



Voluntary Repatriation or Forced Return?

Thematic paper on free, safe, and dignified return as a durable solution.

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Purpose

This thematic paper on repatriation offers case studies and good practices to help ensure a fair, free and dignified return.

In the present context where forcibly displaced people are being repatriated without any legal guarantees, JRS wants to share what we have learned from the past in places like Cambodia, Bosnia, Guatemala, Democratic Republic of Congo and Kosovo. In the US, we see an increase in mass deportation programmes, which have stripped status from persons who have temporary humanitarian status. It is important to focus on repatriation as this has placed asylum-seekers in expedited removal, whereby the country has heavily invested in enforcement but not in adjudication of asylum claims.

This paper aims to be a guide with good practices on repatriation, offering key questions within specific contexts. With an understanding of fundamental features of repatriation, this document also aims to inform current or potential future repatriations including from Burundi, Syria, Venezuela and Afghanistan with the right tools that are based on certain contexts and summarised legal frameworks.

"In recent years some millions of refugees have returned home. Some went willingly as did many Mozambicans and Cambodians. Some went freely but with caution, as did the Guatemalans. Over a million Rwandans and a hundred thousand Bosnians had no choice about their rushed return to their country of origin.

All, I am sure, made this journey home with trepidation, if not outright fear. Reintegration into society after a time of conflict is a very human and messy process. It takes time. Burying the dead and mourning them takes time. The wounds of grief take time to heal.

Discovering and coming to terms with the truth takes forever and is sometimes never achieved. Establishing justice appears to be even more rare, especially when the economic and legal systems have been destroyed. But reconciliation cannot even be imagined before these other steps have been in great part planned and commenced if not achieved. Unless it is imposed by force as in Bosnia, reintegration takes generations and reconciliation even longer.

The steps of the path to reconciliation, namely naming the truth and seeking justice, must be taken first." (Valcárcel, 2005)

Together with Pope Leo, the universal church and the people of good will, we acknowledge that, ultimately, the condition for repatriation is peace.

"In order to overcome the darkness, it is necessary to see the light and believe in it. This is a call that Jesus' disciples are invited to live in a unique and privileged way; yet it also finds its way into every human heart.

Peace exists; it wants to dwell within us. It has the gentle power to enlighten and expand our understanding; it resists and overcomes violence. Peace is a breath of the eternal: while to evil we cry out "Enough," to peace we whisper "Forever." Into this horizon the Risen One has led us.

Sustained by this conviction, even amid what Pope Francis called "a third world war fought piecemeal," peacemakers continue to resist the spread of darkness, standing as sentinels in the night." (Message by Pope Leo for the 59th World Day of Peace, 1 January 2026)

What is Repatriation?

The United Nations High Commissioner for Refugees (UNHCR) defines repatriation as "the return in safety and dignity to the refugees' country of origin, based on their free and informed decision" (UNHCR, 1996). It is considered one of the three durable solutions which the international community can offer to refugees, namely: repatriation, resettlement, and local integration. Governments and UNHCR favour repatriation as it is costly and impractical to keep refugees for long periods of time in camps or in temporary asylum.

Repatriation is understandably a preferred solution for a refugee. Refugees, as a rule, left home against their will. It is normal that they want to go back to their countries, yet the matter is rarely so simple. Very often, time in exile and the natural adaptation to a host society which has taken place are important factors affecting refugees' decisions about repatriation. **It is misleading to assume that "all refugees want to go home".**

It is important to consider the conditions under which repatriation takes place. The process should take place in **safety, dignity** and **voluntariness**. The mere cessation of hostilities is not yet reason enough to repatriate. The arrival of peace may not mean that justice is also guaranteed. Moreover, after conflict, poverty in the country of origin is often so severe that basic human needs cannot be met.



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Photo: Border between Ukraine and Romania.

Conditions for Fair Repatriation

1. **Voluntary:** After reviewing all available information about conditions in their country of origin, refugees decide freely to return home.
2. **Safety:**
Refugees return in conditions of:
 - **Legal safety:** Amnesties or public assurances of personal safety, integrity, non-discrimination and freedom from fear of persecution upon return.
 - **Physical security:** Including protection from armed attacks, and mine-free routes or at least demarcated settlement sites.
 - **Material security:** Including access to land or a means of livelihood.
3. **Dignity:** In practice, refugees must not be manhandled; that they can return unconditionally and that they are returning spontaneously, they can do so at their own pace; that they are not arbitrarily separated from family members; and that they are treated with respect and full acceptance by their national authorities, including having their rights fully restored. (UNHCR, 1999)

Types of Voluntary Repatriation

There are two kinds of voluntary repatriation: organised and spontaneous. UNHCR usually tends to promote organised repatriation. (UNHCR, 1999)

Organised Repatriation	Spontaneous Repatriation
Conflict is usually resolved	Often occurs before the cessation of hostilities
Based on formal repatriation agreements between country of origin, host country and UNHCR	Happens without formal agreements
Encouragement of repatriation by UNCHR	Refugees return on their own initiative
Registration of returnees by UNHCR	No registration procedures
Transportation for the returnees provided by UNHCR	No organised international assistance
Presence of UNHCR in the regions of return	UNHCR presence may be limited or absent

The concept of spontaneous repatriation raises a number of questions which await a suitable response. For example, how does one determine whether refugees are repatriating spontaneously or under pressure? Are there particular refugee groups who tend to return even when conditions do not seem appropriate to outside observers? Should the wishes of spontaneously repatriating refugees be respected under all circumstances? What should be the role of UNHCR where spontaneous repatriation is concerned? Should it facilitate it without ascertaining whether the repatriation is voluntary or coerced?

The purpose in raising these questions is not to challenge the fact that spontaneous repatriation takes place. The intention is simply to highlight the strong appeal that the notion of voluntary repatriation holds for those seeking to give a humane appearance to what is, in fact, involuntary return (framing it as a free choice made by the refugee, while overlooking its connection to the restrictive policies of host states and the international community).

Principal Features

- 1. Amnesties and guarantees:** In any repatriation, appropriate legal safeguards are essential. Governments should independently promulgate amnesties or legal guarantees for returnees.

