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### Consideration of reports on the work of the Standing Committee

### International Protection

## Note on international protection

### Report of the High Commissioner

#### *Summary*

This note describes developments between June 2015 and May 2016 in the field of international protection and discusses, in particular, the fundamental concepts of international cooperation, solidarity, and responsibility- and burden-sharing. It examines the ways in which States, international organizations and national entities have responded to forced displacement and efforts to bring about solutions for refugees and other persons of concern, at a time of heightened challenges for the international protection system. The note also highlights the particular situation of both internally displaced persons and stateless persons, and addresses age, gender and diversity-related matters.

More detailed reports on progress in areas not fully covered by this note may be found in: EC/67/SC/CRP.11 (update on resettlement); EC/67/SC/CRP.12 (refugee status determination); EC/67/SC/CRP.14 (new approaches to solutions); EC/67/SC/CRP.15 (livelihoods and self-reliance); EC/67/SC/CRP.17 (youth); and EC/67/SC/CRP.18 (gender equality). These documents are available from: <http://www.unhcr.org/executive-committee.html>.

Unless otherwise specified, all documents cited in this note are available at [www.refworld.org](http://www.refworld.org).

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## I. Introduction

1. During the period under review, the unprecedented number of women, men and children worldwide forced from their homes<sup>1</sup> and compelled to seek refuge elsewhere reached 59.5 million. Fleeing the ravages of war, violence, and human rights violations, including sexual and gender-based violence (SGBV), they fled in search of safety and protection. For many forcibly displaced people, this search for refuge began within their own countries, and when their State proved unwilling or unable to protect them, their journeys continued across an international border. Yet the road to safety was often fraught with risks, including kidnapping, trafficking and forced recruitment. Many were forced to walk for days on end, take dangerous sea crossings and sleep out in the open, while children were frequently separated from their parents.

2. Existing and protracted crises in many parts of the world – including Afghanistan, Burundi, the Central African Republic, Iraq, Nigeria, Somalia, South Sudan, the Syrian Arab Republic, Ukraine and Yemen, as well as countries in the Northern Triangle of Central America and elsewhere – uprooted civilians and prolonged or generated new waves of displacement. Lack of respect for human rights and the rule of law, record levels of human mobility, geopolitical developments and climate change, exacerbated the impact of forced displacement in many regions. As the world bore witness, forced displacement led to the suffering of millions of civilians, some of whom were uprooted multiple times. Many displaced persons moved more than once within their own countries, yet more remained in their country of origin than those who then embarked on cross-border journeys in search of international protection. Record numbers of people travelling by dangerous and irregular means – often facilitated by smugglers – overwhelmed the response capacities of some States and communities. While many States and members of civil society demonstrated their willingness and capacity to respond to hundreds of thousands of displaced people, others struggled to address their needs, particularly given the scale and rate of arrival for which they were not equipped.

3. As events over the past year confirmed in many contexts around the world, the challenges of current refugee and mixed movements are too onerous and complex for individual countries to address alone. The developments underline the need for greater and sustained support for countries of first asylum and intensified international cooperation to ensure that protection and timely solutions are available for all who need them. With long-running conflicts and protracted displacement situations continuing in 2016, without prospect of ending, the importance of addressing the root causes of displacement and creating additional pathways that obviate the need for refugees to undertake dangerous onward journeys, is clearly evident.

4. It is against this background that this year's note on international protection emphasizes the themes of international cooperation, solidarity and responsibility- and burden-sharing. It highlights the need for effective and predictable mechanisms for sharing responsibilities more equitably among States to protect and find solutions for refugees. The adoption of a global compact on responsibility-sharing for refugees and the development of a system to assist Member States in meeting their commitments to support a comprehensive refugee response plan<sup>2</sup>, whenever a large-scale and potentially prolonged movement occurs, would be important steps in this direction.

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<sup>1</sup> This includes some 19.5 million refugees (14.4 million under UNHCR's mandate and 5.1 million Palestinian refugees registered by the United Nations Relief and Works Agency), 38.2 million IDPs and 1.8 million asylum-seekers. More detailed statistical information is available at <http://www.unhcr.org/figures-at-a-glance.html>.

