

Follow-up on Recommendations from the 2010 Rapporteur's Report on the UNHCR Annual Consultations with NGOs

This list is not meant to be comprehensive but to illustrate some of the progress made and obstacles encountered with regards to recommendations made at the 2010 UNHCR Annual Consultations with NGOs.

PROMOTING THE RIGHTS AND PROTECTION OF STATELESS PERSONS		
Recommendations	Progress	Obstacles
<p>Statelessness is a human rights issue. There should be stronger partnerships between human rights organisations and NGOs to collectively address statelessness including by bringing it to the attention of human rights supervisory mechanisms.</p>	<p>UNHCR has gradually increased its cooperation and advocacy on statelessness with the UN human rights mechanisms in the past 2-3 years. Partly as a result of efforts UNHCR and NGO partners have made in this area, recommendations on statelessness were made to 51 States during the first nine Universal Periodic Review Sessions in the UN Human Rights Council.</p> <p>On 3 February 2011 UNHCR and the Open Society Justice Initiative organized a briefing on statelessness for the Committee on the Rights of the Child to raise awareness of statelessness among Committee members. UNHCR intends to organize similar briefing sessions for other treaty bodies in the future.</p> <p>As part of this year's commemorations initiatives, UNHCR organized a series of experts meeting's including one held in Senegal in May on <i>Preventing Statelessness among Children</i> This meeting explored how the 1961 Convention on the Reduction of Statelessness should be interpreted in light of international human rights instruments, in particular the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC), as well as regional human rights instruments. A CRC Committee member participated, as well as two members of the African Committee of Experts on the Rights and Welfare of the Child. The outcomes of the event will inform future initiatives to broaden UNHCR's partnerships with child protection actors to raise awareness and action on statelessness.</p>	<p>UNHCR has limited capacity to ensure proper and timely interventions with all the UN and regional human rights mechanisms.</p> <p>An obstacle to effective advocacy is the fact that only a small number of NGOs focus on statelessness related issues and have the capacity to lobby the UN human rights mechanisms.</p>

	<p>UNHCR strengthened its cooperation on statelessness with regional organizations, national human rights institutions and NGOs; including a meeting co-organized with the National Human Rights Commission of Thailand in November 2010 and attended by over 80 experts from governments, national human rights organizations, international organizations and NGOs from the ASEAN member states. A briefing on statelessness was also organized by UNHCR organized for the ASEAN Intergovernmental Commission on Human Rights in New York in December.</p> <p>On the anniversary of the 1961 Statelessness convention, UNHCR is launching an international media campaign to raise awareness. Advocacy from NGOs during this media campaign is greatly encouraged.</p>	
<p>Further training of UNHCR country offices is necessary, particularly with regard to stateless status determination and practical protection solutions. At present there appears to be a gap between UNHCR guidance and the knowledge of staff in the field, e.g. that the arbitrary withdrawing of nationality is grounds for refugee status.</p>	<p>In 2010 UNHCR issued updated operational guidance on statelessness for UNHCR staff and partners in the field. Expert meetings were organized on the definition of stateless persons under international law, statelessness determination procedures and a national status for stateless persons. Further guidance will be developed on the basis of these meetings.</p> <p>The Thematic Protection Learning Programme on Statelessness has so far benefited more than 130 UNHCR staff and partners around the world. An e-learning programme on statelessness for UNHCR staff will also be made available in 2011.</p>	<p>Although some progress was made in the past two years in developing guidance and tools for UNHCR field staff, a lot remains to be accomplished. The issuance of guidance in all relevant areas, and ensuring that staff are familiar with them, will still require time. UNHCR's capacity to carry out training for staff members and partners who need it is limited.</p>
<p>PARTNERSHIPS FOR OVERCOMING VULNERABILITIES AND EMPOWERING WOMEN IN PROTRACTED REFUGEE SITUATIONS</p>		
<p>Recommendations</p>	<p>Progress</p>	<p>Obstacles</p>
<p>UNHCR and NGOs should develop policies and minimum standards which clearly state that the security of women is not negotiable.</p>	<p>UNHCR Action Against SGBV Updated Strategy is being finalized. One of the action areas is the engagement of men and boys in the prevention of SGBV.</p>	<p>Challenge will remain on how to engage the remaining operations to draft their SGBV</p>