To enhance their confidence-building value, such amnesties and guarantees may be declared jointly by the government and the other party/parties to a conflict, if voluntary repatriation follows the resolution of an internal conflict. Such texts or declarations should include the right to return and freedom of residence, the provision of amnesty or other official guarantees.

As a minimum, they should stipulate that returnees should not be subjected to any punitive or discriminatory action on account of having fled their country. In addition, issues such as property rights and military service obligations for returnees, international monitoring and the respect for human rights may be covered.

2. **Legal system or impunity:** Even if one of the pillars of confidence-building for returnees is the promulgation of legal guarantees and amnesties, a fair and efficient legal system is essential to conduct appropriate judgements. Impunity can be the root of renewed conflicts in the country of origin and among the refugee population.

International tribunals such as the International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the Former Yugoslavia in the Hague were set to prevent impunity of human rights violators, from the Rwandan or Bosnian genocide. International efforts to prevent impunity sometimes cause the lack of cooperation of states and even facilitates abuse by state authorities. Strengthening the rule of law is vital for the long-term success of repatriation.

3. **Access to land and housing:** One key resource for returning refugees is land for residential use as well as, where the returning refugees are of farming background, for agricultural use. Having access implies the right to use or to acquire the right to legal ownership of a plot of land. Information to refugees on the conditions of land occupancy rights and the areas to which they can return is essential. The question of land-use and land-rights is a contentious and difficult one in the aftermath of conflict: land laws may not exist or land may, by constitutional right, belong to the state as the single legal property holder; new land laws may have been drafted but not yet implemented; privatisation may be part of the post-conflict economic reform, making land an economic asset free for sale.

Land previously occupied by returning refugees may have been sold or repopulated. In this sense, the interest and legitimate rights of returnees regarding access to land (which may

not necessarily mean ownership) must be protected through contacts with central and local authorities as well as with traditional leaders.

4. **Demobilised soldiers:** A key component of peace settlements are conditions for the demobilisation of combatants. The willingness of refugees to return home is often contingent upon the credibility of demobilisation. Security guarantees and reintegration programmes for ex-combatants are crucial.
5. **Monitoring returnees' safety:** UN agencies and NGOs must have direct and unhindered access to returnees wherever they are in the country of origin to monitor safety conditions. This monitoring role should include access to prisons or detention centres. Liaison with the International Committee of the Red Cross (ICRC), which in many cases has primary responsibility for detainees, is important in this regard. Returnee monitoring is based on building trust with returnees. Returns of vulnerable people is especially important, including assistance to the elderly and disabled during mass returns.

UNHCR's Doctrine on Repatriation

Conclusion No. 40 (XXXVI) of the UNHCR Executive Committee provides further guidance as the authoritative basis for voluntary repatriation:

"The High Commissioner should be recognized as having a legitimate concern for the consequences of return, particularly when such return has been brought about as a result of an amnesty or other form of guarantee. The High Commissioner must be regarded as entitled to insist on (his) legitimate concern over the outcome of any return that (he) had assisted. Within the framework of close consultations with the State concern, (he) should be given direct and unhindered access to returnees so that (he) is in a position to monitor fulfilment of the amnesties, guarantees or assurances on the basis of which the refugees have returned. This should be considered as inherent in (his) mandate." (Executive Committee of the High Commissioner's Programme, 1985).

In line with what is explained above, monitoring must cover both:

- a) the immediate consequences of repatriation, such as the fulfilment of amnesties or guarantees provided by the government;

b) the general enjoyment by returnees of human rights and fundamental freedoms on an equal footing with their fellow citizens.

The key international standard guiding returnee protection is the **principle of non-discrimination**: returnee monitoring does not seek to privilege the returning refugees or to elevate their standard above that of the resident population.

Rather, it seeks to ensure that returnees are not targeted for harassment, intimidation, punishment, violence, or denial of fair access to public institutions or services or discriminated against in the enjoyment of any basic rights.

When refugees indicate a strong desire to return voluntarily and/or they have begun to do so on their own initiative, UNHCR may facilitate their return, even if UNHCR does not consider it safe for them to return and is not promoting repatriation. In these circumstances, UNHCR must be satisfied that the refugees' wish to return is voluntary and not coerced. The UNHCR's decision to facilitate this kind of return is based on its intent to ensure the safety of the refugees/returnees and aid with the return movement. Clearly, refugees repatriating spontaneously could face grave security problems if they are returning to an area in which fighting is still ongoing.



Photo: Renk, Nile, South Sudan

JRS Case Studies

Based on the following cases drawn from JRS' experience, it is possible to identify the suitable conditions that contribute to successful repatriation.

Cambodia

Context

Between March 1992 and April 1993, the UNHCR facilitated the return of 361,462 refugees to Cambodia in time for the UN-led elections of May 1994. While the United Nations Transitional Authority in Cambodia (UNTAC) was successful in bringing home Cambodians and its goal to establish democracy and place a new government, armed forces remained active in Cambodia, and significant efforts are still required to clear the country of landmines, which continue to affect the population. Today, Cambodia has extended its demining target to 2030, and as of early 2024, only about 15 of its provinces are confirmed mine-free, leaving nearly 2,100 km² still contaminated (Yalirozy, 2025).

Lessons Learnt

During the 1990s, there were difficulties in tracking some returnees and monitoring their safety. According to Mark Raper SJ, another challenge included securing land for cultivation for returned refugees in Cambodia. UNHCR faced difficulties in providing assistance to returned refugees in Cambodia, especially regarding securing land for cultivation. Many of the returnees had to choose what became known as "option C", or cash and food but no land. In addition, the small development projects begun by aid organisations to rebuild infrastructure (roads and bridges) were not enough to meet the needs of the people who remained internally displaced (Valcárcel, 2005).

Quique Sanz SJ, who worked in the Thai-Cambodia border camps in 1992-1999 reflects on how although most of the 400,000 refugees were from northern Cambodia, efforts focused mainly on Phnom Penh. Landmine survivors were supported, and peace and reconciliation seminars were organised and aimed at rebuilding the country and training young Cambodians for future roles in NGOs and government. However, similar programmes were not offered in the border

camps, which could have been highly beneficial. At the time, the main objective in the camps was simply to close them as quickly as possible.

