

# CASH TRANSFER PROGRAMMING AND PERSONS OF CONCERN

BRIEFING NOTE

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This document provides cash transfer programming recommendations to those assisting persons of concern in Asia.

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## ABBREVIATIONS

<b>APRRN</b>	Asia Pacific Refugee Rights Network
<b>BASRAN</b>	Bangkok Asylum Seeker and Refugee Advocacy Network
<b>CaLP</b>	Cash Learning Partnership
<b>CBI</b>	Cash-based intervention
<b>CBO</b>	Community-based organisation
<b>CBT</b>	Cash-based transfers
<b>CCSDPT</b>	Committee for Coordination of Services to Displaced Persons in Thailand
<b>CFW</b>	Cash for work
<b>CTP</b>	Cash transfer programming
<b>DRC</b>	Danish Refugee Council
<b>ECHO</b>	European Commission's Humanitarian aid and Civil Protection department
<b>ERC</b>	Enhanced Response Capacity project <sup>1</sup>
<b>FSP</b>	Financial service provider
<b>IFRC</b>	International Federation of Red Cross and Red Crescent Societies
<b>KRC</b>	Karen Refugee Committee
<b>NRC</b>	Norwegian Refugee Council
<b>POC</b>	Persons of Concern
<b>SGBV</b>	Sexual and gender-based violence
<b>SPF</b>	Social Protection Fund
<b>TBC</b>	The Border Consortium
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>WFP</b>	UN World Food Programme

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<sup>1</sup> A partnership of UN agencies and NGOs, including CaLP, led by UNHCR. This project aimed to strengthen organisational emergency preparedness and capacity to deliver multi-purpose cash grants and to understand the protection risks and benefits of cash-based interventions through the development of guidance and training materials and consolidation and adaptation of tools. It was funded through an Enhanced Response Capacity grant issued by the European Commission's Humanitarian Aid and Civil Protection department (ECHO) for 2014–2015.

## EXECUTIVE SUMMARY

Persons of Concern (POC)—including asylum seekers, refugees, stateless persons, internally displaced persons (IDPs) and returnees—are forcibly displaced by persecution, conflict, natural disasters and climate change. One of the most vulnerable groups in the world, their protection is further challenged by a lack of formal legal recognition and rights, access to basic services such as education and healthcare, and adequate opportunities for work.

Globally, one in every 122 humans is now either a refugee, internally displaced, or seeking asylum. If this were the population of a country, it would be the world's 24th biggest.

UNHCR (2014a) *Global Trends Report 2014*

Of an estimated 58 million POC globally in 2015, approximately 9.6 million (16 percent) are hosted in Asia (IDMC, 2015). The root causes of displacement in Asia are multi-dimensional and interconnected, and exemplified by the following: protracted refugee crises (e.g. Afghan refugees in Pakistan and Iran; Burmese in Thailand), and ongoing conflict and internal displacement (e.g. tribal agency of North Waziristan in Pakistan and near-border Afghanistan; Rohingyas in Myanmar).

While makeshift, tented camps may traditionally be a defining image of the POC situation, the reality is that a significant majority of POC in Asia are now living in non-camp, urban settings. Longer-term implications for assistance programmes for displaced persons have often been overlooked or even dismissed as being too complex or politically sensitive to consider interfering (ODI, 1998). Nevertheless, the humanitarian community is faced with the task of responding in more complex environments, including a dramatic increase in the number of POC and those in need of international protection and assistance for protracted periods.

Against this backdrop, the uptake of cash transfer programming (CTP) in large-scale and prolonged crises has increased in recent years. Indeed, the UN Secretary-General's Agenda for Humanity calls for a commitment to '*use cash-based programming as the preferred and default method of support*' (UN, 2016). For POC in increasingly restrictive operational settings and with over-stretched resources, CTP presents an opportunity to address their diverse, protracted needs; to support livelihoods and resilience; and to increase the potential for social cohesion through engagement in local economies and communities.

The purpose of this briefing note is to demonstrate adaptive practices for providing essential assistance to the most vulnerable POC. The ten key lessons at the end of this executive summary, while not exhaustive, summarise the key points from desk research, discussions at a CaLP CTP and POC Workshop (Thailand, 2016) and pre- and post-workshop consultations with various stakeholders. They provide objective guidance for practitioners working with CTP and POC to enhance the assessment, design, delivery and monitoring of CTP in POC contexts in Asia and beyond.

## KEY LESSONS

1. **Analyse the POC context.** While diverse, these can be generally distinguished by several factors: the legal and policy framework in operation; the stage of displacement; the status and profile of POC (i.e. whether they are IDPs/returnees or asylum seekers, refugees or stateless persons, etc.); and whether POC are in a camp or non-camp setting. All of these factors will influence the feasibility and appropriateness of CTP.
2. **Contextualise the intervention.** As with other forms of assistance, the feasibility of CTP will need to be assessed for each POC context. The following determinants are particularly important in POC contexts: government, beneficiary and host community acceptance; safe access to functional markets; access to appropriate cash-delivery mechanisms; and institutional capacity, as traditionally many implementers have experience of providing in-kind aid in closed camp settings.
3. **Support advocacy through evidence and exchanges.** While there may be legal and policy barriers to formal aid for POC, advocacy can be used to:
  - a. Build on evidence of the specific benefits of CTP. For example:
    - Demonstrating the benefit of CTP for local markets and communities;
    - Using CTP to promote livelihoods strategies that complement local redevelopment, fill local labour market gaps, enhance social cohesion and prepare POC for repatriation or resettlement; and
    - Considering integrating host communities into CTP to address disparities in the socioeconomic power of POC and host communities as a result of any assistance.
  - b. Learn from other successful examples of CTP-related advocacy for POC, for example:
    - Building relationships between local authorities through workshops, training and exchange programmes to enhance understanding and acceptance of CTP in POC contexts (see Box 5, p17);
    - Partnering with those within and beyond the humanitarian community—such as private sector actors and the media—to influence local authorities and communities; and
    - Incorporating POC participation into humanitarian emergency preparedness plans to frame POC within a humanitarian/protection lens, rather than a border/national security lens.
4. **Build social cohesion with the host community.** Building relationships between POC and host communities is essential for all forms of assistance, including CTP. There is evidence that CTP can enhance social cohesion between POC and host communities,<sup>2</sup> by integrating POC representation and participation, fostering understanding with local authorities, and supporting practices for the betterment of the community as a whole. However, this requires that local authorities and host communities be sensitised to related issues, and that those planning CTP have clarity on targeting and a strong contextual and sociological understanding of group dynamics.
5. **Listen to beneficiaries.** Community-based approaches for management and targeting may be useful, particularly in camp and remote settings. They allow POC to participate in decisions that affect their lives and the lives of their family members and communities, as well as to identify the most vulnerable POC in order to determine eligibility for various levels of assistance (UNHCR, 2011a; TBC, 2013a). If community-based targeting is not feasible, a blanket approach or geographical targeting may be appropriate initially—particularly in rapid-onset emergencies and in camp settings—followed by specific targeting for tailored interventions at a later stage.
6. **Understand what level of market analysis is required.** For camp settings, market systems analysis<sup>3</sup> may be necessary, as market access and activity are typically limited. In non-camp settings, marketplace analysis<sup>4</sup> is likely sufficient, as POC will be integrated into functioning market systems. Market analysis should include the identification (and analysis where feasible) of markets specific to POC, such as legal, regulatory, rental, labour, education and healthcare markets.

<sup>2</sup> For example, see: UNHCR. (2014c). For additional information, see: Institute of Policy Studies. (2014). For cross-regional comparisons, see: Harb, C. and Saab, R. (2014); and Guay, J. (2015).

<sup>3</sup> For a definition, see CaLP (n.d. a): [www.cashlearning.org/resources/glossary#Market Systems Analysis](http://www.cashlearning.org/resources/glossary#Market%20Systems%20Analysis).

<sup>4</sup> Ibid.

7. **Evaluate suitable methods for cash delivery.** Lack of documentation for POC can be a challenge to accessing cash through third party financial service providers. However, such constraints may be overcome through alternative methods, such as secondary documentation (for example, student ID cards), identification systems within international organisations and NGOs, or the use of intermediaries or informal payment systems. The collective bargaining power of humanitarian actors with government authorities, central banks and the private sector has proven to be successful in relaxing ID, or 'know your customer' (Levin et al., 2016), requirements in some contexts. The selection of delivery mechanisms for POC should consider issues relating to freedom of movement and any restrictions of access to markets and formal financial services.<sup>5</sup>
8. **Consider specific protection issues and mitigation measures.** Recent evaluations have disproven major concerns that CTP may increase some protection risks, such as the diversion of cash for anti-social purposes, corruption, security risks, and sexual and gender-based violence (SGBV). The ERC Protection Risks and Benefits Analysis Tool<sup>6</sup> provides guidance and recommendations for programme design and monitoring to mitigate concerns around the following: safety and dignity; access; data protection and beneficiary privacy; individuals with specific needs or risks; social relations; household and community dynamics; fraud and diversion; and market impact and access.
9. **Strengthen the capacity of humanitarians and localise efforts.** Organisations will need to consider whether institutional capacity building specific to POC contexts is required and how to partner with or work through local organisations<sup>7</sup> when appropriate. Particular aspects of concern are vulnerability targeting, and data protection and ID management, as well as sensitisation, consultation and training for POC. Specialist training modules for CTP and POC can be useful for building capacity of implementing agencies working with POC and sharing good practice.
10. **Leverage the power of networks and solidarity.** The community of CTP practitioners can benefit from information sharing and coordination with existing POC networks, including refugee representative networks; local and national NGOs; and advocacy and humanitarian networks that have established trust with communities and authorities.

