

# PROTECTING REFUGEES

& THE ROLE OF UNHCR





Refugee children from Myanmar study in Umpium camp, Thailand.

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Cover:

A young Afghan girl finds herself displaced again in her own country after being a refugee for years in Pakistan.



UNHCR / ZALMAI / AFG-2008

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# WHO IS A REF

A REFUGEE IS SOMEONE WHO "OWING TO A WELL-FOUNDED FEAR OF BEING PERSECUTED FOR REASONS OF RACE, RELIGION, NATIONALITY, MEMBERSHIP OF A PARTICULAR SOCIAL GROUP, OR POLITICAL OPINION, IS OUTSIDE THE COUNTRY OF HIS NATIONALITY, AND IS UNABLE TO OR, OWING TO SUCH FEAR, IS UNWILLING TO AVAIL HIMSELF OF THE PROTECTION OF THAT COUNTRY..."

The 1951 Convention relating to the Status of Refugees



**Chad, one of the world's poorest countries,** is hosting 267,000 refugees from Sudan's war-torn Darfur region, including this family which arrived at the border after fleeing aerial

# UGEE?



bombing of their village. In addition, some 175,000 people have been displaced within their own country by ethnic violence.

**T**HE PRACTICE OF granting asylum to people fleeing persecution in foreign lands is one of the earliest hallmarks of civilization. References to it have been found in texts written 3,500 years ago, during the blossoming of the great early empires in the Middle East such as the Hittites, Babylonians, Assyrians and ancient Egyptians.

Over three millennia later, protecting refugees was made the core mandate of the UN refugee agency, UNHCR, which was founded in 1950. This booklet addresses some of the most commonly asked questions about refugees themselves and how UNHCR and its humanitarian partners are engaged in a constant struggle to help them physically and legally.

Who, for instance, qualifies as a refugee –and why? What rights does a refugee enjoy and what obligations? What is the role of governments and of UNHCR itself? The booklet also introduces related issues such as the future of millions of internally displaced people (IDPs), the Kafkaesque world of statelessness, the development of “temporary protection,” and the increasing confusion between refugees, IDPs and migrants.

**T**Hese are the three main groups of people on the move. Refugees fleeing war or persecution are often in a very vulnerable situation. They have no protection from their own state –indeed it is often their own government that is threatening to persecute them. If other countries do not let them in, and do not help them once they are in, then they may be condemning them to death –or to an intolerable life without rights or security.



UNHCR / A. RODRIGUEZ / ESP/2007

**Every year, the Spanish coast guard intercepts hundreds of irregular migrants off the Canary Islands.**

IDPs are often wrongly called refugees. Unlike refugees, IDPs have not crossed an international border to find sanctuary but have remained inside their home countries. Even if they have fled for similar reasons as refugees (armed conflict, generalized violence, human rights violations), IDPs legally remain

under the protection of their own government – even though that government might be the cause of their flight. As citizens, they retain all of their rights and protection under both human rights and international humanitarian law.

UNHCR's original mandate does not specifically cover IDPs, but because of the agency's expertise on displacement, it has for many years been assisting millions of them, more recently through the "cluster approach." Under this approach, UNHCR has the lead role in overseeing the protection and shelter needs of IDPs as well as coordination and management of camps. UNHCR is currently active in 28 IDP operations,

including Afghanistan, the Central African Republic, Chad, Colombia, the Democratic Republic of the Congo, Kenya, Pakistan and Uganda.

Millions of other civilians who have been made homeless by natural disasters are also classified as IDPs. UNHCR is not normally involved with this group except in exceptional circumstances, such as the Indian Ocean tsunami of 2004 or the devastating earthquake that hit Pakistan in 2005.

Migrants and refugees increasingly make use of the same routes and means of transport. They, however, are fundamentally different and, thus, are treated very differently under international law. Migrants, especially economic migrants, choose to move in order to improve their lives. Refugees have to move if they are to save their lives or preserve their freedom.

Unable to enter a particular state legally, people composing these mixed flows often employ the services of human smugglers. For example, almost 30,000 people crossed the Gulf of Aden from the Horn of Africa to Yemen in 2007. Of that number, 1,400 people died or were reported missing, almost doubling the death toll of 2006. In 2008, more than 50,000 people made the perilous voyage in smugglers' boats. Of that number, at least 590 drowned or were killed by the smugglers. Another 359 were reported missing.



UNHCR / H. GAUDY / KEEN-2008

**A displaced family return to their home in the Rift Valley, Kenya.** Some 350,000 people were displaced in 2008 by post-election violence.

To address the growing issue of mixed migration, UNHCR continued to implement in 2007-08 the 10-Point Plan of Action on Refugee Protection and Mixed Migration launched a year earlier. The plan sets out key areas on international mixed movements in countries of origin, transit and destination. Mixed migration movements are of concern mainly in the Mediterranean basin, the Gulf of Aden, Central America and the Caribbean, South-east Asia and the Balkans.

