

Socio-economic Inclusion of Refugees: Access to Justice and Basic Services

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1. Introduction

Socio-economic inclusion of refugees to the country of refuge is becoming a secured solution for a lucre preparation of refugees. As a part of local integration and other local solutions, global frameworks focused on the inclusion of refugees to the economic, social, political, cultural as well in all other aspects of the host community without giving up refugees own identity. Clamping down to this solution is not histrionic. Rather, it is because the durable solutions of voluntary repatriation to the country of origin and resettlement to third country, in some cases fail to properly maintain and giving a shelter to the problems of refugees due to various dynamic circumstances in the world. By targeting to emancipate from the humanitarian aid, the current legal frame works are tilting on creating self-reliant and self-resilient refugees. One of the main objective of New York Declaration is enhancing a refugees' self-reliance. The global compact on refugees also promotes self-resilience. The UN 2030 Agenda and its Sustainable Development Goals (SDGs), by issuing a guiding principle of "Leave no one behind" expressly advocate on incorporating refugees in the future development plan of states as one participant. Ethiopia also heels to this approach. After proposal of nine pledges at the leaders' summit on Refugees on 20, September, 2016, in New York, on the comprehensive refugee response framework (CRRF), the country goes to 'development approach' in process substitution of 'humanitarian approach'. Currently, under 2019 refugee proclamation encampment policy is exception to the freedom of movement. However, these entitlements will be dreamlike graces without access to justice and the social service of the host country. The article will shed light on the elements of socio-economic inclusion of refugees and specifically on the rights of refugees to access justice and basic services of host country. As well, it critically reviews the international framework and Ethiopia's experience on the socio-economic inclusion of refugees.

Key words: Refugee, International refugee law, Ethiopia, Socio-Economic Inclusion, Justice, Basic service

2. Historical Glimpse of Socio-Economic Inclusion of Refugees

Following the provisions in the 1951 Convention relating to the Status of Refugees as well as the 1967 Protocol and the UNHCR Statute, the universal community has long been forced to recognize conventional long-term arrangements of voluntary repatriation to the nation of root, resettlement to a third country and local integration in a nation of refuge due to an assortment of components.¹ In most of the cases, refugees can't be repatriated voluntarily due to civil unrest in their home countries. Furthermore, a small number of refugees are resettled in third-country settings. Because of this and other factors, there is a push to implement local integration for refugees in a country of asylum.

The adoption of local integration is evident in the 2030 Agenda for Sustainable Development, New York Declaration, the Comprehensive Refugee Response Framework (CRRF), and the 2018 Global Compact on Refugees.

Local integration does not have a single universal definition, and a number of conceptual studies and some legal pieces² defines it as the end result of a dynamic, multi-faceted process with different interrelated dimensions: **legal, economic, civil-political and socio-cultural**.³ The legal dimension of integration is related with securing lawful status and a wide range of political, financial, social rights and privileges that are commensurate to those delighted in by citizens.⁴ Naturalization brings the legal aspect of the integration process to end, as it results in the loss of refugee status under the provisions of Article 1,C (3) of the Refugee Convention.⁵

¹ 'Local solutions for refugees: key considerations' (2021), ICVA- UNHCR research paper <https://www.icvanetwork.orglast> accessed /12/11/2021

² Mainly the Executive Committee of UNHCR on 56th Session on conclusion No. 104 (LVI) defines local integration as a sovereign decision and an option to be exercised by States guided by their treaty obligations and human rights principles, and that the provisions of this Conclusion are for the guidance of States and UNHCR when local integration is to be considered. The global compact on refugees also defines local integration as Local integration is a dynamic and two-way process, which requires efforts by all parties, including a preparedness on the part of refugees to adapt to the host society, and a corresponding readiness on the part of host communities and public institutions to welcome refugees and to meet the needs of a diverse population.