Greater attention should have been given to the role of families. In Cambodian culture, family is central, and in the camps, it became a key means of survival, as larger families received more rations and benefits. During repatriation, many refugees faced painful choices between the families they had formed in exile and those they had left behind in Cambodia. These tensions sometimes resulted in conflict or violence.

Many refugees acquired valuable skills during their 10 to 12 years in exile, such as computer literacy and English, which created tension with those who had remained in Cambodia and did not acquire the same skills. Upon return, these skills were often underutilised. It is important to ensure that the knowledge gained in exile, even if acquired in a temporary context, is not lost. Aid organisations raised high expectations about repatriation by making promises to refugees that it was ultimately unable to fulfil.

Myanmar: The Case of Rohingya Refugees

Context

In 1991-1992 more than 260,000 Rohingyas from Burma fled human rights abuses and forced labour into neighbouring Bangladesh. They received refugee status as a group, based on the existence of *prima facie* elements of the refugee definition pertaining to a well-founded fear of persecution. The government of Bangladesh looked at the Rohingya refugee presence as a short-term problem and started to repatriate the refugees to Burma in September 1992.

To protest the host government's coercive activities (beatings, denial of food, etc.) forcing the refugees to return, UNHCR withdrew from the camps until they were permitted to conduct individual interviews without the presence of Bangladeshi officials. After this withdrawal, a one-year memorandum of understanding was signed between the government and UNHCR in May 1993, which allowed UNHCR to carry out its mandate. During that year, more than 50,000 refugees were repatriated.

By December 1993, UNHCR promoted further repatriation of the Rohingya refugees. Meanwhile, the only change inside Burma was that an initial four UNHCR staff were in place in Maungdaw by January 1994. Later, about 15 personnel including some NGO partners were there and had access, even, to the prisons. While the numbers of refugees returning remained low during the

first half of 1994, more than 120,000 refugees were repatriated between September 1994 and September 1995. About 40,000 Rohingya refugees remained in Bangladesh.

Lessons Learnt

Médecins Sans Frontières (MSF) as well as other NGOs and diplomatic missions expressed doubts regarding the willingness of the return for refugees. It was not clear whether refugees fully understood the repatriation registration exercise and were aware of the possibility of indicating their position if they did not wish to repatriate. MSF believed that the repatriation of Rohingya refugees from Bangladesh to Burma was not voluntary. They claimed the Rohingyas were not well informed of their right to refuse repatriation. Access to full and proper information on the human rights situation in their place of origin, Arakan in Burma, was limited. The situation in Arakan had not changed fundamentally. Forced labour was still required. Moreover, the Rohingyas, who were Muslims in a nation where Buddhism was being promoted as the state religion, did not have access to citizenship. This latter fact was rarely raised in the discussions. Repatriation must always take place in a dignified and free manner, and for this to happen, it is important to ensure that conditions are adequate and that people are carefully informed.

Thailand: The Case of Burmese Refugees

Context

Since 1948, a war has continued in Myanmar between ethnic minorities and the Burmese-majority army. Consequently, Thailand has subjected many ethnic minorities to forced repatriation. There are protection developments in neighbouring Bangladesh, especially the apparent decline in protection standards.

Non-governmental organisations, coordinated by a Thai church group (Churches of Christ of Thailand), have provided substantial assistance to Burmese refugees in Thailand. Although forced repatriations are now a reality, NGOs have assisted refugees across the border. The Catholic Church's refugee agency remains very cautious regarding Thai policy. Considerable efforts are necessary to secure justice and adequate material support for Burmese refugees in Thailand, many of whom face forced repatriation into zones of ongoing conflict and human rights abuses.

While the number of refugees in camps along the Thai–Burmese border once exceeded 110,000, by 2025 this figure has declined to approximately 85,000–90,000. However, the total number of

Burmese refugees and undocumented migrants in Thailand is believed to be much higher, potentially exceeding one million, many of whom have valid claims to refugee status. Hundreds of interviews with these individuals confirm that they fled Burma out of well-founded fear of persecution and that they face legitimate risks if forcibly returned.

One of the most notable mass refoulement incidents was in Kanchanaburi Province in February and March 1997, conducted by the First Thai Army, Ninth Division. Forced returns continued, particularly affecting members of the Shan minority, many of whom worked as migrant labourers but had valid refugee claims. These repatriations were often carried out under the pretext of “voluntary” return, but without essential safeguards such as proper procedures to establish voluntariness, international monitoring on the Burmese side of the border, or access to objective information about conditions in Burma.

Attacks by the Democratic Karen Buddhist Army and Burmese government troops on refugee camps, located dangerously close to the Thai–Burmese border, began in 1995. In addition to the risks of forced repatriation and attacks, there were ongoing concerns about the Thai government’s plan to relocate camps even closer to the border (in some cases within 200 meters) which could increase refugee vulnerability.

Frequent arrests, detention, and deportations of Burmese deemed “illegal migrants” under Thailand’s 1979 Immigration Act persisted, affecting many with valid refugee claims. This included some individuals recognised as refugees by UNHCR in Bangkok, as well as refugees from Shan State who were denied permission to establish camps or receive any form of assistance. From March 1996, a massive programme of forced relocations, accompanied by serious human rights violations, was ongoing in central Shan State. Many of the Shan who crossed the Thai border were considered genuine refugees, fleeing escalating violence and persecution (Lidell, 1997).

Following the 2021 military coup in Myanmar, violence and displacement surged, intensifying the humanitarian crisis. Although Thailand passed a domestic non-refoulement law in 2023, implementation remains weak. Many Burmese migrants continue to live without legal status in Thailand, facing detention and deportation. Humanitarian actors struggle with chronic funding shortfalls, further weakening support for vulnerable populations (Quinley, 2024).