## | ...AND ASYLUM SEEKERS |

**T**HE TERMS ASYLUM SEEKER AND REFUGEE ARE OFTEN CONFUSED: an asylum seeker is someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated.

National asylum systems are there to decide which asylum seekers qualify for international protection. Those judged through proper procedures not to be refugees, nor to be in need of any other form of international protection, can be sent back to their home countries.

The efficiency of the asylum system is key. If the asylum system is both fast and fair, then people who know they are not refugees have little incentive to make a claim in the first place, thereby benefitting both the host country and the refugees for whom the system is intended.

During mass movements of refugees (usually as a result of conflicts or generalized violence as opposed to individual persecution), there is not – and never will be – a capacity to conduct individual asylum interviews for everyone who has crossed the border. Nor is it usually necessary, since in such circumstances it is generally evident why they have fled. As a result, such groups are often declared “prima facie” refugees.





# WHY DEFINITIONS MATTER

**R**EFUGEES, IDPs AND ECONOMIC MIGRANTS ARE INCREASINGLY BEING confused, and increasingly being treated in the same way: with mistrust, even hatred and outright rejection. The impressive body of international law designed to protect refugees is under intense pressure. Border controls are constantly being strengthened and made stricter. The aim is to keep out illegal immigrants and improve security – something states have a perfect right to do. But refugees may be paying the penalty too. And, in their case, the failure to get to a safe country could in some instances lead to torture or even cost them their lives. That is why the legal distinctions matter.

Most people smugglers do not distinguish between refugees and migrants either – they'll simply smuggle anyone who can pay. That has been part of the problem in recent years. All smugglers thrive on prohibition, so stronger borders and tightened visa restrictions have helped push more people – both refugees and economic migrants – into the arms of the smugglers.



UNHCR / B. SZANDELSZKY / SYG/2006

**An asylum seeker woman from Ukraine** looks through the bars of a detention centre in Slovakia.

**Asylum seekers from Ethiopia** wait to be interviewed to determine their eligibility for refugee status in Somalia.

UNHCR / A. WEBSTER / SO/IM/2006



# | DEFINITIONS IN BRIEF |

## REFUGEE

The 1951 Refugee Convention describes refugees as people who are outside their country of nationality or habitual residence, and have a well-founded fear of persecution because of their race, religion, nationality, membership of a particular social group or political opinion (*for full definition see p. 4*). People fleeing conflicts or generalized violence are also generally considered as refugees, although sometimes under legal mechanisms other than the 1951 Convention.

## MIGRANT

A wide-ranging term that covers most people who move to a foreign country for a variety of reasons and for a certain length of time (usually a minimum of a year, so as not to include very temporary visitors such as tourists, people on business visits, etc). Different from “immigrant,” which means someone who takes up permanent residence in a country other than his or her original homeland.

## ASYLUM SEEKER

Someone who has made a claim that he or she is a refugee, and is waiting for that claim to be accepted or rejected. The term contains no presumption either way - it simply describes the fact that someone has lodged the claim. Some asylum seekers will be judged to be refugees and others will not.

## ECONOMIC MIGRANT

Someone who leaves their country of origin for financial reasons, rather than for refugee ones.

## INTERNALLY DISPLACED PERSON (IDP)

Someone who has been forced to move from his or her home because of conflict, persecution (i.e. refugee-like reasons) or because of a natural disaster or some other unusual circumstance of this type. Unlike refugees, however, IDPs remain inside their own country.

Thousands of Congolese civilians flee the Kibati site for internally displaced people and head towards the provincial capital of Goma.



## STATELESS PERSON

Someone who is not considered as a national by ANY state (*de jure* stateless); or possibly someone who does not enjoy fundamental rights enjoyed by other nationals in their home state (*de facto* stateless). Statelessness can be a personal disaster: some stateless people live in a Kafkaesque netherworld where they do not officially exist and therefore have virtually no rights at all. Unlike the other groups outlined here, they may have never moved away from the place where they were born. But some stateless people are also refugees.

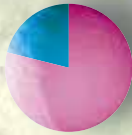


UNHCR / H. CAUX / TCD-2007

**A refugee girl from Central African Republic (CAR) in southern Chad. Many children in CAR have been kidnapped by bandits.**



# PEOPLE OF CON



**NORTH AMERICA**

**578,400**

**EUROPE**

**3,033,800**



**LATIN AMERICA <sup>[2]</sup>**

**3,571,800**

<sup>[1]</sup> Includes people in refugee-like situations. The "refugee like situations" category is descriptive by nature and includes groups of people who are outside of their country or territory of origin and who face protection risks similar to those of refugees, but for whom refugee status has, for practical or other reasons, not been ascertained.

