

Annual Consultations with Non-Governmental Organizations

29 June - 1st July 2010

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**HEALTH AND NUTRITION CENTER
FOR IDPS WOMEN AND CHILDREN
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Report

on the Annual Consultations
with Non-Governmental Organizations



UNHCR

REPORT ON UNHCR'S ANNUAL CONSULTATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

29 JUNE – 1 JULY 2010 - GENEVA, SWITZERLAND

Abstract

This report provides highlights of the Annual Consultations with NGOs, which this year brought together some 353 representatives from around the world, representing 209 different NGOs, UN and international organizations, of which 98 of these NGOs were national NGOs.

The consultations were opened by the UNHCR's Deputy High Commissioner and the Assistant High Commissioner Protection and featured seven Thematic Sessions and five Regional Sessions with the active involvement of some 80 resource persons from NGOs, academia and international and UN organizations. Participating NGOs also had space to organize nine side-meetings. The related sessions addressed were:

- *Making it work: From policy to practice in urban settings* – Partnerships: Strengthening partnerships at local-national level – *Promoting the rights and protection of stateless persons: Issues, challenges and ways forward* – Back to basics: Listening and acting on preventing sexual exploitation and abuse together – *Protecting all IDPs* – Working together: Strategies for protection from xenophobia, racism, intolerance and bias-motivated violence – *A harsh life in long-term exile – partnerships for overcoming vulnerabilities and empowering women*

The sessions adopted a round-table format and group discussions to promote greater dialogue and contact among participants. The reports of each session were prepared by the mini-rapporteurs with the aim to capture the main points of discussion and any conclusions reached. The UNHCR's Deputy High Commissioner and the Assistant High Commissioner Operations closed the NGO consultations.

Included in annex to this report are the Annual Consultations agenda, a list of participants, a list of side-meetings held during the Consultations and a summary of the evaluations from the participants.

The full report may also be accessed at www.unhcr.org and www.icva.ch.

Prepared with the assistance of resource persons from the following organizations:

Adult Multicultural Education Services - *Africa Humanitarian Action* – Association for Displaced Afro-Colombians – *Asylum Access* - Bar Council Malaysia - *Basic Education for Afghan Refugees BEFARE* – Caritas Austria – *Caritas Benin* – Caritas India – *Caritas Internationalis* - Caritas Lebanon – *Caritas Sweden* - Caritas Zimbabwe – *Catholic Relief Services* - Church World Service PURE Project – *Community and Family Services International* - – *Danish Refugee Council* - Education and Research Association for Consumers – *Episcopal Migration Ministries* - Equal Rights Trust - *European Council on Refugees and Exiles* - Forced Migration Studies Programme University of Witwatersrand – *Forum Asia* - Galkayo Education Centre for Peace and Development – *Helsinki Citizens Assembly Turkey* - Human Rights First - *Human Rights Watch* - Humanitarian Accountability Partnership - *Hungarian Helsinki Committee* – Inter-Agency Standing Committee - Inhured International – *InterAction* - International Catholic Migration Commission - *International Council of Voluntary Agencies* – International Detention Coalition – *International Medical Corps* – International Rescue Committee - *Jesuit Refugee Service* – Jordan River Foundation – *Korean Public Interest Lawyers Group Gonggam* – Lawyers for Human Rights - *Legal Advice Center Kituo cha Sheria* – Lutheran World Federation - *Memorial Human Rights Center* – National Council of Churches Australia - *National Human Rights Society Hakam* – Norwegian Refugee Council IDMC - *Office africain pour le développement et la coopération* – Organization for Security and Co-Operation in Europe – *Oxford Refugee Studies Centre* - Permanent Mission of United States of America – *Plan International* - Refugee Consortium of Kenya – *Sin Fronteras* - Sphere Project – *Syrian Arab Red Crescent* - Tanganyika Christian Refugee Service – *UN Office of the High Commissioner for Human Rights* – UN Population Fund - *UN Special Rapporteur on Contemporary forms of racism, racial discrimination, xenophobia and related intolerance* - United Arab Emirates Red Crescent - *United Foundation for Relief and Abiding Development FUAD* – University of New South Wales – *US Committee for Refugees and Immigrants* - US Conference of Catholic Bishops – *Women's Refugee Commission* - World Vision International

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- Misikir Tilahun, Rapporteur for the Annual Consultations with NGOs and author of this Report assisted by several Rapporteurs of sessions,
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- The some 90 persons from approximately 60 organizations who served as speakers, moderators and rapporteurs.

UNHCR's Annual Consultations with NGOS
29 June – 01 July 2010

Rapporteur's Report

On behalf of NGOs:
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Head of Programmes
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Rapporteur for the Annual Consultations

EXECUTIVE SUMMARY

On 29 June – 01 July 2010, UNHCR held its Annual Consultations with NGOs under the theme of “National Partners: Providers of First Resort”. The Consultations primarily offered the following recommendations:

- International organisations, including UNHCR, (1) 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.
- International and national organisations should recognise and benefit from their complementary strengths and comparative advantages, and begin devolving decision-making power for resource allocation to local NGOs to increase local ownership, national coordination capacity, sustainability and adaptability to local situations. UNHCR and NGOs should include local host communities as beneficiaries when designing projects for refugees.
- Donors, in line with their commitments under the Good Humanitarian Donorship (GHD) initiative, should review and simplify their policies, procedures, programmes and structures to ensure that they do not place an undue burden on local NGOs when international organisations transfer complex accountability and reporting requirements onto local NGOs. Donors should also allocate more funding to develop and strengthen institutional capacities at the local and national levels. To this end, UNHCR should request donor countries to establish a special fund for local NGO capacity development.
- Partnerships are at the heart of effective protection and service delivery. To fulfill its mandate responsibilities in urban settings, protracted refugee situations, with internally displaced and stateless persons, and to protect displaced populations from intolerance, xenophobic and gender-based violence, it is crucial for UNHCR to enhance its partnerships with affected populations, NGOs, civil society, local authorities, academia and other relevant stakeholders.
- UNHCR, NGOs and civil society should work jointly to address the challenges presented by increasingly shrinking humanitarian, protection and asylum space. To this end, UNHCR and its partners should use the upcoming 60th Anniversary of the 1951 United Nations Convention relating to the Status of Refugees and the 50th Anniversary of the 1961 Convention on the Reduction of Statelessness to: (1) revitalise the consensus amongst nations around the basic principles of the Conventions; (2) create a new protection dynamic; (3) reduce statelessness; and (4) renew compassion for the plight of refugees at the grass-root level to ensure private and public donor support. UNHCR and NGOs should lobby for more States to accede into the Conventions, notably in the Middle East and North Africa (MENA) and Asia-Pacific regions.
- In line with the findings and recommendations of the Inter-Agency Standing Committee review on Preventing Sexual Exploitation and Abuse (PSEA), UNHCR’s Executive Committee should consider putting the issue on its agenda for 2011 and lead the way with its NGO partners in preventing sexual exploitation and abuse by aid workers in the field.

The following record of the Consultations presents a summary of the discussions and recommendations from the thematic and regional sessions.

OPENING PLENARY SESSION¹

Remarks from the Panel

Organized under the overarching theme of “National Partners: Providers of First Resort”, the 2010 Consultations sought to identify concrete proposals on how to strengthen partnerships between international organizations – including intergovernmental organizations such as UNHCR and international NGOs (INGOs) – and their national counterparts in order to improve the overall protection and delivery of assistance provided to beneficiaries.

UNHCR recognizes the value of national partners and gives priority to the development of their capacity to respond to emergencies effectively. Its largest group of implementing partners – some 79 percent – are national and local organisations, and out of the 206 NGOs registered for this year’s Consultations, 104 were of this group. NGO partners are important in fulfilling UNHCR’s role with refugees in urban settings, protracted refugee situations and internally displaced persons (IDPs). As all three populations bring renewed challenges, UNHCR encouraged its NGO partners to provide concrete suggestions for the way forward.

Protection challenges ahead are best addressed through partnerships. UNHCR recognizes the need to enhance protection capacities both within and outside the organization, especially in activities such as updating existing protection guidelines to address current challenges.

UNHCR is also looking to local and national partners as it prepares to mark the 60th Anniversary of the 1951 United Nations Convention relating to the Status of Refugees and the 50th Anniversary of the 1961 Convention on the Reduction of Statelessness. In particular, UNHCR will need the help of its NGO partners to advance four specific goals: (1) to revitalise the consensus amongst nations around the basic principles of the Convention; (2) to create a new protection dynamic; (3) to make progress to reduce statelessness; and (4) to re-position the displaced, the stateless and UNHCR in political and public fora in a way that rejuvenates compassion at the grass-root level and ensures that private and public sector donor support is forthcoming.

