



UiO : Norwegian Centre for Human Rights
University of Oslo

HRRL

Beyond Encampment:

Managing Mass Migration in an Age of Urbanization

International Expert Workshop

2 November 2018

University of Oslo, Faculty of Law

Organizers:

Norwegian Centre for Human Rights (NCHR) & Human Rights Research League (HRRL)

Introduction:

In the past four years, the world has witnessed an unprecedented rise in the number of people uprooted by conflict and dire living condition, often traversing multiple regions on their way to safety. In response to the challenges posed by these patterns of conflict and migration, states and regional organizations have attempted to limit the influx of refugees and migrants and instead focus attention and resources on cooperation projects in and agreements with the countries of origin. One outcome of this approach was the EU Emergency Trust Fund for Africa¹, followed by a ‘mini-EU-Africa-summit’ headed by French president Macron and German chancellor Merkel, with state leaders from Chad, Libya, and Niger as representatives of some of the most important countries along the main migration routes². The UN Global Compacts on Refugees and Migrants, respectively, constitute the latest, and most comprehensive initiative in that regard thus far, to be adopted in the course of 2018.³ But some of these agreements have tended to disregard some decisive points, if mass migration on a global scale is to be addressed: Irrespective of the level of border control, barriers, or cooperative agreements with transit countries, people will still tend to flee and

¹ EU Commission – The EU Emergency Trust Fund for Africa – Fact Sheet (March 1, 2017), http://ec.europa.eu/europeaid/sites/devco/files/factsheet_ec_format_eu_emergency_trust_fund_for_africa_2017.pdf.

² Europe-Afrique: Macron présente un plan d'action pour les migrants, RFI (Aug. 28, 2017), <http://www.rfi.fr/europe/20170828-mini-sommet-europe-afrique-macron-presente-plan-action-migrants>.

³ Cf. ‘Global Compact on Refugees’, UNHCR, <https://refugeesmigrants.un.org/refugees-compact>; and ‘Global Compact for Migration’, UNHCR, <https://refugeesmigrants.un.org/migration-compact>.

seek access to more secure countries, though not necessarily in Europe or the global north. In fact, the vast majority of those uprooted flee to and stay in neighboring countries⁴, and today most of the people seeking refuge migrate towards and live in urban centers, not in (refugee or IDP) camps, and for those, viable solutions need to be found. This expert meeting aims to take stock, compare across regions, and explore avenues and concepts to accommodate the growing number of people fleeing and staying within the respective regions and, not least, in urban areas.

Beyond Encampment:

Traditionally, refugee camps have been erected in response to the mass outflow of people fleeing conflict and hardship. Usually, these camps were built outside urban centers. In fact, local authorities and refugee agencies have often been working against refugees' access to cities. Initially intended as an emergency response, in reality large numbers of camps have turned into semi-permanent (non-) solutions to those forced to linger on in such temporary, confined and artificial habitats. While camps *may* make it easier for the authorities or aid organizations to provide certain services (food, medical aid, education) to the vulnerable populations residing there, in the long run, living in aid-dependency contributes to poverty, which may lead to protracted refugee situations and in turn provide fertile soil for new conflicts, including with host communities.⁵ Furthermore, there are numerous good reasons why refugees and other people uprooted by conflict might prefer to live in cities and why that is indeed preferable to sprawling refugee camps. One is avoidance of 'the transmissibility of despair through generations, and of its not infrequent translation into active militancy' (Goodwin-Gill, 2014: vii, in Akram and Syring, 2014).

Also, the world is becoming increasingly urban. Not only does the majority of the world's population today live in urban areas, also people fleeing conflict or dire straits predominantly now inhabit urban centers in their host countries. In fact, according to UNHCR, more than 60 per cent of the world's 28.5 million refugees and 80 per cent of 40 million IDPs now also live in urban environments⁶, and countries in Central and Eastern Africa face particularly high concentrations.

Hence, despite the considerable number of camp residents worldwide, they are outnumbered by those living, or dwelling, in urban areas, and any approach towards alleviating the pressure on host communities and improving the living conditions for those living in the region, needs to take these realities into account. In that context, the concept of (long-term) refugee camps is outdated. Rather, focus needs to be on refugee and migrant populations acquiring skills that render them self-sufficient and may enhance the chances of circular migration, thus eventually benefiting host communities and countries of origin alike.

