

# GLOSSARY

## 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.

## Agenda for Protection

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

## Amicus curiae

Latin for “friend of the court.” A person or group who is/are not a party to a particular litigation but permitted by the court to advise it in respect to some matter of law that directly affects the case in question.

## Asylum

The granting by a State of protection on its territory to individuals 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.

## AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)

This African Union Convention was adopted in 2009 and entered into force on 6 December 2012. It is the first legally-binding instrument on internal displacement with a continent-wide scope. It provides a comprehensive regional framework setting out provisions for the protection and assistance of IDPs. The Convention also looks at the root causes of displacement and at ways to prevent it.

## BIA (best interest assessment)

Assessment made by staff regarding the protection needs of individual displaced children to ensure that care programmes give primary consideration to the child’s best interests.

## BID (best interest determination)

Formal process with strict procedural safeguards designed to determine the child’s best interests for particularly important protection decisions affecting the child.

## 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 a 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 under 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.

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## 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.

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## Children

Individuals 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 18, unless the applicable law sets a lower age.

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### Cluster leadership approach

The Cluster leadership approach is part of the overall 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 has been designated the cluster lead for emergency shelter, camp coordination and management and protection in situations of conflict-related internal displacement.

### Common Humanitarian Pipeline

The Common Pipeline is a logistics solution designed for efficient response to large-scale humanitarian needs. In addition to providing economies of scale, a single pipeline provides uniformity in the items provided to all beneficiaries and assists in the identification of gaps in humanitarian assistance and coordination of response. It was first launched in 2004, during the Darfur crisis.

### 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 protection

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

### Comprehensive solutions strategies

Strategies whereby UNHCR engages with concerned parties (including authorities in countries of asylum, origin and affected refugees themselves) with the aim of enhancing solutions opportunities by applying a combination of durable solutions. These strategies have included support for voluntary repatriation; the strategic use of resettlement; increased opportunities for local integration; support to refugee-hosting communities by UNHCR, development partners and bilateral donors; as well as maximised opportunities for greater mobility as a pathway to solutions.

### Convention on the Reduction of Statelessness (1961 Convention)

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 11 of this Convention.

### Convention refugees

Individuals recognized as refugees by States, under the eligibility criteria in Article 1 of the 1951 Convention, and who 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.

### Convention relating to the Status of Stateless Persons (1954 Convention)

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 (also known as One UN)

A mechanism designed to improve the United Nations’ 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.

### Disaggregated data

A collection of data about displaced populations broken down into groups according to age/sex/diversity criteria and location.

### Dublin II Regulation

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 European Union (excluding Denmark), as well as in Iceland, Liechtenstein, Norway and Switzerland.

### Durable solutions

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

## Earmarking

A donor situation that limits or directs the purpose for which a contribution may be used.

### 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) and towards Headquarters, Global Programmes and the Operational Reserve. Broadly earmarked contributions for supplementary programmes that cover more than one country, i.e. at subregional or regional level for a specific situation (e.g. Somalia situation).

### THEMATIC EARMARKING

Contributions that are earmarked for a specific theme at the subregional level or higher. Aligned with the key themes identified in the Global Strategic Priorities: protection policy; registration, profiling and documentation; security from sexual and gender-based violence; child protection; basic health care; education; livelihoods; and durable solutions.

### COUNTRY EARMARKING

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

### SECTOR EARMARKING

Contributions that are earmarked at the country, regional or global levels for specific sectors and/or activities. All in-kind contributions and staff-related contributions, including JPOs, consultants and secondees fall under this category.

## Exclusion clauses

Legal provisions that deny the benefits of international protection to people 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:

- individuals who are receiving protection or assistance from United Nations agencies other than UNHCR;
- individuals who possess the rights and obligations attached to the possession of nationality of their country of residence;
- individuals 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 87 States with a demonstrated interest in refugee issues (2013)

## 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 refugee 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

and the NAM Reserves, carry-over amounts, transfers, allocations and supplementary budgetary appropriations.

## First country of asylum concept

An asylum-seeker may be refused access to the asylum procedure in the country where the application has been made if the applicant has already found protection as a refugee in another country (i.e. where international protection has been made available and is accessible to the applicant).

## Focus

UNHCR's results-based management software used to support the planning, managing and monitoring of its operations.

## 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.

## 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.

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## 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.

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### Internally displaced person (IDP)

An individual who has been forced or obliged to flee from his 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*).

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### Inter-Agency Standing Committee (IASC)

The IASC is the primary mechanism for inter-agency coordination of humanitarian assistance.

### 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.

### 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).*

### International Public Sector Accounting Standards (IPSAS)

International accounting standards for public sector entities adopted by the UN system as per General Assembly resolution (A/RES/60/283 (IV) 1), and applied by UNHCR since January 2012.

### Junior Professional Officer (JPO)

Government-sponsored young professional working for UNHCR.

### Kampala Convention

See AU Convention

### Lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals

Individuals who may be subject to serious human rights abuses because of their real or perceived sexual orientation and gender identity.

### Level 3 emergency

UN agencies have their own internal classification of levels of emergency. In the context of the IASC, a level 3 emergency would typically be a sudden-onset complex emergency requiring the activation of a UN system-wide response, with agreed mechanisms, tools and procedures.

### 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 improper or insufficient nutrition, which is not adequate to maintain good health.

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

### GLOBAL ACUTE MALNUTRITION (GAM)

is a measurement of the nutritional status of a population (often used in protracted refugee situations). It is one of the basic indicators for assessing the severity of a humanitarian crisis. To evaluate levels of GAM, the weight and height of children between 6 and 59 months are measured, and used as a proxy for the health of the population as a whole.