³ Jolanta Millere and Signe Dobelniece, 'SOCIAL INCLUSION CHALLENGES OF REFUGEES: A CASE STUDY' (Proceedings of the 2018 International Conference "ECONOMIC SCIENCE FOR RURAL DEVELOPMENT" Jelgava, May 2018)

⁴ UN High Commissioner for Refugees (UNHCR), Executive Committee, Conclusion on Local Integration, No. 104 (LVI) – (2005) Para 1

⁵ UN High Commissioner for Refugees (UNHCR), Note on the Integration of Refugees in the European Union, May, 2007, paragraph, 9 and 20 available at: <https://www.unhcr.org/463b462c4> last accessed 6, November, 2022

Under the Global Compact on refugees' local solutions come "in addition to local integration" and "without prejudice to eventual durable solutions that may become available".⁶ Therefore, local solutions appear as arrangements that do not replace but complement and facilitate access to durable solutions, specifically local integration.⁷ This is to be done particularly through "**interim legal stay**", fostering the peaceful and productive inclusion of refugees and the well-being of local communities, and mainly facilitating the economic, social and cultural inclusion of refugees while addressing issues such as documentation and residence permits.⁸ Local solutions and local integration, therefore, have in common as to the notion of socio-economic inclusion of refugees.⁹ Socio-economic inclusion is one part from the bundle of interrelated dimensions of local integration and solution. Therefore, particular notion of socio-economic inclusion of refugees propagate from the womb of wider concept of local solution¹⁰ and local integration.

3. Socio-economic Inclusion of Refugees

Inclusion of refugees in to the hosting nations has many dimensions. Social and economic aspect is well-known due to its significant effect on the effective inclusion of refugees. The social and the economic facets of inclusion are interrelated. A mere satisfaction of one of the two doesn't make inclusion perfect.¹¹ Refugees may be included through the economic sphere of the states i.e. access to land, labor markets and the like. However, this treatment will be irrelevant if there is discriminatory or stigmatizing attitudes, beliefs, or perceptions against refugees to include them socially. Therefore, economic benefits can't be exploited if there is no a fertile social attitude towards refugees.¹²

Social inclusion is a social process of adaptation and acceptance that enables the refugees to contribute to the social life of the host country and live without fear of discrimination. As refugees

⁶ United Nations General Assembly, Global Compact on Refugees, December 2018, A/73/12 (Part II), available at: <<https://www.unhcr.org/gcr/GCR>> accessed 10, November 2022

⁷ Ibid para 6 and Ibid (no 1) p. 6

⁸ Ibid (no. 1) page6

⁹ Ibid, p. 7

¹⁰ Ibid (no. 6), para, 100

¹¹The fulfillment of economic rights like the right to work is irrelevant if the inclusion system can't control social exclusion among the host society. This implies that the effort to the inclusion of refugees must be seen from different dimensions.

¹² Crisp, J., (2004). 'The local integration and local settlement of refugees: a conceptual and historical analysis', New Issues in Refugee Research, Working Paper No`.102, (UNHCR: Geneva), p. 1.

experience high risk of social exclusion¹³, it is essential to promote their active integration in society.

Economic inclusion is an economic process of establishing sustainable livelihoods and a standard of living for refugees. Economic inclusion entails access to labor markets, finance, entrepreneurship and economic opportunities for all, including non-citizens in addition to vulnerable and underserved groups. Under the 2019-2023 Global Strategy Concept Note, UNHCR calls for advocacy to enhance the enabling environment such that refugees have legal and de facto access to decent work (such as through rights to work, own a business, access financial services, land/property ownership, and freedom of mobility).

Economic inclusion helps refugees become self-resilient and self-reliant, enabling them to meet their needs and preparing them for the future regardless of whether they decide to return home, integrate into their country of origin, or settle in a third country.¹⁴

However, the inclusion process must be in a way, that respects the dignity of refugees. Global Consultations on International Protection of refugees advocates that “the international community has always rejected the notion that refugees should be expected to abandon their own culture and way of life, so as to become indistinguishable from nationals of the host community.”¹⁵ The inclusion must not be contrary to the maintainability of their own identity to become part of the host society. That is why UNHCR advocates for local integration, as opposed to assimilation.¹⁶

The principle of socio-economic inclusion is established in international refugee law. The 1951 UN Refugee Convention acknowledged the role of socio-economic inclusion of refugees. In fact, socio-economic inclusion of refugees enshrined in the 1951 convention focused on the importance of citizenship in achieving durable solutions. Article of 34 the Convention, obliged contracting states as far as possible to facilitate the assimilation and naturalization of refugees. They shall in

¹³ Refugees and asylum seekers in different corners of the world are facing an increasingly critical situation as arrests and xenophobia.