Mass Migration and Urbanization:

For the many millions who fled their homes for various reasons and are already living in neighboring countries or are internally displaced, there is an urgent need to find long term and creative, innovative solutions. Failing to improve the living conditions also of these populations might lead to the implosion or explosion of crises situations in their host countries or communities, thereby providing fertile soil for new conflicts and a perpetuation

⁴ Nathalie Bounoux & Rohen d'Aiglepierre, *Les migrations subsahariennes : déconstruisons les idées reçues*, Le Monde (Feb. 15, 2016), http://www.lemonde.fr/afrique/article/2016/02/15/les-migrations-subsahariennes-deconstruisons-les-idees-recues_4865581_3212.html.

⁵ New York Declaration for Refugees and Migrants (Sep. 16, 2016), para. 7, and *passim*, <http://www.refworld.org/docid/57ceb74a4.html>.

⁶ Cf. 'Statistical Yearbook 2016', UNHCR (Feb. 2018), available at: <http://www.unhcr.org/statistics/country/5a8ee0387/unhcr-statistical-yearbook-2016-16th-edition.html>; and 'Flyktningregnskapet 2018' ['Refugee Balance 2018'], Norwegian Refugee Council (June 30, 2018), <https://www.flyktninghjelpen.no/flyktningregnskapet2018/>.

of flight situations. Furthermore, the majority of those who left their homes now live in urban areas (in the countries or regions they fled to), and often will (have to) stay there for a very long time. That may involve taking—to a much larger extent—the local host population into account when formulating livelihood and development policies for ‘uprooted people’, and rather conceive of the local population and the ‘refugee/migrant’ population as *one* ‘population of concern’.

Looking at innovations in urban agriculture, smart solutions to energy efficiency, or new ways of integrating refugees and forced migrants into the labor market, into urban life, letting them also take part in making and changing the city, could form part of the solution. While there are some encouraging and innovative approaches to accommodating refugees, promoting local integration, useful co-habitation, and mutually beneficial self-reliance (cf. e.g. Uganda, incl. ‘REHOPE’ – Refugee and Host Population Empowerment framework⁷) or even group or organization-based rights (cf. also Albania, PMOI example) – and these important developments may also relate to other country cases – further study on those issues is needed. Facilitating discussion and advancing our understanding of these and related topics will be at the core of this expert meeting.

Conveners:

Gentian Zyberi, Norwegian Centre for Human Rights

Tom Syring, Human Rights Research League

Venue:

‘Professorboligen’

University of Oslo

Faculty of Law

Karl Johans gate 47

<https://www.uio.no/english/about/getting-around/areas/city-centre/se04/>

Program: *International Expert Workshop, Nov. 2, 2018*

09:00-09:15 Welcome & Introduction

Gentian Zyberi, Norwegian Centre for Human Rights
Tom Syring, Human Rights Research League

09:15-10:45 Session 1: The Global Compacts and Mass Migration Management:
Solving or Re-Framing the Problems?

Morten Bøås, Norwegian Institute of International Affairs (NUPI):
‘Local Overload and the New Hierarchy of Suffering - Why a New
Approach to the Global Refugee Crisis is Necessary’

Lars Petter Henie, Norwegian Ministry of Foreign Affairs: ‘The Global
Migration Compact Negotiations - Success or Failure?’

⁷ Anna Patton, *In Uganda, a New Approach for Refugees – and for Ugandans*, Devex.com (Sep. 21, 2016), <https://www.devex.com/news/in-uganda-a-new-approach-for-refugees-and-for-ugandans-88774> .

