

**UNHCR ANNUAL CONSULTATIONS WITH NGOs
11-13 JUNE 2013 - International Conference Center Geneva**

REGIONAL SESSION

BACKGROUND PAPER

Asia-Pacific Regional Session
(interpretation in English-Russian)

Advocating Together for Refugee Protection and Solutions in Urban Areas

Wednesday 12 June 2013, 09h00 – 13h00 - Room 3

The Asia-Pacific region is home to the world's largest and oldest refugee populations. The majority of refugees in Asia live in urban areas, and asylum-seekers who move irregularly into the region also settle in cities. The protection environment is fragile with very few countries (20 out of the 45 countries and territories covered) having acceded to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol - except in Central Asia / South West Asia where 6 out of 8 countries have acceded. Most countries have a long-standing tradition of hosting refugees, but the region is also facing asylum fatigue due to the prolonged nature of some refugee situations.

UNHCR works with its partners toward safeguarding protection and asylum space in Asia. This includes conducting mandate refugee status determination in the majority of countries: all non-signatory states as well as 13 of the 20 signatories in the region.

Of the 3.6 million refugees in Asia, at least 63% (2.3 million) live in urban areas. While urban settings may in some cases offer advantages compared to camp settings, such as freedom of movement and livelihood opportunities, they also contain significant risks for vulnerable populations. This year's regional session for Asia and the Pacific will explore how civil society and UNHCR can work together to improve the protection of refugees living in urban areas, including in a context of mixed migration or protracted situation. The session will highlight good examples of what civil society has been able to do in some countries, while promoting greater ownership of asylum and search for solutions, both by government and non-government actors in the region.

09h00 – 10h15

The session will start in plenary with an overview by the Director of the Bureau for Asia and the Pacific of UNHCR's operations in the region, including a focus on urban areas. It will be followed by a presentation on recently expanded livelihood opportunities for urban refugees in India, and a preliminary general discussion.

Moderator: Mehdi KHAJENOURI, *MAHAK Charity-Care Organization*
Speakers: Daisy DELL, *Director, Bureau for Asia and the Pacific, UNHCR*
Father Jose MATHEW, *BOSCO*

10h15 – 12h00 (with coffee break from 10h45-11h15)

The session will break-out in three groups (in rooms 3, 5 & 6), each of them discussing the overall theme of Advocating for refugee protection and solutions in urban areas, from three different perspectives.

Protection in an urban context

The protection environment in Asia and the Pacific is particularly challenging given the limitations for UNHCR and partners in having access to refugees, and the often non-existent or inadequate national asylum legislation and/or institutions. An additional difficulty is caused by the fact that asylum-seekers arrive in mixed flows with other migrants, without identification or referral procedures. Many countries in the region use administrative detention instead of reception facilities and grant limited or no rights to asylum seekers and refugees, whose status is not regularized. Asylum seekers and refugees are therefore often treated as illegal migrants and excluded from existing services provided to nationals and other foreigners. This is especially difficult for those with specific needs, such as unaccompanied children, survivors of torture and trauma, including gender-based violence, and the elderly or disabled. Partnerships are essential in order to identify and reach out to asylum seekers and refugees, ensure their access to rights and encourage governments in the region to take more ownership.

In the context of irregular movements in particular, which have been on the increase since 2012 in the whole region, adequate protection upon arrival would require frameworks for reception, registration, documentation and RSD to be in place; to the extent possible, asylum practices should be harmonised between countries in order to deter secondary movements linked to a search for better asylum conditions. At the same time, the concerns of state sovereignty and national security have to be taken into account.

In recent years, UNHCR has explored using regional initiatives such as the Bali Process on People Smuggling, Trafficking in Persons and related Transnational Crime, and the Almaty Process on Mixed Migration and International Protection, as mechanisms through which to advocate for the introduction of protection sensitive migration management systems, domestically and regionally, which would benefit urban refugees.

Themes to be discussed, good practices to be shared, and recommendations to be made in this sub-group include:

- *Advocating for the establishment and quality assurance of national asylum systems*
- *Good examples of outreach systems in urban contexts which enable those in need of protection to reach UNHCR and partners*
- *How to strengthen national child protection systems*

Moderator: Liv Feijen, *Bureau for Asia, UNHCR*
Rapporteur: Zainab R. JAFRI, *Society for Human Rights and Prisoners' Aid*

Livelihood and self-reliance

In the Asia-Pacific region, refugees in urban settings face considerable difficulties in accessing means of livelihood and eventually achieving self-reliance. Obstacles vary from country to country, but include: the lack of access to the formal labour market due to absence of civil documentation and/or recognised rights; language barriers; discrimination; non-recognition of their skills or diplomas; high competition with local labour force and exploitation. As a result, most persons of concern live in abject poverty and, if employed, are engaged in the informal sector with limited access to labour rights or social protection safeguards.

Measures to increase self-sufficiency are crucial to enhance the protection of refugees living in urban areas. This requires a creative approach in seeking to expand the network of partners able to engage in refugee work, such as local institutions already assisting foreigners. A number of innovative approaches and practices exist and NGOs play a vital role in promoting livelihood and self-reliance for refugees in urban contexts, while ensuring access to basic services and some forms of material support. Collective thinking should be applied in seeking new ways of addressing urban refugee situations including increased collaboration with civil society networks for innovative and comprehensive approaches.

Themes to be discussed, good practices to be shared, and recommendations to be made in this sub-group include:

- *Enhancing refugees' self-reliance through temporary migration schemes*
- *Strategies for safe and dignified means of livelihood for displaced youth, and youth entrepreneurship*
- *Skills training as a tool for durable solutions*

Moderator: Joan Timoney, *Women's Refugee Commission*
Rapporteur: Anoop Sukamran, *Asia Pacific Refugee Rights Network*

Promoting durable solutions

The Asia-Pacific region continues to experience protracted refugee situations, with most refugees living in urban settings. Pakistan and Iran host some 2.5 million registered Afghan refugees, with a large majority living in major cities, some for over 30 years. UNHCR works with partners in finding solutions for protracted refugee situations. In the urban contexts, this may include alternative stay arrangements and conversion into migrant status since full local integration remains a challenge in most countries in Asia and the Pacific. Voluntary repatriation is only possible to a limited number of countries of origin, and within specific frameworks. Asia remains the first ranking continent in terms of resettlement departures (37,000 out of 68,500 worldwide in 2012), but is facing challenges in terms of managing expectations. In all these aspects, the role of NGOs is essential in supporting UNHCR's mandate.

Joint regional initiatives, such as the *Solutions Strategy for Afghan Refugees* (including RAHA) are also bringing together actors from the humanitarian and development world in looking for long-term solutions to protracted situations.

Themes to be discussed, good practices to be shared, and recommendations to be made in this sub-group include:

- *Advocating jointly for local integration: a continuous challenge*
- *Exploring alternative stay arrangements*
- *Reintegration challenges (SSAR)*
- *Integration of resettled refugees*

Moderator: Mamadou Dian Balde, *UNHCR Division of International Protection*
Rapporteur: (tbc)

12h00 - 13h00

The session will resume in plenary to hear the conclusions and recommendations from the three working groups. Lively debate will be encouraged around the issues outlined in this background paper and emerging from the discussions. The session will end with concluding remarks.