BACKGROUND DOCUMENT

I. INTRODUCTION

1.   UNHCR has traditionally engaged with a wide range of faith-based organizations (FBOs) in discharging its core work of protection and search for durable solutions. In fact, four of its top-20 NGO partners in 2011 were FBOs.[1] This year's Dialogue on Protection Challenges will focus on the theme of *Faith and Protection*, building also upon a special session on Faith and Protection at the UNHCR-NGO Annual Consultations in June 2011.

2.   Asylum, which is derived from the Greek term *asulon,* essentially means 'sanctuary.' In antiquity – before the existence of notions of the nation State and State sovereignty – it was the temple, the sacred space that provided such sanctuary to the alien, the downtrodden and persecuted. In the beliefs of the Greeks, any persecutor who forcibly removed a "refugee" from the area of the holy shrines would be considered a transgressor against the gods. The time-honoured tradition of providing relief and protection to those in need can be found in all cultures and religions.

3.   The founders of religion and religious leaders, as well as their followers, have often experienced persecution and exile, finding safe haven somewhere else. In 622 C.E., the Prophet Muhammad (PBUH),[2] facing hostility in Mecca, fled with his followers to Medina where he found protection from persecution. This became known as the *hijrah*. After the conversion of many prominent Meccans, the companions of the Prophet began to offer prayers publicly. Faced with persecution, the Prophet Muhammad (PBUH) told his followers to leave for Axum (Abyssinia), where "a king rules without injustice, a land of truthfulness - until God leads us to a way out of our difficulty." The benign Christian ruler, King Negus, gave them shelter. The New Testament and the Holy Qur'an recount the flight of Joseph, Mary, and baby Jesus to Egypt. Hindu mythology, as well as Jewish and Buddhist teachings and history, are full of references to consecrated places where people suffering maltreatment and discrimination, not least on religious grounds, found refuge from danger in a safe location. The tradition of asylum is therefore universal, deeply rooted in all the main religious value systems, and firmly anchored in cultural, social, and political traditions around the world.

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[1] Lutheran World Federation (rank: 5), Islamic Relief UK (rank: 8), International Catholic Migration Commission (rank: 11), Association of Christian Resource Organizations Serving Sudan (rank: 19)
[2] Peace Be Upon Him

4.   Against this background, this year's Dialogue will have the following objectives:

- Explore how *the right to seek and enjoy asylum*, and the *protection* of stateless persons and internally displaced persons (IDPs), are *reflected in religious values and traditions*;

- *Identify practical ways for UNHCR and other humanitarian actors to better engage with FBOs* in order to help protect and assist refugees, IDPs and stateless persons, and to improve protection space; and

- *Examine principles of partnership* to deepen cooperation between UNHCR and humanitarian partners with FBOs, including those *whose primary activity is to support the religious life and holistic development of its adherents*.

5.   A number of papers, examining how the right to seek and enjoy asylum and the protection of stateless persons and IDPs are reflected in religious values and traditions, have also been submitted by FBOs or individual authors. This background document, to be read in conjunction with those contributions, seeks to foster a greater understanding of the range of FBOs involved in humanitarian action, and a deeper appreciation of the social capital they bring to bear on a variety of protection activities, at all stages of the refugee and displacement cycle. Key questions for the Dialogue's three roundtables are included in the final section. The bulk of this background document has been drafted in collaboration with a small team of volunteers representing a range of faiths and FBOs. That this document was prepared in such a spirit of partnership is itself a testament to the vibrancy and commitment of FBOs to humanitarian principles.[3]

II. TERMINOLOGY: WHAT ARE FAITH-BASED ORGANIZATIONS?

6.   References in this document to 'faith-based organizations' or 'FBOs' encompass the wide range of faith organizations and agents with which UNHCR engages. When using the term, it is important to be cognizant of the diversity of size, resources, mission, methodology, interpretation and application of faith values within this group.

7.   Examples of faith-based organizations and agents include: [4]

- International faith-based humanitarian organizations;

- National and local faith-based humanitarian organizations (either directly or indirectly linked to national faith-based bodies);

- Local worship communities (e.g., mosques, synagogues, temples, churches, gurdwara, etc.);

- Youth, women or other informal, social, faith-based groups within worship communities;

- Local and national denominational leadership (e.g. ayatollahs, imams, bishops, clerics, rabbis, swamis, bhikkhus, lamas, monks and nuns, etc.);

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[4] Adapted from UNICEF (2011) *Partnering with Religious Communities for Children*, New York.

- Institutions representing scholars, theologians and religious educators and institutions (either directly or indirectly linked to national faith-based bodies); and

- Denominational, ecumenical and inter-faith institutions, umbrella organizations and networks at the national, regional or international level.

