

# Measuring Protection *by Numbers*



2005

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This report contains 2005 data unless otherwise indicated. All statistics are provisional and subject to change. Main sources:

**UNHCR Standards and Indicators Database (internal):** The Standards and Indicators Initiative was launched in 2002 in order to further the implementation of results-based management and facilitate multi-year planning based on measurable indicators against which to assess the wellbeing of persons of concern to UNHCR. Its quantitative protection indicators contribute to identification of protection gaps and facilitate planning of future activities.

**UNHCR Annual Protection Reports (APRs, internal):** The annual APRs are comprehensive, country-specific reports describing the protection environment and implementation of activities, allowing the Office to monitor protection developments in all operations, including as regards the implementation and impact of UNHCR protection activities.

**UNHCR 2005 Statistical Yearbook (External Release expected early 2007):** The Statistical Yearbook presents recent levels and trends of populations of concern to UNHCR and provides up to date profiles of beneficiaries of UNHCR protection and assistance activities. UNHCR's statistics are generally based on annual statistic reporting provided by states. In countries where UNHCR is operationally active, statistics are often jointly established between the host government and UNHCR.

**proGres (internal):** *ProGres* is a new registration software programme for collecting and sharing information on refugees and other persons of concern. *ProGres* allows for data from a wide range of situations and operations to be unified in one database. In the longer term, the database will be accessible to UNHCR's offices around the world.

Further and more detailed information on the topics covered in this report is publicly available in UNHCR's Global Report 2005, the Statistical Yearbook, 2005 Global Refugee Trends as well as in a number of issue-specific UNHCR reports, several of which are available at UNHCR's website: [www.unhcr.org](http://www.unhcr.org). For additional information, please contact the Division of International Protection Services, the Division of Operational Services or the Division of External Relations at UNHCR Headquarters in Geneva.

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## FOREWORD

Protection is a responsibility which comprises many different activities, some of which are not so easily subject to quantitative measurement. This means that whether protection is actually available and what is the quality of protection provided cannot always be illustrated by numbers alone. A **qualitative** outcome – something not happening, for example – can tell a great deal about the state of protection in a given situation. That said, statistics do provide valuable indicators of protection gaps, illustrate emerging trends and developments over time, and serve as a measure of the impact of our protection activities. Through the collection and analysis of statistical data, notably from our own field operations, UNHCR has an important resource which allows the organisation to set objectives and measure progress in the operationalising of protection. Statistics contribute very directly to our capacity to manage protection delivery through results.

*Measuring Protection by Numbers* is the outcome of a cooperative effort by the Division of International Protection Services (DIPS) and the Division of Operational Services (DOS) to compile global data relevant to core protection functions. Its intention is to illustrate, primarily by numbers, the state of international protection measured through the programmes both of UNHCR and its partners. The information herein has been collected for the most part from UNHCR sources. In some areas, substantiated global data is not fully available. The text is therefore a work-in-progress.

UNHCR is in the process of breaking new ground in its management of information, not least through the development of a new results-based management software which will be integrated with technologically advanced protection tools such as proGres for registration, a revised Annual Protection Report format capturing detailed protection information, and a rapidly evolving Standards and Indicators database. It is expected that future versions of *Measuring Protection by Numbers* will, thereby, be able to capture even more comprehensive and detailed information.

*Measuring Protection by Numbers* is an effort by UNHCR to conceptualise protection from a different perspective. It is a contribution to ensuring our partners and supporters better understand the content of our protection work and how we operationalise protection in different programmes. At the field level, this report should facilitate self-assessment, guide the development of protection strategies and contribute to better planning of our operations. Over time, we envisage that it will also bring major benefits for our global reporting, and for protection advocacy worldwide.

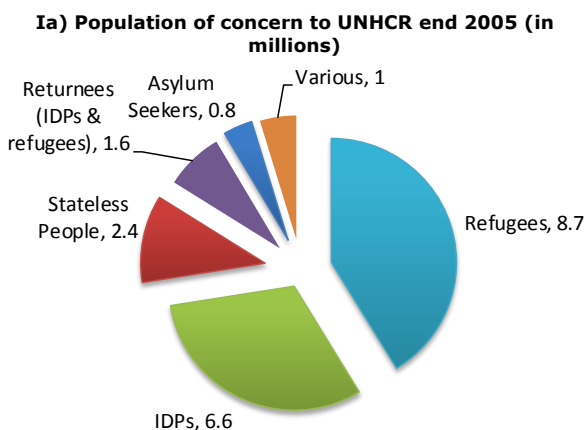
Erika Feller  
Assistant High Commissioner - Protection



# I. PERSONS OF CONCERN – REFUGEES, ASYLUM-SEEKERS AND OTHERS

**While the number of refugees globally fell to 8.7 million in 2005, the lowest level since 1980, there has not been a similar decrease in the numbers of internally displaced and stateless people. According to UNHCR's annual end-year statistics for 2005, the total number of people of concern to UNHCR rose to 21 million from 19.5 million the previous year. This figure includes refugees, asylum seekers, returnees, stateless people and a portion of the world's internally displaced persons (IDPs). The increase was mainly due to the growing number of stateless persons identified by UNHCR, in addition to a greater number of UNHCR protected/assisted IDPs.**

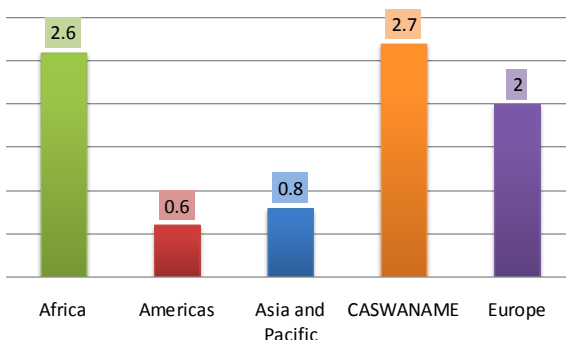
## TOTAL POPULATION OF CONCERN



An almost unprecedented level of voluntary repatriation was largely responsible for the decline in the global refugee number in recent years. In all, more than 6 million refugees have been able to return to their home countries since the end of 2001 – more than 4 million of them to Afghanistan alone. However, the numbers of IDPs (6.6 million) and stateless persons identified by UNHCR (2.4 million) are still very significant, and even increasing.

## REFUGEES

**Ib) Refugee population by UNHCR region of origin in 2005 (in millions)**



\*CASWANAME: Central Asia, South-West Asia, North Africa and the Middle East

Analysis of data on the global refugee population reveals that the main refugee producing countries in recent years include Afghanistan (2.2 million), Sudan (694,000), Burundi (439,000), the Democratic Republic of Congo (431,000) and Somalia (396,000).

Africa and the CASWANAME region host almost 30% each of the global refugee population. In 2005, Pakistan continued to be the main refugee-hosting country followed by the Islamic Republic of Iran. By the end of the year, both countries combined hosted one out of four (24%) of the world's refugees. The two countries did, however, experience a 16% and 7% decrease respectively during the year as a result of the voluntary repatriation of some 751,000 Afghan refugees.

**Ic) Main Refugee Hosting Countries end 2005 (in millions)**

|  |     |
|--|-----|
| <b>Pakistan</b> (UNHCR assisted, camps only) | 1.1 |
| <b>Islamic Republic of Iran</b>              | 1.0 |
| <b>Germany</b>                               | 0.7 |
| <b>United Republic of Tanzania</b>           | 0.5 |
| <b>USA</b> (UNHCR estimate)                  | 0.4 |

Analysis of available demographic data shows that about half of the world's refugees are female. The ratio of female refugees varies greatly, however, depending on the situation and the region of origin. Available data further indicates that some 44% of the persons of concern to UNHCR are children under the age of 18, with 12% under the age of five.

About half (53%) of all refugees benefit in some way or another from UNHCR assistance programmes.

## ASYLUM-SEEKERS AND PROCESSING OF CLAIMS

During 2005, a total of 674,000 first instance or appeal applications for asylum or refugee status were submitted to Governments or UNHCR offices in 149 countries. This number was slightly lower than in 2004 (680,000) and a significant reduction compared with 2003 (829,000). Most claims were registered in Europe (380,000), followed by countries in sub-Saharan Africa (125,000), Asia and the Pacific (75,000), the Americas (72,000), and the CASWANAME region (22,000).

**Id) Asylum Seekers – Number of new claims**

|                 | 2003   | 2004   | 2005   |
|-----------------|--------|--------|--------|
| <b>France</b>   | 59,800 | 58,500 | 49,700 |
| <b>USA</b>      | 73,800 | 56,100 | 48,900 |
| <b>Thailand</b> | 4,000  | 2,500  | 47,700 |
| <b>Kenya</b>    | 4,200  | 9,300  | 39,000 |
| <b>UK</b>       | 60,000 | 40,600 | 30,800 |
| <b>Germany</b>  | 50,600 | 35,600 | 28,900 |

In 2005, France received the highest number of asylum seekers with 49,700 new applications lodged - a significant reduction from 2004. In other large industrialized asylum countries (the USA, the UK, and Germany) there was a similar decrease in applications. This reduction is linked to increasingly restrictive national asylum policies. The rise in the numbers of applications in Thailand and Kenya are mainly due to the arrival and screening of asylum-seekers from Myanmar and Somalia respectively.

In Europe in 2005, 50,100 asylum-seekers were granted individual refugee status under the 1951 Convention and another 37,700 were given a complementary form of protection (humanitarian status, subsidiary protection etc.). These were slightly above corresponding 2004 figures of 47,300 and 34,300 respectively. In Africa 49,000 asylum-seekers were granted individual refugee status in 2005, the numbers for the Americas and Asia were slightly lower at 35,500 33,200 respectively.

The number of asylum claims which have not yet been adjudicated, both at the first instance and on appeal, has decreased gradually over the past few years, declining to an estimated 772,600 by the end of 2005, the lowest level in a decade.

| <b>Ie) Main Countries of Origin of Asylum Seekers (new applications)</b> |             |             |             |
|--|-------------|-------------|-------------|
|  | <b>2003</b> | <b>2004</b> | <b>2005</b> |
| <b>Myanmar</b>   | 17,000      | 11,500      | 55,400      |
| <b>Somalia</b>   | 23,200      | 22,700      | 36,200      |
| <b>Serbia and Montenegro</b>   | 30,600      | 24,400      | 24,800      |
| <b>Russian Federation</b>  | 36,200      | 31,500      | 23,900      |
| <b>DR Congo</b>  | 29,900      | 22,200      | 19,800      |
| <b>China</b>   | 25,100      | 19,400      | 14,900      |

The asylum-seekers from Myanmar, the top asylum-seeker producing country in 2005, were concentrated in two countries, namely Thailand (46,400) and Malaysia (7,700). Almost two thirds (22,400) of all applications submitted by Somali nationals during 2005 were lodged in Kenya where individual refugee status determination in camps is now conducted by UNHCR. It should be noted that **Table Ie)** above represents individual claims, and does not include groups of refugees who have been recognized on a *prima facie* basis, as is the case for some of the world's largest refugee populations (see above under REFUGEES).

Source, and for more information, see *Global Refugee Trends*, (www.unhcr.org/statistics). See also Chapter VII for numbers on UNHCR refugee status determination.

### The people behind the numbers...



In the 56 years since its creation, UNHCR has helped over 50 million people, uprooted by conflict and forced to leave their homes, to restart their lives. UNHCR's work continues in more than 100 countries worldwide. Over 20 million people of various categories are of concern to UNHCR today, an increasing percentage of which are displaced within their own countries. On the occasion of World Refugee Day 2006, the High Commissioner made a call for redoubled efforts to assist the world's refugees: *"...unfortunately, more than five million refugees have been in exile for five years or longer – and some of them for decades. Keeping their hope alive is the responsibility of everyone, including international leaders who should be doing more to resolve these situations and to address the root causes of conflict and displacement."*

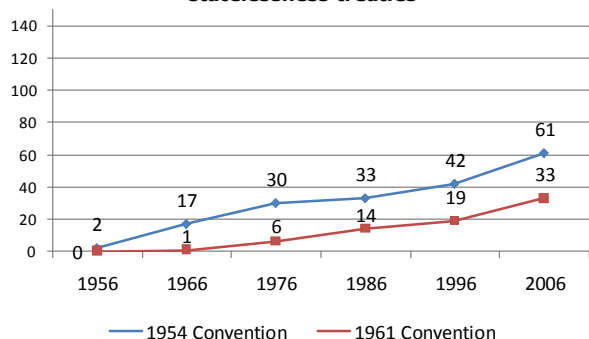
## II. PERSONS OF CONCERN – STATELESS PERSONS

**Nationality is a legal bond between a State and an individual, and statelessness refers to the condition of an individual who is not considered as a *national* by any State under the operation of its law. Possession of nationality is essential for full participation in society and a prerequisite for the enjoyment of diplomatic protection. For example, political rights as well as the right to enter and reside in a State are frequently limited to nationals. In practice, stateless persons often do not enjoy the full range of basic human rights. For example, they may be detained for the sole reason that they are stateless, denied access to education and health services, or blocked from obtaining employment.**

### STATELESSNESS CONVENTIONS

Rights and corresponding state obligations relating to nationality are contained in a number of United Nations and regional human rights instruments. Two international conventions contain provisions pertaining to the specific issue of statelessness. They are the 1954 Convention relating to the Status of Stateless Persons (1954 Convention) and the 1961 Convention on the Reduction of Statelessness (1961 Convention).

**IIa) Evolution of the number of state parties to the statelessness treaties**



The number of States parties to the 1954 Convention and the 1961 Convention, 61 and 33 respectively, has been growing steadily, particularly in the last decade. This can be attributed, at least in part, to the work of UNHCR in response to the General Assembly resolutions 49/169 of 1994 and 50/152 of 1995 and several Executive Committee conclusions adopted over the past decade requesting UNHCR to actively promote accessions to both conventions.

### STATELESSNESS BY REGION

Reliable statistics and estimates on statelessness are currently only available for 47 countries. However, responses received from 74 States surveyed in February 2004 indicate that statelessness is a global problem.

**IIb) Percentage of States that have faced significant statelessness problems**

| Region           | Percentage |
|------------------|------------|
| Africa           | 57%        |
| Middle East/Asia | 75%        |
| Americas         | 29%        |
| Europe           | 68%        |

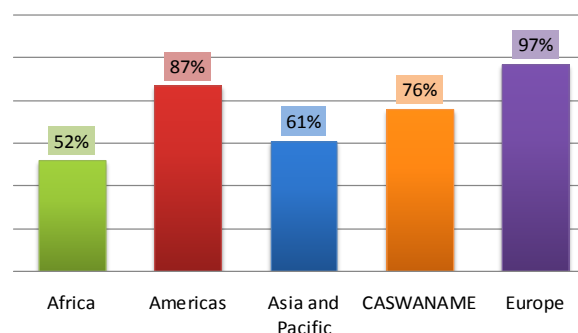
Statistics are derived from the responses of 74 states to *the Questionnaire on Statelessness Pursuant to the Agenda for Protection*, forwarded to all UN Member States in April 2003.

The problem of statelessness is not yet comprehensively and exhaustively mapped. As an indication of the scale of the problem, UNHCR has found that a number of countries have more than 100,000 stateless persons and/or persons unable to establish their nationality. Some of these include countries such as Bangladesh, the Democratic Republic of the Congo, the Dominican Republic, Côte d'Ivoire, Estonia, Iraq, Kuwait, Latvia<sup>1</sup>, Myanmar, Nepal, the Syrian Arab Republic and Thailand.

### BIRTH REGISTRATION

Proper birth registration of all children is a key tool in the prevention and reduction of statelessness. States should provide the necessary resources to ensure that they systematically undertake birth registration as required by Article 7 of the Convention on the Rights of the Child and Article 24 of the International Covenant on Civil and Political Rights. However, as illustrated in chart IIc) below, birth registration remains a neglected responsibility in many parts of the world.

**IIc) Percentage of children under 5 whose births have been registered**



UNICEF, *The 'Rights' Start to Life: A Statistical Analysis of Birth Registration 2005*, accessed at [http://www.unicef.org/publications/files/BirthReg10a\\_rev.pdf](http://www.unicef.org/publications/files/BirthReg10a_rev.pdf) on 6 June 2006. Diagrams assume equal magnitude of child populations from each country surveyed.

