



UNHCR
The UN Refugee Agency



SUMMARY

HIGH COMMISSIONER'S DIALOGUE ON PROTECTION CHALLENGES: PROTECTION AND RESILIENCE DURING PANDEMICS

Protection Challenges and Responses to COVID-19 for and by Displaced and Stateless People

4 NOVEMBER 2020, 15:00 - 17:00 (CET)

Protection Challenges and Responses to COVID-19 for and by Displaced and Stateless People

SESSION DESCRIPTION

The global pandemic has challenged the institution of asylum. In some cases, it has triggered restrictive measures, but in others, innovative approaches have been taken to enable the continued functioning of asylum systems and the protection of forcibly displaced and stateless populations.

COVID-19 has also created new or amplified challenges for refugees and internally displaced and stateless people worldwide, particularly in terms of exacerbating the pre-pandemic vulnerabilities of individuals with specific protection needs.

COVID-19 has highlighted the extraordinary resilience of tens of thousands of forcibly displaced women, men, girls, and boys worldwide who have stepped up to overcome many of the challenges posed by the pandemic. In many locations, they have been pivotal in reaching out to the most vulnerable members of their communities and enabling governments and humanitarian actors to continue to deliver assistance and protection programmes.

Building on the opening session, the virtual protection session highlighted key protection challenges arising in the COVID-19 context and explored constructive ways to address them, including through efforts by refugees and internally displaced persons themselves. A panel composed of a State signatory to the 1951 refugee convention, a speaker representing civil society, two refugees, and one internally displaced person shared their experiences and presented good practices and opportunities.

Panellists responded to questions posed through the interactive platform and focused on good practices that support progress. This session then reflected on ways forward and proposed concrete actions to reinforce access to protection and enjoyment of rights for displaced and stateless people.

Attention was paid to the engagement of refugee and internally displaced communities and the protection risks that are often associated with specific intersectional identities.

Chair



Ms. Gillian Triggs

Assistant High Commissioner for Protection, UNHCR

Ms. Gillian Triggs was appointed Assistant High Commissioner for Protection on 9 August 2019. She is a highly renowned expert in international law who has held a number of eminent appointments in service of human rights and the refugee cause, including most recently as the President of the Australian Human Rights Commission and the Vice-Chancellor's Fellow and Emeritus Professor at the University of Melbourne. Ms. Triggs oversees UNHCR's protection work for millions of refugees and internally displaced, stateless, and other people of concern. An Australian national, she has previously held a number of leadership roles, including as President of the Asian Development Bank Administrative Tribunal, Chair of the UN Independent Expert Panel of Inquiry into Abuse of Office and Harassment in UNAIDS, Dean of the Faculty of Law and Challis Professor of International Law at the University of Sydney, and Director of the British Institute of International and Comparative Law in London. Ms. Triggs has been closely associated with a number of not-for-profit organizations throughout her career, including most recently as Chair of Justice Connect, an organization that connects 10,000 lawyers to provide pro bono advice to asylum-seekers and others in need of legal support in Australia. She is also the author of many books and papers on public international law.

Moderator



Mr. Barthelemy Mwanza Ngane

Congolese Refugee Advocate | Tongogara, Zimbabwe

Mr. Barthelemy Mwanza, is a 27-year-old Congolese refugee currently living in Zimbabwe at Tongogara refugee camp. He is the Co-Chair of the UNHCR Global Youth Advisory Council (GYAC), which is serving as UNHCR's consultative group on issues relating to the protection and development of young people who are refugees, internally displaced, and stateless. He has been working with GYAC as delegate since December 2017. Through this role, he has assumed a wide range of responsibilities, including engaging in consultations with refugee communities, advocacy, identifying good practices, networking, and identifying and supporting refugee projects and programs.