¹⁴ UN High Commissioner for Refugees (UNHCR), Note on Refugee Livelihoods and Economic Inclusion, June, 2021 page 3, available at < <https://www.unhcr.org/publications/operations/5bc07ca94/refugee-livelihoods-economic-inclusion-2019-2023-global-strategy-concept.html> > last accessed 3, November, 2022

¹⁵ UNHCR, (2002). “4th Meeting: Global Consultations on International Protection” EC/GC/02/6, 25 April 2002

¹⁶ Ibid

particular make every effort to expedite naturalization proceedings.¹⁷ It adopt this way as a solution to the socio-economic inclusion. However, the broader, multi-dimensional and comprehensive conception of socio-economic inclusion under the recent global frameworks, allow for refugees to acquire the social as well as the economic inclusion benefits without actually being naturalized as the 1951 convention contends.

The New York Declaration called upon the United Nations High Commissioner for Refugees to develop and initiate the application of a CRRF with different objectives. One of **the four key objectives** is enhancing refugees' self-reliance. This is the significant objective intended to boost the socio-economic inclusion of refugees. The global compact for refugees promotes self-reliance through a 'whole of society' approach involving a wider set of government, development, humanitarian and private sector actors than laying the responsibility on the host government.¹⁸

Under the New York Declaration, refugees should be allowed to live among host communities. Per this declaration, **out-camp policy is principle and encampment policy is the exception.** Refugee camps should be the exception and, to the extent possible, a temporary measure in response to an emergency.¹⁹ In camp treatment will be done only for a temporary measure in cases of emergency. By helping refugees thrive, not just survive, it can be reduced the risk of protracted stays and lessen refugees' dependence on humanitarian aid.²⁰

The general assembly of united nations promises to take measures to improve refugees integration and inclusion, as appropriate, and with particular reference to access to education, health care, justice and language training.²¹ As well, it gives a pledge to help countries develop national policies relating to integration and inclusion. UNHCR Executive Committee on its general conclusion on international protection calls to explore the most practical and feasible means to accord freedom of movement, and other important rights underpinning self-reliance of a refugee.

¹⁷ Convention Relating to the Status of Refugees, adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950; entry into force 22 April,1954, Article 34

¹⁸< <https://www.unhcr.org/comprehensive-refugee-response-framework-crrf.html>> last accessed 10/30/2022

¹⁹ UNGA – United Nations General Assembly (2016) New York Declaration for Refugees and Migrants, Resolution/ adopted by the UN General Assembly, 3 October 2016, para, 73

²⁰ <https://www.unhcr.org/comprehensive-refugee-response-framework-crrf.html> last accessed 10/30/2022

²¹ Ibid (no.19), para, 39

The UN 2030 Agenda and its Sustainable Development Goals (SDGs) issued a guiding principle “Leave no one behind”. By this principle, the international community has set itself the goal of improving the living conditions of poor and marginalized groups. As of one of these marginalized groups, refugees are explicitly included from the outset.

Ethiopia also became one of the leading states in the world in the making of good footprint in the protection of refugees. The country has made nine pledges at the leaders’ summit on Refugees on 20 September 2016 in New York, in the CRRF. This was a leaven to reform overall refugee policies and used as a yeast to promote refugee self-reliance. In effect, it finally led to the passing of an ambitious and comprehensive refugee law proclamation in 2019 by incorporating the promises of the pledge as its own part.

Ethiopia became one of a few countries in the world to pilot the CRRF in February 2017 with a nationwide launch of the same in November 2017.²² As the implementation shows, CRRF can be regarded as a vehicle to accompany the implementation of Ethiopia’s nine pledges.²³ The pledges made in the CRRF introduces a new paradigm in the socio-economic inclusion of refugees. It marked a shift in the Government of Ethiopia’s policy and response towards refugees from only humanitarian approach i.e.; encampment policy to a development approach which is a mix of encampment, out of camp and local integration policies.