<sup>5</sup> KYC requirements may prohibit or limit POC from registering for financial services, and thus, if recipients are required to have legal national identification, implementing agencies may need to negotiate with third parties and/or intermediaries for safe transfers to intended POC beneficiaries.

<sup>6</sup> UNHCR et al. (2015). For all ERC cash and protection outputs, including the *Guide for Protection in Cash-based Interventions*, please refer to the CaLP website: [www.cashlearning.org/cash-and-protection/protection](http://www.cashlearning.org/cash-and-protection/protection).

<sup>7</sup> Christian Aid. (2012). *'It should be recognised where local capacity is extremely weak and emergency needs are overwhelming, the humanitarian imperative requires a response that meets those needs. There will always be some local capacity with which to collaborate, but, where displaced or refugee communities number in the tens or hundreds of thousands, ... [and] similarly, in the midst of an internal conflict, ... partnership approaches that deliver emergency responses through local organisations have the flexibility to play a central role in a large variety of contexts. Parts of the humanitarian system already recognise this by working in a partnership, capacity-enhancing mode by default, albeit with varying degrees of success.'*

## SECTION I: INTRODUCTION

Persons of Concern (POC) – including refugees, asylum seekers, stateless persons, internally displaced persons (IDPs) and returnees – are one of the most vulnerable populations in the world. As of June 2015, there are approximately 58 million POC around the world – the highest number ever recorded. An estimated 9.6 million of these are in Asia in protracted situations (UNHCR, 2015f).<sup>8,9</sup>

Available protection space for POC throughout the region is fragile and unpredictable due to a lack of national legal frameworks in most Asian countries. Only 12 out of 32 countries in Asia<sup>10</sup> are signatories to the 1951 Convention relating to the Status of Refugees<sup>11</sup> and its 1967 Optional Protocol. Unlike other regions, such as Africa and South America, there are no regional frameworks covering POC.<sup>12</sup> Furthermore, some countries have increasingly restrictive policies and reduced protection space and access to asylum procedures (UNHCR, 2015g). As of 2015, the vast majority of POC will not have access to any of the traditional durable solutions: repatriation, local integration or resettlement.

Given the protracted nature of POC situations in Asia, and increasing pressures on humanitarian assistance, all stakeholders should explore opportunities to provide such assistance in the most cost-effective manner.

Cash Transfer Programming (CTP) has proven to be an efficient and effective humanitarian response tool that provides beneficiaries with greater choice and dignity (ODI, 2015). CTP has been used in an increasing number of large-scale humanitarian responses and protracted crises over the last few years. The attitudes of governments, donors, humanitarian agencies and the general public are essential for the effective use of cash transfers at such scale. While notable progress has been made in the past decade in advocating that cash and voucher programming can be an appropriate instrument for aid, the discussion still needs to be widened to cover more diverse contexts, including POC settings. The parameters of POC contexts – including the levels of acceptance, recognition, rights and protection for POC within host communities – necessitate particular considerations of the feasibility, design and monitoring of CTP.

To this end, the Cash Learning Partnership (CaLP) held a Cash Transfer Programming and Persons of Concern Workshop (CTP and POC Workshop) in Bangkok, Thailand on 14–15 March 2016 to discuss key considerations and lessons learned from these contexts. This workshop brought together stakeholders from across Asia, in order to increase understanding of CTP among those providing assistance in humanitarian contexts for POC. Workshop participants included a mix of UN agencies, international and national NGOs, and community-based organisations (CBOs) (CaLP, 2016).

This briefing note aims to consolidate knowledge of POC contexts in Asia, to inform and strengthen strategic decision making about CTP in POC contexts by documenting contextual and best practice information, and to provide key considerations and recommendations for CTP practitioners in Asia. This briefing note is structured as follows:

- **Section 2** provides an overview of the diversity of POC contexts and the range of contextual and regulatory factors that may impact CTP.
- **Section 3** considers key factors concerning the feasibility of CTP in POC contexts.
- **Section 4** identifies key considerations when designing and implementing CTP for POC.
- The **Conclusion** recommends actions to strengthen CTP in current POC contexts.

<sup>8</sup> For the purposes of this briefing note, the Asia region includes Central Asia, East Asia, South Asia and South-east Asia, and does not include the Middle East or the Pacific.

<sup>9</sup> Although the crisis in Syria has recently increased global refugee figures, the Asia-Pacific region has otherwise consistently hosted the largest proportion. Some 27 percent of the global refugee population (3.8 million) is in Asia-Pacific, of which 64 percent are Afghan refugees in Pakistan and Iran (2.5 million) (APRRN, 2015b). For more information, please refer to the POC regional profile and numbers in CaLP (2016).

<sup>10</sup> Asian countries that have ratified the 1951 Refugee Convention are Afghanistan, Cambodia, China, Iran, Japan, Kazakhstan, Kyrgyzstan, Macau, Philippines, Republic of Korea, Tajikistan, Timor-Leste and Turkmenistan. [www.unhcr.org/uk/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html](http://www.unhcr.org/uk/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html).

<sup>11</sup> See UNHCR (1951).

<sup>12</sup> Africa has the 1969 Organization of African Unity (OAU) Convention on the Specific Aspects of Refugees, and South America has the 1984 Cartagena+30 Declaration on Refugees. The closest Asia comes to a regional framework is the non-binding 2002 Regional Cooperation Framework of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crimes. Additional information can be found in UNHCR (2007).



## SECTION 2: PERSONS OF CONCERN CONTEXTS IN ASIA

POC contexts in Asia are complex. Root causes, displacement histories and journeys, and physical settings, as well as legal and policy frameworks, vary by country (APRRN, 2015b). POC are granted different rights based on whether they are recognised as an asylum seeker, refugee, stateless person, IDP or returnee. Generally POC who are nationals or can claim to be a national of the host country (IDPs and returnees) will have greater recognition of their rights and access to services than those who are not nationals (asylum seekers, refugees and stateless persons). Understanding the key variables within POC contexts is necessary in order to design CTP for each POC context.

The most significant variable is the legal and policy framework. Out of 32 countries, only 12 have ratified the 1951 Refugee Convention, while only four have ratified the 1960 Convention relating to the Status of Stateless Persons (UNHCR, 2016). Even where countries are party to these conventions, national legal and policy frameworks often do not exist; if they do, they may not be applied consistently. Overall, the laws and policies that apply to POC are ad hoc and offer little certainty. For example, in some situations, due to changes in government policy, POC who arrived prior to a certain date are officially recognised and provided with identification (and associated assistance), while those who have arrived since are not.<sup>13</sup>

POC may be at different stages of their displacement journey, which can involve internal displacement, migration and transit to another country, registration and assessment and awaiting a durable solution. The majority of POC are in protracted situations, e.g. Tibetans refugees in Nepal seeking asylum since 1959; POC from Myanmar being displaced over 30 years due to internal conflict; and POC from Afghanistan being displaced over nearly 20 years of internal conflict. Protracted situations are exacerbated by the long wait times for registration, refugee status determination<sup>14</sup> and durable solutions.

Few of these crises have been resolved and most still generate new displacement. In 2014, only 126,800 refugees were able to return to their home countries – the lowest number in 31 years.

