

Annual Consultations with Non-Governmental Organizations

25 – 26 June 2008, International Conference Centre Geneva
27 June 2008, Palais des Nations, Geneva, Switzerland

Wednesday, 25 June 2008

International Conference Centre Geneva (ICCG)

11h00 – 13h00 **Plenary Session** (interpretation English-French-Spanish)

Room 2 **Welcome and Opening Address**

Her Majesty Queen Noor of Jordan
Virendra Dayal, Keynote Speaker
Craig Johnstone, Deputy High Commissioner for Refugees
Bernard Doyle, Head, Inter-Agency Unit, UNHCR
Ed Schenkenberg, Coordinator, International Council of Voluntary Agencies

13h00 – 14h00 **Lunch**

14h00 – 15h45 **Thematic Sessions** (Interpretation: English-French-Spanish)

Room 2 ***How UNHCR and its NGO partners can increase the use of the human rights mechanisms as tools for the protection of persons of concern***

Making effective use of the UN human rights mechanisms is essential in order to ensure that human rights are integrated and mainstreamed into all areas of UNHCR's work, as called for by the 1993 Vienna Declaration and the 2005 World Summit Outcome document. The aim of this session is to explore how UNHCR and its NGO partners can make increased use of the human rights treaty monitoring bodies, the Special Procedures and the Human Rights Council, including its Universal Periodic Review (UPR) mechanism as tools for the protection of persons of concern. It will also examine how and the extent to which UNHCR and its NGO partners use, for example, treaty body concluding observations and thematic as well as situation-specific reports by the Special Procedures as protection advocacy tools and thus our role in 'operationalizing' the recommendations contained in these human rights documents. Particular focus will be placed on the UPR mechanism where NGOs will often be better placed than UNHCR to provide input into the OHCHR Stakeholders reports.

Moderator: Sherif Elsayed-Ali, Amnesty International

Speaker(s): Mariette Grange, International Council on Human Rights Policy
Karolina Lindholm Billing, Protection Operations and Legal Advice Section, UNHCR
Dan Nicholson, Centre on Housing Rights and Evictions
Markus Schmidt, Office of the UN High Commissioner for Human Rights

Room 3 ***Using a rights-based approach to protect women and children at risk – Strengthening accountability***

Over the years, a number of approaches have been developed to strengthen the protection of women and children and to promote gender equality, such as the concept of "risk", the rights-based approach and by seeking to enhance accountability at the individual, team and country office level. Ultimately, the goal is to ensure that the rights of all persons of concern - whether male or female, young or old, or facing discrimination on account of disability, ethnicity, class, sexuality or other factors - are enjoyed equally. These efforts are underpinned by international human rights standards and a number of other normative tools, including the two recent ExCom Conclusions of 2006 on Women and Girls at Risk (No. 105 (LVII)) and that of 2007 on Children at Risk (No. 107 (LVIII)), as well as various handbooks, manuals and guidelines. The questions that this session would like to address are: how do we strengthen the translation of these standards into practice and how do we make sure that each actor knows what they are accountable for in fulfilling these responsibilities?

Moderator: Eileen Pittaway, Asia Pacific Women's Watch

Speaker(s): Claudine Haenni, Women's Commission for Refugee Women and Children
George Okoth-Obbo, Division of International Protection Services, UNHCR
Katarina Samara, Humanitarian Accountability Partnership

Room 4 *First aid, recovery and referral for refugees and other migrants injured or traumatized crossing borders: A follow-up to the High Commissioner's Dialogue*