III. PARTNERSHIPS FOR PROTECTION: CHALLENGES AND OPPORTUNITIES

8.   The special session on Faith and Protection at the June 2011 UNHCR – NGO Annual Consultations already identified many of the strengths and challenges of working with FBOs, which are worth recalling in this connection. The report on the session concluded that:

NGOs recognized the importance that faith plays in the lives of conflict and disaster-affected communities, and the role and influence of faith communities and faith-based organizations in protection. Faith runs deep in the veins of conflict and disaster-affected communities and plays a major role in their lives. It helps people cope with trauma; it validates their humanity; it informs their decisions; and it offers guidance, compassion, consolation and hope in their darkest hours. At-risk or affected communities turn to FBOs for physical protection, material assistance, guidance and counselling, spiritual confirmation, compassion and understanding.[5]

9.   The special session also recognized:

- Many FBOs have strong links within their communities and consequently enjoy great levels of access, trust and local knowledge, which can assist delivery in complex and insecure environments.

- Local FBO actors, from within affected communities and beyond, are often well placed to advocate for humanitarian access and protection, and to promote peace building and community-based durable solutions.

- The spiritual values of FBOs can foster a holistic approach that recognizes the multidimensional needs of individual and communities.

- Sometimes FBOs risk being perceived as being likely to implement assistance in a discriminatory way or to link it to religious activities as a tool to proselytize.

- Locally based FBOs often face increased personal risk and challenges in establishing requisite levels of technical capacity.

10.   The very diversity of FBOs is part of the challenge of understanding and engaging with them. One distinction is in relation to the manner in which they engage in humanitarian activities.[6]

- Some FBOs are inspired to engage in humanitarian work by their faith values, but their *primary activity* is performing humanitarian work. Many of the largest international FBOs preceded or were established at the same time as UNHCR in the period following the Second World War.

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[5] Official Rapporteur's Report June 2011 UNHCR – NGO Consultations, Geneva
[6] The same distinction may be helpful in relation to development activities.

- Other FBOs and local faith communities, view their *primary activity as being to support the religious life and holistic development of their adherents*. Humanitarian work is but one component of their core commitment to serve their own and the wider community. Most are not UNHCR 'implementing partners,' nor do they aspire to be, but they do play an equally important role in delivering assistance and protection.

11.   The above distinction may not do full justice to the rich diversity of FBOs but is nonetheless helpful in examining some of the challenges associated with partnership. UNHCR has a long history of partnership with all types of FBOs. For FBOs whose primary activity is humanitarian work, globally accepted humanitarian partnership principles are easily embraced, since they view themselves primarily as humanitarian actors. Many FBOs, however, still have to mitigate negative perceptions associated with faith at the operational level. Well-established FBOs often act as interlocutors between UNHCR and other FBOs, whose primary activity is to support religious life, in what are known as 'chain partnerships.'

12.   In practice, the divide between spiritual and humanitarian values is less clear. This is particularly true for FBOs operating in societies where religion plays a central role in daily life. FBOs in such societies are more likely to emphasize their faith values and reject any interpretation of this as a conflict of interest with their humanitarian mission.

13.   UNHCR has traditionally had less direct engagement with FBOs whose primary activity is spiritual or religious, in large part because of the humanitarian commitment to act independently and impartially. This can, at times, unnecessarily discourage consideration of partnerships with them, especially as they often lack technical capacity on key operational issues. However, their strong networks and influence can provide important opportunities for building community participation, resilience and durable solutions.

14.   It has been argued that these two 'missions' are not mutually exclusive but complementary, as a service ethos is central to much spirituality and sometimes supporting spirituality is part of building the resilience of local communities. There are increasing examples of humanitarian organizations providing appropriate spiritual support to beneficiaries (e.g. providing prayer mats), based on the pre-existing spiritual and religious needs and preferences of the beneficiaries, not of the implementing organization.

15.   This High Commissioner's Dialogue provides an ideal forum to share good practices and challenges associated with UNHCR's partnerships with FBOs of all types, and to recommend innovative partnership models that are able to harness the contributions of FBOs, but also allow space to navigate difficult issues around religious mission and technical operational capacity.

IV. PRINCIPLES OF PARTNERSHIP

16.   Globally accepted humanitarian partnership principles obviously apply to FBOs. UNHCR's partnerships with them are grounded in the same values as its partnerships with non-faith based organizations. At the same time, further work can be done to promote deeper understanding of how these principles can be effectively and reciprocally applied in UNHCR's relationship with FBOs, particularly those whose principal activity is not humanitarian per se, but instead spiritual and religious. UNHCR also recognizes that there is a range of different partnerships with FBOs (going beyond an 'operational' or 'implementing' relationship), reflecting the range of different types of FBOs involved in humanitarian activity.

