the country but not necessarily to the region of one's origin. Hence, the international community invented a different type of international norm and diffused it easily to migrants.

This success demonstrates two important points, one concerning Bosnian social reality, and the other concerning the international community. First, large-scale return is a disclaimer of the notion that the different Bosnian groups will never be able to live together again. It also falsified the claim that "[m]any Serbs, Muslims, and Croats expressed the desire to stay elsewhere rather than return to their homes after the war" (Chandler, 1999, p. 105). Instead, when given a choice, Bosnians of all ethnic groups took the opportunity to return, instead of relocating. Overall, this development shows that the sceptics' unwillingness to allow for the possibility that Bosnia can

213

survive as a multinational state needs to be carefully scrutinised. Second, the international community has endorsed a substantive notion of 'peace' and 'peacebuilding' which includes notions of human rights protection. Instead of surrendering to the forces promoting segregation and the consolidation of ethnic cleansing, the international community invested substantial resources and credibility in reversing the war's outcome and restoring at least some degree of national diversity.

7.3. Dayton Peace Agreement

The fate of Bosnian refugees and displaced persons was made a central part of the agreement that terminated the war. Annex 7 of the DPA is entirely devoted to the process of return. As chapter 1, article 1 reads:

> All refugees and displaced persons have the right freely to return to their home of origin. They shall have the right to have restored to them property of which they were deprived in the course of hostilities since 1991 and to be compensated for any property that cannot be restored to them.

A number of other articles within the Annex emphasise the right of refugees and displaced people to return under conditions of safety and dignity to their home of origin. The parties to the peace agreement had to ensure the presence of the necessary conditions for this to happen. Consistently with the aim to restore peace and stability by reversing the effects of ethnic cleansing, no part of the peace agreement foresaw explicitly the possibility of relocation.

At the time of the signing of the DPA, Bosnia's per capita GDP was less than US$500 (about 20 per cent of its pre-war level), while unemployment had reached 80 per cent (European Commission & World Bank, 1999, p. vi). Developed world nations invested to stabilise the region and prevent renewed fighting or instability. Evidence from several post-conflict situations confirms that the lack of return and the resettlement of refugees in third countries are most closely associated with the preservation of peace. According to Howard Adelman (2002, p. 290), "in many civil wars there may

be an inverse correlation between refugee repatriation and the successful implementation of a peace agreement, defined as the cessation of violence."

The definition of peace as "absence of violence" is an important caveat in Adelman's analysis. While the resettlement of Bosnian refugees could have helped to maintain the "cessation of violence" and alleviate the economic and housing problems of post-war Bosnia, it also would have meant acknowledging the outcome of ethnic cleansing.[26] Thus it would have run contrary to the stated 'top-down' goals that the international community set for itself at Dayton. For this reason, the DPA included a 'right to return,' despite the predictable difficulties in implementing and enforcing such right.

7.4. Forced Repatriation

While UNHCR's official 'top-down' view remained that return provides concrete political, economic, and social benefits for the country undergoing the post-war transition, European states often have different reasons to seek return. Germany has always been concerned about the welfare costs of maintaining a sizeable refugee population. Accordingly, soon after the signing of the DPA, Germany placed considerable pressure on UNCHR to devise a repatriation plan. Such plan foresaw the lifting of temporary protection and the return of refugees on the basis of the fulfilment of specific benchmarks, including the implementation of the military provisions of the DPA, the proclamation of an amnesty for crimes other than serious violations of international humanitarian law, and the establishment and effective functioning of mechanisms for human rights protection (Bagshaw, 1997). It is notable that the plan largely created 'top-down' benchmarks and criteria determining the lifting of temporary protection and the return of refugees. There is little evidence then of norm diffusion from the views of 'bottom-up' refugees helping to shape these 'top-down' benchmarks. While 'top-down' reforms were underway, options could have been explored to support community involvement in these processes, through consultation of local people and grassroots advocacy, as well as direct international intervention

---

[26] For example, Žižek (2008) distinguishes subjective violence from its objective counterpoint. Subjective violence is the perceptibly obvious violence seen on the news or on the streets, whereas objective violence is the unseen form of violence that takes the form of either the symbolic or the systemic.

aimed at raising government awareness of the specific protection concerns held by repatriates.

These 'top-down' benchmarks were broadly consistent with provisions in the DPA concerning refugees and IDPs. However, no one had the illusion that refugees could return to those areas where previously they had been expelled because they belonged to the 'wrong' ethnic group. The 'top-down' decision of the German government to begin mandatory repatriation of Bosnian refugees as of 1 October 1996, including the repatriation of those "who presently cannot return to their areas of origin," thus contravened the principle of safe return to the pre-war home declared in the DPA and increased the problem of internal displacement. Between 1996 and 1998, about 150,000 refugees returned under pressure from Germany, possibly violating the principle of *non-refoulement*, and demonstrating little concern for the 'bottom-up' views of refugees themselves. The process continued between 1998 and 2000 with the repatriation of the few remaining Bosnians (about 3,400) still in Germany. The return to internal displacement was protested by many human rights organisations that believed that at least the third benchmark – the presence of "mechanisms for human rights protection" – had not been fulfilled. Swiss foreign minister and then OSCE chairperson Flavio Cotti took the same point further and openly linked repatriation to complicity with ethnic cleansing: "Forcible repatriating people to an area that is not where they come from in a region where they make up the ethnic majority means actively supporting ethnic cleansing and contradicting Dayton, UNHCR and the community of nations."[27]

It is unclear whether the German decision to repatriate Bosnian refugees was illegal.[28] On the one hand, the 1951 Refugee Convention does not require that refugees be granted permanent admission to a new political community. If such admission were granted, it would undermine immigration controls and, as a consequence, would reinforce the reluctance of host states

---

[27] Reuters, "Swiss stick to plan to repatriate Bosnian refugees," 9 June 1997. In early 1998, even the Council of Europe called on member states to "refrain from forced repatriation of refugees originating from minority areas in order to avoid further destabilization of the ethnic composition of the country"; Recommendation 1357 of the Council of Europe, adopted 29 January 1998 (cited in ICG, 1999c, p. 7)

[28] For competing interpretations, see Andersen (1996); Bagshaw (1997); Hathaway (1997).

to accept refugees during future crises. Moreover, the protection granted to Bosnian refugees during the war was explicitly 'temporary'. On the other hand, the Convention maintains that refugees should be granted protection against *refoulement,* whereby an individual cannot be forced to return to a potentially dangerous situation in their country of origin. In this way, it can be argued that the 'bottom-up' views of refugees should at least be taken into consideration (see later).

First, as UNHCR argues, instead of contributing to economic development, repatriation aggravated the difficult post-war economic situation. The post-war repatriation from Germany cut one of the most important sources of income for many Bosnian families (Black, 2001). Moreover, it placed an enormous strain on the scarce housing stock, a challenge that international agencies were not ready to face. UNHCR estimated that 50,000-60,000 houses were needed if the return of 200,000 refugees was expected. However, according to then High Representative Carl Bildt (1998), the World Bank had not given priority to this area of intervention, probably because its major members were not so inclined. As Bildt recalled with frustration and disappointment, the US congressional committee decided that taxpayers' money could not be used to build houses in "remote European countries" (Bildt, 1998, p. 315).

Second, in addition to the economic and housing situation, the repatriation of Bosnians further contributed to the ethnic homogenisation of the country. Local politicians both resisted minority return and attempted to consolidate their political power by attracting additional individuals from their own ethnic group to the municipality they controlled. A few of those returnees who ventured to areas under the control of another ethnic group did so at great personal danger. In the first few months following the signing of the DPA, the homes of returnees in the Republika Srpska had been mined to expressly prevent their return (ICG, 1996). In the Federation too, the return of minorities has not always been welcome. In a much-publicised case, Croats destroyed Bosnian Serb homes near Drvar on 2-3 May 1997 when 25 houses were burnt (ICG, 1997b).

Whether the returnees were Bosniak, Serb, or Croat, international authorities did little to facilitate the return home. The High Representative

believed that minority return could have been politically de-stabilising, and therefore was not ready to make it a central part of peacebuilding. NATO troops insisted that they had no mandate to assist returnees to go home and ensure their safety (ICG, 1998b; Black, 2001). Because of the lack of housing, many of those repatriated were accommodated in so-called Collective Centres: temporary accommodation that soon turned into long-term shelters.[29]

In sum, the forced repatriation of Bosnian refugees had a considerably negative impact on the reintegration of Bosnia into a multi-ethnic polity. By repatriating refugees when it was not yet possible for them to safely and freely return to their home of origin, host states contributed to the problem they were attempting to resolve: that is, the reversal of ethnic cleansing and the promotion of a multi-ethnic society. As UNHCR argued, the prospects for reintegration of the country along multi-ethnic and multinational lines were severely undermined.

Moreover, the increase in internally displaced persons created a socially and politically explosive situation. The lack of a durable solution to the problem of displaced persons was a problem that affected the deepening of peace processes worldwide. When there is no solution to the plight of refugees, there is a possibility that they can develop into 'refugee warriors' resorting to violence against their former enemies and the government that keeps them in exile (Adelman, 1998; Lischer, 2003). The classic example is that of the Palestinian refugees who were expelled to neighbouring countries following the creation of Israel and the 1948 war. Over time, these long-term refugees, with no hope for return until radical political changes take place, became increasingly prone to violence.

The presence of displaced persons with no durable solution increased the possibility that they could develop into a new army at the disposal of Bosniak leaders dissatisfied with the territorial settlement established at Dayton. Many thousands of those repatriated settled in Sanski Most, where its mayor and former Bosnian Army General Alagic strongly supported the

---

[29] UNHCR, *Collective Centres Reports,* Sarajevo, August 2001.

settlement of returnees in order to consolidate its own political power as well as the military victory that allowed retaking the town from the Bosnian Serbs at the end of the war. By mid-1997, about 40,000 refugees moved to Sanski Most, raising the total population to the pre-war level of 61,000. Living in bad conditions, these displaced persons constituted a menacing presence just across the Inter-Entity Boundary Line, only a few miles away from their town of origin – Prijedor (Heimerl, 2005).

Another international attempt at return was a series of so-called 'Pilot Projects,' aimed at four Federation towns which had effectively exchanged residents during the war as their ethnic compositions shifted. The goal was to ensure that residents of two Muslim-controlled and two Croat-controlled towns could return to their pre-war homes, thus freeing up a home in another town for its pre-war resident. By the end of 1997, some returns had occurred in three of the four towns, but the leaders and residents of the fourth, Bosnian Croat-controlled Stolac, resisted all Bosniak attempts to return (US Committee for Refugees, 1998).

The magnitude of the problem led international agencies to pursue a two-fold strategy. First, reversing the earlier approach, they placed the issue of minority return at the centre of the peace process. By mid-1999, minority return had become the "cornerstone of official policy" (Black, 2001, p. 182) and thus a key agreed international norm complemented 'top-down' approach through policies. International economic assistance became increasingly tied to local politicians' cooperation (Rosand, 1998; Phuong, 2000). Second, they began considering alternatives to returning home: that is, the possibility of relocating those who had lost their houses. UNHCR distinguished between different types of relocations and approved of one. 'Voluntary relocation' occurs with the consent of both the individual who is relocating to a new property and the original owner of that property.

The problem with this approach relates to the lack of employment and thus sustainable livelihoods (See Chapter 6).[30] The problem of sustainability

---

[30] The empirical results presented in the previous chapter highlight how important perceptions of the autonomy and sustainability of displaced persons are to refugees. Thus, my interview set adds greater credibility to this particular observation.

of return raises difficult questions about the quality of life of those who took the difficult decision to go back to live next door to former enemies.

So this analysis further highlights a number of issues. First, the difficulty of implementation of reparation policy in the Bosnian case. Second, that the case of repatriation even at the 'top-down' level is not straightforward. Third, that this could potentially be a very complex issue to development at the 'bottom-up' level. As one UNHCR official noted:

"We have significant proportion of returns (…) UNHCR in 2004 celebrated one million returned but if we look on the ground in terms of how many of those people we had seen returned are actually still in the areas of return, it is a very low percentage. So the issue of sustainable returns remains complex" (Interview 3).

7.5. Durable Solution: Returning

Many authors have claimed that internationally led efforts in post-conflict states such as Bosnia and Herzegovina were absolutely necessary in order to lay the groundwork for peace and a pathway towards reconstruction and progress.

The core objective of a transitional administration is to facilitate the reconstruction of the physical infrastructure and create sustainable political and economic institutions that in some cases are needed to accommodate and support a politically fragile multi-ethnic society, as is the case in Bosnia and Herzegovina (Ohanyan, 2002, p. 397).

Indeed, it is important to note that repatriation requires 'top-down' support for numerous reasons. First, international support for return requires attention to a broad range of activities; sustainable return depends on the provision of security, economic opportunity, and a functioning legal sector that includes, crucially, a functioning system of property law. All such peacebuilding interventions require well-developed implementation structures and responsive outreach capacities, which most international public institutions lack. This has especially been the case in Bosnia and

Herzegovina, where many of the societal institutions have been modelled around a modern neoliberal, free market system, but have not been successful, or have failed either due to the implementation on the ground, corruption or political deadlock. Similarly, Western invasions of Iraq and Afghanistan caused the conditions that prevented their economies, social standards, and governance from improving.

Second, the economic transition in Bosnia and Herzegovina was especially difficult. The problem in Bosnia was that there was not only a transition from a command economy to a neoliberal economic model but the transition from a war economy to a peacetime economy also had to take place. The West tried to instil open market, *laissez faire* values consistent with the modern global trend of neoliberalism, but this was successful, in good part because of the political reality on the ground. Nikolaos Tzifakis (2012, p. 131), author of *Bosnia's Slow Europeanization*, writes: "The Dayton Accords succeeded in ending the war, but proved inadequate in building peace."

Third, the war destroyed vast swathes of roads, schools, universities, hospitals and clinics, along with other important infrastructure in the country. Even though the international community has done a good job of rebuilding infrastructure and the physical aspects of the state following the war, the economic recovery as well as the availability of emergency services and health care have decreased (Simunovic, 2007). A UNHC official (Interview 3) interviewed for the present study said:

"if we had involved beneficiaries at the very early stage then we could have had much more realistic programmes in place (…) some of them are so vulnerable that it is almost impossible to assist them. It's been twenty years and individuals who are still in alternative accommodation or collective centres, for example, are the most vulnerable of the vulnerable. Finding a durable solution for them is extremely hard because they face mental health issues: these are elderly persons, so what kind of solution can we provide? They can't work anymore."

This view confirms the challenging environment for returnees and therefore, the 'bottom-up' views of returnees should be taken into account.

Fourth, a particular aspect that could hinder refugees' return is the state of education. After the war, the country was roughly divided along ethnic lines in terms of percentages of the population, with the Bosniak majority numbering 48 per cent, followed by the Serbs at 37 per cent and the Croats at 14 per cent. Division was notable – not just in terms of the percentages of the population – but also within the actual system along political lines, both on the local level and on the national, entity level. Perhaps most shockingly, the education system was also divided along the same ethnic lines, with no central curriculum and common core across the country. "Separation between ethnicities has also extended into the education system. Schooling is characterised by monoethnic classrooms, segregated schools, opposing pedagogies, and an absence of a common curriculum" (Hill, 2011, p. 156).

From the 'top-down' perspective, UNHCR undertook several initiatives to induce local authorities to accept minority returnees. It instituted the 'Open Cities' initiative, where cities fulfilling certain criteria would receive additional financial assistance from the international community. This initiative reversed the earlier policy by using positive instead of negative incentives as a form of aid conditionality.[31]

The first 'Open City', Konjic in southern Bosnia, was recognised in July 1997, and eleven other localities had joined it by spring 1998. As a whole, however, these initiatives and hopes failed to deliver the expected results. During Dodik's tenure, there were only 3,700 minority returns to the RS. However, the programme began to show flaws fairly soon after its inception. Konjic, which received one quarter of all funds committed to the Open Cities programme, accounted for only 12 per cent of all minority returns in the programme. The high-profile declarations of Sarajevo and Banja Luka were also largely not implemented. Only 4,400 minorities came back to Sarajevo in 1998, and a negligible number returned to Banja Luka (Slatina, 1999; World Bank, 2002).

An appraisal of the programme conducted one year after its inception indicated that UNHCR had little control over how the money given to a locality was spent, and did not escape the narrow focus of international aid in general

---

[31] In general, however, donors were very inconsistent in terms of the political conditionality they applied to aid.

on the reconstruction of physical damage instead of larger economic and social issues: "UNHCR invested 1.2 million DM to finish construction work on an apartment building to be used as "buffer" accommodation, only later to discover that the municipality had already sold the rights to 14 of the 85 apartments before the war." (ICG, 1998, p. 19). In Konjic, for example, an unemployment rate above 50 per cent is a major deterrent for potential returnees, but the Open Cities programme made no plans to allocate funds to job creation projects from the considerable sums spent on housing reconstruction (ICG, 1998).

There were success stories too. UNHCR was also actively involved in the closure of collective centres and in providing alternative accommodation for their residents. Between 1999 and the end of 2005, UNHCR and its partners managed to close 93 collective centres (a decrease from 108 to 15), reducing their population to 1,200, and constructed or repaired houses (also in cooperation with SDC) for a total of 1,880 beneficiaries, most of whom were from the collective centres.

In the few cases where return occurred, it was made possible by two indispensable 'ingredients': the active presence of NATO troops, and the initiative of organised displaced groups. The most significant of these cases was that of the return to Prijedor, a municipality that was never recognised as an 'Open City' because of the local politicians' obstruction to minority return. Yet, today, international peacebuilders almost unanimously pinpoint this region to highlight the achievements of peacebuilding. The 1997 arrest of indicted war criminals and the removal of police officers involved in wartime atrocities had a profound impact. Potential returnees felt enough security to begin to take seriously the possibility of returning. They began the type of return that came to be known as 'spontaneous': that is, return that was made possible because of the determination of the displaced people, rather than the planning and direction of international organisations. "The lesson is clear: the removal of suspects indicted for war crimes, who are symbols of impunity and are among the most obstructionist, has a ripple effect that can fundamentally alter the disposition of an area towards DPA implementation" (ICG, 1998b, p. 39).

This has important implications for the role of the military in peacebuilding. At Dayton, the military refused to take over responsibility for enforcing the peace agreement, while accepting the authority to do so. The example of Prijedor demonstrates that a more active military is important to ensure the implementation of the agreement and does not necessarily lead to a dangerous environment for international peacebuilders. Instead, NATO troops continued to arrest on a case-by-case basis that has led to the apprehension of so far only a very limited number of indicted war criminals.

Instead of learning the lesson of Prijedor – that the removal of suspected war criminals alters the disposition of an area toward the implementation of the DPA and the chances of return – international agencies responded in the following ways.

First, oddly, they blamed the returnees for going back home which illustrates the case of negative impact of norm diffusion. The sporadic violence that resulted from return was thus blamed on the returnees and on those who encouraged them to return 'too rapidly', instead of on the perpetrators. According to a former UNHCR official working in the Prijedor area, Bosniak IDPs and their leaders "pressed ahead with an agenda of return without consideration of the safety of potential returnees" (Ito, 2001, pp. 35).

Second, the point below illustrates the case of the amendment to norm diffusion. International agencies changed in part the principle guiding return with the creation of the 'Regional Return Task Force' (RRTF). The RRTF's strategy was based on the assumption that potential returnees should determine the locations that would become return sites, as opposed to the earlier internationally driven efforts, which did not rely on input from the potential returnees themselves. Reversing the traditional 'top-down' peacebuilding approach, the RRTF's main innovation was the decision that international activities should follow the flow of displaced persons, instead of requiring displaced persons to follow the flow of international activities.

Third, while this was an important change in the international approach in the short term, however, it had little impact. At the end of 1999, after four years without conflict, approximately 830,000 persons were still considered internally displaced (Cousens and Cater, 2001). It is important to note that the

above point illustrates the lack of 'top-down' norm effectiveness as it did not enabled 'bottom-up' displaced people in practice.

7.6. Findings in Relation to Returning

This section presents the findings from the interviews with refugees in relation to returning. They should also be placed in the context of findings drawn from key documents concerning minority returns. By 2008, more than one million former refugees and IDPs were reported to have returned to their pre-war homes. These returns included a significant 467,297 in minority returns (UNHCR statistical summary, as at 31 December, 2008). The political motives behind the promotion of return in Bosnia and Herzegovina is not to take away from a key reason why return is a sought after 'durable solution': it is often the refugee's or displaced person's profound wish to return home. The problem with this context, however, is that 'home' (discussed by several interviewees) as remembered by refugees and displaced persons no longer exists. Return is not a genuine durable solution if the conditions to make it sustainable are absent:

> "*Governments are not prepared to look at things through those kind of wide-eyes (…) governments are refusing to allow those returnees to access lands, etc. Because we have a humanitarian mandate towards those people, we continue to provide them with support. It kind of creates disincentive for governments to play an active role. They [governments] see that we [UNHCR] will support displaced people anyway.*" (Interview 2).