Through the media, people in our own communities, and often with our own eyes, we see the gap in basic first aid and referral services for boat people and other migrants seriously injured or traumatized while crossing borders all over the world, on land and at sea. While NGOs, Red Cross Red Crescent societies, churches and faith groups actively assist migrants in these situations to the best of their ability, the overall response to refugees and migrants along dangerous borders worldwide, is often ad hoc, inconsistent and under-resourced. The December 2007 High Commissioner's Dialogue concluded that this is distinct protection gap that needs to be—and with the active engagement of NGOs, *can be*—filled. Fundamentally a gap in implementation rather than in rights *per se*, it represents a gap in operational standards and response for refugees as well as for victims of trafficking, torture, trauma and violence, including women and children. With the view that better attention to all individuals upon arrival also ensures better protection of refugees, victims of trafficking and others in need of care and protection, this panel will invite NGOs to engage in suggesting and pursuing follow-up steps to fill this protection gap, with an explicit focus on the slice of time which falls *after* rescue or arrival and *prior to* referral or return, and on responses that are both pre-differentiation and pro-differentiation, including relevant aspects of UNHCR's 10 Point Plan (in particular Points 3, 4, 5, and 6).

Moderator: Mamadou Ndiaye, Office africain pour le développement et la coopération
Speaker(s): Annette Bombeke, European Council on Refugees and Exiles
Raul Baez Quintana, Spanish Red Cross
Jose Riera, Policy Development and Evaluation Service, UNHCR
Alanna Ryan, International Catholic Migration Commission

15h45 – 16h15 *Presentation of an Exhibition on the five Principles of Partnership of the Global Humanitarian Platform*

John Holmes, Emergency Relief Coordinator and Co-Chair of the Global Humanitarian Platform
Nick van Praag, Director, Division of External Relations, UNHCR

16h15 – 18h00 *Thematic Sessions (Interpretation: English-French-Spanish)*

Room 2 *Improving protection and assistance to IDPs in host communities and urban areas*

Although many IDPs flee to camp settings, large numbers of IDPs around the world also seek shelter with host communities or in urban areas. While they may share many of the same needs as IDPs living in camps, non-camp like settings often make it challenging for humanitarian organisations and the government to identify IDPs, determine their specific needs, and deliver timely protection and assistance. As a result, these IDPs may have limited or no access to protection and assistance services, and may also not benefit from durable solution interventions and compensation packages. The panel speakers will seek to shed light on the operational difficulties involved in identifying and responding to the needs of IDPs in host families and urban areas. Panelists will also share best practices by describing tools and examples to explore how NGOs, UNHCR, governments and other humanitarian partners can provide effective protection and assistance to these sometimes “invisible” communities.

Moderator: Elizabeth Ferris, Brookings-Bern Project on Internal Displacement
Speaker(s): Najla Chahda, Caritas Lebanon
Ivanka Kostic, Praxis
Simon Russell, UNHCR Kenya Operation

Room 3 *Exploring new areas of cooperation in resettlement between UNHCR and NGO – Identification and advocacy*

This panel will highlight the critical role NGOs play in expanding UNHCR refugee identification and resettlement advocacy efforts, by bringing their field expertise and unique organizational status to bear on UNHCR protection activities. UNHCR Resettlement Service will provide an overview of the need for innovative identification and advocacy partnerships including brief mention of recent themes focused on, and models used, as well as some of the operational and systemic challenges involved. Specific examples of NGO/UNHCR partnerships in identification and advocacy will be provided. Discussion will include a brief analysis of gaps in the identification and advocacy models presented as well as targeting priority themes/projects for NGO/UNHCR collaborative efforts in the immediate future.

Moderator: Anne Peeters, European Council on Refugees and Exiles
Speaker(s): Jennifer Ashton, Resettlement Service, UNHCR
Manal Stulgaitis, Mapendo International
Margarita Tileva, International Catholic Migration Commission

Room 4 Detention monitoring and human rights mechanisms

All Avenues: Exploring strategies to protect the rights of individuals confined or detained

This panel intends to explore strategies for the effective monitoring of asylum-seekers, refugees and other migrants in various forms of detention or confinement. It hopes to provide a useful toolkit of formal and informal monitoring strategies that can be utilised by NGOs (including the latest international human rights mechanisms) and to discuss and share strategies on how best to utilise them.

