

Helpdesk Research Report

Restrictions on humanitarian aid to refugees

Brigitte Rohwerder

03.02.2014

Question

What lessons can be learnt from situations in which host governments have allowed humanitarian assistance to refugees in camps, but put restrictions on aid to those in host communities? What has been the impact of such policies and how has the humanitarian community responded to these restrictions?

Contents

1. Overview
2. Impact of humanitarian aid restrictions and the humanitarian community's response
3. Lessons
4. References

1. Overview

This rapid review looks at the available literature examining the impacts of policies that restrict aid to refugees in official camps and the response of the humanitarian community to such policies.

The evidence base for this question is extremely weak. Very little of the literature uncovered during this rapid review engages directly or in depth with the question of the impact of such aid restrictions. Even fewer analyse how the humanitarian community has responded to these restrictions. A related debate is ongoing around aid provisions to urban refugees and the suitability of camps as a response to supporting refugees¹, which a number of expert commentators suggest could offer some insights. However, this was beyond the scope of this rapid review. An overview of the literature uncovered during the review also

¹ See for example: Buscher, D. (2011). New Approaches to Urban Refugee Livelihoods. *Refuge*, Vol. 28, No. 2, 17-29. Retrieved from: <http://pi.library.yorku.ca/ojs/index.php/refuge/article/viewFile/36473/33161> ; Cintron, L., & Wendell, E. (2013). Urban Refugee Assistance and the Informal Settlement: Past Precedents and Unrealized Potentials; Kagan, M. (2013). Why do we still have camps? Retrieved from: <http://urban-refugees.org/debate/why-do-we-still-have-refugee-camps/#more-102>

suggests there is much less analysis of the impact of aid restrictions on refugees who self-settle in rural areas as opposed to urban areas.

Case studies of Bangladesh, Uganda, Kenya, and Tanzania are used to examine the impact of restrictive aid policies.

- **Bangladesh:** The government has restricted aid to registered refugees living in official camps. As a result hundreds of thousands of unregistered refugees face poor conditions of nutrition, health, shelter, protection and livelihoods. Women tend to be worse off. A limited amount of 'under the radar' service delivery by NGOs occurs but the humanitarian community's attempts to implement a more substantial response are blocked by the government.
- **Uganda:** Aid is restricted to refugees in official settlements. Many refugees prefer self-settlement because of the freedom it offers. Problems with local hosts can arise because of the additional demands refugees often place on local services. The humanitarian response has been limited by lack of capacity and obedience to government policy.
- **Kenya:** Refugees in Nairobi have achieved a level of self-sufficiency despite not being entitled to aid. The poorest struggle to access basic services. Humanitarian organisations are engaged in advocacy aimed at ensuring refugee rights.
- **Tanzania:** Unequal service provision compared to some refugees in camps has caused tensions with the local community.

The limited literature and expert contributors identify the following **lessons**:

- Refugees will end up outside camps even when not provided with aid, either by choice or circumstance.
- Lack of assistance often leads to refugees in host communities facing problems accessing services, livelihoods and protection.
- A camp only aid policy can cause tensions with the local community due to perceptions of unfairness or worries over the strain placed on local services by unregistered refugees.
- Restricting aid can be inefficient as it does not provide substantial benefits to refugees or host communities.
- Aid agencies have done little to counter these restrictions.

2. Impact of humanitarian aid restrictions and the humanitarian community's response

Bangladesh

Context

The Bangladeshi government only allows UNHCR and other humanitarian organisations to assist the 30,000 documented refugees living in two government camps. There are hundreds of thousands of undocumented Rohingya refugees living outside the official camps in unofficial camps or with host

communities. New refugees cannot register with the government or UNHCR and cannot enter the official camps.

Impact of aid restrictions

An Integrated Regional Information Networks (IRIN) analysis and other reports find that the government's policy to restrict aid to the two government camps has had various negative consequences for the undocumented refugees in Bangladesh (IRIN, 2013).

- **Health, nutrition and shelter:** The area hosting the majority of the refugees has some of the lowest socio-economic indicators in the country but a Refugees International report found that even lifesaving NGO activities targeted at unregistered refugees are not authorised (Yoshikawa and Teff, 2011, p. 2).

