

# G L O S S A R Y

## 10-Point Plan of Action

An action plan which seeks to assist States in ensuring that refugee protection needs are recognized and appropriately addressed in situations of mixed migration. The Plan sets out ten areas in which UNHCR has an interest and a potential role to play in partnership with other key actors. The Plan is especially relevant to situations where refugees are at risk of refoulement or hazardous onward movements.

## Acquis

Used in the EU context to refer to the 'acquired' or agreed set of instruments relating to cooperation on matters of asylum.

## Agenda for Protection

A declaration and programme of action, agreed by UNHCR and States as part of the Global Consultations on International Protection, comprising of six goals to improve the protection of refugees and asylum-seekers around the world. Endorsed in October 2002 by the Executive Committee and welcomed by the General Assembly.

## Asylum

The grant by a State, of protection on its territory, to persons from another State who are fleeing persecution or serious danger. Asylum encompasses a variety of elements, including *non-refoulement*, permission to

remain on the territory of the asylum country and humane standards of treatment.

## Cartagena Declaration on Refugees

A Declaration adopted by a colloquium of experts from the Americas in November 1984. The Declaration enlarges the 1951 Convention definition of refugee to include "persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order."

While the Declaration is not a treaty, its provisions are respected across Central America. This refugee definition has been incorporated in the legislation of most of the countries of the Americas.

## Cessation Clauses

Legal provisions that set out the conditions in which refugee status comes to an end because it is no longer needed or justified. Cessation clauses are found in Article 1(C) of the 1951 Convention and in Article I(4) of the 1969 OAU Refugee Convention.

## Cluster Leadership Approach

The Cluster Leadership Approach is part of the overall

## Children

Persons who are below the legal age of majority and are therefore not legally independent. This term includes adolescents. Under the Convention on the Rights of the Child, a 'child' is a person who is below the age of eighteen, unless the applicable law sets a lower age.

UN-led humanitarian reform process initiated in 2005 aimed at improving the effectiveness of humanitarian response through improving the predictability and accountability of humanitarian actions. It was adopted by the Inter-Agency Standing Committee as a mechanism that would address identified gaps in response and enhance the quality of humanitarian actions by strengthening partnerships between UN agencies, the Red Cross movement, international organizations and NGOs. UNHCR had been designated the cluster lead for emergency shelter, camp coordination and management and protection in situations of conflict-related internal displacement.

## Community-based approach

An inclusive partnership strategy that recognizes and builds on the capacities and resources of people of concern, by promoting participation in programme activities.

## Complementary food

Food items provided by UNHCR in addition to the basic food ration supplied by WFP.

## Complementary protection

Formal permission to reside in a country, extended by a country under national law or practice, to persons who are in need of international protection even though they do not qualify for 1951 Convention refugee status.

## Convention on the Reduction of Statelessness

A treaty that provides for the acquisition of nationality by those who would otherwise be stateless and who have an appropriate link with the State, through birth on the territory or through descent from a national.

The Convention also provides for the retention of nationality by those who would become stateless if they were to lose their nationality to that State. UNHCR has been mandated with specific functions under Article II of this Convention.

## Convention refugees

Persons recognized as refugees by States, under the eligibility criteria in Article 1 of the 1951 Convention, and are entitled to the enjoyment of a variety of rights under that treaty.

## Convention relating to the Status of Refugees (1951 Convention)

This treaty establishes the most widely applicable framework for the protection of refugees. The Convention was adopted in July 1951 and entered into force in April 1954. Article 1 of the Convention limits its scope to "events occurring before 1 January 1951" but this restriction was removed by the 1967 Protocol relating to the Status of Refugees. As of 1 March 2006, there are 146 States party to the 1951 Convention and/or the 1967 Protocol.

## Asylum-seeker

An individual who is seeking international protection. In countries with individualized procedures, an asylum-seeker is someone whose claim has not yet been finally decided on by the country in which the claim is submitted. Not every asylum-seeker will ultimately be recognized as a refugee, but every refugee was initially an asylum-seeker.

## Convention relating to the Status of Stateless Persons

A Convention that provides the definition of a stateless person and establishes a framework by which a stateless person, who is lawfully resident in a State, can have legal status. The Convention was adopted in September 1954 and entered into force in June 1960.

## Delivering as One

The High-level Panel proposed mechanisms to improve UN's ability to implement development, humanitarian assistance and environmental activities.

The framework is based on a unified and coherent UN structure at the Country level with one leader, one programme, one budget and, where appropriate, one office. Achievements are measured by results-based management and accountability standards.

## Dublin II

A European Council Regulation, effective from 1 September 2003, which provides the legal basis for establishing the criteria and mechanism for determining the State responsible for examining an asylum application in one of the Member States of the EU (excluding Denmark), as well as in Iceland, Lichtenstein, Norway and Switzerland.