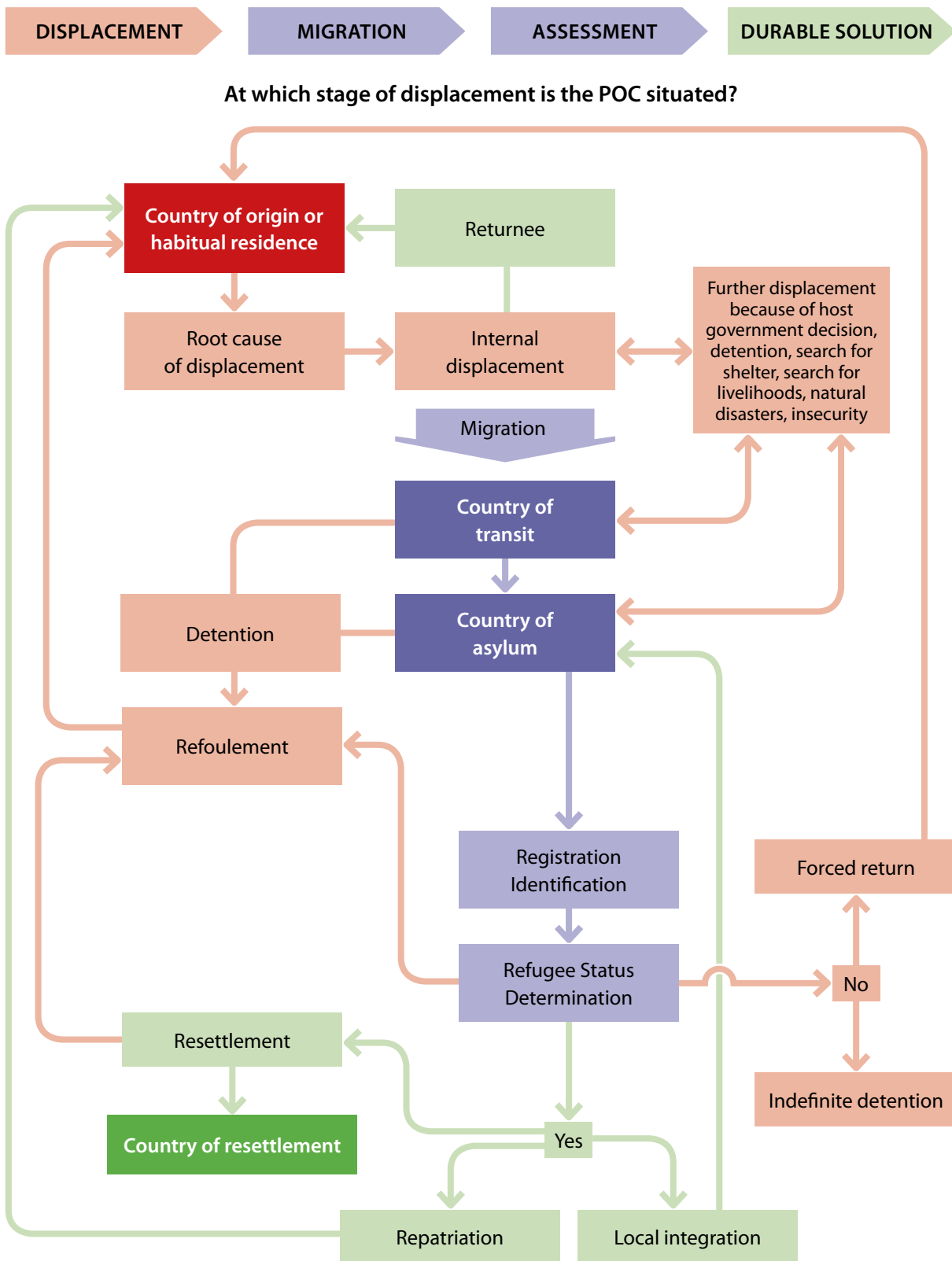
Meanwhile, decades-old instability and conflict in Afghanistan, Somalia and elsewhere means that millions of people remain on the move or – as is increasingly common – stranded for years on the edge of society as long-term internally displaced or refugees.

UNHCR (2014a) *Global Trends Report*

<sup>13</sup> For example, Tibetan refugees who arrived in Nepal before 1991 were given identity cards, while those who arrived afterwards were not (Immigration and Refugee Board of Canada, 2015).

<sup>14</sup> See 'Refugee Status Determination' on the UNHCR reporting website: <http://reporting.unhcr.org/thematic>. For additional information, see: UNHCR (2005).

Figure 1. Stages of displacement



In the majority of Asian countries, POC have no recognised or protected status, and are treated no differently than illegal migrants if they do not have permission to enter and reside in the territory. Even where POC may be permitted to stay, for example in camps, they may have restricted access to basic services—and most do not have the right to work.

POC are increasingly viewed by governments from national security and border control perspectives, rather than from humanitarian and human rights perspectives (UNHCR, 2015a), with governments enacting restrictive policies, such as denying safe disembarkation<sup>15</sup> at airports; narrowing protection space; and reducing access to asylum procedures. Governments struggle to balance providing humanitarian assistance with the impulse to prevent assistance becoming a ‘pull factor’ for POC.<sup>16</sup>

The social and cultural profile of POC within each particular context is another key variable. While some contexts have a majority of POC from one social and cultural profile, which may support an informal social protection network, other contexts are made up of multiple social and cultural groups that might rarely interact (and may even harbour prejudices). For example, urban POC in Kuala Lumpur are predominantly from Myanmar, and those in Bangkok are predominantly from Pakistan; however, urban POC in Indonesia are a mix of Afghan, Iraqi, Iranian, Somali, Myanmar refugees and asylum seekers.<sup>17</sup>

Figure 2. POC numbers and trends in Asia

Total number of POC		9,623,225	
of which:			
Asylum seekers		109,547	
Refugees		3,738,031	
Stateless persons		1,801,802	
IDPs		2,965,211	
Returnees		726,184	
Other		282,450	

Countries of origin		Largest host countries	
Afghanistan	3,935,141	Pakistan	3,439,965
Pakistan	2,207,555	Myanmar	1,466,501
Myanmar	891,047	Afghanistan	1,421,419
Philippines	459,323	Iran	979,491
Vietnam	318,276	Thailand	625,256
China	263,414	Philippines	386,163
Sri Lanka	188,551	China	301,621
Iran	123,413	Malaysia	271,973
Bangladesh	39,271	Bangladesh	232,986
India	33,136	India	205,764

Durable solutions	
Local integration	Unknown, very limited
Resettlement	73,000 (2014) 13,466 (Jan–Jun 2015)
Repatriation	61,690 (Jan–Jun 2015)

Source: UNHCR

<sup>15</sup> For example, see: Migration Policy Institute (2015).

<sup>16</sup> For example, IRIN reported that ‘Dhaka has long insisted that the presence of humanitarian aid organisations in Rohingya communities creates a “pull factor” for other Rohingya to enter the country [Bangladesh]’; IRIN (2013, November 19).

<sup>17</sup> UNHCR population statistics obtained from: [http://popstats.unhcr.org/en/persons\\_of\\_concern](http://popstats.unhcr.org/en/persons_of_concern).



The physical profiles of POC contexts can be divided into two distinct settings: camp and non-camp. The former implies a separated, controlled environment with a level of recognition and management, while the latter implies an environment characterised by insecurity, uncertainty and invisibility. As of October 2015, approximately 80 percent of POC in Asia live in non-camp conditions (UNHCR, 2015h).

The type of setting in which POC reside will affect their access to basic services. Generally, in official camp settings, basic services such as education and health are provided by either the government or humanitarian agencies. Outside of official camp settings, restrictive government policies may prevent or limit access to basic services, meaning that POC may have to rely on private services operated by NGOs and CBOs. Even where services exist, cost, lack of protective spaces and greater exposure to authorities may discourage POC from accessing basic services.

Access to functioning, competitive markets is also influenced by the setting. Some camps have very limited market spaces, and are reliant on food rations and in-kind assistance. Other camps have functioning markets, particularly with participation from nearby markets (for examples, see Box 4, p16). In non-camp settings that are not remote, while there may be physical access to markets, POC may be unable to venture safely to markets without the risk of harassment, arrest and/or detention.

In most countries, refugees, asylum seekers and stateless persons have no legal right to work, and are forced to turn to informal markets for employment (Asylum Access, 2014). This results in greater risks of exploitation (including trafficking) and extortion. Even where POC have a legal right to work, social discrimination and reduced access to legal protections may result in limited access to employment opportunities, lower wages and other forms of discrimination.<sup>18</sup> IDPs and returnees may find themselves in local economies with limited opportunities. Restrictions on employment may develop over-reliance on assistance, including cash, and provide challenges to any Cash for Work (CFW) or livelihoods strategies.

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<sup>18</sup> For example, while India is not a signatory to the 1951 Refugee Convention, since 2012 refugees can apply for long-term residency and work permits, which are granted for one year and renewable for five. However, most refugees work in low-skilled and cash economy jobs, increasing the risk of exploitation and workplace discrimination. In Delhi, where UNHCR has a network of established implementing partners, the 'advocacy by accompaniment' approach developed by the Socio and Legal Information Centre and BOSCO Delhi, has worked quite successfully. This was primarily the result of awareness-raising and sensitisation training for police, lawyers and the community (APRRN, 2015a).

## SECTION 3: KEY CONSIDERATIONS FOR FEASIBILITY OF CASH TRANSFERS PROGRAMMING

Given the variation between POC contexts and the specific protection risks for POC, feasibility assessments and situational analysis are essential to the appropriate design of CTP. However, subject to government approval, there is no substantial distinction between potential appropriateness and feasibility of CTP for POC contexts and CTP for other contexts. Generally, CTP is feasible within POC contexts, and there are many examples of this from different settings, displacement stages and operating environments. Existing examples of CTP in the region include multipurpose grants, shelter assistance, transport assistance, food vouchers, CFW, entrepreneurship grants, and return and repatriation assistance,<sup>19</sup> as illustrated in case studies throughout this briefing note.