As can be inferred from the heart of the pledges, the ultimate goal is enhancing the socio-economic inclusion of refugees. By this pledge, Ethiopia promises to increase enrolment of refugee children in preschool, primary, secondary and tertiary education, without discrimination and within available resources, expand the “out-of-camp” policy, to provide work permits to refugees, to provide work permits to refugees in the areas permitted for foreign workers, to provide benefits, such as issuance of birth certificates to refugee children born in Ethiopia, the possibility of opening bank accounts, obtaining driving licenses to expand and enhance basic and essential social services for refugees and to allow local integration for refugees.²⁴ All these measures are a vehicle to proper socio-economic inclusion of refugees. It shows Ethiopia’s former sole refugee operation of

²² <http://www.unhcr.org/afr/news/> last accessed 11/10/2022

²³ UN High Commissioner for Refugees (UNHCR), Note on Comprehensive Refugee Response Framework (CRRF) Ethiopia (July 2018) available < <https://reliefweb.int/report/ethiopia/briefing-note-comprehensive-refugee-response-framework-crrf-ethiopia-july-2018> > last accessed 2, November, 2022

²⁴ Ethiopia’s pledge to the Leaders’ Summit on Refugees, September 2016.

encampment policy was changed²⁵ towards hosting refugees in village-style **development-oriented settlements** and other alternatives to camps like the **Out of Camp policy**.²⁶

Further, Ethiopia designed National Comprehensive Refugee Response Strategy (NCRRS). Under NCRRS, the country promotes refugee engagement in self-employment, wage earning activities like agricultural, off-farm and industrial opportunities. It has the objective of ensuring refugees access to and benefit from diverse economic and livelihoods opportunities by employing capacity building and development approach than solely focusing on humanitarian policy.

The refugee proclamation as a product of continuative process deliberation, encompasses different social and economic rights of refugees which is very helpful to achieve the perceived goal of socio-economic integration between refugees and host communities by 2027 as issued on national comprehensive refugee response strategy (NCRRS). It incorporates various instrumental rights which are significant in the inclusion of refugees in to social and economic sphere of the country.

Refugees have the right to receive the same treatment as accorded to Ethiopian nationals with respect to access to pre-primary and primary education²⁷, right to engage in wage earning employment in the same circumstance as the most favorable treatment accorded to foreign nationals²⁸, to engage individually or in group, in agriculture, industry, small and micro enterprise, handicrafts and commerce in the same circumstance as the most favorable treatment accorded to foreign nationals²⁹ the right to liberty of movement and freedom to choose his residence, as well the freedom to leave the country at any time he wishes too³⁰, and the like rights are recognized under the proclamation.

Generally, when refugees are included socially and economically in the host community; i.e. gain access to education, and labor markets they can construct their abilities and gotten to be self-reliant, contributing to local economies and fueling the advancement of the communities hosting them.

²⁵ The former Refugee Proclamation (Refugee Proclamation No. 409/2004.) doesn't have indication to the development approach.

²⁶ Alemu Asfaw Nigusie and Freddie Carver 'The Comprehensive Refugee Response Framework Progress in Ethiopia', HPG Working Paper, (2019), p.8

²⁷ Federal democratic republic of Ethiopia, Refugee Proclamation No.1110/2019, Article 24

²⁸ Ibid Article 26 (1)

²⁹ Ibid Article 24 (2)

³⁰ Ibid Article 28

This could happen if the legal framework of country of refuge established substantive and procedural guarantee for refugee to exercise these rights. This trigger the concept of access to justice.

4. Refugee Right of Access to Justice

Access to justice is a fundamental right in the international legal arena for any person.³¹ The term “access to justice” generally refers to the ability of an individual to bring his case before a court and have a judicial process.³² This include access to existing judicial, quasi-judicial mechanisms³³ like alternative dispute resolution or access to informal institutions, such as customary frameworks. So that, the total and complete access to the existing legal and judicial mechanisms should be ensured for refugees. Any person has a right to have his case adjudicated in a fair and just manner.³⁴ Especially, for refugees, it is an essential prerequisite for the fulfilment of all other rights. Socio- economic inclusion of refugees will start to materialize from the point of access to justice system of the host state. It is possible to say, access to justice is a vehicle for the full inclusion of refugees.