<sup>1</sup> In 1995, the Republic of Latvia granted by law a transitional legal status to permanently residing persons (non-citizens) entitling them to a set of rights and obligations beyond the minimum rights prescribed by the 1954 Convention, and identical to those attached to the possession of nationality, with the exception of certain limited civil and political rights. Therefore, the exclusion clause provided by Article 1.2.2 (ii) of the 1954 Convention is applicable to the non-citizens of Latvia.

## STATELESSNESS SUCCESS STORIES

UNHCR consults with relevant States to find solutions for stateless individuals and groups. The Office promotes recognition of the legitimate ties between stateless persons and States, and encourages the latter to accord those affected a clear legal status.

Over the last 10 years, UNHCR assistance to stateless persons has taken various forms. For example, since 2003, UNHCR has worked with more than 40 States to help enact new nationality laws and to revise older legislation to prevent and reduce statelessness. In 2005 UNHCR, together with the Inter-Parliamentary Union, developed a handbook for parliamentarians on nationality and statelessness issues, which to date has been published in 5 languages.

UNHCR also provides training for government officials and supports citizenship campaigns and mobile registration units. Such campaigns help stateless persons to acquire the nationality of the country in which they have been habitual residents. In addition, the Office provides legal aid to stateless persons to facilitate access to citizenship procedures. In some cases Governments have received UNHCR technical and financial support to process citizenship applications and issue passports.

### IIId) Examples of the impact of UNHCR's support to States to reduce statelessness

| Beneficiaries end 2005                |   |                                 |
|---------------------------------------|---|---------------------------------|
| Country                               | Background  | Individuals Granted Nationality |
| Sri Lanka                             | Tamils of recent Indian origin                                  | 192,000                         |
| Ukraine                               | Formerly deported persons in Crimea                             | 105,000                         |
| Armenia                               | Former USSR citizens  | 71,000                          |
| Turkmenistan                          | Former USSR citizens, origin Tajikistan                         | 9,500                           |
| Kyrgyzstan                            | Former USSR citizens, origin Tajikistan                         | 8,000                           |
| Former Yugoslav Republic of Macedonia | Former citizens of the Socialist Federal Republic of Yugoslavia | 3,000                           |

In order to facilitate the integration of stateless persons who have recently acquired a nationality, UNHCR has, in some instances, acted in coordination with States and civil society to implement shelter, income-generation, education, community development and co-existence programmes.

#### The people behind the numbers...



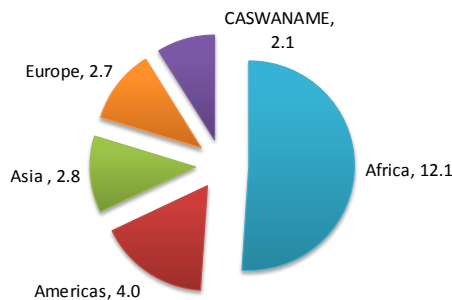
One example of a successful citizenship campaign was that organised jointly by UNHCR, the Ceylon Workers Congress, and the Government of Sri Lanka. Tamils of Recent Indian Origin were encouraged to apply for citizenship under simple, flexible rules and received UNHCR assistance to do so. A media campaign was launched which included 150 radio slots, 15 TV slots, and 30 newspaper advertisements encouraging stateless persons to register. Local and international media spotlighted the initiative in their broadcasts. The campaign was implemented by close to 500 volunteers who participated in Mobile Clinics that travelled to numerous communities to guarantee access to registration in remote areas populated by stateless persons. By 2005 some 190,000 stateless persons had obtained citizenship.

### III. PERSONS OF CONCERN – INTERNALLY DISPLACED PERSONS (IDPs)

There are an estimated 23.7 million internally displaced persons globally, residing in at least 50 countries. They have been displaced by violence and persecution, or they have fled from natural disasters, but remain within the borders of their own countries. While states have the primary responsibility for their own citizens, UNHCR has an extensive history of using its expertise to provide protection and assistance to IDPs in refugee-like situations, in particular those fleeing conflict or persecution. Against the backdrop of a reinvigorated inter-agency approach, UNHCR together with its partners extended protection and assistance to approximately 6.6 million IDPs in 2005.

#### GEOGRAPHICAL OVERVIEW OF IDPS

IIIa) Estimated number of IDPs by region (in millions)



Source: Internal Displacement Monitoring Centre (March 2006)

The estimated total number of IDPs went down from 25 million in 2004 to 23.7 million in 2005. Africa continues to be the continent most affected by internal displacement with more than 12.1 million people displaced in 20 countries. This is followed by the Americas, whose IDP population is estimated to number at least 4 million, most of them in Colombia.

IIIb) Global Overview 2005 - IDPs

| 5 Largest Internal Displacement Situations | No. of IDPs in millions |
|--|-------------------------|
| Sudan                                      | 5.4                     |
| Colombia                                   | 3.0 (UNHCR estimate)    |
| Uganda                                     | 2                       |
| DRC  | 1.7                     |
| Iraq                                       | 1.3                     |

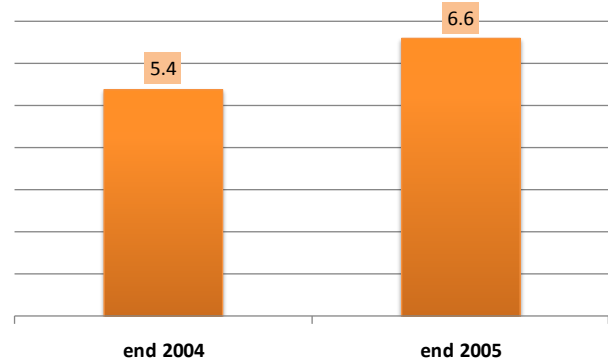
Source: Internal Displacement Monitoring Centre (March 2006).

According to the Internal Displacement Monitoring Centre (IDMC), the decrease in the number of IDPs noted for 2005 is to some extent due to a revision of estimates rather than return movements. However, the number of IDPs who were able to return during 2005 outnumbered those who were displaced in the course of the year. The countries that saw the largest return movements of IDPs in 2005 were DR Congo, Sudan, Liberia and Iraq.

#### UNHCR'S GLOBAL IDP INVOLVEMENT

UNHCR's involvement in IDP operations dates back to a request from the General Assembly in 1972. Over a period of several decades, a series of GA resolutions have acknowledged UNHCR's particular expertise and encouraged its involvement in situations of internal displacement, particularly where displacement is caused by persecution, generalised violence, conflict or massive violations of human rights. At the end of 2005, UNHCR country offices reported activities benefiting a total of more than 6.6 million IDPs (conservative estimate) in 16 countries, as compared to reports of 5.4 million IDPs supported in 13 countries one year earlier.

IIIc) Numbers of IDPs protected/assisted benefiting from UNHCR activities



The upwards trend in numbers and country operations reflects UNHCR's expanding role in IDP situations. In view of UNHCR's commitment to the inter-agency "cluster leadership approach", it is expected that the number of IDPs who will benefit from assistance and protection provided by the Office may increase further. In 2005, UNHCR reported activities on behalf of IDPs in the following 16 countries:

IIIId) Distribution of IDPs Protected/Assisted by UNHCR (as of end of 2005)

| Country    | Total      | Country                | Total   |
|------------|------------|------------------------|---------|
| Colombia   | 1,875,000* | Georgia                | 234,200 |
| Iraq       | 1,200,000  | Bosnia and Herzegovina | 182,700 |
| Sudan      | 841,900    | Russian Fed            | 170,500 |
| Azerbaijan | 578,500    | Afghanistan            | 142,500 |
| Somalia    | 400,000    | Coted'Ivoire           | 38,000  |
| Sri Lanka  | 324,700    | Burundi                | 11,500  |
| Serbia & M | 246,400    | Croatia                | 4,800   |
| Liberia    | 237,800    | Togo                   | 3,000   |

Source: 2005 Global Refugee Trends, UNHCR.

\* UNHCR 2006 estimates suggest that there are in fact 3 million IDPs in Colombia, out of which approximately 1,875,000 have been registered.

In 2005, UNHCR was asked to join the United Nations emergency response effort on an exceptional basis, to help people displaced by natural disasters, such as the December 2004 Tsunami and the 2005 South Asia Earthquake.



## THE INTER-AGENCY RESPONSE TO IDPS

As part of a wider UN reform process intended to improve the humanitarian response system, the Inter-Agency Standing Committee (IASC) decided in December 2005 to establish the "cluster leadership approach", aimed at ensuring a more structured and predictable international response to IDP situations. UNHCR has taken the responsibility for leading 3 of the 9 sectoral clusters: protection, emergency shelter and camp coordination/camp management. The success of this unprecedented inter-agency effort depends, to a large extent, on the quality of cooperation among the agencies involved. In this context, UNHCR is particularly focussed on developing further its close collaboration with UNICEF, OHCHR, OCHA/IDD, WFP, other UN agencies and not least the NGO community.

As cluster lead, UNHCR co-ordinates the protection efforts of these and other agencies, both globally and in specific situations. UNHCR also implements protection activities in operations, including as the agency of last resort to fill protection gaps in countries where the cluster approach is being piloted.

In early 2006, the cluster approach was rolled out in three countries (DRC, Liberia and Uganda) and during the year, Somalia, Lebanon and Côte d'Ivoire were added. It is estimated that there are some 4 million IDPs in these countries. UNHCR also continues to strengthen its collaborative arrangements and expand its protection role in other IDP operations where the cluster approach is not applied, for example in Colombia, Georgia and Timor Leste.

## THE INTERNATIONAL LEGAL FRAMEWORK

Internally displaced persons are entitled to enjoy the same rights and freedoms as other citizens do under international and human rights law. Although there is no legally binding international convention pertaining specifically to the situation of IDPs, the Guiding Principles on Internal Displacement (1998) provides authoritative guidance on the issue, incorporating existing applicable human rights and humanitarian law in one single document. They were developed by the then Representative of the UN Secretary-General on Internally Displaced Persons, Mr. Francis Deng. The current Representative of the Secretary-General, Mr. Walter Kälin, remains a key partner for UNHCR in the advocacy for the rights of IDPs worldwide. The UN Commission on Human Rights and the UN General Assembly have taken note of the Principles, and have welcomed their use as a central tool and standard for guidance to states. The Guiding Principles have also been taken up by regional inter-governmental bodies, as well as by UN agencies and NGOs. A recent example is the African Union Protocol on the Protection and Assistance to IDPs to be adopted in 2006.

Over the past five years, governments and regional bodies have developed specific IDP legislation or are in the process of doing so, for example in Angola, Colombia, Peru and the Philippines. A number of countries, including Burundi, Nigeria, Turkey, Sri Lanka and Uganda, have adopted or are in the process of completing national IDP policies and strategies.

### The people behind the numbers...



Five years ago, 28 year old Olga Lucia Rodriguez had to flee her home in a small town in the Colombian province of Santander, where she raised cattle and took care of her two children. She and her family had to seek refuge in the province's capital to escape from the violence of Colombia's conflict. "We were scared," she recalls. "We walked the streets for hours until a woman asked us what we needed and took us to sleep in her house for a night." Now, five years later, Olga is a community leader. In reaction to destruction caused by heavy flooding in February 2005, Olga mobilized the help of several institutions, including UNHCR, to rebuild the neighbourhood in a safer place. During 2006, of the overall number of individual cases related to protection, 10% were related to threats to security, 23% were requests for information on asylum, and only 3% were requests for humanitarian emergency assistance.

## IV. THE INTERNATIONAL LEGAL FRAMEWORK

### Agenda for Protection – Goal 1

**The 1951 Convention relating to the Status of Refugees is the key legal instrument defining who is a refugee, their rights and the corresponding obligations of States. It provides a universal definition which has proved sufficiently flexible to encompass refugee situations as they have emerged over the years. The Convention has established a framework of basic refugee rights - for example, the right to identity papers, access to courts and education - without which refugees' lives in asylum countries would be precarious at best and at worst untenable. In addition to this fundamental text, several important thematic and regional instruments have been developed. Moreover, a robust body of soft law has emerged over the years, both as a result of conclusions adopted by UNHCR's Executive Committee, and resolutions passed by the UN General Assembly.**

#### THE 1951 CONVENTION AND ITS 1967 PROTOCOL

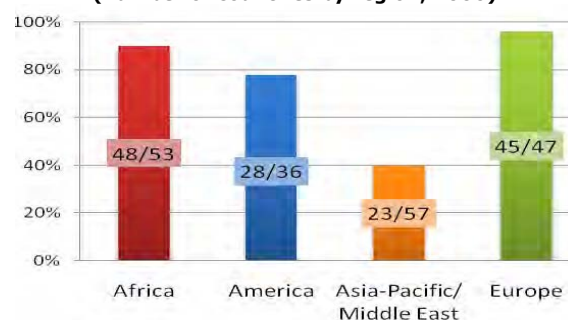
| <b>IVa) Accession the 1951 Convention and its 1967 Protocol (end year)</b> |      |      |      |      |
|--|------|------|------|------|
| State Parties  | 1985 | 1995 | 2004 | 2005 |
| Convention <b>or</b> Protocol  | 98   | 123  | 145  | 146* |
| Convention   | 95   | 124  | 142  | 143* |
| Protocol   | 94   | 123  | 142  | 143* |
| Convention <b>&amp;</b> Protocol   | 92   | 121  | 139  | 140* |

\* In 2006, one additional country has acceded to the Convention and the Protocol (Montenegro).

During the elaboration of the 1951 Convention, 26 countries sat at the negotiation table. By 2005, 146 States had signed the Convention and/or its Protocol. Table IVa) illustrates that over the last couple years, the accession of new States has stagnated. The accession of Afghanistan, both to the Convention and the Protocol is the most recent one, dating back to 30 August 2005.

UNHCR continues its promotional efforts to increase the number of States Parties. Even though adequate protection is granted in many countries which are not signatories, the 2001 Declaration of States Parties to the Convention (see box opposite) encourages all States that have not yet done so to accede to the 1951 Convention and/or its 1967 Protocol, if possible without reservation.

#### **IVb) Comparison of Accessions to the 1951 Convention (number of countries by region, 2006)**



For information on the Statelessness Conventions and the Guiding Principles on Internal Displacement, see Chapters II and III respectively.

#### REGIONAL INSTRUMENTS

| <b>IVc) Evolution of the Number of State Parties to the OAU Convention</b> |      |      |      |      |
|--|------|------|------|------|
|  | 1985 | 1995 | 2004 | 2005 |
| <b>OAU Convention</b>  | 28   | 42   | 45   | 45   |

The African Union (AU), under its predecessor, the Organization of African Unity (OAU), developed a regional treaty on refugee protection. Meanwhile, in Latin-America, the Cartagena Declaration was endorsed by 10 States in 1984. Short of constituting a real legal commitment, the latter has gradually become an important text of reference in Latin America.

Within the European context, the European Union (EU) is gradually developing a common approach to asylum. As a first step towards this goal, legally binding minimum standards have been adopted. The following table gives an overview of the five major instruments:

| <b>IVd) Main Legal EU Asylum Instruments</b> |                  |   |
|--|------------------|---|
| Directive                                    | Date of Adoption | Deadline for transposition                  |
| Temporary Protection Directive               | 20/07/01         | 31/12/02                                    |
| Reception Conditions Directive               | 27/01/03         | 06/02/05                                    |
| Dublin Regulation                            | 10/02/03         | <i>Directly applicable to Member States</i> |
| Qualification Directive                      | 29/04/04         | 10/10/06                                    |
| Asylum Procedures Directive                  | 01/12/05         | 01/12/07                                    |

UNHCR has been supportive of this harmonization process and provided input and comments to the drafting and negotiation of these instruments. While it is expected that they will raise the standards in some countries, in **UNHCR's view**, the **EU's** legal framework will require further development to achieve the desired outcomes.

**EXECUTIVE COMMITTEE CONCLUSIONS AND GENERAL ASSEMBLY RESOLUTIONS**

International protection is included as a priority theme on the agenda of each session of **UNHCR's** Executive Committee (ExCom). The consensus reached by the Committee in the course of its discussions is expressed in the form of Conclusions on International Protection. Although not formally binding for states, they are relevant to the interpretation of the international protection regime and are widely deemed to set international standards and guide UNHCR in the conduct of its mandate functions.

