

1st Meeting

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PRACTICAL ASPECTS OF PHYSICAL AND LEGAL PROTECTION
WITH REGARD TO REGISTRATION

I. INTRODUCTION

1. Identifying and recording the profile of a refugee population is key to ensuring effective provision of protection and assistance. In some recent mass influx situations, the sheer pace and scale of displacement has posed particular challenges to States and UNHCR to register adequately a large number of refugees crossing borders within a short period of time. In reconfirming the important role that registration plays in ensuring protection and assistance, there is a need to find operational solutions to the current challenges related to registration. The purpose of this note is to analyse the role of registration and to explain the features of "Project PROFILE", designed as UNHCR's long-term strategy towards enhancing field registration and operations management.

II. ISSUES

A. Role of registration

2. Adequate registration, including the issuance of documentation, is a prerequisite for the legal and physical protection of refugees. First, accessing assistance and services in implementing a range of civil rights, including those which are protection-related (tracing, family reunification, freedom of movement, right not to be returned or expelled) flow from acknowledged and recorded refugee identity.¹ Registration also ensures that each family member is independently recognized, which has important implications particularly for women and for children. Second, early and proper identification reduces multiple registration and the use of fraudulent identity papers, particularly for the purpose of obtaining additional relief items. Third, registration is necessary to plan and implement refugee programmes, to manage camps and to target protection and assistance activities at the field level. Fourth, States, UNHCR and operational partners require reasonably accurate population data to allocate resources, to monitor delivery and to evaluate interventions. Fifth, reliable registration information is necessary for the identification, planning and expeditious implementation of durable solutions.

3. Registration consists of a number of interrelated activities, including identification, recording of data, documentation, verification, case processing, as well as data management and exchange. Registration is increasingly understood as going beyond being a refugee population census in situations of mass influx. It is a continuing process to collect, store, update and manage refugee data, that is an "integrated population information management strategy" extending to the full "refugee cycle", from initial displacement to durable solutions.

B. Constraints

4. In many parts of the world, the process of refugee registration and its related activities have proved inadequate to deal with today's complex challenges of mass displacement. Many refugee operations rely heavily on paper-based registration methods, which lead to inefficient and unreliable data collection and management. Inefficient processes result in duplication of work and inadequate

*Reissued for technical reasons

¹ See also, Excom Conclusion No. 22 (XXXII) of 1981 on the protection of asylum seekers in situations of large-scale influx; A/AC.96/601, para. 57 2))

programme delivery. Problems in determining the identity of refugees have sometimes led to multiple registration and fraud, to ration cards being traded, to delays in tracing, family reunion and implementing durable solutions. Current systems are also unable to cope effectively with mobile refugee populations. Resource allocation decisions are insufficiently linked to the actual size and composition of the target population. In short, as the knowledge of the size, identity and "profile" of the population is limited, protection and assistance interventions cannot be targeted reliably. In many mass-influx situations, States and UNHCR use largely paper-based registration methods leading to inefficient and unreliable data collection and management.

C. Standards

5. Registration needs to adhere to basic standards, as does subsequent use of the information collected. First, the security of refugees is a paramount consideration. Registration of new arrivals should be conducted in an area free from threats to personal safety with unimpeded access by UNHCR. Appropriate safety measures need to be introduced, including if necessary the presence of security personnel at the time of registration.

6. Second, refugees should be treated with dignity as persons whose plight requires special understanding and sympathy. Measures should be taken in order to reduce the anxiety of refugees. These could include proper dissemination of information as to the purpose and modality of registration, as well as the involvement of refugee leaders. In the process of initial registration, special consideration should be given to maintaining or enhancing family unity.

7. Third, at the earliest stage of registration, measures should be in place to protect and assist persons requiring special attention, including separated children, adolescents, single women, female-headed households, disabled and elderly refugees.

8. Fourth, refugees' personal data should be strictly protected in accordance with relevant international standards. Measures such as restricted access to data in physical or electronic form and the introduction of stringent procedures for data sharing are necessary to safeguard the integrity of personal data, to reduce the possibility of misuse of recorded information and to avoid exposing refugees to potential danger. Co-ordination among operational partners is crucial to avoid duplication of registration efforts and thus minimise the chances of breach of data protection principles.

D. Roles of States and of UNHCR

9. States have the primary responsibility to register and document refugees.² Registration and documentation make it easier for States to develop adequate reception measures, to allocate resources, to establish appropriate responsibility-sharing arrangements, and to prepare for early durable solutions. They also permit States to keep track of non-citizens on their territory and to ensure appropriate treatment by their police and welfare authorities. In situations where UNHCR is not operationally involved in registration processes, access to government registration information is necessary for UNHCR to monitor the well-being of asylum-seekers and refugees and to extend, as necessary, a range of services. It is also recognised that many of the States which have experienced a large influx of refugees do not have sufficient resources and technical expertise to conduct registration and issue documentation. In such cases, UNHCR continues to assist States by providing technical advice and financial assistance. UNHCR is currently working to define minimum standards and a common approach in the area of integrated population data management with States and operational partners under Project PROFILE, described in the following paragraphs.