Stefan Salomon, University of Graz, Austria: 'A Contextual Assessment of the Global Compacts: Prevention, Deterrence, Coercion'

10:45-11:00

Coffee break

11:00-12:30

Session 2: Beyond Encampment: Novel Approaches to Accommodating Refugees and Forced Migrants - Legal and Organizational Developments

Eva Dick, German Development Institute (DIE) & TU Dortmund University, Germany: 'Beyond Encampment? Urban Refugee Integration in Kenya in a Multi-Level Policy Context'

Steven Schneebaum, Johns Hopkins University, USA: 'Collective Refugee Status and Autonomous Organizations'

12:30-13:15

Lunch break

13:15-14:45

Session 3: Global Trends and the Challenges of Urbanization and Exile: Lessons for Livelihood and Development Policy

Giulia Maci, European Centre for Development Policy Management, Belgium: 'Urbanization in Africa and Implications for EU Development Policy'

Samar Muhareb, Arab Renaissance for Democracy and Development, Jordan: 'Legal Approaches to Enhancing Social Cohesion and Host/Refugee Community Relations'

Zeina Zerbé, Université Saint-Joseph de Beyrouth, Lebanon: 'The Psychology of Exile: Refugee Life and Trauma'

14:45-15:00

Coffee break

15:00-16:30

Session 4: Fighting Root Causes of Flight: Integration, Circular Migration, and the Promise of Technology

Charles Martin-Shields, German Development Institute (DIE), Germany: 'Access to Digital Technology and Migrant Integration in Urban Settings'

Fernando de Medina-Rosales & Martin Suvatne, Norwegian Refugee Council, Norway: 'Using Technology to Enhance Legal Identity and HLP Rights in Displacement Contexts'

16:30-17:00

Plans for Further Research and Collaboration

17:00-17:15

Concluding remarks

Gentian Zyberi, Norwegian Centre for Human Rights

Tom Syring, Human Rights Research League

Participant Bios:



Morten Bøås is Research Professor at the Norwegian Institute of International Affairs (NUPI). He has published extensively on conflict, war, and complex humanitarian crises in Africa. His latest publications include, *Africa's Insurgents: Navigating an Evolving Landscape*, Lynne Rienner Publishers 2017 (Morten Bøås and Kevin Dunn).



Eva Dick, PhD, is a senior researcher in the Research Programme on “Transformation of Political (Dis-) Order” of the German Development Institute / Deutsches Institut für Entwicklungspolitik (DIE) in Bonn, Germany. She has a Master in Sociology from the University of Hamburg and a PhD in Spatial Planning from TU Dortmund University. Previous to her current position she was a researcher and lecturer at the Faculty of Spatial Planning at TU Dortmund. Her research focus is on multilevel migration governance with a focus on the relevance of diverse forms of mobility for local and urban development and planning.



Lars Petter Henie, senior adviser at the Norwegian Ministry of Foreign Affairs, is Norway's chief negotiator in the Global Compact for Migration negotiations. He has been a diplomat for 25 years with a focus on multilateral relations. He has served in Norwegian missions in Washington, Copenhagen and Guatemala.

Stein Erik Horjen is Migration Coordinator in NORAD, Norwegian Agency for Development, and has previously worked on issues of peace and reconciliation, conflict analysis and fragile states. He is member of the Technical Committee for the High-Level Panel on Migration in Africa, chaired by Ellen Johnson Sirleaf.

Horjen is cand. theol. and has for more than twenty years worked on peace and conflict issues in NGOs and various government positions, including as diplomat at the Norwegian Embassies in Kenya and Sudan. He has produced two books, *Lang vei til fred. Om konflikt og forsoning i Sudan og Sør-Sudan* (Oslo 2012) and a revised English version: *Reconciliation in the Sudans* (New York 2016).



Giulia Maci is an international urban development expert. Currently she works at ECDPM, leading the ETTG program and coordinating EU policy-based researches, with a territorial and urban focus. Before becoming ETTG coordinator, Giulia has worked as international consultant at COWI Denmark and as program manager and researcher at IHS in Rotterdam and the International Federation for Housing and Planning (IFHP) in Copenhagen, developing and managing international urban projects. Giulia is an urban planner specialized in smart mobility, urban renovation programs and community-based action planning with work experience in more than 20 countries across Africa, Asia, Europe and Latin America.

Giulia is also the president and co-founder of Urbego, an international NGO composed by a team of architects, economists and social innovators.