<sup>2</sup> The Report of the Secretary-General on addressing large movements of refugees and migrants (A/70/59) proposes the adoption of a global compact and calls on the High Commissioner for Refugees to initiate and coordinate this refugee response plan (see para 71).

## II. International protection and responsibility-sharing

5. International cooperation based on international law, principles of solidarity, fair sharing of responsibility and collective State efforts, is essential to meet today's challenges relating to the movements of refugees and asylum-seekers in sustainable ways. Burden-sharing and international cooperation are recognized in the Preamble of the 1951 Convention relating to the Status of Refugees (1951 Convention) and reaffirmed by successive General Assembly resolutions, reflecting the transnational reality of forced displacement and requiring States to work together to show solidarity with other each other and with those who have been forcibly displaced. International cooperation and related principles have been expressed in many regional legal instruments, including the 1969 Convention governing the Specific Aspects of Refugee Problems in Africa (1969 OAU Convention), the Cartagena Declaration on Refugees and European Union treaties. They have also been elaborated on by the Executive Committee of the High Commissioner's Programme in its conclusions on international protection and by the General Assembly in various resolutions.

6. The realities of forced displacement over the past year underscore the need for strengthened international cooperation. Millions of refugees were hosted and given shelter in countries across the world. Eighty-six per cent of those in need of international protection remained in middle-income and developing countries, particularly States neighbouring those mired in displacement-inducing conflicts, such as the Islamic Republics of Iran and Pakistan. Half of the top 10 refugee hosting countries – Chad, Ethiopia, Kenya, Uganda and Sudan – are located in sub-Saharan Africa. With respect to the Syria crisis, just five countries – Egypt, Iraq, Jordan, Lebanon and Turkey – have shouldered the responsibility of hosting over nine tenths of all of the refugees. Turkey is currently the largest host country in the world, with 2.7 million Syrian refugees, while Pakistan follows as the second-largest host country, with 1.6 million refugees – almost all from Afghanistan. Beyond these, in other countries in Africa, the Americas, Asia, Europe and the Middle East, refugees were also received and hosted in numbers that were smaller in absolute terms, but which, nonetheless, tested or overstretched the capacity of national reception and asylum systems and host communities.

7. The readiness of these and other host countries to open their borders to admit and extend protection in line with international law, reflected their commitment to the international protection system and has saved countless lives. These important contributions to refugee protection by countries of asylum must be recognized, and highlight the imperative for the international community to share responsibilities more equitably and to support and reinforce national capacities where required.

8. Commitments to international cooperation and solidarity in the protection context were demonstrated at regional and inter-regional levels. In the Americas, the 2014 Brazil Declaration and Plan of Action emerging from the Cartagena +30 Process expressed the commitment of concerned States to work together to uphold high standards of international and regional protection, implement innovative solutions for displaced people and address statelessness through a 10-year plan of action. At the forty-ninth summit of MERCOSUR<sup>3</sup> in December 2015, the Presidents of Argentina, Bolivia (the Plurinational State of), Brazil, Chile, Paraguay, Uruguay and Venezuela (the Bolivarian Republic of) signed a joint declaration which, inter alia, expressed concern for the Syria humanitarian crisis and support for measures such as humanitarian visas, expedited refugee status recognition and resettlement.

9. Over the past year, several countries increased their engagement in resettlement and humanitarian admission programmes and other forms of admission. This was in addition to important new contributions from longstanding resettlement countries, as well as from States

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<sup>3</sup> Mercado Común del Sur or Southern Common Market.

beyond those that have traditionally not taken part in global resettlement efforts. Widely recognized as a protection tool and path to solutions for individual refugees, resettlement and humanitarian admission programmes constitute a gesture of solidarity with many States and communities. In 2015, 21 European countries increased their resettlement numbers to over 12,000 refugees by the end of the year, with a combined total of over 22,500 further places pledged by 27 European Union Member States, as well as Iceland, Liechtenstein, Norway and Switzerland, for the period 2015-2017. In response to UNHCR's call for increased solidarity with the Syria refugee host countries, some 200,000 places for resettlement and other forms of humanitarian admission were made available, including at a high-level meeting on global responsibility-sharing through pathways for admission of Syrian refugees, organized by UNHCR in March 2016. In early 2016, Canada fulfilled its commitment made just a few months earlier to resettle 25,000 Syrian refugees.

