

Pathways without Parity: Four Mechanisms of Differentiation in Durable Solutions for Internally Displaced Persons

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Independent Researchers

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Abstract

Original Research Article

Durable-solutions frameworks specify three formally equivalent pathways out of internal displacement: return, local integration, and settlement elsewhere. Recent assessments hold that the historical policy preference for return has receded. This study tests that claim against the instruments themselves. Nine national and sub-national durable-solutions instruments from six jurisdictions across two continents were purposively selected and coded against a fifteen-dimension schema, using comparative document analysis to build theory rather than to estimate prevalence. Five instruments differentiate provision between pathways, and they do so through four distinguishable mechanisms: contents, where one pathway confers more; modality, where the strength of the state's obligation differs; temporality, where provision is framed as interim; and population, where groups are assigned to pathways and provided for unequally. Differentiation is conditional on the unit to which provision is directed. Instruments allocating individual entitlements differentiate; those allocating rights, collective conditions or area-based measures do not. Only differentiation by contents is visible to coding that records the presence or absence of provisions. The study concludes that apparent parity is produced by silence rather than equalisation, and that differential provision structures the choice between pathways before displaced persons make it, which is difficult to reconcile with the voluntariness these instruments assert.

Keywords: internal displacement; durable solutions; local integration; policy analysis; comparative law; territorial governance; voluntariness.

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1. Introduction

1.1 Background to the Study

Displacement is understood to end through one of three pathways. The Inter-Agency Standing Committee (IASC) framework specifies sustainable return to the place of origin, local integration in the area of displacement, and settlement elsewhere in the country, and holds that a durable solution is achieved when displaced persons no longer have assistance and protection needs linked to their displacement and can enjoy their human rights without discrimination

on account of it (IASC, 2010). The three pathways are formally equivalent. Each is a route out of displacement, and none is preferred.

The framework's originating document is explicit that the ending of displacement occurs not at one point in time but is a gradual process, and it names the removal of stigma among its purposes (Brookings-Bern Project on Internal Displacement, 2007). It was designed, on its own account, to assist governments in devising national legislation, policies and programmes promoting solutions, and to



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enable civil society to monitor the extent to which governments fulfil that responsibility.

For most of the framework's operational life, formal equivalence between the pathways has been observed in the breach. Reporting on six country case studies, the Brookings-Bern Project and IDMC found that the promotion of return as the desired, preferred or only solution was common to every case examined, including those where return was not physically possible, and that figures on how many displaced people had chosen local integration were unavailable in five of the six (Brookings-Bern Project & IDMC/NRC, 2011).

More recently, the field has recorded a correction. The United Nations High Commissioner for Refugees (UNHCR) observes that in policy discussions the emphasis on return seems to have given way to more nuanced positions recognising the importance of all settlement options being open to displaced persons in line with their freedom of movement and choice of residence (UNHCR, 2022). Quantitative analysis of 588 policies across 86 countries finds provisions establishing a right to return stable since the early 2000s, while provisions granting formal displacement status and establishing camps have declined since 2018 (Lichtenheld & Steele, 2026).

1.2 Statement of the Problem

If the preference for return has genuinely receded, that change should be observable in the instruments through which states give effect to the framework. Yet the existing literature does not examine those instruments for what they confer. Assessment scholarship measures whether solutions have been achieved; policy-coding scholarship records whether particular provisions are present or absent. Neither asks whether what a returning household receives differs from what a locally integrating household receives, or by what mechanism any such difference operates.

The problem this study addresses is therefore an evidentiary one. A claim about the balance between pathways is being made at the level of policy discourse without corresponding examination of the

documents in which provision is actually specified. Where such examination is absent, an appearance of parity cannot be distinguished from parity itself.

1.3 Purpose and Objectives

The purpose of this study is to establish, through comparative document analysis, whether and how durable-solutions instruments differentiate provision between the three pathways.

Four specific objectives follow. The first is to identify how instruments are architecturally organised to specify provision. The second is to determine whether provision differs between pathways and, where it does, to specify the mechanism by which the difference operates. The third is to establish the conditions under which differentiation appears. The fourth is to assess what differentiation implies for the voluntariness that these instruments assert as a governing principle.

1.4 Significance of the Study

The study contributes in three registers. Descriptively, it identifies four mechanisms by which durable-solutions instruments differentiate provision, three of which are invisible to the coding practices currently used in the field. Analytically, it establishes that architecture determines auditability: an instrument that specifies nothing per pathway cannot be shown to allocate unequally, but neither can it demonstrate that it has not.

In policy terms, the findings bear directly on territorial governance and the design of resettlement programmes. Where provision differs by pathway, the state has structured the displaced person's choice before it is presented. Identifying the mechanisms by which this occurs gives drafters, technical reviewers and monitoring body's specific and checkable questions to ask of any instrument.

1.5 Scope and Delimitation

The study examines nine instruments from six jurisdictions, comprising national laws, national policies, national strategies and sub-national

strategies. It analyses what instruments specify, not whether specified provision is delivered. It makes no claim about the prevalence of differentiation across the wider population of instruments recorded in international databases, for reasons set out in Section 3.

2. Literature Review

2.1 Conceptual Background: Durable Solutions and the Three Pathways

The durable-solutions concept rests on the proposition that displacement is a temporary condition to be resolved rather than a permanent status. The IASC framework operationalises this through eight criteria against which achievement is assessed: safety and security; an adequate standard of living; access to livelihoods; effective mechanisms to restore housing, land and property; access to personal documentation; family reunification; participation in public affairs; and access to effective remedies and justice (IASC, 2010).