A strong context-specific feasibility assessment can identify which modalities, delivery mechanisms and other programmatic design elements will be required to meet the specific needs and vulnerabilities of POC. This section details key considerations specific to POC that, in addition to the usual ones, should be taken into account during a feasibility assessment. They are drawn from discussions at the CaLP CTP and POC Workshop in Thailand (CaLP, 2016) and from a literature review of guidelines, case studies and reports on CTP in POC contexts regionally and globally.

### BOX 1: THE BORDER CONSORTIUM CTP IN SOUTH-EAST MYANMAR<sup>20</sup>

The Border Consortium (TBC) and its implementing CBO partners in Myanmar have been providing in-kind for assistance to 117,000 IDPs in the south-east of the country for over 20 years. In 2015, 27,734 people in 101 villages across 12 townships received cash transfers equivalent to three months' rice supply after suffering livelihoods shocks. In the last few years, TBC has allocated more resources to community-led food security and livelihoods initiatives that lead towards greater self-reliance and sustainability.

Given the nature of the POC context, conflict assessments were integrated with needs, markets and impact assessments. There is a strong focus on initiatives being led by the community and CBOs. Beneficiaries were informed of their entitlements in community meetings prior to registration; the distribution of cash transfers and collection of receipts occurs at household level.

Key elements in the success of this CTP included:

- Engagement between local CBO partners, POC communities and local authorities to secure access;
- Promotion of humanitarian obligations to avoid prolonging conflicts; and
- Building the response capacities of local agencies and CBOs to identify the most vulnerable groups based on common criteria through a 'Community Managed Targeting' approach (TBC, 2013c) introduced in 2013 (see Section 4.1).

### 3.1 HOST ACCEPTANCE AND REGULATORY FRAMEWORKS

As with all interventions, host acceptance and favourable regulatory frameworks are critical to the success of CTP. This means that any reluctance from host communities and governments to assist POC might not be specific to cash-based interventions.

Common advocacy strategies can be used to show the efficiency and effectiveness of cash transfers to beneficiaries, humanitarian actors and the host community (CaLP, 2011). In countries with restrictive legal and policy frameworks, compelling strategies may involve advocating discrete and incremental changes in policy and practice that can lead to protection gains rather than wholesale improvement of the entire framework, such as:

<sup>19</sup> Definitions of these terms can be found in the Glossary on page 29.

<sup>20</sup> See Module 1.2 of CaLP (2016).

- a. Building the evidence base on the benefits of CTP on local markets and communities, such as increased demand, positive multiplier effects, enhanced credit markets due to the repayment of loans and increased social cohesion;
- b. Promoting livelihood strategies that complement local redevelopment, fill local labour market gaps, enhance social cohesion and prepare POC for repatriation or resettlement;
- c. Identifying any disparities between the socioeconomic power of POC and host communities as a result of any assistance and considering incorporating host community support into the programme (Harb and Saab, 2014);
- d. Building relationships between local authorities, through workshops and exchange programmes, to enhance understanding, confidence and acceptance of CTP in POC contexts (see Box 5, p17);
- e. Developing partnerships with private sector actors and media who can influence local authorities and communities; and
- f. Incorporating POC participation in humanitarian emergency preparedness plans to frame POC in humanitarian and protection lenses, rather than border and national security lenses.

Key regulatory framework considerations that are specific to POC contexts at the feasibility stage include:

- a. Partnering with organisations that already have access and permission to provide assistance;<sup>21</sup>
- b. Using secondary/alternative ID (such as refugee cards, NGO-specific identification, student IDs or health cards) that may meet requirements for Know Your Customer regulations (Levin *et al.*, 2016);
- c. Assessing the ability of POC – particularly sub-groups such as women, elderly, people with disabilities and children – to access financial services legally, physically and safely; and
- d. Evaluating the data protection requirements, standards and practices of government agencies, humanitarian organisations and third-party providers relating to protected data of POC.

The personal data of POC is particularly sensitive due to the risk of discrimination, arrest, detention and *refoulement* based solely on their identity, status and location.

## BOX 2: GOVERNMENT ASSISTANCE IN HONG KONG<sup>22</sup>

Hong Kong, while not a signatory to the 1951 Refugee Convention, still recognises refugees, particularly as part of its obligations under the 1984 UN Convention against Torture (UNHCR, 1984). Once refugee claimants have been processed, they receive several cash assistance packages from the government through its implementing agency, International Social Service Hong Kong.

Each package includes a monthly rent allowance of HK\$1,500 a month (US\$193) (In, 2016). In 2013, UNHCR wrote to Hong Kong's government to note its concern that accommodation assistance had not risen with price increases in rental markets, and that it was insufficient to cover deposits and agency fees—these are at risk of higher prices due to claimants' irregular migration status, weaker bargaining power, lack of language skills and greater risk of discrimination.

Other cash assistance includes an education allowance and transportation reimbursement for health and other appointments. UNHCR expressed concern that by providing this assistance as reimbursements (i.e. after semesters began or upon proof that a POC attended a medical appointment), claimants could be prevented from actually accessing those basic services.

<sup>21</sup> For example, in Bangladesh, WFP have partnered with the International Organization for Migration, which has government permission to operate in the country, in order to implement programming.

<sup>22</sup> UNHCR (2013b).

### 3.2 BENEFICIARY PREFERENCES, SENSITISATION AND CONSULTATION

POC beneficiaries may be risk-averse, especially if they are accustomed to in-kind assistance and have less experience with cash, e.g. from having lived in camp settings for an extended period (TBC, 2013b). POC living outside of camp settings are more likely to have experience of, and be sensitised to, cash-based economies and transactions. In any case, during feasibility assessments, strong outreach and consultation with POC communities—particularly through representative refugee committees or CBOs—can help to ensure that there is adequate sensitisation and participation in CTP by POC.

#### BOX 3: UNHCR CASH-BASED INTERVENTIONS IN ASIA

UNHCR has been providing cash-based interventions (CBIs) to POC since the 1990s.

As of 2015, UNHCR provided CBIs in 15 Asian countries: Afghanistan, Bangladesh, India, Iran, Kazakhstan, Kyrgyzstan, Malaysia, Myanmar, Nepal, Pakistan, Sri Lanka, Tajikistan, Thailand, Turkmenistan and Uzbekistan. The majority of these involve multipurpose grants, particularly as part of UNHCR's urban refugee policy (UNHCR, 2009), and return/repatriation assistance grants. Where resources are limited, cash is only provided to the most vulnerable POC. Modalities range from direct cash-in-hand in Malaysia, to bank transfers in Sri Lanka and smart cards in Thailand.

In Tajikistan, UNHCR provides cash allowances to particularly at-risk refugees, such as single-headed households, large families, and people with medical and psychosocial problems. Decisions on such support are taken by the Assistance Committee, which comprises representatives of UNHCR, the Refugee Children and Vulnerable Citizen (RCVC) NGO, local authorities and members of the refugee community. These decisions are adopted by consensus and based on needs assessments conducted by RCVC through interviews and home visits (UNHCR, 2011b).

No restrictions are placed on the use of these allowances, which compare very favourably with average Tajik earnings. The cash allowances provided by UNHCR are reviewed every six months in order to verify that needs continue, to take stock of funding available and to prioritise accordingly. In line with UNHCR's urban refugee policy (UNHCR, 2012c), recipients are required to demonstrate a willingness to become self-reliant, although this provision is waived for those who are prevented from doing so because of health, age or family circumstances (UNHCR, 2011c).

### 3.3 MARKETS

POC must have safe access to functioning markets that are able to respond to increased demand beyond host communities' needs. Given that risks to safety and security are of critical concern for asylum seekers, refugees and stateless persons, feasibility assessments must consider the extent to which POC have freedom of movement, and whether physical access to markets may risk exposure to local authorities and any potential differential treatment or discrimination towards POC, risks such as language barriers, price fixing, bribery, extortion, inflation, etc.

Market analysis should be comprehensive but always proportionate to the circumstances and context. In camp settings, a detailed market system analysis is often required, particularly where new marketplaces are being introduced in locations where local markets and communities have adapted to the long-term provision of in-kind assistance.<sup>23</sup> Feasibility studies should also consider the effect of market creation as a potential livelihoods strategy, and the multiplier effect within camp settings, as further benefits. In non-camp settings, where there are likely functioning, competitive and accessible markets, a marketplace analysis may be all that is required. Consideration should be given to expenditure and markets specific to POC in non-camp contexts, such as legal and regulatory markets (e.g. fines, bail, legal fees and application fees), rental markets, and education and health services (including psychosocial support).

<sup>23</sup> Further information about market systems analysis can be found on CaLP's website, [www.cashlearning.org/markets/key-resources-and-guidance-documents](http://www.cashlearning.org/markets/key-resources-and-guidance-documents), and CaLP (2013).