## Durable solutions

Any means by which the situation of refugees can be satisfactorily and permanently resolved, enabling refugees' normal lives. Traditionally, UNHCR pursues the three durable solutions of voluntary repatriation, local integration, and resettlement.

## Earmarking

A donor condition governing the use of funds:

### UNRESTRICTED CONTRIBUTIONS

No limitations on the use of funds.

### REGIONAL/SUBREGIONAL EARMARKING

Broadly earmarked contributions towards a region (e.g. Africa) or subregion (e.g. West Africa). Broadly earmarked

## Groups with specific needs

Individuals, families or groups, requiring additional support in order to enable them to overcome the challenges they face in accessing and enjoying their rights.

contributions for supplementary programmes that cover more than one country, and contributions towards Headquarters, Global Programmes and the Operational Reserve.

### COUNTRY EARMARKING

Contributions that are earmarked for a specific country without any limitations. Broadly earmarked contributions for supplementary programmes that cover only one country.

### THEMATIC EARMARKING

Contributions that are earmarked at the country, regional or global levels for a specific theme (e.g. reintegration in Burundi), beneficiary group (e.g. Sudanese refugees in Chad) or a specific geographical region within a country (e.g. Northern Caucasus in the Russian Federation) without any further restrictions and as long as the theme or beneficiary group does not cover the entire country operation.

### SECTOR EARMARKING

Contributions that are earmarked at the country, regional or global levels for specific sectors and/or activities. All in-kind contributions, contributions against the NAM Reserve and staff-related contributions (e.g. JPOs, consultants and secondments).

## Exclusion clauses

Legal provisions that deny the benefits of international protection to persons who would otherwise satisfy the criteria for refugee status.

In the 1951 Convention, the exclusion clauses are found in Articles 1D, 1E and 1F. These clauses apply to the following categories:

- persons who are receiving protection or assistance from United Nations agencies other than UNHCR;
- persons who possess the rights and obligations attached to the possession of nationality of their country of residence;
- and persons in respect of

whom there are serious reasons for considering that they have committed a crime against peace, a war crime, a crime against humanity, a serious non-political crime, or acts contrary to the purposes and principles of the United Nations.

## Executive Committee of the High Commissioner's Programme (ExCom)

The Committee charged with approving UNHCR's assistance programmes, advising the High Commissioner on the exercise of his/her functions and overseeing the Office's finances and administration. ExCom is composed of representatives of 76 States with a demonstrated interest in refugee issues.

## Facilitated voluntary repatriation

Even when conditions in the country of origin are too difficult or dangerous for the majority of refugees to return, UNHCR can assist ("facilitate") the repatriation of any refugees who makes an informed and voluntary decision to return, and requests such assistance.

## Final budget

The budget adopted by the Executive Committee, adjusted with allocations from the Operational Reserve and the NAM Reserve, or transfers between appropriations.

## Gender-related persecution

Persecution that targets or disproportionately affects a particular gender. Under certain factual circumstances, gender-related persecution may come within the refugee definition.

## Good Humanitarian Donorship

An initiative launched by donors to improve their responses to humanitarian crises.

## Group-based protection responses

Approaches whereby the protection and assistance needs of refugees are met without previously determining their status on an individual basis. Appropriate where asylum-seekers arrive *en masse* and individualized procedures are neither feasible nor necessary (the cause of flight often being self-evident). The two main approaches are recognition of refugee status on a *prima facie* basis and temporary protection.

## Implementing partner

Any organization or agency to which UNHCR delegates responsibility for the implementation of material assistance and provides funds for this purpose through a standard project agreement.

## Internally displaced person (IDP)

An individual who has been forced or obliged to flee from the individual's home or place of habitual residence, "...in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border" (according to the *Guiding Principles on Internal Displacement*).

### Instalments with implementing partners

In financial reports, payments made to partners (allocated to a general sector), for which financial reports are not received by the end of the financial year. These amounts will be cleared upon the reception of financial reports from the partners, which indicate the specific sector to which the amounts should be allocated.

### International protection

*All actions aimed at ensuring the equal access to and enjoyment of the rights of women, men, girls and boys of concern to UNHCR, in accordance with the relevant bodies of law (including international humanitarian, human rights and refugee law).*

### Junior Professional Officer (JPO)

Government-sponsored young professional working for UNHCR.

### Local integration

A durable solution to the plight of refugees that involves their permanent settlement in the country in which they sought asylum.

### Malnutrition

Cellular imbalance between the supply of nutrients and energy and the body's demand for them to ensure growth, maintenance, and specific functions.

It is a general term for the medical condition that is caused by an improper or insufficient nutrition, which is not adequate to maintain good health.