Twitter: [@BarthMwanza](#)
Instagram: [hindououmar](#)
LinkedIn: [Barth Mwanza](#)

Speakers



Ms. Maria Fernanda Cevallos Jaramillo
*Directorate of International Protection,
Ministry of Foreign Affairs | Ecuador*

Ms. Maria Fernanda Cevallos Jaramillo is the National Director of International Protection of the Ministry of Foreign Affairs and Human Mobility in Ecuador, as well as the Coordinator of the Refugee and Statelessness Commission and Coordinator of the Institutional Strengthening Project between the Ministry of Foreign Affairs and UNHCR. She is in charge of directing, coordinating, and managing Ecuador's international protection policy, refugee and statelessness status determination processes in the field, the services provided to the population in need of international protection, and statistical information that is generated within this field.

Key Topics

- Access to the national asylum system
- Issue of documentation



Ms. Leila Muriithia Simiyu
*Senior Programme Officer and Head of Legal
Aid Programme, Refugee Consortium of Kenya*

Ms. Leila Muriithia Simiyu is an advocate of the High Court of Kenya, practicing as such at the Refugee Consortium of Kenya. She is also the Senior Programmes Officer and the Legal Aid and Psychosocial Officer for the same organisation.

Twitter: [@leila_simiyu](https://twitter.com/leila_simiyu)

Key Topics

- Protection of refugees and stateless persons
- Inclusion of refugees and stateless persons in COVID-19 response / good practices/lessons learned



Ms. Tamara Maksimovna Inzhutova
Active Community Member | Irpin, Ukraine

Born in 1951, Ms. Tamara Maksimovna Inzhutova spent most of her life in Luhansk, Ukraine with her family, working as an engineer. In 2014, she had to urgently leave her home due to insecurity and was displaced to Irpin. She thought she was leaving for a few weeks; however, she and her family have yet to return home. She works with the Good Deeds Foundation and volunteers with children at the community centre. She also introduced sewing classes for older internally displaced women. During the

pandemic, she and other older internally displaced people sewed creative masks for children and adults. She is the caretaker of her spouse, who cannot not walk and speaks with difficulty.

Facebook groups:

- [Good Deed Foundation](#)
- [IDP Community Centre](#)

Key Topics

- Impact of COVID-19 on internally displaced older persons and children
- Activities conducted by older persons during COVID-19 pandemic
- Community centres, child protection, caring for family member



Ms. Ala'a Ali Al Qassem
Community Volunteer | Zaatari camp
Jordan

Ms. Ala'a Ali al Qassem, 28 years old, was a university student in Syria before the escalation of conflict caused her family to flee to the Zaatari camp, Jordan in 2012. She received a scholarship to study Press and Media, graduating in 2019 at the top of her class. She has worked on psychological and social support (StC), and as an outreach volunteer with separated and unaccompanied children (IRC). During the pandemic, she has been working with a radio station and writing about refugees, including on innovation, women's roles, and education.

Facebook: [Alaa Alqassem](#)

Key Topics

- Youth creativity and innovation
- Youth and technology
- Gender norms and the role of women
- Child protection and education



Ms. Maya Devi Gurung
President of the Bhutanese Refugee Association of the Disabled (BRAD) |
Nepal

Ms. Maya Devi Gurung, 48 years old, was born in Bhutan. In 1992, at the age of 28, she and her family fled to Nepal and resided in Jhapa refugee camp. She has had a physical disability since she was 10 months old. Today she lives with her husband and two children. She is dedicated to her community, working on women's empowerment and disability inclusion. Since 2013, she has been the president of the Bhutanese Refugee Association of the Disabled (BRAD) and has conducted trainings for refugees on gender-based violence.

Facebook: [Devi Maya Gurung](#)

Key Topics

- Impact of COVID-19 on women and persons with disabilities
- GBV and domestic violence, disability, community-based organizations and community management structures
- Activities conducted by women and girls with disabilities during the COVID-19 pandemic

SUMMARY OF DISCUSSION

The session was attended by nearly 700 participants from 95 countries.

Key issues

The session aimed to highlight key protection challenges arising in the COVID-19 context and explored positive ways to address them, including through efforts made by refugees and internally displaced and stateless persons themselves.