Two features of this architecture matter for the present study. First, the criteria specify conditions to be satisfied rather than entitlements to be conferred, and they attach to persons rather than to pathways. Second, solutions are to be achieved voluntarily, a requirement grounded in the freedom of movement and choice of residence established under the Guiding Principles on Internal Displacement (United Nations, 1998).

2.2 The Labelling and Recognition Tradition

Scholarship on displacement categories establishes that such categories are political artefacts rather than neutral descriptions of need. Zetter's account of bureaucratic labelling demonstrates that the refugee label is produced by institutions rather than discovered in populations, and that its meaning is transformed in use, through stereotyping, conformity, designation and the disaggregation of identity, in ways that serve institutional rather than displaced interests (Zetter, 1991). Revisiting the concept, Zetter argues that labels proliferate and

fraction as states rather than agencies assume control of categorisation (Zetter, 2007).

Subsequent work demonstrates that this transformation operates spatially. Refstie and Brun (2012) show that in Uganda the displacement label, formally inclusive of urban populations, was narrowed in practice to those residing in camps. Refstie, Dolan and Okello (2010) name the mechanism institutional convenience: government and humanitarian actors concentrate on encamped populations because those populations are administratively legible, while the urban displaced disappear into the larger population of economic migrants.

2.3 Empirical Review: What Existing Studies Examine

Two bodies of empirical work approach durable-solutions instruments directly, and neither asks the question posed here.

The first assesses outcomes. A review of approximately 350 publications conducted for IDMC and IMPACT Initiatives examines how progress toward durable solutions is measured at global, regional, national and sub-national levels, and includes national and sub-national policy instruments within its corpus. It examines those instruments as evidence of how global frameworks are operationalised, what indicators governments adopt, and how assessments align with policy, rather than for what the instruments prescribe. The vocabulary reflects this orientation: across the review, the terms package and entitlement do not appear, and provision appears only in the sense of service provision (IDMC & IMPACT Initiatives, 2025).

The second codes policy content. Lichtenheld and Steele (2026) code 588 instruments for the presence or absence of provisions across five categories: encampment, status designation, right to return, service provision, and displacement type. Their service-provision category captures whether policies guarantee access to education, health and humanitarian assistance. Their right-to-return category captures whether a right is established.

Neither codes for differentiation between pathways.

A third, legal literature addresses the normative foundations. Casalin (2023) argues that the basis for durable solutions in international human rights law remains under-examined and unclear, particularly as to the scope of relevant rights and the identification of duty-bearers, and observes that voluntary choice is addressed explicitly in the Pinheiro Principles only with regard to return. Matijevic, Madzarevic and Giantin (2022) reach a related conclusion by doctrinal analysis, finding that the failure of both governing soft-law instruments to supply firm criteria for the duration of displacement follows from the essentially political character of the question.

2.4 Conceptual Framework

The framework guiding this study proceeds from the observation that the international standard specifies conditions rather than entitlements, leaving the substance of each pathway to be determined instrument by instrument. That indeterminacy creates a space in which state discretion operates. The study proposes that the exercise of that discretion is conditioned by the unit to which provision is directed, and that where provision is directed to an individual recipient the instrument must sort recipients, making pathway the available sorting variable.

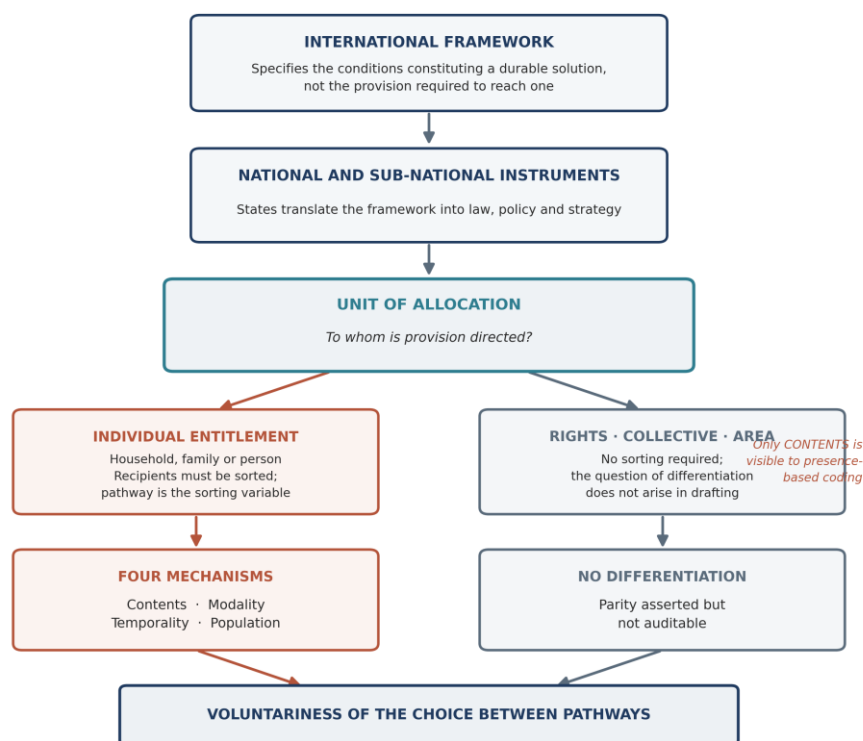


Figure 1. Conceptual framework: from international standard to the voluntariness of pathway choice.

