

Refugee Participation without Refugee Politics

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Historically, UNHCR and the rest of the refugee regime has not viewed restoring the political rights of refugees as their business. Today, whilst humanitarian organisations are still staying away from the language of political rights, they have a newly discovered passion for refugee ‘participation’. Participation is criterion 4 of [the 2015 Core Humanitarian Standard](#). UNHCR has published [a toolkit for participatory assessment and development](#), [another on participatory approaches for practitioners at the local level](#), and [another on participation in operations](#). This has become sufficiently ubiquitous that in 2022 the Inter-Agency Standing Committee declared a [‘Global Participation Revolution’](#). However, the way in which these documents define participation is curiously divorced from political rights, which means that participation for refugees ends up being understood in stark contrast to how we think about citizen participation.

A normal thought is that the point of the international refugee regime is to give help to people who really need it. People forced to leave their homes need shelter, food, security, maybe even doctors to treat their illnesses and teachers for their children. Refugees need urgent assistance, and you might think, following that thought, that the other stuff is less important. Often, we reflexively operate with an implicit version of [Maslow's hierarchy of needs](#), in which people's 'basic' physiological needs (food, shelter, etc) must be achieved before individuals care about the more abstract stuff like belonging or love, let alone self-actualisation and empowerment.

It's an intuitive and powerful idea, which often hovers in the background when we think about humanitarian emergencies. If the basic needs are what matter, and we can't even meet them most of the time, then it's silly to spend time worrying about stuff further up the hierarchy.

Among the things usually put further up are what we might call 'political rights': those rights we need in order to be empowered members of a democratic community. At the centre of that is our right to participate in political life. 'Citizens' are almost definitionally those that participate in the democratic life of the polis. Refugees are almost definitionally not citizens. Their political rights are invariably the first lost, and the last returned to them.

Historically, UNHCR and the rest of the refugee regime has not viewed restoring the political rights of refugees as their business. Twenty years ago, that was the consensus. So much so that a researcher in UNHCR's Legal and Protection policy series could write that "[The 1951 Convention... is silent on the question of political activity of refugees, save to note that such persons are required to respect the laws of the country of refuge.](#)"

The author could not be clearer: the political participation of refugees is not covered by UNHCR's mandate. Today, whilst humanitarian organisations are still staying away from the language of political rights, they have a newly discovered passion for refugee 'participation'. Participation is criterion 4 of [the 2015 Core Humanitarian Standard](#). UNHCR has published [a toolkit for participatory assessment and development](#), [another on participatory approaches for practitioners at the local level](#), and [another on participation in operations](#). In the latter, they write:

"Refugees, internally displaced persons and returnees must be at the centre of decision-making concerning their protection and well-being. In order to gain a deeper understanding of the protection problems they face, it is essential to consult them directly and to listen to them. Their right to participate in decisions on matters that affect their lives is enshrined in human rights instruments and UNHCR policy and guidelines, in particular the Agenda for Protection. The participation from the outset of refugee women and men, young and old and from diverse backgrounds, in the definition of problems and the design of programmes for their benefit is crucial to serving, assisting, and protecting them and ensuring an effective operation. "

This has become sufficiently ubiquitous that in 2022 the Inter-Agency Standing Committee declared a '[Global Participation Revolution](#)'. However, the way in which these documents define participation is curiously divorced from political rights. For example, the IASC provide [a 'definition' of participation](#), which is very revealing. They don't provide what an analytic philosopher or lawyer would expect by a definition at all. Instead, There's a sort of description of what participation *does*:

"We believe effective "participation" of people affected by humanitarian crises puts the needs and interests of those people at the core of humanitarian decision making, by actively engaging them throughout decision-making processes"

And a description of the sort of things participation might require:

"This requires an ongoing dialogue about the design, implementation and evaluation of humanitarian responses with people, local actors and communities who are vulnerable or at risk, including those who often tend to be disproportionately disadvantaged, such as women, girls, and older persons. This dialogue should take place through channels that beneficiaries prefer and with which they feel safe. Such a dialogue includes the provision of information to affected communities about i) lifesaving information, including protection services, ii) humanitarian agencies' activities and ways of working, and iii) opportunities, risks and threats. This should enable beneficiaries of assistance to make informed decisions for their survival and safety. "

In this framework, participation is understood in terms of *talking* to refugees, *consulting* refugees, or more euphemistically, through 'engaging' with refugees, and 'putting their needs at the core of decision-making. What's conspicuous by its absence is any suggestion of giving actual decision-making authority to refugees. This means that participation for refugees ends up being understood in stark contrast to how we think about citizen participation. In Carole Pateman's seminal work on [Participation and Democracy Theory](#), she points

out that the concept of participation is constitutively related to the question of power. If one is merely consulted about an outcome, then one has participated in some partial sense, the sense of participation as 'taking part'. But that is not all that is usually meant. True, full participation does not just mean consultation, but 'having a share'. It requires that participants be given equal power to determine outcomes. For example, most people would not think a political system in which the government 'consulted' the people, and 'put their needs at the centre of decision-making' would count as a democracy. No matter how well-intentioned that government, it would not even come close. By citizen participation in a democracy, we mean the right of citizens to appoint and dismiss their government, and thereby to collectively determine their own future.

Once you have these two senses of participation – 'taking part' and 'having a share of power' – it becomes very clear that all the documents I mentioned above, and the others like them, only conceive of participation in the first sense. Doubtless consultation and inclusion are important and valuable, but in the contexts of citizens in a democracy, they are rightly viewed as partial and insufficient. What this contrast exposes is that the 'global participation revolution' is considerably less revolutionary than appears at first glance. And in particular, that the international refugee regime remains largely silent on the political rights of refugees.