



UNHCR
The UN Refugee Agency

Evaluation Brief

Independent Evaluation of UNHCR's Support for Strengthening National Asylum Systems

UNHCR's Evaluation Service

Purpose: This evaluation looks at how UNHCR has supported states in capacity development for their national asylum systems to achieve better protection outcomes for asylum seekers and refugees

Evaluation type: Global Strategic / Thematic Evaluation

Methods: Mixed methods, including country case studies in Azerbaijan, Costa Rica, Ecuador, Israel, Morocco, Niger, Philippines, South Africa, South Korea, Uganda, UK

Implemented: June-December 2021

Scope: Covers the period 2015-2020, and concentrates on refugee status determination processes, and, to a lesser extent, registration and identify management, as the core functions of an asylum system.

Commissioned by: Evaluation Service

1. Context

In 2019, there were over 26 million refugees worldwide. Yet, in just over one third of countries, there was no national asylum system. UNHCR has been working with, and building the capacity of, national systems since the 1990s across a large number of the countries in which it works. Where are the success cases, and what does success look like? Where has asylum support been strategic, effective and efficient and why? Critically, what can we learn about UNHCR's role in support national systems development, to guide the organization and its partners in the future.

The New York Declaration on Refugees adopted by the UN General Assembly in September 2016 reset the framework for interventions and modalities for supporting the development of asylum systems. This is evident in interlinked initiatives in which Asylum Capacity Development (ACD) is embedded such as the Comprehensive Refugee Response Framework, the Global Compact on Refugees (2018), the Global Refugee Forum (2019) and the Asylum Capacity Support Group.

Institutional reforms UNHCR has been implementing since 2015 including, more recently, regionalization and decentralization and the rolling out of the COMPASS results-based management system present potentially positive impacts on the planning and implementation of longer-term ACD-processes, on the measurement of outcomes, and on better assessment of value for money in UNHCR's ACD activities.

These changes take place against the challenges of the operating context, including mass displacement during the evaluation period notably from Syria, Afghanistan, South Sudan and Venezuela placing heavy pressure on the capacity of national asylum systems. These increases occurred in an increasingly restrictive environment for asylum which has led to the promotion of restrictive policies. UNHCR has and continues to face significant exogenous challenges that impact its approach to ACD.

1. Key Findings



Context and Ownership are key

UNHCR's ACD work has, for obvious reasons, been more successful where the regional and national context for asylum has proven more favorable and, conversely, has made much less progress where they are not. State commitment to develop or maintain a quality asylum system is the key amongst several determinants. All the evidence points to the willingness of governments to improve and progressively take responsibility for the management of their national asylum system as far and away the most important factor in whether the organization's investments in ACD have proven productive.

Governments dealing with smaller caseloads of asylum-seekers tend to be more open to undertaking improvement initiatives and may have the institutional capacity to make long-term adjustments. Where

caseloads are high, and especially where they increase suddenly, existing asylum capacity tends to be overwhelmed, thereby reducing the financial and organizational space to take on or continue ACD activities. UNHCR engagement has been most productive where governments have kept borders open and asked us for help to manage the caseload, as in, for example, Costa Rica.

Where national policies and public opinion reinforce a welcoming attitude to asylum-seekers, there is a greater will and openness to making improvements in the asylum system, as the case of Uganda exemplifies. However, since 2015 the global trend has been towards more restrictive approaches to asylum. Nevertheless, in some situations, UNHCR continues to work on the improvement of asylum systems, even where asylum recognition rates are close to zero.

The more the financing of asylum systems is part of the national planning and budget system, the more it falls under the management of government and, in principle, the greater the national ownership. In contrast, experience from the case studies shows that externally funded initiatives outside government structures can be part of a transition to national ownership but do not themselves lead to sustained national capacity. External funding can be part of a sustainable asylum system if that financing is part of the national plan and budget process rather than separate project-based funding.

Flexible, Responsive, but always Strategic and Effective?

UNHCR has made good progress over the last few years, with its work on asylum capacity development becoming more comprehensive and developmental, in recognition that supporting national systems development is inherently multidimensional and complex - political, as well as technical, institutional as well as individual - and involving multiple actors, requiring sustained support over a long period of time

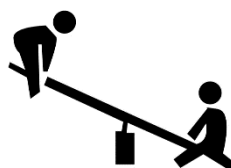
The organization, though, still has some way to go. In some situations, the assumption has been made that substituting or adding capacity, for example, embedding contract staff in Government agencies, has a capacity development effect or outcome. Capacity

substitution and addition can only be considered as part of ACD when used as temporary measures within a longer-term, progressive and developmental plan.

According to staff, the developmental approach to ACD outlined in some of the UNHCR RSD guidance documents is not always mainstreamed into field practice. The guidance itself also needs to be expanded.

The evidence indicates that UNHCR is strategically adept at adapting its ACD approach in any one context to the prevailing political and operational conditions. However, the parameters around why and when to invest are not always clear. For example, some of the case studies relate to middle-income countries that could be expected to fund their own asylum systems, yet UNHCR continues to underwrite the national asylum system at considerable costs.

Balancing state support with the direct needs of asylum seekers



In challenging contexts, where some or all conditions for success are missing, ACD investments do not always achieve its intended outcomes. UNHCR's legal right to have direct access to individual asylum-seekers, and to comment or advise on individual cases, is widely respected, but doesn't appear to always translate to significant influence over systems-level performance.

The soft diplomacy role is vital in the face of weak or deteriorating asylum policy environments. The effects of this are, by its very nature, hard to measure. UNHCR has tended to emphasize supporting the government to pursue specific projects or activities. This has improved or sustained working relationships with governments and may lead to some gains in capacity, but can limit the organization's role in helping the government to hold itself accountable for building quality asylum systems, which is itself the basis for investing in ACD.