ExCom Conclusions constitute expressions of opinion which are broadly representative of the views of the international community. The specialist knowledge of ExCom and the fact that its conclusions are adopted by consensus add further weight.

| <b>Ive) Global Soft Law Instruments on Refugees - Conclusions/Resolutions (end 2005)</b> |                 |
|--|-----------------|
| <b>ExCom</b>   | 104 conclusions |
| <b>UN GA</b>   | 250 resolutions |

The UN General Assembly has adopted a large number of resolutions pertaining to refugee protection. These resolutions relate mainly to the principle of **non-refoulement** and indicate a common **opinio juris** which reflects customary international law. Together with other legal instruments and State practice, these resolutions contribute to developing the international legal regime.

**UNHCR GUIDELINES ON INTERNATIONAL PROTECTION**

Pursuant to its mandate and supervisory responsibility (1951 Convention Art. 35), and as foreseen by the Agenda for Protection (see box below), since 2002 UNHCR has provided **7 Guidelines on International Protection**, which provide interpretive legal guidance on:

- gender-related persecution;
- membership of a particular social group;
- cessation of refugee status;
- internal flight or relocation alternatives;
- the application of exclusion clauses;
- religion based refugee claims; and,
- the application of the refugee criteria to victims of trafficking and those at risk of being trafficked

These guidelines provide authoritative guidance to government decision makers, legal practitioners, the judiciary and UNHCR field staff. While UNHCR does not yet have a comprehensive global overview of their use and impact, recent references in national jurisprudence which describe their guidance as **"significant"** (United States Court of Appeals) and **"valuable"** (House of Lords, UK) are very encouraging.

Five years ago, UNHCR organized the first ministerial-level gathering of countries party to the Convention in five decades. The 2001 Declaration of States Parties reaffirmed the Convention's central role in assuring the protection of refugees and its enduring importance as the primary refugee protection treaty. This Declaration came out of the Global Consultations on International Protection, a wide-ranging and participatory dialogue with all **stakeholders**. The aim was to revitalize the 1951 Convention framework, while better equipping countries to address the challenges in a spirit of dialogue and co-operation. The **Agenda for Protection** is the programme of action resulting from the Global Consultations. It reflects a wide cross section of concerns and contains the concrete recommendations of States, intergovernmental organizations, non-governmental organizations, (NGOs), as well as refugees themselves on activities to strengthen international protection. As of 2006, of the some 103 activities foreseen for UNHCR, the large majority have been implemented or are underway. As regards recommendations directed at States and NGOs, UNHCR has to date received reports from 8 states on their activities to implement the Plan of Action.



## V. NATIONAL ASYLUM SYSTEMS AND PROTECTION CAPACITIES

### Agenda for Protection – Goals 1, 2 and 3

States bear the primary responsibility for protecting all persons on their territory, including refugees, stateless persons and returnees. This responsibility is derived from international human rights and humanitarian law and international and regional refugee instruments, notably the 1951 Convention. Many States require guidance and assistance in applying international protection principles, not least in developing capacity to implement them. UNHCR works world-wide with States, NGOs and civil society with the aim to strengthen national protection capacities, including through the development of appropriate legislative and administrative frameworks.

#### NATIONAL LEGAL AND ADMINISTRATIVE FRAMEWORKS

As of January 2006, of the 146 states signatories to the 1951 Convention and/or its 1967 Protocol, 102 have adopted national asylum procedures.

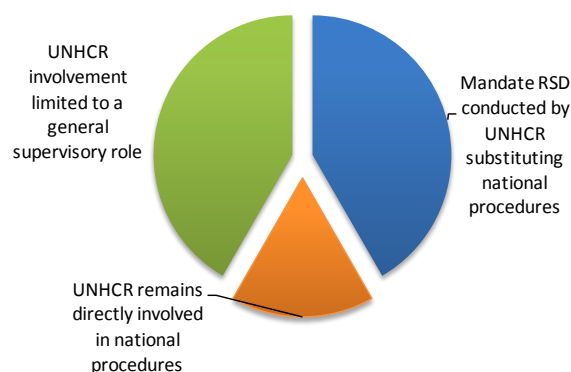
UNHCR works in various ways with States to develop national and administrative frameworks necessary to ensure that protection responsibilities can be met. This includes assisting States to enact or revise national refugee legislation and regulations consistent with international protection principles. It also involves working with States to help ensure that the provisions of other laws and policies that have a bearing on refugee protection are consistent, and the lines of responsibility between different government institutions in this regard are clear.

During 2005, UNHCR provided direct inputs to national legislative processes as follows from table Va).

| <b>Va) UNHCR input to development of national legislation - 2005</b> |                         |
|--|-------------------------|
|  | <b>No. of Countries</b> |
| Countries in the process of drafting or revising legislation         | 26                      |
| Comments provided by UNHCR in 2005                                   | 21                      |
| Countries adopting new legislation in 2005 with previous UNHCR input | 17                      |

In several countries UNHCR plays a formal role in national status determination procedures. In some cases the Office is a full-fledged member of national RSD committees, while in other situations UNHCR is involved in the procedure in its capacity as an observer.

#### Vb) UNHCR involvement in, or substitution for, national RSD processes



UNHCR provides training and advice for governments to ensure that procedures are effectively implemented and that adequate standards are maintained. Such activities include training of police, refugee and immigration officials, border guards, and judicial decision-makers.

For more comprehensive information on UNHCR's role in RSD, see Chapter VII on Refugee Status Determination.

#### COLLABORATIVE APPROACHES AND PUBLIC AWARENESS

Through its Strengthening Protection Capacity Project (SPCP), UNHCR has published a comprehensive framework for building and strengthening national capacities for protection. Through this methodology, UNHCR offices, national authorities, international organisations, NGOs, donors, and refugees, join forces in sustainable capacity building activities (see box opposite).

Civil society is a key partner for UNHCR in helping to promote an environment conducive to refugee protection. UNHCR works with NGOs and the media to reach out to the general public and refugees through teaching aids, celebrity advocates and sports associations whose focus is on promoting awareness and understanding.

In 2005, UNHCR produced and disseminated 900 individual publications, press releases, updates and video reports to provide relevant information to the international media and public in support of the office's overall advocacy efforts. UNHCR also received substantial media coverage. Global Factiva, which monitors global news items, recorded in a comparative analysis 16,145 media stories of the Office's work with refugees in 2005, a 20% increase from the previous year.

For further information on protection partnerships, see chapter XV on Protection Partnerships.

## ASYLUM, MIGRATION AND REFUGEES

Refugees and asylum-seekers account for a relatively small portion of the global movement of people. Increasingly, however, they are moving from one country or continent to another alongside many others whose reasons for moving are not protection related. Irregular migration is a global phenomenon - it is neither region specific nor uniform in its presentation. It is also a key policy issue, and a humanitarian challenge, for governments, for international organizations, including UNHCR and for our partners.

While comprehensive global data is not available, mixed movements in the Gulf of Aden, the Mediterranean and the Atlantic have recently received particular attention. The issue is also of concern in Southern Africa, the Americas, the Indian subcontinent, South East Asia, the Balkans and elsewhere.

In the Gulf of Aden, an increasing number of people attempt to cross, especially from Puntland to Yemen. In 2005, 15,227 Somalis, Ethiopians and Eritreans arriving in Yemen were registered by UNHCR. Many others have crossed without approaching the office. There have been high numbers of casualties.

In the context of the Mediterranean, it has been suggested that well over 100,000 persons cross in an irregular manner each year. During 2006, the number of sea arrivals to Italy reached close to 20,000, of which more than 17,000 arrived on the Italian island of Lampedusa. As for the Spanish Canary Islands off the West African coast, recent statistics reveal that the number of migrants landing is on the rise; some 6,000 arrived in August 2006, and a total of some

20,000 persons have arrived over the last 12 months, compared with 4,800 for the whole of 2005.

According to Spanish media reports, 450 corpses have been found on the shores of the Canary Islands in 2006, but it is estimated that as many as 3,000 persons may have perished trying to cross from the mainland. While few people have applied for asylum, there are persons with international protection needs among them. Whether the increase of arrivals in Italy and Spain is indicative of an overall increase in irregular migration movements is still unclear.

These selected statistics are not indicative of the number of persons in need of international protection. UNHCR engages with states in developing identification procedures and referral mechanisms to ensure that asylum-seekers are identified and directed into the appropriate channels and protected against *refoulement*. One example is the pre-screening programme in Albania. Here UNHCR, IOM, OSCE and the government have joined forces through a MoU, establishing procedures for directing irregular migrants to appropriate channels.

In line with its commitments reflected in the Agenda for Protection, UNHCR is developing new strategies to ensure that measures combating irregular migration do not negatively impact on refugees. UNHCR furthermore encourages the use of legal migration channels to increase the available protection space. In 2006, UNHCR launched a 10 Point Plan, setting out key areas in which comprehensive action is required to address issues of mixed movements in a coherent and practical way - in countries of origin, transit and destination.

In 2004, UNHCR launched the Strengthening Protection Capacity Project (SPCP): an initiative to strengthen the protection capacities of States using a comprehensive and collaborative methodology. The SPCP approaches capacity building in partnership with the host country and other stakeholders including donors, international and national organizations, members of civil society and refugees. It brings all concerned parties together to identify the main gaps in protection capacity, to agree on what is needed to remedy those gaps and to develop a multi-year plan of action with concrete interventions and shared responsibilities to strengthen protection capacity in the immediate and long term. The SPCP is currently implemented in Benin, Burkina Faso, Kenya, United Republic of Tanzania and Thailand and plans are underway for other countries (Southern Caucasus and Zambia) with the longer term vision of establishing a **framework approach for UNHCR's capacity building activities world-wide.**



## VI. REFOULEMENT AND DETENTION

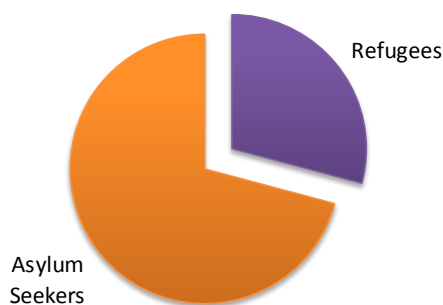
### Agenda for Protection – Goal 1

**The Universal Declaration of Human Rights states that "everyone has the right to seek and to enjoy in other countries asylum from persecution". One of UNHCR's primary responsibilities is to ensure that refugees have access to protection. This entails, *inter alia*, promoting States' full adherence to the principle of *non-refoulement*, and implementing activities to prevent unwarranted arrests and detention of asylum-seekers and refugees. The exercise of the protection function is broad and multifaceted, and it includes interventions of various sorts and in a diverse range of situations. Preventing *refoulement* and arbitrary detention are among the core protection priorities of UNHCR.**

#### REFOULEMENT

The principle of *non-refoulement* prohibits the return of asylum-seekers or refugees to places where their life or liberty would be at risk, or denying them access to safe territory. In 2005, concerns relating to violations of this principle were reported by some **50%**<sup>1</sup> of UNHCR's country offices. For the most part, these reports relate to non-admission or *refoulement* of asylum-seekers, but a significant number of cases involving recognised *refugees* were also reported.

**VIa) Breakdown of reported *refoulement* cases 2005**



According to the same UNHCR reports, some **75%**<sup>1</sup> of the States that were in (possible) breach of the *non-refoulement* principle, are signatories of the 1951 Convention, the 1967 Protocol or both. *Refoulement* reportedly occurred for a variety of reasons:

- no distinction made between asylum-seekers and illegal immigrants;
- pressures exerted by countries of origin in relation to extradition requests etc.;
- perceived threats to national security, domestic destabilisation, or infiltration by armed groups or smugglers and traffickers;
- concerns relating to mass influx and depletion of scarce resources;
- xenophobia and racism.

While these cases reflect situations in which the States concerned may not concur with UNHCR's view on the applicability of the *non-refoulement* obligation in a particular individual case, only one State questioned the competence of UNHCR to conduct mandate RSD procedures, and no State denied the binding nature of the principle of *non-refoulement* as such.

UNHCR's interventions take different forms depending on the situation. One potential *refoulement* situation in 2005 required mass evacuation of an entire camp of 439 persons, but in most cases interventions are aimed at preventing *refoulement* of one or several identified individuals. More generally, UNHCR offices pursue advocacy activities to promote changes in the policy and practice of governments.

Table VIb) below illustrates some of the different types of UNHCR interventions undertaken in 13 countries where UNHCR's offices reported on potential or actual *refoulement* of both asylum seekers and refugees in 2005.

| <b>VIb) <i>Refoulement</i> - types of UNHCR action and interventions in 13 selected countries</b> |                  |
|---|------------------|
| <b>UNHCR Action Taken</b>   | <b>Countries</b> |
| General interventions with the government aimed at influencing policy or practice                 | 9                |
| Interventions on behalf of individual refugees/asylum-seekers                                     | 8                |
| Training of Gov't personnel   | 6                |

In certain situations, the very presence of UNHCR staff on the ground has proven sufficient to prevent *refoulement*. This is reflected in protection strategies of UNHCR offices worldwide, whereby protection staff seek access to border entry points, airport terminals, etc. Pressure from the international community at large can also be an important factor in preventing *refoulement*. Taking advantage of this, UNHCR has often made *refoulement* a public issue. In 2005, UNHCR issued 41 international press releases on the subject of *refoulement*, both as a global issue of concern, as well as in relation to specific situations.

UNHCR's efforts to promote respect for the principle of *non-refoulement* are seconded by several partners. Not least the NGO community has been a vocal ally in advocacy and monitoring of developments worldwide. In 2004, one organisation released a comprehensive report on *refoulement* globally, suggesting that over the last decade, close to 2.5 million individuals have been forced back to their country of origin without access to a fair refugee determination process. The same agency estimates that hundreds of thousands of people each year face

grave danger when they are sent back or turned away from countries of asylum.<sup>2</sup> Where *non-refoulement* obligations under international refugee law and international human rights law concur, UNHCR has also co-operated with OHCHR and the Special Procedures of the Human Rights Council (formerly Commission on Human Rights).

### ARREST AND DETENTION

According to reporting from UNHCR offices worldwide, detention of asylum seekers and/or refugees on the basis of their irregular arrival continues to occur, to varying degrees, in approximately **50%** of all asylum countries where UNHCR is present.

As recognized by ExCom Conclusion 44, preventing detention of refugees and asylum-seekers is an important priority, as arrest and detention can often be a precursor to *refoulement*. This may be the case in situations where an individual is treated as an illegal immigrant and denied access to asylum procedures or UNHCR support.

The majority of reported detention concerns involve asylum seekers, and to a lesser extent recognised refugees. Unwarranted arrests have been reported at borders, airports, and in targeted raids. Basic legal safeguards against detention are often not observed, and conditions of detention in many cases fall far below internationally acceptable standards, subjecting people of concern to abuse as well as inadequate food, lodging, hygiene and access to health care. The most common reason given for arrest of asylum-seekers is illegal entry and lack of appropriate travel documents.

A review of UNHCR reports from 18 countries worldwide (including in both signatory and non-signatory states) reveals that in some two thirds of these countries, domestic law allows for detention, beyond short-term custody, of asylum seekers and refugees entering without prior permission. Other reasons for detention cited by States include protecting national security, deterring future arrivals, preventing individuals absconding, and ensuring compliance with national asylum procedures.

Table VIc) below illustrates some of the different types of UNHCR interventions undertaken in 16 countries where UNHCR's offices reported detention problems affecting both refugees and asylum seekers.

| VIc) Detention - UNHCR activities and interventions in 16 selected countries |           |
|--|-----------|
| Action Taken   | Countries |
| General interventions with the Gov't aimed at influencing policy/practice    | 11        |
| Legal advice provided to detainees   | 10        |
| Documentation provided to detainees  | 9         |
| Material support provided to detainees                                       | 7         |

Such UNHCR activities have in many cases, improved asylum-seekers' access to the status determination process and increased the use of alternatives to detention. UNHCR does not yet have a comprehensive and detailed overview of all its detention related activities and their impact. The example below illustrates how UNHCR intervenes on behalf of persons of concern and some of the results achieved.

<sup>1</sup> These percentages are based on a review of UNHCR reports from 108 countries (standards and indicators and Annual Protection Reports)

<sup>2</sup> Refugees International, "Forced Back: International Refugee Protection in Theory and Practice" May 2004

#### The people behind the numbers...



In March 2005, the Malaysian government launched "Operation Tegas", making large scale arrests among the some 400,000 persons considered to be illegal migrants under Malaysian law. Concerned by a significant number of refugees and asylum seekers potentially falling under the category of "illegal migrants", UNHCR engaged in negotiations with the authorities and established a 24 hour hotline in support of persons of our concern. The Malaysian Government responded positively to UNHCR's advocacy efforts, and, with their cooperation, UNHCR was able to conduct 670 visits to detainees across 26 detention locations. In all, the Office's interventions throughout the year secured the release of 1,734 persons of our concern: 1 277 were freed from police lock-ups, 181 were released from detention facilities through negotiations with immigration authorities, and in 276 cases charges were dropped following negotiations with the Attorney General.