Although all stakeholders recognise the importance of partnership with local and national actors, effective partnership is still in its infancy. Continuous efforts are required to conceptualise the type of partnerships envisaged in the Partnership in Action (PARinAC) process and the Global Humanitarian Platform’s Principles of Partnership (GHP PoP). There seems to be a lack of adequate understanding of the concepts of “partnership” and “capacity development”, and how to move beyond rhetoric to practice.

Thus, the 2010 Consultations brought a unique opportunity to discuss common issues on how to improve joint service delivery to people of concern as well as to realise the vision that sees national and local partners at the forefront of humanitarian response as ‘providers of first resort’.

Discussions

Protecting and seeking solutions for displaced populations remains a challenge in many regions. Highlighted situations of concern include the plight of refugees and IDPs in Yemen, the repatriation of Rwandan refugees from Uganda, the shortage of legal aid offices in the global South and the gender and gender-based violence dimensions of displacement.

¹ Regrets were received from the High Commissioner who traveled on an emergency mission to Bishkek, Kyrgyzstan.

Participants recommended that UNHCR should maintain a regularly updated database on country of origin situations which can serve as a source of information for lawyers, NGOs and governments. In addition, NGOs asked UNHCR to permit its partners to share the contact information of UNHCR field offices as they are sometimes hard to locate.

UNHCR noted that it carries out large programmes in Yemen, both for IDPs and new refugee arrivals. The Africa Bureau is developing comprehensive strategies for four protracted refugee situations in Africa, namely Angola, Burundi, Liberia and Rwanda. These include an increase in the search for durable solutions for remaining refugees, a roadmap toward invocation of the cessation clause and establishing guarantees for people from those countries who are still in need of international protection.

To supplement continuing projects to build the capacity of southern legal aid offices through trainings, UNHCR is currently making pro bono arrangements with lawyers in Europe in an attempt to create a network of lawyers to serve several countries across the world. In addition, UNHCR uses a participatory approach in gender programming. UNHCR's Age, Gender and Diversity Mainstreaming (AGDM) strategy is a cascading structure that begins with the High Commissioner and goes all the way down to people in the field and requires all to undertake activities on AGDM issues to which they are accountable.

The recommendation to provide up-to-date country of origin situations was well received. UNHCR noted that, in principle, it does not prohibit its partners from sharing the contact information of its field offices. Indeed, this information is readily available to the public through UNHCR's communication outlets.

In addition, UNHCR noted that it will revisit the protection handbook to ensure due attention to the protection needs of urban refugees and IDPs, as well as consider regional approaches to some of the current protection challenges. These measures provide further opportunities for cooperation between UNHCR and NGOs.

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## **THEMATIC SESSIONS**

### **Moving from Policy to Practice in Urban Settings**

Almost half of the world's 10.5 million refugees now live in cities and towns, compared to one-third living in refugee camps. These numbers will increase due to urbanisation. In September 2009, UNHCR issued a new policy on urban refugees which took a rights-based approach: *UNHCR's mandate responsibilities towards refugees are not affected by their location*. The policy is premised on the understanding that urban areas are legitimate places for refugees to enjoy their rights.

There is now a need to adopt a practical toolkit for implementing protection in urban areas that includes mechanisms for evaluation and measuring progress and impact. Success will require new partnerships and attention to identifying and overcoming legal and xenophobic barriers to self-reliance.

#### ***Recommendations:***

- 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.



- UNHCR and NGOs should prioritise training of refugees and refugee communities about both their obligations and rights and how they may access local organisations 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.
- UNHCR and NGOs Promote linkages between legal aid providers and other services to allow for a more holistic approach to address refugee needs. Lawyers with expertise in the asylum field should also work with lawyers who practice in other fields (e.g. family and commercial law) so as to ensure the varied legal needs of refugees are covered.
- UNHCR and its partners should establish a cross-sector national network to identify the various services needed with extant interventions to avoid duplication.
- UNHCR and NGOs should involve refugees in assessing their needs and also include them in decision making processes.
- 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.

### **Strengthening partnerships at local-national level**

As noted, national partners are UNHCR's single largest group of implementing partners. They constitute 79 percent of UNHCR's 852 partners, and in 2009, 35.4 percent of UNHCR's expenditures were spent through all partners. However, while this is encouraging both in terms of numbers and funding, current challenges in the global humanitarian environment call for conventional transformation of approaches.

To this end, it is necessary to strengthen existing partnerships and forge new ones. National and local organisations should emerge as the most important element in the provision of assistance. Through their intimate knowledge of the environment and dynamics of their communities, national organisations have been able to develop unique capacities in accessing populations of concern with sufficient discretion and safety. Therefore, it is crucial for UNHCR and other international organisations to move beyond the traditional practice of viewing national partners as simply implementers of programmes they design, rather helping them develop, implement and manage context-sensitive programmes to assist the affected populations.

Inherent in the question of how to strengthen partnerships is the misguided assumption that international organisations have capacity and local partners do not. When considering the capacity building needs of all actors, we must recognise the comparative advantage of each type of organisation. In addition, capacity building for local NGOs must be related to their role and at the organisational level, not just in terms of the programme accountability requirements of international organisations.

There was also recognition that national NGOs should pool their resources and organise themselves better nationally, regionally and continentally through advocacy networks on specific issues.

### ***Recommendations:***

- 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.

- Jointly develop principles, standards and guidelines for international organisations working in partnership with local NGOs that factor-in the necessity to redress the power imbalances present within partnerships, enhance complementarities and recognise the comparative advantages of local NGOs and their unique capacities (local knowledge, contacts, greater ‘credibility’ and skills).
- 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 Refugee 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. International organisations, including UNHCR, should also initiate sustained training and mentoring programmes on financial management, technical capacity, accountability and resource mobilisation mechanisms.
- International and national organisations should recognise and benefit from their complementary strengths and begin devolving decision-making power for resource allocation to local NGOs to increase local ownership, national coordination capacity, sustainability and adaptability to local situations.
- UN agencies and INGOs should share information gathered through survey and research with local and national organisations more actively, consistently and transparently. The implications of emerging risks and challenges identified by international organisations should be communicated to local and national organisations and practical operational guidance should be supplied.
- Donors, in line with their commitments under the GHD initiative, should review and harmonise their policies, procedures, programmes and structures to ensure that they do not place an undue burden on local NGOs when international organisations transfer complex accountability and reporting requirements onto local NGOs. Donors should also allocate more funding to develop and strengthen institutional capacities at the local and national levels.

### **Statelessness**

Although there are an estimated 12 million stateless persons worldwide, there has not been enough international action to protect the stateless. For its part, UNHCR will use the 50<sup>th</sup> Anniversary of the 1961 Convention on the Reduction of Statelessness to lobby for action to prevent and reduce statelessness. The Office will increase efforts to promote accessions to the UN statelessness Conventions, work for law reform to prevent statelessness in countries around the world and seek solutions for 500,000 stateless persons through acquisition of nationality. UNHCR is gradually developing staff capacity through learning programmes, increasing its budgets and expanding the scope of its activities.

Participants highlighted the gaps which remain, however. Although more NGOs are involved, there is not yet an international coalition of NGOs working on statelessness. Participants also highlighted the need to further develop the international legal framework pertaining to statelessness, including through accession to the two statelessness conventions. UNHCR’s NGO partners are encouraged to play a prominent role in this regard. Compared to the literature on refugees, information available on stateless persons is minimal and research needs to be encouraged. Far more needs to be done to identify stateless populations, profile them and recognise protection gaps. There is need for professional decision-making bodies and for clear

procedures for the determination of statelessness. The panel highlighted that UNHCR and its NGO partners must work together to address various challenges such as gaps in nationality legislation which lead to statelessness, lack of birth registration and issuance of identity documentation.

In addition, many stateless persons are detained as illegal immigrants pending deportation. Because stateless persons often cannot be removed, this creates a situation where indefinite detention occurs. This issue must be addressed, and standards and guidelines on the detention of stateless persons developed. Finally, provision of information and legal aid to stateless individuals was identified as a key activity to address many of the causes and consequences of statelessness.

***Recommendations:***

- Statelessness must be seen as a human rights issue. There must be greater partnership with human rights organisations and NGOs to collectively address statelessness including by bringing it to the attention of human rights supervisory mechanisms.
- Governments should take more ownership of the issue. NGOs have a strong role to play in this regard. There is no one-size-fits-all approach. The entry points in each context will be different, and these must be identified and exploited in partnership with UNHCR. For example, it was suggested that UNHCR should make recommendations to the Hungarian presidency of the EU in 2011, to prioritise statelessness and statelessness determination procedures during their presidency.
- There is a need for a broad-based NGO coalition to address statelessness with each organisation working from the perspective of its area of expertise, i.e. child protection, gender equality, protection of the rights of migrants, etc.
- Jurisprudence should be researched and analysed and the judiciary should be actively engaged.
- Increase partnership with the academic community. A good practice in this regard is the annual European course on refugee law (ELENA Course), which has a section on statelessness. The soon to be published UNHCR teaching guide on statelessness at universities is also an encouraging development in this context.
- 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.