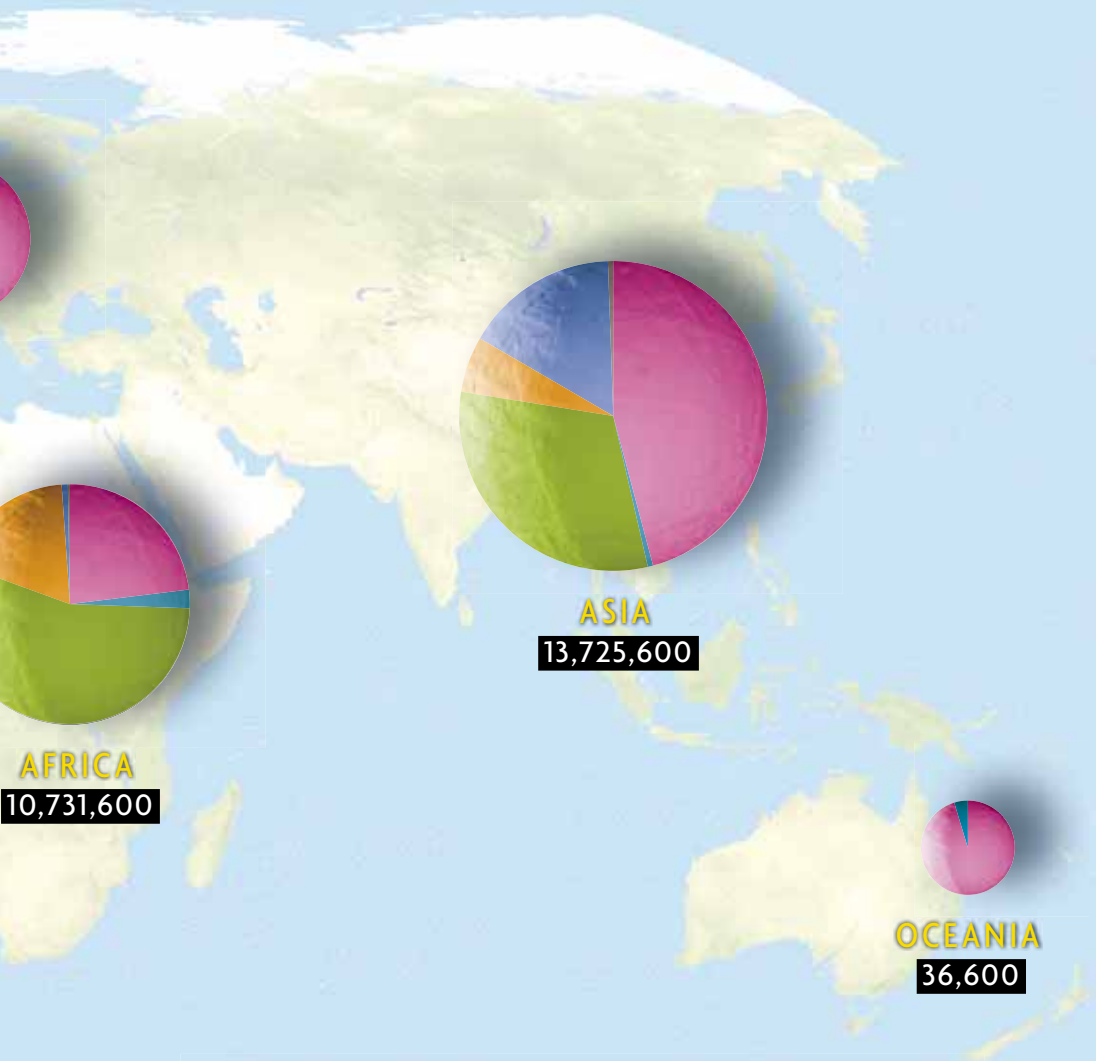
<sup>[2]</sup> Includes Caribbean.

<sup>[3]</sup> Includes both returned refugees and IDPs.

Numbers may not add up due to rounding.

Due to change in classification and estimation methodology in a number of countries, figures at January 1, 2008 are not fully comparable with those of January 1, 2007.