Charles Martin-Shields is currently a researcher at the German Development Institute in Bonn, Germany working on the “Reducing Root Causes of Forced Displacement and Managing Migration” project, funded by the Federal Ministry for Economic Cooperation and Development. His research areas include migration and forced displacement, digitalization and ICTs in development, and peace and conflict processes. His work at the German

Development Institute focuses on the decision-making processes of migrants and refugees, particularly those living in and moving through urban environments. He is currently managing projects in Bogota and Kenya, including surveys on ICT use among migrants and how access to digital technologies influences mobility and urban integration. He has also been involved in the T20 process, which gathers policy advice from think tanks across the G20 member states. His policy advice for the T20 focuses on supporting high skill migration, and he will continue to be involved in the T20 migration task force during the Japanese G20 presidency.

Prior to the German Development Institute he worked with the International Security and Development Center, where he is an affiliated researcher, on an FAO-funded project on the political economy of food security and conflict, and was a Visiting Scholar at George Mason University’s School for Conflict Analysis and Resolution during the 2016-17 academic year. During his PhD he was a Fulbright Public Policy Fellow, advising the Samoan Ministry of Communications and Information Technology on disaster response and crisis prevention policy. Outside academia he has consulted for the World Bank, and worked with TechChange Inc and the U.S. Institute of Peace on peacebuilding and training programs. He earned his PhD at the School for Conflict Analysis and Resolution at George Mason University, and holds a MA and BA from American University in Washington, D.C.



Fernando de Medina-Rosales Fernando de Medina-Rosales is the Global Manager of the Information, Council and Legal Assistance (ICLA) Programme of the Norwegian Refugee Council (NRC). A lawyer by background, Fernando has dedicated his professional life to work on human rights and rule of law in conflict and development contexts, specialising on housing, land and property and legal identity. He has been driving the development of the ICLA programme during the last decade in particular the use of dispute

resolution, monitoring evaluation and most recently the digital transformation of ICLA’s services. He holds a M.A. in Human Rights and Democratization from the European Inter-University Centre and a LL.M. on International Law from the University of Oslo.

Working with ICLA during the last 11 years, he has explored the links between displacement and statelessness and ensured that NRC’s policies and programmes incorporate adequate responses to prevent statelessness when supporting displaced populations.



Samar Muhareb is Executive Director of Arab Renaissance for Democracy and Development – ARDD, a Jordanian NGO which she co-founded in 2008, in response to the Iraqi Refugee Crisis. Having worked as a lawyer for many years prior, Samar realized that one of the most urgent needs refugees and marginalized individuals and communities face, is access to justice regardless of status.

With over 15 years of experience in working for the international aid community, Samar is an expert in the field of human rights, refugee affairs, humanitarian response and women's empowerment in Jordan and the Middle East. In addition, she actively supports initiatives focusing on environmental justice in the region.

In recognition of her efforts towards furthering social justice and strengthening the role of civil society Samar was awarded the TAKREEM Arab World Young Entrepreneur Award for 2011. In addition, Samar is currently a board member of the START Network, Greenpeace Mediterranean, a member of the Scientific Committee for the Queen Aliya Award, a member of the special committee of the Royal Court's Human Resources Development initiative, and was also selected as a delegate member to the Arab League under a new initiative to represent the work of civil society in the humanitarian field.

Samar holds a B.A. in Law and a master's degree in Human Rights and Human Development from the University of Jordan. Since 2014, she teaches Refugee and Migration Studies at the University of Jordan.

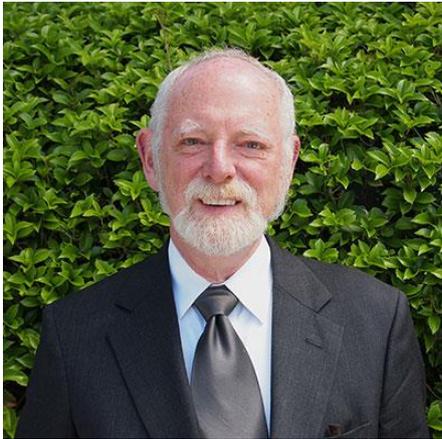


Ingvill Thorson Plesner is a senior researcher at the Center for Studies of Holocaust and Religious Minorities in Oslo, Norway. She has initiated and is coordinating the Minority Network; a research project on experiences of refugees from Iraq and Syria (with Alexa Døving); and the development of an international online course on minority rights. As part of this work, Plesner had the main responsibility for a two-day international conference on "Minority rights in conflict-ridden societies" on June 18th and 19th 2018, to mark the 70th anniversary of the Universal Declaration on Human Rights.