	Following a workshop in May with UNHCR and NGO participants, 10 pilot operations were asked to draft country specific SGBV strategies by the end of June 2011.	strategy in consultation with their partners.
UNHCR and NGOs should involve men as part of the solution in prevention and response programmes to violence against women and recognise the fact that males are also subject to SGBV.	One of the priority areas covered in the soon-to-be-released Framework for Developing SGBV Strategies is how to work with men and boys, not only as perpetrators of violence against women but as victims of SGBV themselves	Strong taboos in some cultures against admitting that men can be subject to SGBV also.
PROTECTING ALL IDPs		
Recommendations	Progress	Obstacles
Categories need to be more flexible and strategies need to adapt to local context. Area-based interventions are also needed to cover host communities.	Progress was made on local strategies to reach IDPs outside camps in Yemen and Somalia. In Yemen , community-based self-management structures have been established, in particular the Community-Based Protection Networks (CBPN) that became operational in 2010. The CBPN gather information on protection issues and try to resolve them with the IDPs or the host communities. The CBPN comprise both IDPs and host communities' representatives. The CBPN work closely with UNHCR Implementing Partners and meet regularly with UNHCR staff. CBPN are even operational in areas where UNHCR does not have humanitarian access. In Somalia profiling and population movement tracking mechanism to better understand displacement patterns in urban areas complemented by community based livelihood support projects was established. In 2010, UNHCR began to implement protection through livelihoods programmes in Somalia, aimed at providing IDPs (who live in non-camp settlements) with livelihood opportunities in order to mitigate protection risks	Ensuring consistency is important. The main issue if performance management of humanitarian actors in the field working in clusters.
Ensuring the participation of IDPs out of camps in humanitarian decision-making is essential, taking into account all IDP groups. IDPs can also be included in monitoring and evaluation exercises. An ethical approach to participation is needed. The costs of participation for IDPs out of camps are high in terms of time, resources and security. Thus, efforts by humanitarian organisations to facilitate participation need to be sustainable and meaningful.	In UNHCR the Results based management accountability framework and the AGD participatory process are important vehicles to involve persons of concern in the decision making processes. The IASC Principals have prioritized accountability to beneficiaries as a key issue in their current review of humanitarian response.	

<p>Sensitivity to context is essential to work in urban areas. It needs targeted socio-political analysis and understanding the particular vulnerabilities of IDPs in urban contexts. UNHCR should recognise that the urban refugee policy has also implications for IDPs, adopt a lessons learnt approach and provide operational guidance on working with IDPs in urban settings.</p>	<p>UNHCR held an inter-agency workshop on urban refugees on 30-31 May 2011. The final session of the workshop examined the concept and situation of IDPs in urban areas. Follow-up action has yet to be decided.</p>	<p>There is a lack of conceptual clarity with respect to the notion of urban ideas, as well as many practical obstacles in differentiating them from rural-to-urban migrants. An increased engagement with urban IDPs would also have important resource implications.</p>
<p>MOVING FROM POLICY TO PRACTICE IN URBAN SETTINGS</p>		
Recommendations	Progress	Obstacles
<p>Partnerships are at the heart of effective protection and service delivery in urban settings and, thus, must include refugees, local and international NGOs, municipal and national authorities, development organisations, and academia.</p>	<p>Partnership is a key principle of UNHCR's new urban refugee policy. The UNHCR workshop on urban refugees (see above) and a series of evaluations of UNHCR's urban refugee programmes have all focused on this issue.</p>	<p>The range of potential partners is limited in some countries and both government bodies and development agencies are sometimes reluctant to engage with UNHCR on this issue.</p>
<p>UNHCR and NGOs should prioritize training of refugees and refugee communities about both their obligations and rights and how they may access local organizations that work on refugee rights issues. Training should also be provided to the local authorities so as to protect refugees against arbitrary detention and deportation.</p>	<p>The need for such training is fully recognized by UNHCR's new urban refugee policy. Particular efforts are being made in relation to refugee empowerment and the training of government officials and security services.</p>	<p>While government officials and security services may participate in such training, their behaviour is not necessarily modified by it, especially in situations where they are poorly or irregularly paid. Refugees may be reluctant to participate in training because they are too busy trying to earn a living or because they are reluctant to undergo the expense and possible danger of travelling from one part of their city to another.</p>
<p>Recognize the necessity for flexible and innovative programming. The ability to adapt and adjust the design and implementation of assistance programs is key to addressing the specific needs of urban refugees and the challenges around access and outreach.</p>	<p>UNHCR's evaluations of selected urban refugee programmes have revealed many instances of flexible and innovative programming, many of which were shared with partners at the May 2011 workshop. UNHCR's new policy on urban refugees emphasizes the right of refugees to establish livelihoods and become self-reliant, rather than the provision of assistance.</p>	<p>There is a need for better sharing of effective practice examples within and between UNHCR and its partners.</p>

