

## ROUNDTABLE ON TEMPORARY PROTECTION

19-20 July 2012

International Institute of Humanitarian Law, San Remo, Italy

### TENTATIVE AGENDA

#### Day 1, Thursday 19<sup>th</sup> July

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|---------------|---|
| 8.30 – 9.00   | Registration  |
| 9.00 – 9.30   | Welcome and Introduction by Erika Feller, Assistant High Commissioner for Protection and Volker Türk, Director of International Protection  |
| 9.30 – 11.00  | <p>Session 1: Regional Overviews of Temporary Protection in Practice</p> <p><i>This session will canvas a number of past and current examples of situations where a form of temporary protection has been applied – what was the rationale for temporary protection, the purposes and aims, beneficiaries/situations, standards of treatment applied, and problems of implementation/activation.</i></p> <p>Discussants: Professor Vitit Muntharborn (South East Asia); Hanny Megally and Ninette Kelley (Middle East); Professor Chilomba Kamanga (Africa); Samuel Boutruche (Europe); Bill Frelick (US' Temporary Protection Status).</p> |
| 11.00 – 11.30 | Break   |
| 11.30 – 13.00 | <p>Session 2: Scope of temporary protection – triggers/activation, situations, beneficiaries</p> <p><i>This session will examine the potential situations where temporary protection could be applied and its beneficiaries, such as large-scale influxes, including those involving mixed movements, fluid or transitional contexts at the beginning of a conflict- or in the post-conflict context, humanitarian evacuation, maritime protection/rescue at sea, natural disasters and other emergency situations.</i></p>   |
| 13.00 – 14.00 | Lunch Break (Buffet)  |
| 14.00 – 15.30 | Session 2 cont'd  |
| 15.30 – 16.30 | <p>Session 3: Standards of treatment</p> <p><i>This session will examine the minimum (“bottom line”) standards of treatment that should apply, covering admission, non-refoulement, and rights. The session will in particular consider the standards in Executive Committee Conclusion No. 22 (1981).</i></p>  |

16.30 – 18.00	<p>Session 4: Duration and ending of temporary protection</p> <p><i>The duration and ending of temporary protection (including transition to other statuses and solutions, see Session 5) have been among the most difficult aspects of formalizing temporary protection standards:</i></p> <ul style="list-style-type: none"> <li>• <i>Should there be a set initial period (e.g. European Union Temporary Protection Directive provides for an initial 1 year stay) or incremental periods (e.g. initial 1-3 months, extendable by periods of 3 months until 1 year and thereafter every 12 months until the maximum), or possibly flexible periods left to the discretion of States, yet with an outer maximum (but no minimum)?</i></li> <li>• <i>On the ending of temporary protection, there are two possibilities – expiration and/or termination, the former would be linked to the expiry of the predetermined period of stay, the latter linked to the fulfilment of objective criteria in the country of origin.</i></li> <li>• <i>Should there be any minimum or maximum periods for temporary protection? And if so, what should these be?</i></li> </ul>
19.30	Dinner
<b>Day 2, Friday 20<sup>th</sup> July</b>	
9.00 – 10.30	<p>Session 5: Transition to solutions</p> <ul style="list-style-type: none"> <li>• <i>What would be the criteria under which return would be appropriate or acceptable?</i></li> <li>• <i>In the event that return remains unfeasible after reaching the maximum period of temporary protection, how should persons be transitioned to other statuses, and how and what solutions could be achieved?</i></li> </ul>
10.30 – 11.00	Break
11.00 – 12.30	<p>Session 6: International cooperation and responsibility sharing</p> <p><i>How should the principles of international cooperation and responsibility sharing be reflected in any temporary protection arrangement? Should they be simply guiding principles underlying the arrangement, or built-in elements/preconditions of the arrangement (as in the EU TP Directive)? How could regional arrangements be supported?</i></p>
12.30 – 13.30	Lunch (Buffet)
13.30 – 15.00	<p>Session 7: Relationship of temporary protection with other instruments</p> <p><i>What is the relationship between temporary protection and relevant legal instruments? How can temporary protection be reconciled with existing legal obligations and practices under those instruments (e.g. prima facie recognition in Africa)?</i></p>
15.00 – 16.00	<p>The way forward and next steps</p> <p><i>Should UNHCR aim for general guidelines on temporary protection, promote a protocol to the 1951 Convention, or develop regional instruments in the Middle East and/or South East Asia? Or should UNHCR draft a template/framework for regional temporary protection arrangements or simply influence domestic legislation?</i></p>
16.00	Close