# CERN TO UNHCR



**AFRICA**  
10,731,600

**ASIA**  
13,725,600

**OCEANIA**  
36,600

	REFUGEES <sup>(1)</sup>	ASYLUM SEEKERS	IDPs	RETURNEES <sup>(2)</sup>	STATELESS PEOPLE	OTHERS
AFRICA	2,498,300	272,300	5,888,800	1,971,600	100,100	500
ASIA	6,300,800	69,300	4,285,800	814,200	2,193,100	62,400
EUROPE	1,569,200	234,200	565,600	14,900	644,100	5,800
LATIN AMERICA <sup>(3)</sup>	530,600	41,200	3,000,000	—	—	—
NORTH AMERICA	457,000	121,400	—	—	—	—
OCEANIA	34,900	1,700	—	—	—	—
<b>TOTAL</b>	<b>11,390,700</b>	<b>740,100</b>	<b>13,740,200</b>	<b>2,800,700</b>	<b>2,937,300</b>	<b>68,700</b>

# HOW ARE | REFUGEES PROTECTED? |

**G**OVERNMENTS NORMALLY GUARANTEE THE BASIC HUMAN RIGHTS and physical security of their citizens. But when civilians become refugees this safety net disappears. Without some sort of legal status in their asylum country, they would be exceptionally vulnerable to exploitation and other forms of ill treatment, as well as to imprisonment or deportation.



**Refugees from Myanmar** proudly show their ID cards at a camp in Thailand.

Governments bear the prime responsibility for protecting refugees on their territory, and often do so in concert with local non-governmental organizations (NGOs). However, in many countries, UNHCR staff also work alongside NGOs and other partners in a variety of locations ranging from capital cities to remote camps and border areas. They attempt to promote or provide legal and physical protection, and minimize the threat of violence – including sexual assault – which many refugees are subject to, even in countries of asylum.



**A UNHCR staff registers** an Angolan refugee in neighbouring Namibia.

**This Bihari girl is among a group of some 300,000 de facto stateless people in Bangladesh.**



UNHCR / G.M.B. AKASH / BGD-1006

## THE IMPORTANCE OF THE 1951 REFUGEE CONVENTION

### TOP 10 COUNTRIES OF ORIGIN

[ AS OF 1 JANUARY 2008 ]

COUNTRY	REFUGEES*
Afghanistan	3,058,000
Iraq	2,310,000
Colombia	552,000
Sudan	523,000
Somalia	457,000
Burundi	376,000
DR Congo	370,000
Viet Nam	328,000
Turkey	222,000
Eritrea	209,000

\* Including people in refugee-like situations.

**Note:** Some 341,000 Palestinian refugees also come under UNHCR's mandate, while a further 4.6 million Palestinian refugees are cared for by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

**T**HE 1951 REFUGEE CONVENTION AND ITS 1967 Protocol are the cornerstones of modern refugee protection, and the legal principles they enshrine have permeated into countless other international, regional and national laws and practices governing the way refugees are treated.

One of the most crucial principles laid down in the 1951 Convention is that refugees should not be expelled or returned “to the frontiers of territories where [their] life or freedom would be threatened.” The Convention also outlines the basic rights which states should afford to refugees, and it defines who is a refugee – and who is not (for example it clearly excludes fighters, terrorists or people guilty of serious crimes).

The 1951 Convention was never intended to sort out all migration issues. Its sole aim was – and still is – to protect refugees. The challenge is to find other efficient mechanisms to manage economic migration and maintain border security – legitimate state concerns that need to be carefully balanced with their responsibility to protect refugees.

By December 2008, a total of 147 countries had signed the 1951 UN Refugee Convention and/or its 1967 Protocol (see separate brochure on the 1951 Refugee Convention for more details).

### TOP 10 ASYLUM COUNTRIES

[ AS OF 1 JANUARY 2008 ]

COUNTRY	REFUGEES
Pakistan*	2,035,000
Syria**	1,504,000
Iran	964,000
Germany	579,000
Jordan**	500,000
Tanzania	436,000
China	301,000
United Kingdom	300,000
Chad	294,000
United States	281,000

\* This number includes recognized Afghan refugees (1,700), registered Afghans in refugee villages assisted by UNHCR (886,700) and 1,147,000 Afghans living outside refugee villages in “refugee-like” situations. The latter do not receive direct UNHCR material assistance but benefit from advocacy and reintegration support upon return.

\*\* Refugee figures for Iraqis in Syria and Jordan are government estimates.



**After decades of exile, these Burundian refugees are given the chance to choose between repatriation or integration in Tanzania, including naturalization.**



## | WHAT IS UNHCR? |

**U**NHCR IS THE UNITED NATIONS REFUGEE AGENCY (its full name is the Office of the United Nations High Commissioner for Refugees). The agency was created by the UN General Assembly in 1950, but actually began work on 1 January 1951. States still recovering from the devastation of World War II wanted to make sure that they had a strong and effective organization to look after the interests of – or “protect” – refugees in the countries where they had sought asylum. UNHCR was also charged with helping governments to find “permanent solutions” for refugees.

UNHCR’s original mandate was limited to a three-year programme to help the remaining World War II refugees. However, the problem of displacement not only failed to disappear, it turned into a persistent worldwide phenomenon. In December 2003, the UN General Assembly finally abolished the requirement for the agency to keep renewing its mandate every few years.