And as confirmed by the interview with the refugee:

> "*We didn't receive any help. The international community gives money to UNHCR. UNHCR gives money to another international organisation. That organisation gives money to NGO. In the end, nothing comes to the beneficiaries*" (Respondent 5).

Such behaviour prevented the cascading and internalisation of the norm into legislation, institutional practices and the wider domestic social and political order.

When it comes to return, then, the findings from the interviews confirm a central focus of 'bottom-up' perspectives of refugees that again focuses on issues of housing and sustainable livelihoods (See Chapter 6). In most countries recovering from internal conflict, the most pressing property issues tend to be those relating to daily use of housing and land. Conflict leads not only to the destruction of housing and other buildings but also to the destruction of property records and consensual means of reaching decisions in cases of dispute. The key to allowing the return process to gain momentum was securing individual property rights. Yet, the interviews also suggested that 'bottom-up' perspectives on property rights were linked to identity. Refugees' perspectives were not simply defined by the return of property and property rights since in practice this was not that easy. 'Bottom-up' perspective of refugees is not just about returning to their country but to the "land of their homes" – so property rights is seen as confirming their "return home". As Respondent 5 commented:

> *"Yes, I've retrieved my land, but the rest was burned down. The process was very difficult; many problems were there and it took very long. Eventually I retrieved it."* (Respondent 5)

Indeed, the complexity of the situation was not helped by the fact that during the war, all three communities tried to solidify their exclusionist territorial gains by promulgating property laws aimed at accommodating the large numbers of DPs belonging to their respective ethnic groups (Respondent 5). At the end of the war, the property regime made minority return practically impossible (Waters, 1999). The DPA attempted to create the conditions necessary for reversing this state of affairs by upholding property rights. Annex 7 foresaw the need to address the immensely complicated issue of establishing legal ownership of property, making provision for the establishment of a Committee on Real Property Claims (CRPC).

The new agency consisted of international and local legal experts who would receive applications from pre-war property owners who had lost their property during the war and make decisions on the final status of the land or home in question. Enforcement of the committee's decisions, however, was left to state and local authorities, which effectively meant that Dayton did not provide any means for the execution of decisions. Additionally, from the start, the CPRC lacked the necessary funds and personnel to meet the numbers of applications it received (Cousens and Cater, 2001). The Dayton Accords also called for the creation of a Property Fund to compensate pre-war property owners in cases where property could not be reclaimed after the war. The fund, whose operation was assigned to the Commission for Displaced Persons and Refugees, was to be financed from donations from the parties to the Accord and by the sale of real property. The fund was never created, however, as international interest was insufficient to balance the opposition of local authorities to any measure which would facilitate return (ICG, 2002).

Indeed, while none of the respondents in the interviews were able to cite specifics, 60 per cent of respondents remained concerned over the complexity of new property laws and international support for property repossession. After all, property repossession had been part of the international community's policy since 1998, when the promulgation of new property laws, first in the Federation and subsequently in the RS, restored some legal certainty and cleared many obstacles for returnees to reclaim their property. In 1999, the High Representative intervened to harmonise these laws, imposing a package of property-related laws to create the long-delayed legal framework to ease return and to reinforce "the duty of the authorities at all levels... to actively implement their [citizens'] rights to their homes and property" (OHR, 27 October 1999). By 1999, a reasonably clear procedure was in place to make it more difficult for local housing offices to ignore requests for repossession and the need to evict occupants who would not leave voluntarily. The decision of the High Representative to remove 22 local officials in late 1999 was explicitly justified by their obstruction to return. The creation of the Property Law Implementation Plan (PLIP) decisively contributed to the process. The PLIP abandoned conditionalities and positive discrimination in favour of the principle that the same pressures, demands

and expectations must be applied to all of the officials and municipalities of BiH (UNHCR, 2000). Despite some resistance and delays, PLIP statistics indicate that the process of enforcing the property laws is irreversible.

Several interviews highlighted how implementation would be complicated by cases of 'double' or 'multiple' occupancy. Multiple occupants were defined by their ability to otherwise meet their housing needs (by virtue of income, access to housing elsewhere, etc). The enforcement of the new property laws focused on these cases. The international community encouraged local housing authorities to focus all of their resources on acting on allegations of multiple occupancy.

The cost of this strategy became clear in the cases of temporary occupants who could not meet their own housing needs and were therefore entitled to look to the authorities for alternative accommodation. In practice, this meant that temporary occupants with a right to alternative accommodation were effectively given an open-ended right to live in other people's claimed property. Compounding this problem was the housing authorities' discretion over the order of processing all cases, inviting both bribery and pressure not to act against politically protected cases. On 4 December 2001, amendments were imposed on the property laws making chronological processing an explicit legal obligation binding on housing authorities. This principle was tested in Prijedor before it became law in December 2001. In this municipality, as the evictions began, there was no negative public reaction. Four families evicted without alternative accommodation moved in with friends and families. Monthly evictions rose from 32 in August to 121 in November. A high number of temporary occupants voluntarily handed over the properties they had occupied, instead of waiting to be evicted.

The success of this policy demonstrates three important points about displacement and peacebuilding. First, the key actors in making return happen are the displaced persons themselves and their longing to go 'home'. The interviews with both refugees and those who decided to go back to their own country confirmed this sentiment:

"We all longed to go home. People came back despite everything because it's still their home. I saw people travelling once a month from Germany or Austria and they were rebuilding their houses" (Respondent 5).

Second, return became successful when it was no longer explicitly linked to minority issues but to the respect of the rule of law. This is illustrated by the focus of 'bottom-up' perspectives on property rights. The standardised and law-based approach gradually decreased the influence of partisan politics and allowed the displaced population to go back to the places from which it had been expelled. Third, despite the international rhetoric about ownership and capacity building, some decisions simply have to be imposed. This problem creates a true dilemma for peace builders. On the one hand, the lack of resolve in trying to remove obstructions might be interpreted as acceptance of warlords, criminals, and corrupted political entrepreneurs. It might delay the implementation of the more difficult aspects of the DPA and threaten the viability of the Bosnian state. On the other hand, too much involvement is contrary to the principle of ownership of the peace process and hinders, rather than fosters, the building of sustainable local capacities.

The logic of the 'security dilemma' suggests that a situation of inter-mixed populations, in a context of recurrent ethnic animosity, is potentially explosive. This was confirmed in a particular interview with a returnee when discussing the conditions at home:

"Hard. There's discrimination all around me. Rights are at the lowest for us. Before the war the security, wellness and welfare were much, much higher than today in Bosnia." (Respondent 6)

For all of the interviewees (100 per cent) the prevailing 'bottom-up' perspective detected related to the view that returning was not fair or even just. Rather, all of the interviewees agreed that it tended to reinforce discrimination and ethnic animosity in Bosnian society. Therefore, from the returnees' perspective, return was not seen as a durable solution – differing substantially – from UNHCR's 'top-down' policy where returning was a

durable solution. As Chaim Kaufmann (1999, pp. 222-3) most famously argued,

> [t]he intensity of this security dilemma is in part a function of demography: the more intermixed the patterns of settlement of the hostile populations, the greater the opportunity for offense by either side, and it becomes more difficult to design effective measures for community defence except by going on the offensive pre-emptively to 'cleanse' mixed areas of member s of the enemy group and create ethnically reliable, defensible enclaves.

The policy choices deriving from this analysis are obvious: "the international community should endorse separation for at least some communal conflicts." For Kaufmann, Bosnia is one of them.

Andrew Slack and Roy Doyon (2001) studied demographic changes in Bosnia at the level of the local municipality prior to the outbreak of war. Focusing on the relative balance between Bosniaks and Bosnian Serbs, they showed how the demographic position of the Bosnian Serbs has 'declined dramatically' in over 90 per cent of the municipality throughout the country during the 1970s and 1980s. These population trends are correlated to ethnic competition between Bosniaks and Bosnian Serbs, and even to the geographic pattern of the propensity for violence. For most of their recent history, the different Bosnian ethnic communities were not distributed uniformly on the Bosnian territory. In most cases, the level of "mixing" was such that no one community was in a hegemonic position vis-à-vis the other ones.

Another precondition to successful repatriation is reconciliation. Hayner suggests that reconciliation is the strength of truth commissions, as they promote a negotiated transition towards peace by redressing "past silenced or highly conflictive events" (2011, p. 182). Findings from interviews show that reconciliation was regarded as a key feature of successful returning among 'bottom-up' perspectives of migrants. This respondent underscored that reconciliation was an important consideration and meant – from a 'bottom-up'

perspective – daily living in peace and harmony with everyone else in her country:

> *"Reconciliation means forgetting and looking into…what is it that I want to achieve, what do I want my country to achieve. I want my country to achieve peace and build peace with neighbouring countries. I want everyone to enjoy peace and for that I should think of things of peace instead of revenge."* (Respondent 3)

> *"Stories can help to prevent them to be forgotten and help as a lesson for not happening again."* (Respondent 5)

Indeed, several respondents highlighted that refugees viewed that they had a particular and valuable contribution to make given their lived experiences. Respondent 5, for example, noted that:

> *"I am happy, because I have had some bad experiences and you are letting me give voice to them. I hope my contribution may be helpful and useful ... If you want to do something positive, it brings difficulties as well and you have to accept those; this is very useful to realise."* (Respondent 5)

This could be taken as representing recognition by at least some refugees that they see themselves as having the potential to become advocates and/or agents for change; in this way providing evidence of them perceiving possibilities that their contributions could be as potential norm entrepreneurs in relation to reconciliation.

Yet in Bosnia-Herzegovina, reconciliation was a painstaking process, because ethnic groups were not encouraged to reach out and rebuild relationships. Ironically, here is an example of a failed 'top-down' norm that would have been accepted from the 'bottom-up'. The reconciliation process, however, also needs to take into consideration initiatives to compensate and provide reparations for victims of violence and to bring perpetrators to justice.

Refugees wish to retain their ethnic cultures and close the growing cultural gap between the young and the old refugee generations. They wish to showcase their cultural heritage to their neighbours by promoting intercultural activities. Most refugees enjoy discussions about cultures and intercultural excursions.

In his reflections on forgiveness and truth commissions, Desmond Tutu expresses the following: "In forgiving, people are not being asked to forget. On the contrary, it is important to remember, so that we should not let such atrocities to happen again" (Tutu, 1999, p. 271).

Another finding is that 'bottom-up' interviewees showed that respondents valued the rule of truth commissions as part of reconciliation. Several interviewees highlighted that reconciliation provided very good political and discursive socialisation opportunities. They become a key part of all Bosnian refugee identities and thus, truth commissions become part of new changed Bosnian refugee identities. For example, one respondent observed that truth commissions had an important role to play with respect to providing safe spaces for truth-telling and in facilitating cathartic experiences for survivors of human rights abuses:

"Truth Commissions can provide space for dialogue"
(Respondent 4).

Another responded when asked what can be done to bring peace in his home country:

"*Confess the truth. Forgive. Not forget."* (Respondent 5)

Another finding shows a strong commitment to forgiveness among 'bottom-up' perspectives. The journey towards forgiveness suggests that there is much room for further investigation on the role of forgiveness in post-violence societies. For example, one respondent shared with me her story about forgiveness and how it is connected to her Christian faith:

"Yes, I have forgiven them. What I am thinking about now is my life, my future...What helped me was the Bible. It says 'forgive anybody who has wronged you and love your enemies'. As a Christian, I had to forgive and love those that persecuted me and pray for my enemies" (Respondent 8).

One older respondent (Respondent 3), who had lost her son in the war, said that she wished to share her story with others to teach tolerance and peaceful relations:

"I need to also contribute because in order for me to live up to today, there are people who have sacrificed and helped me to live this long. I need to be able to contribute to the society. When you are given, you should also be able to give out. I would like to see myself building a peace process through sharing my story and experiences."

Another finding is that returning 'home' is very personalised, which is asymmetrical to previous observations from the 'top-down' policies to 'depersonalise' the returning process. Participants for this thesis highlighted their human rights journeys. It is evident that they valued being given the space to tell their stories and share lessons about their lived experiences. For example, a prominent theme indicated was that they felt that storytelling provided an avenue for awareness-raising about their experiences as refugees. They also highlighted the importance of educating people about human rights concerns.

Another finding from the interviews is that the truth commissions are not just about blame and allocating blame – these are about international awareness of norms from a 'bottom-up' perspective. These lessons also connect with some of the key features of truth commissions. For example, truth commissions can provide an avenue for awareness-raising on human rights issues through the public gathering and documentation of narrated statements from those affected by human rights abuses. Engaging refugees in this transitional process would empower them to tell their stories and share lessons about their experiences, which can contribute towards some of the

goals of truth commissions, preventing future violence and human rights abuses. Furthermore, engaging refugees in truth commissions would empower them to contribute to the shaping of their countries' post-violence human rights discourse.

In addition to the social themes, the interviewees highlighted how repatriation also needed to include peacebuilding. Income-generating activities are not only essential for the development of areas of return devastated by years of conflict and displacement, but can also be instruments of peacebuilding, especially when members of the different communities are brought together. When asked about what role he has in rebuilding his country one interviewee commented:

"My return to my town and trying to live there together with other people from other nationalities." (Respondent 6).

In other words, in post-conflict countries, such economic programmes do not strive merely to assist in the economic development of those regions, but to do so while also building peacebuilding ties across the different communities.

Another finding is that 'bottom-up' perspectives link experience with a 'top-down' process of peacebuilding. As one interviewee noted, the engagement of refugee returnees in peacebuilding should not be limited to achieving a peace agreement requirement of repatriating refugees or to the mere numbers of refugees that are repatriated (Respondent 6). Rather, it should include the forced migration experience of the returnees and how they engage in the process of peacebuilding. It is not peculiar to Bosnia that one of the consequences of civil war was the flight of professionals and skilled personnel, for example. Thus, the returnees are engaged in the health, education, security, technology, and agriculture sectors, among others. The majority of the skills and resources that returnees deploy in these sectors according to each one of them were acquired during their stay in exile. One interviewee, for example, was volunteering as a nurse when she left Bosnia (Respondent 8). She expressed the hope that through the volunteering, she would acquire the necessary work experience to enable her to gain

employment in the future. She currently lives in Bosnia and returned from the UK with a diploma in nursing. Moreover, the returnees are actively engaged in the rebuilding of their lives and that of the larger society. It is important to recognise that resilience as a long-term, complex, effortful process. The way that we often times portray the process of recovering as 'bouncing back' can trivialise the intensity of the experienced trauma and its impact. The focus here is based on how different populations create resilience communicatively instead of trying to gauge their abilities to 'bounce back' from disaster. Resilience is not based on how quickly you recover, but how you deal with the situation and face adversity in order to better your situation and survive

The key lesson is that 'bottom-up' perspectives should help us to shape 'top-down' processes – that means norm diffusions upwards. The potential negative impact of return raises a difficult moral dilemma for international agencies. It is imperative for peace and stability that displaced people return to their pre-war homes. Similarly, Black (2001) and Cox (1998) have argued that international policy should be focused on "the long-term goal of ethnic reconciliation," instead of ethnic reintegration.

Because Bosnia is constituted by many different and very localised realities, one should be careful about generalisations. Trends and representative examples can be identified, however. The increased number of returnees has also increased the opportunity for harassment and attacks. Several violent incidents have occurred since returns took momentum. In two much-publicised incidents in May 2001, when mosques in Trebinje and Banja Luka were about to be rebuilt, an organised crowd of protesters stopped the cornerstone ceremonies by throwing rocks and assailing Bosniaks and some members of international agencies in attendance. Nationalist parties threatened by the process of minority return often implicitly or openly supported or directed the violence. As a whole, however, what is most striking about these episodes is not so much that some violence against minorities occurred, but that this violence was, overall, rather limited.

7.7. The Role of UNHCR

Findings from the respective documents survey and interviews also revealed some key observations in relation to the role of UNHCR. One key

finding is that voluntary repatriation is seen as such a 'natural' process that governments, policy-makers, donor countries, practitioners and researchers, have typically disregarded, or at least overlooked, the meaning of repatriation from the returnees' 'point of view'. It is assumed that beyond the technical aspects of reintegration, such as physical, legal and material safety as well as socio-economic development, the return of forced migrants to their country of origin does not raise any particular challenge to those concerned. Policy and political discussions of repatriation tend to make claims about refugees without asking about their own priorities. This gap in perspectives is a source of tension and distrust, and emphasis can be misplaced by trying to promote return without reference to such empirical understandings.

Ensuring that refugee repatriation is voluntary involves more than ticking off a box on a form. UNHCR's Handbook on Voluntary Repatriation set out two clear conditions for repatriation to be considered voluntary. First, whether a return is voluntary "must be viewed in relation to (…) condition in the country of origin (calling for an informed decision)." An informed decision on return conditions must be based on information that is "objective, accurate, and neutral," must "not [be] propaganda" and "care must be taken not to paint an overly rosy picture of the return." Refugees should also be fully informed of the limits of UNHCR's protection and assistance following return.

Second, whether a return is voluntary "must be viewed in relation to (…) the situation in the country of asylum (permitting a free choice)." Refugees "need to know about what will happen in the event they decide not to volunteer for repatriation" and that "repatriation is not voluntary when host country authorities deprive refugees of any real freedom of choice."

According to Takahashi (1997, p. 595), "UNHCR, in particular, played a disappointing role, giving undue emphasis to repatriation as the goal to be achieved." Consequently, this at times averted focus from UNHCR's protection mandate. As noted, this chapter also presents a serious misalignment between 'top-down' and perspectives of refugees (as revealed through the primary interviews). This misalignment between 'top-down' approaches and the needs of the returnees are illustrated in Table 9. UNHCR should have built more comprehensively on the knowledge, skills and capacities of displaced people themselves, by placing them at the centre of

operational decision-making, and building protection strategies in partnership with them. Such an approach would aim to recognise refugees not as dependent beneficiaries who are to be 'saved and assisted, but rather as equal partners who have an active role in protecting themselves and organising for their own basic needs. It has to be noted, however, that both the host countries and the internal political environment were the primary constraints for successful implementation of durable solutions. This situation, combined with serious economic and financial difficulties, limited the opportunities for resettlement, local integration and return.

Table 9: 'Top-down' and 'Bottom-up' Norm Diffusion? Comparing Alignments and Misalignments of Perspectives on Repatriation

	UNHCR	Refugees	Misalignment
Identity	'Top-down' Principle of non-refoulement	'Bottom-up' The decision to return is typically made after comparing information about conditions and prospects in the host country with those in the country of origin.	The notion of 'safe return' should focus on the safety of return rather than the voluntariness of repatriation.
Identity	'Top-down' State-centric	'Bottom-up' Refugees should be more extensively involved in monitoring the safety and ensuring the voluntariness of return.	Host and donor states' interests have been a significant factor in the preference for repatriation over other durable solution. Over time UNHCR developed a repatriation culture, a bureaucratic structure, discourse, and formal and informal rules that made repatriation the most desirable preferred solution and nearly synonymous with "protection."
Identity	'Top-down' Peace agreements	'Bottom-up' Justice and reconciliation	State motives have taken priority over refugees' best interest in the decision to promote repatriation as

			a durable solution.
	Top-down approaches	**Bottom-up approaches**	

Source: Author's own

First, safety and dignity are essential to ensure successful repatriation. UNHCR is concerned with the voluntary nature or the principle of non-refoulement, which comes from UNHCR's traditional reluctance to embrace refugees' agency, rather than with safe conditions are home.

Second, as confirmed by a primary interview with a UNHCR official (Interview 2), UNHCR is state-centric:

"UNHCR is not beneficiary-driven (…). When you think it should be the organisation's second nature, but you are forcing UNHCR to talk to those people about their hopes, dreams etc." (Interview 2)

Furthermore, in interview 2 the respondent highlighted that host and donor states' interests have been a significant factor in the preference for repatriation over other durable solutions. Over time UNHCR developed a repatriation culture, a bureaucratic structure, discourse, and formal and informal rules that made repatriation the most desirable preferred solution and one that is nearly synonymous with 'protection.'

Third, a reoccurring theme in the interviews with UNHCR officials was that peace agreements are intended to regulate or resolve basic incompatibilities and contentions between warring parties. To meaningfully resolve conflict, peace agreements must include more than the simple intention to cease hostilities and should engage with the root causes of the conflict, justice and reconciliation. Engaging refugees in this transitional process would empower them to tell their stories and share lessons about their experiences, which can contribute towards some of the goals of truth commissions, preventing future violence and human rights abuses. The bottom line is to build person-to-person ties, rebuild relationships between people who fought each other for years, and more importantly, to promote the

kinds of relationships that will withstand any negative political event that might occur in the future.

From the international perspective, however, return was considered essential in BiH for various reasons. There was concern over the burden of high numbers of Bosnian refugees on third countries and moreover the belief that the return of refugees and displaced persons was essential to peacebuilding. The fulfilment of the right to return became a crucial measure of the success of the Dayton Agreement and the hope for a restored multicultural Bosnia. From UNHCR and international community perspective it was also considered necessary to send a message that ethnic cleansing would not be tolerated by the international community.