JRS Activities

The main JRS education-focused activities in Thailand are related to engaging with parents and teachers, vocational and academic training as well as using digital-online platforms. The main

recipients are in both urban and camp-based areas in Thailand. Urban areas include Bangkok, Mae Sot, Chiangmai for all nationalities and ethnicities. While camp-based refugees are all those that are displaced from Myanmar who take part in education programmes (extracurricular activities, MHPSS such as PFA, teach training and small livelihoods) and pastoral accompaniment (home visits, focus group discussions and social gatherings) in Ban Mai Nai Soi and Ban Mae Su Rin camps.

Bosnia and Herzegovina

Context

The disintegration in 1991 of the Socialist Federal Republic of Yugoslavia initiated a massive exodus of the people, particularly in Bosnia and Herzegovina. The "ethnic" character of the war in Bosnia and Herzegovina confined the three main "ethnic" groups (Bosniaks, Bosnian-Croats and Bosnian-Serbs) in precisely different areas. However, the Dayton Peace Agreement (DPA) guaranteed the return of these people to their original homes.

Just after the DPA was signed in December 1995, it was hoped that up to 850,000 would return to their homes in 1996, but from early 1996 until end of 1999, 347,500 refugees returned to Bosnia from abroad and almost 300,000 internally displaced went back to their homes. In the DPA, among other things, it was agreed that everybody would be free to return to their place of origin in Bosnia. It was hoped too that most refugees would return in large numbers, but it did not happen.

Three decades on, since the DPA, there are still many challenges for returnees within and outside of the country. For example, the pursuit of accountability is still incomplete with many perpetrators not brought to justice, for example those who fled to Serbia or remained in Republika Srpska (one of the two entities of Bosnia and Herzegovina with a majority Bosnian-Serb population) were rewarded with professional careers that integrated them back into society. Within this context of transitional justice, returnees are not comfortable returning to Republika Srpska, for example where Srebrenica is located.

Srebrenica used to be ethnically diverse and instead is now a ghost town. Despite the Srebrenica genocide being the only legally recognised act of genocide of July 1995, survivors face genocide denial, even from political leaders of Republika Srpska, which is still commonplace, followed by genocide triumphalism which hinders concrete steps towards reconciliation that is sustainable and long-term. This is particularly difficult, when perpetrators, who know the locations of

multiple mass graves, continue to walk the streets of Bosnia without being held accountable for their crimes while survivors still wait for their loved ones remains to be found so that they can finally bury them and have a sense of closure.

Lessons Learnt

While JRS was helping returnees rebuild their homes through a reconstruction project, there were several major obstacles to the return of refugees in Bosnia and Herzegovina. This included no home to return to or that they were occupied, collapse of the Bosnian economy after the war, slow acceptance of the civil aspect of DPA with policy and laws 'imposed' by the international community, restricted freedom of movement, maintaining 'ethnic cleansing' policy from local politicians (e.g. stoning buses carrying people returning to their homes), social services no longer operational, reduction in humanitarian aid and refugees afraid to return to places where they would be a minority without any protection and respect to their human rights. This did not give the impression that one could return home in freedom and dignity.



Photo: Sarajevo, Bosnia and Herzegovina after the bombings

Mexico: The Case of Guatemalan Refugees

Context

Guatemalan refugees who were seeking asylum in Mexico began a process of organised repatriation in the mid 1990s. An official agreement was signed on September 17, 1997, finalising the return process for any refugees who wanted to return to Guatemala under the terms of the 1992 refugee accords.

JRS Activities

1. **Information:** JRS Mexico informed refugees about the conditions of return to Guatemala. The aim was to keep the refugee population informed to facilitate their decision-making in a freer and more conscious way. This was done through the creation of a bimonthly bulletin. It was also supported by the Permanent Commission of Refugees in the Vertiente Norte (Campeche) with exchange of information and publication of statements.
2. **Promotion of human rights and legal advice:** This helped some refugee groups to decide to return to Guatemala with information on human rights. Legal advice was also given to prevent refugees from abuses of the Mexican migration authorities, as well as to prevent illegal land trade.
3. **Workshops:** There were workshops for groups of returnees focused on the situation in Guatemala, the meaning of the peace accords and conditions of return. There was also training of promoters of human rights and a focus on young refugees and their formation in the political situation in their country.
4. **Dissemination of materials on peace:** JRS published popular leaflets that explained the "Agreement on a Firm and Lasting Peace" signed in Oslo in 1996. This was a way of explaining in a simple manner the main contents of the agreement. There were also leaflets on the "Peace Accords" and on migration laws in Mexico. JRS also intervened by editing documents related to basic human rights questions.
5. **Pastoral:** JRS was involved in pastoral activities, including a workshop on Christian preparation for return which was organised in the community Maya Tecun II.

JRS was in contact with many groups related to the repatriation process:

- COMAR (Comisión de Ayuda a Refugiado): dependent on the Secretariat of the Mexican government.
- Vertientes: non-governmental groups which were differently named according to the area of return. JRS collaborated, in particular, with Vertiente Norte.
- Guatemalan Episcopate: this collaboration was especially important in the making of the report “Recuperación de la Memoria Histórica” (REMHI).

Lessons Learnt

Guatemalan refugees who chose to repatriate faced many issues, the biggest one being the access to land and credit. Several returned communities alleged that they were given disparate treatment by the government in terms of credit plans and size and quality of land parcels. Female-headed households experienced particular difficulties in this respect, partly because they were often subject to economic and social marginalisation, and partly because the land tenure laws in many countries did not even recognise the right of women to enjoy secure access to land. This was contrary to what the agreements stipulated, which is that the land each family was given should be of a level of quality, productive capacity and location that permits a dignified family life and the possibility of repaying the credits obtained (UNHCR, 2000).

Most observers agreed that the government had to be closely monitored and subjected to sustained pressure, as the lack of resources and political will in 1997 led to repeated stalemates in the repatriation process and public criticism from refugees seeking to return.

In the process of returning to Guatemala, massive returns were organised and JRS considered that they respected the conditions of dignity, security and voluntariness. JRS could testify to some technical issues such as the lack of appropriate lodging during return. There were some difficulties of return in 1997, and they were especially caused by the Guatemalan government's objection to the massive return. The Guatemalan authorities blocked the organisation of these returns and only allowed the so-called “repatriations of isolated families”.