**Preventing Sexual Exploitation and Abuse**

Sexual exploitation and abuse (SEA) is a gross violation of the rights of affected populations. Since the 2002 report by UNHCR and Save the Children exposed the SEA scandal in West Africa by humanitarian aid workers, much work has been done to better protect refugees and other vulnerable populations. Over the years, however, the focus on *prevention* of sexual exploitation and abuse (PSEA) seems to have diminished.

In 2009, the Inter-Agency Standing Committee (IASC) analysed where the humanitarian community stood with regards to PSEA and to suggest ways forward. The report found that, while much progress has been made, accountability and leadership were still lacking. While organisations, have made substantive progress at the policy and guidance level, acceptance and absorption at the field level is lacking.

NGOs supported the recommendations of the review and asked the IASC Working Group (IASC WG) to move the recommendations forward at its next meeting. The recommendations ask senior managers to promote PSEA policies more actively, put in place complaints mechanisms, and institutionalise investigation procedures.

Awareness-raising efforts and complaint mechanisms for affected populations are not adequate. Policies and guidance have not been well communicated to the field. Neither management nor staff demonstrates consistent acceptance or understanding of the policies as well as consequences of breaches. Managers are not being held accountable to fulfil their PSEA obligations. Where agencies have received specific funding to work together on PSEA, such as Kenya or Thailand, progress has been registered. UNHCR seems to be among the organisations that has made progress and is working with its partners to prevent SEA. In situations where clusters are in place (e.g. internal displacement situations), PSEA seems to fall between the cracks.

PSEA must be viewed not only as a human resources and compliance issue, but it must also be linked to programming. The current Secretary-General's Bulletin should be re-launched to raise awareness within agencies and some of the perceived ambiguity in language should be reviewed. UNHCR is called upon to provide leadership on the issue within the humanitarian community, given its experience and comparative good practice. NGOs also need better coordination amongst themselves, including in the form of establishing joint complaint mechanisms.

***Recommendations:***

- Sexual exploitation and abuse is the most egregious failure of accountability towards the populations for whom we work, but this issue has become less of a focus and agencies must revitalise their commitment to prevent it.
- UNHCR's Executive Committee should consider putting the issue on its agenda for next year to push for implementation of policies in the field.
- 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.
- PSEA needs to be linked to programming, but also remain a human resources and compliance issue. Participation and information as well as developing community-based complaints and response mechanism create an environment that is safer to prevent SEA. We need to work more effectively with the populations we serve.

**Protecting all IDPs**

In many situations, specific groups of IDPs are often "invisible" to international agencies, either by choice or as a result of a particular type of displacement (e.g. urban) for which humanitarian organisations have not developed sufficient expertise. This is the case of IDPs outside of camps, for which disaggregated data and information about their exact location is often lacking, thus hindering an equal delivery of assistance and protection.

Where they are among host communities, it becomes also necessary to better understand the impact of displacement in these communities and to adopt a holistic approach, looking at comparative vulnerabilities of IDPs and hosts. In urban contexts, IDPs outside of camps may

have particular opportunities, such as wider livelihood options and variety of services, but also challenges such as lack of skills to adapt to the local job market and problems of access to services. Urban areas often face lack of response preparedness by State and NGOs and limited coordination.

Updated and context-sensitive profiling exercises may help UNHCR and NGOs to identify and locate IDPs, and develop interventions which respond to the specific needs and vulnerabilities of each group simultaneously taking into account the situation of host populations. It is also essential to be more creative in partnerships, including both between humanitarian and development actors, as well as with municipal authorities and IDPs themselves. UNHCR and the Representative of the Secretary-General on the Human Rights of Internally Displaced Persons have also launched a discussion at the Inter-Agency Standing Committee (IASC) on how better to protect and assist IDPs outside of camps.

***Recommendations:***

- Coordination is essential to realise the full potential of the network of actors, especially in urban settings. Adapted coordination skills and capacities need to be developed.
- Investing in partnerships is essential to work with IDPs outside of camps, bringing in local NGOs, local authorities, CBOs, faith-based groups, community volunteers and the private sector. In protracted displacement situations, it is important to facilitate funding to local organisations with the advantage of privileged access, and to tap into the role of the National Red Cross and Red Crescent societies.
- Categories need to be more flexible and strategies need to adapt to local context. Area-based interventions are also needed to cover host communities.
- 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 in time and should ensure that IDP's opinions are truly considered.
- 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.

**Protection from Xenophobia, Racism, Intolerance and Bias-Motivated Violence**

Protection from xenophobic, racist and other bias-motivated violence (“hate crimes”) and discrimination is at the heart of protection of refugees, asylum-seekers, stateless and displaced persons. Media, nongovernmental groups and state agencies around the world report that xenophobia and xenophobic violence are on the rise. In a recent statement on the renewal of his mandate, the High Commissioner cited “growing intolerance and xenophobia” as one of the main challenges that lie ahead.

Hate crimes, specifically, when left unchecked, impinge upon freedom of movement and result in progressive marginalisation and exclusion. Fear of violence hinders refugees and asylum-seekers from accessing services. Hate crimes undermine the ability of the host to provide a safe haven, exposing refugees and asylum-seekers to new kinds of persecution.

Despite strong treaty obligations and political commitments, there are significant gaps in various areas – including leadership, law enforcement and collaboration with civil society – necessary to ensure protection. Actions from all stakeholders are needed to combat xenophobia, racism, intolerance and hate crimes in many parts of the world.

***Recommendations:***

- 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.
- 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.
- 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.

**Overcoming Vulnerabilities and Empowering Women in Protracted Refugee Situations**

Protracted refugee situations (PRS) – defined by UNHCR as where “refugees have been in exile for 5 years or more after their initial displacement, without immediate prospects for implementation of durable solutions” – is one of the most complex challenges. These situations occur mostly in the world’s poorest and most unstable regions. Women are particularly vulnerable to human rights abuses and are often dependent on different forms of assistance. Guaranteeing the social well-being of refugee women could impact whole families. Therefore, gender-sensitive policies are needed.

***Recommendations:***

- UNHCR and NGOs should include local host communities as beneficiaries when designing projects for refugees.
- UNHCR should share experiences from voluntary return and reintegration measures from Europe with people working in camp settings.
- UNHCR should facilitate citizenship for refugees who have resided in the host country for an extended period of time (e.g. Tanzania granting citizenship to Burundian refugees).
- UNHCR and NGOs should develop policies and minimum standards which clearly state that the security of women is not negotiable.
- Donors, UNHCR and NGOs should strengthen programmes that reach out to women through refugee community workers and peer educators.
- UNHCR and its NGO partners should conduct education campaigns for law enforcement, humanitarian workers and the media to increase awareness about violence against women.

- 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.
- UNHCR and NGOs should jointly examine issues involving both PRS in camps and PRS in urban settings together as solutions will be much the same.

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REGIONAL SESSIONS

Bureau for the Middle East and North Africa (MENA)

The MENA region both generates and hosts refugees and displaced persons. It presents serious protection challenges as it largely lacks an asylum system and prospects for local integration. Mixed migration movements in the North African sub-region have presented serious operational difficulties for UNHCR and its NGO partners. The situation with IDPs and new refugee arrivals in Yemen, internal displacement in Iraq, detention in Egypt and the proposed ‘Anti-Infiltration’ law to be enacted in Israel were discussed in detail as some regional challenges.

Recommendations:

- UNHCR should continue to support States, civil society institutions and other relevant actors to ensure the protection of refugees and asylum seekers and to bridge the existing protection and assistance gaps.
- Within a framework of strategic, comprehensive and continuous efforts, UNHCR and NGOs should increasingly provide protection to vulnerable populations specifically.
- UNHCR’s policy and effort to prevent and stop forced return and abuse at capture should be strengthened and continued, including UNHCR’s position not to force the return of Iraqis into Iraq.
- As the 1951 Refugee Convention is not yet accepted by most Arab governments, UNHCR and its NGO partners should work to develop a common Arab agreement for the protection and assistance of refugees and those seeking asylum. In the meantime, advocacy for accession to the 1951 Convention should continue.

Bureau for Europe

The full spectrum of issues managed by UNHCR worldwide can be found in Europe: asylum seekers, refugees, returnees, internally displaced persons and stateless persons. Some 80 percent of individual asylum claims made in the industrialised world are adjudicated in Europe. As in many parts of the world, humanitarian space – including asylum space – is under strain in Europe. Internal displacement continues to be a major challenge in some European countries, with IDPs facing limited prospects for durable solutions. While efforts continue in the EU to build a Common European Asylum System, there remains a large gap between standards and practice.