By its nature refugees entitlements increases as the refugee’s attachment to the receiving state increases over time.³⁵ The rights that a refugee may assert, grow in direct proportion to the degree of attachment between the refugee and the state party.³⁶ To access these incremental entitlements, it is mandatory to follow the legal steps of host country. Therefore, access to justice has an essential role in underlining the interdependence of all other human rights. In a way affirming this, there was general agreement to adopt access to courts in the 1951 convention, derived almost literally from the guarantee in both the 1933 and 1938 treaties of “free and ready access to the courts of

³¹ International covenant on civil and political rights (ICCPR) under Art. 14 states that “All persons shall be equal before the courts and tribunals.”

³² FRANCONI (ed.), ‘Access to justice as a human right’, New York: Oxford University Press: Academy of European Law, European University Institute, 2007, Collected courses of the Academy of European Law; XVI/4, pp. 18

³³ alternative dispute resolution mechanisms or other informal institutions must be competent body with judicial power.

³⁴ Ibid (32)

³⁵ James C. Hathaway, *The Rights of Refugees Under International Law* (Cambridge University Press New York, 2005), p.658.

³⁶ ibid

law’’³⁷ in the territory of any state party.³⁸ Ethiopian refugee proclamation also recognize refugees right as regard to bringing any justiciable matter to, and to obtain a decision or judgment by, the court or any other competent body with judicial power³⁹ on par with nationals of Ethiopia. The package of the entitlement also includes access to legal counselling or assistance provided in accordance with the laws of Ethiopia.⁴⁰

The global compact on refugees also expressly recognizes refugees access to justice in a broad description. It advocated for resources and expertise to strengthen access to justice for refugees.⁴¹ In support of socio-economic inclusion of refugees, UNHCR executive committee⁴² advises receiving countries, to allow refugees equal enjoyment of rights, services and programs without discrimination and to revise their national legal and administrative frameworks⁴³ in a favorable standard for refugees.

Legal systems, which do not adequately uphold the rights of refugees under international human rights law, those informal justice practices which violate the human rights of refugees; asylum systems which are not sensitive to the needs and claims of asylum-seekers; and mechanisms for delivering protection which do not adequately monitor and reinforce refugees’ rights⁴⁴ must be rectified in a way that is entertaining refugees claim.

Broader international protection concerns urge states to prevent acts of violence against refugees and other persons of concern, promote non-discriminatory access to effective remedies and ensure their physical safety, and, where necessary, to strengthen the judicial system and to take action to address it. It also calls to bring perpetrators of such acts of violence to justice.⁴⁵

4.1.Operational Application of Access to Justice for Refugees

³⁷ ibid p.644

³⁸ ibid (17) refugee convention, Art. 16(1)

³⁹ Ibid (27) Refugee proclamation, Article 30 (1)

⁴⁰ Ibid

⁴¹Ibid (6) Global compact para. 57,75

⁴² Ibid (4)

⁴³ ibid

⁴⁴UNHCR, Executive Committee, - CONCLUSION ON WOMEN AND GIRLS AT RISK, No. 105 (LVII) (2006), page 184

⁴⁵ UNHCR, Executive Committee - GENERAL CONCLUSION ON INTERNATIONAL PROTECTION, No. 108 (LIX) (2008)

Accessing the justice system of the host state is urgent and has nature of exigency due to its essential role in underlining the interdependence of all other human rights. This triggers the question of time reference to access the right. Basically, refugee rights are subject to differential applications based on the level of attachment refugees have with their country of refuge.⁴⁶

The writer proposes access to justice, shall be exercised up on physical presence in host state. The refugee's presence need only be ongoing in practical terms.⁴⁷ "Persons who had only recently become refugees and therefore had no habitual residence"⁴⁸ shall be allowed access to courts. Refugee at the frontier or any other entry point or within country of refuge, whether he has entered the country lawfully or otherwise, shall be given a right to access the justice system, specifically, access to courts.