In addition to national and international publications, Plesner has developed a number of academic courses in the field of human rights, religion and minority issues, including the massive open online course on "Mass migration and human rights: Legal and ethical dilemmas", and initiated and directed research projects and edited publications in these fields.



Stefan Salomon is lecturer at the Institute of International Law at the University of Graz, where he is the founder and head of the Refugee Law Clinic. Previously, he worked at the Austrian Ministry of Foreign Affairs and a European Union agency. His research focuses primarily on international and European refugee and migration law, human rights law, and legal theory. Stefan currently works on a research project on how transnational governance of irregular migration transforms citizenship. In a second research project, Stefan looks at the concept of territory in international and EU law.



Steven M. Schneebaum has been a lawyer in private practice in Washington, D.C., for four decades. He established his own firm in 2014, which focuses on litigation and international law, representing clients in U.S. courts as well as in transnational and domestic arbitral proceedings. He also counsels clients on dispute avoidance through negotiation. Steven has been an adjunct professor at the School of Advanced International Studies, The Johns Hopkins University, since 1990.

He has chaired or participated in numerous organizations dedicated to making legal representation available to those who cannot afford it (including victims of human rights violations and inmates on Death Row), and to promoting the study and practice of international law. He was founding Chair of the International Law Students Association in the 1990s, and currently serves as a Counsellor to the American Society of International Law, on the Board of Directors of the American Branch of the International Law Association, and as a Fellow of the American Bar Foundation. He is a past Co-Chair of the International Refugee Law Interest Group of the American Society of International Law, and the Death Penalty Representation Project of the American Bar Association.



Martin Suvatne is the Head of Core Competencies of the Norwegian Refugee Council (NRC). The Core Competences are NRC's six technical areas of expertise. As of 2019 these are: 1) Information, Counselling and Legal Assistance (ICLA), 2) Education, 3) Shelter and Settlements, 4) Livelihoods and Food Security, 5) Water, Sanitation and Hygiene (WASH) and 6) Camp Management. Martin also holds NRC's portfolio on Housing, Land and Property (HLP) where NRC is heading the Housing, Land and Property Area of Responsibility (HLP AoR) under the Global Protection Cluster IASC.

In his role as the head of core competences Martin is accountable to the relevance of NRC's programme portfolio. His teams in the six core competences continuously develop policies, approaches and guidance to facilitate displaced people's access to durable solutions and protect their rights.

An architect by background, Martin has been working for several years with disaster risk reduction and local governance programmes for GIZ and with shelter and settlements programmes for NRC. Martin holds a Dipl.-Ing. (Diploma Engineer) degree from the University of Karlsruhe, Germany.



Nora Sveaass, Professor, Department of Psychology at the University of Oslo. As a psychologist my main focus has been both on clinical, advocacy and academic work in relation to torture survivors in general and with refugees in particular. Furthermore - a strong engagement in the work related to the prohibition and prevention of torture and the right to rehabilitation for victims of torture. My research has centered on these issues as well as to family therapy with refugees, psychosocial work with war victims in Central America, early identification of health problems related to torture and other human rights violations in asylum-seekers, and on transitional justice in Latin America. Former member of UN Committee Against Torture (CAT), 2006-2013. At the present, member of the UN Subcommittee for the Prevention of Torture (OPCAT/SPT). Publications on

human rights and psychology, political psychology, prevention of torture and rehabilitation to victims of torture.



Tom Syring is Chairman of the Human Rights Research League. He has been a Lecturer in International Law, Political Philosophy, and International Relations at the University of Oslo, a Visiting Fulbright Scholar and Lecturer in International Law at Boston University, a Legal Adviser at the Norwegian Immigration Appeals Board, and a Visiting Scholar at the Norwegian Centre for Human Rights. Syring has particularly published and lectured on issues at the intersection of international humanitarian law, international criminal law, refugee law, and human rights.