Amongst unregistered refugees, acute malnutrition rates in children under five years old were 18 per cent in 2010 (IRIN, 2013). A similar situation was uncovered by Refugees International in 2013, with global rates of malnutrition in one unofficial camp double the emergency threshold (IRIN, 2013). Physicians for Human Rights allege that unregistered "refugees are being left to die from starvation" (cited in IRIN, 2013).

Médecins Sans Frontières (MSF)'s 2012 activity report describes the conditions the unregistered refugees are living in in Cox's Bazaar as "deplorable" (p. 29). Human Rights Watch (2012) reports that aid workers consider the conditions in the unofficial camps to be "among the worst they have seen anywhere in the world". This is as a result of conditions including overcrowding, disease resulting from a lack of clean water and sanitation, and human rights abuses.

UNHCR's 2011 evaluation suggests that conditions in official camps are not much better due to a number of gaps in assistance provided (Kiragu et al, 2011, pp. 13-19).

- **Protection:** Their unregistered status means that refugees who have been victims of violence have no legal recourse (IRIN, 2013; see also Yoshikawa and Teff, 2011, p. 2). Levels of violence have been on the increase around Rohingya settlements, especially against women (IRIN, 2013). A Refugees International field report suggests that unregistered female refugees are particularly vulnerable to sexual and physical attack (Yoshikawa and Teff, 2011, p. 1, 3).
- **Livelihoods:** Lack of registration restricts access to education and job opportunities (Yoshikawa and Teff, 2011, p. 3). Unregistered Rohingya are subject to bribes or arrests in their attempts to seek work (IRIN, 2013; see also Yoshikawa and Teff, 2011, p. 2).

Many are forced into illegal activities as a survival mechanism (IRIN, 2013). Refugees International reports that many women are forced to beg, undertake sex work, or sell their children into domestic labour (Yoshikawa and Teff, 2011, p. 3). Such activities put them at risk of abuse and arrest.

- **Host community relations:** Refugees International suggest that aid restrictions for unregistered refugees has caused local resentment (Yoshikawa and Teff, 2011, p. 3). This is because unregistered refugees add extra strain on the local communities' scarce resources, including firewood and water (Kiragu et al, 2011, p. 9). Some small-scale joint programmes for both

unregistered refugees and host communities initiated by NGOs have reduced tensions with locals (Yoshikawa and Teff, 2011, p. 4).

The humanitarian community's response

While a number of humanitarian organisations continued to provide some assistance (MSF, 2012, p. 29), this has had a limited impact because of the aid restrictions (IRIN, 2013). UNHCR has advocated on behalf of the unregistered refugees and recognised them as a population of concern, although they still only reach 10 per cent of the estimated refugee population (Kiragu et al, 2011, p. 2, 10-11).

The UN attempted to strengthen the education, health, livelihoods and governance programmes accessed by locals and refugees (through the UN plan, “the Joint Initiative for Cox’s Bazar”), but this was rejected by the government (Yoshikawa and Teff, 2011, p. 4). The government is concerned that providing aid to unregistered refugees will “pull” other people to join the unregistered refugees and risks leading to further insecurity.

In July 2012, MSF, along with Action Contre la Faim (ACF) and Muslim Aid were told by the government to stop providing aid to the unregistered refugees due similar concerns (IRIN, 2013). This led to a deterioration in the situation and “increased levels of malnutrition and an environment rife with abuse and impunity” (IRIN, 2013). These restrictions impacted negatively on both the unregistered refugees and the extremely poor host community (IRIN, 2013; see also Teff and Reynolds, 2012, p. 2).

Uganda

Context

The government only allows assistance with basic needs (food, shelter, healthcare, education) to registered refugees residing in designated rural camps (Bernstein, 2005; Refugee Law Project, 2011, p. 1). Bernstein (2005) points out that this policy is discriminatory and has no basis in international law (p. 1; see also Hovil, 2007). Despite this, many unregistered refugees reside in both urban and rural border areas. However, for many refugees, the assistance provided in camps is their only means of survival (Hovil, 2007, p. 613).

Impact of aid restrictions

The work of the Refugee Law Project illustrates the impact aid restrictions have had on unregistered refugees in urban and rural areas in Uganda.