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

### 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 people in need. Its focus is on providing durable solutions for urban refugees,

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### Mandate refugees

Individuals 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.

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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 has been made.

### **Mixed migratory flows**

Movements of people from one country and/or continent to another which 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”.

### **Modified-cash basis**

Modified-cash basis is an accounting method that combines elements of the two major accounting methods, the cash method and the accrual method. The cash method recognizes income when it is received and expenses when they are paid for, whereas the accrual method recognizes income when it is earned (for example, when the terms of a contract are fulfilled) and expenses when they are incurred. The modified-cash basis method uses accruals for long-term balance sheet elements and the cash basis for short-term ones.

UNHCR currently prepares its budget under the cash basis, and will use the modified-cash basis to compare actual amounts to budget amounts as required by IPSAS 24.

### **Prima facie refugees**

Individuals who are recognized 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*.

### **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 people of concern to UNHCR, but which does not receive funds from UNHCR to implement activities on its behalf.

### **Person of concern to UNHCR**

A person whose protection and assistance needs are of interest to UNHCR. This includes refugees, asylum-seekers, stateless people, internally displaced people and returnees.

### **Principles of Partnership**

UNHCR endorsed the Global Humanitarian Platform's Principles of Partnership in July 2007. These principles set out common standards of equality, transparency, complementarity and a results-oriented approach among all humanitarian groups.

### **ProCap**

Mechanism to enhance the UN protection response through the 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.

### **Promoted voluntary repatriation**

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

### **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 coordination**

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 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.

## 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 residence 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.***

*OUA Convention and Cartagena Declaration*

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### 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.

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### 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.

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### Registration Levels

Registration can be carried out in different manners, depending on the operational circumstances and data requirements.

*Level 1 Registration*, often referred to as "household registration", gathers only elementary information from persons of concern for the purpose of establishing a basic distribution system or to provide demographic estimates. In *Level 2 Registration*, limited personal data is collected from each individual, for basic planning, monitoring and protection activities. *Level 3 Registration* represents the most comprehensive recording of detailed personal data of persons of concern, which is required for individual case management and delivery of durable solutions.

### 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 approach that emphasizes the achievement of results as the essential task of management.

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### Returnee

An individual 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 people who return to their previous place of residence.

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### Rights groups

Rights groups are thematic groupings of objectives with a similar theme used for planning and budgeting. There are nine rights groups for different areas of protection, assistance, external relations and operations support, for example, the objectives for shelter, water and sanitation services are all grouped under the rights group "basic needs and essential services".

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### Safe third country concept

An asylum-seeker may be refused access to the asylum procedure in the country where the application has been made if responsibility for assessing the asylum application in substance is assumed by a third country, where the asylum-seeker will be protected from *refoulement* and will be able to seek and enjoy asylum in accordance with accepted international standards.

### Secondary movements

The notion refers to asylum-seekers and refugees moving independently from their first host country to another country in search of protection and solutions.

### 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.

### 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.

### Stateless person

An individual who is not considered as a national by any State under the operation of its law, including a person whose nationality is not established.

### Sphere Project

The Sphere Project was launched in 1997 by a group of humanitarian NGOs and the Red Cross and Red Crescent movement. The project has developed several tools, such as a handbook, in order to improve the quality of assistance provided to people affected by disasters, and to enhance the accountability of the humanitarian system in disaster response.

### Subsidiary protection

Beneficiaries of subsidiary protection are persons who have been found not to meet the Convention definition of a refugee but who face a real risk of serious harm. This includes the death penalty or execution, torture or inhuman or degrading treatment, or a serious and individual threat to their life or person by reason of indiscriminate violence in situations of armed conflict.

### Temporary protection

An arrangement or device developed by States to offer protection, of a temporary nature, to people 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 people 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.

### Transformative Agenda

The Transformative Agenda of the IASC was adopted in

December 2011. It is a set of concrete actions aimed at transforming the way in which the humanitarian community responds to emergencies. It focuses on improving the timeliness and effectiveness of the collective response through stronger leadership, more effective coordination structures, and improved accountability for performance and to affected people.

### Transitional Solutions Initiative (TSI)

The TSI promotes collaboration between humanitarian and development actors and national governments in order to find solutions and self-reliance for displaced people and local community members.

### Unaccompanied and separated children (UASC)

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

### UN security-level system

The UN security-level system (SLS) is designed to describe the security environment that exists in an area or location where the United Nations operates.

A security level is determined using a structured threat assessment, which evaluates five categories: armed conflict, terrorism, crime, civil unrest and hazards. Following this evaluation, a security level is determined which is as:

- 1 - Minimal;
- 2 - Low;
- 3 - Moderate;
- 4 - Substantial;
- 5 - High;
- 6 - Extreme.

As the level changes, there are specific actions required within the UN Security Management system.

### United Nations Volunteers (UNV)

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

### UN Secretary-General's Policy Committee Decision on Durable Solutions

This decision establishes priorities and responsibilities in supporting the sustainable reintegration of returning refugees and internally displaced persons in the aftermath of conflict.

### UN Women

UN Women, the United Nations Entity for Gender Equality and the Empowerment of Women was created in July 2010 by the United Nations General Assembly.

### Voluntary repatriation

Return to the country of origin based on the refugee's free and informed decision. Voluntary repatriation is one of the three durable solutions and may be "organized" (under the auspices of the concerned governments and/or UNHCR) or "spontaneous" (the refugees return by their own means without the involvement of UNHCR and governments). See also "facilitated" and "promoted" voluntary repatriation.