Recent and current research projects include a book on the root causes of protracted refugee crises (*Still Waiting for Tomorrow: The Law and Politics of Unresolved Refugee Crises*, co-edited, with Susan Akram); an inquiry into Constitutional Coups d'état in Sub-Saharan Africa; and a forthcoming, co-edited volume (with Richard Falk) on state responsibility for refugees and other people in need of protection in the context of war and occupation (*War, Occupation, and Refugees*). Tom Syring is a Co-Founder and former Co-Chair of the American Society of International Law's Interest Group on International Refugee Law, a member of the Norwegian Resource Bank for Democracy and Human Rights (NORDEM), and Co-Chair of the European Society of International Law's Interest Group on Migration & Refugee Law.



Michael Waugh is the Project Manager for Core Competency Digital Product Development at The Norwegian Refugee Council (NRC). Michael has a BA degree in Political Science and Sociology and is a Carpenter/Builder by trade. Working in the humanitarian sector since taking a leave of absence from PhD studies in 2009, Michael has worked primarily in the Shelter and Settlements sector. He joined NRC in 2014 working as Shelter Project Manager and later Shelter Specialist in the NRC Iraq Country Program and during this time co-lead the Shelter Working Group and later the Shelter Cluster. Since September 2016, he has been based in Oslo as a Shelter Adviser and more recently taken

on his current role managing two digital product development projects – one exploring the use of digital platforms to facilitate housing for conflict affected populations and the other focusing on digital transformation for the Information, Counselling and Legal Assistance core competency.



Zeina Zerbé is a clinical psychologist and a psychoanalytical psychotherapist. She is also a lecturer at the Saint-Joseph University of Beirut. She has been working for ten years in Palestinian camps in Lebanon as a psychologist consultant and a psychotherapist for local and international NGOs.

Interested and intrigued by the nexus between political phenomena and their psychosocial repercussions, she initiated in 2013, a personal research that explores the psychosocial and political triggers of the Lebanese civil war. Thus, she notably focuses on various episodes of the Lebanese civil war and the lived experiences of politicians and militias' ex-fighters. Through her work, she attempts to propose an understanding of unresolved traumas generated by cycles of violence, which, according to her, are partially but deeply related to the current psycho-social and political impairment. Broadly, the objective of her research is to contribute, through the psychoanalytical perspective and analysis, to the work on collective memory and the writing of history.



Gentian Zyberi is an Albanian international legal scholar and practitioner. Currently, professor Zyberi is the Head of the Norwegian Centre for Human Rights (NCHR, Centre). He holds a bachelor's degree (LL.B) from Tirana University, Albania, and a Master's degree (LL.M) and a PhD degree in International Law from Utrecht University, the Netherlands. Prior to joining the Centre, he has worked at the Amsterdam Center for International Law of the University of Amsterdam and the

Netherlands Institute of Human Rights of Utrecht University, in the Netherlands. His current research focuses on the contribution of the International Court of Justice and other international courts and tribunals to interpreting and developing rules and principles of international law of human rights, international humanitarian law, and international criminal law; protection of community interests under international law; issues concerning the operationalization of the responsibility to protect doctrine; and, on transitional justice issues.

List of Participants:

Morten Bøås, Norwegian Institute of International Affairs (Norway)

Eva Dick, German Development Institute & TU Dortmund University (Germany)

Lars Petter Henie, Norwegian Ministry of Foreign Affairs (Norway)

Stein Erik Horjen, Norwegian Agency for Development Cooperation (Norway)

Giulia Maci, European Centre for Development Policy Management (Belgium)

Charles Martin-Shields, German Development Institute (Germany)

Fernando de Medina-Rosales, Norwegian Refugee Council (Norway)

Samar Muhareb, Arab Renaissance for Democracy and Development (Jordan)

Ingvill Thorson Plesner, Center for Studies of Holocaust and Religious Minorities (Norway)

Stefan Salomon, University of Graz (Austria)

Steven Schneebaum, Johns Hopkins University (United States)

Martin Suvatne, Norwegian Refugee Council (Norway)

Nora Sveaass, University of Oslo, Department of Psychology (Norway)

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