The session focused on the issues of access to the territory of the EU (and other countries) for persons seeking protection, the implementation of the Dublin II Regulation and the problems caused by lack of consistency in the asylum practice of European countries. The particular situation of Turkey as the main entry route to the EU was highlighted. The long cooperation

between UNHCR and NGOs in Europe was applauded but a call was made for strengthened cooperation among NGOs to build the capacities of civil society, especially in eastern and southeastern Europe.

Recommendations:

- UNHCR and NGOs should work together to decrease the gap between EU legislation and its implementation by Member States.
- UNHCR should continue to focus on border monitoring activities at Europe’s external borders.
- UNHCR should highlight the situation and good practices in other regions of the world (e.g. Tanzania’s naturalization of 162,000 Burundians) to demonstrate that the majority of the world’s refugees are not in Europe.
- ECRE and UNHCR should map good practices and gaps with respect to accessing the territory and asylum systems in Europe
- ECRE and UNHCR should consider the feasibility of developing a Europe-wide code of conduct for the media on how to report on asylum issues.
- UNHCR should provide support to NGOs to intervene in key asylum cases in national and regional courts.

Bureau for Asia and the Pacific

Building new and innovative partnerships constitutes an important way forward to overcome key challenges UNHCR continues to face in the provision of protection and assistance to refugees and other persons of concern in the Asia-Pacific region. While countries in the region host a large number of refugees and IDPs (e.g. Pakistan and Iran), States need to take more responsibility for protecting these populations and find solutions for refugees within the region rather than expecting countries in other parts of the world to resettle them. Humanitarian space in general is shrinking, and protection and asylum space in particular are increasingly eroded. Working in high risk security environments is characteristic of several operations in the region. Furthermore, as the region is particularly prone to natural disasters, a new approach is required in partnership and reaching beneficiary communities in time.

Recommendations:

- UNHCR and NGOs should launch a renewed and concerted effort to get more states in the region to sign the 1951 Refugee Convention. Accession in Asia is very low as compared to other parts of the world.
- CSOs should engage more vigorously with governments on refugee protection issues. The role of civil society as promoters of good asylum practices – and not only as service providers – should be further explored.
- UNHCR should collaborate with its NGO partners in shaping and developing legislation, as local partners may often know what is going on inside the political and legislative circles of government better than UNHCR.
- UNHCR should establish stand-by partners for natural disasters, especially in disaster-prone regions. UNHCR can identify credible NGOs through its regional partners such as SAARC and ASEAN. In addition, UNHCR should consider engaging reputable national NGOs as “umbrella organisations” or “intermediary organisations” to partner with local organisations for the purposes of better protecting and providing assistance to refugees and IDPs in non-secure environments.
- When operating in high security risk areas, it is crucial to keep lines of communication open with different actors, including conflict parties, for security and delivery purposes.

- UNHCR should promote good practices across regions as concerning difficult issues (e.g. HIV/AIDS good practices on prevention measures). UNHCR should also more fully engage with Islamic NGO partners to increase both the acceptability and effectiveness of reproductive health and SGBV initiatives.

Bureau for the Americas

Over the past years, countries throughout the Americas have witnessed that migration movements have become more complex and increasingly ‘mixed’ in character as countries of origin, transit or destination or a combination thereof. While the motivation and reasons of those moving may differ, whether refugees or migrants, they travel together, use the same modes of transport, employ the services of the same smugglers and many times are exposed to the same risks and abuses. While these movements are largely intra-regional with the USA hosting the highest number of migrants and refugees, a large number also migrate elsewhere, mainly to Europe. Additionally, the displacement of Colombians – mainly due to armed conflict, aerial fumigation of crops, animals and water sources, and attacks by paramilitary groups – continues to be a crisis in the region, especially in the borders with Ecuador, Venezuela and Panama.

As in other regions, the complex characteristic of the migratory movement in the region creates challenges for States in balancing national interests to combat transnational organised crime with upholding international obligations on human rights and refugee protection in general, and the respect of the right to seek asylum and the respect of the principle of *non-refoulement* in particular. Borders are especially sensitive areas for migrants and refugees who do not have entry documents. Among other violations, sexual abuse, exploitation, extortion and kidnapping have increasingly occurred in the border areas.

Of particular concern is the action of some States whose principal response to these irregular mixed migratory movements has been stricter control measures, which often lack sufficient protection safeguards and assistance measures. In such a context, protecting persons in need of international protection requires that all stakeholders work together to optimize their relative strengths and capacities.

The session underscored the need for a rights-based approach to provide the necessary protection to refugees, asylum seekers and other vulnerable populations, and to ensure that good policies and legal tools are actually implemented and receive adequate resources.

Recommendations:

- All stakeholders must work together to preserve and expand protection spaces for refugees and displaced populations in the region. This requires cooperation between government, civil society, NGOs and UNHCR, and mobilisation of the affected populations and host communities.
- UNHCR should reinforce its activities in Colombia on the prevention of internal displacement and protection for IDPs.
- As part of the partnership process, there is a need for all stakeholders to share practices, working jointly on informational campaigns, lobbying for good legislation and mobilising political will to implement it. Local organisations and affected populations must be included in the decision-making process.

Bureau for Africa

Sub-Saharan Africa is home for 10.2 million people of concern to UNHCR, including more than 2.1 million refugees and 6.5 million IDPs. A large number of people were newly displaced in 2009, particularly in the Democratic Republic of Congo (DRC) and Somalia, while others have returned home, most notably in the DRC, Sudan and Uganda.

While there are a great number of needs to address, resources are increasingly becoming limited. UNHCR seeks USD 1.5 billion for its programmes in Africa alone. UNHCR has, therefore, prioritised certain non-negotiable priorities at planning and resource levels. Strengthening the prevention and response to sexual and gender-based violence (SGBV) is high among these. In addition, Results-based Management (RBM) has been progressively strengthened in UNHCR programmes, accompanied by the introduction of new processes and tools, including the Comprehensive Needs Assessment (CNA) approach, the four-pillar budget structure and the new *Focus* software.

Furthermore, UNHCR will continue to work with the African Union, civil society organisations and other relevant stakeholders to promote the prompt ratification and implementation of the Kampala Convention for the Protection and Assistance of IDPs in Africa adopted by the African Union's Special Summit in October 2009.

UNHCR acknowledged the deep concerns expressed by NGOs regarding the voluntariness of some repatriations such as the repatriation of Rwandan refugees from Uganda. NGOs noted that the cessation clause date is having some ripple effect within Uganda and contributing toward a growing xenophobic attitude within the host community. In addition, NGOs cautioned that SGBV programmes should not exclude assistance to men who are also victims of the violence. Finally, an implementing partner from Chad expressed that UNHCR's *Focus* related reporting requirements were deemed to be too frequent and cumbersome.

Recommendations:

- As the organizational survival of UNHCR and its partners is based on our joint ability to justify the use of resources made available to us, it is critically important to best serve the people we assist by demonstrating accountability for the resources we use and the work we do.
- UNHCR and its NGO partners should work together to combat SGBV, focusing firstly on prevention, but also by providing comprehensive support to victims and survivors. This is a crucial area which requires much more work. SGBV protection and assistance activities must include male victims.
- Preparedness and prevention of outbreaks of xenophobic violence cannot be done in isolation. It requires a strong coordinated approach by UNHCR, local authorities and NGO partners.
- UNHCR and its NGO partners should mobilise together and work on strategies to raise funds to ensure that vulnerable groups of concern are assisted. UNHCR and international NGOs are urged to assist local and national partners in developing their institutional capacity to raise funds for their programmes.
- UNHCR should revise its reporting requirements for implementing partners and ensure that they are not burdensome in light of the field realities.
- UNHCR and NGO partners should work together to advocate for the ratification and implementation of the African Union IDP Convention by AU Member States.

CLOSING PLENARY SESSION

The Deputy High Commissioner (DHC) relayed a message from the High Commissioner. The High Commissioner called for: (1) a renewed focus on protection issues, (2) practical steps towards building the capacity of local actors to respond to emergencies and (3) a commitment for joint advocacy work to protect an increasingly shrinking humanitarian space.

In addition, the DHC stressed that accountability should be one of the core values entrenched in the operations of UNHCR and NGOs. UNHCR takes seriously its accountability commitments to beneficiaries, donors, and NGO partners. As UNHCR strives to provide its NGO partners with a reliable source of funding, NGOs should equally demonstrate a results-based management (RBM) approach in utilising the resources provided.

The Assistant High Commissioner for Operations noted the timeliness of this year's overarching theme of partnership with national actors. When their capacity needs are fulfilled, national partners are indeed providers of first resort. In addition, the role of national partners in shaping policy and strategy must be strengthened. While the recommendations from this year's Consultations layout a good foundation, it is time to go from theory to practice.