Refugees shall be given access to plead their case before formally established court or any other competent body with judicial power.⁴⁹ It is inched by prolongation to officials or an administrative body⁵⁰ and any provincial domestic courts of the host state. Refugees seeking protection must necessarily be taken by the administrative or police authorities, its prolongation requires speedy review by the courts, the traditional guardians of personal liberties.⁵¹

The proceeding also must follow due process of law. It has been argued that the procedural standard of ICCPR, Article 14, "Right to a fair trial" may apply to the refugees proceeding.⁵² In fact, Article 16 of the convention does not define a special procedure nor does it provide for special procedures for refugees. *'Quite to the contrary: in granting refugees the right to equal treatment*

⁴⁶ Ibid (35) p. 156

⁴⁷ Ibid, p.909

⁴⁸ Statement of Mr. Henkin of the United States, Feb. 10, 1950 <UN Doc. E/AC.32/SR.25,> last accessed 5, November, 2022

⁴⁹ Ibid (17) Refugee convention, Article 30,

⁵⁰ James Hathaway also clearly stipulates that there must be no objection to entrusting initial oversight of refugee rights to officials or an administrative body, so long as their actions are ultimately subject to scrutiny on the merits by a tribunal that meets the standards of Art. 14(1).

⁵¹ Amuur v. France, [1996] ECHR 25 (ECHR, June 25, 1996), at para. 43.

⁵² David J. Cantor, 'Reframing Relationships: Revisiting the Procedural Standards for Refugee Status Determination in Light of Recent Human Rights Treaty Body Jurisprudence', *Refugee Survey Quarterly*, Vol. 34 (2015) p.88.

*before the courts, it implicitly recognizes that refugees are subject to the procedures available in the country in which they reside.*⁵³

Refugees have a conventional right to be exempted from ‘cautio judicatum solvi’⁵⁴ and to get legal aid.⁵⁵ However, ‘cautio judicatum solvi’ does not imply a right of refugees to access courts without the payment of the usual court fees.⁵⁶ Rather, Article 16 of the convention should constructively be interpreted with article 29. Thus, the harmonious interpretation of the two provisions reveal that refugees shall not be obliged to pay higher or other charges than nationals of the State concerned.⁵⁷ The same rule is entertained under Ethiopian refugee proclamation, Art.37 (1). However, the convention requires to establish habitual residence to be exempted from ‘cautio judicatum solvi’ and to get legal aid service. The standard of treatment is on par with nationals of state of refuge. Refugees are to be assimilated to citizens of the refuge state for accessing the courts including legal assistance per Art.16 (2) of the convention.

Therefore, it can be concluded that, refugee right to access justice shall be given priority to fully incorporate them in the social as well as in the economic sphere of the refuge country.

5. Refugees Rights on Access to Basic Services

Refugee has the right to get basic services.⁵⁸ This entitlement has two dimension. On the one hand, it is a vehicle to smoothen socio-economic inclusion by giving a chance to refugees to be self-reliant in the process. Access to the basic service is the initial reference to the future aspiration of self-reliance, by preparing a fertile condition to engage in socio-economic activities.

Other services like issuance of birth certificates to refugee children born in country of refuge, registration and issuance of certificate of registration of other vital events, the possibility of opening bank accounts, deposit, transfer or withdraw money and obtain other banking services,

⁵³ Krishnapillai v. Minister of Citizenship and Immigration, [2002] 3(1) FC 74 (Can. FCA, Dec. 6, 2001), at paras. 31–32

⁵⁴ “Cautio judicatum solvi” is an undertaking that a sum of money found due by the court will be paid.

⁵⁵ Ibid (17) refugee convention Article 16 (2),

⁵⁶ Ibid (41) p.908

⁵⁷ P. Weis, The Refugee Convention, 1951: The Travaux Préparatoires Analyzed with a Commentary by Dr. Paul Weis (posthumously published, 1995), p.134 and. A. Grahl-Madsen, Commentary on the Refugee Convention 1951 (1997) p.64

⁵⁸ The 1951 refugee convention and Ethiopian refugee proclamation illustrates an extensive list of basic services to the refugees based on the refugee level of attachment to the country of refuge.

access telecommunication services, obtaining driving licenses and the like are basic for refugees for proper socio-economic inclusion. By denying these and the like basic services, socio-economic inclusion of refugees can't be presumed.