Moderator: Andrew Galea Debono, Jesuit Refugee Service
Speaker(s): Alice Edwards, Human Rights Law Centre, University of Nottingham
Grant Mitchell, International Coalition on Detention of Refugees, Asylum Seekers and Migrants
Adriano Silvestri, Protection Policy and Legal Advice Section, UNHCR

18h30 Reception – UNHCR Cafeteria, UNHCR main building (94, rue de Montbrillant)

Thursday, 26 June 2008

International Conference Centre Geneva (ICCG)

09h00 – 10h45 Regional Sessions

Room 2 Africa Bureau

(Interpretation English-French)

The discussion will start with a brief presentation of main developments and challenges in Africa since the last NGOs Annual Consultations. It will be followed by a question and answer session on any issues the NGO community would like to raise with the Africa Bureau.

Moderator: Mamadou Ndiaye, OFADEC
Speaker(s): Marie-Christine Bocoum, Deputy Director
Steven Corliss, Deputy Director
Mengesha Kebede, Deputy Director

Room 3 Asia and the Pacific Bureau

(Interpretation English-French-Russian)

The Director of the Regional Bureau for Asia and the Pacific will provide a brief overview of major developments in the region since the last Annual Consultations with NGOs. Following which, the Bureau will introduce a discussion on how human rights mechanisms can be better used in the region to promote the integration of refugees in hosting societies. Building on last year's session under the theme of advocacy, and looking at some cases in the region where migrants enjoy more rights than refugees and asylum-seekers, the session will look in particular at how rights such as the freedom of movement, freedom from detention, right to work and right to documentation can be used to improve the socio-economic well-being of refugees and what the constraints and challenges are to achieving these rights. This session will complement a separate meeting being organized by NGOs from the Asia and Pacific region on the development of an advocacy network.

Moderator: Virendra Dayal, former UN Under Secretary-General and former member of the Indian National Human Rights Council
Speaker(s): Janet Lim, Director *joined by*
Pascale Moreau, Deputy Director
Terry Morel, Deputy Director

11h15 – 13h00 Regional Sessions

Room 2 *Europe Bureau*

(Interpretation English-French-Russian)

An exchange of strategies with NGO partners focusing on UNHCR's key concerns regarding access to asylum, the process towards the creation of a Common European Asylum System, the enhanced search for durable solutions, identifying broader sources of global support and providing an update on European operations. A particular discussion on partnering with NGOs in the EU / non-EU context is envisaged.

Moderator: Thomas Getman, World Vision International

Speaker(s): Pirkko Kourula, Director *joined by*
Udo Janz, Deputy Director

Room 3 *Americas Bureau*

(Interpretation: English–French–Spanish)

Following a brief presentation by the Director on the regional highlights and developments since the last NGO Consultations in September, the session will provide an overview of developments, accomplishments and challenges in North America and the Caribbean, and Latin America.

Moderator: Rodrigo Joaquin Tupper Altamirano, Vicaria de Pastoral Social y de los Trabajadores

Speaker(s): Merida Morales-O'Donnell, Director *joined by*
Eva Demant, Deputy Director a.i.

Room 4 *MENA Bureau*

(Interpretation Arabic-English-French)

The session will focus on three main issues: the protection gaps in the region; the Iraq situation/operation and the situation/operation in Yemen.

Moderator: Taher Cheniti, Tunisian Red Crescent

Speaker(s): Radhouane Nouicer, Director *joined by:*
Ursula Aboubacar, Deputy Director
Karim Abdul Ghoul, Senior Policy Adviser

13h00 – 14h00 *Lunch*

14h00 – 15h45 *Thematic Sessions (Interpretation: English-French-Spanish)*

Room 2 *After 10 years, how are the Guiding Principles on Internal Displacement used in the field?*

The objective of the session is to review and discuss the impact of the Guiding Principles on Internal Displacement on the protection of IDPs' rights. Since their release in 1998, the Guiding Principles have become a key reference for actors involved in the response to internal displacement. States, international and regional organizations, as well as NGOs have increasingly promoted and used the Guiding Principles in their policies, advocacy, and operational programmes. Have the Guiding Principles contributed to a better approach to the protection of IDPs? What has been their impact on the international and national response to IDPs' protection and assistance needs? What are the lessons learned from the past 10 years? What can be done to ensure their implementation on the ground? These questions will be addressed by a panel representing key actors for the protection of IDPs.