In terms of returnee safety, the Xamán massacre (where 11 villagers, including two children, were killed by Guatemalan soldiers in October 1995) remains a painful symbol of the risks faced by returnee communities. Although no other such dramatic abuses happened after, the pursuit of justice in this case has been protracted. Some military personnel have been convicted, and in 2018 the Inter-American Court of Human Rights ruled against the Guatemalan state, ordering

reparations. However, judicial delays and protection gaps for witnesses and human rights defenders continue to raise concerns (Human Rights Watch, 2025).

Honduras: The Case of Salvadoran Refugees

Context

During the Salvadoran Civil War (1980-1990) many civilians fled the country due to systematic state violence, massacres and persecution of suspected opposition supporters. Many fled to Honduras as it shares a long border with El Salvador. The first refugees began crossing the river Lempa into Honduras at the end of 1979. From the start the Honduran government, which had not signed the Geneva Convention, merely “authorised” the presence of refugees on its soil, disclaiming any responsibility for them. They were thus placed under the direct protection of UNHCR (Michael Campbell-Johnston SJ, Jesuits and Refugees in Central America).

The repatriation of Salvadoran refugees from Honduras was largely completed before peace had returned to their homeland and despite the overt hostility of the authorities towards the returnees. The refugees’ decision to return en masse to a country where they were not wanted was in fact a carefully calculated gesture of resistance to the incumbent regime. According to Weiss Fagen and Eldridge, “they went home because they believed that the moment had come when, as organised communities in El Salvador, they could contribute to the political struggle against the government and military” (Larkin, Cuny, & Stein, 1991).

JRS Activities

Most of the assistance to the refugees was carried out by the Archdiocese of San Salvador, MSF and JRS. JRS work in El Salvador was divided into three types:

- a) **Human presence** with socio-pastoral and educational activities in the communities of Salvadorans who opted to return to their country from the camps in Honduras;
- b) **Accompaniment** of Salvadorans returning from Honduras;
- c) **Emergency assistance** in times of crisis, including protection, shelter and medical care for persons with gunshot injuries who would be arrested by the military if they went to a public hospital.

Since October 1987, there were six massive repatriations of Salvadorans from Honduras and the refugees asked JRS both for accompaniment on their journey home and an ongoing presence

in their communities upon returning to El Salvador. In 1990, this process continued with the return of other refugees from the Colomoncagua and San Antonio refugee camps.

JRS helped to design and directly support a coordinated social and pastoral plan by nine parishes in eastern El Salvador. The returned refugees arrived in this region, and most of the parishes had many displaced people living in them. The project was called COIDESAM (Interparish Coordination of the Diocese of San Miguel), and a JRS worker was the executive director. This pastoral work was always understood in a broad sense ('social - pastoral work' in the style of the Archdiocese of San Salvador), and included working in the fields of health, education, as well as the more directly 'pastoral' activity of catechetical training, liturgy and music, and general support to the pastoral teams in the communities.

An extremely important service for displaced and returnee communities was the JRS centre, El Despertar, which was used to help shelter some of the thousands of people displaced, especially after the intense violence in the capital in November 1989. Afterwards, the demand for medical attention soared, so it was converted into a medical 'hospice,' where people from the communities went and stayed awaiting medical attention. JRS was also directly involved in the preparations for the return of 1,200 Salvadoran refugees who had been in Panama for nine years at the time.

Lessons Learnt

A widespread problem experienced by returnees was the lack of official documentation such as identity cards and birth certificates. In an industrialised state, the loss of such documents may represent a temporary inconvenience rather than a long-term source of insecurity. Yet, in a country such as El Salvador or Guatemala, where the country's archives had been destroyed, lack of documentation placed people at risk of arrest or harassment and prevented them from voting, finding a job, gaining access to credit and moving freely around their own country. This also affected the recognition of the nationality of the children who were born in exile. On this issue, a group of experts of CIREFCA (International Conference on Central American Refugees) reflected that in order to facilitate the reintegration process and to ensure that the returnees can effectively benefit from the protection of national authorities, it is important that they be provided with the same identity documents as their compatriots.

Peter O'Driscoll, a JRS worker in El Salvador, reflected as follows:

"Our experience in El Salvador at JRS was shaped by two connected but distinct realities—supporting internally displaced people and serving returning refugees. When we began

work officially in 1984, many displaced families were being helped by the Archdiocese to leave makeshift camps and resettle, not in their original homes, but in safer areas purchased by the Church. Our role involved bi-weekly pastoral visits and small-scale financial support. This continued until the early 1990s, but by then, people questioned whether we should keep treating these communities separately instead of helping them integrate into local Church structures—something that wasn't always easy given the distrust between displaced people and their new neighbors, rooted in the same divisions that drove the war. Things changed dramatically in 1987, when refugees who had fled to Honduras began returning under the Esquipulas II Peace Plan. These communities asked for international accompaniment, remembering the brutal violence of earlier years. We were one of the few organizations willing to place volunteers in dangerous, conflict-affected areas. Between 1987 and 1991, we had 10 to 15 international volunteers who lived and worked with the returning communities—not just in education or healthcare, but to accompany them in faith, protecting their right to return and remain in their homes. Looking back, I believe we must be extremely careful not to confuse our support for returnees with any political or ethnic alignment. If we're seen that way, we not only lose credibility—we also put people at risk."

Rwanda: The Case of Tanzanian Refugees

Context

Due to the genocide, Rwanda experienced major repatriation waves, with over two million refugees returning from neighbouring countries such as Uganda, Democratic Republic of Congo (formerly Zaire), and Tanzania by 1997. These returns occurred alongside a fragile post-genocide recovery process.

The justice system, overwhelmed by the scale of the atrocities, faced the enormous challenge of addressing the cases of more than 120,000 accused individuals, including around 2,000 minors. While the government eventually moved to release imprisoned children, concerns remained about their safety amid persistent tensions. At the same time, housing and land reform efforts were launched to accommodate returnees and genocide survivors. Rwanda's ambitious 'villagisation' policy aimed to reorganise rural life but raised fears of forced relocations and inadequate infrastructure planning.