The refugee agency’s statute was drafted virtually simultaneously with the 1951 Refugee Convention, and as a result the key international legal instrument, and the organization designed to monitor it, are particularly well synchronized. Article 35 of the 1951 Convention

**“THE CONTRACTING STATES UNDERTAKE TO CO-OPERATE WITH THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES...”**

*Article 35, 1951 UN Refugee Convention*

makes the relationship explicit, and requests states to cooperate with UNHCR in matters relating to the implementation of the Convention itself and to any laws, regulations or decrees that states might draw up that could affect refugees.



UNHCR / B. BANNON / TZA/2008



**A displaced girl rests in a makeshift settlement in Afgooye after fleeing fighting in Mogadishu with her family. Thousands of civilians escaped the Somali capital and found relative safety in nearby areas. UNHCR has distributed aid to the displaced.**

## HOW UNHCR'S ROLE HAS EVOLVED

**C**oncerning refugees: UNHCR is engaged in a constant effort, alongside states, to explain, clarify and build upon the existing body of international law spawned by the 1951 Refugee Convention. In recent years, it has launched a series of initiatives that aim both to bolster the Convention and to encourage the search for permanent and safe solutions for the world's uprooted peoples.

In 2001, the most important global refugee conference in half a century adopted a landmark declaration reaffirming the commitment of signatory states to the 1951 Refugee Convention. Through a process of global consultations, UNHCR drew up a set of objectives called the "Agenda for Protection," which continues to serve as a guide to governments and humanitarian organizations in their efforts to strengthen worldwide refugee protection.

**C**oncerning other groups of disadvantaged people: Over the years, the refugee agency has taken on responsibilities for a number of other groups that are similar to refugees in some ways, but which were not explicitly woven into its mandate at the time of its founding – most notably becoming the UN agency responsible for monitoring the situation of stateless people (in 1974). More recently it became a major player in the UN's new "cluster approach" designed to improve the delivery of protection and assistance for internally displaced

**UNHCR staff distribute blankets to victims of Cyclone Nargis, which struck Myanmar in May 2008.**



UNHCR / K. MYO / AMR-2008

people, who – unlike refugees – have never had a single agency wholly dedicated to their well-being. UNHCR has been involved with IDPs to some extent for at least two decades, but on a much more ad hoc basis.

In general, nowadays, UNHCR plays a more prominent role in the countries where the displacement is occurring – either because of its substantial involvement in helping returning refugees settle back into their home areas, or because of its increased activities on behalf of IDPs in countries such as Columbia, Sudan, Sri Lanka and Uganda.

Occasionally, UNHCR's particular expertise has led to its being given an even broader role. In the 1990s, for example, UNHCR ran

the world's longest-ever airlift as part of its operation to assist besieged populations, as well as displaced ones, in Bosnia and Herzegovina. More recently – although it is not normally involved in natural disaster relief – UNHCR launched major operations after the 2004 Indian Ocean tsunami and the 2005 Pakistan earthquake because in both cases shelter and camp management, UNHCR's two



UNHCR / N. BEIRING / CHN2008

**This young mother and her baby** were among the survivors of a devastating earthquake that killed tens of thousands in China's Sichuan region.

assistance specialities, were at a premium. In May 2008, UNHCR began helping victims of Cyclone Nargis in Myanmar. Later that month, the refugee agency provided thousands of tents for people left homeless by an earthquake in China's Sichuan province.



Afghan children receive beauty classes at a Kabul-based NGO funded by UNHCR. Most are refugee returnees who survive by doing small jobs.

UNHCR / R. ARNOLD / AFG-2008

## | ASSISTING REFUGEES |

**P**ROTECTION AND MATERIAL HELP ARE INTERRELATED. UNHCR can best provide effective legal protection if a person’s basic needs – shelter, food, water, sanitation and medical care – are also met.

The agency therefore coordinates the provision and delivery of such items, manages – or helps manage – individual camps or camp systems, and has designed specific projects for vulnerable women, children and the elderly who comprise 80 percent of a “normal” refugee population. Education is a major priority once the dust has settled slightly.

UNHCR also seeks ways to find durable solutions to refugees’ plight, by helping them repatriate to their homeland if conditions warrant, or by helping them to integrate in their countries of asylum or to resettle in third countries (*see below*).

### FIVE BIGGEST OPERATIONS IN 2007

COUNTRY	EXPENDITURE (US\$)
Chad	82,378,395
Sudan	75,579,687
Afghanistan	70,329,927
Syria	55,389,599
Kenya	53,534,420



## | FINDING DURABLE SOLUTIONS |

**T**HE UN REFUGEE AGENCY'S MANDATE ALSO INCLUDES ACTIVELY looking for solutions to refugees' plight. Three main options exist:

**Voluntary repatriation** is the preferred long-term solution for the majority of refugees. Most refugees prefer to return home as soon as circumstances permit (generally when a conflict has ended), and a degree of stability has been restored. UNHCR encourages voluntary repatriation as the best solution for displaced people, providing it is safe and their reintegration is viable. The agency often provides transportation and a start-up package which may include cash grants, income-generation projects and practical assistance such as farm tools and seeds.