17.   Valuable work in exploring specific principles of partnership has already been done by a number of humanitarian actors.[7] In analyzing these efforts, some commonalities emerged regarding how these principles can be contextualized for FBOs whose principal activity is spiritual and religious. The partnership principles set out below in italics have been extracted from the Global Humanitarian Platform's Principles of Partnerships,[8] and their 'contextualization' draws on the experiences of UNFPA, UNICEF, UNAIDS and DFID, in their engagement with FBOs.[9]

A. Equality

18.   Equality requires mutual respect between members of the partnership, irrespective of size and power. The participants must respect each other's mandates, obligations and independence, and recognize each other's constraints and commitments. Mutual respect must not preclude organizations from engaging in constructive dissent.

19.   Equality and mutual respect require mutual understanding, but it is often challenging to identify and understand FBOs which operate outside the mainstream 'humanitarian sector' or which are small-scale and locally-based. Spending time in constructive dialogue with local faith leaders and FBOs to better understand the mandate, size, reach, internal structures, and access to volunteers, local networks and activities of specific FBOs, will help to unlock analysis of the social and political capital of FBOs and to establish a track record of delivery across a range of different areas.

20.   When UNHCR and an FBO bring very different skill-sets to a partnership, power dynamics can become strained if the value of both partners is not mutually recognized. Although spiritually-driven FBOs are often viewed by the humanitarian sector as 'new entrants' to the field, it should be recognized that many FBOs are much older, and have been involved in humanitarian work far longer than UNHCR. Additionally, while UNHCR's mandate requires it to be independent, its activities are not always viewed as such by local populations, including FBOs. It is only in a true partnership that both UNHCR and FBOs will be in a position to challenge each other on strategy and implementation, where necessary.

B. Transparency

21.   Transparency is achieved through dialogue (on equal footing), with an emphasis on early consultations and early sharing of information. Communications and transparency, including financial transparency, increase the level of trust among organizations.

22.   Establishing meaningful and productive dialogue can be challenging with FBOs whose primary activity is spiritual, as they often use different language, some of which will not, on initial appearance, fit with a rights-based approach. The use of language can either betray or help to mitigate power imbalances. It is important that dialogue with FBOs operates in the

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[7] For example, by the United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF), the Joint United Nations Programme on HIV/AIDS (UNAIDS), and the UK Department for International Development (DFID).

[8] These Principles on Partnership were agreed on 12 July 2007 by the Global Humanitarian Platform, which is made up of UN and non-UN organizations. See: http://www.globalhumanitarianplatform.org/doc00002628.doc.

[9] UNFPA (2010) '*Guidelines for Working with FBOs'*, UNFPA, New York; UNICEF (2011) '*Partnering with Religious Communities for Children'*, UNICEF, New York; UNAIDS (2011) '*Strategic Framework for Engaging with Faith Based Organisations'*, UNAIDS, Geneva; DFID (2012) '*Faith Partnership Principles'* DFID, London

language of both partners and allows space for both partners to use their own terms (both spiritual and humanitarian). This requires both parties to be transparent and explain their terms and concepts to the other. Humanitarian FBOs can often help in bridging this linguistic divide, as they operate in both contexts. Differences in language often mask shared goals for protection, so it is important to strive for shared language around common goals. It is also important to be transparent about areas of real disagreement that may prevent or limit partnerships.

23.   The dialogue between UNHCR and FBOs needs to be honest in identifying the mandate and capacity limitations of both in advancing protection. Local FBOs may not always have the capacity or the inclination to become full 'implementing partners'. But dialogue can help build trust and establish alternative mechanisms for monitoring capacity to deliver. Being transparent about the challenges of partnership should help to build trust and mitigate any false impressions of favouritism towards one faith over another or discrimination against all FBOs. Reaching beyond religious leaders to staff and volunteers within FBOs may help to identify advocates to communicate the mission of UNHCR within civil society. Identifying focal points within UNHCR to build understanding of FBOs might also be explored.

C. Result-oriented approach

24.   *Effective humanitarian action must be reality-based and action-oriented. This requires result-oriented coordination based on effective capabilities and concrete operational capacities.*

25.   Mutually agreeing on a clear set of time-bound results is important for managing expectations with FBO partners, some of which will be more accustomed to longer-term informal partnerships through local and international links. However, some flexibility may be needed on delivery time and reporting for those who usually operate outside the mainstream 'humanitarian sector.'