## VII. REFUGEE STATUS DETERMINATION (RSD)

### Agenda for Protection – Goals 1 and 2

States have the primary responsibility to determine the status of individuals arriving on their territory. In certain contexts, in particular where government procedures are not available or are insufficient to identify protection needs, or where UNHCR's assessment is needed for resettlement, the Office is compelled to carry out refugee status determination (RSD) under its mandate. RSD may also be required to assess eligibility for other forms of assistance or prior to implementing a durable solution. Refugee status determination defines the responsibilities of UNHCR and of states towards individuals who are granted status. It has potentially profound implications for the lives and security of those concerned.

#### UNHCR RSD OPERATIONS

In situations where there is no national system in place to perform RSD, or where a State is unable or unwilling to comprehensively assess a claim, UNHCR may intervene pursuant to its mandate. During 2005, UNHCR has assessed claims from asylum-seekers originating from virtually every country in the world.

| VIIa) Scope of UNHCR Mandate RSD Operations in 2005 (available as of September 2006) |                  |
|--|------------------|
| Number of countries where UNHCR conducted RSD under its mandate                      | 78               |
| Number of asylum applications received by UNHCR                                      | 97,300           |
| Percentage of global asylum applications (UNHCR / Government)                        | 14% / 86%        |
| Number of UNHCR staff conducting RSD   | 200 <sup>1</sup> |

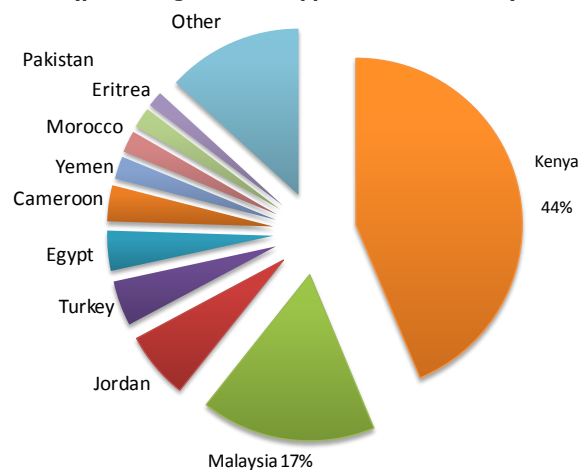
<sup>1</sup> Staff doing RSD on a full time basis, as well as other Protection staff spending significant time on RSD activities among other protection functions.

In some countries, in the absence of national procedures, UNHCR has established regular status determination operations under its mandate.

| VIIb) Basis for UNHCR Mandate RSD Operations in 2005                   |           |
|--|-----------|
| State non-signatory to 1951 Convention                                 | 25        |
| State signatory, but no national laws or procedures for RSD            | 17        |
| State signatory, but national RSD procedures not yet fully functioning | 14        |
| State signatory, RSD conducted for resettlement                        | 22        |
| <b>TOTAL</b>   | <b>78</b> |

In addition, as illustrated in chart Vb) in Chapter V, in 2005 UNHCR had a formal role in *national* RSD procedures in at least 28 states and provides ongoing procedural and substantive advice to many other states, as part of its supervisory function under Art.35 of the 1951 Convention. As part of this function, UNHCR supports States' efforts to strengthen their capacity to conduct RSD.

VIIc) Overview of UNHCR RSD Operations 2005 (percentage of total applications received)



In 2005, 90% of UNHCR's mandate RSD work was carried out in 10 countries. All of these, excepting Morocco and Eritrea, were also among the top 10 UNHCR RSD country-operations in 2004. In the case of Kenya, statistics now include refugee applications registered by UNHCR in camps (where individual RSD is now undertaken), which has resulted in a significant increase in applications in this country.

#### GLOBAL RSD CASE PROCESSING - 2005

The total number of asylum applications submitted to UNHCR and states in 2005 remained relatively stable<sup>2</sup>, with UNHCR's share of the global number rising slightly from 11% to 14% in 2005. In recent years there has been an overall increase in the backlog for UNHCR processing, in particular in several of the larger operations including Kenya, Egypt, Jordan, Thailand, Lebanon, Turkey, and Cameroon. Meanwhile, indications are that processing backlogs in state procedures declined in 2005, in particular in industrialized countries as a result of fewer persons submitting asylum applications.

There was an increase in the recognition rate in UNHCR procedures in 2005. The top countries of origin for recognized cases globally were Somalia, Sudan and Eritrea.

<sup>2</sup> For comparison with the 2004 figures, see Chapter I on Asylum-Seekers and processing of claims



Numbers of recognized cases from each of these countries rose significantly over 2004. Meanwhile, the number of applications rejected remained relatively stable in both UNHCR and Government procedures.

| <b>VIIId) Overview of RSD Case Processing by UNHCR and Governments</b> |                                  |                                  |                                    |
|--|----------------------------------|----------------------------------|------------------------------------|
|  | <b>No. of Persons 2004 UNHCR</b> | <b>No. of Persons 2005 UNHCR</b> | <b>No. of Persons 2005 (Gov't)</b> |
| Applications submitted   | 72,300 <sup>1</sup>              | 97,300 <sup>2</sup> (14%)        | 576,800 (86%)                      |
| Applications pending start year  | 74,100                           | 82,100                           | 774,600                            |
| Applications pending end year  | 73,100                           | 95,300                           | 677,300                            |
| Recognized <sup>2</sup>  | 32,800                           | 52,600                           | 155,200                            |
| Rejected   | 12,200                           | 12,700                           | 350,000                            |
| Cases otherwise closed <sup>3</sup>                                    | 28,000                           | 19,700                           | 244,100                            |

<sup>1</sup> Includes cases recognized under 1951 Convention and on other/humanitarian grounds.

<sup>2</sup> Includes cases processed jointly by UNHCR and the government

<sup>3</sup> Includes asylum-seekers who departed before RSD decision made or did not otherwise pursue claim

### ENHANCING RSD CAPACITY

Managing RSD resources and anticipating needs for RSD is a challenge shared by UNHCR and States. From year to year, the number of asylum claims can change dramatically.

Increases may be the result of sudden large influxes of asylum-seekers, or may relate to changes in conditions or policies in host countries that compel individuals who may have been on the territory for some time to submit formal asylum claims.

Against this background, UNHCR is frequently called upon to provide training, resources and assistance to augment RSD processing capacity in UNHCR operations or state procedures. Through the deployment of both internal and external RSD experts, UNHCR delivers support to RSD operations globally.

| <b>VIIe) RSD Capacity Building and Operational Support – 2005</b>                      |            |
|--|------------|
| Number of UNHCR staff trained by experts deployed through the RSD Project <sup>1</sup> | <b>135</b> |
| <b>Number of Gov't officials trained</b> by experts deployed through the RSD Project   | <b>336</b> |
| Number of NGO staff trained by experts deployed through the RSD Project                | <b>44</b>  |
| Number of UNHCR staff who followed the formal RSD Learning Programme <sup>2</sup>      | <b>70</b>  |
| Number of staff who participated in regional workshops on Exclusion and Cancellation   | <b>73</b>  |
| Number of staff deployed to field operations through the RSD Project                   | <b>38</b>  |

<sup>1</sup> For more information on deployments under the RSD Project, see Chapter XIII on Protection Staffing, table XIIIh).

<sup>2</sup> For more information on RSD training activities, see Chapter XIV on Protection Training

#### The people behind the numbers...



In August 2005, a team of 10 RSD experts was deployed on an emergency basis to Timisoara, Romania, after the humanitarian evacuation to Romania of some 440 Uzbek asylum-seekers who had fled to Kyrgyzstan during the Andijan events, in May 2005. Each adult asylum-seeker underwent individual RSD to assess eligibility for refugee status which included an assessment on the possible application of the exclusion clauses. The RSD process was completed within two and a half months whereby all asylum-seekers were recognised as refugees and their cases were submitted to third countries for resettlement. The above shows some of the Uzbek refugees in Romania preparing for a chess tournament against local players.

## VIII. REGISTRATION AND DOCUMENTATION

### Agenda for Protection – Goal 1

**Registration of refugees and asylum-seekers is, first and foremost, a key protection tool. It can help to protect refugees from *refoulement*, ensure access to basic rights and family reunification, facilitate the identification of persons in need of special assistance, and provide information crucial to finding appropriate durable solutions. Registration is a primary source of information about persons of concern to UNHCR: who and where they are, their problems, needs and skills. In addition, registration facilitates the provision of personal documentation. Establishing one's identity is essential for a wide range of activities, including the registration of births and deaths, contracting marriage, obtaining employment, housing, travel, hospital care, qualifying for social benefits, or entering educational institutions.**

#### PROJECT PROFILE

Project PROFILE was established in September 2002, one year after the adoption of ExCom Conclusion No. 91 on the Registration of Refugees and Asylum-Seekers. Its goal is to improve registration, documentation and population data management in UNHCR operations by introducing revised processes, standards, and tools. Key achievements to date include launch of UNHCR's new "*proGres*" registration software (July 2004) and its rollout to 47 UNHCR country operations, and publication of a Handbook on Registration (September 2003)

| VIIIa) The High Commissioner's Performance Targets for Registration |   |
|---|---|
| 2006  | Project Profile rolled out to all UNHCR operations registering refugees and others of concern.  |
| 2007  | All country operations registering refugees and others of concern are implementing Standard Operating Procedures for continuous registration. |

#### FIELD SUPPORT AND IMPLEMENTATION

Approximately 2.5 million refugees and other persons of concern already have "active" registration records in *proGres*, and over 1,200 staff have been trained in the new registration tools and standards.

| VIIIb) Project Profile Roll Out - Summary (1 July 2004 – 31 August 2006) |                     |
|--|---------------------|
| Africa   | 25 countries        |
| Asia and Pacific   | 7 countries         |
| CASWANAME  | 10 countries        |
| Europe   | 5 countries         |
| <b>Total</b>   | <b>47 countries</b> |

Examples of the impact of Project PROFILE in 2005 include:

- **Bangladesh:** A re-registration of the camp population identified a range of protection problems that needed to be urgently addressed such as new arrivals, unregistered children, arbitrary arrest and extended detention without charge, and falsified documentation.
- **Guinea:** Some 45,100 individuals were de-registered in *proGres* after verification of the physical presence of refugees in the camps of *Guinée Forestière*. The exercise resulted in more streamlined assistance to the remaining 56,000 camp refugees in the country. Overall, more than 66,000 new refugee attestations were issued to all registered refugees (some, 8,500 in Conakry, 12,500 in Kissidougou and 45,000 in Nzérékoré). This was an important step forward in providing identity documentation for camp-based refugees, whose only documentation until then was their ration cards.
- **Thailand:** Almost 102,000 refugees were jointly registered by UNHCR and the Government, and an additional 14,600 unregistered camp residents were subsequently "screened in" by the Provincial Admissions Boards and registered in the camps in the last quarter of 2005. As a result, some 2,700 Karen refugees from Tham Hin camp are due to be resettled to the USA, with significant numbers of refugees being resettled to other countries as well.

- **Ethiopia:** UNHCR continued the registration exercise initiated in three areas in 2004 with activities in Bonga, Dimma, Fugnido and Kebribeyah camps. The Government and UNHCR reached agreement on the issuance of identity cards to all refugees and asylum-seekers aged 16 and above.

### MAINSTREAMING PROJECT PROFILE

Once Project PROFILE has been initiated in a country operation, sustained follow-up is required to assist with the full incorporation of **proGres** and the new registration standards. These support activities are becoming greater than originally anticipated, particularly since more and more country operations now realize the benefits of having quality registration data, and the **many different aspects of UNHCR's** operations – from protection including assistance to durable solutions – for which this data is needed.

Centralised UNHCR support to, and supervision of, registration efforts globally will continue to require an interdisciplinary, or multifunctional approach, comprising both technical and protection expertise. So as to ensure available capacity for both support to existing sites and rollout to new areas, the activity of Project PROFILE will therefore continue until the end of 2007. However, the Project as such will be **mainstreamed into UNHCR's regular structures at the end of 2006.**

### CONVENTION TRAVEL DOCUMENTS (CTDs)

It is often important for a refugee to be able to travel outside the country of residence. Such travel, for example in order to take advantage of opportunities for education, training or employment, may be an essential prerequisite for achieving a durable solution. In this respect, facilitation of refugee travel is also in the interest of States.

The first international instrument drawn up for the benefit of refugees in 1922 dealt exclusively with the issue of certificates of identity to **refugees for use as travel documents ("Nansen Passports")**.

Pursuant to Art. 28 of the Refugee Convention and Executive Committee Conclusion No. 13, Convention Travel Documents (CTDs) are now regularly issued by most of the States party to the 1951 UN Refugee Convention and/or the 1967 Protocol, and are also widely recognized by these States, as well as by States which are not parties.

In cases where required travel documentation is not made available by the appropriate state authorities, UNHCR provides templates and forms for issuance of Convention Travel Documents. During 2005, UNHCR facilitated the issuance of such documentation for 2,210 refugees in 14 countries.

### The people behind the numbers...



In 2005, UNHCR started issuing identity cards to refugees around Monrovia in a joint effort with the Liberian government to enhance the protection of refugees in the country. *"Now I feel much safer with my ID card in my hands, as we have faced much embarrassment being unable to produce our IDs upon request,"* said Sierra Leonean refugee Kenyei Swaray. *"This ID card shows that the Liberian government is aware of our presence and that UNHCR will ensure that we receive the protection we deserve."* Swaray and her two children were among the 2,715 Sierra Leonean refugees at Samukai Town refugee camp to receive the new identity cards printed and signed by UNHCR and the government of Liberia.

## IX. VOLUNTARY REPATRIATION AND LOCAL INTEGRATION

Agenda for Protection – Goals 3 and 5

**Millions of refugees remain in need of solutions. For many, their strongest hope is to return home. Voluntary repatriation remains the durable solution sought by the largest number of refugees, with 1.1 million refugees returning home in 2005. Its realization is, however, complex and challenging. Ensuring sustainable return in safety and dignity is primarily the responsibility of the countries of origin to their own people. It also often requires coherent and sustained action and support by the international community. Local integration is an alternative durable solution which can also be a challenging process due to a range of political, practical, legal, social, economic and cultural factors. Even before a durable solution is available, opportunities for self reliance activities can give refugees a chance to be productive members of the community and limit their dependence on assistance.**

### VOLUNTARY REPATRIATION

During 2005, UNHCR witnessed significant return of refugees to Afghanistan, Liberia, Angola and Burundi. The expected return movement to South Sudan projected for the second half of 2005 did not eventuate for a variety of reasons, including an uncertain security situation and the lack of basic infrastructure development.

| <b>IXa) Voluntary repatriation movements<br/>Top 5 countries - 2005</b> |         |
|---|---------|
| Afghanistan   | 752,100 |
| Liberia   | 70,300  |
| Burundi   | 68,300  |
| Iraq  | 56,200  |
| Angola  | 53,800  |

2005 Global Refugee Trends, UNHCR Geneva 9 June 2006

The past four years (2002-2006) have seen unprecedented levels of voluntary repatriation with more than 6 million refugees able to return home, 76% of these with UNHCR assistance. Some 4.2 million of these returnees were Afghans returning home from Pakistan and the Islamic Republic of Iran.

UNHCR's priorities when it comes to return are to promote enabling conditions for voluntary repatriation, to ensure the exercise of a free and informed choice, and to mobilize support for returnees.

In 2005, UNHCR launched a revised and updated *Handbook for Repatriation and Reintegration Activities*.

UNHCR promotes and facilitates voluntary repatriation through various means:

- Organising go-and see visits for refugees
- Updating country information sources
- Engaging in peace and reconciliation activities
- Promoting housing and property restitution
- Providing return assistance and legal aid

### LOCAL INTEGRATION

Executive Committee Conclusion No. 104 acknowledges local integration as a viable solution and provides guidance on its implementation. Local integration requires preparedness on the part of the refugees to adapt to the host society. Successful integration also depends on how communities welcome and respond to refugees, and how well public institutions are able to meet the needs of a diverse population. Over time, the integration process should lead to permanent residence rights and ultimately open up the possibility to acquire citizenship in the host country, as foreseen by Art. 34 of the 1951 Convention.

