

**High Commissioner’s Dialogue on Protection Challenges
“Protection Gaps and Responses”
(8-9 December 2010)**

**Breakout Session 2: International Cooperation, Burden Sharing and
Comprehensive Regional Approaches**

Report by the Co-Chairs:

**H.E. Mr. Fayssal Mekdad, Deputy Foreign Minister, Syrian Arab Republic
Ms. Erika Feller, Assistant High Commissioner for Protection, UNHCR**

Participants welcomed the topic of burden sharing, international cooperation and comprehensive regional approaches as a theme of the High Commissioner’s Dialogue and of the Commemorations in 2011.

Commitment to the principles of burden sharing, international solidarity and international cooperation

- The discussion reflected the fact that burden sharing, both in theory and in practice, is an issue of concern to many States in all regions of the world. It was reiterated that refugee challenges cannot be resolved by any one country alone and that international solidarity and cooperation underpin the international refugee regime.
- Participants acknowledged the particular burdens on developing countries and their local communities, who currently host a significant percentage of the world’s refugees, despite financial and material capacity constraints.

Scope of “burdens” and “burden sharing”

- Participants endorsed a broad-based notion of burden and responsibility sharing with regard to refugee challenges, encompassing prevention, protection and solutions.
- While the financial aspects of burden sharing were deemed to be essential, participants acknowledged that burden sharing can also have humanitarian and political components. Some elements of burden sharing referred to by participants included preventative diplomacy, early warning systems, peace-building, and a “new contract” between donor countries, humanitarian and development actors.

What situations could be addressed by burden sharing?

- While the concept of burden sharing has particular relevance to large scale influxes, participants emphasized that burden sharing can also be useful to

address other situations of concern to States, e.g., protracted refugee situations, irregular secondary movements, trafficking and smuggling.

Comprehensive regional approaches

- Participants strongly endorsed the principle of regional cooperation, and in particular the notion of comprehensive regional approaches, to address refugee situations. There was a preference for regional rather than global approaches to address refugee challenges, due to the increased flexibility they provide to adapt to regional and national specificities. However, it was recognized that regional approaches should be underpinned by support from the international community including UNHCR.
- It was suggested that the development of comprehensive regional approaches to address refugee situations could usefully be integrated with existing regional structures.

Examples of burden-sharing arrangements and comprehensive regional approaches

- Some examples of burden-sharing arrangements and comprehensive regional approaches included the following:
 - Comprehensive Plan of Action for Indo-Chinese Refugees
 - Mexico Plan of Action
 - Serbia-Croatia agreement on refugee and return issues
 - Regional Cooperation Framework for the Asia-Pacific
 - Emergency Transit Mechanism (ETM) (Philippines) and Emergency Transit Centre (ETC) (Romania)
- Some elements of effective burden-sharing arrangements and comprehensive regional approaches included the following:
 - Strategic use of resettlement
 - Twinning, training and capacity building exercises
 - Exchange of data
 - Partnerships with the private sector
 - Funding to UNHCR
 - Development assistance to countries of origin
 - Assistance to host countries to transpose international legal obligations on refugee issues into national law
 - Sharing good practices

Role for UNHCR and other actors

- Participants recognized that UNHCR can play a catalytic leadership role in convening and organizing burden-sharing arrangements and comprehensive regional approaches, at the request of States. The role of civil society was also

emphasized, as was the importance of support for and engagement by countries of origin.

Next steps – Common framework on burden sharing, international cooperation and comprehensive regional approaches

- Participants suggested that there would be scope for consensus on general principles of burden sharing, international cooperation and comprehensive regional approaches. The key would be to balance the need for commitment by States with the need for flexibility and adaptability to specific refugee situations and regional contexts.
- Participants discussed whether the development of a common framework would be a good first step towards identifying core principles that could both override and underpin future arrangements for burden sharing, international cooperation and comprehensive regional approaches. Some core principles could include:
 1. Ensuring that such arrangements expand and improve the protection space for refugees, and do not constrain it;
 2. Viewing regional protection as complement to State protection responsibilities, not a substitute for them;
 3. Adopting a protection-sensitive approach to migration policies, balancing protection of borders with protection of persons in need;
 4. Ensuring fair asylum procedures and durable solutions for refugees;
 5. Adopting arrangements that reflect a common approach among all States, underpinned by a commitment to human rights standards;
 6. Ensuring genuine and solid partnerships among affected States, taking into account the particular interests and challenges for all States, not deflecting responsibilities onto them (i.e. ‘burden shifting’);
 7. Recognizing the role of the media in raising public awareness about refugee challenges and the importance of burden sharing, as well as combating racism and xenophobia.
- It may be an option for a common framework to be underpinned by the development of an operational toolbox identifying some basic triggers and elements of burden sharing, international cooperation and comprehensive regional approaches.