Where sorting occurs, differentiation may take any of four forms, only one of which is legible to analysis that records the presence or absence of provisions. Where provision improves an area, guarantees a right

or pursues a strategic objective, no sorting is required and the question of differentiation does not arise in the drafting. The framework's terminal proposition is that differentiation, whichever form it takes, bears on

the voluntariness of the choice between pathways, because provision that makes one pathway materially better structures that choice before it is made.

2.5 Synthesis and Research Gap

Taken together, the literature establishes three things. Displacement categories are institutionally produced and politically consequential. Outcomes are assessed and provisions are counted, but what each pathway confers is not examined comparatively. And the normative basis for durable solutions is contested in ways that leave states with wide discretion over the substance of each pathway.

The gap this study addresses lies at the intersection of these findings. If categories are politically produced, if states retain discretion over what each category confers, and if no existing body of work examines what is in fact conferred, then the question of whether instruments differentiate provision between pathways is both open and consequential. It is open because it has not been asked. It is consequential because the answer bears on whether the choice between pathways, which every instrument in this study asserts must be voluntary, is meaningfully available.

3. Materials and Methods

3.1 Research Design

This is a comparative document analysis and a theory-building study. Its purpose is to identify and specify the mechanisms by which durable-solutions instruments differentiate between pathways, not to estimate how often they do so. The unit of analysis is the instrument. The object of analysis is what the instrument specifies as provision attaching to each durable-solutions pathway.

3.2 Data Sources and Materials

The materials are publicly available government instruments: national laws, national policies, national strategies and sub-national strategies addressing internal displacement. Instruments were obtained

from official government publications, national legal gazettes and normative databases, and international repositories including Refworld and ReliefWeb. Supporting documentation, including implementing decrees, contemporaneous protection reporting and constitutional jurisprudence, was consulted where it bore on the interpretation of a coded provision.

3.3 Case Selection Procedure

Cases were selected purposively, on three criteria. The first was variation in instrument type: the corpus includes laws, policies and strategies at national and sub-national level, since these do different institutional work and might reasonably differ in how they treat provision. The second was variation in jurisdiction and legal tradition, spanning civil-law and common-law systems across six national jurisdictions and two continents. The third was prior indication of differential treatment: several instruments were included because existing scholarship, protection reporting or policy commentary indicated that they treated pathways differently, and therefore offered the best prospect of exhibiting mechanisms that could be specified and described.

The third criterion is deliberate and it constrains what the study can claim. A corpus assembled partly by seeking instruments that differentiate cannot support any statement about how common differentiation is. No such statement is made.

3.4 Inclusion and Exclusion Criteria

An instrument was included where it addressed the post-displacement phase, named all three durable-solutions pathways or functional equivalents, specified provision attaching to one or more of them, and was available in full text through a publicly accessible source. The last criterion follows from the object of analysis: an instrument whose operative content is not publicly available cannot be assessed on that dimension by any reader, and its inaccessibility is recorded rather than treated as missing data.

Instruments identified but not obtained in full were

excluded from coding and are named where relevant in the discussion. These include the Somali Region Menu of Options (Ethiopia), the Upper Nile State Solutions Roadmap (South Sudan), the Baidoa City Strategy (Somalia), Sri Lanka's National Policy on Durable Solutions, and the Bangsamoro Autonomy Act No. 62 (Philippines).

3.5 Coding Schema

Fifteen dimensions were developed inductively during an initial reading of six instruments and applied without modification to the remainder. Table 1 sets out the schema.

Table 1. Coding schema applied to all instruments

Dimension	Values
Instrument type	Law; national policy; national strategy; sub-national strategy
Architecture	Pathway; criterion; objective; rights; hybrid; status-based
Unit of allocation	Individual entitlement; collective condition; right; area-based measure
Pathways named	All three, or functional equivalents, with terminology recorded verbatim
Pathways itemised	Which pathways receive a stated package of provision
Differentiates by pathway	Yes; partially; no; expressly rejected; not applicable
Housing provision by pathway	Recorded verbatim
Livelihood provision by pathway	Recorded verbatim, including intra-household allocation
Provision horizon	Terminal; time-limited with stated follow-up; indefinite; unspecified
Verifier of achievement	Named body; framework required but unnamed; absent; gap acknowledged
Costing	In-document; separate annex; required but not contained; absent
Drafting architecture	Steering committee; technical advisory group; named agency contributors; generic acknowledgement only; none recorded
Population differentiation	Single population; multiple populations with equal provision; multiple populations with differentiated provision
Pathway to population assignment	Whether distinct populations are assigned to different pathways
Terminology used	The term the instrument uses for local integration

Note. Dimensions 2, 3, 6 and 12 carry the principal analysis.

3.6 Coding for Functional Equivalents

Instruments do not use consistent terminology, and the inconsistency is directional. Reporting across six countries, the 2011 expert seminar found that while all governments used the term return, local integration was variously called improving living conditions in Serbia, supporting decent living conditions and participation in society in Georgia, stabilisation in Colombia, and remaining in camps in Uganda, and advised that researchers should look beyond the term to find evidence of the practice (Brookings-Bern Project & IDMC/NRC, 2011).

Coding therefore captured function rather than label. Any provision directed at displaced persons remaining in the area of displacement was coded as local-integration provision, however the instrument described it. The term used was recorded separately under dimension 15.

3.7 Method of Analysis

Each instrument was read in full and coded against the schema. Two dimensions bearing on the study's central proposition were coded in sequence and from different textual material to avoid confounding. The unit of allocation was determined from the beneficiary specified in each provision, without reference to whether provisions differed across pathways. Differentiation was then determined by comparing provisions attaching to each pathway. Where an instrument specified no beneficiary, because provision took the form of a right or an area-based measure, the differentiation dimension was coded as not applicable rather than as absent.