The number of refugees who are granted citizenship is an important indicator of refugees' successful local integration. The availability of statistical data on naturalized refugees is limited, primarily because national statistics do not generally differentiate between refugees and non-refugees. The information in table IXb) below should hence not be considered as comprehensive.

| <b>IXb) Naturalised refugees/Citizenship<br/>Top 5 countries - 2005</b> |                   |
|---|-------------------|
| USA   | 58,900 (Jan-Sept) |
| Kyrgyzstan  | 3,400             |
| Armenia   | 2,300             |
| Belgium   | 2,300             |
| Mexico  | 1,200             |

*The above table is not necessarily indicative of the greatest naturalization numbers in recent years. Other countries, including Azerbaijan, Guinea and Venezuela, have also provided opportunities for acquisition of citizenship to a significant number of refugees.*

In a number of countries UNHCR implements specific programmes to promote and facilitate local integration for refugees. Activities include PI campaigns, capacity building activities, legal counseling services, and self-reliance activities.

### SELF-RELIANCE AND SUSTAINABLE LIVELIHOODS

Refugees are often considered to be a burden on the host country. When given the right kind of support and opportunities, refugees can, however, gradually attain a degree of self-

reliance and pursue sustainable livelihoods. To this end, refugees and returnees need to have access to their rights and be able to enjoy them in an enabling environment. The promotion of self-reliance is essential in developing and strengthening their livelihoods, protecting their dignity and enabling them to positively contribute to the local economy. Self-reliance is a form of empowerment, and is also considered a protection tool as it helps to reduce factors which make refugees vulnerable to various forms of violence and exploitation. Capacitated refugees are also more likely to find durable solutions to their situation. For this reason, self-reliance is an integral component of *UNHCR's Framework for Durable Solutions for Refugees and Persons of Concern*.

A recent review of reports from 82 UNHCR operations indicates that rights crucial to self reliance are not universally accorded.

| <b>IXc) Rights accorded</b><br>82 countries surveyed | Yes | Limited | No  |
|--|-----|---------|-----|
| Right to work  | 44% | 44%     | 12% |
| Right to education                                   | 65% | 25%     | 10% |
| Freedom of movement                                  | 54% | 40%     | 6%  |

*The table is based on UNHCR analysis of reports from 82 countries. Findings are indicative and should not be read as verified statistics.*

According to a review of the same 82 country operations, UNHCR has developed specific strategies to address self reliance in 45 of these situations, while some form of self reliance activities implemented in at least 51 operations.

Meanwhile, in 21 of the 82 countries surveyed national authorities have elaborated national strategies to promote self reliance for refugees.

### PROTRACTED REFUGEE SITUATIONS

| <b>IXd) Top 5 Protracted Refugee Situations</b>       | <b>Population at end of 2005</b>       |
|---|--|
| Pakistan<br>(origin: Afghanistan)                     | 1,084,000<br>(camps only) <sup>1</sup> |
| Islamic Republic of Iran<br>(origin: Afghanistan)     | 920,000                                |
| United Republic of Tanzania<br>(origin: Burundi)      | 394,000                                |
| China<br>(origin: Vietnam)                            | 301,000                                |
| Saudi-Arabia (origin: Occupied Palestinian Territory) | 240,000                                |

<sup>1</sup> According to a 2005 Government Census of Afghans in Pakistan, there are an additional 1.5 million Afghans living outside of camps, some of whom may be refugees

Too often opportunities for durable solutions remain elusive. It is estimated that, at the end of 2005, there were some 31 different protracted situations around the world, accounting for some 5.2 million refugees in total<sup>2</sup>. While the largest number of these refugees are in Asia and the CASWANAME region, (for the most part in Afghanistan, Iraq and the Islamic Republic of Iran) the greatest number of situations is in Africa, with 15 major protracted situations involving more than 1.6 million refugees.

<sup>2</sup> Protracted situation defined as at least 25,000 refugees who have not found a solution and have remained displaced for over five years or more

### The people behind the numbers...



During Angola's 27-year-long war, some half a million Angolans fled their country and millions more were displaced internally. When a peace agreement was signed in 2002, an estimated 457,000 Angolans were living as refugees outside the country's borders. Since then, more than 360,000 are estimated to have gone home, including 123,000 moving back with the assistance of UNHCR, 89,000 who returned on their own but received UNHCR assistance on arrival, and a further 149,000 who repatriated without any help. UNHCR has assisted more than 63,000 Angolans to repatriate from Zambia.

## X. RESETTLEMENT

### Agenda for Protection – Goals 3 and 5

**Resettlement is a durable solution and can also constitute a very effective protection tool. Through resettlement, refugees gain legal protection, residency and often eventually citizenship in their new country of asylum. UNHCR works to facilitate resettlement for refugees in close coordination with its partners, namely governments, the International Organisation for Migration and non-governmental organisations. In accordance with its mandate, UNHCR plays a leading role in identifying and presenting cases to potential resettlement countries.**

#### RESETTLEMENT COUNTRIES

UNHCR aims to ensure predictability and global consistency in the application of resettlement criteria according to identified needs and priorities. However, the country of resettlement makes the decisions concerning who to admit on the basis of national policies and requirements. States may accept or reject individual resettlement cases submitted by UNHCR, and they may also decide to admit refugees for resettlement who have not been presented by UNHCR.

Upon arrival in a resettlement country, governments and NGOs provide a range of support services to address the settlement needs of resettled refugees and to ensure the sustainability of national resettlement programmes.

**Xa) Top 10 countries receiving UNHCR submitted cases for resettlement (number of persons departed for these countries)**

| Countries      | 2004   | 2005   |
|----------------|--------|--------|
| USA            | 28,253 | 23,289 |
| Canada         | 5,279  | 5,811  |
| Australia      | 3,933  | 5,117  |
| Sweden         | 1,645  | 1,190  |
| Norway         | 859    | 636    |
| Finland        | 727    | 584    |
| Netherlands    | 252    | 479    |
| Denmark        | 379    | 454    |
| New Zealand    | 107    | 307    |
| United Kingdom | 272    | 242    |

The table includes data on resettlement cases submitted by UNHCR. Some states also accept significant numbers of refugees and other categories of persons in addition to those submitted by UNHCR. For example, according to government sources, USA received a total of 52,000 individuals under its resettlement programmes during 2005 (including those submitted by UNHCR). Australia provides some 13,000 places under its resettlement programme annually. Canada received a total of 10,400 persons under their resettlement programmes in 2005.

A total of approximately 46,000 submissions for resettlement were made by UNHCR during 2005. These submissions were made on behalf of refugees of 74 nationalities, from 75 asylum countries, to 25 destination countries. During

the same year, UNHCR facilitated resettlement departures of more than 38,500 refugees, involving 63 nationalities, from 69 countries of asylum and to 23 destination countries.

UNHCR promotes resettlement within the context of global protection strategies and policies which strive to strengthen refugees' access to protection and lasting solutions. In recent years, the strategic use of resettlement has gained prominence as a way to improve the availability of solutions overall, also to the benefit of those refugees who are not resettled. As a result, resettlement activities are expanding to benefit an increasing number of refugees worldwide.

In line with this approach, UNHCR has actively expanded a group resettlement methodology. Since 2004, some 43,000 refugees (13 refugee groups) have been submitted for resettlement consideration from asylum countries in Africa, the Middle East and Central and Eastern Asia.

**Xb) Top 10 countries from which refugees were resettled (number of persons departed)**

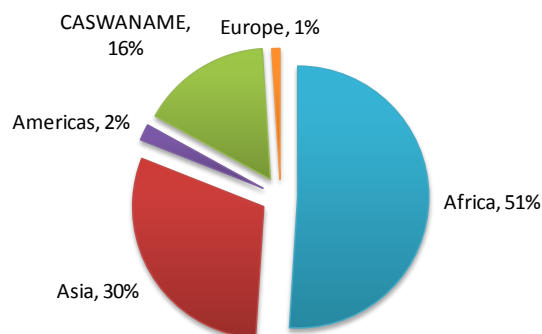
|                             | 2004   | 2005   |
|-----------------------------|--------|--------|
| Thailand <sup>1</sup>       | 8,585  | 10,320 |
| Kenya                       | 10,136 | 6,819  |
| Guinea                      | 500    | 1,913  |
| Ghana                       | 581    | 1,611  |
| Turkey                      | 2,292  | 1,262  |
| Ethiopia                    | 668    | 1,240  |
| United Republic of Tanzania | 816    | 1,195  |
| Egypt                       | 4,010  | 1,164  |
| Tajikistan                  | 116    | 1,136  |
| Sierra Leone                | 542    | 1,081  |

<sup>1</sup> Incl. resettlement of 15,000 Lao Hmong from Wat Tham Krabok camp

In 2005, refugees of more than 20 African nationalities were resettled from some 30 countries on the continent and from other locations in the world. Refugees from Africa comprised 51% of the total number of resettled refugees, followed by refugees from Asia (30%) and the CASWANAME region (16%).

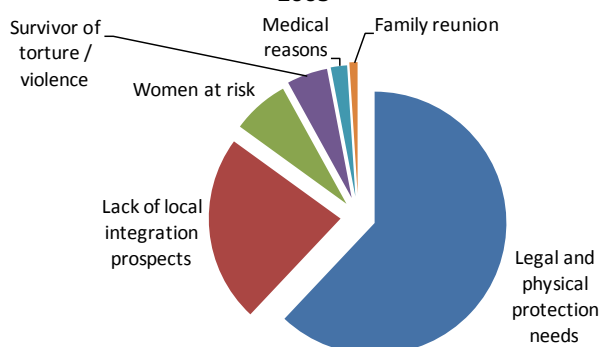
Below is an indication of the origin of resettled refugees.

**Xc) Resettlement by region of origin 2005**



## CRITERIA FOR RESETTLEMENT

### Xd) Breakdown of resettlement submissions by criteria 2005



While the criteria used by States to determine eligibility for resettlement may vary, just like the number of refugees they accept each year, all States recognize a range of compelling circumstances which warrant resettlement intervention by UNHCR, including needs for legal and physical protection, family reunification, and specific needs categories such as women-at-risk and refugees with disabilities or serious medical conditions.

### Xe) Number of Resettlement Submissions by Criteria 2005

| UNHCR Resettlement Criteria         | No. of Refugees |
|-------------------------------------|-----------------|
| Legal and physical protection       | 29,036          |
| Lack of local integration prospects | 10,045          |
| Women-at-risk                       | 3,338           |
| Survivor of torture / violence      | 2,283           |
| Medical                             | 1,053           |
| Family reunion                      | 321             |
| <b>TOTAL cases submitted</b>        | <b>46,076</b>   |

## RESETTLEMENT OF WOMEN-AT-RISK

The identification of refugee women and girls who are at risk in their country of refuge is a priority concern for UNHCR. The number of individuals resettled under the women-at-risk criterion has increased in recent years reflecting UNHCR's attention to the protection and resettlement needs of refugee women and girls.

### Xf) Resettlement of refugee Women-at-Risk in 2005 - UNHCR Departures to Resettlement Countries

| Region resettled from | Persons       |
|-----------------------|---------------|
| Africa                | 1,526         |
| CASWANAME             | 936           |
| Americas              | 107           |
| Asia                  | 106           |
| Europe                | 102           |
| <b>Total departed</b> | <b>2,777*</b> |

\*The figure reflects Women-at-Risk who actually departed in 2005 and is hence different from the number of submissions for resettlement of Women-at-Risk. See table Xe).

The main destination countries for UNHCR submitted women-at-risk cases in 2005 were Australia (921), USA (918), Canada (360) and Sweden (168).

In addition to the specific resettlement criterion for women-at-risk, which meets the needs of refugee women survivors of sexual and gender based violence, other resettlement criteria are used by UNHCR to address the resettlement needs of refugee women and girls. These criteria address the needs of refugees facing legal and physical protection problems, survivors of violence and torture, and, a criterion for children and adolescents.

### The people behind the numbers...



At the end of 2004, the lives of Yaseen and his family took a turn they never expected. After living in refugee camps without knowing what the future would bring, Yaseen, his wife Rana and their two children were resettled to Sweden. Along with more than 1,000 refugees, they were trapped in no man's land between Iraq and Jordan. A solution to their situation seemed beyond reach and they were living in a remote desert area, suffering scalding temperatures in the day and freezing conditions at night. On November 24, 2004, after nearly two years in no man's land, the family left the Jordanian desert and arrived in the Swedish winter in the small southern town of Kristianstad. A year later they are living a normal life. They have their own three-room apartment and the children are going to nursery school.

# XI. AGE, GENDER AND DIVERSITY MAINSTREAMING – PROTECTING WOMEN

Agenda for Protection – Goals 4, 5 and 6

**UNHCR is mainstreaming age, gender and diversity considerations to ensure that meaningful participation of refugee girls, boys, women and men of all ages and backgrounds is integral to the design, implementation, monitoring and evaluation of all its policies and operations. The overall goals are to achieve gender equality and the enjoyment of rights of all refugees. Mainstreaming age, gender and diversity in UNHCR’s activities requires a full understanding of community dynamics and awareness of power relations. To this end, UNHCR has developed a strategy to implement a community based approach in close cooperation with its partners.**

## AGE, GENDER AND DIVERSITY MAINSTREAMING (AGDM)

UNHCR and its partners’ engagement with women, men, girls and boys of diverse ages and backgrounds ensures the participation of groups who have often traditionally been excluded. The strategy is built around the concept of multifunctional teams which bring together the combined skills of UNHCR staff, with those of governmental and non-governmental partners.

In 2005, 38 countries set up multifunctional teams and undertook participatory assessments with the involvement of a total of some 485 team members from UNHCR, as well as national and international partners.

| XIa) UNHCR AGDM roll out |                      |                   |
|--------------------------|----------------------|-------------------|
|                          | Facilitators trained | Countries covered |
| 2004                     | N/A                  | 14                |
| 2005                     | 48                   | 38                |
| 2006                     | 39                   | 41                |
| <b>Total</b>             | <b>97 (35% men)</b>  | <b>93</b>         |

UNHCR’s Standards and Indicators database has been revised to incorporate more detailed statistics classified by age and gender and groups with specific needs. Hence, 2006 data is expected to be more comprehensive than what is currently available.

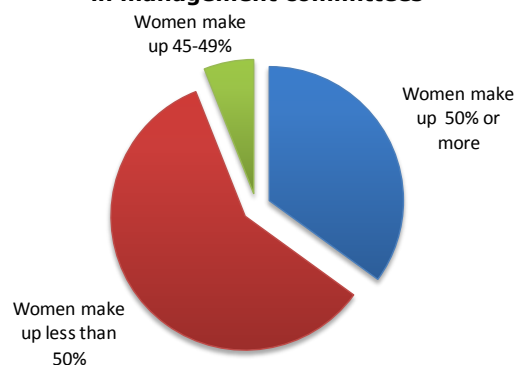
Importantly, UNHCR has developed an accountability framework for AGDM which provides a methodology to designate responsibility and demonstrate organisational leadership. In 2006, UNHCR is piloting this framework in 20 operations. The intention is to launch the accountability framework globally in 2007.

## UNHCR’S RESPONSE TO REFUGEE WOMEN

In the majority of refugee situations, at least 50% of the uprooted people are women and girls. Stripped of the protection their government, their homes and often their family structure, females are often particularly exposed to risk. They face the rigors of long journeys into exile, harassment or indifference and frequently sexual abuse. Women must cope with these threats while being the nurse, teacher, breadwinner and protector of their families.

UNHCR employs the two pronged approach of gender equality mainstreaming and targeted action for women’s empowerment. The Office’s efforts are centred on five commitments to refugee women, reflected in the categories of statistics presented below. These commitments were crafted in response to issues raised by refugee women in consultations held in the field and at headquarters in 2001. UNHCR continues to monitor progress made in relation to these commitments. The following data describes the situation across all UNHCR camps where data was available in 2005.

### XIb) COMMITMENT 1 – Participation of women in management committees

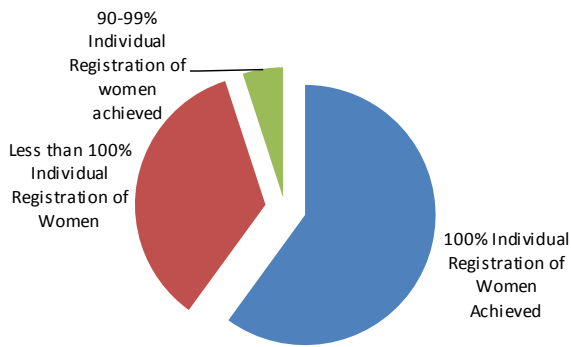


The involvement of women in camp management and leadership committees indicates their representation and influence in decision making. Table XIb) illustrates that UNHCR’s goal of ensuring gender parity in camp leadership positions has not yet been achieved in most refugee camps. Efforts continue to ensure that women’s capacity and representation are actively promoted.