The adverse effects of malnutrition include both physical and developmental manifestations.

#### SEVERE ACUTE MALNUTRITION

##### • Kwashiorkor

Malnutrition brought on by a protein deficiency which causes fluids to drain from the blood into the stomach, causing swelling.

##### • Marasmus

Resulting from a general lack of calories, causing

### Mandate Refugees

Persons who are recognized as refugees by UNHCR acting under the authority of its Statute and relevant UN General Assembly resolutions. Mandate status is especially significant in States that are not party to the 1951 Refugee Convention or its 1967 Protocol.

extreme emaciation with a loss of muscle and fat tissue. It is considered a medical emergency and, untreated, will most often result in death.

#### MODERATE ACUTE MALNUTRITION

A less urgent medical condition, but whose prevalence is more widespread than that of severe malnutrition. If left unattended, moderate malnutrition often progresses toward severe malnutrition.

### Management Systems Renewal Project (MSRP)

UNHCR's computer systems for finance, supply chain, human resources and payroll.

### Mexico Plan of Action

The Mexico Plan of Action, launched in 2004, aims to enhance international refugee protection in Latin America by further developing international refugee law, consolidating protection networks and improving the ability of States to provide effective protection to all persons in need.

Its focus is on providing durable solutions for urban refugees, in particular self-reliance; the special needs of refugee women; the Colombian conflict and its impact, as well as solutions at border areas; and the use of resettlement opportunities in the region.

### New or Additional Activities — Mandate-related (NAM) Reserve

Established to facilitate the acceptance of additional funding from donors for activities consistent with the mandate and capacity of UNHCR and the broad objectives of a country operation, but for which no express budgetary provision had been made.

### Mixed migratory flows

Movements of people from one country and/or continent to another and may include both people who are in need of international protection and others who are not.

Mixed flows are likely when a country of origin is simultaneously affected by human rights violations, economic decline and an absence of opportunities of livelihood. Such flows of people, involving both refugees and migrants, are commonly referred to as 'mixed movements'.

### OAU

#### Convention Governing the Specific Aspects of Refugee Problems in Africa

This regional complement to the 1951 Convention provides for a broader refugee definition. Adopted in 1969, the OAU Convention stipulates that the term "refugee" also "applies to those fleeing from external aggression, occupation, foreign domination or events seriously disturbing public order in either part or whole of the country of origin."

### Operational partner

Any organization or agency with which UNHCR collaborates to provide protection and assistance for refugees, or other persons of concern to UNHCR, but which does not receive funds from UNHCR to implement activities on its behalf.

### Prima facie refugees

Persons recognised as refugees, by a State or UNHCR, on the basis of objective criteria related to the circumstances in their country of origin, justifying a presumption that they meet the criteria of the applicable refugee definition.

See also Group-based protection responses.

### ProCap

Mechanism to enhance the UN protection response through provision of trained Protection Officers for short-term field assignments.

### Programme support

The costs of organizational units, whose primary functions are the formulation, development, delivery and evaluation of UNHCR programmes, including those that provided technical, thematic, geographic, logistical or administrative support.

### Promoted voluntary repatriation

Voluntary repatriation encouraged and organized by UNHCR, when conditions are considered conducive for a safe and dignified return.

### Protection

*All activities aimed at obtaining full respect for the rights of the individual, in accordance with the letter and the spirit of the relevant bodies of law (i.e., international human rights law, international humanitarian law and refugee law.)*

### Protection, monitoring and co-ordination

In financial reports, the cost of UNHCR's presence at operating locations (i.e. the direct cost of providing international protection to refugee populations). This differs from the 'Legal assistance' sector, which refers to the cost of specific projects and/or materials.

## Refugee

*A refugee is any person who, "...owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his [or her] nationality and is unable or, owing to such fear, is unwilling to avail him [or her]self of the protection of that country; or who, not having a nationality and being outside the country of his [or her] former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it."*

*Article 1A(2) of the 1951 Convention*

**or**

who is outside his/her country of origin or habitual and is unable to return there because of serious and indiscriminate threats to life, physical integrity or freedom resulting from generalized violence or events seriously disturbing public order.

*OAU Convention and Cartagena Declaration*

## Refoulement

The removal of a person to a territory where he/she would be at risk of being persecuted, or being moved to another territory where he/she would

face persecution. Under international refugee law and customary international law, refoulement is permitted only in exceptional circumstances.

## Refugee-like situation

The category of people in a refugee-like situation is descriptive in nature and includes groups of people who are outside their country of origin and who face protection risks similar to those of refugees, but for whom refugee status has, for practical or other reasons, not been ascertained.

## Refugee status determination (RSD)

Legal and administrative procedures undertaken by States and/or UNHCR to determine whether an individual should be recognized as a refugee in accordance with national and international law.