The session was opened by the Assistant High Commissioner for Protection, Ms. Gillian Triggs. The opening was followed by a panel of five discussants, moderated by Mr. Barthelemy Ngane Mwanza, the Co-Chair of the UNHCR Global Youth Advisory Council (GYAC), which is serving as UNHCR's consultative group on issues relating to the protection and development of young people who are refugees, internally displaced, and stateless.

The panel members addressed the following key issues:

- **Ms. Maria Fernanda Cevallos**, *Ministry of Foreign Affairs, Directorate for International Protection - Ecuador*
 - Access to the national asylum system
 - Issuance of documentation
- **Ms. Leila Muriithia Simiyu**, *Senior Programme Officer/Head of Legal Aid Programme, Refugee Consortium of Kenya*
 - Protection of refugees and stateless persons
 - Inclusion of refugees and stateless persons in the COVID-19 response – good practices and lessons learned
- **Ms. Tamara Maksimovna Inzhutova**, *Active community member - Ukraine*
 - Impact of COVID-19 on internally displaced older persons and children
 - Activities conducted by older persons during the pandemic
 - Community centres, child protection, caring for family members
- **Ms. Ala'a Ali Al Qassem**, *Community Volunteer - Zaatari camp, Jordan*
 - Youth creativity and innovation
 - Youth and technology

- Gender norms and the role of women
- Child protection and education

- **Ms. Devi Maya Gurung**, *President of Bhutanese Refugee Association of the Disabled (BRAD) – Nepal*
 - Impact of the pandemic on women and persons with disabilities
 - Gender-based violence, domestic violence, disability, community-based organizations, and community management structures
 - Activities conducted by women and girls with disabilities during the pandemic

Recommendations

The Assistant High-Commissioner, Ms. Gillian Triggs, concluded the session by highlighting the following recommendations, drawing from the interventions by the five speakers:

1. Access to territory/protection

States can and should ensure access to asylum, while protecting public health. This means that while States can legitimately impose limits on border crossings, it is essential to ensure those seeking international protection have access to territory – which can be subject to reasonable public health safeguards [including quarantine, testing, or other non-discriminatory measures].

Many States have demonstrated that they can well manage arrivals consistent with public health imperatives.

2. Adapted asylum and statelessness determination processes, including for documentation

It is important to adapt asylum systems so that refugees and asylum seekers can continue to access international protection. This includes, for example, remote extension of documents, remote registration, adaptive measures in interviewing rooms, and remote interviewing.

The continuation of processes to identify and provide stateless persons with a status is likewise important. Birth registration should also be considered an essential service and continue to operate to prevent more people from falling through the cracks and risking statelessness.

The introduction of adaptive measures in asylum procedures does not necessarily require major financial or technological investments, especially if planned in advance.

Unless asylum systems are properly adapted, there is a real risk of significant backlogs being created, which could significantly impact the protection of individuals and protection space, going forward.

3. Inclusive access to services and national responses

Refugees, internally displaced persons (IDPs), and stateless persons are at higher risks of exposure to protection concerns during the pandemic. Inclusive approaches that protect every individual's right to life and access to adequate health and other services are critical. Including refugees, IDPs, and stateless persons in national responses is critical not only for the current situation, but also for any plans to address the medium and longer-term socio-economic impacts of the crisis (e.g. as they might relate to loss of livelihoods and the current recession).

4. Restrictions on freedom of movement

States can legitimately restrict freedom of movement during a pandemic, but detention and other restrictions of movement, where they need to be imposed, must not be arbitrary or discriminatory.

Restrictions on the exercise of rights should be non-discriminatory, necessary, proportionate, and reasonable to address the aim of public health; they should also be maintained no longer than necessary.

5. Importance of community-based structures

The pandemic has challenged one of UNHCR's key strengths in delivering protection – its proximity to communities – and stimulated the organization to explore alternative ways to engage with diverse groups across age, gender, and diversity. It also has clearly demonstrated the comparative advantage of prior investment in community-based structures and the critical role played by displaced people in the COVID-19 response. As presented by Ms. Tamara Maksimovna Inzhutova, in the town of Irpin, Ukraine, the IDP community centre, the Good Deeds Foundation, which is supported by UNHCR, has been a beacon of light during difficult times.