For future Annual Consultations, NGOs recommended that UNHCR should consider a 'result-based Consultations' approach. This would consist of a mechanism that tracks the recommendations from the Annual Consultations and reports the progress and impact of these recommendations in the works of UNHCR's Executive Committee, the IASC and in funding trends.

ANNEXES

- I. Programme of the Annual Consultations with Non-Governmental Organizations**
- II. List of Participants**
- III. Agenda of Side meetings at the Annual Consultations with NGOs**
- IV. Evaluation of the 2010 Annual Consultations with NGOs**

PROGRAMME OF THE
Annual Consultations with Non-Governmental Organizations
29 – 30 June 2010, International Conference Center Geneva
1 July 2010, Palais des Nations, Geneva

Tuesday 29 June 2010

International Conference Center Geneva

11h00 – 13h00 Plenary Session (interpretation in Arabic-English-French-Russian-Spanish)

Room 2 *Welcome and Opening Address*

Alexander Aleinikoff, Deputy High Commissioner
 Erika Feller, Assistant High Commissioner for Protection
 Mamadou Ndiaye, Office africain pour le développement et la coopération
 Daisy Dell, Director, Division of External Relations, UNHCR
 Bernard Doyle, Head, Inter-Agency Unit, UNHCR
 Ed Schenkenberg, Coordinator, International Council of Voluntary Agencies

13h00 – 14h00 LUNCH

14h00 – 15h45 Thematic Sessions (interpretation in English-French)

Room 2 *Making it work: From policy to practice in urban settings*

This session will examine good practices and successful programs that use a rights-based approach to protect and assist asylum-seekers and refugees in urban settings. The goal of the session will be to identify models for enhance and innovative partnership between UNHCR and the NGO community in meeting refugee needs in urban areas.

Recommended readings prior to this session are: UNHCR policy statement on "Refugee Protection and Solutions in Urban Areas" (see <http://www.unhcr.org/4ab356ab6.html>) and the 2009 High Commissioner's Dialogue on the theme of "Challenges for Persons of Concern in Urban Settings" (see <http://www.unhcr.org/pages/4a12a4a26.html>).

This session will consist of two short panel presentations in a plenary format each, followed by breakout sessions designed to enable participants to interact freely, exchange examples of good practice, and contribute recommendations on the implementation of UNHCR's new urban refugee policy. The overarching approach of both the panels and the breakout sessions will be to highlight partnerships between local and international actors, including UNHCR, in addressing the needs of refugees in urban areas.

Rapporteurs will compile the recommendations made by participants in a 'session summary' that will be made available as a catalyst for future action and as a contribution to implementation of the UNHCR policy statement on urban refugees.

Panel One

Enhancing protection by addressing legal and human rights concerns

Moderator: Loren Landau, Forced Migration Studies Programme, University of Witwatersrand

Panelists:

Laban Osoro, Kituo cha Sheria (Legal Advice Center)
 Taya Hunt, Jesuit Refugee Service
 José Riera, Senior Adviser to the Director of the Division of International Protection, UNHCR

Panel Two

Enhancing protection by re-envisioning assistance in urban settings

Moderator: Mary Jo Baca, International Medical Corps

Panelists:

Valentiana Qussisiya, Jordan River Foundation,
 Siti Mariam Nuzuriah, Church World Service/PURE Project
 Eva Ahlén, Senior Education Officer, Division of International Protection, UNHCR

Room 3 *Partnerships: Strengthening partnerships at local-national level*

(For Partnership session only, interpretation in Arabic English-French-Russian-Spanish)

UNHCR's largest single group of implementing partners are national and local organisations.

Around 79 % of UNHCR partners are local/national organizations. For this reason, support to national partners and assistance with their capacity development is one of the priorities of UNHCR. Strengthening capacity is an essential element in preparedness for an effective response in times of peace and also in emergencies.

Aim of the session:

The overall idea of this session is to examine ways to improve the effectiveness of partnership between national partners and international organisations such as UNHCR.

During the session, speakers on the panel will share their experiences and views on the challenges in terms of capacity development and working together.

There will be three breakout groups each of which will discuss different aspects of this issue and will return for a final plenary discussion with concrete recommendations.

Moderator: Mamadou Ndiaye, Office africain pour le développement et la coopération
 Speaker(s): Hawa Adan Mohamed, Galkayo Education Centre for Peace and Development
 Abdul Muneim Ahmmed Hasan, United Foundation for Relief and Abiding Development
 Philippe Guiton, World Vision International
 Cagatay Demiroz, External Relations Officer, Inter-Agency Unit, UNHCR
 Bernard Doyle, Head, Inter-Agency Unit, UNHCR

Janet Lim, Assistant High Commissioner Operations will respond to the discussions

Room 4 *Promoting the rights and protection of stateless persons: Issues, challenges and ways forward*

This session focuses on how civil society and UNHCR can promote the rights and protection of stateless persons around the world. In the first part of the panel, speakers discuss some of the practical challenges involved in addressing statelessness at multiple levels of engagement: from community organizing amongst stateless populations, to research and policy advocacy, to creating commitment in the international community for the prevention and reduction of statelessness. Speakers will reflect on the types of concrete actions that can be taken at the national, regional, and international levels as well as share perspectives on how statelessness can be integrated into policy discussions around citizenship, asylum, migration and human rights. In the second part of the panel, participants are invited to share their own experiences and to make practical recommendations for how civil society and UNHCR can advance the rights and protection of stateless persons more effectively, in particular in the context of the 50th anniversary of the 1961 Convention on the Reduction of Statelessness.

Moderator: Alice Nah, National Human Rights Society, Hakam
 Speaker(s): Gábor Gyulai, Hungarian Helsinki Committee
 Nanthini Ramalo, Education and Research Association for Consumers
 Mark Manly, Head, Statelessness Unit, UNHCR

15h45 – 16h15 ***COFFEE BREAK***

16h15 – 18h00 ***Thematic Sessions (interpretation in English-French)***

Room 2 *Making it work: From policy to practice in urban settings (continued)*

The session continues.

Room 3 *Partnerships: Strengthening partnerships at local-national level (continued)*
(For Partnership session only, interpretation in Arabic English-French-Russian-Spanish)

The session continues.

Room 4 *Back to basics: Listening and acting on preventing sexual exploitation and abuse together*

Since the 2002 UNHCR/Save the Children report on sexual exploitation and abuse (SEA) in West Africa by humanitarian aid workers of refugees and other vulnerable populations, much work has been done to better protect populations from SEA. There was much work done in the context of the Inter-Agency Standing Committee (IASC) on prevention from SEA (PSEA) before the issue was moved to the UN only bodies. UNHCR and NGOs worked closely together to develop the Building Safer Organizations' project, originally housed by the International Council of Voluntary Agencies

(ICVA) and then later by the Humanitarian Accountability Partnership International (HAP), which worked to develop complaints and response mechanisms for beneficiaries and the investigative capacity of humanitarian organizations to follow up on allegations of SEA by their staff. Over the years, however, the focus on PSEA seems to have diminished. There have been mixed messages about PSEA, with the result that it is often mixed in with gender based violence (GBV). PSEA by aid workers is a gross breach of accountability to affected populations.

In 2009, the IASC agreed to a stock-taking and needs analysis to look at where the humanitarian community is with regards to PSEA and to suggest ways forward. The draft report found that, while much progress has been made, it is inadequate, particularly in terms of accountability and leadership. The review found that, at a policy and guidance level, organizations, in general, have made substantive progress, but that acceptance and absorption of this guidance at the field level must increase. The report recommends a number of ways forward that NGOs and UNHCR should take seriously, as well as suggesting that the issue of PSEA be brought back to the IASC, which includes both UN and non-UN humanitarian agencies. Humanitarian organizations have a direct responsibility to prevent SEA by their staff. This panel will not only provide an overview of some of the efforts made to date on PSEA, but will look at practical ways in which NGOs and UNHCR can work to better protect populations from SEA.

Chair: Katharina Samara, Humanitarian Accountability Partnership International
 Speaker(s): Moira Reddick, Consultant on IASC Prevention Sexual Exploitation and Abuse
 Philip Karani, Senior Liaison Officer, UNHCR

18h30- 20h00 **RECEPTION – UNHCR Cafeteria, UNHCR main building (94, rue de Montbrillant)**

Wednesday 30 June 2010

International Conference Center Geneva

09h00 – 10h45 **Regional Session (interpretation in Arabic-English-French)**

Room 2 **MENA Bureau**

The MENA region generates and hosts a considerable number of refugees and displaced persons. Despite the harsh effect of the global financial crisis on the already fragile economies of the host countries, efforts were made to absorb these populations. As such, UNHCR strategy focuses on the provision of protection and basic humanitarian assistance, including self-reliance opportunities to refugees and others of concern, while searching for durable solutions.