Coded results were then examined for patterns across dimensions, and mechanisms of differentiation were derived inductively from the instruments in which differentiation was found.

3.8 Justification of Methodology

Comparative document analysis is appropriate because the research question concerns what instruments specify, which is a property of the

documents themselves rather than of their implementation or of the perceptions of those subject to them. A theory-building design is appropriate because the mechanisms of differentiation had not previously been identified, and identifying them is a precondition of any subsequent study that would estimate their prevalence.

A larger probability sample would permit distributional claims but would not have generated the typology, since three of the four mechanisms are invisible to the coding frames a large-N study would necessarily employ.

3.9 Reliability and Limitations

Four constraints bear on the findings. The corpus is small and purposively assembled, in part by seeking instruments likely to differentiate, so the findings concern mechanisms and their conditions rather than prevalence. The analysis compares published architectures rather than actual allocations: instruments differ in where costed detail sits and whether it is public, so absence of visible differentiation is not evidence of absence of differentiation. Specification is not implementation, as demonstrated by one coded instrument that was never implemented. And coding for functional equivalents involves researcher judgement, applied here by a single coder without independent verification, a constraint most consequential for the modality and temporality findings, which rest on close textual and in one case translated readings.

Instruments were read in their authoritative language where the researcher had competence: Spanish for Colombia and Honduras, English for Nigeria, Iraq, Somalia, Ethiopia and Serbia's official English text. Georgia is an exception, read in English translation, and the temporality finding relating to it is reported as requiring confirmation against the Georgian original.

3.10 The Corpus

Nine instruments were coded in full. Six were read first and generated the schema inductively; the

remaining three were coded using the schema unchanged. Two instruments predate the IASC Framework, which was endorsed in 2010, and are

read against the Guiding Principles (1998) rather than against the framework. Table 2 sets out the corpus.

Table 2. Coded corpus of durable-solutions instruments

Instrument	Jurisdiction	Level	Year
Strategy for Durable Solutions 2025–2027	Borno Nigeria	State, Sub-national	2024
Ley 1448, as amended by Ley 2421	Colombia	National	2011/2024
National Strategy for Refugees and IDPs	Serbia	National	2002
Law on IDPs; State Strategy for IDPs	Georgia	National	2014/2007
National Policy on Refugee-Returnees and IDPs	Somalia	National	n.d.
National Durable Solutions Strategy	Somalia	National	2020
National Policy on Internally Displaced Persons	Nigeria	National	2021
National Policy on Displacement	Iraq	National	2008
Ley para la Prevencion, Decreto 154-2022	Honduras	National	2022

Note. Serbia (2002) and Iraq (2008) predate the IASC Framework and are assessed against the Guiding Principles (1998).

4. Results

4.1 Overview

All nine coded instruments name the three durable-solutions pathways, or functional equivalents, and address the post-displacement phase. The analysis therefore concerns instruments that have already committed themselves to the framework's three-pathway structure. Five differentiate provision between those pathways.

4.2 Architectures of Provision

The instruments organise provision in five distinguishable ways. Pathway architecture itemises what each pathway confers, permitting direct comparison from the text; one instrument, Borno State's Strategy, takes this form. Criterion architecture organises measures under the IASC's eight criteria and applies them across pathways, as in Somalia's National Policy. Objective architecture organises provision under strategic objectives

without reference to pathway, as in Somalia's National Durable Solutions Strategy. Rights architecture enumerates the rights of displaced persons and the obligations of duty-bearers, as in the national policies of Nigeria and Iraq and the law of Honduras. Hybrid architecture names objectives by pathway while specifying provision through criterion-aligned priority areas, as in Ethiopia's regional strategy. Serbia's Strategy does not fit these categories and is addressed in Section 4.4.3.

Architecture does not track jurisdiction, instrument type or level of government. Nigeria's national policy and Borno's state strategy diverge from one another; Somalia's policy and its own implementing strategy diverge; and the two sub-national instruments

diverge from one another as much as either diverges from any national instrument.

4.3 The Condition under Which Differentiation Appears

Where instruments in this corpus differentiate between pathways, they share a feature that the instruments not differentiating do not. Provision is directed to an individual recipient, a household, a family or a person, rather than to an area, a population in general, or a right-holder defined without reference to a specific allocation. Table 3 sets out the association.

Table 3. Unit of allocation and pathway differentiation

Instrument	Unit of allocation	Differentiates
Borno State	Household package	Yes
Colombia	Individual indemnisation and restitution	Yes
Serbia	Individual housing and employment provision	Yes
Georgia	Individual housing entitlement	Yes
Somalia (National Policy)	Household package, return only	Partially
Ethiopia	Area-based, whole-of-community	No
Somalia (NDSS)	Strategic objective, population target	No
Nigeria	Right and duty-bearer obligation	No
Iraq	Right and sectoral measure	No
Honduras	Right and facilitating measure	No

Note. Reported as a pattern within the coded corpus, not as an estimate of wider distribution.

Unit of allocation and pathway differentiation

Instruments directing provision to an individual recipient differentiate between pathways.