According to the Bosnia and Herzegovina Migration Profile for the year 2011, there were 1.7 million people of Bosnian origin scattered all over the world if we also include descendants of Bosnian migrants. According to the same source, 1.2 million Bosnian refugees are currently living outside the country. Safety, security, limited tenancy rights and freedom of movement, failures of justice, and discrimination are emphasised in the literature on Bosnian refugees and DP as being among the biggest concerns and impediments for return, especially when it comes to minorities.

Recognition of the difficulties of return after wars of exclusion as in Bosnia has led some observers to suggest that repatriation should not be an aim of peace settlements in such cases. Refugees must find permanent settlement so as not to become recruits for those opposed to the peace process, but the settlement does not have to be in the town or even the country of their origin. A former UNCHR official specialising in property rights argued in 2000 that the international community should have spent more time and energy on the 'normalisation of living conditions' for displaced persons and refugees, which might well have included resettlement elsewhere in Bosnia or in another country (Chandler, 2000).

7.7.1. Barriers to return

The documents survey in particular also highlighted major barriers to return. In particular, the documents survey showed that while the right to return is compelling from the point of view of the displaced population, there

are two reasons why return remained difficult and possibly counter-productive. First, minority return remained hard to accept for both Bosnian Serbs and Bosnian Croats. The very premise of refugee return was unacceptable to them, since one of the major reasons behind the war was to establish ethnically pure states. For the Bosnian Serbs, the main reason against permitting the return of the Bosniak displaced population derives from the war itself. Bosnian Croats, that – in numerical terms – represented the smaller of the constituent peoples, are especially sensitive to population dynamics. Since their pre-war proportion was about 19 per cent and the population was estimated at 8 per cent after war, it is hardly surprising that many Bosnian Croats fear for their survival, particularly if a significant number of other ethnicities returned to areas now predominantly populated by them (ICG, 1999a, pp. 3-4). The return of those displaced by the war would dilute the hardliners' control. The HDZ (Croatian Democratic Union) consistently blocked the return of Bosnian Serbs and Bosniaks to those municipalities it controlled almost exclusively, while discouraging the return of Bosnian Croats to any other region.

If return home remained a compelling right from the point of view of the victims of the war who were expelled because of their ethnicity, the documents survey highlighted important reasons making their return extremely difficult. From a security point of view, analysts from the International Crisis Group (ICG), for example, highlighted that the return of minorities presented a potential destabilisation to the community in place and might therefore be viewed as a threat. Young, military-age males of a different ethnic group could be the foundation for a possible fighting force able to inflict considerable damage in the case of a new war (ICG, 1999b, p. 36). But even aside from the important politico/military implications of minority return, there is a second reason that makes the return of refugees a difficult task. The housing opportunities and economic conditions of the country made the organisation and implementation of return a logistical nightmare. The extent and nature of destruction and displacement created a situation where those displaced from one area occupied the houses and apartments of those who

had been similarly displaced or had become refugees abroad.[32] Moreover, the war destroyed the industrial infrastructure of the country, making unemployment probably the single most important problem shared by families of every national group.

Although there was widespread agreement – and found in the documents survey - on a resolution of the broader problems at the root of refugee movements before repatriation can be deemed a durable solution, little is actually known about the process of reintegration of returnees following repatriation. It appears common sensical that once the problems which caused the refugee movements in the first place are 'solved', refugees will want to return and repatriation should happen smoothly. Indeed, this supports one of the key argumentations of this thesis – namely that any 'top-down' policies that are designed to provide durable solutions must be receptive to norm diffusion emanating from the 'bottom-up' perspectives of refugees.

There are many obstacles to minority returns and some of these seem to reflect a lack of acknowledgement of 'bottom-up' perspectives. International officials, for example, often blamed the political obstruction of local politicians to 'top-down' policies and in general the difficult objective conditions in which Bosnia finds itself after the war (International Crisis Group, 1997; Cox, 1998). Indeed, there is no scarcity of local problems to explain the delays and difficulties in implementing Annex 7 of the DPA – which would seem to reinforce the argument that understanding 'bottom-up' perspectives remains critically important. In addition to the often-noted dominance and obstruction of nationalist elites, the underdevelopment of several regions of the country, the dearth of the rule of law, and concerns for personal security contribute to explaining the difficult return process. At a structural level, the difficulty of making return happen is due to the incoherent political system created by the DPA.

It is perhaps not surprising that return has been particularly difficult in Eastern RS, one of the most under-developed areas of the country, with very few economic opportunities. Many municipalities and villages in Eastern RS witnessed a process of migration from the countryside to Sarajevo that began

---

[32] The empirical findings presented in the previous chapter also confirm the importance of housing considerations in shaping the 'bottom-up' views of refugees.

prior to war. The war acted as a 'social accelerator' of a process that was already underway, causing the urbanisation of tens of thousands. In Sarajevo alone, there are an estimated 60,000 DPs. After the war, the cleavage between urban and rural regions increased even more, with Sarajevo receiving much of the reconstruction assistance and the Eastern RS almost none. When funds for reconstruction finally became available and dwellings were rebuilt, many decided not to return. In the summer of 2002, municipalities in Eastern RS around Sarajevo (Sokolac, Rogatica, Visegrad, etc.) had about 600 rebuilt apartments and houses that remained empty because the owners had decided not to go back, leading to an obvious waste of resources.

International agencies' favourite explanation is to point at local politicians as obstructing return. In just one example of this, the international community explained:

"…*the fact that substantial minority return... has not taken place to date is not the responsibility of the international community: it is the fault of the politicians and officials in BiH and neighbouring countries who continue to actively, persistently, and in some cases violently obstruct it*" (Office of the High Representative, 1999, para. 1).

Moreover, when minority return conflicted with other broader political goals, the international choice was to give returns lower priority (see Chapter 6). This statement was confirmed with an interview for this thesis with one of UNHCR representatives:

"*It is very difficult within the context, for UNHCR to put our agenda (…) It is very difficult for UNHCR to provide for returnees because we are constrained by the political situation in which we operate.*" (Interview 2).

The documents survey also suggests that since 2000, there was visible signs of improvement in return. According to UNHCR, in 2001 alone, more than 90,000 people returned to their home of origin, a trend that continued in 2002 (UNHCR, 2002). This finding showed (constructivist explanations) that

socialisation of norms and behaviours matter. The example is Bosnia's improved implementation of property legislation (as would theory on norms life cycle suggest – see Chapter 3). Furthermore, better coordination among international agencies and the fact that the brutality of the war is slowly fading in the collective memory have all contributed to a breakthrough in minority return. Interestingly, this has occurred in a context in which there was less, not more international assistance available. The perception that such assistance would be further decreased in the near future has encouraged many displaced persons to initiate return movements, thus posing a serious challenge to the idea that the more international resources are available, the easier it is to achieve the desired results.

The documents survey also revealed an interesting rural dimension. Return first occurred to destroyed rural villages with little strategic interest. Because the majority of these villages would still be inhabited by one ethnicity, local authorities are not so opposed to allowing minorities to come back. Destroyed rural areas are politically much less sensitive than return to urban cities. As Cox (1998b, p.28) noted, "minority return may be tolerated to empty villages without economic or strategic significance, or in small numbers to large urban centres, but outside those marginal situations it is consistently opposed."

7.8. Linkage to conceptual models

A factor which can contribute to repatriation not becoming a durable solution as prescribed by UNHCR is that many refugees return to a post-conflict society which is still affected by unrest and friction, and where their physical safety may be endangered as was in the case of Bosnian refugees. This lack of safety can play a role in the refugees choosing to give up their repatriation, because they did not feel safe in their home country.

The notion of ones' belonging or home indicates that the reasons that inform the return should be voluntary as far as they emanate from the refugee. The voluntary nature should be visited from the incentives that are usually offered by UNHCR, the input of the 'home government', and the ability of the community to inculcate the returnees upon their return.

The findings from the interviews and documents show that actors both act upon and act within existing structures, and ideas play a significant, constitutive role in helping to shape peoples' shared beliefs about the best way to address an abusive past. A constructivist approach to the issues of refugee return includes issues of identity by treating rules, norms and ideas as constitutive, not just constraining, and by stressing the importance of discourse, communication and socialisation in framing actors' behaviour. This approach allows seeing how returnees are constructed as actors which influences their opportunities and space for claim making and thus contributing to peacebuilding. This is the 'bottom-up' method that returnees can use to exercise their local agency though property rights, reconciliation and truth commissions.

By creating new terminologies and concepts like 'safe return' which stipulated that conditions in the home country did not have to improve substantially but only appreciably so that there would be a 'safe' return UNHCR has been constructing a 'top-down' policy of repatriation as the refugee regime's dominant solution towards refugee problems. Agencies and governments deprive refugees of their active role in deciding their fate. Therefore, refugees remain passive agents in the entire process.

It may be that UNHCR's decision to speak only about 'voluntary repatriation' is based on a well-meaning hope that its silence on mandated repatriation will induce states to avoid that solution. Due to a strong focus on repatriation as the preferred durable solution, refugee protection and the standard of voluntary repatriation have generally been compromised. In conclusion, UNHCR's 'top-down' preferences have adopted and promoted repatriation above other durable solutions for refugees, largely due to host state pressure and in order to remain a key actor in the international refugee regime by appeasing donor states.

7.9. Conclusion

Return had a special role in the post-war panoply of issue areas needing attention in Bosnia because the plight of refugees had been a central facet of the debate over international intervention in the war. The practical repercussions of massive displacement from Bosnia to Western Europe and

the moral concerns raised by heavy media coverage of the circumstances of displacement meant that, politically, the right to return had to be among the international actors' main goals for a post-Dayton Bosnia. However, as seen in the research presented in this chapter 'top-down' policy and political discussions of repatriation tend to make claims about refugees without asking about their own priorities. This misalignment in perspectives is a source of tension and distrust, and emphasis can be misplaced by trying to promote return without reference to such empirical understandings as this thesis explores. If refugees face substantial 'push' factors, and are even forced to migrate, their movement may be disconnected from local economic conditions. Fundamentally, a development strategy aimed at facilitating repatriation of refugees should be designed so as to build on the individual choices of returnees. Returnees should be empowered to select when to repatriate, as well as where they will reside.

1) To what extent are UNHCR's durable solutions in relation to return being successfully accomplished?

The reasons for the promotion of repatriation as the most desirable of the three durable solutions reflect the international community's 'top-down' attitude towards forced migration and the refugee problem. The data from the primary research shows misalignment between 'top-down' and 'bottom-up' perspectives. First, the notion of 'safe return' should focus on the safety of return rather than the voluntary nature of repatriation. While there have been cases where refugees have voluntarily repatriated to Bosnia, in general, refugees were increasingly being pressured to return home and the repatriation programmes were not always conducted in line with the professed principles of the international community.

Second, as seen from the discussion of the case study, host and donor states' interests have been a significant factor in the preference for repatriation over other durable solutions. Over time, in order to deal with the unprecedented number of refugees, UNHCR developed a repatriation culture, a bureaucratic structure, discourse, and formal and informal rules that made repatriation the most desirable preferred solution and one that is nearly

synonymous with 'protection.' As UNHCR statute stipulates, refugee return is intended to be voluntary, however, many repatriations of the Bosnian population have involved returns that have appeared UNHCR-sanctioned refoulement (United States Committee for Refugees and Immigrants, 1997).

Third, state motives have taken priority over refugees' best interest in the decision to promote repatriation as a durable solution. The refugee's decision to use voluntary repatriation, even if they make a free and well informed decision, and return in safety and under conditions of legal, physical and material safety, is a daunting task.

2) What is the perspective of key stakeholders and how much influence do refugees, as agents, have in the diffusion of norms, given they are both enabled and constrained by the structures?

UNHCR's responsibility for finding durable solution falls within its protection mandate. The fundamental principle is that UNHCR will facilitate a return process only when participants have affirmed that their return is undertaken voluntarily. However, the degree to which each refugee decision is voluntary is a particular concern when refugee returns are strongly politicised, as in the minority return in Bosnia. This research noted that without proper conditions in the country of return, refugees do not and perhaps should not return home. This presents a policy challenge as governments must then seek to do what is best for refugees. Often, policy-makers urge refugees to return home even when conditions are not best for return. In the Bosnian case, refugees were entirely ignored in the repatriation process. The previous phase of repatriation and experiences shows the absence of refugee' consent and consultation. The following findings are clear from the interviews.

First, as the primary research confirmed, even where return is a goal of the refugees themselves and contributes to reconciliation and peacebuilding the path ahead is unlikely to be smooth. One important point is that it appears that the issue of the rights of refugees to protection lies solely in the hands of UNHCR officials – the refugees from Bosnia were not greatly involved. UNHCR who undertook protection responsibilities on the ground, had limited contact with the refugees as, in most cases, refugees were not informed about their rights or conditions back home.

Second, as the interviews with the refugees reveal, the respondents'
life experiences indicate that they want a dignified return to their home country
in order to regain their property and other belongings. They are willing to
participate in the next phases such as reconciliation and truth commissions.

3) What actions are needed to ensure a more effective and consistent
achievement of return as a durable solution? How can UNHCR policies be
adapted to enhance prospects for return of refugees?

The politics and ideology of repatriation underlined efforts of UNHCR
and states to encourage and mediate the return of refugees to their original
homes in Bosnia and Herzegovina, at the expense of implementing other
solutions including local integration and resettlement to third countries.
Repatriation meant mostly encouraging 'minority returns'. Minority returns
become inseparable from the notion of post-conflict reconstruction,
reconciliation, and peace building.

UNHCR is by nature a 'state-centric' organisation. It is not only
impacted by states' policies, but it is totally dependent on donor states to fund
its operations and any repatriation programmes. Skills training in exile, on the
other hand, allows refugees to make important contributions to peace building
in their countries of origin. In a 2006 statement to the UN Security Council, the
UN High Commissioner for Refugees noted that "refugees return with
schooling and new skills … Over and over, we see that their participation is
necessary for the consolidation of both peace and post-conflict economic
recovery" (UNHCR, 2006). Second, peace education programmes for
refugees in exile could enhance prospects of reconciliation and conflict
resolution upon return. For example, returnees will be better equipped to
reconcile with former community members and mediate conflicts during fragile
post-conflict and reintegration processes.

The study found that UNHCR uses a distorted definition of
'voluntariness' and that UNHCR has a 'repatriation culture' (Barnett and
Finnemore, 2004, p. 75). In particular, as the political pressure to return
refugees from host states rises, there is concern that repatriation may at times
not be voluntary.

CHAPTER 8: Conclusion

8.1 Introduction

This final chapter provides a summary discussion and critical evaluation of the research findings, implications of the research, and recommendations for further research related to durable solutions. The concept of durable solutions is that it ultimately seeks to facilitate an end to the refugees' suffering and their need for international protection and dependence on humanitarian assistance (Black and Koser, 1999). A misalignment between 'top-down' policy and 'bottom-up' perspectives of refugees must be taken seriously since it contributes to signalling the need for change in refugee policy design. This chapter essentially undertakes there major tasks: (i) revisits the conceptual bases of the thesis and discusses the operation of the norms life cycle in practice in light of the respective findings from this thesis; (ii) reassesses and argues that there are notable obstructions impacting upon the five-stage process and: (iii) argues for reconceptualization of refugees as norms entrepreneurs.

As an opening point to the conclusions of this thesis, it is important to reiterate the contributions to knowledge that this thesis makes. First, the thesis re-affirms the assertion that refugees remain a significant, and growing international concern, yet also seeks to demonstrate that they continue to be largely ignored as a relevant group (see Chapter 5, section 5.4, p.157; Chapter 6, section 6.3, p. 188; Chapter 7, section 7.6, p. 225). The thesis, in particular, provides a contribution to knowledge in identifying this relevant group as potential norm entrepreneurs. Second, the thesis also shows how UNHCR plays a very important role in the entire process of serving refugees, from orientation and assistance upon arrival to registration and involvement in the status determination process, to the search for durable solutions such as naturalisation, third country resettlement, or voluntary repatriation. The thesis, therefore, re-affirms that studies of the role of UNHCR in delivering durable solutions represent an important contribution to knowledge. Third, and nevertheless, the findings in this study also suggest that although UNHCR was continually portrayed as a powerful entity involved in nearly every aspect of refugee matters, then but, the organisation's dependency on 'top-down'

policies, donors and host states limits this power (Chapter 2, section 2.3, p. 47; Chapter 5, section 5.6, p.169; Chapter 6, section, 6.5 p.198; Chapter 7, section 7.7, p. 235). UNHCR's key identities and constituent roles were established in part through a continual process of interaction with the refugees it is mandated to protect. Yet, the thesis also illustrates how this was not without its issues and UNHCR faced numerous defining challenges during the period of investigation undertaken in this thesis. This included, for instance – the visibility of refugee flows into Europe; combined with the difficulties in finding long-term political solutions that ensures that conflicts often become very protracted. While the thesis shows that presenting refugees as threats to security is not something new, the thesis identified clearly the existence of xenophobic and anti-immigration rhetoric from key Western states that significantly hindered efforts to find durable solutions for refugees at a time when mass displacement numbers reached unprecedented levels. Through it all, UNHCR as an organisation, aspired if not entirely fulfilled its mandate to serve persons of concern in existing situations around the world and to help states meet their responsibilities and obligations for protection. Yet, as the interview findings demonstrate, central to forging any long-lasting solution enhancing the effectiveness of the policy of durable solutions required engaging refugees and their home or host governments in dialogue (see Chapter 7, section 7.6, p. 225).

8.2. Reflections on Research Questions

This thesis aims to help fill this gap by engaging in a conceptual discussion of refugee agency as well as arguing for a stronger awareness of 'bottom-up' approaches to durable solutions, drawing on constructivist theory in order to enable a more comprehensive understanding of the ways in which refugees exercise agency. By recognising the dominant understanding and discussions about forced migration, this thesis provides a 'bottom-up' contribution to the (usually 'top-down') refugee debate. Significant in this context, this thesis demonstrates how the voices of refugees themselves are sometimes not heard properly; even though, at times, they challenge the narrow, simplistic, and patronising representations of refugees, yet more often than not remain outside political and academic conversations.

The refugees' damaged relationship with the state of origin places them in positions of experiencing rather distinctive circumstances which shape how refugees view and exercise agency. The lack of protection from their home country and their presence in exile leaves them in a state of limbo, and frequently at the mercy of humanitarian actors, the host state and international donors. In theory, refugees have three alternatives to terminate this state of limbo: integration in their current host state, resettlement to a third country, or repatriation to their home country.

There is very little information about UNHCR's or its implementing partners' interactions with refugees. Instead, most of the communication between the field and Headquarters focuses primarily on operational and logistical components that pertain to the performance of UNHCR as an actor on the ground. Detailed accounts of cooperation between host state and UNHCR are far more frequent than descriptions of interactions between UNHCR and the refugees. In fact, when reports do mention displaced individuals, they usually reference them as (numerical) anonymous objects, which reflect the overarching discursive treatment of refugees in the humanitarian sphere. Taking refugees' agency more seriously means pushing against common treatment and representations of refugees as hopeless, silent victims, which has become deeply engrained within the international refugee regime. Within this victim-discourse, which drives humanitarian responses and state's willingness to offer shelter, refugees become anonymous objects stripped presumably of their agency. By focusing on the ways in which refugees manoeuvre their circumstances, this thesis challenges these common assumptions, which shaped policies and practices during the period under scrutiny. Above all, the empirical investigations and findings demonstrate the existence of notable misalignments between the 'top down' viewpoints governing UNHCR durable solutions and the 'bottom up' perspectives of refugees (see Table 10). These misalignments therefore lead to two important outcomes from a conceptual point of view. First, the misalignments lead to gaps in norm creations and diffusion where the top down norms are different from those thought important by the refugees on the ground. Second, and at the same time, there is so far lack of willingness of refugees to undertake norm entrepreneurial activity and seek to engage

actively in seeking to change the governing 'top down' norms even though the primary research shows they often have the skills to do so. The refugees were thus not acting as active norm entrepreneurs engaging in norm diffusion upwards and thus the interface between the 'top-down' and 'bottom-up' remained weak with misalignment likely to continue beyond the period under scrutiny. From a conceptual perspective, these findings have important implications for the way we think about the relevance of the Norm Life Cycle (see Figure 1 and 2) and the five stage process of norm diffusion (see Figure 3).

Turning to the Norm Life Cycle, then the primary research for this thesis shows that while there is evidence of refugees forming their own norm from the 'bottom-up'. In this way, the Norm Life Cycle should not be seen as a purely one way traffic with norm being created from the 'top-down'. However, the findings also show how the Norm Life Cycle in this particular case is broken due to the lack of transition of the refugees in active norm entrepreneurs in practice leading to 'breaks' in the norm diffusion life cycle (see Figure 1). Misalignments continue to exist, and the new 'bottom-up' norms are created, but do not reach the tipping point where they cascade and are internalised 'upwards' to UNHCR level (see Figure 1).