STRATEGIES FOR PROTECTION FROM XENOPHOBIA, RACISM, INTOLERANCE AND BIAS-MOTIVATED VIOLENCE

Recommendations	Progress	Obstacles
Strategies should be devised to strengthen protection for refugees, asylum seekers, returnees, stateless and internally displaced persons who are the focus of xenophobia, racism, racial discrimination, intolerance and bias motivated violence. These include legal and educational strategies and measures by all relevant local stakeholders to promote diversity and respect in a society. Efforts should be sustained over the long term.	Information on anti-discrimination legislation from all regions of the world were compiled, partly as background for OHCHR regional Expert Workshops on prohibition of incitement of national, religious or racial hatred while ensuring full respect for the freedom of speech.	
A broad range of institutions and agencies should be involved, including different UN agencies such as UNHCR, embassies, national human rights institutions, civil society groups and faith-based groups. Partnership is a key element in developing successful strategies. National authorities , which have the ultimate responsibility for protection, should strengthen their role to address such violence in the context of refugee protection, including developing relevant public policy and prosecuting those who commit violent acts. Civil society groups have a key role to monitor state actions to ensure accountability.	A Memorandum of Understanding with the OSCE Office for Democratic Institutions and Human Rights (ODIHR) is to be signed during the Standing Committee in June 2011. UNHCR is Coordinating with ODIHR on guidelines for the field on intolerance-related issues. UNHCR contributed to a series of events within the framework of the International Year of People of African Descent (IYPAD), organized by the Committee on the Elimination of Racial Discrimination (CERD). UNHCR contributed to a campaign conducted in various regions of Southern and Central America such as “Put yourself in the shoes of a refugee”, and a “feria” organized in Ecuador called “Living Together in Solidarity” aiming at promoting integration, and has developed a global campaign launched on World Refugee Day that focuses attention on individual refugees and takes a zero-tolerance stand on abuse, intolerance and inaction..	Limited human resources to follow up and engage with all the relevant partners.
The commemoration of the 1951 Refugee Convention in 2011 should be used as an opportunity to highlight the need for increased state action and civil society attention to counter xenophobia and violence	Within the context of the upcoming Ministerial meeting, contributions were made to the Additional Guidance Note to Support the State Pledges Process with specific suggested pledges on racism, racial discrimination, xenophobia and related intolerance.	

LISTENING AND ACTING ON PREVENTING SEXUAL EXPLOITATION AND ABUSE TOGETHER

Recommendations	Progress	Obstacles
UNHCR’s Executive Committee should consider	UNHCR has worked on many different fronts to	

<p>putting the issue on its agenda for next year to push for implementation of policies in the field.</p>	<p>mainstream SGBV prevention and response into its core protection work and reports regularly to ExCom on SGBV challenges and achievements in many of the conference room papers on different topics which are presented to the Standing Committee for discussion. In 2011, discussions have been scheduled at the June Standing Committee on "Protecting refugee women: promoting gender equality"</p>	
<p>NGOs agree with the findings and recommendations of the PSEA review and want to ensure that the IASC takes the recommendations forward seriously and with the visible support of senior management. Overall, the IASC should demonstrate leadership on this issue but UNHCR and its NGO partners collectively could pick up the mantle by following through with the recommendations in the review.</p>	<p>The IASC PSEA Taskforce has developed ToRs and a Work Plan. It is also developing a proposal for piloting community based complaints mechanisms in Haiti, DRC and Kenya, Dadaab.</p>	
<p>STRENGTHENING PARTNERSHIP AT NATIONAL-LOCAL LEVEL</p>		
Recommendations	Progress	Obstacles
<p>International organisations, including UNHCR, should review and simplify their policies, procedures and structures when necessary to ensure that they are responsive to the needs of local and national NGOs who face serious challenges in a) accessing resources, b) building not just 'project implementation capacity' but broader 'institutional' capacity, c) adapting programmes to respond to changing local situations, and; d) working with the various clusters and within the wider international humanitarian system and (2) should initiate sustained training and mentoring programmes on financial management, technical capacity, accountability and resource mobilisation mechanisms.</p>	<p>Given the importance UNHCR attaches to working with partners, it has carried out a comprehensive review of the implementing partners management framework including capacity, risk and performance management. This is done with the aim of developing better strategies and tools that are responsive to the varying needs and capacities of partners and increasing challenging operating environment. In this regard, the establishment of IP management unit has been proposed. On strengthening financial management, a guidebook on resource management for implementing partners is being produced.</p> <p>There are on going capacity building initiatives taking place in different countries and operations where UNHCR operates.</p> <p>At headquarters level, UNHCR is also exploring various approaches and a pilot project for strengthening national partners' capacity in management and accountability as well as broad multisector emergency response. In this way UNHCR hopes to be able to rely on predictable national/local partners when</p>	<p>Strategic challenge which requires resources and change management.</p>

	emergencies break.	
<p>UNHCR should design an inclusive process for the joint review of UNHCR's 2003 Partnership's Operations Manual, ensuring it accounts for not only developments since 2003 (such as UNHCR's new Urban Refuge Policy, the cluster approach, GHD PoP etc.) but also include clearly stated statements of commitment to partnership, local NGO capacity development and the rights and responsibilities of each partner.</p>	<p>The initiation of the review is pending on the completion of review of UNHCR's operational rules.</p>	