Moderator: Christophe Beau, IDMC, Norwegian Refugee Council

Speaker(s): Elizabeth Ferris, Brookings Institution
Justinian M. Kateera, Permanent Mission of Uganda
Dilek Kurban, Turkish Economic and Social Studies Foundation

Erika Feller, UNHCR Assistant High Commissioner - Protection will be present and respond to the discussions

Room 3 *Ensuring post-primary education for adolescents and youth and employment creation – How can we achieve this?*

Access to education and post-primary opportunities for refugees and displaced persons are often limited consequently creating challenges to employment and livelihood prospects. During displacement, both in emergencies and post-emergencies, adolescents and youth face higher protection risks as many of them may live without a sufficient protective network. Without their

usual social protection networks and with little or no economic support and opportunities, this group often find itself trapped in a cycle of violence, poverty, exploitation, illiteracy and social exclusion. In conflict and post-conflict situations, educational and life skills activities play an important role in helping to reintroduce normality and routine into the lives of children and adolescents. Education is not only an essential protection tool addressing psycho social needs but both formal and non- formal education contribute significantly to developing life skills, self- reliance and empowerment of people and thus create a “human and social capital” needed for future reconstruction and economic development. UNHCR would like to explore ways to increase the level of attention and resources to address these education and livelihood issues, as they are key elements in the protection and the search for durable solutions to displacement, in preparing future generation and therefore in building peace and stability. **Achievement of session:** To have a number of creative and concrete solutions that address the issue of availability and access to post- primary education and employability /livelihoods for youth (girls and boys) in conflict and post- conflict situations.

Moderator: Marian Hodgkin, Interagency Network for Education in Emergencies
Speaker(s): Christine Evans-Klock, International Labour Office
Nathalie Meynet, Operations Solutions and Transition Section, UNHCR
Eldrid K. Midttun, Norwegian Refugee Council
Nicolas Servas, Foundation of the Refugee Education Trust

Room 4 *The Governance of Refugee Law: Suggestions and perspectives*

“While all States have a responsibility to guarantee human rights to all persons in their jurisdiction, 147 signatories and one international agency are primarily responsible for implementing and enforcing the rights contained in the 1951 Convention Relating to the Status of Refugees. However, unlike later human rights treaties, there is no individual complaints mechanism nor a monitoring committee to ensure the obligations of the Convention are enacted nor to resolve competing interpretations of the Convention. The dispute settlement mechanism in Article 38 of the Convention has never been invoked and although Article 35 of the Convention provides for UNHCR to supervise the Convention's implementation, this task remains fraught with difficulty, especially in light of other aspects of UNHCR's mandate and operations. Unlike under other human rights treaties, there is no formal legal role for individuals or NGO's in ensuring the proper governance of refugee law. In addition to the problem of resolving disputes between jurisdictions, within UNHCR itself there is no formal mechanism by which its interpretation of the Convention, for example in the context of its refugee status determination decisions, can be guaranteed. The questions are many, for example: What options are there for a meaningful legal process by which to reconcile conflicting policies and judicial decisions between sovereign jurisdictions? How to ensure that the interpretation of existing norms does not undermine both the legitimacy of the regime and its ability to provide protection to refugees? The debate will no doubt also examine how refugee law has over the years been strengthened by various external factors, including regional arrangements and by jurisprudence and soft law. The panel will seek to address issues related to international refugee law, with particular reference to the role of UNHCR and NGO's, existing models of governance in other international legal domains, various proposals in the academic and advocacy literature and the role of various actors and institutions in resolving issues of governance.”