26.   While pursuing results, there is tension between the emergency imperative to save lives and the need to move slower in order to establish longer-term engagement with FBOs that are locally based, which provide opportunities for community participation in prevention, response and durable solutions. Local FBOs are likely to be engaged in the humanitarian response in the first days of a crisis, and will remain a central part of community structures long after international agencies have departed, so it is important that interventions build on, rather than undermine, local community capacity. New models of partnership may be required for FBOs which do not fit the 'humanitarian NGO' model, in order to harness the social, political and spiritual capital of FBOs to achieve durable results. Working with humanitarian FBOs on 'chain partnerships' or technical accompaniment models is one way to effectively draw in spiritually-led FBOs.

D. Responsibility

27.   *Humanitarian organizations have an ethical obligation to each other to accomplish their tasks responsibly, with integrity and in a relevant and appropriate way. They must make sure they commit to activities only when they have the means, competencies, skills, and capacity to deliver on their commitments. Decisive and robust prevention of abuse committed by humanitarian workers must also be a constant priority.*

28.   UNHCR and its partners view non-discrimination in delivery as an essential humanitarian principle. There may be some instances, however, when this poses particular challenges for FBOs whose primary work is not humanitarian (e.g. due to restrictions of religious buildings), and these must be understood and negotiated. In some contexts, such partnerships may be essential, positive and complemented, as needed, by other partnerships and programming. Likewise, protecting against proselytization or any form of conditionality, in the context of delivery is also essential. The majority of FBOs would also regard this as ethically unacceptable. But it is important to communicate with FBOs in order to understand how humanitarian goals are situated within their spiritual mandate, rather than making assumptions based on external perceptions.

29.   Investing in capacity building of local community-based FBOs involved in humanitarian work, both through training and pilot collaborative initiatives, is important, as many continue to be on the front line of emergency response without the requisite capacity. It is also important to build on the knowledge and experience of international FBOs, many of which are skilled at building capacity within their faith tradition. Training should be tailored to specific groups within the faith-based sector, such as religious leaders, humanitarian workers, women and youth groups. Similarly, staff in international agencies need training to understand and respond appropriately to the dynamics of faith within affected communities, so as to build resilience and avoid tension (e.g. dietary practices during holy days, provision of worship space, appropriate treatment of the dead, etc.).

E. Complementarity

30.   The diversity of the humanitarian community is an asset if we build on our comparative advantages and complement each other's contributions. Local capacity is one of the main assets to enhance and on which to build. Whenever possible, humanitarian organizations should strive to make local capacity an integral part of emergency response.

31.   Affirming diversity and complementarity within the humanitarian sector is a good foundation for working with FBOs, many of which have a very different skill set to UNHCR. Some community-based FBOs, which may lack technical humanitarian capacity, are often rich in social, political and spiritual capital, which can help support local community and individual resilience. Most will have a mixture of different capacities that can complement UNHCR's operational scale and technical expertise.

32.   Supporting research into the impact and comparative advantages of different types of FBOs in humanitarian action, and collecting examples of best practices from the field, will assist programmers and policy makers in successfully integrating the work of FBOs into their strategies. It is also important to encourage complementary partnerships between FBOs of different faiths and with secular NGOs.

V. GUIDANCE FOR THE ROUNDTABLES

33.   This background note, when read in conjunction with the individual contributions on faith values, is meant to provide material for the discussions in the three roundtables. In addition, below are some key questions for consideration in the roundtables.

Roundtable 1 – Creating welcoming communities

- How can FBOs take advantage of their local presence and international networks: i.e. a) to welcome refugees, stateless persons and IDPs within their communities; and b) to combat xenophobia and discrimination? This is known as the concept of 'building protection space.'

- What are appropriate ways for humanitarian actors to address religious experience and well-being in the course of humanitarian programming?

- Are there opportunities to draw upon religious practice and experience in the conceptualizing and delivering of protection?[10]

Roundtable 2 – Promoting durable solutions

States have primary responsibility for creating conditions conducive for durable solutions. Civil society engagement and support for durable solutions is also needed.

- How can FBOs assist in realizing durable solutions for forced displacement and statelessness: i.e. in the context of a) return and reintegration of refugees and the internally displaced; b) integration of resettled refugees; and c) local integration of refugees?

- In this regard, what role can FBOs play in promoting reconciliation and peaceful coexistence, and in building peace?

- What is the role of FBOs in rebuilding community cohesion and what are good-practice examples of this?

Roundtable 3 – Enhancing cooperation between UNHCR and FBOs

- What has been the experience of FBOs in their partnership with UNHCR and other humanitarian organizations?

- Can participants describe good-practice examples and innovative partnership formulas between FBOs and UNHCR to achieve protection goals?

- Would the participants in the Dialogue see value in compiling good-practice examples of cooperation between UNHCR and FBOs?

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[10] Alastair Ager, Faith and the Discourse of Secular Humanitarianism, Journal of Refugee Studies, Vol. 24, No. 3, September 2011, p. 457