## BOX 4: UNHCR FEASIBILITY STUDY FOR CBI IN RAKHINE AND KACHIN STATES IN MYANMAR<sup>24</sup>

In 2015, UNHCR conducted a feasibility study of CBIs for Rakhine State and Kachin states in Myanmar. The findings were:

- In central Rakhine, there was limited access to markets, weak trader capacity and fragmented markets. As a result, in-kind assistance was considered preferable. There was low potential for cash-based solutions, especially in and around camps. Such low capacity of traders, inadequate market infrastructure, poor transport infrastructure in some locations, lack of financial services and poor market integration reduce the efficacy and potential cost efficiency of CBIs.
- In northern Rakhine, the stateless populations have access to functioning markets. Markets for food, non-food items and construction materials were assessed. Based on observations and feedback from stakeholders, it was recommended that UNHCR consider CBIs in these locations as opposed to in-kind assistance. There was limited potential for voucher programmes; direct cash payments are the only way to implement CBIs on anything other than a very small scale. A risk of extortion was detected in some areas, so coordination and information sharing with partners about expectations for beneficiary targeting and delivery methods were strongly recommended.
- In Kachin state, CBIs should be considered for all camps with access to markets. Conditions existed for the successful implementation of CBIs, and 12 such programmes were in place across the state at the time of the study. Many of the camps in government-controlled areas had access to markets. For non-food items, shelter maintenance and other assistance, CBIs could be a good alternative to in-kind assistance. Such an approach would also help prepare IDPs for repatriation once their places of origin become safe for return. A detailed analysis on a camp-by-camp basis was recommended before any large-scale intervention could be considered. For small targeted interventions, it was thought feasible to use cash in most of the non-government controlled camps. Further consideration was recommended for: assessing the suitability of CBIs in isolated camps in non-government controlled areas; modified, lower wages for CFW to avoid incentivising labourers away from more sustainable work, and to target most vulnerable; creating a complaints and response mechanism, partnerships and coordination mechanisms; and potential support to host communities.

### 3.4 PAYMENT DELIVERY MECHANISMS AND FINANCIAL SERVICE PROVIDERS

Where POC may not have access to traditional financial services such as bank accounts, alternative formal and informal methods by which POC may access cash should be assessed. These may include non-bank financial transfers, informal remittance systems and the use of third parties as intermediaries.

Feasibility assessments must consider the availability of suitable financial service providers (FSPs) that can accept POC as recipients, or otherwise accept the CTP implementer or another intermediary, as primary customers. FSPs, and any other third parties involved, must also have adequate data protection policies for any sensitive personal data that is disclosed. Wherever possible, personal data should be anonymised, and only data that is necessary for transfers to take place should be disclosed.<sup>25</sup>

Due to particular vulnerabilities relating to safety, security and freedom of movement, feasibility studies of payment systems and delivery mechanisms for POC need to ensure that they can receive payments in a safe and secure manner that reduces the risk of exposure to local authorities and risk of arrest, detention and/or *refoulement*.

<sup>24</sup> UNHCR (2015c, p18). Additional market assessments can be found in WFP (n.d.).

<sup>25</sup> For more tips on data protection, see: *Levin et al.* (2016) and UNHCR (2015e).



### BOX 5: WORLD FOOD PROGRAMME CTP IN BANGLADESH<sup>26</sup>

The World Food Programme (WFP) runs CTP in and around Bangladesh's two official refugee camps for refugees from Myanmar, Nayapara and Kutupalong. A key part of the success of both programmes was the sensitisation of the Bangladeshi government of the value of CTP. WFP Bangladesh organised an exposure visit for the Bangladeshi government to meet their Turkish counterparts to learn about successful CTP experiences in Turkey.

Through the first programme, WFP has been providing food assistance to 33,000 refugees since 1992. An e-voucher system, called 'FoodCard', was introduced in August 2014. The latter's value is determined based on the market prices of a food basket that meets nutritional requirements. FoodCards are biometric electronic cards, using the fingerprint of cardholders to verify their identity. A woman is registered as the card holder in each household along with up to two others. The FoodCard acts like a debit card that is recharged every month. Being biometrically coded and linked to a centralised management system, they ensure that the right people receive assistance, and allow for real-time accounting and feedback to enhance evaluation (ibid.; WFP, 2014). This programme has proven to be more cost-effective than in-kind food distributions, providing more flexibility and dignity to refugees.

The second programme, Enhancing Food Security, empowers 9,600 women in the Ukhiya (2,300), Teknaf (2,300) and Maaheshkhali (5,000) *upazilas* (administrative sub-districts) in the Cox's Bazar district. Including their families, nearly 50,000 people will benefit. WFP provides beneficiaries with 14–15 standard business plans to assist them in choosing effective and sustainable livelihood strategies. Income generation support is provided through entrepreneurship training, a small business grant (US\$192) to purchase assets and intensive skills training. Additionally, each participant receives a monthly allowance of US\$13.41 to ensure that households do not need to resort to negative coping strategies, such as reducing food consumption. The package provides households with a sustainable and diverse source of income which will continue beyond the life of the project.

## 3.5 INSTITUTIONAL CAPACITY

To meet the specific needs of POC, organisations will need to consider developing their capacities. Depending on the context, these can include vulnerability assessments and targeting, data protection and ID management, and consultation and outreach with POC communities. Organisations may need to consider their ability to build the capacities of key partners, especially refugee representative organisations and CBOs, which often have greater access to and acceptance among POC. In addition, they should consider improving the skills of government authorities and host communities, which could thereby be better equipped to consult, sensitise and train beneficiaries and plan and deliver programmes. Specialist training modules on CTP and POC developed by CaLP would be a meaningful starting point to assisting with building institutional capacity in this regard.

### BOX 6: THE BORDER CONSORTIUM FEASIBILITY STUDY ON THAI-MYANMAR BORDER<sup>27</sup>

In 2013, TBC conducted a feasibility study on multi-purpose CTP for temporary refugee settlements situated along the Thai-Myanmar border. This study found favourable conditions for CTP. It recommended that a pilot of unconditional CTP be conducted in two camps, and later expanding to a further two for more diverse settings. Providing direct cash of around 400–500 Thai baht (US\$11–14), depending on the season, via bank transfer or security company disbursement, could assist with the purchase of food and domestic fuel needs from camp shops.

In assessing the refugee context, the study found that there was market readiness, with vibrant market operations within the camp, and access to suppliers outside the camp. Transition and preparedness strategies would be needed to sensitise the refugee population, increase capacities for stockpiling, cash management, transporting goods and integration with shelter and livelihood aspects of programming.

Accepting the recommendations of this feasibility study, TBC plans to implement a pilot CTP programme for two camps by the end of 2016, with a view to scaling up to four camps, and finally to all nine camps along the border.

<sup>26</sup> See Module 1.2 of CaLP (2016).

<sup>27</sup> TBC (2013b).

## SECTION 4: KEY CONSIDERATIONS FOR DESIGNING CASH TRANSFER PROGRAMMING

The design of CTP should take into account considerations specific to POC contexts, many of which were highlighted in Section 2, such as:

1. Specific protection needs relating to POC's vulnerabilities;
2. Livelihoods strategies in protracted situations, and the barriers limiting formal work for POC;
3. The potential for durable solutions such as repatriation and resettlement; and
4. Participation and coordination between POC communities and other stakeholders.

### 4.1 SPECIFIC PROTECTION NEEDS

- **Community-based targeting** is an effective mechanism to identify the most vulnerable POC, particularly where external outreach may be difficult and/or community self-governance models are intact.

A mixed targeting approach is useful for validating community-based targeting selection criteria. Research has shown that the most vulnerable POC may be left out of community consultations on the basis of their relationships with community leaders.<sup>28</sup>

If community-based targeting is not available, a blanket approach or geographical targeting may be appropriate as an initial solution for the first 1–3 months of an intervention, particularly in rapid-onset emergencies and camp settings.<sup>29</sup> More specific targeting may follow once there is greater stability and understanding of the POC community.<sup>30</sup>

- **Identification of the most vulnerable POC.** Without official status, recognition and identification, POC are likely unable (or may encounter significant challenges when trying) to avail themselves of formal protection and assistance. Given that cash is a market-based response tool, socioeconomic indicators may provide a more direct correlation between vulnerability and the effectiveness of prospective assistance.<sup>31</sup> The sliding scales of such indicators may be adjusted based on available resources and complementary assistance, or changes in policy. A combined approach can be helpful: using socioeconomic indicators as primary eligibility criteria, and protection criteria to identify the most at-risk.

Regardless of whether socioeconomic indicators are used, protection concerns and risks should always be identified and addressed as part of all aspects of programme design.<sup>32</sup>

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<sup>28</sup> UNHCR (2015d).

<sup>29</sup> Sharp (2015).

<sup>30</sup> UNHCR (2015d).

<sup>31</sup> Ibid.

<sup>32</sup> Sharp (2015).

## BOX 7: JESUIT REFUGEE SERVICE STIPENDS TO THE MOST VULNERABLE URBAN REFUGEES IN BANGKOK

The Jesuit Refugee Service Thailand provides financial assistance to urban refugees in Bangkok, targeting the most vulnerable. In this urban context, unaccompanied minors, the elderly, the disabled and households with more than four dependents were identified as the most vulnerable.