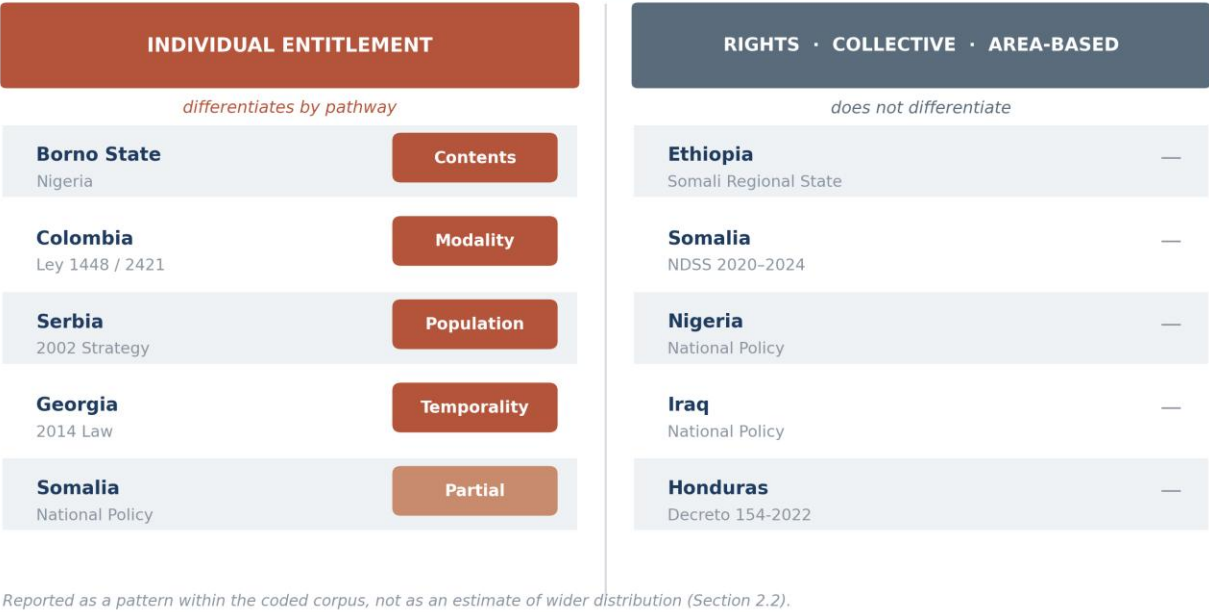


Figure 2. Unit of allocation and pathway differentiation across the coded corpus.

One alternative explanation should be addressed. Statutes confer rights, strategies allocate resources, and policies articulate principles, so a resource-allocating strategy differentiating while a rights-conferring statute does not might reflect instrument type rather than unit of allocation. The corpus does not support that reading. Differentiation appears in two of the four strategies, two of the three laws, and one of the three policies. It is present in every instrument type and absent from every instrument type. What distinguishes the differentiating

instruments across those types is that each directs provision to an individual recipient.

4.4 Four Mechanisms of Differentiation

Where instruments do differentiate, they do so in four distinguishable ways. Only the first is visible to coding that records the presence or absence of provisions.

Four mechanisms of pathway differentiation

What varies between pathways, and where it is visible in the instrument

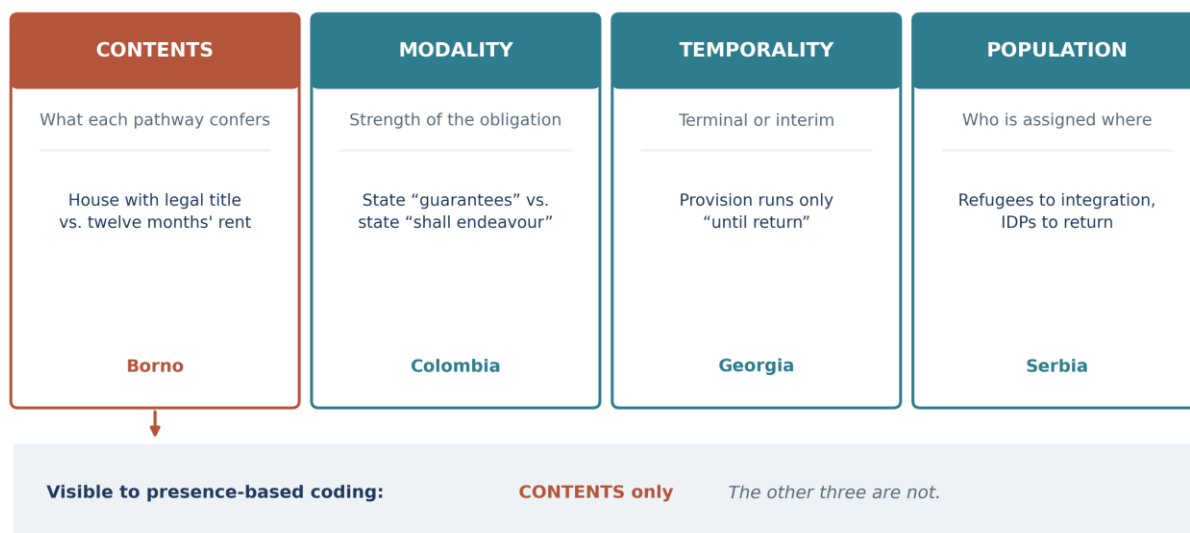


Figure 3. The four mechanisms, what varies in each, and the instrument exhibiting it.

4.4.1 Contents

The most visible mechanism is a difference in what each pathway confers. Borno State's Strategy provides, for return, allocation of houses with legal ownership or rehabilitation of the recipient's own damaged property, start-up packages for all heads of household, wives, and single men and women, secured farmland with agricultural inputs, and market stalls and shops with at least half allocated to women. For local integration it provides funds to rent for a period of one year, a start-up package for one adult member of the family, and access to farming land for those integrating in rural areas. No market provision attaches to local integration.