The period of October 1996 saw the violent end of refugee camps located in Tanzania. The Rwandan government was constantly pressuring its closure alleging that the camps were harbouring perpetrators of the genocide. The truth was that many of the Hutu militia were hiding in the camps, but the vast majority of people were innocent and considered refugees as they feared both the old and new regimes in Rwanda. Also, international aid was flowing into the refugee camps and the government wanted to spend it on the people in their own country.

At the end of November 1996, the Tanzanian government stated that all Rwandan refugees had to return and that repatriation would begin on December 31st through Rusumo. This meant that all the refugees, even those from the Karagwe district, would have to go home via Rusumo even though there were other border crossing points nearer to them. It was planned that the refugees would go commune by commune and assistance would be offered for the unaccompanied minors and vulnerable groups.

In late 1996, these plans for repatriation of Rwandan refugees in Tanzania were abruptly overturned, turning the return process into a forced military operation. Initially, refugees were told they could apply for asylum or return under planned conditions. However, growing instability and military developments in the region (especially in DRC) accelerated the repatriation process. Refugees panicked, fearing for their safety and future in Rwanda. Many fled the camps early, trying to reach safer countries like Malawi, Kenya, or Cameroon. Some even paid bribes to officials to escape forced return.

On December 8th, the first mass flight into the bush occurred, with thousands of refugees leaving camps like Kagenyi and Rubwera to avoid returning to Rwanda. Families with young children, including pregnant women and the elderly, sought refuge in the bush under harsh weather conditions. This movement may have served as a distraction to help militias escape unnoticed. Shortly afterward, the Tanzanian army took over the repatriation operation, excluding NGOs and forcing refugees to walk to the Rwandan border. Those too weak to walk were hesitant to accept help for fear of family separation. Between December 10th and 18th, all Tanzanian camps were cleared.

In Kyabalisa, attempts by religious leaders to slow the repatriation process were met with threats and deportation. The JRS team was warned to remain silent or face expulsion. Refugees were given no time to prepare for return, and fear and panic spread. Although some were told they could apply for asylum, doing so required a \$200 bribe. Many who tried were instead imprisoned, and their families were sent back to Rwanda.

On December 20th, the army arrived to begin repatriation in Kyabalisa. Refugees quietly packed their belongings and left in silence as soldiers entered the camp. The journey lasted weeks, with refugees walking up to 400 kilometres with little food or water. On Christmas eve, a request to allow rest was denied, showing the urgency to complete the operation. NGOs reported witnessing beatings, theft, and abuses by the military.

JRS team members, unable to intervene directly, tried to show solidarity. One member, Lwanga, walked over 30 kilometres with refugees in disguise, witnessing abuse and helping victims. Soldiers parked outside the JRS house to intimidate the team following their complaints. Every day after the refugees left, the team awoke with a sense of helplessness, knowing the people were still walking, often without basic supplies, toward an uncertain and feared future in Rwanda.

Rwanda: The Case of Congolese Refugees

Context

In 1996, in eastern DRC there were approximately 1,200,000 refugees: 700,000 in Goma, 300,000 in Bukavu and 200,000 in Uvira. During this time, UNHCR tried to promote voluntary repatriation from the DRC camps. The response from the refugees was practically non-existent (exact figures unavailable). They did not want to return for several reasons: fear of dying, fear of living in difficult situations and the pressure from the previous Rwandan authorities who threatened them with violence once they had won the war. The fact was that both in Burundi and in DRC, refugees did not want to return.

The crisis began in September 1996 when the army launched a heavy assault on refugee camps in Uvira, using weapons from Burundi. This attack forced refugees to flee in panic, heading either north toward Bukavu or west toward Maniema. Despite the scale of the violence, the international community did not react.

In October, Bukavu faced a similar situation. Panzi camp was bombed, forcing its inhabitants to flee (some toward the north, others westward to Kisangani or into the bush). In the following days, the rest of the camps around Bukavu suffered the same violence, as Rwandese troops allied with Kabila entered the area, prompting further waves of displacement.

Soon after, Goma was bombed, and its refugee camps were attacked from across the Rwandan border, replicating the chaos experienced in Uvira and Bukavu. Refugees once again had to choose between almost certain death at the hands of armed forces or fleeing deep into the bush,

toward remote areas like Shabunda, Tingi-Tingi, and Kisangani. These events became the subject of a UN investigation that was ultimately suspended.

Under mounting international pressure, Rwanda was eventually compelled to organise the return of those refugees who had escaped death but were too exhausted to flee further. The conditions of these returns were widely reported in the media. The JRS team itself witnessed the desperate scenes: hundreds of kilometres of refugee lines, some stretching over 300 km, as people returned from Tanzania on foot with no support or assistance.

Lessons Learnt

Following the return of Rwandan refugees from DRC and Burundi, the reintegration process was marked by widespread inhumanity and exclusion. The Rwandan government officially led the reintegration effort with some supporting NGOs that lacked impartiality and organisations like JRS encountered major obstacles when trying to assist. Many returnees found their homes and land occupied, leaving them in poverty or imprisoned, often under questionable accusations of genocide driven by personal or political interests.

The return of refugees occurred in violation of humanitarian principles, with the complicity of international actors and regional powers pursuing their own strategic goals. Reintegration occurred in an environment lacking respect for basic rights like property ownership and due process.

Kosovo: The Case of Albanian Refugees

Context

The Kosovo War (1998–1999) compelled many ethnic Albanians to leave Kosovo because of widespread violence and ethnic cleansing carried out by Serbian forces. Many of them sought refuge in neighbouring countries such as Albania. Camps were set up in towns like Shkodër and Kukës. At the height of the crisis, Albania received more than 400,000 Kosovar refugees, with some camps (such as the one in Kukës) sheltering over 100,000 people.