Given the diversity and spread of POC in Bangkok, community outreach and individual interviews are used for identification and monitoring. Vulnerability assessments initially come from a referral from UNHCR Thailand. Given that the Jesuit Refugee Service is a relatively small organisation that provides health and counselling services, there is a strong working link between case workers and psychosocial workers. This ensures that there can be referrals between providers of any kind of assistance, including CTP.

- **Right to work.** Any assistance relating to work will need to consider the acceptability of POC employment to the host government and community. This does not only include whether or not POC have a legal right to work, but also whether self-employment is an acceptable option, and whether or not they have access to credit, loans and other financial services. Given political sensitivities to enabling employment, assistance can be provided to both POC and host communities, packaged as either part of Multi-Purpose Grants or livelihoods skills training.
- **Access to basic services.** CTP can be provided to POC to enable access to basic services, either through direct payment for services or income support. For education services, assistance to enhance education systems is more common than individual assistance to households.<sup>33</sup> For health services, innovative financing mechanisms can be used, including assistance to government or not-for-profit health insurance schemes for POC.<sup>34</sup> Consideration should be given to partnering with CBOs to enhance access to education and health services.
- **Social cohesion.** Programme design should take into account the potential effect of CTP, or any transfer-based assistance, on social cohesion with host communities, as well as within POC communities. Assistance should be planned to minimise the potential for stigmatisation that increases vulnerability. Consideration should also be given to providing assistance for host communities, and how host communities can be sensitised to the benefits of CTP. For example, CFW programmes that are linked with shared community goals and development, and which equally employ both POC and members of host communities may increase positive contact and improve social cohesion.<sup>35</sup>
- **Protection risks.** Concerns persist that CTP may increase some protection risks – e.g. the diversion of cash for anti-social purposes, corruption, security risks, and sexual and gender-based violence (SGBV).<sup>36</sup> However, recent evaluations have shown that these concerns are either unfounded, or can be mitigated or avoided through appropriate programme design and monitoring (see Box 8, p20). Risks should be carefully assessed and monitored, and adequate mitigation measures should be put into place, with special considerations for particular groups.
- **Safety and security.** Outside of official camps or settlements, where POC may be registered and recognised, POC have to navigate environments in which they are at risk of harassment, arrest, detention, punishment and potentially *refoulement*. This risk can arise either when POC have not been properly identified as such and are *refouled* as illegal migrants, or when they have been identified by organisations other than the government but are nonetheless *refouled* by the government.

Fears about safety and security may prevent POC from moving freely and engaging with markets and FSPs that they perceive as unsafe or hostile, especially if there are tensions with the host community. Remote and urban settings where there is a limited rental market or accommodation options, can expose POC to exploitation.

Safety and security risks for POC may more acutely affect the most vulnerable sub-groups: women and girls, children (especially unaccompanied minors), the elderly and the disabled.

<sup>33</sup> UNHCR (2015d).

<sup>34</sup> UNHCR (2012b).

<sup>35</sup> Harb and Saab (2014).

<sup>36</sup> For more examples, see: Berg et al. (2013).

## BOX 8: IMPACT OF NORWEGIAN REFUGEE COUNCIL'S CBI ON PROTECTION IN AFGHANISTAN<sup>37</sup>

Afghanistan represents one of the most protracted POC contexts in the world—and, until the Syrian refugee crisis, was also the largest: the number of IDPs increased from 400,000 in 2012 to over a million in 2016. CTP has been widely used in Afghanistan by implementing agencies such as the Norwegian Refugee Council, the Danish Refugee Council, WFP and UNHCR. In 2015, the Afghanistan Cash Voucher Working Group and the Norwegian Refugee Council commissioned a study into the impact of CTP on protection outcomes in Afghanistan, concentrating on 11 locations within the Kabul Informal Settlements area. The study found that:

- Beneficiaries prioritised food over other items. This highlights the importance of dedicated CTP to meet specific protection needs, such as shelter and healthcare.
- While there were generally high levels of social cohesion and integration, due to mass unemployment and competition among households for food and other resources, tensions escalated between beneficiaries and host communities that did not receive assistance.
- For the most part, SGBV was not a major issue that organisations considered when designing CTP. However, 46 percent of women who had experienced SGBV stated that CTP helped reduce the frequency of such violence, primarily because it helped families meet their basic needs and reduced financial tensions that could lead to violence.
- CTP could also empower women to become the heads of their households and make their own decisions on how to use household resources. As reported, women affected by SGBV who did not receive assistance were in much greater danger of repeated cycles of violence than those who did.
- The choice of cash or voucher modality greatly influenced how effective CBIs were in addressing SGBV protection issues.

The study recommended several strategies to maximise protection outcomes, including combining assistance modalities; delivery and receiving assistance through the community (including informal money transfer systems such as *Hawala*); and using community-based monitoring frameworks to reduce the need for continuous supervision by implementers.

## 4.2 LIVELIHOODS STRATEGIES

- **Livelihoods initiatives.** Initiatives such as Cash for Assets, CFW and entrepreneurship grants empower POC to build self-reliance, resilience and coping strategies. This is extremely important for protracted situations in which POC may wait years for durable solutions. Livelihoods strategies may differ from other forms of assistance, because the most vulnerable may not be appropriate beneficiaries if they cannot participate in sustainable livelihoods.
- **Advocacy.** Appropriate advocacy messages can highlight the positive link between POC livelihoods programming and local development projects. For example, they can show how POC can fill gaps in local labour markets, how livelihoods can improve social cohesion, and the value of POC having sustainable livelihoods to facilitate durable solutions such as resettlement and repatriation.
- **Including CBOs.** Strategies involving CBOs – such as the inclusion of POC in camp management structures, refugee community councils and community education centres – may offer the safest, most acceptable and most protective spaces for sustainable CFW and livelihoods programming.<sup>38</sup>
- **Self-employment.** Livelihoods programming can support self-employment, particularly where POC have no legal right to work, or face difficulties gaining formal employment. However, the dual concerns of respecting restrictions on the right to work and advocating sustainable livelihoods for humanitarian reasons must be balanced.

<sup>37</sup> NRC (2016).

<sup>38</sup> See, for example, TBC's Camp Management programme. In 2015, over 3,000 refugees (39 percent of whom were women) played crucial roles in various functions within camp management to deliver programmes supported by TBC and receive monthly stipends. Another 515 people had oversight of Section Committees (TBC, 2015).

- **UNHCR Graduation Approach.**<sup>39</sup> Designed for livelihoods programming in urban refugee contexts,<sup>40</sup> the UNHCR Graduation Approach can be used in partnership with local organisations, and includes the following components in chronological order: participant selection; consumption support for food before businesses earn income; encouraging saving to build assets and instil financial discipline; livelihoods skills training; and asset transfer to jump-start sustainable livelihoods (UNHCR, 2014d).

### BOX 9: THE BORDER CONSORTIUM'S ENTREPRENEURSHIP DEVELOPMENT PROGRAMME<sup>41</sup>

TBC's Entrepreneurship Development Programme aims to help camp residents build skills for enterprise creation and management, generate income, develop savings behaviour and improve their food and livelihoods security, while reducing their dependence on aid.

The programme was launched after a successful advocacy strategy with local authorities that linked improved livelihoods to better chances of sustainable repatriation of Burmese refugees once the security situation in Myanmar has stabilised.

Over 2,000 entrepreneurs are being supported through individual grants, group businesses or savings and loans programmes in nine camps along the Thai-Myanmar border. Core activities include entrepreneurship development, grants training, mentoring services, technical training on raising animals and food processing, training on group formation and community-based savings and loans, small business management training for existing and self-reliant entrepreneurs, as well as exposure trips for camp residents, including CBO representatives.

## 4.3 DURABLE SOLUTIONS

- **Return, repatriation and reintegration.** Once durable solutions are found, CTP can facilitate voluntary return, repatriation and reintegration.

Any assistance for returns or repatriation should take into account the whole journey from host community back to home community. This includes travel documentation, transportation to place of origin (including any transit points), temporary shelter while in transit, the resolution of any land disputes, shelter in home communities, provision of basic domestic items and livelihoods assistance.

Consideration should be given to whether CTP could provide an incentive for POC to return to areas that are not yet secure or stabilised. However, research suggests that monetary assistance is one of the least important factors in the decision to return (IOM, 2015).

<sup>39</sup> UNHCR's Graduation Approach is based upon CGAP-Ford Foundation's Graduation Approach, which can be found at: [www.cgap.org/topics/graduation-sustainable-livelihoods](http://www.cgap.org/topics/graduation-sustainable-livelihoods) and <http://www.cgap.org/publications/extreme-poverty-sustainable-livelihoods>.

<sup>40</sup> The Operational Guidelines for livelihood programming draw on lessons learned in supporting urban and camp operations, collected by the Livelihood Unit (OSTS/DPSM) and by regional livelihood officers since 2008, and on consultations with UNHCR field offices and partners during regional trainings and review workshops from 2009 to 2011. The guidelines are also based on key documents and frameworks used in the livelihood sector at large (UNHCR, 2012d).