ACD has made most progress where national asylum institutions are already strong enough to absorb technical, training and material inputs into a functioning management system into the institution. This is because ACD leading to full national ownership of national asylum systems is, by its nature, necessarily a 5-10 year process.



Grounding ACD in asylum-seekers' rights and perspectives

UNHCR consultations with asylum-seekers and refugees do not generally cover their experiences of the asylum system, and where experiences of asylum processes are recorded they do not, in general, feed directly into the design or implementation of ACD activities.

Registration systems can provide insights about refugees and asylum-seekers that can feed into RSD processes, for example the propensity to seek RSD beyond the basic rights that registration might provide. Focus and community groups methods have proved effective in canvassing their views on registration and verification systems.



Advocacy for ACD in intergovernmental processes

The strength of UNHCR's advocacy for ACD greatly increases when part of an intergovernmental process. The evaluation team found that the organization is good at using political openings but less adept at building or joining networks or partnerships that can exert more influence on ACD than by us acting alone.

All the case studies included examples of UNHCR advocating for and/or contributing to changes in asylum policy, legislation, systems and living conditions for asylum-seekers. Feedback from the online survey respondents concerning the organization's advocacy was mixed, with some feeling it was successful and others feeling we had limited ability to influence government policy and practice in asylum.

While being a valued partner to government, including where UNHCR ACD has strengthened components of the national systems - its efforts have not always fundamentally changed the disposition of the governments towards asylum, even in countries where UNHCR has built a strong long-term relationship with the government.

In contrast, UNHCR's influence greatly increased when feeding into or coordinating donor-led or intergovernmental processes, formal or informal, whereby the government was more open to change and needed our knowledge and support, as for example when



preparing for the GRF, or when implementing the Brazil Plan of Action or the Joint Action Plan for Mexico. The key point here is that it was not that UNHCR was creating the political momentum but rather an exogenous political process creating incentives, which generated a positive demand for UNHCR support.

2. Recommendations

Based on these findings, a series of 12 recommendations were made by the evaluation team.

Structured and systematic approach to ACD

1. Seek high-level endorsement for a policy and strategy statement on the scope and role of UNHCR in ACD to enhance the significance of ACD in its mandate both internally and from governing bodies and fora.

2. Revise and expand UNHCR strategy and guidance on ACD, building on existing documents and tools. In extending its guidance, UNHCR should, inter alia, distinguish between capacity addition and capacity development, elaborating the 'how to' of ACD strategy implementation, built on multi-year strategies, and closing key gaps in guidance.

Strategic approach to ACD

3. UNHCR should take a more strategic, performance-driven approach to ACD to assess whether the country strategy and funding for ACD is appropriate and how it could be improved by analyzing and clarifying the types of ACD investment that are appropriate in various operating contexts. A strategic, performance-driven approach should also consider scaling investment in ACD to different operating contexts.

Effective implementation of ACD

4. UNHCR should extend its collaborative efforts and, where appropriate, form and coordinate partnerships with development organizations (local and international) to work together on country approaches to ACD and to strengthen the institutional capacity of its national asylum counterparts to likely create a more favourable environment for asylum and, more specifically, for ACD by adding strategic and operational expertise and resources and, potentially, adding incentives for the government to take responsibility for and improve its asylum system.

5. UNHCR should develop strategies and methods to monitor its performance in ACD to enable UNHCR and

governments to measure the outcomes of ACD and better understand the effectiveness of ACD efforts.

6. UNHCR should ensure that detailed attention is given to assessing the risks associated with ACD at country and global levels to ensure that UNHCR strategies and operational activities for ACD would be better attuned to local conditions by assessing the risks and reviewing mitigation measures in the design and implementation of ACD strategies and plans.

7. Request UNHCR internal auditors to include the functioning and value for money of national eligibility commissions and related appeal structures in audits of UNHCR Country Operations that support such commissions to enable UNHCR to better evaluate its investment and the contribution of these bodies to the development of governments' asylum capacity.

8. Trial the use of third-party actors to consult with asylum-seekers on their experience of the asylum system to ensure ACD remains relevant to their needs and on the design of future ACD projects to inform country programme planning. Trialing the use of third-party actors and organizations with community development experience/expertise is proposed as a way forward to strengthen the voice of refugees and asylum-seekers in ACD, re-focus on rights and to overcome some of the constraints of current UNHCR approaches.

Equipping UNHCR to support ACD

9. UNHCR should equip relevant protection staff in change management and institutional capacity development related to national asylum systems.

10. Complete the development and implementation of an online learning programme on ACD for UNHCR staff, and potentially government counterparts.

These recommendation addresses the gap that exists in staff expertise in change management, political economy analysis and institutional capacity development for ACD within UNHCR, which was observed in the evaluation. The recommendation aims to promote the development of a cadre of protection staff at HQ/Regional Bureau, and especially Country Office-level staff with this expertise, in order to enhance and align ACD resources and know-how with protection expertise and to work with national counterparts in developing national asylum systems.

Organizational learning for effective ACD

11. Increase the number of internal and external reviews and evaluations of ACD efforts, engaging stakeholders beyond UNHCR, to generate more evidence of what does and does not work.

12. Undertake further analysis of the Quality Assurance Initiatives implemented in the Americas and Europe, and expand the most successful aspects for application elsewhere.

These recommendations stress the need for learning to undertake a more extensive and systematic review programme to inform UNHCR's understanding on which ACD strategies are most effective; to analyze why certain interventions work to improve asylum quality and sustainability and others do not; and to measure outcomes.

Contact us: For further information please contact David Rider Smith (ridersmi@unhcr.org)

Full report available [here](#)

Executive Summaries in English, French and Spanish, and detailed annexes [here](#)