- **Basic services, shelter and protection:** Refugees residing outside the camps faced greater security issues and difficulties accessing basic services, such as education (Bernstein, 2005, p. 1, 26, 31-33). Unregistered refugee girls were more likely to be denied access to education than refugee boys (Bernstein, 2005, p. 33). Unregistered refugees were often homeless and blamed by locals for crime levels and rises in rents (Bernstein, 2005, p. 17, 35, 38). Lack of registration made them very vulnerable to exploitation and arbitrary arrest (Hovil, 2007, p. 608).
- **Livelihoods:** Unregistered refugees relied on the irregular and unpredictable assistance provided by churches and private individuals or on their ability to find a job (Bernstein, 2005, p. 1, 9). This left them vulnerable to neglect and abuse, harming their ability to be self-sufficient (Bernstein, 2005, p. 17). They found it difficult to access credit and other business opportunities (Bernstein, 2005, pp. 27-31). The Refugee Law Project’s 2011 Universal Periodic Review report

suggested that many employers of unregistered refugees living in urban areas were “extremely exploitative” (Refugee Law Project, 2011, p. 2).

- **Self-settlement:** Despite the assistance provided in camps many refugees chose to self-settle (Hovil, 2007, p. 601; see also Okello et al, 2005). This was due to the hardships and restrictions they faced in camps (Hovil, 2007, p. 601; see also Okello et al, 2005, pp. 10-14). In addition, the freedom offered outside camps, especially being able to work, appealed to many unregistered refugees (Hovil, 2007, p. 607).

Many self-settled refugees were not only supporting themselves but were engaged in the local economy (2007, pp. 609-610). They became assets to their community and paid taxes (Hovil, 2007, p. 618). Hovil suggests that by providing aid in camps, refugees are turned into “passive victims” (Hovil, 2007, p. 614).

- **Host community relations:** Concerns over security and the management of scarce resources meant the tensions occasionally arose between local hosts and unregistered refugees (Okello et al, 2005, p. 16-17). This problem was exacerbated by the lack of planning and investment by local host governments to make up for the extra demand on services (Okello et al, 2005, p. 25).
- **Sustainability of restrictive refugee policy:** Hovil (2007) suggests that the system of restricting aid to refugees in official camps in Uganda is unsustainable and has failed to ensure security and economic development for both refugees and host communities (p. 618). In addition, she suggests that the flexibility of self-settlement has encouraged the return process (Hovil, 2007, pp.615-616).

The humanitarian community’s response

UNHCR did not provide unregistered urban refugees with assistance (Bernstein, 2005, p. 8). NGO assistance was limited by their capacity to provide aid to the many in need and the government’s “insistence that refugee assistance be provided in settlements” (Bernstein, 2005, p. 9, 16).

Asylum seekers received some aid (Bernstein, 2005, p. 16). However, this stopped if the asylum seekers were recognised as refugees due to the limitation on aid to refugees (Bernstein, 2005, p. 16).

Kenya

Context

A study carried out by the Refugee Consortium of Kenya found that most refugees in Nairobi were not provided with aid by the government and UNHCR (Refugee Consortium of Kenya, 2005, p. 5). Unregistered urban refugees were tolerated for a while. Recent security concerns changed the situation and resulted in the government trying to reinforce their policy of refugees residing only in camps (Human Rights Watch, 2013). However, Human Rights Watch reports that on 26 July 2013, Kenya’s High Court stopped the government’s plan to force urban refugees out of the city and into camps (Human Rights Watch, 2013).

Impact of aid restrictions

- **Basic services, shelter and protection:** Poorer refugees were largely unable to access basic services, including education (Refugee Consortium of Kenya, 2005, p. 5). Their lack of legal protection resulted in harassment by the police and opened them up to other forms of abuse (Refugee Consortium of Kenya, 2005, p. 4, 5). They were “more marginalised, vulnerable and at risk” than the local population (Dix, 2006, p. 8).
- **Livelihoods:** The majority of unregistered urban refugees found ways to become economically self-sufficient to varying levels of income (Refugee Consortium of Kenya, 2005, p. 4).
- **Official camps:** Conditions in official camps were described by Human Rights Watch as “squalid, overcrowded, and closed” (Human Rights Watch, 2013).

The humanitarian community’s response

Dix (2006) reports that urban refugees were largely ignored by aid agencies. Agencies were reluctant to counter the government and do anything which might attract refugees to urban areas rather than the official camps (Dix, 2006, p. 7).

UNHCR and NGOs did advocate on behalf of refugees and “gently encouraged” the government to change its stance to one more in line with international refugee conventions and protocols (Dix, 2006, pp. 7-8). These include the rights to documentation, to move freely and to work (Dix, 2006, p. 8).