<sup>41</sup> See: Module 6 of CaLP (2016), and TBC (2015).

**BOX 10: UNHCR ASSISTANCE TO RETURNEES TO SRI LANKA<sup>42</sup>**

UNHCR has been providing CTP to facilitate return and reintegration across the world since the 1990s.

Following the end of armed conflict in Sri Lanka in 2009 and subsequently improved security situation, Sri Lankan refugees around the world began returning. UNHCR initiated a refugee returnee grant assistance scheme to assist with voluntary repatriation. UNHCR staff in the country of asylum counselled prospective returnees.

UNHCR provided air transport for refugees who wished to return. UNHCR Sri Lanka staff met returnees upon arrival at the airport and ensured safe arrival. A Bank of Ceylon account was opened and a reintegration grant deposited for each household in the joint name of husbands and wives, while a modest transportation allowance was provided in cash for onward transportation to villages of origin. Upon arrival, returnees visited one of the three UNHCR offices in the field to receive non-food item assistance. Returnees also received counselling on reintegration support, including procedures to obtain essential civil documentation, such as birth certificates and National Identity Cards. Returnees were also directly linked to Mine Risk Education programmes in their areas of return and received six months' dry rations from WFP.

In-depth monitoring visits were conducted for those who returned in 2013. Around 80 percent recommended facilitated repatriation through UNHCR. Around 66 percent of returnees used their reintegration grants for everyday expenses (mostly food), 13 percent for shelter repairs, and just 7 percent used it to support their livelihoods. The most commonly faced challenges were a lack of livelihood opportunities (87 percent), followed by adequate shelter (81 percent).

This case study is an example of using a blanket approach to multipurpose grants for a broad group of POC. Monitoring and evaluation of the programme created an evidence base to support more targeted assessment of specific expenditure and protection concerns in future interventions.

#### 4.4 PARTICIPATION AND COORDINATION

- **POC inclusion.** POC communities should be included as participants in all phases of the programme cycle, and may be best placed to lead aspects of the programme. Community-based approaches to sensitisation, vulnerability targeting, training, delivery mechanisms and monitoring systems may be more efficient, effective and empowering for POC communities.
- **Multi-agency coordination.** Coordination is essential to ensure the effective mapping of markets and assistance, and the efficiency of CTP itself. Coordination can occur through local and national advocacy networks;<sup>43</sup> NGO coalitions;<sup>44</sup> regional advocacy networks, such as the Asia Pacific Refugee Rights Network; refugee response mechanisms; IDP Cluster and Humanitarian Country Team mechanisms; or less formalised community-based networks (see Box 11, p23). Coordination activities, depending upon the context, may include:
  - Sharing of resources, training, needs assessments, market analyses, case studies and good practice;
  - Identification and outreach to POC communities, particularly those most vulnerable and not represented, or with limited access to community leaders;
  - Coordinated efforts to design harmonised cash transfer values, which complements other forms of assistance to determine the nature and value of CTP, particularly multipurpose grants; and
  - Collective advocacy and bargaining with local authorities, and, potentially, FSPs or third party agents.
- **POC as economic agents.** Recognising the potential for POC to become customers, private sector actors and FSPs may be instrumental to building their influence with government actors. This in turn can provide greater flexibility for POC to receive assistance and develop products and services that meet their cohorts' needs.

<sup>42</sup> UNHCR (2014b).

<sup>43</sup> Examples of such networks include the Bangkok Asylum Seeker and Refugee Assistance Network ([www.basran.org](http://www.basran.org)) and Suaka—Indonesian Civil Society Network for Refugee Rights Protection (<http://suaka.or.id/>); see also: Section 4F of APRRN (2015a).

<sup>44</sup> Examples include The Border Consortium (TBC) and the Committee for Coordination of Services to Displaced Persons in Thailand (CCSDPT).

- **Local coordination.** Strong coordination and relationships at local levels, particularly between POC communities and local authorities, have proven to be useful in negotiating ad-hoc protective spaces for POC.<sup>45</sup> Relationships should be built between cash and protection staff within and among organisations to ensure that protection is mainstreamed at all stages of programming, including the development of appropriate referral mechanisms.

### BOX 1 I: MALAYSIAN CBO NETWORK AND SOCIAL PROTECTION FUND<sup>46</sup>

The Malaysian government limits international humanitarian assistance to POC. UNHCR is the primary international organisation providing assistance. A large decentralised network of CBOs acts as the interface between refugee communities, UNHCR and the government.<sup>47</sup> CBOs undertake the initial registration of asylum seekers and forward their lists to UNHCR to formally register. CBOs also provide many essential services, including community-based education.

In 2009, UNHCR created the Social Protection Fund (SPF), a small-grants programme that supports refugee communities with self-help initiatives. The programme aimed to build community capacity—in terms of resources, leadership, knowledge, skills, trust and networking—and enhance self-reliance and livelihoods. SPF presented a unique opportunity for UNHCR to directly interact with refugee communities that were generally disconnected from each other and their host communities.

Small grants of up to 12,000 Malaysian Ringgit (Approx US\$3,000) were given to CBOs and self-help groups for sustainable livelihoods programming. As of early 2014, the SPF was supporting 430 projects that had directly reached 21,783 beneficiaries, and about 50,000 indirectly, across nine states. A 2013 impact assessment found that the SPF created space for wider, more interactive and deeper engagement with refugee communities that were spread across an urban landscape (UNHCR, 2013a). While the sustainability of self-reliance outcomes were unclear due to the small value of the grants and the limitations posed by the Malaysian Government on humanitarian assistance to POC, the programme nevertheless achieved moderate success in building refugee communities' capacities. Interventions ranged widely from education and literacy, rental assistance and day-care facilities, to youth-collective initiatives. A significant amount of assistance was used to acquire and secure rental spaces, which had spill-over impacts on protection needs by expanding physical protection spaces, enhancing dignity and identity and developing better bargaining power for POC to access resources and demand equity in terms of employment and wages.

<sup>45</sup> See Module 6 of CaLP (2016).

<sup>46</sup> UNCHR (n.d.).

<sup>47</sup> See the full list of implementing and operational partners in UNHCR (2013c).

## SECTION 5: CONCLUSION AND RECOMMENDATIONS

If current trends in the humanitarian community continue, CTP will become more prevalent in all assistance contexts, including those involving POC, in its many different forms.

Mirroring the diverse environments in which they operate, POC communities, CBOs, NGOs and other international organisations have adaptive and innovative approaches to providing critical assistance to the most vulnerable—and to help them develop resilience and coping strategies. Only some of these have been documented; there are many experiences and lessons across Asia that may not yet, or ever, be recorded. The recommendations that follow highlight key points to summarise this briefing note and call for actions that capture good practice relating to CTP in POC contexts in Asia.

### 5.1 KEY RECOMMENDATIONS

#### Advocacy and influencing

1. **Tightly target advocacy efforts and broaden audiences.** Decades of continuous advocacy efforts with governments in the region have yielded no major reforms. However, there are promising opportunities to advocate for less restrictive legal and policy frameworks and more protective spaces by concentrating on specific, discrete areas of protection rather than broad, overall legal frameworks. Advocacy should also be targeted at stakeholders beyond governments, such as those in the private sector and media that may be able to influence perceptions and opinions among both duty-holders and the public. CaLP can support a platform for coordinated advocacy messaging on CTP and POC for:
  - a. Building contextual evidence of the specific benefits of CTP, e.g.:
    - Demonstrating the benefits of CTP on local markets and communities;
    - Using CTP to promote livelihoods strategies that complement local redevelopment, fill local labour market gaps, enhance social cohesion, and prepare POC for repatriation or resettlement; and
    - Considering integrating host communities into CTP to address disparities between the socioeconomic power of POC and host communities as a result of any assistance.
  - b. Learning from other successful examples by:
    - Building relationships between local authorities through workshops, trainings and exchange programmes to enhance understanding and acceptance of CTP in POC contexts (see Box 5, p17);
    - Incorporating POC participation into humanitarian emergency preparedness plans to frame POC within humanitarian and protection lenses, rather than border policing and national security lenses.



## Capacity building and training

2. **Develop the capacity of POC-related agencies to implement CTP.** Most agencies continue to provide in-kind assistance, so will require capacity building to integrate CTP into response options and to train staff, partners and beneficiary communities on CTP.

CaLP has an Organisational Capacity Assessment Tool<sup>48</sup> that enables agencies to assess their CTP capacity and provides recommendations for mainstreaming CTP into institutional systems and procedures.

3. **Enhance expertise.** Both the CTP and POC communities can strengthen their capacity to design and deliver CTP in POC contexts by exchanging knowledge and practical lessons. Through this, they can develop operational approaches that may be more effective in POC contexts, such as remote programme management (CFC, 2012).