The discussions will be geared towards strengthening partnership with relevant government and civil society institutions as well national and international NGOs with a view to enlarge the protection space through promoting the establishment of national legal frameworks and responsive asylum systems

Chair: Mohamed Khalifa Al-Gamzi, United Arab Emirates Red Crescent
 Moderator: Jala Al-Jazari, Syrian Women Union
 Speaker(s): Radhouane Nouicer, Director
 Ursula Aboubacar, Deputy Director

Thematic Session (interpretation in English-French-Russian)

Room 3 **Protecting all IDPs**

In many situations, IDPs are often “invisible” to international agencies, either by choice or as a result of particular type of displacement for which humanitarian organizations have not developed sufficient expertise. In these cases, it is challenging for UNHCR and NGOs to identify and locate IDPs, and develop interventions, which respond to the specific needs and vulnerabilities of each group whilst also taking into account the situation of host populations.

The aim of the session is to discuss the specific challenges of identifying IDPs as the majority are outside camps, to make concrete recommendations on how to provide effective protection and assistance to IDPs outside camps, including to groups with special vulnerabilities and needs. Partnerships, especially international – national, and UN – NGOs / CBOs will be given special

consideration throughout the session.

Moderator: Loren Landau, Forced Migration Studies Programme, University of Witwatersrand
 Speaker(s): Laban Osoro, Kituo cha Sheria (Legal Advice Center)
 Marzia Montemurro, IDMC, Norwegian Refugee Council
 Kathrine Starup, Danish Refugee Council
 Josep Zapater, Senior Protection Officer, Division of International Protection, UNHCR

Working Groups:

Facilitator(s): Leonard Zulu, Senior Protection Officer, Division of International Protection, UNHCR
 Christophe Beau, IDMC, Norwegian Refugee Council
 Claus Larsen, Danish Refugee Council
 Speakers(s): Hawa Adan Mohamed, Galkayo Education Center for Peace and Development
 Munyaradzi Chaumba, Caritas Zimbabwe
 Svetlana Gannushkina, Memorial Human Rights Centre

10h45 – 11h15 **COFFEE BREAK**

11h15 – 13h00 **Regional Session (interpretation in English-Russian)**

Room 2 ***Europe Bureau***

Humanitarian space, including asylum space, is under strain in many parts of the world. Europe is no exception. In some countries in Europe, internal displacement continues to be a major challenge, with internally displaced persons facing limited prospects for durable solutions. In the European Union, efforts continue to build a Common European Asylum System, but there is still a large gap between law and practice and there is little political will to raise standards further. Access to the EU and to the territory of other countries for persons seeking protection becomes ever more difficult.

In the Western Balkans, efforts to put an end to the protracted displacement situation continue. At the same time, the region is coming under growing pressure from migratory flows, including persons who are seeking and may be in need of international protection. Investment in building protection capacity in countries of Eastern Europe has borne fruit in some countries but not in others. Overall the region is witnessing a worrying ‘slow onset’ deterioration of asylum. There are also large numbers of stateless people in Europe, as well as individuals at risk of statelessness.

In the limited time available at the Consultations it will not be possible to discuss all these issues. As separate thematic sessions are foreseen on IDPs and stateless persons, as well as on combating xenophobia, it is proposed to focus the discussion with NGO partners on how we can strengthen our partnership to preserve and expand refugee protection space across Europe. UNHCR and Human Rights Watch will introduce this topic before opening the floor to discussion. It is suggested to focus the discussion on access to territory, quality of asylum systems, and expanding prospects for durable solutions, including integration and resettlement.

Moderator: Walter Brill, International Catholic Migration Commission
 Speaker(s): Judith Kumin, Director
 Bill Frelick, Human Rights Watch

Thematic Sessions

Room 3 ***Protecting all IDPs (continued)***
(interpretation in English-French-Russian)

The session continues.

Room 4 ***Working together: Strategies for protection from xenophobia, racism, intolerance and bias-motivated violence (interpretation in English-French-Spanish)***

This session will provide an opportunity for participants to discuss strategies for improving protection for refugees, asylum-seekers, returnees stateless and internally displaced persons who are affected by xenophobia, racism, racial discrimination, intolerance, and bias-motivated violence. The panel's topic – focused on collaborative action and strengthening national partnerships – complements the overarching theme of the 2010 Annual NGO Consultations, as efforts to mitigate xenophobia, racism, intolerance and bias-related violence require the development of collaborative

actions involving States, civil society, UNHCR, and other stakeholders, including international and regional organizations.

The discussion will address human rights standards, existing efforts to combat these challenges, models for effective national partnerships and civil society engagement with States, and tools and best practices to strengthen NGO advocacy and assistance efforts. Written resources that may assist groups as they develop or revise plans to address these challenges will also be shared, including UNHCR's December 2009 Strategy Note on Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance Through a Strategic Approach. The discussion will also highlight areas for greater collaboration as well as steps that should be taken towards a more comprehensive approach. The panel will help spark a discussion on existing gaps, recommendations for addressing those gaps, as well as roles that can and should be played by states, UNHCR, civil society and other stakeholders. Participants are encouraged to identify concrete recommendations for cooperation in this field.

In addition to the panelists, the following persons will participate in the discussions and be ready to share their experiences. Duncan Breen, The Consortium for Refugees and Migrants in South Africa (CoRMSA) and Birgit Van Hout, United Nations Office of the High Commissioner for Human Rights (OHCHR)

Moderator: Tad Stahnke, Human Rights First

Speaker(s): Luz Marina Becerra, Association for Displaced Afro-Colombians
Githu Muigai, UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance
Larry Olomofoe, Organization for Security and Co-Operation in Europe (OSCE-ODIHR)
Voker Turk, Director, Division of International Protection, UNHCR

13h00 – 14h00 *LUNCH*

14h00 – 15h45 *Regional Session (interpretation in English-Russian)*

Room 2 *Asia Bureau*

Building new and innovative partnerships constitutes an important way forward towards overcoming some of the key challenges that UNHCR continues to face in the provision of protection and assistance to refugees and other persons of concern in the Asia-Pacific region.

Foremost among those are issues particularly related to the shrinking of humanitarian space in general, including the erosion of protection and asylum space. Working in high risk security environment is a reality in several operations requiring a new approach in partnership and reaching out to beneficiary communities. Furthermore, and taking into consideration that the region is particularly prone to natural disasters, the Consultations provide an excellent opportunity to examine partnerships also in the context of building protection capacity in natural disaster situations.

During the session, the Director of the Bureau for the Asia-Pacific will provide an overview of the above challenges which are among UNHCR's key regional priorities, to be followed by presentations from selected national NGOs. The session aims to shape concrete recommendations on the best approach to partnerships in the above areas.

Moderator: Steven Muncy, Community and Family Services International

Speaker(s): Kasidis Rochanakorn, Director
Shakir Ishaq, Basic Education for Afghan Refugees (BEFARE)
Andrew Khoo, Bar Council Malaysia

Thematic Session (interpretation in English-French)

Room 3 *A harsh life in long-term exile – partnerships for overcoming vulnerabilities and empowering women*

During the first part of the session, participants will be updated by UNHCR on the follow up to the 2008 High Commissioner Dialogue on Protection Challenges concerning protracted refugee situations (PRS). The second part of the session will focus mainly on the situations of women in protracted situations. Presenters will frame the two subjects for discussion – violence against women in PRS and livelihoods - by presenting four case studies on their practical experience and on example of effective partnerships at national and local level. Participants will be then divided into two break-out sessions with the aim of mapping examples of effective partnerships and of elaborating

recommendations for effective partnerships, which help to improve the situation of women. The sessions will look specifically at the protracted situations of refugee women in camp settings.

Moderator: Karin Keil, Caritas Austria

Speaker: Jean-François Durieux, Director, Division of Programme Support and Management, UNHCR

Working Groups:

Moderator(s): Daisy Francis, Catholic Relief Services

Anastasia Brown, US Conference of Catholic Bishops

Speaker(s): Lucy Kiama, Refugee Consortium of Kenya

Mungreiphy Shimray, Caritas India

Leonie Dochamou, Caritas Benin

Najla Chahda, Caritas Lebanon

Regional Session (interpretation in English-Spanish)

Room 4 Americas Bureau

Protection in mixed migratory movements: Importance of national partnerships.

The Bureau will provide a summary of the main recommendations further to the San Jose Conference and will point out the importance of all partnerships including those with national NGOs.