The differences are of kind as well as degree. A house held with legal title does not expire, can be transferred, inherited or borrowed against, and requires no further state action to continue being held. Twelve months of rent has none of these properties.

4.4.2 Modality

The second mechanism is a difference in the strength of the obligation, expressed in the modal verb. Colombia's Ley 1448 addressed return and relocation in Article 66 from its enactment in 2011. Local integration was not a named pathway in Colombian displacement law until 2024, when Ley 2421 inserted Article 66A. Article 66 provides that displaced persons who return or relocate shall remain in the place chosen so that the State guarantees the effective enjoyment of rights. Article 66A provides that the State shall endeavour to guarantee the same rights and guarantees.

Return and relocation are guaranteed. Local integration is endeavoured to be guaranteed, and is defined by reference to the entitlements attaching to the other two pathways rather than by its own content. The verb propender is used elsewhere in Colombian legislation to express programmatic state duties, so its appearance here is not by itself

conclusive of a deliberate reduction in obligation. What the comparison establishes is that the drafter selected a different formulation for local integration than for the two pathways addressed in the preceding article, having that earlier text before them.

The differentiation is reinforced elsewhere in the statute. Ley 2421 provides that displaced persons who voluntarily return or relocate to municipalities under the territorially-focused development programme shall be prioritised in access to state social programmes, particularly housing, land and income generation. No corresponding priority attaches to local integration. The restitution architecture established under Title IV, with a dedicated Land Restitution Unit and specialised restitution courts, has no institutional counterpart for those who remain where they were displaced.

4.4.3 Population

The third mechanism differentiates not between pathways but between populations, which are then assigned to different pathways. Serbia's 2002 National Strategy addresses refugees and internally displaced persons in a single instrument and states their strategic orientations separately. It records that sixty per cent of registered refugees had opted for local integration, and that the main strategic orientation in respect of 230,000 internally displaced persons from Kosovo and Metohija is provision of assistance and guarantees for return.

The structure follows the orientation. The costed implementation programme adopted alongside the Strategy is titled for refugees, and the Strategy states only that most of its solutions are relevant for internally displaced persons. Section 4 of the Strategy divides legal and property aspects into subsections for refugees and for internally displaced persons, and the subsection addressing internally displaced persons contains no local integration provision. Within the substantive sections, descriptive passages name both populations while operative passages frequently name refugees alone: durable accommodation programmes adjusted to the status of refugees, eligibility criteria for the selection of refugees, and employment schemes targeting fifty

per cent of unemployed refugees.

The instrument never compares return with local integration. It compares refugees with internally displaced persons, and the pathways inherit the difference. The consequence is documented independently. Contemporaneous protection reporting recorded that the government was reluctant to support local integration, saying that such measures could only be envisaged when the displaced had a genuine opportunity to return to Kosovo, and that the 2002 Strategy focused on return and considered integration only for refugees (UNHCR, 2005). The practice continued across three successor strategies, over which return remained the stated priority while accounting for a diminishing fraction of outcomes: by 2024, of 194,171 registered displaced persons, only 66 returned that year (Surlic, 2025).

4.4.4 Temporality

The fourth mechanism differentiates by whether provision is framed as terminal or interim. Georgia's Law on Internally Displaced Persons from the Occupied Territories provides that displaced persons have the right to adequate housing in Georgia until return to the place of permanent residence, and that until a displaced person returns to their permanent place of residence, the State is required to support their integration by creating the socio-economic conditions necessary for a safe and dignified life.

The qualifier runs in one direction. No provision states that return support is available until a displaced person integrates locally, or until they settle elsewhere. This corresponds to an asymmetry noted in expert discussion of protracted displacement, where participants observed that the concept of interim integration is in use while the terms interim return and interim settlement elsewhere are not, and expressed concern that the interim framing risked producing a limbo status rather than a solution (Brookings-Bern Project & IDMC/NRC, 2011).

Georgia admits a second reading, and acknowledging it strengthens rather than weakens the finding. Under the Action Plans implementing the 2007 Strategy, more than 16,000 families were

offered renovation, ownership or resettlement between 2009 and 2011, and ownership rights were registered for some 6,500 families: durable assets, conferred on people who had not returned. On one reading, Georgia favours local integration substantively while qualifying it rhetorically. The two readings are compatible, and their coexistence is the finding. Georgia confers durable assets on those who remain while simultaneously constituting their remaining as a condition subsisting only until return.

4.5 The Partial Case

Somalia's National Policy differentiates by specification rather than content. It itemises a package for return, comprising safe transport, food assistance for at least one year after arrival, non-food items and temporary shelter, building material or funds to construct, and livelihood start-up support, and provides no equivalent package for local integration or settlement elsewhere. Local integration is nonetheless addressed within the Policy's general measures. The instrument names three pathways, addresses all three in general terms, and specifies a floor of provision for one.

4.6 Verification of Achievement

Instruments differ not only in what they confer but in whether they provide any means of determining that a durable solution has been reached. Two instruments name a verifier. Colombia provides that the condition of vulnerability arising from displacement ceases when the displaced person achieves the effective enjoyment of their rights, and requires the Victims' Unit, jointly with the mayors of the municipality where the person resides, to evaluate that condition every two years, with institutional provision directed according to the results. Somalia's National Policy provides that

displacement ends when displaced persons have found a durable solution measured against stated benchmarks, and assigns monitoring to the National Commission for Refugees and IDPs.