## Participation and coordination

4. **Make CTP as participatory as possible.** Participatory approaches that include POC not only align with the core CTP principles of providing beneficiaries with greater dignity, choice and self-determination, but also benefit all aspects of the cash programming cycle, including assessment, vulnerability targeting, programme design, implementation and monitoring. In particular, any strong representative organisations for POC communities should play a significant role in CTP.
5. **Leverage and strengthen existing coordination mechanisms.** Building on existing networks and mechanisms, the CTP and POC communities should coordinate and share information. This is particularly useful in urban and remote POC contexts, where interventions might not have the scale, reach and resources for coordination as large-scale contexts in refugee camps or protracted displacement settings. Regional meetings, such as the CaLP CTP and POC Workshop, provide valuable forums for information sharing and stakeholder engagement.

## Research and learning

6. **Document good practice and build the evidence base on use of CTP for POC.** Implementers need market analysis on the feasibility of CTP in POC contexts, particularly camp settings, as well as case studies on the impact of programmes on social cohesion.
7. **Centralise information resources, specialised capacity building and good practice.** The experiences and lessons learned by the CTP and POC communities should be compiled in a centralised information resource, and channelled into specialised training modules. CaLP, as a central repository for CTP resources with a global network, is well-placed to facilitate this documentation and dissemination.

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<sup>48</sup> The Organisational Capacity Assessment Tool (OCAT) comprises a User Guide, Tool Worksheets for use in scoring and graphing results respectively, and a Recommendations Matrix. Assessment across six categories of organisational capacity, each with their own criteria. Scoring each criterion allows an organisation to determine gaps and make recommendations for building the required capacity. (CaLP, n.d. b).

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## GLOSSARY

### PERSONS OF CONCERN TERMINOLOGY

Source: UNHCR (2006).

**Asylum seeker:** An asylum seeker is an individual who is seeking international protection. In countries with individualised procedures, an asylum-seeker is someone whose claim has not yet been finally decided on by the country in which he or she has submitted it. Not every asylum seeker will ultimately be recognised as a refugee, but every refugee is initially an asylum seeker.

**Displacement or forced migration:** A migratory movement in which an element of coercion exists, including threats to life and livelihood, arising from either natural or man-made causes (e.g. movements of refugees and IDPs, as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects).

**Durable solutions:** Any means by which the situation of refugees can be satisfactorily and permanently resolved to enable them to live normal lives. UNHCR traditionally pursues the durable solutions of voluntary repatriation, local integration and resettlement.

**Host communities:** Communities that host large populations of refugees or internally displaced persons, typically in camps or integrated into households directly.

**Internally displaced persons (IDPs):** Persons forced or obliged to flee from their homes, in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised State border.

**Local integration:** A durable solution to the problem of refugees that involves their permanent settlement in a country of first asylum, and eventually being granted nationality of that country.

**Minors:** Persons who are below the legal age of majority and are therefore not legally independent. This term includes adolescents. Under the Convention on the Rights of the Child, a 'child' is a person who is below the age of eighteen, unless the applicable law sets a lower age, and 'child' is equated with 'minor'.

**Non-refoulement:** A core principle of international refugee law that prohibits states from returning refugees in any manner whatsoever to countries or territories in which their lives or freedom may be threatened. The principle of non-refoulement is a part of customary international law and is therefore binding on all states, whether or not they are parties to the 1951 Refugee Convention.

**Persons of concern (POC):** A generic term used to describe all persons whose protection and assistance needs are of interest to UNHCR. These include refugees, as defined by the 1951 Refugee Convention; persons who have been forced to leave their countries as a result of conflict or events seriously disturbing public order; asylum seekers; returnees; stateless persons; and, in some situations, IDPs.

**Protection space:** The extent to which a conducive environment exists for the internationally recognised rights of refugees to be respected and their needs to be met. (UNHCR, 2009)

**Protracted refugee situation:** Refugee populations of 25,000 persons or more who have been in exile for five or more years in developing countries. (UNHCR, 2004)

**Refugee:** A person who meets the eligibility criteria under the applicable refugee definition, as provided for in international or regional refugee instruments, under UNHCR's mandate, and/or in national legislation.

**Refugee camp:** A plot of land temporarily made available to host refugees fleeing from an armed conflict in temporary homes. UN agencies, particularly UNHCR, and other humanitarian organisations provide essential services in refugee camps, including food, sanitation, health, medicine and education. These camps are ideally located at least 50km away from the nearest international border to deter camp raids and other attacks on its civilian occupants.

**Refugee status determination:** Legal and administrative procedures undertaken by UNHCR and/or states to determine whether an individual should be recognised as a refugee in accordance with national and international law.

**Registration:** The process of identifying and documenting POC to UNHCR, by which systematic information is obtained to facilitate protection, programme planning and verification.

**Reintegration:** A process that enables returnees to regain the physical, social, legal and material security needed to maintain life, livelihood and dignity and which eventually leads to the disappearance of any observable distinctions vis-à-vis their compatriots.

**Resettlement:** The transfer of refugees from the country in which they have sought refuge to another state that has agreed to admit them. The refugees will usually be granted asylum or some other form of long-term resident rights and, in many cases, will have the opportunity to become naturalised citizens. For this reason, resettlement is a durable solution as well as a tool for the protection of refugees.

**Returnee:** POC who have returned to their country or community of origin.

**Stateless person:** A person who, under national laws, does not have the legal bond of nationality with any state. Article 1 of the 1954 Convention relating to the Status of Stateless Persons indicates that a person not considered a national (or citizen) automatically under the laws of any state, is stateless.

**Unaccompanied minors:** Persons below the legal age of majority who are not in the company of an adult who, by law or custom, is responsible for them, such as parents, guardians or primary caregivers.

**Voluntary repatriation:** Return to a country of origin based on a refugee's free and informed decision. Voluntary repatriation may be organised (i.e., when it takes place under the auspices of the concerned governments and UNHCR), or spontaneous (i.e., when refugees return by their own means, with UNHCR and governments having little or no direct involvement in the process of return).

## CTP TERMINOLOGY

Source: CaLP (n.d. a)

**Cash for work (CFW):** Payment provided as a wage for work, usually in public or community work programmes. These may or may not result in the creation of public or community assets (e.g. irrigation works, or grass-cutting respectively).

**Cash grants:** The provision of money to beneficiaries (individuals or households). This may be either as emergency relief intended to meet basic needs for food and non-food items or services, or to buy assets essential for the recovery of livelihoods.

**Cash transfer programming or cash-based interventions (CTP or CBI):** All programmes in which cash (or vouchers for goods or services) are directly provided to beneficiaries.

**Conditional transfers:** Transfers that require recipients to undertake specific actions or activities in order to be eligible to receive cash and/or vouchers.

**Delivery agent:** An entity or retail outlet at which e-transfers can be spent or redeemed for cash, and/or where e-cash account holders can perform other transactions.

**Delivery mechanisms:** The means by which transfers reach beneficiaries (e.g. through FSPs, mobile money transfers, retailers or smart cards, mobile money transfers, cash in envelopes, etc.).

**E-transfer:** A digital transfer of money or voucher from the implementing agency to a programme participant. E-transfers provide access to cash, goods and/or services through mobile devices, electronic vouchers or cards (e.g. prepaid, ATM, credit or debit cards). Also an umbrella term for e-cash and e-vouchers.

**Financial service provider (FSP):** An entity that provides financial services, which may include e-transfers. FSPs may include e-voucher companies, financial institutions (such as banks and microfinance institutions) or mobile network operators.

**Modality:** The form of transfer (cash, vouchers, in-kind, or combination).

**Multi-purpose cash grant:** An unconditional cash transfer (either regular or one-off) corresponding to the amount of money a household needs to fully or partially cover a set of basic and/or recovery needs.

**Restricted transfers:** Transfers that can only be used in agreed or pre-determined ways.

**Voucher:** Paper or electronic entitlements that can be exchanged with specified retailers and service providers.



The Cash Learning Partnership

Longer-term implications for assistance programmes for displaced persons have often been overlooked or even dismissed as being too complex or politically sensitive to consider interfering. While makeshift, tented camps may traditionally be a defining image of the POC situation, the reality is that a significant majority of POC in Asia are now living in non-camp, urban settings. The humanitarian community is faced with the task of responding in more complex environments, including a dramatic increase in the number of POC and those in need of international protection and assistance for protracted periods.

Against this backdrop, the uptake of cash transfer programming (CTP) in large-scale and prolonged crises has increased in recent years. Indeed, the 2016 UN Secretary-General's Agenda for Humanity calls for a commitment to 'use cash-based programming as the preferred and default method of support'. For POC in increasingly restrictive operational settings and with over-stretched resources, CTP presents an opportunity to address their diverse, protracted needs; to support livelihoods and resilience; and to increase the potential for social cohesion through engagement in local economies and communities.

The purpose of this briefing note is to demonstrate adaptive practices for providing essential assistance to the most vulnerable POC and to provide objective guidance for practitioners to enhance the assessment, design, delivery and monitoring of CTP in POC contexts in Asia, and beyond.

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