Relevant here is also Security Council Resolution No. 1325 on Women, Peace and Security, which stipulates special measures to be implemented to address women’s and assistance needs and calls for increased participation by women at decision making levels in conflict resolution and peace processes.



**XIc) COMMITMENT 2 – Individual registration of all refugee women and men**

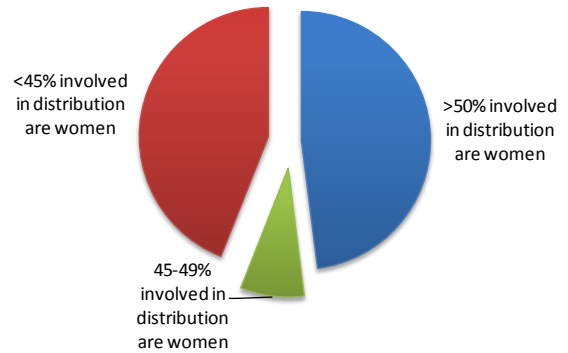


Individual registration of refugee women is essential for ensuring equal access to protection and durable solutions. Lack of individual documentation for refugee women and men can severely hamper freedom of movement. As indicated in chart XIc) above, in a majority of camps and settlements UNHCR has achieved the goal of 100% individual registration of women. Further analysis of available data reveals that the standard of 100% registration is reached equally frequently for men.

**COMMITMENT 3 – Developing strategies to address Sexual and Gender Based Violence (SGBV)**

Since 2003, UNHCR has promoted the use of SGBV guidelines in the field. Regional and country-level training programmes have been organised for UNHCR and implementing partner staff to undertake SGBV prevention and response activities. In over 75% of camps, all victims and survivors identified have received support. However, many challenges remain, in particular in the *prevention* of SGBV. For UNHCR it is a high priority to improve the situation in this regard.

**XIc) COMMITMENT 4 – Ensure refugee women’s participation in management of distribution of food and non-food items**



In cooperation with WFP and other partners, UNHCR has made continued efforts to ensure that refugee women participate in the management and distribution of food and non-food items. In 2005, the majority of the refugee camps met, or nearly met the 50% standard of involving women in food distribution.

**COMMITMENT 5 – Provision of sanitary materials to all women and girls**

Provision of sanitary materials is viewed as crucial to the health and dignity of women and girls. UNHCR continues to work with women’s committees to assess sanitary material needs, organize distribution, and monitor and measure results.

Indications are that strains on UNHCR’s overall budget have had an impact on results achieved in this area. In less than 20% of all camps worldwide (where data is available) the goal to meet all needs for sanitary material for women and girls has been reached.

**The people behind the numbers...**



In refugee camps in Nepal, UNHCR helps women survivors of gender-based violence to take action to improve their lives. This is done both by providing legal assistance and by organizing programmes designed to change the attitudes of the refugee population towards women. Legal assistance is provided either directly by UNHCR or by lawyers from the Nepal Bar Association (NBA). It covers many aspects of bringing a case to court including counselling, legal representation, and facilitating the appearance of the survivor and witnesses at hearings.

## XII. AGE, GENDER AND DIVERSITY MAINSTREAMING – PROTECTING CHILDREN

Agenda for Protection – Goals 4, 5 and 6

Approximately 44% of all refugees are children under the age of 18, with 12% under the age of five. Safeguarding and promoting their rights and general well-being is central to the fulfilment of UNHCR's mandate. Children have specific needs which must be identified and met, and while the rights and needs of refugee children have always been a concern of UNHCR, they have received increasing attention in recent years. The Office has articulated five global priorities for refugee children. As it is the first year that UNHCR is collecting comprehensive data on all 5 global priorities for children, disaggregated data verification is still in progress, and a full analysis of the reports is not yet feasible. The following information describes the situation across all UNHCR camps where data is available, and should be considered as indicative and provisional.

### PRIORITY 1: UNACCOMPANIED AND SEPARATED CHILDREN (UAC/SC)

For UNHCR it is a priority to prevent separation of children from their families. For girls and boys who have been separated, it is important to identify, register and document them in order to provide protection and undertake tracing.

UNHCR reporting reveals that tracing of Unaccompanied Children and Separated Children (UAC/SCs) is rarely completed with 100% success rate (only in 4 out of 80 camps where data is available). In the majority of refugee camps tracing has been successfully completed for less than 20% of children affected.

With regard to Best Interest Determinations (BIDs), in almost half of all camps such assessment had been carried out for less than 20% of the relevant children. Only thirteen camps reported that they had a 100% implementation rate of BID in 2005.

In 2006 UNHCR released Guidelines on Formal Determination of the Best Interest of the Child as part of its commitment in the Agenda for Protection to disseminate materials on the rights of refugee children. The Guidelines are for the benefit of UNHCR staff and implementing and operational partners who are required to undertake formal interest determination at the field level.

In 2005, UNHCR closely co-operated with the Committee on the Rights of the Child in its preparation of General Comment No.6 on the Treatment of Unaccompanied and Separated Children Outside of their Country of Origin.

### PRIORITY 2: SEXUAL EXPLOITATION, ABUSE AND VIOLENCE

XIIa) Across all camps/settlements, percentage of SGBV cases <18 years old who received support



Prevention and response to SGBV is an important element in UNHCR's strategy to protect women and children. Much remains to be done: in almost one fifth of the refugee camps less than 20% of reported cases received direct support from UNHCR. More encouraging is the fact that in 65% of the camps, all identified SGBV cases received necessary support.

### PRIORITY 3: MILITARY RECRUITMENT

UNHCR's field offices report that refugee and returnee children continue to be recruited, voluntarily or forcibly, in several situations.

| XIIb) Camps: Have children been recruited for military purposes (Y/N) |            |
|---|------------|
| Answer  | Percentage |
| Yes   | 6%         |
| No  | 94%        |

Data reflects "relative frequency" expressing percentages of UNHCR country offices that have reported

Camps in three returnee areas (Sierra Leone, Liberia) and refugee camps in Rwanda, United Republic of Tanzania and Thailand reported that such recruitment took place in 2005.

Global data on assistance to children formerly associated with armed forces or groups is still incomplete. During 2005, at least 10 UNHCR operations reported on ongoing support activities for affected children.

### PRIORITY 4: EDUCATION

Promotion of access to education is an essential protection strategy for UNHCR to identify and address the specific needs of displaced boys and girls. For refugees, education is key to sustainable protection and essential for opportunities for a better future, and UNHCR gives education high priority at all levels of its operations. The Office has fairly detailed

information on refugee children's access to education, enrolment in schools.

| <b>XIIc) Do asylum-seekers / refugees have access to primary education?</b> |                |          |
|---|----------------|----------|
| <b>UNHCR country response</b>   | Asylum-seekers | Refugees |
| YES   | 80%            | 88%      |
| NO  | 20%            | 12%      |

Data reflects "relative frequency" expressing percentages of UNHCR country offices that have reported

The high number of affirmative answers does not necessarily mean that all children are enrolled in those countries; rather it shows that access to free primary education is ensured. On the basis of UNHCR standards and indicators reports, it is estimated that about 1/3 of refugee children in camps do not attend school.

The statistics on enrolment clearly demonstrate that participation is much higher in grades 1-6 than in grades 7-12. With regard to gender parity, it is noteworthy that in 20 camps/settlements less than 60% of girls are enrolled, while in 15 camps there is an equally a low level participation of boys. Finally, the UNHCR standard relating to the availability of qualified teachers was not met in 64% of camps.

To address these imbalances, UNHCR promotes education and training and is involved in a wide variety of programmes including the issuance of education guidelines on safety and quality and material support for schools.

## PRIORITY 5: ADOLESCENTS

While younger children often receive targeted care and attention, the needs of adolescents in refugee situations are frequently overlooked. Few UNHCR operations can confirm broad coverage of adolescents as a specific target group for support. It should however be noted that many girls and boys in this age group are benefitting from attending school. Nevertheless, UNHCR's own data and assessments confirm that adolescents are too often a forgotten group.

## DISABLED CHILDREN WITH SPECIFIC NEEDS

**XIIId) Across all camps settlements, percentage of disabled persons <18 y/o with specific needs assisted**



According to the majority of reports from UNHCR field operations, the standard of 100% assistance of disabled persons under 18 years old is not met. Much remains to be done before the specific concerns of disabled girls and boys are adequately addressed.

### The people behind the numbers...



16-year-old Mariam Kwete fled from her home in a provincial town in the Democratic Republic of the Congo when she was nine. Together with her two younger sisters and an uncle she sought refuge in South Africa. Her father, who was a prosecutor in Congo, had to hide from the authorities and joined them two years later. UNHCR made it possible for Mariam to represent the world's child refugees at a meeting in New York on violence against children. She noted: "We experience discrimination because we are refugees. Prejudice at school, suffering, because our parents don't have any money. There are a lot of different kinds of violence." There are an estimated 9 million displaced children worldwide, and UNHCR is currently spearheading a campaign to bring attention to their plight (ninemillion.org).

### XIII. PROTECTION THROUGH ASSISTANCE: ADDRESSING MALNUTRITION AND HIV/AIDS

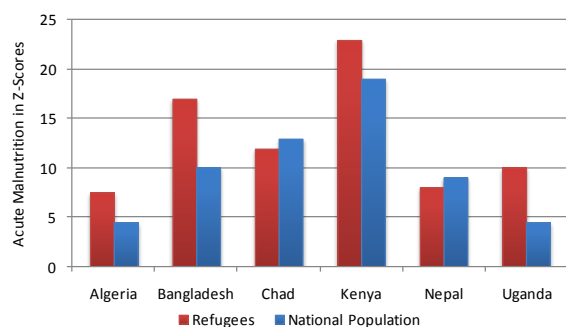
**UNHCR's primary objective is to safeguard and promote the rights and well-being of refugees and other persons of concern. Beyond providing refugees and others with life-saving subsistence support, assistance is a vehicle for delivering protection and engaging with beneficiaries, allowing the Office to obtain first hand information on prevailing conditions. Ensuring clean water and adequate nutrition often form an essential part of UNHCR's protection activities, in particular for refugee children and refugee women. Access to basic health care is equally important, and in situations where national authorities are unable to provide necessary support, UNHCR and its partners make every effort to assist persons of concern. HIV and AIDS is one priority area for such activities.**

#### PREVENTING/ADDRESSING MALNUTRITION

The current nutritional situation of refugees in a number of protracted and/or emergency situations including Kenya, Ethiopia, Chad, Bangladesh and the Sudan, is of significant concern to UNHCR, and addressing this problem is an essential part of UNHCR's wider protection mandate. Severely malnourished children are at increased risk of death from diarrhoea, acute respiratory infection or malaria. Undernutrition is a factor in an estimated 60% of all child deaths.

Refugee women and girls are often at a higher risk of malnutrition than refugee men and boys, in particular because of cultural practices. This is further exacerbated by their being at risk of sexual and gender-based violence as they search to meet their own as well as their families' basic needs. Another negative consequence of food insecurity for refugee girls can be the obligation to undertake domestic work, affecting school attendance. Analysis has also revealed clear links between the lack of food and survival sex.

**XIIIa) Prevalence of Global Acute Malnutrition of refugees and resident populations in selected countries 2005 - 2006**



A prevalence of 10% is regarded by WHO as emergency threshold, 5% or lower is regarded as an acceptable situation in a stable environment. **Z-Score** - the deviation of an individual's malnutrition value from the mean value of a reference population. Z-Score is used for measuring variables such as height and weight in a nutrition survey

Refugee camps are often situated in the most remote and poorest parts of the country of asylum, surrounded by a local population which is also in need of food security. In this context, using available information on local populations, a comparison was made between the nutritional status of the refugees and the local population. In a number of situations, including in Chad, Kenya and the Sudan, malnutrition figures for both refugees and nationals are high. On the other hand, the prevalence of acute malnutrition is much higher among refugees than among nationals in countries such as Bangladesh, Uganda and Ethiopia. Data available to UNHCR indicates that, overall, trends showing poor nutritional status in selected refugee camps tend to mirror local conditions.

By the end of 2007, UNHCR hopes to stabilize acute malnutrition rates to a level below 10% and to eliminate micronutrient deficiencies. This requires consistent and timely action to address needs across all sectors related to nutrition: food, health, water and sanitation, and education. It is clear that in certain circumstances, urgent attention may be required in order to prevent excessive mortality for segments of refugee populations, such as children suffering from malnutrition. However both UNHCR and World Food Programme (WFP) are focusing on preventing malnutrition in the first place. In accordance with the UNHCR/WFP MoU of July 2002, WFP is responsible to provide food assistance to all refugees, asylum-seekers, returnees, and in certain situations IDPs, when the number of people in need in any given country is at least 5,000.

**XIIIb) WFP food assistance to persons of concern to UNHCR in 2006 (in millions)**

|                              |             |
|------------------------------|-------------|
| Refugees                     | 1.90        |
| Returnees                    | 1.95        |
| Internally Displaced Persons | 4.50        |
| <b>Total</b>                 | <b>7.35</b> |

In addition, UNHCR provides direct food assistance to a number of camp populations in Africa, including in Botswana (2,500), Zimbabwe (3,000), Ghana (1,700), Eritrea (4,400) and Mozambique (4,500).

In January 2006, UNHCR and WFP held joint consultations with the aim to reach a consensus on priority strategies for food, nutrition and public health interventions which include all of the compounding factors such as water and sanitation, malaria, non-food items, children's and women's rights, gender and self-sufficiency strategies. One particular focus-area for partnerships is Nutrition and HIV and AIDS.

Source and for more information, see UNHCR Standing Committee Report on Nutrition, 2006 (EC/57/SC/CRP.17)

## PROTECTION PRIORITY: HIV AND AIDS

HIV and AIDS prevention and response are essential components in the protection of refugees, returnees and other persons of concern. UNHCR continues to provide guidance and support in response to reports of HIV-related human rights violations. The more serious gaps to be bridged include mandatory HIV testing, challenges of protecting refugees from HIV related stigma and discrimination, and specific issues related to resettlement of refugees with HIV.

Targeted technical and financial support to country programmes has expanded to 29 countries by the end of 2005. HIV and AIDS data were collected from 30 countries worldwide; in 35 urban areas and 228 camps.

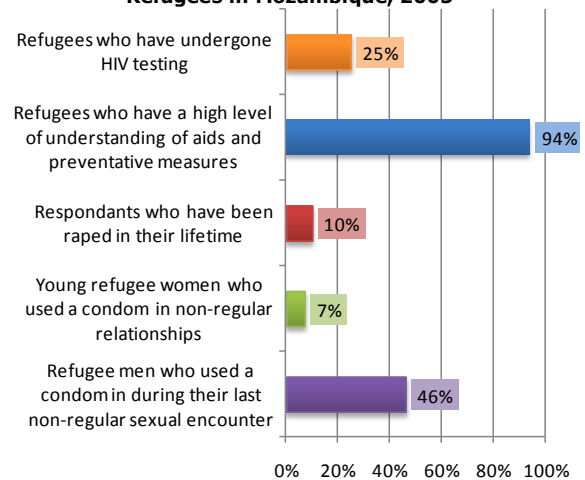
Currently, UNHCR has 5 HIV and AIDS Regional Coordinators; 4 in Africa and 1 in Asia. The HIV Unit undertook training of post exposure prophylaxis (PEP) in 6 countries in an effort to address the intersection of sexual violence, protection and HIV and AIDS; PEP is provided in numerous refugee situations throughout the world.

Since 2005, UNHCR focused on gathering baseline data regarding HIV-related risk with the aim to inform and guide the organisation's interventions towards mitigating the spread of

HIV in the refugee and surrounding communities, and to dispel some of the misconceptions regarding refugees and HIV and AIDS. To this effect, UNHCR has conducted systematic HIV behavioural surveillance surveys (BSS) in 6 camps and surrounding host communities in 4 countries in Africa and in 7 camps and surrounding host communities in Nepal.