One instrument states that it cannot verify achievement. Somalia's National Durable Solutions Strategy records that there are no common tools to appraise how many households in a situation of forced displacement were able to voluntarily transition to a durable solution of their choice. The remaining six instruments do not address the question with comparable specificity.

Colombia's provision is distinctive in a further respect. The evaluating authority is the municipality where the displaced person resides, not where they originated, which brings those who have integrated locally within the verification frame by design. Verification does not track specification: Borno specifies provision in considerable detail and names no verifier, while Somalia's National Policy specifies a package for one pathway only and names one.

4.7 What Presence-Based Coding Does Not Capture

Three of the four mechanisms are invisible to analysis that records whether a provision is present or absent. A coding frame asking whether an instrument provides housing support records that Georgia does; it does not record that the entitlement runs until return. A frame asking whether local integration is addressed records that Colombia addresses it; it does not record that the verb differs from the one used for the other two pathways. A frame asking whether an instrument provides for local integration records that Serbia does, in a section so titled; it does not record that the operative provisions name a different population.

4.8 Summary of Results

Table 4 summarises the principal findings against the study's objectives.

Table 4. Summary of principal findings

Finding	Result
Architectures identified	Five: pathway, criterion, objective, rights, hybrid, plus one status-based case
Instruments differentiating	Five of nine coded instruments, including one partial case
Mechanisms identified	Four: contents, modality, temporality, population
Condition for differentiation	Provision directed to an individual recipient rather than to an area, right or population in general
Visibility to existing coding	Contents only; three mechanisms invisible to presence-based coding
Direction of differentiation	Return constituted as terminal; local integration as provisional
Verification of achievement	Two instruments name a verifier; one acknowledges having no tools; six do not address it

Note. Findings are reported for the coded corpus and are not generalised to the wider population of instruments.

5. Discussion

5.1 Why the Unit of Allocation Determines Differentiation

The finding that instruments allocating individual entitlements differentiate, while those allocating rights, collective conditions or area-based measures do not, has an administrative explanation and a structural consequence.

The explanation is that an instrument delivering a house, a rent payment or a start-up package must specify which households receive which, and the pathway a household has taken is the sorting variable most readily available. It is observable, already recorded for other purposes, and corresponds to the categories in which solutions programmes are organised. An instrument that guarantees a right, improves an area or pursues a strategic objective

requires no such sorting, because the provision is not divisible among recipients in the first place.

The consequence is that the framework's own architecture predisposes instruments toward silence on provision. The IASC criteria are conditions to be satisfied, not entitlements to be conferred, and they attach to persons rather than to pathways. Instruments that mirror that architecture inherit its silence about what each pathway provides. This is not a criticism of the framework, which is an instrument for assessing whether a durable solution has been achieved and was not designed to specify what states must provide in order to achieve one. The observation concerns use rather than design: the framework has become a drafting template as well as an assessment tool, and an instrument that adopts an assessment architecture to perform an allocative function inherits a silence that architecture was never

intended to fill.

5.2 Testing the Claim of Balance

The field's assessment of its own recent history is that the historical preference for return has receded. The instruments examined here do not support that assessment, and they fail it in two distinct ways.

Where provision is specified by pathway, return is advantaged in every case. Borno confers legal title on return and twelve months of rent on local integration. Colombia guarantees rights on return and undertakes to endeavour to guarantee them on local integration. Serbia orients refugees toward integration and displaced persons toward return, and provides for the former. Georgia provides integration support until return. Somalia's National Policy itemises a package for return alone. That is a hierarchy, and it is visible.

Where provision is not specified by pathway, no claim can be made in either direction. Such instruments may allocate equally; they may not. What can be said is narrower and still consequential: they furnish no basis on which differential treatment between pathways could be identified, contested or corrected. The claim is therefore about auditability rather than about concealed inequality.

Colombia is the decisive case, because it shows the direction of travel within a single legal regime. Local integration was not a pathway in Colombian displacement law until 2024, thirteen years after return and relocation were provided for, in a jurisdiction with the most developed displacement legal framework in the world. When it arrived, it arrived at a lower level of obligation and defined by reference to the entitlements attaching to the other two pathways. That is not a preference receding but a hierarchy being formalised at the moment of inclusion.

5.3 Differentiation and Voluntariness

The objection that a state may legitimately prefer return has force. Return restores the pre-displacement distribution of population and

property, may be less costly than constructing alternatives, and in many settings is what most displaced people say they want. Nothing in the durable-solutions framework requires a state to be indifferent between outcomes.

What the framework does require is that the choice between pathways be voluntary. The Guiding Principles provide that competent authorities shall establish conditions and provide the means allowing displaced persons to return voluntarily or to resettle voluntarily in another part of the country. Every instrument in this corpus states voluntariness as a requirement, and several name it first among their governing principles.

Voluntariness is a property of the conditions under which a choice is made, not merely of the absence of coercion at the moment of choosing. One instrument in the wider comparative set makes this explicit, providing that displaced persons will not be induced to return through withholding of humanitarian assistance, reducing humanitarian assistance, closing camps and sites, or eviction from informal settlements. Withholding assistance is treated as inducement because it alters the relative attractiveness of the options.

Differential provision does the same thing by a different route. Where one pathway confers a house held with legal title and another twelve months of rent, the choice between them is structured by the state before the displaced person makes it. A state that prefers return may pursue that preference through many legitimate means; making the alternatives materially worse is not obviously among them, because it converts a preference into an inducement. The point holds with particular force in protracted displacement, where doctrinal analysis observes that an impasse reducing the traditional triad to two options means the right to a free and informed choice cannot be realised (Matijevic et al., 2022).