In addition, the findings show how the Norm Life Cycle concept, however, contains inherent limitations and deficiencies, which must be acknowledged here, where possible, bridged as best as possible, if the concept is to be meaningfully applied. For one, and as is acknowledged by Finnemore and Sikkink, this thesis confirms the dangers of the Norm Life Cycle concept is that it can be seen to portray norm development as a linear process (see Figure 1). It should be emphasised, however, that norm development is not a linear process, and the norm life cycle is useful more for illustrative purposes than for predictive purposes. Norm development can be progressive or regressive, and norms can emerge and cascade before becoming irrelevant or replaced, and thus never becoming internalised (see Figure 1).

More importantly, what this thesis shows is that such norm development can be explained and linked to the existence of active norm

entrepreneurship (see Figure 2). As applied in this case the norms emerge from both UNHCR's 'top-down' and refugees' 'bottom-up' perspectives. In studying norm entrepreneurship among refugees, it is important to recognise the political, material and ideational conditions that constrain their work; their positionality and fragility in their societies. First, it has changed the attributes of actors, helping them develop visibility, capacity, and connectedness. Second, it does this through the formation of a community through which refugees form common goals and interact with each other to strengthen their knowledge, expertise, practices, and connections. By networking with each other, refugees are able to gain alternative perspectives on issues and to engage with UNHCR in multiple ways. Norm emergence occurs when actors who are termed norm entrepreneurs become convinced of the importance of an idea or principle and seek to convince the international community of its importance. They do this by means of persuasion, where by framing the new norms in terms which are either congruent with existing norms or play upon values which are widely subscribed to, they attempt to sway members of the international community towards acceptance of the norm. This brings the norm to the stage of tipping point. If a norm continues to gain momentum and support in the international community, however, eventually it will reach a threshold where a critical mass of states comes to support it. Unfortunately, as seen in this study, the norms discussed in this study are obstructed and never reach the tipping point and therefore never diffuse. Figure 1 and Figure 2 were reacted to show this obstruction. As this thesis shows, even where the potential for active norm entrepreneurship might exist, it is not transferred into active norm entrepreneurial behaviour then tipping points in norm diffusion will not be crossed.

Yet, this also has implications for the resonance of the Five Stage Process concept utilised in this thesis (see Figure 3). The investigations in this thesis show how refugees might be involved in the first two stages of norm conception and even norm contestation (see Figure 3). Indeed, the identification of distinctive misalignments between the 'bottom-up' perspectives of refugees and the 'top-down' norms of durable solutions policy show that there is strong awareness of the existence of new norms being

created at the refugee level. However, the lack of political activism and practical norm entrepreneurship behaviour, combined with lack of awareness of these new norms from the 'top-down' also means that the third stage onwards, cascading and internalisation cannot be detected within the confines of this thesis (see Figure 3). The refugees in this study never managed to reach a tipping point to cause a norm cascade. Hence, this case study shows the practical challenges and the realities where norms do not 'cascade' (that is to become widespread and robust). There is therefore an active break in the Five Stage Process model in this instance (see Figure 3).

What this demonstrates and as this thesis argues, is that a stronger awareness of the interface between 'bottom-up' and 'top-down' dynamics is essential to understanding the nuances of practical norm diffusion and the possibilities for removing misalignments that ultimately restrict the effectiveness of durable solutions policies and practices.

Figure 1: Norm Life Cycle (in Finnemore and Sikkink, 1998, p. 896)

Norms emerge and through norm entrepreneurship by individual or other actors challenge existing norms

Norms 'cascade'

Norms become internalised

Norms gain a foothold within relevant organizations as and make their way onto the agenda

Pressure leads to 'tipping point' in norm acceptance as more states adopt the norm
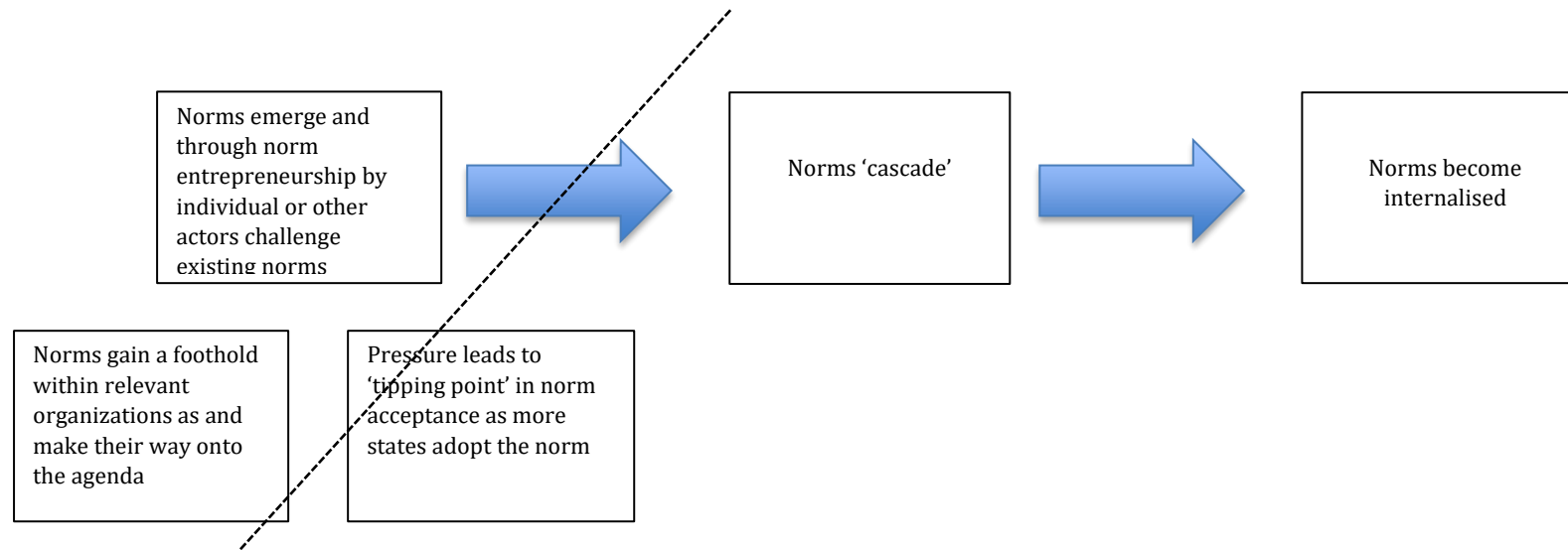
Figure 2: Norm Diffusion from 'bottom-up' perspective (produced by author)

Refugees as norm entrepreneurs

Refugees reject current practices

Refugees assimilate and establish themselves in difficult circumstances

As they learn more about the structures and understand their inner workings, refugees can start manipulating certain elements or try to change them slowly from within

Figure 3: Five-stage process (adopted from W. Andy Knight, 2011)

The Conception Stage	The Normative Contestation or Normative Fit Stage	The Diffusion/Cascading Stage	The Internalisation and Institutionalisation Stage	The Resistance, Accommodation, or Dissolution Stage

UNHCR uses persuasion or threat	UNHCR uses 'framing' to promote or convince states to internalise refugee agenda	Tipping point	Norms are internalised	Refugee norms are challenges. States invoke security or safety concerns
Refugees can renegotiate their relationships with states or UNHCR by organising and putting pressure on their governments to listen to their voices.	Living in exile can create new spaces for to organise and engage in political activism to promots refugee agenda			

Top-down Policies

Several notable observations can also be drawn from this study in relation to the role of 'top-down' processes and policies in relation to durable solutions. First, and in general sense, it is important to note that since the 1967 Protocol, refugee protection has also suffered from continual limitations. Not least because there have been ongoing revisions of workable definitions of 'refugees' over time (Goodwin-Gill, 1996, p.13) that has gradually resulted in more restrictive management of management among 'top-down' policy-makers based in states and international organisations.

Second, and as Chapter 5 discusses, it is evident that a 'top-down' decision-making process of refugee settlement is carried out by policy-makers of international institutions, that often poorly reflects the views and efforts of the refugees themselves. As the presented findings from the interviews (see Chapter 5, section 5.4, pp. 157-159) suggest often authorities lacked sufficient expertise in their respective management tasks. This was compounded by the fact that often refugees felt that there was little communication with these respective officials contributing to a lack of awareness at the top of the 'bottom-up' perspectives of refugees and locals.

Third, and as Chapter 6 demonstrates, through the 'top-down' approach, states increasingly implemented more restrictive policies. The document survey and primary interviews with senior policy-makers also confirmed the view that "a disproportionate amount of energy and resources tends to be focused on determining who is a refugee,' rather than on their treatment pre- and post-recognition." (Edwards, 2005, p. 294). In particular, the findings also confirmed a notable under-estimation among senior policy-makers around the issue of sending displaced peoples back to their home countries because they do not qualify as refugees is problematic (see Chapter 6, section 6.2.2, p.185). Moreover, the empirical investigations showed repeatedly how it is often the case that many of the refugees coming into refugee-hosting societies are themselves from nations that go through various cycles of exploitation, which leads to more chaos and more persecution (see Chapter 6, section 6.3, pp. 188-189).

Fourth, the analysis in this thesis, often highlights the relatively short-term prioritisation that dominates the perspectives of 'top-down' policy-makers (both at the state and international organisational levels). Many 'top-down' approaches focus on refugee solutions that avoid addressing the long-term safety and growth of the home country (see Chapter 7, section 7.7.1, p. 239). Rather, and as the primary interviews indicate, it was often the case that refugees were either forced to return to a country still in disarray or to resettle (without necessarily incorporating them into their own communities). This contributed to a sense of distance and alienation among interviewed refugees in relation to the rationales and implementation of UNHCR's durable solutions policy (see Chapter 7, section 7.6, p. 225).

Lastly, this study demonstrates how throughout the period being studied refugee protection did not (and incidentally still does not) contain an obligatory nature to it. The study shows how UNHCR explained the importance of refugee protection for three functions: to provide international protection to meet specific needs of refugees, to be a durable solution for large numbers of refugees, and to express international solidarity (see Chapter 1, section 1.7, pp. 26-31). In short, all forms of protection maintained a temporary, unsustainable focus on them. Indeed, little seems to have changed in the years after the Bosnian war and this particular case study. As Edwards elaborated, many western governments increasingly were:

> "Implementing hard-line or restrictive asylum policies and practices in order to deter and to prevent asylum- seekers from seeking refuge on their territory, including by interception and interdiction measures, visa countries, carrier sanctions, 'safe third country' arrangements, administrative detention, and/or restrictive interpretations of the refugee definition." (Edwards, 2005, p. 293).

However, what this study demonstrates very clearly is that there is always a very strong potential for a misalignment of views and perspectives between 'top-down' policy-makers and refugees themselves which effectively always then undermine the effectiveness of any search for durable solutions. Above all, and as Chapters 5, 6 and 7 denote, the effectiveness of any durable

solutions is nearly always undermined when 'top-down' policy-makers have always been unwilling to step completely out of their comfort zones and to actively seek long-term, durable solutions to refugee problems.

Bottom-up Approach

Nevertheless, while policy-makers of many nations continue to use their resources to protect their citizens instead of assisting refugees, this study shows how the international community has often been more active and sympathetic to the view that it is possible to achieve durable solutions to refugee problems while also keeping respective country's citizens protected (see Chapter 3, section 2.2, p. 42). In particular, several general reflections can also be made in relation to 'bottom-up' perspectives of refugees.

First, the empirical findings drawn from the primary interviews also show that several key themes, such as, integration, self-sufficiency, sustainable livelihoods are regularly raised as refugee priorities and central to the 'bottom-up' perspectives of refugees. At the same time, they are also – at least at face value – themes that feature in the discourses of international institutions when discussing modern-day refugee protection. The challenge – as this thesis shows – is that at the moment such 'bottom-up' perspectives still remain largely misaligned with 'top-down' policies (see Chapter 5, section 5.6, p. 169). If the international community can focus on aligning the promotion of these values (and even on the promotion of a 'bottom-up' approach), then there would be a stronger hope for a prosperous future for refugees.

Second, the analysis (see Chapter 7) also emphasises that refugees must be recognised as having a role in having shaped conflict resolution. In particular, the interviewees for this study were able to comment strong on aspects relating to political mobilisation in exile and involvement in just campaigns, such as, reconciliation or truth commissions. On the other hand, and as Chapter 6 shows, there is often prevailing rhetoric - especially from the 'top-down' that portrays refugees as powerless and vulnerable victims utterly deprived of meaningful choices. Institutions such as UNHCR often use language that suggests that durable solutions are 'provided' to refugees, overlooking the agency of refugees. At the same time, they also emphasise the importance of resilience and self-reliance, suggesting "self-reliant

refugees are more likely to achieve durable solutions" (UNHCR, 2005, iv). Being self-reliant improves and strengthens refugees' livelihoods, on the one hand, and reduces their vulnerability and dependence on humanitarian assistance, on the other.

Third, as the primary research suggests durable solutions might be incompatible with 'bottom-up' interests and identities of refugees as durable solutions are dominated by state-led responses to forced displacement that do not recognise refugees as full and equal persons (see for example Chapter 5, section 5.3, pp. 155-157). Above all, the 'top-down' durable solutions seem to underestimate the strength of particular 'bottom-up' identities of the refugees themselves. It can be argued that without tangible efforts and a strong determination to create a better, inclusive society, the lives of those who are pushed to the margins of society could well be endangered.

Fourth, what is very striking from the primary interviews, is when refugees are faced with challenges, then refugees put their hope into action to increase their chances of improved livelihoods (see Chapter 6, section 6.3, p. 188). The interviews revealed notable examples of how the tenacity of refugees to flourish against the odds forced them to engage in all sorts of jobs and money-making activities to make a living. Indeed, this also shaped their own self-images and 'bottom-up' identities as autonomous and successful actors and 'entrepreneurs' (see Chapter 6, section 6.3, pp. 192-194). In doing so, the refugees regularly highlighted how they saw themselves as contributing to the growth of the local economy and to their own quality of life from the 'bottom-up'. Such tenacity to improve quality of life and holistic well-being is a commitment to reach a certain degree of self-reliance, which would see them integrate into the local community.

Finally, the last general reflection relates to the simple point that from the 'bottom-up', the refugees did not see themselves as being reactive, victims or helpless, reliant on state or international support. Conversely, the primary interviews revealed that the interviewed refugees saw themselves as more active, innovative, autonomous and ultimately self-reliant actors and entrepreneurs.

The next section revisits the concept of durable solutions and discusses aspects in relation to the research questions outlined in this thesis (See Introduction/Chapter 1, section 1.4).

8.2. Research Problems Revisited

1. To what extent were UNHCR's durable solutions successfully accomplished?

Resettlement

As discussed in Chapter Five, third country resettlement represents a durable solution and a cornerstone of UNHCR policy towards refugees in the period under scrutiny. Yet, as the interviews among senior policy-makers also indicated, ultimately the effectiveness of its operation depends on the willingness and cooperation of foreign governments in order to be implemented. Several aspects were detected as key to determining the success of third country resettlement from the 'top-down'.

First, success of durable solutions could not be based on simplistic assumptions. This included, for example, acknowledging the key factor that choice and settlement of asylum states may not always be contiguous to or reliant upon assumption of the distances from the refugees' home state. Thus state policies towards third country resettlement offered both constraints and opportunities (see Chapter 5, section 5.3).

Second, the main criteria used for judging success of durable solutions utilised by 'top-down' policy-makers seem to be more general and holistic than first appears. In particular, two aspects seem to be regularly cited by the senior international policy-makers during the interviews. Namely: (i) that success of third country resettlement should be seen more broadly as, for example, "the enjoyment of civil, economic, social and cultural rights similar to those enjoyed by nationals and the opportunity to eventually become a naturalized citizen of the resettlement country" (UNHCR, 2011c, p. 307). And (ii): that the success of any resettlement policy should be seen rather mechanistically as a contribution to a wider international effort whereby: "Resettlement is also a mechanism whereby wealthier countries can help

preserve asylum by sharing responsibility for the global refugee problem" (Swerdlow, 2006, p. 1830). In simple terms, the analysis of the senior policy level shows a rather ambiguous set of criteria on which to judge success of durable solutions at least at the political level.

Third, and nevertheless, the rather general criteria for success did not prevent the international policy-makers from utilising rather restrictive definitions of refugees as the basis of the actual operation of policy. From the perspective of this thesis then, the analysis suggest that there were plenty of opportunities for any misalignment of 'top-down' and 'bottom-up' perspectives to exist on the basis of 'top-down' policy actions. Of course, international law provides for refugee protection and provides nations with a clear definition of how refugees who seek asylum should be treated and protected, although the analysis in this thesis indicated that not all nations treated refugees the same (see Chapter 5, section 5.2.2, pp. 153 - 154).

Next, what the document analysis and primary interviews reveal however is that where any criteria are cited by UNHCR and 'top-down' policy-makers is not always that found in the voices coming from the 'bottom-up' interviews with refugees. As Chapter 5 discusses, UNHCR recognised three equally important functions of resettlement. The first function cites resettlement as "a tool of international protection" used to assist refugees whose "life, liberty, safety, health or other fundamental rights are at risk in the country where they have sought refuge". Secondly, resettlement as a durable solution is able to extend protection to more refugees throughout the world – it adds one more option to addressing forced migration. Finally, resettlement "can be a tangible expression of international solidarity" along with being a "responsibility sharing mechanism". Sharing the responsibility of refugee protection alleviates problems impacting countries of asylum (UNHCR Resettlement Handbook, 2011, p. 45). Yet, as Chapter 5 also shows few of these criteria featured strongly in the responses from the actual 'bottom-up' refugees as what should be the criteria for success of any durable solutions – verifying the existence of a communication gap between the top-down and bottom-up over what constitutes a successful policy of durable solutions.

Yet, the findings from the 'top-down' process that show the ambiguities in 'top-down' processes (see Chapter 5, sections 5.6, p. 169) further verify

important observations made in the existing literature. The findings confirm the view of Mariano-Florentino (2006, p. 583) for example, that these tensions between the policies of host states and indeed even UNHCR "places refugees in harmful, sometimes fatal positions due to legal, political, and bureaucratic dynamics" (Mariano-Florentino, 2006, p. 583). In addition, the findings also show how 'top-down' policy-makers are not really fully aware of the dynamics shaping the 'bottom-up' behaviour of refugees in relation to resettlement leading to some misalignment. On this basis the role of refugees in adapting to host communities is not fully understood either, supporting the contention of Smyth (2008) that,

> [It] it is difficult to consider how host communities and their institutions change in response to the presence of refugees without considering how the host community accommodates their resettlement (Smyth, 2008, p. 328).

Local integration and asylum

The findings in Chapter 6 reveal that initially, European countries adopted open asylum policies. As seen from Chapter 6 and Table 11, however, as the refugees' stay became prolonged, and experienced poor asylum domestic security conditions and limited international support to meet their socio-economic needs, the host states shifted towards more restrictive asylum policies. This leads to the last of the traditional solutions, which is settlement in the country of first asylum, and thus rationalises its inclusion for discussion and analysis in this study.

As with third country resettlement, local integration is contingent upon approval of the host government (see Chapter 6, section 6.2.2, pp. 185-186), which may not be forthcoming in situations of mass influx. In particular, the interviews with senior 'top-down' policy-makers regularly cited that local integration was strongly influenced by key variables, such as, the likelihood of scarce resources as well as religious and ethnic tensions. However, the findings from interviews with refugees revealed that their attitudes towards local integration were influenced by specific aspects.

First, it seems clear that, from the 'bottom-up' notions of successful local integration were strongly related to refugee perspectives on the degree of prevailing uncertainty existing with regard to the outcome of the respective asylum process (see Chapter 6, section 6.3, pp. 188-189). More specifically, the duration of the process and the conditions under which the respective refugees experienced while the asylum process was being completed. The issue for example of whether an individual is approved or denied status was repeatedly identified as a prevalent and continuous aspect of stress for asylum seekers/refugees (see Chapter 6, section 6.3, p. 189). Indeed, it was highly influential in shaping their 'bottom-up' perspective towards the entire concept of durable solutions, and their respective identity as refugees.

Second, all the interviews noted how important the constant exposure to risk experienced by asylum seekers was to shaping their 'bottom-up' perspectives towards local integration. All the interviewees highlighted that they were faced with risk and the need to continuously overcome obstacles (see Table 11). In particular, there was a notable misalignment between discourses used by senior 'top-down' policy-makers who referred to 'bogus asylum seekers' and the 'bottom-up' identities of the refugees who say themselves as self-reliant actors who had shown by positive action by moving with their feet and not just words. Indeed, this is also confirmed by the document analysis in this thesis. Although 'bogus asylum seekers' is a rhetorical category established in international frameworks, it did nonetheless feature in state discourse and in policy documents analysed for this thesis (see Chapter 6, section 6.5, p. 202).

Third, all of the interviews cited how important the existence of sufficient resources was to successfully completing local integration. However, it was also discernible among the 'bottom-up' perspectives of refugees that this also contributed to a lack of success as regards their perspectives towards durable solutions. Several of the interviews, for example, discussed how the ongoing lack of resources contributed to barriers toward eligibility for asylum (see Chapter 6, section 6.3, p. 188). Indeed, the labelling of asylum seekers and by continual concerns over lack of resources were two major reinforcements for the tensions between the 'top-down' and

'bottom-up' perspectives on justifications for the current restrictive definition for refugees in particular.