### TOP 5 REPATRIATIONS IN 2007

COUNTRY	RETURNEES
Afghanistan	374,000
Sudan	131,000
DR Congo	60,000
Iraq	45,000
Liberia	44,000

Sometimes, along with its many NGO partners, it extends this help to include the rebuilding of individual homes, as well as communal infrastructure such as schools and clinics, roads,

**An 18-year-old Sudanese refugee in Uganda** holds up her repatriation registration papers. She is ready to return home in South Sudan after spending years in exile.

bridges and wells. Such projects are often designed to help IDPs as well as returning refugees – while also benefitting other impoverished people in the area who may never have moved anywhere. Field staff monitor the well-being of returnees in delicate situations. Longer term development assistance is provided by other organizations.

In all, some 731,000 refugees repatriated voluntarily to 46 countries during 2007. Globally, an estimated 11.4 million refugees have returned home over the past 10 years, including 73 million with UNHCR assistance.

### Local integration and resettlement

**S**OME REFUGEES CANNOT GO HOME OR ARE UNWILLING TO DO so, usually because they could face continued persecution. In such circumstances, UNHCR helps to find them new homes, either in the asylum country where they are living (and in an increasingly crowded world, relatively few countries are prepared to offer this option), or in third countries where they can be permanently resettled.

### TOP 5 COUNTRIES OF RESETTLEMENT, 2007

COUNTRY	REFUGEES
United States <sup>1</sup>	32,007
Australia	6,056
Canada	5,998
Sweden	1,772
Norway	978

<sup>1</sup> US fiscal year.

**A Croatian refugee woman works in a greenhouse.** She and her husband have four greenhouses under a UNHCR-backed income generation project.





**An Ethiopian refugee family visits the coastal resort** of Brighton in the United Kingdom. They have been resettled in the UK after living for many years as refugees in Kenya.

Only a small number of nations take part in UNHCR resettlement programmes and accept quotas of refugees on an annual basis. In 2007, for example, 49,868 people were resettled in 25 countries. The number of refugees submitted by UNHCR to resettlement countries increased by 83 per cent compared to 2006 (54,182 submissions), with 98,999 submissions in 2007. For the first time in 20 years, UNHCR submissions exceeded the global capacity of resettlement countries (about 70,000 people).

### **Who benefits from resettlement?**

**P**EOPLE FACING PARTICULAR PROBLEMS OR CONTINUED threats to their safety in their first asylum countries are foremost among those who can benefit from resettlement. In some cases, it is an essential life-saving option – or the only way to save a particular refugee from having to resort to desperate measures (one unfortunately common example is the rape victim who has been rejected by her family and society, and has nowhere else to turn). Some very specific refugee populations are also on occasion beneficiaries of group resettlement programmes.

In 2007, refugees from Myanmar were the largest group to benefit from resettlement, with 20,259 starting a new life outside their first asylum countries, followed by Burundians (6,142), Somalis (5,891), Iraqis (3,751) and refugees from the Democratic Republic of the Congo (2,426).



## SOME FREQUENTLY ASKED QUESTIONS ABOUT REFUGEES

### ■ What rights and obligations does a refugee have?

A refugee has the right to seek asylum. However, international protection involves more than just physical safety: refugees should receive at least the same basic rights and help as any other foreigner who is a legal resident, including freedom of thought, of movement and freedom from torture and degrading treatment. They should also benefit from the same fundamental economic and social rights. In return, refugees are required to respect the laws and regulations of their country of asylum.

### ■ What's the difference between an asylum seeker and a refugee?

When people flee their own country and seek sanctuary in another state, they often have to officially apply for asylum. While their case is still being decided, they are known as asylum seekers. If asylum is granted, it means they have been recognized as refugees in need of international protection.

### ■ What happens when governments can't or won't provide help?

In certain circumstances, when adequate government resources are not available (for example after the sudden arrival of large numbers of uprooted people),

UNHCR and other international organizations provide assistance such as food, tools and shelter, schools and clinics.

### ■ Are people who flee war zones refugees?

The 1951 Convention does not specifically address the issue of civilians fleeing conflict, unless they fall within a particular group being persecuted within the context of the conflict. However, UNHCR's long-held position is that people fleeing conflicts should be more generally considered refugees, if their own state is unwilling or unable to protect them. Regional instruments, such as the 1969 Organization of African Unity Convention on refugees and the Cartagena Declaration in Latin America, explicitly support this stance.