Tanzania

Context

In Tanzania humanitarian aid is only provided to refugees in official camps (Pangilinan, 2012). Urban refugees are denied access to this aid (p. 5). In his article, Pangilinan (2012) describes some potential changes to this policy in 2012 which would make this aid less restrictive.

Impact

- **Livelihoods:** Pangilinan (2007) suggests that restricting refugees to camps prevented Tanzania from “benefiting from refugees’ work and skills” (Pangilinan, 2012, p. 6).
- **Host community relations:** Attitudes towards refugees in Tanzania became increasingly negative (Pangilinan, 2012, p. 6). They were blamed for “crime, environmental degradation and strains on public services” (Pangilinan, 2012, p. 6).

The provision of free education and health services to some refugees in camps but not to locals, also caused tensions and resentment (Pangilinan, 2012, p. 6).

No information was provided about the humanitarian community’s response.

3. Lessons

The literature uncovered by this rapid review identifies very few lessons. This is due to the lack of engagement by academics and the general humanitarian community with an examination of situations in which host governments have allowed humanitarian assistance to refugees in camps, but put restrictions on aid to refugees in host communities. As a result there is very little analysis of the impact and the humanitarian community's response to these situations. However, some studies have investigated individual case studies and identified some key lessons. Experts contributing to this rapid review have also highlighted key issues. These include:

- **Aid restrictions do not stop refugees living outside camps:** Even when there is a government policy which restricts aid to refugees located in camps, considerable numbers of refugees will reside outside of them. This can be a result of choice (e.g. Uganda) or circumstance (e.g. Bangladesh).
- **Refugees in host communities tend to have problems accessing services, livelihoods and protection:** Despite the opportunities for self-sufficiency that residing outside of official camps can offer (Hovil, 2007), refugees who do not receive aid often face many challenges. They can have problems accessing basic services (Bernstein, 2005; Refugee Consortium of Kenya, 2005); suffer malnutrition (IRIN, 2013); poor livelihood opportunities (Bernstein, 2005); and little or no social protection (IRIN, 2013; Yoshikawa and Teff, 2011; Bernstein, 2005; Refugee Consortium of Kenya, 2005). Refugees without humanitarian assistance may turn to negative coping strategies such as begging or prostitution (Yoshikawa and Teff, 2011).
- **Tensions can arise with host communities:** Aid aimed only at refugees can cause tensions with host communities (Pangilinan, 2012), while lack of aid to self-settled refugees can also cause tensions if their presence adds to the demand on local services (Okello et al, 2005).
- **Restricting aid to camps can be inefficient:** A number of experts contend that restricting aid to camps is inefficient and means that host countries lose out on investment (expert comments). One expert commentator argues that the massive amount of money spent keeping refugees in Thailand in camps for the past 30 years has resulted in a lose-lose situation. The money has not improved the lives of the refugees, nor has it improved the lives of nearby host communities (expert comment). Another expert commentator also argues that the policy of restricting refugee aid to camps means that host countries lost out on potential economic benefits gained through refugee interactions with host communities.
- **Aid agencies have done little to counter these restrictions:** UNHCR and other aid organisations seem to be reluctant to counter government policies (Dix, 2006; expert comments). Responses to aid restrictions appear to be limited to advocacy and minimal 'under the radar' assistance (MSF, 2012; Dix, 2006; expert comment). Even when the humanitarian community does try to respond, their efforts may be blocked by the government (Yoshikawa and Teff, 2011).