Important risk factors are identified through these surveys, allowing for targeted action by UNHCR and its partners. The following data from a survey of refugees in Mozambique illustrates the type of information collected.

**XIIIc) Behavioural Surveillance Survey  
Refugees in Mozambique, 2005**



For more information on UNHCR's HIV and AIDS related activities, see: *Refugees, HIV and AIDS: Fighting HIV and AIDS together with Refugees.*

### The people behind the numbers...



A recent behavioural survey among refugees in Kakuma camp in Kenya and the local host population outside the camp, has shown some surprising results. In a well-established camp like Kakuma, refugees – thanks to strong HIV/AIDS prevention programmes, and the unique opportunities for HIV prevention offered by camp-related activities such as food distribution – may be better off than the local population in terms of useful knowledge. These results are apparent in comparisons between HIV prevalence: some five per cent of the camp's population is HIV positive, compared to 16.5% in the nearest town of Lodwar. Both the camp and local populations are highly mobile, and mix with each other on a daily basis. An astonishing 85% of the local people surveyed reported that they regularly visit the camp whereas a lower but still significant 25% of the refugees said they visit the local community. It makes both practical and economic sense if refugees integrated into national health and HIV programmes.

## XIV. PROTECTION STAFFING

Placing enough of the right people in the right places remains among the major challenges for UNHCR, in particular in the area of protection. The issue of protection staffing is also high on the agenda for UNHCR's donors and partners. UNHCR is working to clarify standards relating to the number and profile of protection staff needed in various field operations. Clearly, UNHCR's discharge of its protection mandate also depends on a variety of other functions (administrative, programme, technical) carried out within the organization. The following information relates mainly to those functions that are most directly linked to the delivery of protection.

### CATEGORIES OF PROTECTION POSTS

The following table gives an overview of the different categories of protection posts and protection-related posts:

| XIIIa) Protection Post Categories |  |
|-----------------------------------|--|
| <b>Protection Posts</b>           |  |
| ✓                                 | Protection Officers                            |
| ✓                                 | Eligibility Officers                           |
| ✓                                 | Legal Officers / Training Officers             |
| ✓                                 | Durable Solutions Officers                     |
| ✓                                 | Resettlement Officers                          |
| ✓                                 | Repatriation Officers                          |
| ✓                                 | Field Officer (Protection)                     |
| ✓                                 | Regional Legal Advisers                        |
| ✓                                 | Community Service Officers <sup>1</sup>        |
| ✓                                 | Gender Officers <sup>1</sup>                   |
| ✓                                 | Refugee Women & Children Officers <sup>1</sup> |
| <b>Protection Related Posts</b>   |  |
| ✓                                 | Field Officers                                 |

<sup>1</sup> These categories have been reclassified as Protection Posts as of 2006.

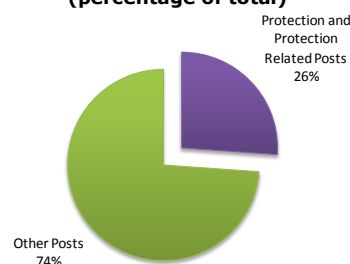
### NUMBER OF PROTECTION POSTS

| XIIIb) Evolution of Protection Posts and Protection Related Posts |              |              |                   |
|---|--------------|--------------|-------------------|
|   | 2004         | 2005         | 2006 <sup>2</sup> |
| <b>Protection Posts</b>   | 761          | 942          | 1,123             |
| of which are<br><b>Community Serv. Posts</b>                      | (109)        | (135)        | (147)             |
| <b>Protection Related Posts</b>                                   | 405          | 483          | 331               |
| <b>Total</b>  | <b>1,166</b> | <b>1,425</b> | <b>1,454</b>      |

<sup>2</sup> Data as of 15 May 2006. Number excluding temporary posts and UNVs. The shift from protection related posts to protection posts is largely due to a re-classification of a number of positions (see note 1).

In addition to regular protection staff, UNHCR relies on an additional 289 temporary protection posts. Some 17% of UNHCR's protection staff are employed on a temporary basis.

XIIIc) Protection and protection related posts (percentage of total)

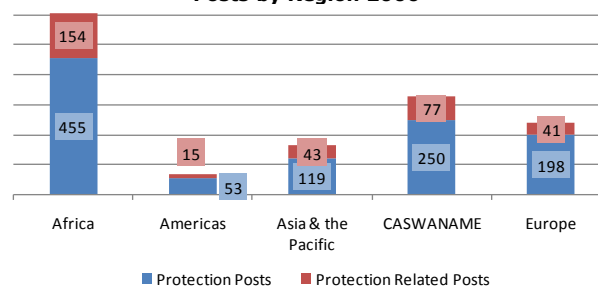


UNHCR also relies on a large number of UNVs for its protection activities. By the end of 2005, approximately 300 (some 40%) of 780 UNVs, are considered to be working in protection related functions.

UNHCR aims to continue its focus on ensuring adequate protection staffing. In 2007 it is expected that there will be a reduction of some 100 protection and protection related posts, including in the area of community services, in part due to expected completion of large-scale voluntary repatriation operations.

### PROTECTION POSTS BY REGION

XIIIId) UNHCR Protection Posts and Protection Related Posts by Region 2006



The chart demonstrates that UNHCR has protection staff all over the world, with an important concentration in Africa (609), followed by the CASWANAME region (327), and Europe (239). Compared with 2005, the most significant increase has been in Africa, with the creation of 60 protection and protection related posts.

### PROTECTION POSTS BY TYPE

XIIIe) Categories of protection posts within UNHCR

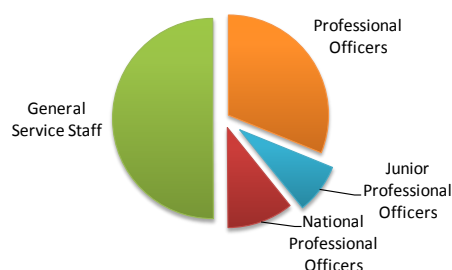


Chart XIIIe) above indicates that UNHCR's field operations rely heavily on the work of General Service protection staff.

Within the Professional category of posts the following table shows how the post of different grades are distributed among the various categories of field duty stations, ranging from headquarters and duty stations in industrialised countries (H+A) to remote field locations (D+E). The most striking feature of this table is that relatively junior staff (P-2/P-3 level) constitute the backbone of the protection workforce in "deep field" operations (D+E operations).

| <b>XIIIIf) Professional Protection Staff in the Field by Grade and Field Duty Station Category</b> |     |     |     |
|--|-----|-----|-----|
|  | H+A | B+C | D+E |
| <b>P-5</b>   | 7   | 6   | 2   |
| <b>P-4</b>   | 27  | 31  | 24  |
| <b>P-3</b>   | 36  | 49  | 145 |
| <b>P-2</b>   | 10  | 18  | 68  |

Both protection staff and protection related staff are included. Note that *Head of Office Positions* are *not* counted as protection posts.

### GENDER EQUALITY AND STAFFING

UNHCR has access to detailed information on the gender balance among all categories of its staff:

| <b>XIIIIf) Selected Gender Data – Female Staff (in% of total)</b> |     |
|---|-----|
| <b>Gender balance: UNHCR staff overall</b>                        |     |
| % female Staff - total  | 37% |
| % female staff at HQs   | 57% |
| % female staff in the field                                       | 34% |
| <b>Gender balance: Protection Staff</b>                           |     |
| % female protection staff   | 47% |
| % female protection staff at HQs                                  | 60% |
| % female protection staff in the field                            | 47% |
| % female protection staff in "deep field" (D/E duty stations, P3) | 57% |

### FIELD DEPLOYMENT SCHEMES

Apart from the regular posts in field operations, UNHCR depends on flexible arrangements in order to respond immediately to emergencies and disasters, and to deploy staff in situations where there are short term surges in needs. For that purpose several initiatives have been developed:

| <b>XIIIIf) Field Deployments and Emergency Response</b>   | <b>2005</b>                | <b>Total</b>        |
|---|----------------------------|---------------------|
| <b>DIPS RSD Project</b><br><i>Provides support to UNHCR operations and assistance to State authorities on RSD</i>   | 38                         | 252<br>(since 2000) |
| <b>DIPS Surge Project (IRC)</b><br><i>Strengthens UNHCR's protection capacity through deployment of external protection officers</i>                      | 47                         | 172<br>(since 2002) |
| <b>DIPS Resettlement Deployments (ICMC)</b><br><i>Strengthens UNHCR's field capacity to refer cases for resettlement.</i>                                 | 63                         | 303<br>(since 1999) |
| <b>DOS (Save the Children + others)</b><br><i>Deployment of Community Services and Child Protection officers in emergencies.</i>                          | 10                         | 41<br>(since 2001)  |
| <b>EPRS (NRC/DRC)</b><br><i>UNHCR roster of employees deployable on a 72 hour notice in emergencies. Also includes NRC and DRC emergency deployments.</i> | 212<br>(120 in protection) | n/a                 |

The statistics include IUNVs and UNVs.

#### The people behind the numbers...

Sophie Muller is a UNHCR staff member working at HQs in Geneva. In 2005, she joined UNHCR's emergency roster and received intensive training with 40 other colleagues at a Workshop on Emergency Management in Sweden. She was deployed as protection officer in two emergencies during 2005/2006: *"As a protection officer, sent for a few months to support existing UNHCR offices I had to very quickly adapt to new functions in very different environments dealing with situations where the magnitude of humanitarian and protection needs do not allow for any hesitation. The absence of bureaucratic distance, delivering direct protection to individual persons in need; and seeing the concrete impact of our presence, makes it both a challenging and very rewarding experience."*



## XV. PROTECTION TRAINING AND LEARNING

Agenda for Protection – Goals 1, 4 and 6

**T**rainning and continuous learning are important components of UNHCR's strategy to ensure that all staff are familiar with the Office's protection mandate and that they have a common understanding of the basic principles of international protection. At a more advanced level, learning opportunities can also strengthen managerial skills and provide more specialized knowledge to senior staff. In many UNHCR offices learning activities have contributed to improving protection delivery and accountability. Likewise, provision of training for external partners, including for governments, is an important element of UNHCR's capacity building strategy, as well as an effective way of building positive partnerships in protection.

### UNHCR'S REGULAR PROTECTION LEARNING ACTIVITIES

UNHCR organises a range of protection learning activities for its staff and partners. The delivery of joint training for both UNHCR staff and partners is aimed at reinforcing partnerships and enhancing participants' knowledge, skills and attitudes to effectively protect refugees and others of concern to UNHCR.

During 2005, UNHCR developed a mandatory, interactive CD-ROM based *Protection Induction Programme*, targeting UNHCR staff at large as well as NGOs, other UN agencies, and government officials who are working with refugees and others of concern. In 2006, the course materials have been distributed in Arabic, English, French, Russian and Spanish.

At an intermediate level, the 6-month distance learning Protection Learning Programme (PLP) is amongst the most important learning schemes in terms of the number of participants:

| <b>XIVa) Protection Learning Programme (PLP)</b> |             |                   |
|--|-------------|-------------------|
|  | <b>2005</b> | <b>Since 2000</b> |
| Training sessions                                | 3           | 34                |
| Participants                                     | 114         | 836               |
| Participants completed                           | 61          | 609               |

Complementing the Protection Learning Programme, two more specialized, thematic Learning Programmes have been developed to support senior UNHCR managers in their work to address complex protection situations:

| <b>XIVb) Thematic Protection Learning Programmes – Armed Conflict (TPLPAC)</b> |             |             |
|--|-------------|-------------|
|  | <b>2005</b> | <b>2004</b> |
| Training sessions  | None        | 2           |
| Participants   | None        | 35          |

| <b>XIVc) Thematic Protection Learning Programmes – Migration (TPLPM)</b> |             |                         |
|--|-------------|-------------------------|
|  | <b>2005</b> | <b>TOTAL since 2003</b> |
| Training sessions  | 1           | 3                       |
| Participants   | 38          | 58                      |
| Participants completed   | 34          | 54                      |

In addition, UNHCR organizes a variety of other specialized training courses for its staff and partners, including on Sexual and Gender Based Violence and the Community Based Approach, aimed at equipping participants with specific knowledge and skills that underpin a comprehensive protection response. In 2005, 75 participants (including implementing partners) attended 3 such workshops in Africa, Europe and the CASWANAME region.

Aimed at improving accountability for the delivery of protection in the field, *Protection Management Workshops*, focusing primarily on management responsibilities in the exercise of protection functions, have been attended by 79 senior UNHCR staff since they were launched in 2002. UNHCR's is currently reviewing its approach to protection management training.

### TRAINING ON RSD AND RESETTLEMENT

Refugee Status Determination (RSD) is at the core of UNHCR's protection mandate, and specialized training on this subject is essential. In 2005 the combined RSD and Resettlement Learning Programme was organised as a five-month distance learning course provided to UNHCR RSD and/or Resettlement practitioners<sup>1</sup>. It built upon the positive results achieved through other existing Learning Programmes and provided a specific and more in-depth functional course on RSD and Resettlement.

| <b>XIVd) RSD/Resettlement Learning Programme</b> |             |              |
|--|-------------|--------------|
|  | <b>2005</b> | <b>TOTAL</b> |
| Training sessions                                | 3           | 9            |
| Participants                                     | 86          | Approx. 200  |
| Participants completed                           | 70          | 190          |

In addition, during 2005, six sessions of a *Workshop on Exclusion and Cancellation* were held, with 112 participants completing the self-training module part of this exercise.

For more information on UNHCR operational support and capacity-building for refugee status determination, see Chapter VII on Refugee Status Determination.

<sup>1</sup> In 2006 these programmes have been separated.



## TRAINING FOR EMERGENCIES

UNHCR's institutional preparedness for emergencies requires maintaining resources, procedures and capacity for the Office to respond quickly and effectively to new displacement situations. Preparedness activities include provision of training programmes for staff and partners.

With the aim of preparing staff for the delivery of protection and assistance in emergency situations, the Emergency Preparedness and Response Section (EPRS), organized three *Workshops for Emergency Managers (WEM)* for 120 staff from UNHCR and with participation of colleagues from partner agencies.

Participants in the WEM are placed on a roster for deployment to emergency situations. At any given time the some 40 roster members are on standby to be deployed on 72 hour notice anywhere in the world for missions of two to three months duration. They include UNHCR staff of all categories as well as staff from external partners such as UN agencies, donors and NGOs. The participants have varied profiles and backgrounds, reflecting the need for a mix of skills and seniority and also taking into account gender and geographical balance.

In addition, protection learning programmes for staff and partners also feature the *Training for Field Security Advisors*, and training sessions on age, gender and diversity. For more information on the latter, see also Chapter XI and XII.

## TRAINING FOR PARTNERS

UNHCR offices worldwide provide protection training for civil and military authorities as well as non-governmental organisations. These training activities play an important role in developing and forging partnerships, and often enable UNHCR to exert a significant degree of influence on national asylum practices and the treatment of refugees. Such training efforts in many cases also help to strengthen UNHCR's credibility and contribute to enhancing the capacity of host societies to deal with refugee issues.

As mentioned above, UNHCR's regular protection training courses offer places to partners, in particular NGOs. For example, some 20% of the participants in UNHCR's Protection Learning Programme were colleagues from NGO partner agencies.

One of the cornerstones of UNHCR's strategy for promoting protection awareness among government counterparts is the cooperation with the International Institute of Humanitarian Law in San Remo, organising refugee law courses targeting in particular government officials worldwide. Since 1982, 40 refugee law courses have been organised in San Remo benefitting some 1,500 participants from more than 150 countries. In 2005, courses were organised in four languages for 160 participants from 54 countries. Participants included government officials, UNHCR staff, as well as NGO representatives and others.