5.4 What the Four Mechanisms Share

The mechanisms differ in form and share a direction. In each case the differentiation constitutes return as terminal and local integration as provisional. A

house with legal title does not expire; twelve months of rent does. Integration support runs until return, and no provision runs until integration. Return is guaranteed; integration is endeavoured. Those assigned to return receive the costed programme; those assigned to integration receive the general measures.

The practical consequence is an assessment obligation that instruments create without acknowledging. Where a pathway's principal provision has a defined term, the moment of conferral records only that the entitlement was granted; whether a durable solution has been achieved cannot be determined until the term has run. The critical assessment point is therefore the point at which provision lapses, and it is calculable in advance.

5.5 Comparison with Existing Literature

These findings extend three existing bodies of work. They extend the labelling tradition by showing that the categories Zetter identifies as institutionally produced are not merely applied unevenly but provisioned unevenly, and that the difference operates through mechanisms invisible to the analytical tools currently in use. They extend the assessment literature by identifying a class of variation that presence-based coding cannot detect, which offers one explanation for why a review of some 350 publications recorded none of it. And they complement doctrinal analysis of the framework's indeterminacy: where Matijevic and colleagues explain why states retain wide discretion over when displacement ends, this study documents how that discretion is exercised in what each pathway confers.

The findings also qualify the recent quantitative account of policy change. Lichtenheld and Steele record that right-to-return provisions have remained stable while status-granting provisions decline. The present study suggests that stability in the presence of a provision is compatible with substantial variation in what that provision delivers relative to its alternatives, and that measuring the former does not capture the latter.

5.6 Summary of Discussion

The discussion establishes three propositions. Differentiation follows from the unit of allocation rather than from instrument type, jurisdiction or drafting process. The claim that balance between pathways has arrived is unsupported by these instruments, failing through visible hierarchy where provision is specified and through unauditable silence where it is not. And differentiation matters because it bears on voluntariness, which every instrument in the corpus asserts, rather than because parity between pathways is independently required.

6. Conclusion

6.1 Summary of Findings

Durable-solutions frameworks name three pathways and treat them as equivalent. They specify the conditions under which displacement may be considered to have ended, and they do not specify what a state must provide in order to end it. This study examined what states have specified in that space, coding nine instruments from six jurisdictions across two continents.

Five instruments differentiate provision between pathways, through four mechanisms: contents, modality, temporality and population. Only the first is visible to the coding practices the field currently uses. The condition under which differentiation occurs is the unit to which provision is directed: where an instrument confers individual entitlements it must sort recipients, and pathway is the available sorting variable.

6.2 Achievement of Research Objectives

The first objective, identifying how instruments are architecturally organised to specify provision, is met in Section 4.2, which distinguishes five architectures and establishes that architecture tracks neither jurisdiction nor instrument type nor level of government.

The second objective, determining whether provision differs and by what mechanism, is met in Section 4.4, which identifies and evidences four

mechanisms from the instruments in which they operate.

The third objective, establishing the conditions under which differentiation appears, is met in Section 4.3, which identifies the unit of allocation as the operative variable and tests and rejects instrument type as an alternative explanation.

The fourth objective, assessing what differentiation implies for voluntariness, is met in Section 5.3, which argues that differential provision structures the choice between pathways before it is presented and thereby converts a legitimate state preference into an inducement.

6.3 Policy Implications

Four implications follow for the design and review of durable-solutions instruments.

First, on instrument design, an instrument allocating individual entitlements cannot avoid specifying by pathway and should not attempt to. What it can do is specify deliberately, stating what each pathway confers, on what horizon, and what follows when time-limited provision expires. One instrument in the wider comparative set treats rental subsidy as short-term support to be followed by an assessment of shelter needs directed toward permanent housing, which offers a model.

Second, on technical review, review protocols should extend beyond contents to modality, temporality and population. The questions are specific and answerable. Does the same verb attach to each pathway's obligation? Is any pathway's provision qualified by reference to another pathway's completion? Are populations assigned to pathways, and are they provided for equally once assigned?

Third, on monitoring and assessment, where provision attaching to a pathway is time-limited, the assessment point is the expiry of that provision and should be scheduled rather than left to arise. Colombia's biennial cycle, assigned to a named body and attaching to the municipality of residence, is the most developed model in this corpus and brings the

locally integrated within the monitoring frame by design.

Fourth, on transparency, the analysis compares what instruments make public. Where costed operational detail sits in non-public annexes, neither displaced persons nor civil society can assess whether pathways are provisioned equally. Publication of pathway-specific costing is a low-cost measure that would render differentiation auditable wherever it occurs.

6.4 Limitations and Directions for Further Research

This study establishes mechanisms and the conditions under which they operate. It does not establish their prevalence, and nine purposively assembled instruments cannot support claims about distribution across the wider recorded population. The analysis compares published architectures rather than actual allocations, and specification does not predict delivery.

Two propositions follow for testing. First, that instruments conferring individual entitlements will differentiate between pathways at a higher rate than instruments conferring rights or area-based measures, across a probability sample of the recorded population. Second, that technical review of draft instruments detects differentiation in contents while leaving modality, temporality and population unremarked, a proposition testable against the drafting records of instruments produced with documented international technical involvement.

A wider implication concerns what the framework leaves open. An international standard that specifies the conditions constituting a solution, without specifying what must be provided to reach one, leaves the substance of each pathway to be determined instrument by instrument. The variation documented here is what has been determined.

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