A UNHCR convoy carries South Sudanese refugees back home from northern Uganda.



### ■ Can governments deport people who are found not to be refugees?

People who have been determined, under a fair procedure, not to be in need of international protection are in a situation similar to that of illegal aliens, and may be deported. However, UNHCR advocates that a fair procedure has to include the right to a review before they are deported, since the consequences of a faulty decision may be disastrous for the individuals concerned.

### ■ Can a war criminal or terrorist be a refugee?

No. People who have participated in war crimes and violations of international humanitarian and human rights law – including acts of terrorism – are specifically excluded from the protection accorded to refugees.

### ■ Can a soldier be a refugee?

Only civilians can be refugees. A person who continues to pursue armed action from the country of asylum cannot be considered a refugee. However, soldiers or fighters who have laid down their arms may subsequently be granted refugee status, providing they are not excludable for other reasons.

### ■ Do all refugees have to go through an asylum determination process?

In many countries, people who apply for refugee status have to establish individually that their fear of persecution is well-founded. However, during major exoduses involving tens or even hundreds of thousands of people, individual screening may be impossible. In such circumstances, the entire group may be granted “prima facie” refugee status.



**This dilapidated collective centre in the Georgia** capital of Tbilisi is occupied by families who fled the conflict in the breakaway region of Abkhazia in the 1990s. The building is in urgent need of renovation.

## ■ What is “temporary protection?”

Nations sometimes offer “temporary protection” when their regular asylum systems risk being overwhelmed by a sudden mass influx of people, as happened during the 1990s conflicts in the former Yugoslavia. In such circumstances people can be rapidly admitted to safe countries, but without any guarantee of permanent asylum. Temporary protection can work to the advantage of both governments and

asylum seekers in specific circumstances. But it only complements – and does not substitute for – the wider protection measures, including formal refugee status, offered by the 1951 Convention. UNHCR advocates that, after a reasonable period of time has passed, people benefitting from temporary protection who are still unable to return home should be given the right to claim full refugee status.

## For more information...

*On the 1951 Refugee Convention and on IDPs: there are additional brochures in this series dedicated to these specific subjects. Both publications are available from UNHCR offices, or can be downloaded from the **Publications** page at [www.unhcr.org](http://www.unhcr.org)*

**Fearing outbreaks of cholera or typhoid, UNHCR distributes bars of soap and jerry cans to displaced Congolese in Kibati camp.**



## How big is UNHCR, and how does it function?

**T**ODAY, UNHCR IS ONE OF THE WORLD'S PRINCIPAL HUMANITARIAN agencies, with some 6,500 employees working out of 267 offices in 116 countries. During more than half a century of work, the agency has provided assistance to well over 50 million people, earning two Nobel Peace Prizes in 1954 and 1981.

António Guterres, who became the 10th High Commissioner in June 2005, reports verbally to the Economic and Social Council on coordination aspects of the work of the agency, and submits a written report annually to the General Assembly on the overall work of UNHCR.

UNHCR's programmes and guidelines are approved by an Executive Committee of 76 member states which meets annually in Geneva. A second "working group" or Standing Committee meets several times a year.

**Sudanese girls from the war-torn Darfur region gather to register for the next school year in Djabal refugee camp, Chad. There are not enough secondary teachers in the camps.**



## Where does its money come from?

**U**NHCR IS FUNDED ALMOST entirely by voluntary contributions, principally from governments but also from intergovernmental organizations, corporations and individuals. It receives a limited subsidy of just over three percent of its funding from the United Nations regular budget, for administrative costs, and accepts “in-kind” contributions including relief items such as tents, medicines, trucks and air transport.

As the number of people of concern to UNHCR increased, its annual budget rose to more than US\$1 billion in the early 1990s. In 2007, UNHCR's budget reached US\$ 1.4 billion and US\$ 1.8 billion in 2008. UNHCR's Annual Programme Budget includes general programmes – supporting ongoing, regular operations – and special programmes used to cover emergencies or large-scale repatriation operations: for example the return and re-integration of Congolese and Sudanese refugees and IDPs.



UNHCR / B. RAJINIAR / NPL/2007

**Many UNHCR operations and projects are carried out jointly with other aid agencies, including the World Food Programme.**

## What other organizations help refugees?

**A**S HUMANITARIAN CRISES HAVE BECOME MORE COMPLEX, UNHCR has expanded both the number and type of organizations it works with. United Nations sister agencies include the World Food Programme (WFP), the UN Children's Fund (UNICEF), the World Health Organization (WHO), the UN Development Programme (UNDP), the Office for the Coordination of Humanitarian Affairs (OCHA) and the UN High Commissioner for Human Rights (OHCHR).