Repatriation

In terms of repatriation, the findings suggest that the repatriation of refugees is a complex, long-term process that requires greater attention and support, not only from humanitarians, but also from development actors and political leaders. Three aspects are critical to the analysis of repatriation as a durable solution. First, on a huge scale, housing stock, infrastructure and industry had been devastated or completely destroyed, and many returnees found their homes entirely gone (see Chapter 7, section 7.6, p. 228). Second, for returning refugees, repatriation is not simply a return 'home', but entails the daunting task of rebuilding their lives again in a country that has undergone political, economic and social upheaval (see Chapter 7, section 7.6, p. 230). Third, migrants returning to Bosnia and Herzegovina were confronted with a difficult reality in Bosnia and Herzegovina, recurrent ethnic animosity and discrimination.

Refugee repatriation is often one of the many activities included in the theory and practice of peacebuilding. It is quite likely that in most instances people displaced by violent conflict will want to return home once the conflict is over, and the international community clearly has an important role to play in assisting such return. However, my findings suggested that there was a notable misalignment between discourses used by senior 'top-down' policy-makers who used peace agreement as an indicator that it was safe to return as well as state motives took propriety over the 'bottom-up' identities of the refugees and their willingness to return (see Chapter 7, section 7.7, p. 236).

The findings from the interviews suggest that repatriation of refugees can have a significant role in the peace building process via truth commissions and reconciliation.

As the above analysis suggests, it was that case that in relation to all three durable solutions - resettlement, local integration and repatriation – there existed major tensions between the drive to finding solutions from the 'bottom-up' perspective and the 'top-down' inhospitable international political

climate. Too often, efforts to enable durable solutions focused primarily on formally recognising the refugee. However, at the same time, the refugees also believed that were being arbitrarily or blindly excluded from any decision-making. Without specific breakthroughs in achieving successful solutions in voluntary return, resettlement and local integration, attention largely focused in particular on interim solutions.

2. What is the perspective of key stakeholders and how much influence do refugees, as agents, have in the diffusion of norms, given they are both enabled and constrained by the structures?

Resettlement

It seems clear from the evaluation of UNHCR and drawing upon the interviews with 'top-down' policy makers that a number of prevailing international norms are in place. First, that resettlement is universally perceived and understood as a tool to absorb the refugees into the local community by either the host state or the third party state (see Chapter 1, section 1.7, p. 27). Second, that global refugee policy is dominated by and has mostly adopted a statist perspective in which state views are the most important and ultimately which asserts that refugees' agency is (and should be) minimal (see Chapter 3, 3.4.2, p. 110). Third, and following on from these two international norms lies the common perspective and understanding that claims that refugees are subservient actors that are totally dependent on UNHCR and host states (see Chapter 5, section 5.5).

However, as the findings from the 'bottom-up' interviews suggest, refugees face multiple challenges (Table 11). Indeed, more specifically, their 'bottom-up' identities are shaped and influenced by experiences of both the journey from their home country and the resettlement process in a new culture (see Chapter 5, section 5.4, pp. 157 - 166). Indeed, it is important to note that those experiences have both individual and collective remembering that impacts not only the individual but also any family members involved (Codrington, 2011). In this way, this study highlights how 'bottom-up' perspectives can have both individual and collective force 'horizontally' across family units and indeed communities. There is thus strong potential for the

bottom up perspectives of refugees to influence norms and for them to then be transmitted upwards by refugee communities using electoral, lobbying or simply cross community behaviour.

Furthermore, the findings also show that the refugees themselves regard and perceive themselves as highly adaptive, entrepreneurial actors. As Chapter 6 discusses, refugees adapt their behaviours that allow them to maintain their basic conceptions of life; and are therefore involved in a process that possibly leads to change through their innovative behaviours. Yet, the study also reveals there is a missing link at the moment. Although many refugees highlight that although they say themselves as having the skills and adaptive nature to undertake international norm change, it was also the case that – at the time of the study - the refugees did not see themselves as policy entrepreneurs that were actively seeking to change international norms. They remained potential but not real policy entrepreneurs.

Local integration and asylum

A similar picture is detectable in terms of local integration and asylum. As Chapter 6 identified, local integration and applying for asylum represents a gradual process through which refugees saw themselves as becoming active participants in the economic, social, cultural, civil, cultural and spiritual affair of the host state (see Chapter 6, section 6.5, p. 198). It also requires a focused conversation or debate, between the refugees and the state that seeks to integrate the former in the latter society.

First, the interviews also revealed how many refugees saw their identities being shaped by less than successful instances of local integration. The analysis in Chapter 6 showed how countries of asylum did not regularly grant refugees the right to local integration. Often there were discernible limits to their generosity to temporary asylum in closed refugee camps.

Second, as Chapter 5 demonstrates, several of the interviewees highlighted how people can be forced out of their communities for many reasons. One of the leading causes of the refugee situation is a civil war which renders a state incapable of providing security for lives and properties, thus leading citizens to decide to seek asylum in a different country (see Chapter 5, section 5.5, p. 167). Thus, the interviews with refugees shed light

on the immense pressure and threat to their lives, and how the refugees calculated and evaluated options such as where to seek refuge, either within or outside their home country. Importantly, the findings from the interviews informed the nature of the misalignment between 'bottom-up' perspectives of refugees and the 'top-down' policies of UNHCR. As Chapter 6 discusses, the 'bottom-up' decisions of refugees were mostly associated in the interview with practical factors, such as, losses incurred or perception of potential future losses, the duration of the flight, and their proximity to the site of violence. The findings reveal the refugees to be making clearly identifiable rationale decisions that informed their practical choices towards local integration and helped shaped their own self-images and identities. Hence, the international norm of refugees as reactive victims is completely debunked by the findings of the interviews and the thesis more generally.

Third, as Chapter 6 illustrates, refugees look for opportunities to improve their lives through making choices towards and developing responses to, their new environment (see Chapter 6, section 6.3, pp. 188 - 189). However, in line with constructivist approaches, the findings also show how such responses are made not only in terms of their legal, material and subsistence statuses, but also in relation to their individual and collective subjectivities, identities and all aspects of their existential experience (see Chapter 6, section 6.3, p. 190). Forced to leave their 'homes' because of violence, refugees must often cope with new environments, new language, new social and economic roles, new community structures, new family relationships and new problems. However, the narratives from the refugees reveal that as individuals and members of groups they actively employ a wide range of strategies which as argued in this study does not reflect their passiveness (Chapter 6, section 6.3, pp. 190-194). Their respective strategies were not simply a means for survival, but a means to order their lives even under constraints. These vary from reliance on remittances from family and friends abroad, active involvement in economic activities, involvement in searching for opportunities to increase their resources especially skills and education. The discussion in Chapter 6 illustrates that refugees are not idle, but are people willing to rebuild their livelihoods, given favourable conditions. The evidence from the data contrasts the sustained portrayal of refugees as

one of helpless victims pouring across international borders in desperate need of assistance and perpetuates what is referred to as 'myth of dependence' (see also Table 11).

Fourth, from the perspective of individual immigrants, the legal position and related rights allocated to them may have significant positive or negative consequences on their behaviour and their efforts to integrate. The majority of the primary interviews with refugees openly highlighted how long periods of uncertainty about application for a residence permit (and dependency in the case of asylum seekers) and having no access to local and/or national political systems and decision-making, for example, resulted in negative implications for the migrant's preparedness and efforts to integrate. In this way, more negative norms featuring notable levels of caution and resistance were apparent in the interviews of the refugees – something that 'top-down' policy makers may have under-estimated. Equally, from the perspective of the receiving society, such exclusion policies are an expression of basic perceptions that see immigrants as 'outsiders', an attitude that is not conducive for constructive policies in the socio-economic and cultural-religious domain.

Repatriation

Turning to repatriation, then several of the previous observations are also reinforced. Once again, and as Chapter 7 discusses, the strength of perceiving refugees as self-reliant, even entrepreneurial agents within repatriation analysis is confirmed. And again, this is primarily based on the bottom up, deliberative nature of their decision-making. The findings in relation to repatriation further demonstrate their identification as motivated self-reliant actors, rather than as impulsive, reactive victims. In particular, a number of reflections are important here:

First, drawing on social constructivism and scholarship on forced migration and the politics of peacebuilding, this study has argued that returnees are active agents with the capacity to process social experiences and invent new ways of coping with life even under conditions of constraint (see Chapter 1, section 1.4, p. 15). In order to create a better understanding of returning forced migrants and their engagement in peacebuilding, this study

challenges the established 'top-down' notion of refugee returnees as passive victims of violence, as recipients of aid and as lacking resources (see Chapter 3, section 3.4.2, p. 110).

Second, the findings on repatriation particularly show how any decision to repatriate represents a complex process for refugees and involves balancing any perceptions relating to the 'risky' attraction of returning home, with several other options, including the 'safety' of remaining in exile as refugees. Several of the interviewees discussed how the repatriation decision-making process required refugees to undertake some type/kind of cost–benefit analysis. This of course, was also based on the (restrictive) information available to them in order to inform their judgements of whether continued exile represented a better option then returning home (see also Table 11). It was essentially confirmed as a 'bottom-up' process based essentially on 'bottom-up' perspectives rather than any awareness of the 'top-down' UNHCR policies of durable solutions.

Third, that any decision to return home also marked the beginning of the end of the refugee cycle. According to the interviews, most respondents argued that once home, refugees essentially began the equally complex task of rebuilding their lives. However, once again, the interviews also revealed some nuances relating to how international norms on repatriation needed to change since the criteria cited by the interviewees were often rather specific from a bottom up perspective. For many refugees, repatriation did not represent a homecoming, as their 'home' was probably destroyed during war (see Chapter 7, section 7.6, p. 225). The notion or international norm of a return 'home' must be seen in a number of ways. At its simplest, the interviews with the refugees indicated that bottom up perspectives of a successful return home did not simply represent a physical return to the refugees' country of origin. Rather they were equated with wider more discernible practical outcomes, such as, the return of property. In this way, more generally, 'home' may have cultural or spiritual meaning as well as being the returnee's own property (see Chapter 7, section 7.6, p. 226).

The misalignment between 'top-down' and 'bottom-up' perspectives in all three durable solutions - resettlement, local integration and repatriation – suggest paternalism and privileging international institutions and states over

respect and support for refugees' choices. This means, in turn, that opportunities are missed to help transform these movements from makeshift strategies into viable, long-term durable solutions.

3. What actions were needed to ensure a more effective and consistent achievement of durable solutions? How can UNHCR policies be adapted to enhance prospects for durable solutions?

Resettlement

In terms of resettlement, the findings suggested that there were two actions were necessary to enhance the effectiveness of durable solutions.

First, all the refugee interviews cited that it was important to formally draw on the 'bottom-up' experiences of refugees in the receiving society, their intentions and aspirations to integrate, all of which are related to the conditions upon arrival. In particular, this greater awareness of 'bottom-up' perspectives would be central to changing one of the key international norms underpinning durable solutions at that time; namely: that resettlement cannot be viewed as simply 'burden-sharing' but also as sharing of responsibilities. This would acknowledge that refugees enrich society which remains a prevailing force shaping 'bottom-up' discourse and identities among refugees (see Chapter 1, section 1.7 p. 26). If the refugees themselves were willing to become more active policy and norm entrepreneurs then there would be a greater propensity to see the evolution of a more informed international refugee protection regime. Second, the findings from the interviews show a strong consensus around the need to promote the refugees' capacities to contribute to their host state's development, and empowerment of and refugees as holders of rights. In this way, the chances of refugees to become empowered norm and/or policy entrepreneurs would be enhanced (see Chapter 3, section 3.4.1, p. 106).

Local integration and asylum

Turning to local integration, a number of actions were clearly identified from the primary research. First, there is a need to understand more readily how the bottom up identities of refugees and thus their willingness to integrate

locally are shaped by physical and social performance attributes. In simple terms, as soon as immigrants arrive in their new country they have to acquire a place in the new society, both in the physical sense (a house, a job and income, access to educational and health facilities, etc.). This is well understood and is actually a source of contention in discourses in host societies. Yet, the findings also show how this needs to be extended in a social and cultural sense. As Chapter 6 argues, if newcomers see themselves especially as different and are perceived by the receiving society as physically, culturally and/or religiously 'different', they will aspire to acquiring a recognised place in that new society and becoming accepted.

Second, the findings reveal how the 'bottom-up' perspectives of refugees want to see a balance within local integration solutions that requires the need for help but also recognises the success of refugee autonomy, innovation and self-reliance (see Table 11, also Chapter 6). Local integration solutions must include measures for assistance regarding economic incorporation; yet the measures must also be enablers of refugees self-images that emphasise that the with a goal of assisting displaced persons is to attain and respect of economic independence, as well as social and economic parity with the rest of the citizens.

Third, and more generally, UNHCR, as part of the UN system, can play an important role in improving the effectiveness of the capacity building. Although the findings suggest that considerable work had to be undertaken in the context of this study in relation to building awareness of its role and effectiveness in delivering durable solutions in the future.

Repatriation

It is imperative to understand the conditions for the 'voluntary' repatriation of refugees. It is possible that refugees could return home after considering their options, but their repatriation would depend on their personal aspirations and the available information on the wider structural changes that may have occurred in their countries of origin; however, most refugees do not have the experience of such a balanced decision-making process when they repatriate.

The international community's 'top-down' approach should consider the extent and ways in which humanitarian organisations and other members of the international refugee regime can contribute to broader foundations of peace building and development, crucial prerequisites for any durable repatriation. In situations where safe and voluntary returns are feasible, the repatriation process should be made a more participatory one requiring discussion with the potential returnees. Refugees should also be more extensively involved in monitoring the safety and ensuring the voluntariness of return.

Furthermore, the engagement of refugee returnees in peacebuilding should not be limited to achieving a peace agreement requirement of repatriating refugees or to mere numbers of refugees that are repatriated. Rather, it should include the forced migration experience of the returnee and how they engage in the process of peacebuilding.

Table 10: Findings from the Case Study

	UNHCR Top-down approaches	Refugees Bottom-up approaches	Misalignment
Leaving and resettlement	Political protection and solutions perspective	Fear, security and linking with relatives and friends abroad	Protection becomes meaningful in the context of being able to access rights. This means ensuring that refugees move in a safe and dignified manner and that they are empowered, well-informed and properly prepared for third country resettlement and integration into welcoming communities.
Leaving and resettlement	Burden-sharing	Resilience and self-reliance	Seeing refugees as an investment, and not as a burden, unlocks huge potential benefits for the countries that host them as well as for the refugees themselves. Refugees are actively seeking solutions to their problems by inventing creative self-reliance strategies.
Leaving and resettlement	Passive definition of resettlement	Complex notion of resettlement as fluid, haphazard and multi-phase process	Constant movement and being displaced multiple times. Ensuring the safe and dignified movement of refugees is central to any resettlement operation.
Local integration and Asylum	Safe third country ruling	Uncertainty about asylum claim process; fear of negative decision	Uncertainty with regard to the outcome of the asylum process, specifically whether an individual is approved or denied status, is a prevalent and continuous aspect of stress for asylum seekers.
Local integration and Asylum	To attain asylum is to gain protection for 'genuine' asylum seekers.	Feeling marginalised, insecure and vulnerable	The constant exposure to risk required asylum seekers to continuously overcome obstacles. Bogus asylum seeker is a rhetorical category that is not established in international frameworks and yet is referred to in state discourse and in policy documents.
Local integrati	Asylum to offer full	Lack of resources	The lack of resources contributes to barriers toward eligibility for

on and Asylum	access to resources.	and barriers	asylum. Labelling of asylum seekers reinforces the justifications for the current restrictive definition.
Repatria tion	Principle of non-refoulem ent	The decision to return is typically made after comparing information about conditions and prospects in the host country with those in the country of origin.	The notion of 'safe return' should focus on the safety of return rather than the voluntariness of repatriation.
Repatria tion	State-centric	Refugees should be more extensively involved in monitoring the safety and ensuring the voluntariness of return.	Host and donor states' interests have been a significant factor in the preference for repatriation over other durable solution. Over time UNHCR developed a repatriation culture, a bureaucratic structure, discourse, and formal and informal rules that made repatriation the most desirable preferred solution and one that is nearly synonymous with protection'.
Repatria tion	Peace agreements	Justice and reconciliation	State motives have taken priority over refugees' best interest in the decision to promote repatriation as a durable solution.

Source: Author's Own

8.4. Directions for Future Research

This thesis exposes failings in the international system with regard to refugee policy from the 'bottom-up' perspective. It shows misalignments between 'top-down' and 'bottom-up' perspectives. The underlying assumption is that international organisations and institutions as well as states are the main and most significant components of the international refugee regime, while the presumably central figure of the regime – the refugee – is at worst somewhat overlooked and at best underestimated. Yet, this thesis also demonstrates that there are discernible directions that may contribute to future research trajectories.

First, academics and practitioners need to develop further and more robust analytical frameworks that acknowledge and capture the diversity of refugees' experiences and the ways in which they can and do exercise their agency. Second, despite the fact that refugees are framed, represented and expected to behave in a certain manner by state and humanitarian actors, the reality is that their actions are as much shaped by the circumstances in which they operate, as their own desires, beliefs and interests. This suggests that selective attention put on the constraining feature of structures, which presumes that refugees are rendered 'agency-less' is ill-suited to fully grasp the complexity of the developments on the ground. In short, we need to further understand the roles of refugees as active agents and have stronger analytical tools at our disposal for conceptualising refugees as norm agents and norm entrepreneurs.

Consequently, much more can and needs to be done to develop a comprehensive understanding of refugee agency and hopefully this thesis will offer a stepping stone for future systematic engagements with this subject. As UNHCR confirms: "(…) rights include the right of every person to participate in deciding and shaping their lives (UNHCR, 2013, p.3). In order for durable solutions programme to be successful, there needs to be a change in policy to start to actively listen to refugee perspectives and the recent work of the UNHCR affirms this (UNHCR, 2014). This change in policy would, in turn, create a partnership that can be a model between UNHCR and host countries, and refugees, which can in itself promote integration and empower a traditionally powerless group. By juxtaposing refugee perspectives and

policies, the study compared 'lived experience' with top-down policies on paper and practice thus making a contribution to refugee policies and programmes.

The practice turn focuses on the process of 'making norms' through everyday practices, arguing that habit and routine help actors to order a complex social world and are thus stronger shapers of norms than interests and identity.

Moreover, there is a need to explore the interface between 'top-down' and 'bottom-up' dynamics especially in light of the current restrictive approach of states towards refugees. In particular and from a practitioner perspective, this case investigation demonstrates the need for UNHCR to further evaluate the political realities that result from having such a highly state centric approach to handling refugees during crises that ultimately leads to the uneven distribution of refugees in the world. At the very least, by understanding the importance of the 'bottom-up' perspectives of refugees and its practical interface with UNHCR policy, then discussions around norms and norm diffusion that might one day affect any international treaties on refugees might become more sophisticated. And ultimately make durable solutions towards refugees actually more durable in practice.

Bibliography

Acharya, A., 2004. How ideas spread: whose norms matter? Norm localization and institutional change in Asian regionalism. *International Organization,* 58, 239-275.

Achvarina, V. and Reich, S. F., 2006. No Place to Hide: Refugees, Displaced Persons, and the Recruitment of Child Soldiers. *International Security, 31* (Summer): 127-64.

Adelman, H., 2002. Refugee repatriation. In: Stedman, S. J., Rothchild. D. and Cousens, E. M. eds., Ending civil wars: The implementation of peace agreements. Boulder: Lynne Rienner, 273-302.

Adler, E., 1997. Seizing the middle ground: Constructivism in world politics. *European Journal of International Relations*, 3(3), 319-363.

Adler, E., and Pouliot, V., 2011. International practices. *International Theory,* 3 (1), 1-36.

Al-Ali, N., Black, R. and Koser, K. (1999). 'Mobilisation and participation of transnational exile communities in post-conflict reconstruction'. ESRC Research Programme on Transnational Com- munities: Interim Report

Alderson, K., 2000. Beyond the Linguistic Analogy: Norm and Action in International Politics. Working Paper No.3. *Institute of International Relations*, The University of British Columbia.

Allen T., and Morsink, H., 1994. *When refugees go home: African experiences.* New Jersey: Africa World Press.

Allsopp, J., Sigona, N., Phillimore, J., 2014. Poverty among refugees and asylum seekers in the UK. Refugee Studies Centre Working Paper Series, 01(14).

Amnesty International, 1997a. Great Lakes region still in need of protection: repatriation, refoulement & the safety of refugees and the internally displaced. AFR 02/007/1997 – 24 January 1997. Available from: <http://www.refworld.org/docid/3ae6a98c3.html> [Accessed 14 February 2018].

Amnesty International, 1997b. A call for the safety and dignity of refugees. Open Letter to Governments Hosting Refugees from Burundi, Rwanda & DR Congo. AFR, pp. 1-6.

Azam, J. P. and Hoeffler, A., 2002. Violence against Civilians in Civil Wars: Looting or Terror? Journal of Peace Research, 39 (July), 46-5.