4. References

- Bernstein, J. (2005). "A drop in the ocean": Assistance and protection for forced migrants in Kampala (Working Paper No.16). Refugee Law Project. Retrieved from: http://www.refugeelawproject.org/files/working_papers/RLP.WP16.pdf
- Dix, S. (2006). Urbanisation and the social protection of refugees in Nairobi. *Humanitarian Exchange*, 35, 7-9. Retrieved from: <http://www.odihpn.org/humanitarian-exchange-magazine/issue-35/urbanisation-and-the-social-protection-of-refugees-in-nairobi>
- Hovil, L. (2007). Self-settled refugees in Uganda: An alternative approach to displacement? *Journal of Refugee Studies*, 20(4), 599-620. <http://dx.doi.org/10.1093/jrs/fem035>
- Human Rights Watch (2013). *Kenya: court quashes plan to force refugees into camps*. Retrieved from: <http://www.hrw.org/news/2013/07/26/kenya-court-quashes-plan-force-refugees-camps>
- Human Rights Watch (2012). *Bangladesh: assist, protect Rohingya refugees - humanitarian aid desperately needed; Crisis situation in Burma continues*. Human Rights Watch. Retrieved from: <http://www.hrw.org/news/2012/08/22/bangladesh-assist-protect-rohingya-refugees>
- Integrated Regional Information Networks (2013). Analysis: how Bangladesh aid restrictions impact Rohingyas. IRIN. Retrieved from: <http://www.irinnews.org/report/99157/dhaka-restrictions-impact-rohingyas>
- Kiragu, E., Li Rosi, A., & Morris, T. (2011). *States of denial: A review of UNHCR's response to the protracted situation of stateless Rohingya refugees in Bangladesh*. Policy Development and Evaluation Service, UNHCR. Retrieved from: <http://www.unhcr.org/4ee754c19.pdf>
- Médecins Sans Frontières (2012). *International Activity Report 2012*. MSF. Retrieved from: http://www.msf.org/sites/msf.org/files/msf_activity_report_2012_interactive_final.pdf
- Okello, M.C., Gottschalk, N., & Ridderbos, K. (2005). "There are no refugees in this area": self-settled refugees in Koboko (Working Paper No. 18). Refugee Law Project. Retrieved from: http://www.refugeelawproject.org/files/working_papers/RLP.WP18.pdf
- Pangilinan, C. (2012). Implementing a revised refugee policy for urban refugees in Tanzania. *Oxford Monitor of Forced Migration* 2(2), 5-9. Retrieved from: <http://oxmofm.com/wp-content/uploads/2012/11/Pangilinan-FINAL.pdf>
- Refugee Consortium of Kenya (2005). "Self settled refugees in Nairobi". *A close look at their coping strategies*. Refugee Consortium of Kenya. Retrieved from: <http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=1&ved=0CCsQFjAA&url=http%3A%2F%2Fwww.rckkenya.org%2Frokdwnloads%2Fresearch%2FUrban%2520Refugees%2520in%2520Nairobi.doc&ei=uZrvUuAopNfsBteygdAI&usg=AFQjCNF7masypNv1sLRF7ieyTIMNc3hUhA&sig2=jmryZcdTeW-jZqdMJjY8hw&bvm=bv.60444564,d.bGQ>
- Refugee Law Project (2011). *Universal Periodic Review Uganda 2011 – Refugees, Internally Displaced Persons & Transitional Justice*. Retrieved from: <http://lib.ohchr.org/HRBodies/UPR/Documents/session12/UG/RLP-RefugeeLawProject-eng.pdf>

Teff, M., & Yeynolds, S. (2012). *Rohingya in Bangladesh: Maintaining the status quo; Squandering a rare opportunity*. Refugees International Field Report. Refugees International. Retrieved from: http://www.refintl.org/sites/default/files/103012_Rohingya_In_Bangladesh%20letterhead.pdf

Yoshikawa, L., & Teff, M. (2011). *Bangladesh: The silent crisis*. Refugees International Field Report. Refugees International. Retrieved from: http://refugeesinternational.org/sites/default/files/041911_Bangladesh_The_Silent.pdf

Expert contributors

Alexandra Krause, UNHCR

Dale Buscher, Women's Refugee Commission

Dr Lucy Hovil, International Refugee Rights Initiative

Dr Naohiko Omata, Humanitarian Innovation Project, University of Oxford

Suggested citation

Rohwerder, B. (2014). *Restrictions on humanitarian aid to refugees* (GSDRC Helpdesk Research Report 1078). Birmingham, UK: GSDRC, University of Birmingham.

About this report

This report is based on three days of desk-based research. It was prepared for the UK Government's Department for International Development, © DFID Crown Copyright 2014. This report is licensed under the Open Government Licence (www.nationalarchives.gov.uk/doc/open-government-licence). The views expressed in this report are those of the author, and do not necessarily reflect the opinions of GSDRC, its partner agencies or DFID.

The GSDRC Research Helpdesk provides rapid syntheses of key literature and of expert thinking in response to specific questions on governance, social development, humanitarian and conflict issues. Its concise reports draw on a selection of the best recent literature available and on input from international experts. Each GSDRC Helpdesk Research Report is peer-reviewed by a member of the GSDRC team. Search over 400 reports at www.gsdrc.org/go/research-helpdesk. Contact: helpdesk@gsdrc.org.