### The people behind the numbers...



With the aim of strengthening national protection mechanisms, UNHCR is actively pursuing training activities to build the capacity of relevant institutions. In Ukraine, police officers heading the key units responsible for maintaining public order, combating illegal migration and registering asylum seekers and refugees in Kyiv have attended UNHCR training sessions on how refugee legislation is implemented and to prevent undue detention and deportation of asylum seekers. *"I think it's important to make Interior Ministry staff learn more and understand their responsibilities, as they are law enforcement officials,"* said Subotenko Valentyna, who heads the Citizenship Sector in the Citizenship Department of Ukraine's President Administration. *"Often they are among the first people asylum seekers encounter in our country. In many cases it depends on the police whether people will be given access to the refugee status determination procedure or will spend uncertain time in detention."*

## XVI. PROTECTION PARTNERSHIPS

### Agenda for Protection – Goals 1 to 6

**UNHCR's work to protect refugees and to promote durable solutions to their problems is carried out in cooperation with a large number of partners, including governmental and inter-governmental agencies, as well as local and international NGOs. Protection partners engage both in advocacy and field operations, providing an array of services for persons of concern, ranging from legal assistance for asylum-seekers, to the provision of tents, water and food during flight. UNHCR could not accomplish its protection and humanitarian objectives without the active engagement of its partners.**

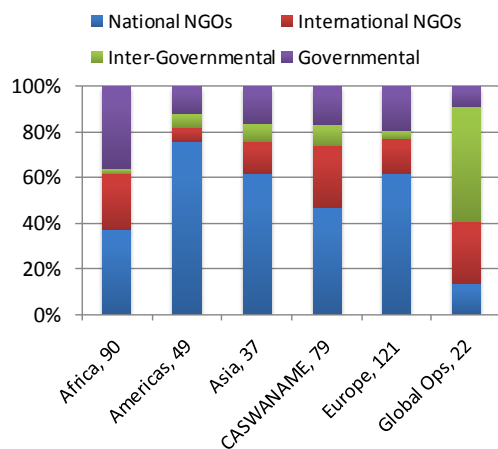
#### METHODS OF COOPERATION

UNHCR works with partners at all levels, both in the field and at headquarters. Consultations held which focus on assessments, planning and implementation are held regularly. In field operations, UNHCR often plays a coordinating role in refugee and return situations. As described in Chapter III on IDPs, UNHCR has also taken on a particular coordination role for protection activities in certain IDP situations under the "cluster leadership approach".

UNHCR often formalises its partnerships in the form of project agreements or memoranda of understanding. For instance, UNHCR has formal project agreements with over 600 NGOs from around the world. In addition, UNHCR has negotiated bilateral memoranda of understanding with a broad range of international, governmental and non-governmental partners.

#### TYPES OF PARTNERS BY REGION

**XVa) Distribution of implementing partners by type and region 2005**



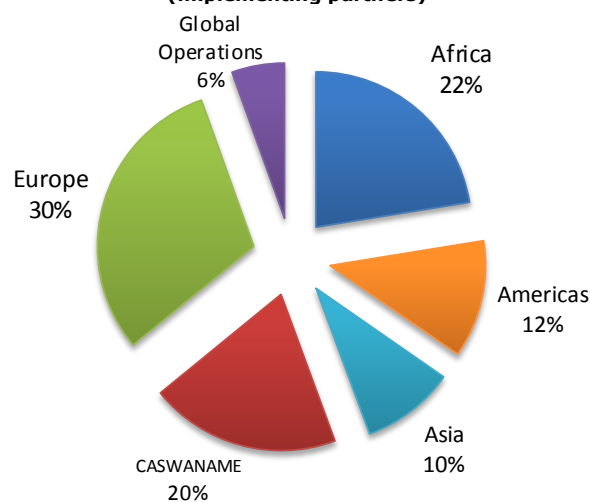
UNHCR co-operates with governments, other UN agencies, non-governmental organizations (NGOs), universities, advocacy groups, law firms, environmental bodies, and logistical suppliers.

NGOs make up the largest group of implementing partners.

Annually, UNHCR channels 20% – 25% of its entire budget through implementing arrangements with over 600 NGOs. 80% of these NGOs are local or national organizations; the others are international, some of which have been UNHCR partners for decades. More than half of UNHCR's NGO partners work in protection.

#### PROTECTION PARTNERSHIPS BY REGION

**XVb) Number of protection partners by origin 2005 (implementing partners)**



Note: the statistics presented in this Chapter relates to protection in the narrow sense as categorized in UNHCR's budgeting. This includes legal research, legal representation of refugees, refugee status determination, assistance with documents, training activities, monitoring etc.

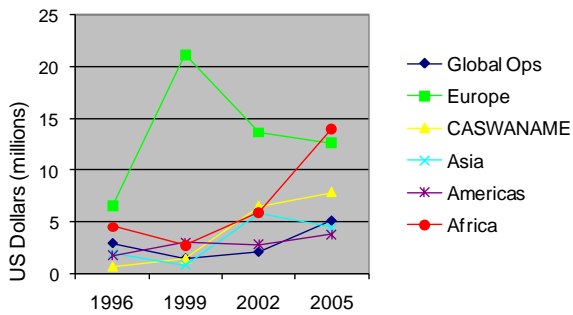
UNHCR cooperates with partners in all regions of the world. In virtually every location where UNHCR operates, (some 252 offices in 116 countries), partners can be found, often working side by side with their UNHCR counterparts.

Europe has the largest number of implementing partners in protection (122). There are also a substantial number of partners that are based in Africa and the CASWANAME region, with 90 and 79 organizations respectively.

#### PROTECTION PARTNERSHIP FUNDING

UNHCR's budget for protection activities through implementing partners has tripled over the last decade, from less than 16 million dollars in 1996 to more than 47 million dollars in 2005 (not adjusted for inflation). While in the recent past a large part of UNHCR's protection partners were implementing activities in European countries, the 2005 figures show that there has been a significant shift towards increased protection activities implemented by partners in African countries.

**XVc) UNHCR funding for partners by region (not adjusted for inflation)**



Funding for protection activities in other regions has also increased steadily over the last decade, in line with the growing capacity among UNHCR's partners for the implementation protection activities worldwide.

UNHCR has formalised its partnerships with some of the main protection partners through MOUs or other agreements. Examples include the World Food Programme, UNICEF, the Department of Peace Keeping Operations, the International Labour Organisation, the International Organisation of Migration, and, most recently, the Representative of the Secretary General on the Human Rights of IDPs as well as the Norwegian Refugee Council.

Table XVd) below gives an overview of UNHCR's 15 main implementing partners in protection in terms of the resources channelled. While the UNVs and two international NGOs receive the largest amount of funding, the list contains an important range of national NGOs, illustrating the importance UNHCR accords to grassroots organizations in the area of protection.

**XVd) 15 largest protection partners -2005**

Numbers indicate % of the total resources channelled through protection partners (Budget Sector 0)

| Agency  | Category           | %    |
|---|--------------------|------|
| United Nations Volunteers   | Inter-Governmental | 8.2  |
| International Catholic Migration Commission                           | International NGOs | 5.7  |
| International Rescue Committee  | International NGOs | 5.6  |
| Danish Refugee Council  | International NGOs | 3.5  |
| Vasa Prava [Bosnia and Herzegovina]                                   | National NGOs      | 3.0  |
| Norwegian Refugee Council   | International NGOs | 3.0  |
| Commission Nationale pour les Réfugiés [CAR]                          | Governmental       | 2.2  |
| INTERSOS  | International NGOs | 2.1  |
| Service d'Aide & Assistance aux Réfugiés et Apatrides [Côte d'Ivoire] | Governmental       | 1.8  |
| UN Office for Project Services  | Inter-Governmental | 1.5  |
| Vesta [Russian Federation]  | National NGOs      | 1.4  |
| Liberia Refugee Repatriation and Resettlement Commission              | Governmental       | 1.3  |
| Catholic office for Emergency Relief & Refugees [Thailand]            | National NGOs      | 1.3  |
| Memorial Human Rights Centre [Russian Federation]                     | National NGOs      | 1.2  |
| International Organization for Migration                              | Inter-Governmental | 1.1  |
| Grand Total for the 15 largest partners                               |                    | 43.0 |

NGOs are important partners in ensuring refugee protection. UNHCR depends on the capacity and expertise of NGO's to undertake protection activities. Complementarity and coordinated action is of key importance. To this end, UNHCR has established a number of strategic partnerships in protection with NGOs, most recently with the Norwegian Refugee Council. Two important partnerships include the Protection Surge Capacity Project developed with the International Rescue Committee (IRC) and the Resettlement Deployment Scheme established with the International Catholic Migration Commission (ICMC). These agreements have been in use for several years and reinforce the capacity of UNHCR's field operations to respond to surges in refugee protection needs and resettlement activities. More than 100 offices worldwide have benefitted from these schemes.



## XVII. CONCLUSIONS

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The information presented on the preceding pages represents a mix of data relating to persons of concern, protection needs or gaps and activities to address them, available resources, and, to some extent, the impact of UNHCR's activities. The value of this information lies primarily in how it is put to use. In other words, all available information and analysis regarding protection gaps and the impact of activities should inform UNHCR planning processes, and influence resource allocation and prioritization of activities.

To some extent, the protection information in this document speaks for itself; there is no need to repeat all of the findings that require some form of action by UNHCR and its partners. However, to facilitate UNHCR's ongoing planning and prioritization exercises, it is useful to distil some general observations, and draw some broader conclusions from the available data. The points listed below summarize some key conclusions which have contributed to the planning of UNHCR activities for the coming years (see Global Strategic Objectives opposite):

- **Persons of Concern:** While the total number of *refugees* and *asylum-seekers* has been in steady decline in recent years, the number of persons of concern to UNHCR has remained high, mainly due to the significant number of people in *internal displacement* situations. The full extent of the *statelessness* problem is not yet clear. UNHCR is gradually getting a more comprehensive picture in this regard, gaining practical experience through addressing specific situations worldwide.
- **The International Legal Framework:** The international legal regime has so far withstood pressures stemming from the international debate surrounding increased migration flows and stronger emphasis on border control and entry visa regimes. While the 1951 Convention has not seen any new accessions for a while, regional legal regimes are evolving and, in particular in Europe, becoming more sophisticated. The Statelessness treaties have steadily been gaining ground in recent years.
- **National asylum systems:** Many states still lack basic legislation and the institutional framework required to implement their responsibilities under international refugee law. The fact that refugees and asylum-seekers are increasingly moving within mixed flows presents a challenge in terms of identification of those in need of protection and appropriate channelling of all individual claims. Effective migration management goes hand in hand with a functioning asylum system; hence UNHCR has increased its focus on capacity building and training activities in this regard.
- **The protection environment:** Instances of refoulement continues to take place worldwide. Unwarranted arrest and detention practices require UNHCR interventions in many countries. UNHCR continues to administer large-scale RSD operations, including in countries which are Parties to the 1951 Convention. Overall, national asylum systems have come under significant pressure in many states, not least a result of the migration debate and security concerns dominating the political agenda. Malnutrition and HIV/AIDS remain serious threats to the wellbeing of persons of concern around the world.
- **Durable solutions:** Voluntary repatriation remains the most accessible solution for the majority of refugees. Large scale repatriation movements in recent years have significantly reduced the number of refugees globally. The use of resettlement is also gaining ground, and there is broad consensus to pursue its strategic use to unblock protracted situations and facilitate burden sharing among states. Still, the number of resettlement countries has increased only marginally, and also UNHCR's capacity to identify and process cases needs to be further augmented. Local integration opportunities are often not available for refugees. ExCom Conclusion 104 from last year has not yet yielded any significant breakthroughs in this regard.
- **Age, gender and diversity mainstreaming:** UNHCR has made great strides in focusing its programming towards identifying and addressing the particular needs of women and children. The High Commissioner's 5 Commitments to Refugee Women, and the 5 Priorities for Refugee Children, provide concrete targets for UNHCR operations to pursue. Still, available data shows that UNHCR and its partners have a long way to go before the established goals are achieved.
- **UNHCR Protection Staffing and Training:** The number of protection staff has increased in recent years, with most of the new posts established in Africa and the CASWANAME region. It is noteworthy that, as regards protection staff, UNHCR is close to achieving gender parity overall. By providing much needed flexibility in staffing arrangements, the field deployment schemes is expected to play an increasingly important role in numerous UNHCR operations worldwide. Meanwhile, protection training targeting all UNCR staff is required to strengthen operations delivery overall, not least in IDP situations.
- **Protection Partnerships:** UNHCR continues to depend on a wide range of partners, including international organisations and NGOs. Funding for protection activities through partners has tripled over the last decade, during a period when UNHCR's overall budgets have been in decline. The current trend is to move beyond traditional implementing arrangements towards more strategic partnerships with organisations that bring their own resources to operations. This is becoming particularly important in relation to IDP situations, as well as for pursuing comprehensive capacity building approaches.

## UNHCR Global Strategic Objectives for 2007-2009

**Overall Mandate Objective:** Lead and coordinate worldwide action for the international protection of refugees and other persons of concern and seek permanent solutions to their problems, pursuant to the UNHCR Statute and Resolutions of the General Assembly and the Economic and Social Council and as operationalised in the Agenda for Protection.

1. **Global Strategic Objective 1:** Ensure international standards of protection are met for all persons of concern to UNHCR taking into account their age, gender or personal background with priority given to:
  - 1.1. Improving protection against refoulement and physical security and reducing incidents of violence, in particular preventing and responding to sexual and gender-based violence,
  - 1.2. Preventing malnutrition, and reducing the prevalence and impact of HIV/ AIDS,
  - 1.3. Ensuring civil, social and economic rights are secured and opportunities for self-reliance maximized with particular attention to the rights of women and children,
  - 1.4. Ensuring the right to education,
  - 1.5. Increasing and improving the level and quality of registration of persons of concern.
2. **Global Strategic Objective 2:** Advocate for and support governments in the development and maintenance of an international protection regime including its implementation at the national level with priority given to:
  - 2.1. Preserving asylum space through effective implementation of the 1951 Convention and its 1967 Protocol and related international and regional standards,
  - 2.2. Strengthening host country capacity to undertake RSD, provide quality asylum and offer durable solutions,
  - 2.3. Addressing situations of statelessness more effectively.
3. **Global Strategic Objective 3:** Redoubling the search for durable solutions with priority given to:
  - 3.1. Promoting the creation of conditions conducive for return and ensuring sustainable reintegration,
  - 3.2. Developing and implementing comprehensive strategies to resolve protracted situations,
  - 3.3. Strengthening local integration as a durable solution,
  - 3.4. Enhancing the use of resettlement as a strategic protection tool, durable solution, and burden and responsibility sharing mechanism,
  - 3.5. Implementing effective exit and phase down strategies through partnerships and handover arrangements with development partners and the competent authorities.
4. **Global Strategic Objective 4:** Establish effectiveness partnerships and frameworks for action for responding to the challenges of protecting and finding solutions for persons internally displaced due to conflict and abuses of human rights, protecting refugees in broader migration movements, and bridging the gap between relief and development with priority given to:
  - 4.1. Supporting and leading efforts to provide protection and solutions for persons internally displaced due to conflict and abuses of human rights as part of the collaborative response to IDPs,
  - 4.2. Improving policy and operational responses to ensure that refugees are protected within broader migration movements,
  - 4.3. Mobilising development actors to support reintegration and recovery in returnee-impacted areas so as to make return of the displaced sustainable.
5. **Global Strategic Objective 5:** Strengthen UNHCR's external relations through improved public information, public awareness, media relations and fund raising with priority given to:
  - 5.1. Promoting values of tolerance and respect for asylum seekers, refugees, IDPs and other persons of concern to UNHCR
  - 5.2. Raising UNHCR's overall visibility, branding and image,
  - 5.3. Expanding UNHCR's donor base and increasing contributions to UNHCR's programmes.
6. **Global Strategic Objective 6:** Strengthen UNHCR as an effective, fully engaged, responsive and respected humanitarian agency worthy of public, political and financial support with priority given to:
  - 6.1. Maintaining financial stability by redesigning the structure of UNHCR so as to streamline the organisation and reduce bureaucracy, improve decision-making and support to operations, and reduce fixed costs,
  - 6.2. Strengthening UNHCR's partnerships and cooperation with all stakeholders, in particular with Governments, the UN, and NGOs,
  - 6.3. Developing and maintaining an emergency preparedness and response capacity to respond to emergencies of 500,000 persons,
  - 6.4. Undertaking comprehensive reform of UNHCR's human resource policies, in order to ensure maximum operational effectiveness, including enhanced capacity to operate in situations of insecurity, and progress in the achievement of gender equity,
  - 6.5. Institutionalising results-based management as a fundamental performance and accountability framework for the organisation.

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The previous version was distributed in close to 3000 copies. 1 133 of these were provided to UNHCR staff, while the number of external subscribers reached 1857. These numbers are expected to increase as the 2006 version is released in a more user friendly, single-disc DVD format. Refworld 2006 is a mobile, browser based solutions with a simple intuitive navigation structure and powerful search engine. Features include:

- Over 75,000 documents references related to refugee/asylum issues
- Unique data not available elsewhere (jurisprudence and UNHCR guidelines)

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