On the other hand, it is an indicator of **joint application of humanitarian approach with developmental approach**. Providing refugees with effective and equitable access to basic services, like food, water and relief supplies, health and sanitation,⁵⁹ shows the humanitarian aspect of the developmental approach. This is because, providing these remedies is not an end remedy. Rather, it is an intermediate to the next step, which is self-reliance. Especially, for those who are trapped in “protracted refugee situations” without immediate prospects for implementation of durable solutions, the importance of access to basic services is a key even to survive,⁶⁰ let alone socio-economic inclusion.

The diversity of the refugee population makes their basic service needs diverse. For instance, child refugees, need education, psychological assistance and the like, women refugees require, *inter alia*, access to reproductive health facilities⁶¹. Therefore, international cooperation is needed. That is why UNHCR calls for the support of the efforts of host countries to enhance education, health care and provision of other basic services⁶² in refugee-impacted areas as well as expand national protection capacities.

The Ethiopian government under its nine pledges made at CRRF, promised to expand and enhance basic and essential social services for refugees. Following this pledge, under the CNRRF, as well as in the 2019 refugee proclamation, a lot of basic services are introduced. Under the proclamation, Art.24 (1) every recognized refugee has the right to access pre-primary and primary education. The standard of treatment is on par with Ethiopian nationals.

With regard to access to secondary education, higher education, technical and vocational education, adult and non-formal education Art.24 (2) states that refugees are entitled to be treated within available resources and subject to the education policy of Ethiopia. On the other hand, refugees' right of access to studies, the recognition of foreign school certificates, diplomas and degrees, the

⁵⁹ UNHCR, Executive Committee, on 'REFUGEE WOMEN AND INTERNATIONAL PROTECTION,' No. 64 (XLI)- (1990), Art. A (ix)

⁶⁰ UNHCR, Executive Committee, 'CONCLUSION ON PROTRACTED REFUGEE SITUATIONS' No. 109 (LX) - (2009), para, 2-7

⁶¹ *Ibid* (44)

⁶² *ibid*

remission of fees and charges and the award of scholar ships, it should be accorded the most favorable treatment on par with foreign nationals.⁶³

Ethiopian refugee proclamation clearly recognizes the right to access to available health services in Ethiopia.⁶⁴ Refugee convention on the other hand, does not define or explain this entitlement. Though, under Art.23 of the convention, refugees lawfully staying in the territory of contracting state has right to access public relief and assistance as is accorded to their nationals. Public relief and assistance is understood as it includes, *inter alia*, relief and assistance to persons in need due to illness, age, physical or mental impairment, or other circumstances, as well as medical care.⁶⁵

Generally, proper entitlement of basic services to refugees is a reflection of an effective socio-economic inclusion to the country of refuge.

6. Conclusion

Permitting refugees to advantage from national services and integrating them into national development plans is basic for both refugee and the communities facilitating them, to mutual prosperity.

The socio-economic inclusion of refugees shall be taken, as one part of development plan than taking a burden. Transcending from the humanitarian approach to development approach can agglomerate this objective with the development plans of the countries. A self-reliant and resilient refugee is an addition to the economy than being a weigh down. To glitter this conception, it shall be focused on giving freedom of movement and planning out-camp policy than mainly giving humanitarian assistance to the refugees in a protracted stay. The global shift from the care and support approach to the out-comp and local integration can play a significant role to achieve this.

Access to justice and basic services of the country of refuge are a corner stone to attain the objective of making refugee self-reliant and resilient. This objective can't be dreamed without the fulfillment of the access to basic services and justice.

⁶³ Ibid (27), refugee proclamation, Article 24 (3)

⁶⁴ Ibid Article 25

⁶⁵ Abdulmalik A. Ahmed, 'The 7th Century Unwritten Ethiopian Laws on the Protection of Refugees'(2017), Vol 1, International Law Series, PL 7, 20

* LL.B, The writer is grateful Friedrich Ebert Stiftung Flight and Migration Center (FES-FMCC) and Civil Society Resource Center (CSRC) who invited him to write on this specific topic.