² Excom Conclusion No. 35 (XXXV) of 1984 on identity documents for refugees, in particular, para. (f) in relation to mass-influx situations.

III. OPERATIONAL SOLUTIONS: PROJECT PROFILE

A. Aim

10. As part of UNHCR's role to assist States in fulfilling their responsibility for registering refugees, the Office has initiated "Project PROFILE". The aim of PROFILE is to strengthen UNHCR's field capacity to establish the size of the refugee population more accurately, as well as to collect, analyse and use population information effectively for protection, planning, implementation and monitoring purposes. PROFILE is a strategy incorporating a number of practical activities including:

- Strengthening of core registration and population management procedures;
- Development and systematic introduction of counting and survey methods;
- Development of global population data management software;
- Introduction of an Automated Fingerprint Information System (AFIS) or similar biometric capability, and
- Introduction of fraud proof identity documentation.

B. Benefits

11. It is expected that the introduction of PROFILE will have a major impact on the way refugees are protected and assisted, as well as on how UNHCR manages its operations. Major benefits of PROFILE will include:

- Increased level of legal and physical protection of asylum-seekers and refugees;
- Streamlined individual case processing;
- Targeted interventions on the basis of protection and assistance needs;
- Reduced level of human resources required for identification, retrieval and tracing processes;
- Reduced resources spent on "mass registration" and verification exercises;
- Significant savings by restricting multiple registration;
- Consolidated population data and indicators at aggregate levels, and
- Ability to share information more effectively between operational partners, including host governments, while ensuring data protection.

C. Implementation

12. UNHCR commissioned a feasibility study, which was conducted from August 2000 to January 2001.³ The study concluded that Project PROFILE is feasible but will require additional resources, procedural and organisational adjustments, technological improvements, and must be implemented in a phased, modular fashion.

13. As one of the first steps towards development and full implementation of the project, a dedicated unit was established within UNHCR and which groups together activities under registration, statistics and geographic information. This unit will manage the project under the auspices of an inter-departmental working group. UNHCR's main operational partners have been contacted during the feasibility study and will be closely associated with the development and implementation of PROFILE.

14. For the implementation of PROFILE, UNHCR will seek significant initial resources from States and partnerships with the private sector through in-kind contributions. The implementation of the project will enable UNHCR to inform host countries reliably about their refugee population. The project also seeks to benefit from the provision of technical assistance from countries with developed registration systems.

³ Copies of the feasibility study report, *Study for Scoping of Project PROFILE*, are available upon request from the Registration and Statistics Unit (Department of Operations).

IV. CONCLUSION

15. By way of conclusion, the following elements could be considered:
- (a) Registration is an essential tool for effective protection, planning, timely delivery of adequate assistance, as well as the pursuit of appropriate durable solutions. Since registration consists of a number of interrelated activities, including identification, recording of date, documentation, verification, case processing, as well as data management and exchange, the collection, storage, update and management of refugee data is a continuing process. Any operational system must be structured as an integrated population information management tool, covering the full "refugee cycle", from initial displacement to durable solutions.
 - (b) Registration and the issuance of appropriate documentation to refugees in large-scale influx situations must be recognised as essential requirements in providing legal and physical protection. It ensures that refugees have access to their rights, including protection against *refoulement*, personal safety, adequate assistance, tracing and family reunification.
 - (c) Operations are most effective when they are planned and managed on the basis of accurate, reliable, comprehensive and up-to-date population information. Registration is necessary to plan and implement refugee programmes, to manage camps and to target protection and assistance activities at the field level. States, UNHCR and operational partners require reasonably accurate population data to allocate resources, to monitor delivery and to evaluate interventions.
 - (d) States that have not yet done so should undertake such registration and documentation programmes, where appropriate in co-operation with UNHCR.
 - (e) PROFILE represents UNHCR's strategy to meet operational challenges to ensure reliable registration, documentation and operations management. From a protection perspective, the following planned activities in the context of PROFILE are particularly relevant: update and issuance of new guidelines on population data management; improvement of training in registration and population data management through the development of a specialised self-training package, including support documentation; collection and dissemination of best practices in current population data management processes from the field and distribution of them to concerned field offices. The project requires substantial collaboration between States, operational partners, the private sector and other interested actors. Interested States are invited to examine this project in some detail with UNHCR, with a view to assessing financial and technical support needed for UNHCR to develop and implement PROFILE.
 - (f) Registration and data management should be conducted in accordance with basic standards. The main elements around which such standards should be articulated are the following: personal safety, dignity, appropriate measures for individuals or groups with special needs, and data protection. These standards could be elaborated further in a specific Executive Committee conclusion, if deemed appropriate.