Other organizations include the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies (IFRC), the International Organization for Migration (IOM) and some 640 non-governmental organizations.

## General

- **Asia hosted around 43% of all the people of concern to UNHCR** [3.7 million], followed by **Africa** with 10.7 million [34%], **Latin America** with 3.6 million [11%], **Europe** with 3 million [9%], **North America** with 578,000 [1.8%] and **Oceania** with 36,500 [0.1%].
- At the beginning of 2008, the **number of people** of concern to UNHCR **stood at 31.7 million**.

They included:

- 11.4 million refugees ..... 36%  
*(including 1.7 million in refugee-like situations)*
- 13.7 million internally displaced  
people ..... 43.4%
- 3 million stateless people ..... 9.3%
- 2.8 million returned refugees and IDPs ..... 8.8%
- 740,100 asylum seekers ..... 2.3%
- 68,700 “others of concern” to UNHCR ..... 0.2%
- By early 2008, the total population under UNHCR’s responsibility had dropped **from 32.9 million** in early 2007 **to 31.7 million**, representing a **decrease of 1.2 million** people (-3%). While the global refugee population and the number of IDPs protected and/or assisted by UNHCR has increased, the number of **stateless persons** has almost halved since the beginning of 2007.

## Refugees

- The decline in the global refugee population – UNHCR’s “core constituency” – witnessed since 2002 was reversed in 2006 when numbers started to **go up** again with 9.9 million, reaching **11.4 million** in early 2008. This is mainly due to a rise in the **Afghani** and **Iraqi** refugee population in neighbouring countries as well as to changes in classification and estimation methodology in a number of countries.
- Some **731,000 refugees repatriated** in 2007, virtually the same number as in 2006 (734,000). An estimated **11.4 million** refugees have returned to their homes over the **past 10 years** and **73 million** (65%) of them with the assistance of UNHCR.
- In addition to Iraq, in 2007 there were significant new outflows of refugees from **Somalia** [41,000], the **Central African Republic** [31,000], **Chad** [20,000], the **Democratic Republic of the Congo** [19,000] and **Sudan** [8,000].
- Afghanistan remained the top refugee-producing country with **3 million Afghan refugees** spread over more than 70 asylum countries (27% of the global refugee population). **Iraq** comes second with **2.3 million** (20% of the world refugee population).

## Asylum seekers

- During 2007, a total of **637,000 individuals applied for asylum worldwide**, including 339,000 in Europe. At the beginning of 2008, there were **740,000 asylum seekers** whose claims were still pending (a figure that includes unresolved cases from earlier years).
- 636,970 new claims were lodged in 2007 versus 596,185 in 2006, which represents an **increase of 6.5%**. **Iraqis** submitted the largest number of new individual asylum claims [58,700], followed by **Somalis** [47,100], **Eritreans** [36,400], people from the **Russian Federation** [24,300], **Colombians** [23,200] and civilians from the **DR Congo** [22,800]. In all, **209,000** asylum seekers were granted refugee status or a similar sort of protection status during 2007.
- **France** received more asylum seekers than any other country in 2007, with **58,200** new asylum claims, followed by **South Africa** [45,600], **Greece** [42,200], the **United Kingdom** [42,000], the **United States** [40,400], **Sweden** [36,400] and **Germany** [30,300].

\* Figures do not include some 4.6 million Palestinian refugees cared for under a separate mandate by UNRWA in Jordan, Lebanon, Syria, the West Bank and Gaza Strip.

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**A young Kenyan girl carries water in a jerry can for her family near her home village. After spending months in a site for displaced people in the Rift Valley, she is finally back home.**

Back cover:

**Sudanese refugees in a makeshift shelter in eastern Chad hope for peace in Darfur.**

UNHCR / H. CAUX / TCD © 2008

## Internally displaced

- During 2007, 13.7 million IDPs received some protection or assistance from UNHCR (compared to 12.8 million the previous year), out of a **total number of conflict-related IDPs worldwide** estimated at **26 million\***.
- People fled their homes in 2007 mainly to escape long-standing internal conflicts. The **numbers of IDPs increased sharply** in Iraq (with 2.5 million IDPs in early 2008); the **Democratic Republic of the Congo [1.4 million]** and **Somalia [1 million]**. At the same time, the major IDP populations continued to grow in **Sudan [5.8 million]** and in **Colombia (up to 4 million)\***.

## Stateless

- The **number of stateless people** identified by UNHCR has almost halved from 5.8 million at the beginning of 2007 to **3 million\*\*** at the beginning of 2008. However, the **real total** is believed to be nearer **12 million**.



\* Figures from the Internal Displacement Monitoring Centre

\*\* These figures, however, do not capture the full scale or magnitude of the phenomenon of statelessness. A significant number of stateless people have not been systematically identified and the statistical data on statelessness is not yet available in many cases.