## Reintegration

A process which enables returnees to regain their physical, social, legal and material security needed to maintain life, livelihood and dignity and which eventually leads to the disappearance of any observable distinctions vis-à-vis their compatriots.

## Resettlement

The transfer of refugees from the country in which they have sought asylum to another State that has agreed to admit them. The refugees will usually be granted asylum or some other form of long-term resident rights and, in many cases, will have the opportunity to become naturalized citizens. For this reason, resettlement is a durable solution as well as a tool for the protection of refugees. It is also a practical example of international burden and responsibility sharing.

## Results-based management (RBM)

A management philosophy and approach that emphasizes the achievement of results as the essential task of management.

## Returnee

A person who was of concern to UNHCR when outside his/her country of origin and who remains so, for a limited period (usually two years), after returning to the country of origin. The term also applies to internally displaced persons who return to their previous place of residence.

## Sexual and gender-based violence (SGBV)

Acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion or arbitrary deprivation of liberty, that target individuals or groups of individuals on the basis of their gender.

## Self-reliance

In the refugee context, the ability of an asylum-seeker or refugee to provide for his/her own living needs, and those of his/her dependants.

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### Stateless persons

Persons who are not considered as nationals, by any State under the operation of its law, including persons whose nationality is not established.

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### Surge Project

The Surge Protection Capacity Project is UNHCR's response to increased and sudden temporary protection staffing needs in circumstances where the Office's own protection staffing capacity is insufficient. The Project's main feature includes a roster of external candidates available for immediate deployment.

### Söderköping Process

An initiative, launched by UNHCR and the Swedish Migration Board, to promote dialogue on asylum and irregular migration issues among the countries situated along the eastern border of the European Union.

### Temporary Protection

An arrangement or device developed by States to offer protection, of a temporary nature, to persons arriving *en masse* from situations of conflict or generalized violence, without prior individual status determination. Temporary protection has been mostly used in industrialized States.

### Trafficking (human)

The organized illegal movement of persons for profit. The critical additional factor that distinguishes trafficking from migrant smuggling is the use of force, coercion and/or deception throughout, or at some stage in the process. While the additional elements that distinguish trafficking from migrant smuggling may sometimes be obvious, in many cases they are difficult to prove without active investigation.

### Transpose/Transposition

The application of directives, in accordance with the rulings of the European Court of Justice, into the national law of EU-Member States.

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### Unaccompanied children

Children who are not in the company of parents or another adult caregiver.

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### United Nations Security Phases

The UN utilizes a five-phase security management system. The five phases are:

#### Phase One PRECAUTIONARY

Used to warn staff that the security situation in the country, or a portion of the country, is such that caution should be exercised. Travel to the duty station requires advance clearance from the Designated Official (DO) responsible for security.

#### Phase Two RESTRICTED MOVEMENT

Will be declared to signify that the situation warrants a much higher level of awareness and preparedness than the precautionary phase, and to impose major restrictions on the movement of staff members and their eligible dependants who may be directed to remain at home unless otherwise instructed. Phase Two should be used as a transition measure. No travel to or within the country will occur unless specifically authorized by the DO as essential travel.

#### Phase Three RELOCATION

Indicates a substantial deterioration in the security situation, which may result in the relocation of non-essential staff members or their eligible dependants. The determination of essential staff members for security purposes will be made by the DO and the Security Management Team.

#### Phase Four EMERGENCY OPERATIONS

All internationally recruited

staff may be evacuated, apart from staff directly concerned with security matters, emergency or humanitarian relief operations. The purpose of Phase Four is to limit the numbers of international staff members at the duty station to those vital for emergency, humanitarian relief, security operations or any other operation deemed essential by the Secretary-General.

#### Phase Five EVACUATION

Signifies that the situation has deteriorated to such a point that all remaining internationally recruited staff members are required to leave. Phase Five can only be declared with the approval of the Secretary-General.

### United Nations Volunteers (UNV)

The volunteer arm of the United Nations which serves as an operational partner in development cooperation at the request of UN member States. It deploys qualified volunteers to different UN organizations.

### Voluntary Repatriation

Return to the country of origin based on the refugees' free and informed decision. Voluntary repatriation is one of the three durable solutions and may be organized (when it takes place under the auspices of the concerned governments and/or UNHCR) or spontaneous (the refugees return by their own means with no involvement of UNHCR and governments). See also 'facilitated' and 'promoted voluntary repatriation'.

### Z-Score (normal or standard score)

The z-score represents the relative position of the data value (raw score) by indicating the number of standard deviations (measure of statistical dispersion) it is from the mean. Normally, any value with a z-score less than 3 or greater than 3 should be considered an outlier.