JRS Activities

JRS set up a base Shkodër at the end of 1998 when the situation was already causing forced displacement of ethnic Albanians and this presence was maintained until September 1999. At the height of the crisis, between March and July of 1999, 17 people were sent to join the JRS team.

The JRS team worked predominantly in Shkodër and Kukës. Its main task was to strengthen the capacity of Caritas Albania in key roles of coordination. In Shkodër, the team managed the Arre e Madhe camp on behalf of Caritas Albania. The camp hosted 800 refugees, mostly vulnerable people, who were provided with emergency health care, food and accommodation. From that base assistance was given to many others in Shkodër. In Kukës, JRS provided medical and pastoral care to the many new arrivals.

Lessons Learnt

This repatriation process was characterised by its spontaneity as large numbers of refugees returned home very quickly. Although, this meant that some vulnerable groups such as the elderly, sick and disabled people as well as those who could not cope with returning by themselves (for example, single mothers and children) were left behind in Albania without a support network of friends and relatives. Many of them remained in Albania for weeks without adequate assistance and/or any information on when and how they could eventually return. This caused considerable anxiety among already disadvantaged populations which could have easily been avoided. There needed to be better coordination between aid organisations that pay attention to people's needs.



Photo: At the end of 1998, JRS set up a base in Shkodër, Albania.

Current or Potential Repatriations

Syria

With the fall of the regime and flight of former President Bashar al-Assad in December 2024, there is a renewed hope for a peaceful future and a return for Syrians to their country. While, as of early March 2025, over 300,000 Syrians have already returned to Syria, some are proceeding with caution as there are several factors to consider. UNHCR's position on returns to the Syrian Arab Republic, as of December 2024, notes that, "Everyone has the right to return to their country of origin. UNHCR stands ready to support Syrian refugees who, being fully informed of the situation in their places of origin or an alternative area of their choice, choose voluntarily to return. In view of the many challenges facing Syria's population, [...] however, for the time being UNHCR is not promoting large-scale voluntary repatriation to Syria." (UNHCR position on returns to the Syrian Arab Republic, 2024).

According to JRS staff from Syria,

"Voluntary' repatriation is a euphemism when there are no alternatives being presented which makes it 'forced' repatriation. Due to several factors such as racism and discrimination, Syrians in Turkey are scared to leave their house or speak Arabic in public fearing repercussions. Syrians are expected to stay within specific cities that they are living in without even being able to travel within the country itself without government permission. Within this hostile environment, it is difficult to call this voluntary repatriation when Syrians are asked to sign a document saying that they will never return to the host country (including Turkey and in Lebanon). This does not provide a sense of choice with a variety of different options and also influences one's sense of belonging. My teenage nieces and nephews are accustomed to speaking and being educated in Turkish which, if my family decided to move back to Syria, this would make them struggle to adapt to a different context if they transition to a completely new education system and their identity as 'others' who have grown up outside of Syria."

Venezuela

There are over 7.9 million Venezuelans who have left their country due to several reasons including insecurity, political crisis, socio-economic instability or humanitarian needs. This has become the largest displacement in Latin America's recent history. While some successfully migrated to Brazil, those who migrated to Colombia struggled to integrate economically and socially due to discriminatory and increasingly aggressive migration policies. Many Venezuelans

are returning with the intention of returning permanently due to varying reasons including non-integration and deportation. JRS's activities involve helping returnees with legal documentation, particularly supporting families in enrolling children born outside Venezuela into school. JRS also provides psychosocial support for those returnees who have experienced trauma in their journeys and provides humanitarian aid when possible.

The current situation is a cause for concern with recent developments involving the US. Under the Trump administration, in March 2025, an agreement was made between the Venezuelan government with the US to resume repatriation flights to Venezuela. This came after Trump's rapid U.S. deportation programme whereby hundreds of Venezuelan migrants were sent to a prison in El Salvador, with claims that they were gang members. In June 2025, for the first time, U.S. Immigration and Customs Enforcement (ICE) started repatriating Venezuelan nationals back to their home country for those who do not have a legal basis to remain in the United States. Despite this, these are not repatriation conditions of safe voluntariness and dignity.

Burundi

Burundi has experienced a significant population flow of refugees to neighbouring countries, including Tanzania, which is primarily due to political instability and violence. Recently, there has been an increase of Burundian refugees who have been voluntarily repatriated, with UNHCR and partner organisations supporting their return and reintegration. The voluntary repatriation of Burundian refugees since 2017 has seen over 254,128 facilitated returnees as of September 2024 (UNHCR, 2025). Even though many have returned, there are still a substantial number in exile, particularly in Tanzania. There are ongoing efforts to ensure voluntary repatriation and to address the needs of returning refugees.

In December 2024, in accordance with provisions of the Tripartite Agreement of May 2001, all parties agreed to continue voluntary repatriation to Burundi. The tripartite agreement facilitates the voluntary return of Burundian refugees from Tanzania which is guided by principles of voluntary return, safety, and dignity. (UNHCR, 2024).

Afghanistan

Afghanistan faces one of the most significant and rapid population shifts being Asia's largest crisis of internal displacement. With Pakistan's "Illegal Foreigners Repatriation Plan" which was implemented in September 2023, this has triggered a mass return of Afghans (both voluntarily and forced) to Afghanistan. Currently there is a returnee situation from the neighbouring

countries (Iran and Pakistan), where a few of them are and have been awaiting the possibility of relocating to a third country. On 20 March 2025, the government of Iran launched a regularisation and return scheme for two million affected Afghans. As of 25 October 2025, over 1.5 million Afghans returned from Iran since 20 March 2025 and over 1.7 million since the beginning of the year which brings the total returns from both Iran and Pakistan to approximately 2.4 million. (UNHCR CORE, 2025).

However, the economic conditions of the Afghan people are quite difficult, and with the arrival of the returnees, the situation is getting worse. Hence, a lot more Afghans are likely to travel through illegal and dangerous routes and go to various countries, unless the economic situation in the country improves. Unfortunately, against doctrinal repatriations, forced repatriations are still taking place.