Atkinson, M., 2018. Refugee mentoring: Sharing the journey. Peace and Conflict. *Journal of Peace Psychology*, 24, 338–342

Atkinson, P., 1992. *Understanding Ethnographic Texts*. London: Sage.

Axelrod, R., 1986. An Evolutionary Approach to the Study of Norms. *American Political Science Review,* 80, 1095-1111.

Axelrod, R. and Keohane, R., 1993. Achieving Cooperation under Anarchy: Strategies and Institutions. In: Baldwin, D. Neorealism and Neoliberalism: The Contemporary Debate. New York: Columbia University Press, 85-115.

Ball, P., Betts, W., Scheuren, F., Dudukovic, J., and Asher, J., 2002. *Killings and Refugee Flow in Kosovo, March–June 1999: Analysis and Conclusions.* Report to the International Criminal Tribunal for the Former Yugoslavia. Washington, DC: American Association for the Advancement of Science.

Bamett, M. and Duvall, R., 2005. Power in International Politics. International Organization, 59, l, 39-75.

Bansak, K., Hainmueller, J., & Hangartner, D., 2016. How economic, humanitarian, and religious concerns shape European attitudes toward asylum seekers. Science, 354, 217–222

Barber, M., 2015. *Blinded by Humanity*. London: I.B. Tauris

Barnett, M. and Finnemore, M., 2004. In: Barnett, M. and Finnemore, M. Rules for the World: International Organizations in Global Politics. Ithaca, London: Cornell University Press, 207-222.

Barnett, M. and Finnemore, M., 1999. The Politics, power, and pathologies of international organizations. *International Organization,* 53, 699-732.

Bazen, S. and Marimoutou, V., 2002. Looking for a Needle in a Haystack? A Re- examination of the Time Series Relationship between Teenage Employment and Minimum Wages in the United States. Oxford Bulletin of Economics and Statistics, 64, 69-25.

Behrman, S., 2014. Accidents, Agency and Asylum: Constructing the Refugee Subject. *Law Critique,* 25, 249–270.

Bellamy, A. and Williams, P., 2004. Introduction: Thinking anew about peace operations. *International Peacekeeping,* 11, 1-15.

Berger, T.U., 1996. Norms, identity, and national security in Germany and Japan. *In* Katzenstein, Peter J., ed., *The Culture of National Security: Norms and Identity in World Politics.* Columbia University Press, 317-356.

Berry, M., Garcia-Blanco, I. and Moore, M., 2016. "Press coverage of the refugee and migrant crisis in the EU: a content analysis of five European countries", Report prepared for the United Nations High Commission for Refugees, December 2015, <http://www.unhcr.org/56bb369c9.pdf> [Accessed 30 August 2017]

Betts, A., 2018. The Global Compact on Refugees: Towards a Theory of Change?, *International Journal of Refugee Law*, 30 (4), 623–626.

Betts, A. and Jones, W., 2016. *Mobilising the Diaspora: How Refugees Challenge Authoritarianism*. Cambridge: Cambridge University Press.

Billings, D. L., 2000. Organizing in Exile: The Reconstruction of Community in the Guatemalan Refugee Camps of Southern Mexico. *In* Loucky, J. and

Boeije, H. R., 2010. *Analysis in Qualitative Research*. London: Sage.

Boyatzis, R.E., 1998. *Transforming Qualitative Information*. Sage: Cleveland

Björkdahl, A., 2002. *From idea to norm – promoting conflict prevention*. Lund: Lund University Press.

Björkdahl, A. and Höglund. K., 2013. Precarious peacebuilding: friction in global local encounters. *Peacebuilding,* 1(3), 289-299.

Black, R. and Koser, K., 1999. *The end of the refugee cycle? Refugee repatriation and reconstruction*. New York and Oxford: Berghahn Book.

Bloch, A., 2007a. Refugees in the UK labour market: The conflict between economic integration and policy-led labour market restriction. Journal of Social Policy, 37, 21-36.

Bloch, A., 2007b. Methodological Challenges for National and Multi-sited Comparative Survey Research. *Journal of Refugee Studies, (20) 2, 1 June 2007, 23-47.*

Bloomberg, L. D. and Volpe, M., 2012. *Completing your qualitative dissertation: A roadmap from beginning to end.* Second edition. Thousand Oaks, CA: Sage.

Blavoukos, S. and Bourantonis, D., 2011. *The EU Presence in International Organizations*. London: Routledge.

Boeije, H. R., 2010. *Analysis in Qualitative Research.* London: Sage.

Bohnet, H., Mielke, K., Rudolf, M., Schetter, C., Vollmer, R., 2015. Protected Rather Than Protracted: Strengthening Displaced Persons in Peace Processes. Bonn International Center for Conversion. *Working Paper 3.*

Bohnet, H., 2016. Return To Violent Conflict? Challenges of Sustainable Return of Refugees and Internally Displaced Persons to and within South Sudan. *BICC Policy Brief series,* No. 2/2016. Bonn: BICC.

Bonanno, G. A., 2004. Loss, trauma, and human constrcutct: Have we underestimated the human capacity to thrive after extremely aversive events? *American Psychologist,* 59 (1), 2-8.

Boutros-Ghali, B., 1995. *An Agenda for Peace.* Second edition. New York: United Nations.

Boutros-Ghali, B., 1995. *Supplement to an Agenda for Peace*: Position Paper of the Secretary General on the Occasion of the Fiftieth Anniversary of the United Nations UN: A/50/60-S/1991/1. 3 Jan 1995.

Bradley, M., 2013. *Refugee repatriation: justice, responsibility and redress.* Cambridge: Cambridge University Press.

Braun, D. and Gilardi, F., 2006. Taking 'Galton's problem' seriously: towards a theory of policy diffusion. *Journal of Theoretical Politics,* 18 (3), 298-322.

Brewington, D. V., Davis, D. R. and Murdie, A., 2009.The Ties that Blind: A Network of Human Rights INGOs*. 50th Annual Convention of the International Studies Association,* New York.

Bryman, A., 2001. *Social research methods.* Oxford: Oxford University Press.

Brysk, A., 1993. From above and below: social movements, the international system, and human rights in Argentina. *Comparative Political Studies.* 23(3), 259-85

Bulley, D., 2014. Inside the tent: Community and government in refugee camps. *Security Dialogue.* 45 (1), 63-80*.*

Burkhauser, R.V., Couch, K.A. and Wittenburg, D.C., 2000. A Reassessment of the New Economics of the Minimum Wage Literature with Monthly Data from the Current Population Survey. *Journal of Labor Economics*, 18, 65-80.

Burley, A.M. and Mattli, W., 1993. Europe before the court: a political theory of legal integration. *International Organization.* 47(1), 41-76.

Buzzanell, P. M., 2010. Resilience: Talking, resisting, and imagining new normalcies into being. *Journal of Communication*, 60(*4).*

Buzzanell, P. M., Shenoy, S., Remke, R. V., and Lucas, K., 2009. Intersubjectively creating resilience: Responding to and rebounding from potentially destructive organizational experiences. *In:* Lutgen-Sandvik, P. and Davenport Sypher, B. (eds.), *The destructive side of organizational communication*. New York: Routledge, 53-76.

Byers, M., 2008. International Law. *In: Oxford Handbook of International Relations Online*. Snidal, D. and Reus-Smit, Christian (eds.) Available from: http://www.oxfordhandbooks.com/oso/public/content/oho_politics/9780199219 322/toc.html [Accessed 1 July 2016].

Campbell, C., 2011. Report on the Future Delivery of Public Services Available from <http://www.scotland.gov.uk/About/Review/publicservicescommission> [Accessed 07 July 2018].

Castles, S., Haas, H. and Miller. M. J., 2014. The Age of Migration: International Population Movements in the Modern World. Basingstoke: Palgrave Macmillan.

Cao, X., 2010. Networks as Channels of Policy Diffusion: Explaining Worldwide Changes in Capital Taxation. *International Studies Quarterly*, 54, 823-854.

Carpenter, R. C., 2007a. Setting the Advocacy Agenda: Theorizing Issue Emergence and Nonemergence in Transnational Advocacy Networks. *International Studies Quarterly,* (51) 1, 99-120.

Carpenter, R. C., 2007b. Studying Issue (Non)-Adoption in Transnational Advocacy Networks. *International Organization.* (61) 3, 643-667.

Casati, N., 2017. How cities shape refugee centres: "deservingness" and "good aid" in a Sicilian town. *Journal of Ethnic and Migration Studies*, 44(5), 792–808.

Chandler, D., 2013a. Resilience ethics: responsibility and the globally embedded subject. Ethics & Global Politics, 6 (3), 175-194.

Chandler, D., 2013b. Resilience and the Autotelic Subject: Toward a Critique of the Societalization of Security. International Political Sociology, 7 (2), 21-26.

Chandler, D., 2012. Resilience and human security: The post-interventionist paradigm. Security Dialogue, 43 (3), 21-29.

Chandler, D., 2010. International Statebuilding: The Rise of Post-Liberal Governance. London: Routledge.

Chayes, A. and Chayes, A., 1995. *The new sovereignty: compliance with international regulatory agreements*. Cambridge, Mass.: Harvard University Press.

Checkel, J. T., 1997. International norms and domestic politics: bridging the rationalist-constructivist divide. *European Journal of International Relations,.* 3(4), 473-495.

Checkel, J. T., 1998. The constructivist turn in international relations theory. A review essay. *World Politics,.* 50, 324-48.

Checkel, J. T., 2001. Why comply? Social learning and European identity change. *International Organization*, 55, 553-88.

Chimni, B. S., 2003. Post-conflict peacebuilding and the return of refugees: concepts, practices and institutions. *In*: Newman, Edward and van Selm, Joanne (eds.), *Refugees and Forced Displacement. International Security, Human Vulnerability and the State*. United Nations University, 195-220.

Chimni, B. S., 2002. Refugees and post-conflict reconstruction: a critical perspective. *International Peacekeeping*, 9 (2), 163-180.

Chimni. B. S., 1999. From resettlement to involuntary repatriation. *New Issues in Refugee Research Working paper number 2.* Geneva: UNHCR. ISSN 1020-7473 – 5 May 1999, Available from: http://www.refworld.org/docid/4ff59a392.html [Accessed 15 October 2015].

Christensen, A. J., Moran, P. J., & Wiebe, J. S.,1999. The Social Construction of Europe. Journal of European Public Policy 6 (4): 528-544.

Coffie, A., 2014. Filling in the Gap: Refugee Returnees Deploy Higher Education Skills to Peacebuilding. *Refugee Survey Quarterly* 33 (4). Oxford University Press: 114–41

Cohen, I. J., 1987. Structuration theory and social praxis. *In:* Giddens, A. and Turner, J. (eds.), *Social theory today.* Stanford, CA: Stanford University Press, 273-308.

Cohen, R. and Deng, F. M., 1998*a. Masses in Flight: The Global Crisis of Internal Displacement.* Washington, DC: Brookings Institution Press.

Cohen, R. and Deng, F. M., 1998*b. The Forsaken People: Case Studies of the Internally Displaced.* Washington, DC: Brookings Institution Press.

Coleman, K. P., 2013. Locating Norm Diplomacy: venue change in international norm negotiations. *European Journal of International Relations*, (19) 1, 163-186.

Coleman, D. A., 1992. Integration policies. In: Macura, M. and Coleman, D. A. (eds). *Immigration in contemporary Europe*, Proceedings of an Expert Group meeting, Geneva, July 1991. United Nations: Geneva.

Coleman, J., 1990. *Foundation of Social Theory.* Harvard University Press.

Coles, G.J.L., 1988. The human rights approach to the solution of the refugee problem: a theoretical and practical enquiry. *In:* Nash, A. E. (ed.), *Human rights and the protection of refugees under international law.* Nova Scotia: The Institute for Research on Public Policy, 19-22.

Connor, K. M. and Davidson, J. R. T., 2003. Development of a new resilience scale: The Connor-Davidson resilience scale (CD-RISC*). Depression and Anxiet*y, 18, 76-82.

Coppedge, M., 2012. *Democratization and Research Methods.* Cambridge: Cambridge University Press.

Cortell, A.P., and Davis, J.W., 2000. Understanding the domestic impact of international norms: A research agenda. *International Studies Review*, 2, 65-87.

Cousens, E. M and Cater, C K., 2001. Toward peace in Bosnia: Implementing the Dayton Accords. Boulder/London Lynne Rienner.

Cousens, E. M., 2001. Introduction. *In:* Cousens, E. M. Chetan, K. and Wermenster, K. (eds.), *Peacebuilding as politics: cultivating peace in fragile societies*. Boulder/London: Lynne Rienner.

Coutu, D. L., 2002. How resilience works. *Harvard Business Review*, 80(5), 4-1.

Creswell, J.W., 2003. *Research design: Qualitative, quantitative, and mixed methods approaches*. Second edition. Thousand Oaks: Sage.

Creswell, J. W., 2007. *Qualitative inquiry and research design*. Thousand Oaks, CA: Sage.

Creswell, J.W., 2013. Qualitative inquiry and research design: Choosing among five approaches. Third edition. Thousand Oaks, CA: Sage Publications, Inc.

Creswell, J. W., 2009. *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches*. Third edition. Thousand Oaks, CA: Sage Publications, Inc.

Crisp, J., 2005. No solution in sight: the problem of protracted refugee situations in Africa. *Working Paper for Center for Comparative Immigration Studies*, University of California: San Diego.

Crisp, J., 2003a. A new asylum paradigm? Globalization, migration, and the uncertain future of the international refugee regime. New Issues in Refugee Research, United Nations High Commissioner for Refugees (UNHCR) *Working Paper No. 100.*

Crisp, J., 2003b. *No solutions in sight: the problem of protracted refugee situation in Africa. New Issues in Refugee Research.* United Nations High Commissioner for Refugees (UNHCR) Working Paper No. 75.

Davenport, C. A., Moore, W. H. and Poe. S. C., 2003. Sometimes You Just Have to Leave: Domestic Threats and Forced Migration,. *International Interactions* 29 (January): 2-5, 196-989

DeBono, D., 2018. In defiance of the reception logic: The case for including NGOs as human rights monitors in the EU's policies of first reception of irregular migrants. *Peace and Conflict: Journal of Peace Psychology*, 24, 291–295.

Deng, F. M., 2006. Divided Nations: The Paradox of National Protection. *The Annals of the American Academy of Political and Social Science,* 603 (January), 21-5.

Deacon, B. and Stubbs, P., 1998. International actors and social policy development in Bosnia-Herzegovina. *Journal of European Social Policy*, 8 (2), 99-115.

Dolowitz, D. P., 200. Special issue on policy transfer-Introduction. *Governance.* 13, 1-4.

Dolowitz, D. P., and Marsh, D., 1996. Who learns what from whom: A review of the policy transfer literature. *Policy Studies,* 44, 343-57.

Donia, R. J. and Fine, J.V.A. 1994. *Bosnia and Hercegovina.* New York: Columbia University Press.

Doty, R., 1997. Aporia: a critical exploration of the agent-structure problematique in international relations theory. *European Journal of International Relations*, 3, 365-92.

Doyle, M. W. and Sambanis, N., 2006. *Making war and building peace: United Nations peace operations.* Princeton, N.J.: Princeton University Press.

Duffield, M. R., 2001. *Global Governance and the New Wars: the merging of development and security*. London: Zed Books.

Dworkin, R., 1986. *Law's Empire*. Cambridge, MA: Harvard University Press.

Dyrstad, K. 2012. After ethnic civil war: Ethno-nationalism in the Western Balkans. *Journal of Peace Research.* 49 (6) 817–831

Easton-Calabria, E. E., 2015. From Bottom-Up to Top-Down: The 'Pre-History' of Refugee Livelihoods Assistance from 1919 to 1979. Journal of Refugee Studies 28, no. 3 (September).

Easton-Calabria, E. E and Omata, N., 2018. Panacea for the refugee crisis? Rethinking the promotion of 'self-reliance' for refugees. *Third World Quarterly*, 39(8).

Eleftheriadou, M., 2018. Refugee Radicalization/Militarization in the Age of the European Refugee Crisis: A Composite Model. *Terrorism and Political Violence*, 1-22.

Elgstrom, O., 2000. Norm negotiations: the construction of new norms regarding gender and development in EU foreign aid policy. *Journal of European Public Policy,* 7(3), 457-476.

Elkins Z. and Simmons, B., 2003. The globalization of liberalism: diffusion in the international political economy. *American Political Science Review,* 98, 1-18.

Edwards, A., 2016. Global forced displacement hits record high. *UNHCR News*, 20 June. <http://www.unhcr.org/en-us/news/latest/2016/6/5763b65a4/global

European Parliament, 2018. *Migration and Asylum: a challenge for Europe.* PE 600.414. 1. Asylum Policy

Fagen, W. P., 2009. Peace process and IDP solutions. *Refugee Survey Quarterly*, 28(1), 31-58.

Farrel, T., 2001. Transnational norms and military development: Constructing Ireland's professional army. *European Journal of International Relations*, 7, 63-102.

Fearon, J. and Wendt A., 2002. Rationalism vs. Constructivism: a Skeptical View. *In*: Carlnaes, Walter, Risse, Thomas and Simmons, Beth, (eds.). *Handbook of International Relations*. London: Sage, 52-72.

Feller, E., 2001. The Convention at 50: The way ahead for refugee protection. *Forced Migration Review*, 10, 6-9.

Fielden A., 2008. Local Integration: an under-reported solution to protracted refugee situations. *New Issues in Refugee Research* 158. Geneva: UNHCR.

Finnemore, M., and Sikkink, K., 2001. Taking stock: The constructivist research program in international relations and comparative politics*. Annual Review of Political Science*, 4, 391-416.

Finnemore, M., and Sikkink, K., 1999. *International norm dynamics and political change. In:* Katzenstein, P. Keohane, R. and Krasner, S. (eds.). *Exploration and contestation in the study of world politics*. Cambridge, Mass.: MIT Press, 247-277.

Finnemore, M. and Sikkink. K., 1998. International Norm Dynamics and Political Change. *International Organization*, (52) 4, 887-917.

Flohr, A., Rieth, L., Schwindenhammer, S. and Wolf K. D., 2010, *The role of business in global governance: corporations as norm-entrepreneurs*, Houndmills: Palgrave Macmillan.

Floridi, L and D'Agostino, M., 2009. The enduring scandal of deduction: Is propositional logic really uninformative? *Synthese*, 167 (2), 271-315/

Frank, T., 1990. *The power of legitimacy among nations*. Oxford: Oxford University Press.

Furley, K. and Otsea, J., 1999. *A practical guide to capacity building as a feature of UNHCR's humanitarian programmes*. Geneva: UNHCR Centre for Documentation and Research.

Gall, M., Borg, W. and Gall J., 1996. *Educational research: an introduction*. New York: White Plains.

George, M., 2009. *Sri Lankan Tamil diaspora: Contextualizing premigration and post-migration traumatic events and psychological distress.* Toronto, Canada: University of Toronto Press.

Ghani, A., and Lockhart, C., 2008. *Fixing failed states: a framework for rebuilding a fractured world*. Oxford: Oxford University Press.

Giddens, A., 1984. *The Constitution of Society: Outline of the Theory of Structuration.* Berkeley: University of California Press.

Giddens, A., 1979. *Central Problems in Social Theory: Action, Structure and Contradiction in Social Analysis.* Berkeley: University of California Press.

Gilpin, R., 1981. *War and Change in World Politics.* New York; Cambridge University Press, 9-10

Gitau, L.W. & Rhodes, P., 2016. 'A Dark Stone in My Stomach': Interventions for Survivors of Mass Violence and Building Sustainable Peace. *Journal of Peacebuilding & Development*, (11) 3, 37-52.

Gligorov, V. 1994. *Why Do Countries Break Up? The Case of Yugoslavia.* Uppsala: Acta Universitatis Upsaliensis.

Goertz, G., 2003. *International norms and decision making: a punctuated equilibrium model.* Lanham, MD: Rowman & Littlefield.

Goddard, V. A., 2000. Introduction. *In:* Goddard, V.A. (ed.), *Gender, Agency and Change: Anthropological Perspectives.* London: Routledge, 1-31.

Goodliffe, J., Hawkins, D., Horne, C., and Nielson, D.L., 2012. Dependence networks and the international criminal court. *International Studies Quarterly,* 56, 131-147.

Goodwin-Gill, G.S., 1983. *The refugee in international law.* Oxford: Clarendon Press.

Gubrium, J. and Holstein, J., 2002. *Handbook of Interview Research: Context and Method.* Thousand Oaks, CA: Sage.

Güler, A. 2016. Increasing the Effectiveness of UNHCR's 4Rs Activities in Afghanistan: Compliance, National Capacity and Domestic Actors. *Perceptions.* Autumn-Winter 2016, Volume XXI, Number 3-4, 1-32

Hammerstad, A., 2005. Making or Breaking the Conflict Cycle: The Relationship Between Underdevelopment, Conflict and Forced Migration. *In:* Castles, S and Van Hear, N (eds.), *Developing DFiD's Policy Approach to Refugees and Internally Displaced Persons, Consultancy Report and Policy Recommendations,* Volume I & II, Oxford: Refugees Studies Centre.