UNHCR remains committed to strengthen its community-based approach and to reinforce and invest further in partnerships with community-based and refugee-based organizations. In line with UNHCR's Accountability to Affected People Framework, more investment is needed in such practices to ensure our programmes are inclusive and accessible to all.

6. Criticality of the participation of women and girls

Speakers on this panel, especially Ms. Devi Maya Gurung, Ms. Tamara Maksimovna Inzhutova, and Ms Ala'a Ali Al Qassem, clearly illustrated the strength and resilience of women and girls and the important protection dividends achieved through their meaningful participation. Ensuring the full and meaningful participation of women and girls remains a strategic priority for UNHCR.

7. Link between COVID-19 and gender-based violence (GBV)

During the pandemic, we have witnessed an increase in GBV (such as an increase in child marriages and intimate partner violence). UNHCR's recently issued GBV Policy aims at strengthening GBV standards including our commitment to strengthen collaboration with local and women-led organizations. Mrs. Devi Maya Gurung described her work through

the Bhutanese Refugee Association of the Disabled in Nepal to support refugees with disabilities and protect women and girls from gender-based violence. This brought to light the key role of refugee-led organizations within the emergency response and beyond.

8. Under-recognized role of youth and adolescents

As illustrated by Ms Ala'a Ali Al Qassem, many adolescents and youth have mobilized to respond to the crisis. Young people can also help mitigate the impact and consequences of the crisis in the longer term, including by engaging around issues such as promoting social cohesion, countering hate speech and xenophobia, and building strong and inclusive initiatives.

9. Exacerbated child protection risks

The pandemic has led to the greatest disruption of education systems in history. UNHCR and partners are working hard to deliver protection and education to 31 million forcibly displaced children, with the key interagency guidance, the "Minimum Standards for Child Protection in Humanitarian Action", providing the multisectoral framework and standards for all humanitarian actors to protect all children.

10. Need for investment in mental health and psychosocial support (MHPSS)

Ms. Tamara Maksimovna Inzhutova shared the isolation she has experienced during the pandemic and the psychological impact this had on her family. The additional stress factors related to the pandemic may still be relatively manageable for most people. But for many refugees and IDPs, who are already living on the margins, the despair can become a tipping point to developing a mental health condition. UNHCR is hence stepping up efforts to equip first responders (including refugees, IDPs, and protection staff) to respond to emotional distress.

11. Countering racism and xenophobia

Strong leadership and positive, principled messages around tolerance and inclusion are needed to ensure that displaced and stateless people do not become scapegoats for a problem that is far larger than any of us – and requires us to be united, not divided, to overcome it in the longer term.

Throughout the series of dialogues, participants made the following further recommendations related to participation of refugees, internally displaced persons, and stateless persons in supporting the response through the online Q&A as well as in written statements:

- Address the effects of pandemic on refugees, IDPs, and stateless people, including the most vulnerable, especially in "high risk" locations.
- Ensure that people forced to flee are protected and included during the crisis.
- Continue to use UNHCR's protection dashboard as a monitoring tool.

- Address the impact of the pandemic on refugee women and girls, including the increase in gender-based violence.
- Work with communities to counter misinformation, gender-based violence, and discrimination that have proliferated during lockdowns.
- Ensure children's rights are a priority and that children have safe and adequate access to education, protection, asylum, and sustainable solutions, including the right to a nationality.
- Establish dedicated statelessness determination procedures to identify and grant protection to stateless people, including reception support for applicants for stateless status in line with asylum reception standards, and issuance of residence permits guaranteeing socio-economic rights.
- Address concerns about borders remaining closed in some countries through innovative measures to ensure asylum systems remain effective while protecting populations against the spread of COVID-19.
- Ensure protection and access to services, including mental health and psychological support in COVID-19 responses plans.
- Continue resettlement, as an arrangement for burden and responsibility sharing and inclusive solution initiatives, during the pandemic, particularly as a protection tool for women and girls and others at heightened risk.