With the current scenario of mass deportation (daily over 30,000 individuals recorded at the borders), there is little discussion or concerns raised on ground regarding certain contexts, for example the persecution of former military personnel and the persecution of minorities). It is important to be careful regarding facts based on who needs to be advocated on behalf of. For example, the persecution of women is documented but while advocating for this particular form of persecution on women, we should advocate for actions based reliable data. While there is restriction on certain practices by minority groups (e.g. Shia Muslims), but there are no records on their persecution too. While this might be happening, the media is silenced (including INSO closure) resulting in not having any analysis of the security situation objectively.

Ideal Repatriation Conditions

Key Elements:

Timing

The most important element of successful repatriation is timing. For example, the Cambodian return in 1993 was possible because a peace process had already been agreed upon. In contrast, the Rohingya case was problematic, as repatriation efforts were initiated before any meaningful or demonstrable change had occurred in the country of origin. Refugees were being sent back to a place that was still unsafe.

Voluntariness

Refugee repatriations must be voluntary. “Returning in safety and dignity” does not necessarily mean that the choice to return is truly voluntary. Potential returnees must be physically strong and healthy enough to undertake the journey home, whether on foot or by vehicle. Malnourished or sick individuals should neither be forced nor permitted to leave until they are healthy enough to do so. Also, refugees must be consulted and involved in every part of the planning and execution of repatriation.

Information

Good information about the conditions in the country of origin must be available to potential returnees. Refugee-headed missions back home which report back to the potential returnees can help in this effort, as can opportunities for contact between refugees outside of the country of origin and their families inside.

Camp Conditions and Detention Centres

In some cases, a cynical view has prevailed in NGOs and host governments alike that poor conditions in a camp will naturally pressure refugees to return home. However, it was observed that overcrowded and overly institutionalised camps bred resentment and a lack of motivation, which were not at all conducive to successful repatriation. For example, concerns were raised when food rations were cut, further undermining the dignity and voluntariness of the return process.

Refugee Status Determination

Good repatriation is inextricably linked to a just and fair refugee status determination process. When people do not receive fair hearings for their claims, their return as “refused” or “screened out” asylum seekers often amount to refoulement. It is essential that refugees feel they have been given a genuine opportunity to present their case in accordance with the principles of natural justice. For this reason, the presence of independent legal counsel is considered especially important.

Post-Repatriation Access and Monitoring

Independent access after repatriation is an essential condition for ensuring the protection of returnees. In the case of Burmese refugees returning from Thailand (an initiative actively promoted by Thai authorities) this access was not guaranteed. Neither UNHCR, the ICRC, nor certain NGOs were permitted to enter the areas of Myanmar near the Thai border where Shan,

Kachin, Mon, and Karen refugees were expected to return. Moreover, conditions in those areas, such as the continued use of forced labour, had clearly not improved. It was unacceptable for refugees to be returned to a country where they might still face persecution. Their human rights must be protected not only during repatriation but also after their return. To ensure this, NGOs need to be granted access to returnees and be involved in the entire repatriation process.

Protection of Vulnerable Groups

Particular emphasis needs to be placed on the unique protection needs of returning women, children, and other vulnerable groups. Their specific circumstances required tailored support and safeguards throughout the repatriation process.

Conditional Returns

Governments should not be allowed to pay countries of origin to take back their nationals unless they can prove that the above conditions have been met. Repatriation arrangements made without such guarantees risk violating international protection standards.

Questions for Reflection & Discussion:

1. What are the best possible roles that NGOs can take before, during and after repatriation?
2. How can NGOs better access the decision-making structures regarding repatriation to ensure that the refugee's views are considered?
3. How should NGOs in the field use the standards and guidelines which UNHCR has set forth regarding repatriation?
4. What kind of information services are useful to refugees before and during returns? Is this an appropriate task for NGOs?
5. What are the pastoral needs of refugees as they go through the process of return?
6. What are the broad outlines of an appropriate relationship between NGOs and UNHCR regarding repatriation?

Ideas for Involvement:

- Help gather useful information in the country of origin and inform and/or create campaigns to inform refugees of those conditions. Refugees should be given a chance to make an informed choice.
- Include cross-border monitoring as part of all assistance programmes.

- Share information on suspected rights abuses with appropriate authorities, UNHCR and/or other human rights NGOs.
- Talk to refugees to determine the 'voluntariness' of the repatriation. All members of the refugee community, including women and the elderly, should be canvassed to ascertain that they have decided freely to return home.

Conclusion

JRS has been in favour of repatriation when it is something the refugees clearly want and where all the necessary safeguards are in place to make it beneficial and lasting. JRS's role in each of these repatriations varied significantly based on local conditions and the wishes of the refugees. JRS has tried, in all cases, to stay as close as it could to the needs of the refugees as they expressed them. This also goes hand in hand with JRS's main advocacy priorities. Access to education, legal status and mental health and psychosocial support are all necessary elements that are needed as part of safe repatriation.

Drawing on our own experience, repatriation should be conducted with certain conditions including timing, voluntariness, information, camp conditions and access. JRS has insisted with authorities that refugees' views are canvassed and included in decision-making processes and has also taken the decision to physically accompany the refugees as they return (e.g., Mozambique, Cambodia). We must continue to advocate for repatriation to take place in a suitable manner that is timely and dignified for the individual.



*Photo: On October 22nd, 2019, 326 refugees returned to DRC within the second facilitated repatriation operation.
Image: Tome de Azevedo / JRS.*

Further Reading

Sample of Voluntary Tripartite Agreement

<https://www.unhcr.org/sites/default/files/legacy-pdf/50aa07929.pdf>

FMR 62, Return: voluntary, safe, dignified and durable? (Oct 2019) - <https://www.fmreview.org/return/>

Repatriation principles under pressure (Jeff Crisp) - <https://www.fmreview.org/return/crisp-9/>

Syria Situation: Regional Interagency Preparedness Plan for Refugee Returns (IAPPR) - Regional Durable Solutions Working Group - February 2025

https://www.3rpsyriacrisis.org/wp-content/uploads/2025/03/Syria-Situation_Regional-Interagency-Preparedness-Plan-for-Refugee-Returns-IAPPR.pdf

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