Moderator: Oldrich Andrysek, Division of International Protection Services, UNHCR
Speaker(s): Martin David Jones, University of Melbourne and York University
George Okoth-Obbo, Division of International Protection Services, UNHCR
Manisha Thomas, International Council of Voluntary Agencies

16h15 – 18h00 *Thematic Sessions (Interpretation: English-French-Spanish)*

Room 2 *The shrinking of humanitarian space: Impact and challenges*

Background: The term ‘espace humanitaire’ was first coined by former Médecins Sans Frontières (MSF) President Rony Brauman, who described it in 1990 as: “ A space of Freedom in which we are free to evaluate needs, free to monitor the distribution and use of relief goods, and have a dialogue with the people”. Although it does not have a formal definition, there is a common minimum understanding of the meaning of the concept. The shrinking of humanitarian space has manifested itself in various ways: The increased insecurity of humanitarian staff; the increased inability to access affected populations the latter's decreasing safety and security; and the greater involvement of non-traditional actors in undertaking relief work. **Expected outcome:** The session will examine Afghanistan to illustrate the range of complex challenges that agencies meet in preserving humanitarian space. It will focus on factors that affect the humanitarian space in that country. The panelists will speak on these factors, presenting his or her insights on the challenges that their organizations face, and describe the strategies that they have adopted.

Moderator: Ingrid MacDonald, Norwegian Refugee Council
Speaker(s): Terry Morel, Asia Bureau, UNHCR
Harald Mühlhausen, NATO
Ramesh Rajasingham, OCHA

Room 3 *Realizing the right to nationality: Concrete steps to prevent and reduce statelessness*

Around 12 million people worldwide are stateless, living without effective nationality. This session will focus on the right to nationality anchored in Article 15 of the Universal Declaration of Human Rights. International human rights law has strengthened the right to nationality, obliging states to grant nationality at birth to prevent statelessness and to ensure that acquisition, enjoyment, and deprivation of nationality are not based on racial, gender, religious, or political distinctions. Yet states frequently fail to uphold these obligations and few civil society groups are working in the field. UNHCR ExCom Conclusion No. 106 of 2006 specifically calls on states, UNHCR, and nongovernmental actors to fill the protection gaps to combat statelessness. The session will critically assess progress made and work to be done in realizing the right to nationality, focusing on amending nationality legislation that discriminates against women; assisting states in developing birth registration; tackling statelessness affecting minority groups; and improving cooperation among UN agencies, states, and nongovernmental actors to prevent, reduce, and ultimately end statelessness.

Moderator: Joel Charny, Refugees International
Speaker(s): Shabir Ahmed, Community of Sant' Egidio and Plan International (formerly)
Julia Harrington, Open Society Justice Initiative
Mark Manly, Statelessness Unit, UNHCR

Room 4 *Urban Refugees: Protecting access to public health & HIV services*

This session will raise awareness on the myriad of challenges and protection risks encountered by urban refugees and asylum seekers when accessing public health and HIV/AIDS services in urban areas. Emphasis will also be given to good practices used to improve access to adequate public health and HIV services for urban refugees and asylum seekers. Field level experience will be shared from three contextually distinct urban settings: Amman, Nairobi and Kuala Lumpur. An open dialogue with audience participants is encouraged to provide recommendations to address challenges and identify operational strategies for moving forward.

Moderator: Dr Hervé Le Guillouzic, Public Health and HIV Section, UNHCR
Speaker(s): Andreas Fabricius, German Red Cross
Monica Mwangi, GTZ
Sideeka Narayan, Public Health and HIV Section, UNHCR
Adam Sirois, International Medical Corps

Friday, 27 June 2008

Palais des Nations Geneva, Room XIX

10h00 – 11h30 *Plenary Session (Interpretation English-French-Spanish)*

Room XIX *Report back on the NGO Consultations*

Emina Tudakovic, Permanent Mission of Canada, Rapporteur for the ExCom Bureau
James Thomson, Rapporteur to the Annual Consultations with NGOs

11h45 – 13h15 *Plenary Session (Interpretation English-French-Spanish)*

Room XIX *Closing Address by*

António Guterres, High Commissioner for Refugees