Moderator: Emilio Chávez, Sin Fronteras

Speaker(s): Marta Juarez, Director

Agostino Mulas, Senior Desk Officer

Davide Torzilli, Senior Protection Officer

15h45 – 16h15 COFFEE BREAK

16h15 – 18h00 Regional Session (interpretation in English-French)

Room 2 Africa Bureau

The Africa Regional Session will allow for an open exchange between the NGO participants and the Director of the Africa Bureau and his management team. The Director will make an opening statement that will provide an overview of plans for UNHCR's operations on the continent next year, while also focusing key areas where the Bureau hopes to engage with NGO implementing partners in strengthening our programmes, including realizing the potential of results-based management, including use of *Focus*, and financial due diligence and accountability.

During the session, the Director of the Bureau will also highlight the importance of the African Union Kampala Convention on the Protection and Assistance of Internally Displaced Persons in Africa adopted last year, and the crucial role that NGOs and other civil society actors can play in encouraging governments to sign, ratify and implement this ground breaking instrument.

The Africa Bureau would also look forward to an exchange with NGO participants regarding sexual and gender-based violence (SGBV), which continues to terrorize people of concern of UNHCR and its partners, including how to move forward more decisively from a focus on process and procedures to delivering services to survivors and ensuring against impunity.

Moderator: Mark Lever, Tanganyika Christian Refugee Service

Speaker(s): George Okoth-Obbo, Director

Marie-Christine Bocoum, Deputy Director

Steven Corliss, Deputy Director

Raouf Mazou, Deputy Director

Thematic Session (interpretation in English-French)

Room 3 A harsh life in long-term exile – partnerships for overcoming vulnerabilities and empowering women (continued)

The session continues.

Thursday 1 July 2010

Palais des Nations Geneva

10h00 – 11h00 **Plenary Session (interpretation in Arabic-English-French-Russian-Spanish)**

Room XIX *Report back on the NGO Consultations*

Misikir Tilahun, Rapporteur to the Annual Consultations with NGOs
Melissa Pitotti, Permanent Mission of the United States of America, Rapporteur of the Executive Committee
Daisy Dell, Director, Division of External Relations, UNHCR
Catherine Walker, Head, Secretariat and Inter-Agency Service, UNHCR
Manisha Thomas, Policy Officer, International Council of Voluntary Agencies
Bernard Doyle, Head, Inter-Agency Unit, UNHCR
Ed Schenkenberg, Coordinator, International Council of Voluntary Agencies

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

Room XIX *Closing Address by*

Alexander Aleinikoff, Deputy High Commissioner
Janet Lim, Assistant High Commissioner Operations

List of Participants by Organization
Annual Consultations with Non-Governmental Organizations
29 June – 1 July 2010

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AGENDA OF SIDE MEETINGS
Annual Consultations with Non-Governmental Organizations
29 – 30 June 2010, International Conference Center Geneva
1 July 2010, Palais des Nations, Geneva, Switzerland

Tuesday 29 June 2010
International Conference Center Geneva (ICCG)

13h00 – 14h00 Room 3

Alternatives to immigration detention

Janice Marshall, Deputy Director, Division of International Protection, UNHCR
 Pia Oberoi, United Nations Office of the High Commissioner for Human Rights
 Grant Mitchell, International Detention Coalition
 Alice Edwards, Oxford Refugee Studies Centre

Background: Governments around the world are increasingly using detention as a migration management tool, with hundreds of thousands of men, women and children detained in conditions falling below international standards and that deny basic rights. Where a government intends to detain a person for immigration-related reasons, it should first consider and pursue alternatives before detention, in compliance with international and regional human rights standards. While many governments fail to utilize alternatives to detention or focus on restrictive or intrusive options, or on different forms of detention, some governments are implementing alternatives with success. This includes community-based alternatives to detention that ensure the rights, dignity and well being of refugees, asylum seekers and migrants.

Expectation: This session follows the side meeting on Alternatives to Detention held during the 2009 UNHCR Executive Committee of the High Commissioner (EXCOM) attended by 30 governments, and meetings held during the 12th and 13th Sessions of the Human Rights Council. The panel discussion aims to update participants on the current alternative to detention (ATD) trends, research initiatives and the range of positive ATD developments in the past year. Individuals and groups are invited to share experiences of examples of alternatives to detention, good practice and lessons learned.

The meeting will assist both current ATD research projects, inform participants of developments, help shape the upcoming EXCOM side meeting and UNHCR Global ATD Roundtable, discuss developments at the Human Rights Council and relevant work of OHCHR, and to explore international, regional and national advocacy opportunities, challenges and priorities.

13h00 – 14h00 Room 4

The Sphere Project: Achievements and ways forward

Mary Picard, Consultant, Co-author of revised Humanitarian Charter
 Roland Schlott, Lutheran World Federation
 Aninia Nadig, The Sphere Project

This session will provide a brief general introduction to the Sphere Project and its activities – both at the Project office in Geneva, and presenting an example of the institutionalization and practical application of Sphere by an NGO. We will then discuss specific aspects of the current Handbook revision process, focusing in particular on the revised Humanitarian Charter, the corner stone of the Sphere Handbook. It spells out the core legal and moral principles that govern humanitarian action and asserts the right of populations to protection and assistance. Sphere is based upon these core values.

Given its importance, it will also be a stand-alone document. Other Handbook chapters can be discussed during the side event, at the request of participants.

The Sphere Project is an initiative by NGOs and the Red-Cross – Red-Crescent movement and contributes to improving the quality and accountability in humanitarian response. Its Handbook collects a set of broadly agreed-upon minimum standards in disaster response.

13h00 – 14h00 Room 5 (3rd floor)

***From the margins to the centre: Realizing the rights of Refugee Women and Girls
A Meeting of the International Working Group to monitor the implementation of
the ExCom Conclusion on Women and Girls at Risk***

Linda Bartolomei, University of New South Wales
Luisa Cremonese, Senior Coordinator Women and Gender, CDGECS, UNHCR
Dale Buscher, Women's Refugee Commission
Melika Yassin Sheikh-Eldin, Adult Multicultural Education Services (AMES)
Parsuram Sharma Luitai, AMES
Deena Yako, Fairfield Migrant Resource Centre
Endalketchew Gage, Good Sheperd Youth & Family Services

The panel will discuss our ongoing efforts to bring the concerns of refugee women and girls to the centre of protection work and to recognize refugee women and girls as key agents of social change within their communities. Progress will be reviewed and some of the ongoing challenges in fighting for the rights of refugee women and girls to protection, safe livelihoods and gender equality will be discussed. Refugee women will share their experiences of advocating for the rights of refugee women during various stages of the refugee journey.

During this session, UNHCR will present a new tool to raise awareness on the rights of displaced women and facilitate the understanding of women rights and how to work them at field level. This tool is composed by four short movies and a companion guide, which helps to identify the rights of women and the corresponding actions taken by UNHCR to protect them.

**Wednesday 30 June 2010
International Conference Center Geneva (ICCG)**

8h00 – 9h00 Regional Informal Meetings

Africa Region – Room 5 (3rd floor)
Americas Region – Room 12 (2nd floor)
Asia Region – Room 6 (3rd floor)
Europe Region – Room 19 (3rd floor)
MENA Region – Room 20 (3rd floor)

These informal meetings are set up to encourage your organization to meet participants from other NGOs working in the same region/country as your organization to exchange information and share views and ideas in preparation for the Regional Sessions. One room has been allocated per region. **Coffee will be available.**

13h00 – 14h00 Room 3

***UNHCR's mandate status determination (RSD) procedures:
Progress and current challenges***

Suzanne Duff, Senior Legal Officer, RSD Unit, Division of International Protection, UNHCR
Rachel Levitan, Helsinki Citizens Assembly Turkey
Michael Kagan, Asylum Access

In recent years, UNHCR has introduced new standards, training programmes and pilot projects to improve the way it conducts refugee status determination (RSD) in dozens of countries around the world. At the same time, UNHCR faces continuing challenges in providing adequate resources for its RSD operations. NGOs have generally welcomed the changes that UNHCR has made, but have continuing concerns about some UNHCR RSD policies and about the pace of implementation. The panel will give an overview of recent developments and current challenges in UNHCR RSD reform, and will open the floor to wider discussion about UNHCR's mandate RSD activities.

13h00 – 14h00 Room 4

Advocacy for the Rights of Refugees through Domestic Legislation

Anoop Sukumaran, Asian Forum for Human Rights and Development (Forum Asia)
Gopal Krishna, INHURED International
Sarah Petrin Williamson, US Committee for Refugees and Immigrants
Youngah Park, Korean Public Interest Lawyer's Group, GONGGAM

This side session focuses on the protection of the rights of refugees through domestic legislation in Asia. This is of particular importance in non-Convention signatory countries, where specific legislation on refugees is often non-existent. Speakers will discuss the efforts made by national civil society groups and lawyers in using existing legislation to protect asylum seekers, refugees and stateless persons, as well as in proposing additional legislation to strengthen the rights of refugees in different countries in Asia. Through the presentations and ensuing discussion, we hope to explore identify areas of concerns and challenges while advocating for domestic law as well as to examine potential areas for civil society collaboration, action and advocacy across borders.