Haas, P.M., 1989. Do regimes matter? Epistemic communities and Mediterranean pollution control. *International Organization,* 43(3), 377-403.

Haddad, E., 2008. *The Refugee in International Society: Between Sovereigns.* New York: Cambridge University Press.

Hansen, L., 2006. *Security as practice: discourse analysis and the Bosnian war.* London: Routledge.

Harrell-Bond, B., 2000. Are refugee camps good for children? *New Issues in Refugee Research*, Working Paper No. 29. Geneva: UNHCR.

Harnisch, S., 2012. Conceptualizing in the minefield: role theory and foreign policy learning. *Foreign Policy Analysis* 8(1), 47-71.

Harrell-Bond, B., 1989. Repatriation: under what conditions is it the most desirable solution for refugees? *African Studies Review*, 31 (1), 41-70.

Hatch, J. A., 2002. *Doing qualitative research in education settings. State University of New York*, NY: State University of New York, Albany.

Hatton, T. J., 2017. Refugees and asylum seekers, the crisis in Europe and the future of policy, *Econ. Policy*, 32 (91), 447-496.

Hayden, R.M. 2000. Rape and Rape Avoidance in Ethno-national Conflicts: Sexual Violence in Liminalized States. *American Anthropologist,* 102:1, 27−41

Hayden, R.M. 1996. Imagined Communities and Real Victims: Self Determination and Ethnic Cleansing in Yugoslavia. *American Ethnologist* 23, no. 4 783–801

Hays, D.G. and Singh, A.A., 2012. *Qualitative Inquiry in Clinical and Educational Settings.* Guilford Press, NY: Guilford Publications, Inc.

Hayes, S., Lundy, B. D. and Hallward, M. C., 2016. Conflict-Induced Migration and the Refugee Crisis: Global and Local Perspectives from Peacebuilding and Development. *Journal of Peacebuilding and Development*, 11 (3): 1-7

Hayes, S. and Endale, E., 2018. "Sometimes my mind, it has to analyze two things": Identity Development and Adaptation for Refugee and Newcomer Adolescents. *Peace and Conflict: Journal of Peace Psychology*, 24, 283–290.

Helton, A. C., 2002. *The Price of Indifference: Refugees and Humanitarian Action in the New Century*. New York: Oxford University Press.

Hemmer, B., 1997. *Reinventing peace operations*. Master's dissertation: Syracuse University.

Herrman H., Stewart D.E., Diaz- Granados, N., Berger, E.L., Jackson, B., Yuen, T., 2011. What is resilience? *Canadian Journal of Psychiatry*, 56, 25-5

Hoffman, M., 1987. Critical Theory and the Inter-Paradigm Debate. *Journal of International Studies*, Vol. 16, No. 2, 233-236.

Hoffman, P. J., and Weiss, T. G., 2006. *Sword and Salve: Confronting New Wars and Humanitarian Crises.* Lanham, MD: Rowman and Littlefield.

Holloway, I. and Brown, L., 2014*. Essentials of completing a doctorate in qualitative research.* Walnut Creek, California: Left Coast Press.

Howard, P. and Neufeldt, R., 2000. Canada's constructivist foreign policy: building norms for peace. *Canadian Foreign Policy* 8(1), 11-38.

Hörler Perrinet, T., Grossenbacher, A. and Goetschel, L. (2018). *Desk Study: Peace Migration Nexus.* Swisspeace and Federal Department of Foreign Affairs

Huckfeldt, R. and Sprague, J., 1991. Discussant effects on vote choice: Intimacy, structure, and interdependence. *The Journal of Politics*, 53 (1), 122-158.

Humpage, L., 2001. Systemic Racism: Refugee, Resettlement and Education Policy in New Zealand. *Refuge* 19 (6): 6-25.

Hyde, S. D., 2011. *The Pseudo-Democrat's Dilemma: Why Election Observation Became an International Norm*. Ithaca, NY: Cornell University Press, 2011.

Jackson Preece, J. 1998. *National Minorities and The European Nation-States System*. Clarendon Press, Oxford.

Janmyr. M., 2018. UNHCR and the Syrian refugee response: negotiating status and registration in Lebanon, The International Journal of Human Rights, (22) 3, 393-419.

Jastram, K. and Achiron, M., 2001. *Refugee Protection. A Guide to International Refugee Law.* UNHCR/1PU Handbook.

Johnson, B., and Christensen, L. B., 2012. Educational research: Quantitative, qualitative, and mixed approaches. Thousand Oaks, Calif: SAGE Publications.

Johnstone, I., 2007. The Secretary-General as norm entrepreneur. In: Chesterman, S.(ed.), Secretary or General: The UN Secretary-General in world politics. New York: Cambridge University Press.

Jentleson, B. W., 2000. *Coercive Diplomacy: normative, political and policy dilemmas.* Washington, D.C.: United States Institute of Peace.

Jervis, R., 1977. *The logic of images in international relations*. Princeton, NJ: Princeton University Press.

Kalyvas, S. N., 2006. *The Logic of Violence in Civil Wars*. New York: Cambridge University Press.

Kancs d'Artis and Lecca, P. 2018. Long-term Social, Economic and Fiscal Effects of Immigra tion into the EU: The Role of the Integration Policy. *The World Economy*. Volume 41, Issue10, 2599-2630

Katzenstein, P. J., Keohane, R. O., Krasner, S. D., 1999. *Exploration and Contestation in the Study of World Politics*. Cambridge, MA: MIT Press.

Katzenstein, P. J., 1996. *Culture of national security: norms and identity in world politics*. New York: Columbia University Press.

Kaufman, Chaim D., 2004. *Intervention in Ethnic, Ideological, and Colonial Wars: Opportunities, Options, and Constraints*. Reston, Virginia: Sherman Kent School for Intelligence Analyses.

Keohane, R. O., 1989. International institutions and state power. Boulder, CO.: Westview.

Keohane, R. O., 1984. *After Hegemony. Princeton: Princeton University Press*.

Keohane, R. O. and Nye, J., 1974. Transgovernmental Relations and International Organization. World Politics, 27, 1974, 39-62.

Kibreab, G., 1999. Revisiting the debate on people, place, identity and displacement. *Journal of Refugee Studies*, 12, 384-411.

King, N. and Horrocks, C., 2010. Interviews in qualitative research. Sage: London.

Kingdon, J. W., 1995. Agendas, alternatives, and public policies. Second edition. New York: Harper Collins.

Kingdon, J. W., 1984. *Agendas, alternatives, and public policies.* Boston: Little, Brown

Kleist, N., 2008. In the name of diaspora: between struggles for recognition and political aspirations. Journal of Ethnic and Migration Studies, 34 (6), 112-143.

Klepp, S., 2013. Europeanisation Spot. An Ethnography of the Frontex Nautilus II Mission. *Journal of Peace and Conflict Research* 2 (1): 36–69

Klotz, A., 1995. *Norms in international relations: the struggle against apartheid.* Ithaca, NY: Cornell University Press.

Klotz, A., and C. Lynch., 2006. Translating Terminologies. *International Studies Review* 8 (2), 356-362.

Koh, H., 1997. Why Do Nations Obey International Law? The Yale Law Journal, (106) 8, 2599-2659.

Korac, M. 2009. *Remaking Home: Reconstructing Life, Place and Identity in Rome and Amsterdam*. Berghahn Books.

Korac, M., 2003. Integration and how we facilitate it: a comparative study of the settlement experiences of refugees in Italy and the Netherlands. Sociology, 37 (1), 51-68.

Korac, M., 2001. Cross-Ethnic Networks, Self-Reception System, and Functional Integration of Refugees from the Former Yugoslavia in Rome. *Journal of International Migration and Integration* 2 (1), 1-2,

Koser, K., 2009. Integrating displacement in peace process and peacebuilding. *Refugee Survey Quarterly,* 28(1), 5-12.

Koser, K., 2007. Refugees, Transnationalism, and the State. *Journal of Ethnic and Migration Studies,* 33 (2), 233-54.

Kowert, P. and Legro, J., 1996. Norms, identity, and their limits: a theoretical reprise. In: Katzenstein, P. J. (ed.), The Culture of National Security: Norms and Identity in World Politics. New York: Columbia University Press. 451-497.

Knight, W. A., 2011. The development of the responsibility to protect – from evolving norm to practice. *Global Responsibility to Protect,* 3, 3-36.

Kratochwil, F., 1984. The Force of Prescriptions. *International Organization,* 38, 685-708

Kratochwil, F., 1990. On the relevance of norms and the study of law for international relations. In: Toma, P. A. and Gorman, R. (eds.), International relations: Understanding global issues. Pacific Grove, Calif.: Brooks-Cole Publishers. 304-307.

Kratochwil, F. and Ruggie, J.G., 1986. International organization: A state of the art on an art of the state. *International Organization,* 40(4), 753-775.

Krook, M. L. and True, J., 2012. Rethinking the life cycles of international norms: The United Nations and the global promotion of gender equality. *European Journal of International Relations*, 18, 103-127.

Kumpfer, K. L., 1999. Factors and processes contributing to resilience: The resilience framework. In: Glantz, M. D. and Johnson, J. L. (eds.), Resilience and development: Positive life adaptations. New York: Kluwer Academic/Pienum Publishers, 179-224.

Kupiszewski, M., 2009. *Labour migration patterns, policies and migration propensity in the Western Balkans.* The Central European Forum for Migration and Population Research (CEFMR).

Kurki, M. and Sinclair, A., 2010. Hidden in plain sight: constructivist treatment of social context and its limitations. *International Politics*, 47(1),1-25.

Kusnir, D., 2005. Salvadoran families. In: McGoldrick, M., Giordano, J. and Pearce, J. K. (eds.), Ethnicity and family therapy. New York, NY: The Guilford Press, 25-65.

Kvale, S., 1996. *Interviews: An introduction to qualitative research interviewing.* Thousand Oaks, CA: Sage Publications, Inc.

Lavenex, S., 2006. Shifting up and out: The foreign policy of European immigration control. *West European Politics,* 29 (2), 329-350.

Lavik, N.J., Hauff, E., Skrondal, A., & Solberg, O., 1996. Mental disorder among refugees and the impact of persecution and exile: Some findings from an outpatient population. *British Journal of Psychiatry*, 169, 726–732.

Lederach, J. P., 1997. *Building Peace: Sustainable Reconciliation in Divided Societies.* Washington, DC: United States Institute of Peace.

Legro, J. W., 1997. Which norms matter? Revisiting the 'failure' of internationalism. *International Organization.* 51, 31-63.

Lichbach, M. I., 1995. The Rebel's Dilemma. Ann Arbor, MI: The University of Michigan Press.

Lischer, S., 2011. Civil war, genocide, and political order in Rwanda: Security implications of refugee return. *Conflict, Security & Development* 11 (3).

Loescher, G., Betts, A, and Milner J., 2008. *The United Nations High Commissioner for Refugees: the politics and practice of refugee protection into the twenty-first century.* London: Routledge.

Loescher G. and Milner J., 2005. Protracted refugee situations: domestic and international security implications. Abingdon: Routledge.

Loescher, G. and Manahan, L., 1989. Introduction: Refugee issues in international relations. In: Loescher, G. and Monahan, L. (eds.), Refugees and international relations, Oxford: Oxford University, 1-35.

Loescher, G., Milner, J., Newman, E., and Troeller, G., 2007. Protracted refugee situations and the regional dynamics of peacebuilding. *Conflict, Security and Development*, 7(3), 491-501.

Loescher, G., Betts, A. and Milner, J., 2008. *The United Nations High Commissioner for Refugees UNHCR: the Politics and Practice of Refugee Protection into the twenty-first century*. New York: Routledge.

Loescher, G., 2001. *UNHCR and World Politics: A Perilous Path*. New York: Oxford University Press.

Loescher, G. and Loescher, A., 1994. *The global refugee crisis: a reference handbook*. Oxford: ABC-CLIO, Inc.

Loescher G. and Milner J., 2005. *Protracted refugee situations: domestic and international security implications.* Abingdon: Routledge.

Long, K., 2014. Rethinking Durable Solutions. *In:* the *Oxford Handbook of Refugees and Forced Migration Studies*

Long, K., 2013a. *The point of no return: refugees, rights and repatriation*. Oxford University Press.

Long, K., 2013b. When refugees stopped being migrants: movement, labour and humanitarian protection. *Migration Studies*, 1 (1), 4-26.

Long, K., 2010. *Home alone? A review of the relationship between repatriation, mobility and durable solutions for refugees*. UNHCR. Available from: <http://www.unhcr.org/4b97afc49.html> [Accessed 16 April 2018]

Luthar, S. S., Chicchetti, D., and Becker, B., 2000. The construct of resilience: A critical evaluation and guidelines for future work. *Child Development*. 71, 543-562

MacGinty, R., 2013. Introduction. In: MacGinty, R., (ed)., Routledge Handbook of Peacebuilding. Oxford: Routledge, 1-8.

MacGinty, R., 2011. *International peacebuilding and local resistance: hybrid forms of peace*. Basingstoke and New York: Palgrave Macmillan.

Macrae, J., 1999. *Aiding Peace...and War: UNHCR, Returnee Reintegration, and the Relief-Development Debate*. London: Humanitarian Policy Group.

March, J. and Olsen, J., 1998. The institutional dynamics of international political orders. *International Organization*, 52 (4), 943-1061.

Mason, J., 2002. Qualitative interviewing: asking, listening and interpreting. In T. May, ed., *Qualitative Research in Action*. London: Sage, pp. 225-241.

Masten, A. S., 2001. Ordinary magic: Resilience processes in development. *American Psychologist*, 56, 227-238.

Marks, S., 2011. Human rights and root causes. *The Modern Law Review Limited*, 74 (1), 5-8.

McGinn, C., 2000. *Conflict resolution and transnational justice in Sri Lanka: International experiences and applications*, Available from: <http://www.ices.lk/publications/esr/articles_jul00/ES- R_2_-Colleen.2.pdf> [Accessed 15 May 2015].

Mearsheimer, J.J., 1994. The False Promise of International Institutions, *International Security*, Vol. 19, No. 3 (1994;95): 5-26

Mehta, L. and Gupte. J., 2003. *Whose Needs are Right? Refugees, Oustees and the Challenges of Rights-Based Approaches in Forced Migration.* Brighton: Development Research Centre on Migration, Globalisation and Poverty.

Mikavica, D. and Monaghan, C., 2016. The Children and Armed Conflict Agenda and Forced Displacement. Journal of Peacebuilding & Development, (11) 3, 126-131.

Miller, K. E., and Rasco, L. M., 2004. An ecological framework for addressing the mental health needs of refugee communities. In: Miller, K. E., and Rasco, L. M. (2004). An ecological framework for addressing the mental health needs of refugee communities. Mahwah, NJ, US: Lawrence Erlbaum Associates Publishers.

Milner, J., 2011. Refugees and the peacebuilding process. *New Issues in Refugee Research*, Research Paper no. 224, Geneva: UNHCR.

Milner J., 2009. *Refugees, the state and the politics of asylum in Africa*. New York: Palgrave Macmillan.

Mollica, R. F., 2006. *Healing invisible wounds: Paths to hope and recovery in a violent world*. San Diego, CA: Harcourt Books.

Mooney, E., 2007. Protecting and Reintegrating Displaced Women and Children Post-Conflict. In: Ndulo, M., (ed.) Security, Reconciliation and Reconstruction in Africa: When the Wars End, Ithaca, Cornell: University Institute for African Development. UNIFEM (2000) Proceedings of the All-Party Burundi Women's Peace Conference, New York: UNIFEM

Moore, W. H. and Shellman, S. M., 2006. Refugee or Internally Displaced Person? To Where Should One Flee? Comparative Political Studies 39 (June): 59-22.

Moraga, F. H. and Rapoport, H., 2015. Tradable refugee-admission quotas and EU asylum policy. CESifo Economic Studies. 61, 63-2.

Morgenthau, H.J., 1948. *Politics Among Nations: The Struggle for Power and Peace.* New York: Alfred A. Knopf.

Moustakas, C., 1994. *Phenomenological research methods.* Thousand Oaks, CA: Sage.

Morrison, A. R. and May, R. A., 1994. Escape from Terror: Violence and Migration in Post-Revolutionary Guatemala. Latin American Research Review, 29 (2): 111-132.

Msabah, B.A. and Bowers-Du Toit, N., 2017, '"We live, and move, and have our being": Refugees' vulnerability and the ecclesial challenge for diaconal praxis'*, Diaconia,* 8(2), 188–200.

Muller, J. Z., 2008. Us and them: the enduring power of ethnic nationalism. *Foreign Affairs*, March/April.

Murdie, A and Davis. D., 2012. Shaming and Blaming: Using Events Data to Assess the Impact of Human Rights INGOs. *International Studies Quarterly*, 56 (1), 1-16.

Nahm, S. J., 2007. Rebels, Refugees, and War: Militarized Camps and Its Implications for Humanitarian Assistance in Time of War. Paper presented at the Annual Convention of the International Studies Association, Chicago, IL, February 28–March 3.

Neumann, I. B., 1999. *Uses of the Other: 'The East' in European Identity Formation.* Minneapolis: University of Minnesota Press.

O'Kane, M., 2007. Blood, sweat and tears: The political agency of women activist- refugees. Intersections: Gender, History and Culture in the Asian Context 15.

O'Neill, W., 2009. Internal Displacement and Peacebuilding: Institutional Responses*. Refugee Survey Quarterly*, Vol. 28, Issue 1,151-180.

Ogata, S., 1997. Introduction: refugee repatriation and peace-building. *Refugee Survey Quarterly*, 16 (2), viix.

Okafor, O. C., 2007. *African human rights system, activist forces, and international institutions.* Cambridge: Cambridge University Press.

Onuf, N.G., 1989. *World of our making: rules and rule in social theory and international relations.* University of South Carolina Press

Organization of African Unity (OAU), 1969. Convention Governing the Specific Aspects of Refugee Problems in Africa ("OAU Convention"), 10 September 1969, 1001 U.N.T.S. 45. Available from: <http://www.refworld.org/docid/3ae6b36018.html? [Accessed 9 September 2017]

Overland, G., 2011. Generating theory, biographical accounts and translation: a study of trauma and resilience. *International Journal of Social Research Methodology,* 14(1), 6-5.

Padgett, D. K., 2008. Qualitative methods in social work research. Second Edition. Thousand Oaks, CA: Sage Publications, Inc.

Papadopoulos, R. K., 2007. Refugees, trauma and adversity-activated development [Special edition: Refugees and asylum seekers]. European Journal of Psychotherapy, Counselling & Health, 9 (3), 30-12.

Paris, R., 2004. *At war's end: building peace after civil conflict.* Cambridge: Cambridge University Press.

Papic, Z., 2003. Ownership versus democracy: lessons (not) learnt in Bosnia and Herzegovina. In: Solioz, C. and Dizdarevic, S. (eds.), *Ownership process in Bosnian and Herzegovina.* Baden-Baden: Nomos, 76-85.

Payne, R. A., 2001. Persuasion, frames and norm construction. *European Journal of International Relations,* 7 (1), 37-61.

Petersen, N., 2007. Customary law without custom? Rules, principles, and the role of state practice in international norm creation. A*merican University International Law Review,* 23 (2), 275-310.

Petridou, E., Narbutaité-Aflaki, I. and Miles. L., 2015. *Entrepreneurship in the polis: understanding political entrepreneurship.* Burlington, VT: Ashgate.

Phillimore, J. and Thornhill, J., 2011. *Delivering in the Age of Superdiversity.* West Midlands, Department of Health.

Phuong, C., 2005. *Forcible displacement in peace agreements.* Available from <http://www.ichrp.org/files/papers/52/128_-_Forc-ible_Displacement_in_Peace_Agreements_Phuong__Catherine__2005. Pdf> [Accessed 8 April 2017].

Price, N., 2010. Integrating 'Return' with 'Recovery': Utilising the Return Process in the Transition to Positive Peace: A Case Study of Sri Lanka. *The Round Tabl*e 99 (410): 529–45

Price, R. and Tannenwald, N., 1996. Norms and deterrence: the nuclear and chemical weapons taboos. In: Katzenstein, P J. (ed.), The culture of national security: norms and identity in world politics. New York: Columbia University Press. 114-52.

Ragab, N., 2013. The engagement of the Syrian diaspora in Germany in peacebuilding. IS Academy Policy Brief No. 13, <https://migration.unu.edu/publications/policy-briefs/the-engagement-of-the-syrian-diaspora-in-germany-in-peacebuilding.html> [Accessed 3 September 2018]

Ratner, C., 2000. Agency and culture. *Journal for the Theory of Social Behavior*, 30, 413-434.

Raymond, G. A., 1997. Problems and prospects in the study of international norms. *Mershon International Studies Review* 41(2), 205-245.

ReDSS/Hall, S., 2015. *Devolution in Kenya: Opportunity for Transitional Solutions for Refugees? Nairobi.*

Refugee Study Center, 2012. What is forced migration?