**Thursday 1 July 2010
Palais des Nations Geneva**

9h00 – 10h00 Room XXII

***From strategy to action: Next steps for supporting strong partnerships to address SGBV
in displaced settings***

Elisabeth Roesch, International Rescue Committee
Menbere Dawit, Technical Officer SGBV, UNHCR
Volker Turk, Director, Division of International Protection, UNHCR

Sexual and gender-based violence (SGBV) is one of the most urgent, grave and pervasive problems facing displaced women and girls around the world. To address this issue, UNHCR has developed a five-year (2010-2015) strategy that will improve the Organization's ability to work in partnership to prevent and respond to SGBV. This document provides a framework for confronting this complex, multi-faceted problem and for harnessing a unified, multi-sectoral response. Specifically, it outlines a set of institutional and programmatic focus areas to guide UNHCR's strategic direction over the next five years. It highlights steps needed to institutionalize SGBV as a core protection concern within UNHCR, enhance leadership and accountability on this issue, promote collaborative partnerships, build knowledge, and enhance data collection. Finally, the document directs attention to strategic priorities for SGBV programming.

The purpose of this side meeting is to provide UNHCR with an opportunity to share and review this strategy with the NGO community and to allow for a joint discussion between UNHCR and NGOs on critical next steps for its full implementation. Discussion will focus on what is needed to ensure that implementation efforts result

in effective partnerships that bring concrete and tangible improvements to the protection of displaced women and girls in displacement settings.

9h00 – 10h00 Room XXIII

Promoting Resettlement in Europe - Partnership with NGOs

George Joseph, Caritas Sweden

Vincent Cochetel, Deputy Director, Comprehensive Solutions, Division of International Protection, UNHCR

Martin Watson, European Council on Refugees and Exiles

The aim of the session is to promote awareness on the importance of partnerships between international and local/national organisations in resettling refugees and to mobilise partners to advocate for a (higher) resettlement quota in more European countries. The specific objective is to share approaches and tools to influence targeted national policy makers and politicians who determine the number of places allocated to resettlement.

Panellists will present the advantages of tripartite consultation and cooperation in designing and implementing resettlement operations and programmes in Europe. Based on lobbying experience with governmental agencies, panellists will analyse what has worked in the past, and why it was successful. The side-event intends to focus on areas where more involvement could be envisaged through the promotion of tripartite consultations on a national level. The session should also incite a discussion on how trust between the partners can be established in order to initiate or strengthen operational cooperation in resettlement operations.

The expected outcome is an increased level of awareness and knowledge of current resettlement activities as well as clear ideas on areas where resettlement cooperation can be enhanced.

13h15 – 14h45 Room XXII

A hearing on Boat People: Different people, different needs and rights to protection

Alice Charbonneau-Bloomfield, International Catholic Migration Commission

Anja Klug, Head, Asylum/Migration Team, Division of International Protection, UNHCR

Houssam Mu'Allem, International Federation of the Red Cross and Red Crescent Society

Representatives of IOM and UN Office on Drugs and Crime (UNODC) Anti-Human Trafficking and Migrant Smuggling Unit

Brief description: What are the needs of today's boat people—and how can these needs be differentiated and matched to rights and practical responses of protection and assistance—among boat people arriving in Europe or Yemen from Africa; in the US from Haiti; in various parts of south and southeast Asia and Australia from Burma or Sri Lanka, or following other sea crossings? This session is organized as a hearing, not a series of presentations. It will begin with a brief introduction of the importance of differentiating needs and rights to protection and assistance among all the people arriving, (i.e., refugees, victims of human trafficking and smuggling, victims of torture, children, etc.) Conclusions from an experts roundtable in Tunis last year will then be offered as a reference, which participants will be invited to comment upon and at the end of the session, consider supporting. During the bulk of the session however, panelists from UNHCR, IOM, IFRC and UNODC will serve as a hearing board: listening, probing and recording the experience, concrete practices and recommendations of NGO participants who respond to boat people, either in Europe or in other parts of the world. Input will then be organized and submitted to the international organizations and to government policy makers, including the European Union and Council of Europe through the new EU-funded NGO partnership “DRIVE” (Differentiation for Refugee Identification and Vulnerability Evaluation).

13h15 – 14h45 Room XXIII

Count me in:

Birth Registration – a protection tool

Volker Turk, Director, Division of International Protection, UNHCR
Simon Heap, Plan International
Denise Allen, World Vision International
Maha Muna, United Nations Population Fund (UNFPA)

Although a child's right to an identity is set out in the Convention on the Rights of the Child (1989), it is estimated that over 51 million of children every year are not registered at birth. Millions of refugee, displaced and stateless children are denied the right to registration at birth and to an identity. The goal of 100% birth registration for children who fall under UNHCR's mandate continues to be a challenge in many parts of the world due to legal, administrative, political, and cultural obstacles. UNHCR estimates that only 46% of newborn refugees in camps are issued birth certificates and 59% of refugees in urban areas. As NGOs have similar concerns regarding low birth registration rates and the protection of refugee and stateless children, we welcome that birth registration has been suggested as a potential theme for an ExCom conclusion. A specific interactive side-event has been set up to:

- raise awareness on the policy and operational challenges for birth registration
- identify gaps at policy and operational levels
- identify existing experiences and practices that address some of these challenges.

Expert's speakers will provide background and information on the current situation regarding birth registration of persons of concern to UNHCR, outline protection challenges and risks for undocumented children. The working groups will address the challenges of birth registration and some practices that have been developed to address them.

The side event will end with a summary of the debate and recommendations on how to move this subject forward. ***Sandwiches and drinks will be served 13.00.***

EVALUATION OF THE 2010 ANNUAL CONSULTATIONS WITH NGOS

This synopsis is based on the response of 86 participants, which represents almost 42% of the 206 organizations.

The results are divided into three categories:

- 1) General Evaluation
- 2) Regional Sessions
- 3) Thematic Sessions

1. General Evaluation:

The average rating for the Annual Consultations with NGOs was rated as 3.83 / 5 (good) for 2010. More than half of the participants have taken part in the Consultations for the first time. 8 out of 10 persons wanted to come back to the event next year and 5 out of 10 persons participated to more than 5 different sessions. Many participants have expressed the need for a follow up on the recommendations made during the event from one year to another.

2. Regional Sessions:

The average rating for the regional sessions varied from good to very good.

- a) **Africa Bureau:** 9 out of 10 persons found the overall session quality good or very good. Majority of the persons appreciated the presentation but commented on the lack of time for discussions and the excessive use of jargon and acronyms.
- b) **Americas Bureau:** due to the low number of responses received, the evaluation on this session is not representative thus we can not draw conclusion.
- c) **Asia and the Pacific Bureau:** 9 out of 10 persons found the overall session quality good or very good. The constraints identified by participants were the large number of issues and short time to cover such a big region but focus on certain specific issues is encouraging.
- d) **Europe Bureau:** 10 out of 10 persons found the overall session quality and the presentations good or very good. Some participants found time too short to exhaust discussion topics.
- e) **MENA Bureau:** 3 out of 10 persons found the presentations and the overall quality of the session good or very good. Participants mainly thought that interventions from the floor were too long and were not well coordinated by the moderator, thus no opportunity to debate.

3. Thematic Sessions:

- a) **Asylum-seekers and refugee in urban settings:** 7 out of 10 found the presentations good or very good. Some participants would have liked to have more examples of implemented programmes, as well as partnership case studies.
- b) **Partnership:** 7 out of 10 persons found the overall quality of the session good or very good. Participants were really interested in this topic, although some presentations didn't seem to be linked to the break-out groups and the questions might have required more reflection upfront.
- c) **Statelessness:** 9 out of 10 persons found the overall quality of the session very good. The few comments emphasise on the interesting speakers and good moderator, and as this is a large topic one participant suggested more focused part or subtopics in the session.
- d) **Sexual and gender based violence:** 8 out of 10 persons found the overall quality of the sessions good or very good. Many participants commented that the session was well led by the moderator, some would have liked to see more commitment from UNHCR and more of a round table discussion style rather than panel vs. audience.
- e) **Protecting all IDPs:** 7 out of 10 persons found the duration of the session and the overall quality of the session good or very good. Most participants also thought that the panel should allow more time for discussions. The speakers should have been more specific in presentation for a straight forward approach and clarity in group work.
- f) **Xenophobia:** 8 out of 10 persons found the overall quality of the session good or very good. Some participants commented that the session would be improved by more time provided for exchange and discussions.
- g) **Protracted refugee situations:** 9 out of 10 persons found the overall quality of the session good or very good. Participants thought that break out groups as well as case studies made the session very worthwhile.

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FOR IDPS WOMEN AND CHILDREN
IMPLEMENTED BY

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