Reus-Smit, C., 2005. Constructivism. In: Burchill, S. (2005). Theories of International Relations, Palgrave Macmillan, 18-12.
Reus-Smit, C., 1998. International society after the Cold War: Anarchy and order reconsidered. *Australian Journal of International Affairs*, 52 2: 205-206.

Richardson, G. E., 2002. The metatheory of resilience and resiliency. *Journal of Clinical Psychology*, 58, 307-321.

Richmond, O., 2010a. Between peacebuilding and statebuilding, between social engineering and post-colonialism. Civil Wars 12 (1-2), 167-175.

Richmond, O., 2010b. Resistance and the post-liberal peace. Millennium: Journal of International Studies, 38 (3), 665-692

Richmond, O., 2009. A post-liberal peace: Eirenism and the everyday. *Review of International Studies* 35, 557-580.

Richmond, A. H., 2002. Globalization: Implications for immigrants and refugees. Ethnic and Racial Studies, 25 (5), 70-27.

Roberts, D., 1998. Sympathy with the Devil? The Khmer Rouge and the Politics of Consent in the Cambodian Peacekeeping Operation. *Contemporary Security Policy*, 19 (2), 1-22

Risse-Kappen, T., 1994. Ideas do not flow freely: Transnational coalitions, domestic structures and the end of the cold war. *International Organisation*, 48(2), 185-214.

Risse, T. and Sikkink, K., 1999a. The socialisation of international human rights norms in domestic practices: introduction. In: Risse, T.,. Rapp, S. C and Sikkink, K. (eds.), *The Power of Human Rights: International Norms and Domestic Change.* Cambridge: Cambridge University Press. 1-38.

Risse, T., Ropp, S. C., and Sikkink, K., 1999b. *The power of human rights: international norms and domestic change.* Cambridge: Cambridge University Press.

Refugee Studies Centre seminar. 2011. 1st June 2011 at the Department of International Development, University of Oxford. Dr Laura Hammond, spoke on the subject of 'Transnationalism: a fourth durable solution?'. <60-wednesday-trinity-2011-03.mp3> [Accessed 20 July 2017]

Roberts, D., 1998. Sympathy with the Devil? The Khmer Rouge and the Politics of Consent in the Cambodian Peacekeeping Operation. *Contemporary Security Policy*, 19 (2), 1-22.

Robinson, P., 2002. *The CNN Effect: The Myth of News, Foreign Policy, and Intervention.* New York: Routledge.

Rousseau, C., M. Morales, and P. Foxen., 2001. Going home: Giving voice to memory strategies of young Mayan refugees who returned to Guatemala as a community. *Culture, Medicine and Psychiatry* 25 (2), 135-168.

RSG. 2007. *Internal Displacement and Peacebuilding: Contribution to the Discussion*, submission to the Peacebuilding Commission

Rubin, H.J. and Rubin I., 1995. *Qualitative Interviewing: The Art of Hearing Data.* Thousand Oaks: Sage

Ruggie, J., 1989. International Structure and International Transformation: Space, Time and Method. *In:* Rosenau, James N. and Czempiel, Ernst-Otto (eds.), *Global Changes and Theoretical Challenges.* Lexington, MA: Lexington Books.

Rusinow, D. 1995. The Yugoslav peoples, in: Peter F. Sugar (ed.), *Eastern European nationalism in the twentieth century.* Washington DC: The American University Press.

Ryan, L., Sales, R., Tilki, M., & Siara, B., 2009. Family strategies and transnational migration: recent Polish migrants in London. *Journal of Ethnic and Migration Studies*, 35(1), 61-77.

Ryan, L., Sales, R., Tilki, M. and Siara, B., 2008. Social networks, social support and social capital: Polish migrants in London. Sociology, 42 (4), 672-690.

Ryan, L., Sales, R., Tilki, M. and Siara, B., 2007. Recent Polish migrants in London: Social networks, transience and settlement. *Research report for RES- 000-22-1552 ESRC study*, London: Middlesex University.

Said, E.W., 1978. *Orientalism.* New York: Pantheon Books

Salehyan, I., 2007a. Refugees and the Study of Civil War. *Civil Wars*, 9 (June): 12-1.

Salehyan, I., 2007b. Transnational Rebels: Neighboring States as Sanctuary for Rebel Groups. *World Politics,* 59 (January): 21-2.

Salih, J., 2017. Ethnicity, Religion and Violence in Bosnia-Herzegovina. *Journal of Global Initiatives: Policy, Pedagogy, Perspective.* 11(2)

Santa-Cruz, A., 2005. Constitutional structures, sovereignty, and the emergence of norms: the case of international election monitoring. *International Organisation,* 59 (3), 663-693.

Searle, J. R., 1995. *The Construction of Social Reality.* New York: Free Press.

Seidman, I., 2013. *Interviewing as qualitative research: A guide for researchers in education and the social sciences.* Fourth edition. New York, NY: Teachers College, Columbia University.

Shamai, M., 2003. Therapeutic effects of qualitative research: Reconstructing the experience of treatment as a by-product of qualitative evaluation. *Social Service Review*, 77(3), 455-467

Shawki, N. and Cox, M., 2009. *Negotiating sovereignty and human rights: actors and issues in contemporary human rights politics.* Farnham, England, Ashgate Publisher.

Sherrell, K. and Hyndman, J., 2006. Global minds, local bodies: Kosovar transnational connections beyond British Columbia. *Refuge*, 23 (1), 1-6.

Shannon, V. P., 2000. Norms are what states make of them: the political psychology of norm violation. *International Studies Quarterly,* 44, 293-316.

Sikkink, K., 1991. *Ideas and institutions: Developmentalism in Brazil and Argentina.* Ithaca: Cornell University Press.

Sills, J., 2004. The United Nations and the creation of global norms. In: Krasno, J. E. (ed.), The United Nations: Confronting the Challenges of a Global Society. Boulder, CO: Lynne Rienner, 47-78.

Sjöstedt, R., 2013. Ideas, identities and internalization: Explaining securitizing moves. *Cooperation and Conflict* March, 48(1), 143-164.

Soh, C., Kim, M., and Yu, Y., 2017. The Emergence of New Resettlement Countries: A Human Rights Norm Cascade? *Journal of International and Area Studies,* 24 (1), 105-124.

Sooka, Y., 2006. Dealing with the past and transitional justice: Building peace through accountability. *International Review of Red Cross*, 88 (862), 31-25.

Sossou, M., Craig, C. D., Orgen, H., and Schnak, M., 2008. A qualitative study of resilience factors of Bosnian refugee women resettled in the southern United States. *Journal of Ethnic and Cultural Diversity in Social Work*, 17 (4), 36-85.

Sowell, E. and Casey, R., 1982. *Research methods in education*. Wadsworth: Belmont.

Strang, D., 1991. Adding social structure to diffusion models. *Sociological Methods & Research*, 19, 324-353.

Steel, Z., Silove, D., Brooks, R., Momartin, S., Alzuhairi, B., and Susljik, I., 2006. Impact of immigration detention and temporary protection on the mental health of refugees. *British Journal of Psychiatry*, 188, 5-4.

Talentino, A. K., 2007. Perceptions of peacebuilding: the dynamic of imposer and imposed upon. *International Studies Perspectives,* 8 (2), 157-171.

Tarrow, S., 2005. *The new transnational activism*. Cambridge, Mass.: Cambridge University Press.

Taylor, D., 2009. *Underground Lives: An Investigation into the Living Conditions and Survival Strategies of Destitute Asylum Seekers in the UK*. Leeds: PAFRAS.

Towns, A. E., 2012. Norms and Social Hierarchies: Understanding International Policy Diffusion 'From Below', *International Organisation*,66, spring, 179-209.

Tyler, T. R., 1990. *Why people obey the law*. Newhaven: Yale University Press.

UN General Assembly, *New York Declaration for Refugees and Migrants, Resolution adopted by the General Assembly on 19 September 2016,* A/RES/71/1, 3 October 2016.

United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons. Geneva. 2-25 July 1951. Available from: <http://www.unhcr.ch/refworld/refworld/legal/instruine/asyluin/1951eng.pdf> [Accessed 28 August 2015].

UNHCR, The global compact on refugees', Zero Draft, 31 January 2018, http://www.unhcr.org/Zero-Draft.pdf [Accessed 3 March 2018]

UNHCR, 2018. UNHCR Projected Global Resettlement Needs 2019. 25 Jun 2018.

UNHCR, Solutions <http://www.unhcr.org/uk/solutions.html>, Accessed on 9th August 2017.

UNHCR. 2017. Resilience and self-reliance from a protection and solutions perspective. <http://www.unhcr.org/excom/standcom/58ca4f827/resilience-self-reliance-protection-solutions-perspective.html> [Accessed 9 December 2019].

UNHCR. 2016a. Global Appeal 2016-2017. 'Figures at a Glance' <http://www.unhcr.org/564da0e3b.html> [Accessed 19 July 2017].

UNHCR. 2016b. Biennial programme budget 2016-2017 of the Office of the United Nations High Commissioner for Refugees. A/AC.96/1147

UNHCR. 2016c. Global trends: Forced displacement in 2015. Available at <www.unhcr.org/statistics/unhcrstats/576408cd7/unhcr-global-trends-2015.html>. Accessed on 20th 2019

UNHCR. 2015. UNHCR Global Trends: Forced Displacement in 2014

UNHCR. 2011. States parties to the 1951 convention relating to the status of refugees and the 1967 protocol. Available from: <http://www.unhcr.org/3b73b0d63.html> [Accessed 16 October 2014].

UNHCR. 2009. Statement by Mr. António Guterres to the United Nations Security Council, New York, 8 January 2009.

UNHCR. 2008a. Policy Framework and Implementation Strategy. UNHCR's role in support of the return and reintegration of displaced populations.

UNHCR, 2008b. '41st Meeting of the Standing Committee, 4-6 March 2008, Agenda Item 6b, Outline for the oral update on Protracted Situations which would benefit from international support'.

UNHCR, 2008c. 'UNHCR's Role in Support of the Return and Reintegration of Displaced Populations: Policy Framework and Implementation Strategy'. EC/59/SC/CRP.5.

UNHCR. 2007. 'Discussion Paper: Refugee protection and durable solutions in the context of international migration'. UNHCR/DPC/2007/Doc. 02.

UNHCR. 2006. "2016 global strategic priorities progress report". Available from: <http://reporting.unhcr.org/sites/default/files/2016 per cent20 Global per cent20Strategic per cent20Priorities per cent20Progress per cent20Report.pdf> [Accessed on 1 August 2018].

UNHCR. 2005. Handbook for Self-Reliance, August 2005, First edition. Available from <http://www.refworld.org/docid/4a54bbf40.html> Accessed [26 August 2018].

UNHCR. Statement by Mr. António Guterres, United Nations High Commissioner for Refugees, to the United Nations Security Council, New York, 24 January 2006.

UNHCR. 2002. The highest number of returns Since Dayton, Press Release, 15 February 2002; UN refugee agency reports steadily increase in minority returns in 2002, Press Release, 14 May 2002.

UNHCR. 1997a. *The state of the world's refugees: a humanitarian agenda.* Oxford: Oxford University Press.

UNHCR. 1997b. Note on the Cessation Clauses. EC/47/SC/CRP.30. Standing Committee

UNHCR. 1996. Comprehensive and Regional Approaches within a Protection Framework No. 80 (XLVII) – 1996, 11 October 1996, No. 80 (XLVII) – 1996

UNHCR. 1984. Principles for Action in Developing Countries, A/AC.96/645 Corr. 1

United Nations. 1951. Convention relating to the status of refugees of 28 July 1951.

United Nations. 2018. Bosnia and Herzegovina: UNCT Operational Update of the Refugee/Migrant Situation, March 2018

United Nations Secretariat, Quick Impact Project, Policy Directive, 2013

US Department of State, Bureau of Population, Refugees and Migration 2010 Yearbook of Immigration Statistics and 2010 Annual Flow Report on Refugees and Asylees

van Selm, J., 2004. The Strategic Use of Resettlement. Refuge, (22), 1

Van Hear, N., 1998. New Diasporas: The Mass Exodus, Dispersal and Regrouping of Migrant Communities. Seattle, WA: University of Washington Press.

von Hermanni, H. and Neumann, R. 2019. 'Refugees welcome?' The interplay between perceived threats and general concerns on the acceptance of refugees – a factorial survey approach in Germany. *Journal of Ethnic and Migration Studies*, 45:3, 349-374

Vincet, M. and Sorenson, B. R., 2001. *Caught Between Borders: Response Strategies of the Internally Displaced.* Pluto Press.

Wachtel, A., and Bennett, C., 2013. *The Dissolution of Yugoslavia. In*: Charles Ingrao, C. and and Emmert, T. A., (eds.), Confronting the Yugoslav Controversies – A Scholar's Initiative, Purdue University Press.

Waltz, K. N., 1979. *Theory of International Politics*. Reading, M. A.: Addison-Wesley.

Weine, S. M., 2011. Developing preventative mental health interventions for refugee families in resettlement. *Family Process*, 50(3), 410-430.

Wendt, A., 1999. *Social theory of international politics,* Cambridge: Cambridge University Press.

Wendt. A., 1992a. The agent-structure problem in international relations theory. *International Organisation*, 41(3), 335-370.

Wendt, A., 1992b. Anarchy is what states make of it: the social construction of power politics. *International Organisation*, 46(2), 391-425.

Wendt, A., 1987. The agent-structure problem in International Relations. *International Organisation* 41 (2), 335-370.

Wiebelhaus-Brahm, E., 2016. Exploring Variation In Diasporas' Engagement With Transitional Justice Processes. *Journal of Peacebuilding & Development*, (11), 3, 23-36.

Williams, R. C., 2007. *The conemporary right to property restitution in the context of transitional justice.* Available from: https://www.ictj.org/sites/default/files/ICTJ-Global-Right-Restitu- tion-2007-English.pdf (Accessed 15 April 2015).

Winter, R., 1994. The Year in Review in 1993: World Refugee Survey Report New York:, N.Y.: US Committee for Refugees

Woodward, S.L. 1995. *Balkan Tragedy: Chaos and Dissolution after the Cold War.* Washington, DC: Brookings Institution.

Worby, P., 2004. Security and Dignity: Land Access and Guatemala's Returned Refugees. *Refuge,* 19 (3).

World Bank. 2015. *Eastern Africa – Forced displacement and mixed migration in the Horn of Africa.* Available from: <http://pubdocs.worldbank.org/en/892801436371029880/forced-displacement-horn-of-africa-Report.pdf> [Accessed 5 June 2018]

Wright, M. O., Masten, A. S., Northwood, A., and Hubbard, J. J., 1997. Long-term effects of massive trauma: Developmental and psychociological perspectives. *In:* Cicchetti, D. and Toth, S. L. (eds.), Rochester Symposium on Developmental Psychopathology, Vol. 8, *The effects of trauma on the developmental process.* Rochester, NY: University of Rochester Press, 181-225.

Yin, R. K., 2013. *Case study research: Design and methods.* Fifth edition. Thousand Oaks, CA: Sage.

Zeitzoff, Thomas 2016: Why the Method Matters. Available from (https://politicalviolenceataglance.org/2016/05/26/why-the-method-matters/.> [Accessed 5 June 2018]

Appendix 1: Interview guide with UNHCR officials

1. INTRODUCTION

Name
Position
Organisation

2. DISPLACED PEOPLE QUESTIONS
1) What do you think are the major issues and problems that the international community is facing currently in respect to displaced people, i.e. refugees?

2) What would you say are the important challenges in the international community's response to internally displaced persons' needs?

3) How do the rights of IDPs and refugees to participate in deciding and shaping their own lives come into play?

4) What trends do you foresee in the future with respect to refugees and attitudes towards refugees, especially from the perspective of receiving countries? (New conflicts: Syria, Ukraine, Iraq)

5) Are there other countries, in addition to Bosnia (and Sierra Leone), where large numbers of refugees are returning home? What contributes to it? *(Afghanistan, Liberia, Angola, Burundi, the Democratic Republic of the Congo (DRC), Southern Sudan)*

3. PEACEBUIDLING QUESTIONS
1) What UNHCR peacebuilding projects, activities, or initiatives have you seen that have worked well? Probes:
   Why? Internal factors and External factors.

2) What were the major lessons (positive and negative) learned through the project? Are there concrete recommendations that could increase the success of future programmes?

3) Country specific: Have constitutional, legal and legislative reforms on the right to return evolved since the introduction of the programmes, and if so, how?

4) Does evidence suggest that the right to return programmes have informed these policies?

5) Do the views of persons of concern take priority? Which groups or views/problems get priority?

6) Does UNHCR consult displaced people, local NGOs, civil society on specific programmes?

7) How are budgets developed when the means are limited?

4. UNHCR
1) Do you see UNHCR as a supervisor, guardian and monitor of international norms and standards?

2) How do international norms become effective in post-conflict environment?

3) What are the major issues or problems that affect project implementation?

4) What is progress and achievements compared with the expected results?

5) Which constraints or challenges to implementation exist and to which extent are they related to logistical capacity and experience of UNHCR and other partners, coordination, resource allocation etc.?

6) Do grassroots NGOs working on the rights of displaced persons invoke international programmes in their policies or organizational objectives?

5. DURABLE SOLUTIONS
1) Humanitarian crises have become ever more numerous and complex. What does "durable solutions" in such a complex 21st century context mean?

2) Describe the durable solutions strategy in general and the three specific durable solution strategies for refugees – 1) return to their place of origin, 2) local integration into the communities where they settled, and 3) resettlement to a third location.
   1. What are the motivators and drivers to return? Do internally displaced people return to the place of origin?
   2. How to ensure effective resettlement?
   3. How to ensure effective integration and asylum process?

3) To what extent have the durable solution strategies contributed to improvements in the quality of life of refugees and IDPs?

4) How do you know that the solutions work? How do you check?

5) Are the host states willing to work with the UNHCR on durable solutions programmes?

Appendix 2: Interview guide with refugees and asylum seekers and/or those who decided to come back to the country of their origin

1. INTRODUCTION
Gender:
Age:
Marital status:
Level of Education:
Occupation:
Ethnicity:
Name of Town/City of settlement?
Place of origin (Province/village):
Returned refugee? If yes, 4b

2. FLIGHT
1. When did you leave Bosnia and Herzegovina?
2. Where did you go when you left BiH?
3. What was the mode of settlement: camp?
4. Do you consider you had a choice?
5. Why did you choose that country?
6. Describe your available resources at arrival: Material resources (money, property etc) personal resources (health, age,) Social resources (Children, partner and other family members).

3: UNHCR
1. Describe aid received from UNHCR
2. Are you satisfied with the quality of knowledge, skills, and attitudes of the UNHCR staff working in your country or operation?
3. From your perspective, are UNHCR staff providing adequate services to refugees?
4. In your view what could be improved about services, help given to refugees? What else can UNHCR do to help?

4a: RESETLEMENT AND ASYLUM in SECOND or THIRD COUNTRY
1. How do you cope with the challenges of life in a new country?
2. How has living in a new country affected your health and the health of your family?
3. What services and organizations for refugees have you visited or used in a new country?
   a. What was your experience with each institution like?
4. Were you engaged in the process of seeking resettlement to a third country? If yes: How has the process of seeking resettlement been for you?
5. Have you ever wanted to go back to your country of origin?

OR
4b: RETURN and CONDITIONS at HOME
1. When did you return to / number of years since you returned?
2. Why did you return?
3. Who did you discuss your return decision with? Who did you consult?

4. Describe aid received upon return from UNHCR, UNDP and government and others: Were you able to return to the place where you lived before exile? If no why?
5. Describe the resources that you had with you immediately after coming back (Material, personal, cultural and social)
6. Can you briefly describe your main concern once you arrived back here in Housing?
   Financial/Money?
   Legal matters/ownership of property left behind?
   Emotional matters?

5: INTEGRATION ACTVITIES
1. Are you aware of the existence of different UNHCR programmes?
2. Describe any involvement in the peace process that led to the end of the war?
3. Briefly describe what justice means for you?
4. What is peacebuilding?
5. Briefly describe your perception of the process of justice and reconciliation in your local community?
6. Have you retrieved/ in the process of retrieving properties from others since you arrived? If yes how would you describe the process?

6: FUTURE
1. Any norm/value from the exile community that you think when applied to your country could help in the rebuilding process and change for the better?
2. Briefly describe what you perceive to be your role in rebuilding and how you can achieve that?
3. Are there any constraints towards your intent to contribute towards the process of peace building?
4. Where do you consider your home?
5. In your opinion, how safe is the country today?
6. In your opinion, compared to before the end of the last war, what is the general state of security like in the country today?
7. Compared to before the end of the last war, how is your personal safety today?

7: PEACEBUILDING
1. In what ways can the human rights stories that refugees tell about past ill-treatment they faced in their home countries be part of the work of truth and reconciliation commissions in their countries?
2. What do you think can be done to bring peace in your home country, to help people to feel safe and be able to work and take care for their families? How can people in your country live in peace with one another?
3. How can refugee communities contribute towards peace, national reconciliation and fair treatment of all people in their home countries?