10. Compliance with international refugee law represents a form of responsibility-sharing, through which States honour their commitments to each other, as expressed in the 1951 Convention and other refugee law instruments. Widely respected by States Parties, the ongoing validity and adaptability of the Convention has repeatedly been recognized during the period under review – through its interpretation and application by asylum authorities, appeal bodies and courts recognizing the status of refugees fleeing new forms of persecution and serious human rights violations in today's context. The continued relevance of the 1951 Convention, its 1967 Protocol and regional instruments and frameworks, was also highlighted when States' departures from them, including failing to afford access to protection and rights, resulted in inadequate management of large influx situations and provoked tensions with other States. In this context, strengthened implementation of refugee law principles in practice, and greater facilitation of international cooperation and responsibility-sharing in various forms, is manifestly needed.

11. On 19 September 2016, United Nations Member States will meet to discuss the recommendations laid out in the Secretary-General's report to the General Assembly on addressing large movements of refugees and migrants. The report calls for the greater sharing of responsibilities for refugees, in order to safeguard their rights and ensure that the impact of their flight is not disproportionately borne by some countries and regions, based on their proximity to countries of origin. In this regard, the adoption of a global compact on responsibility-sharing for refugees would help ensure more effective and predictable support for these States. The report calls on UNHCR to initiate and coordinate a comprehensive refugee response plan, based on international law and best practices, which would assist States in meeting their commitments under the global compact and be carried out in coordination with other relevant actors. Core elements of the plan would include: access to territory, registration and group-based or individual asylum processes, the establishment of adequate reception arrangements, and the granting of an appropriate status and associated rights for those found to be refugees.

12. A comprehensive response, carried out in coordination with humanitarian and development actors, would also involve strengthened arrangements for predictable, consistent and sufficient funding to meet both short-term and long-term needs of refugees and host communities, with an emphasis on self-reliance. The plan would include measures to relieve the pressure on host countries, support voluntary repatriation, and expand pathways for admission to other countries. While recognizing the different legal status of migrants, the report also highlights the importance of strengthened governance arrangements for migration and respect for the rights of these populations. The September meeting offers an opportunity to work towards a significantly strengthened framework for responsibility-sharing, which could ensure more collaborative responses to large-scale movements in the future.

### **III. Standards and quality of and access to asylum and protection**

#### **A. Access to territory, and reception and detention**

13. In many parts of the world, refugees were received, given access to protection and treated in line with relevant standards. State authorities, civil society and individual citizens welcomed large numbers of refugees and asylum-seekers throughout the course of the year. Despite the ongoing conflict in Yemen, for example, the country continued to receive and host some 267,000 refugees in urban areas and camps, with assistance from UNHCR and its partners. Countries in Central America continued to host large refugee populations from within the region, while in the Middle East and in Asia, refugees from various parts of the world were received and accommodated by States, including those not party to the 1951 Convention. UNHCR continued to engage with States and partners in relation to asylum and migration issues more broadly, in recognition of the complex nature of population movements and the challenges they present worldwide.

14. In Africa, the right to seek asylum was largely respected, including by countries that continued to admit and host South Sudanese refugees, such as the Democratic Republic of the Congo, Ethiopia, Kenya, Sudan and Uganda, among others. Malawi received increasing numbers of refugees from Mozambique in early 2016, while people forcibly displaced from the Central African Republic were received in various countries in the region. However, core refugee protection principles were challenged in various parts of the continent, with instances of refoulement and physical and administrative obstacles precluding refugees from accessing protection and assistance. In some countries, governments imposed strict security measures aimed at preventing terrorism, without the necessary safeguards to uphold the principle of non-refoulement. UNHCR continues to work with governments to strengthen national capacities to screen refugees and asylum-seekers, including in connection with security concerns in refugee-hosting areas, while preserving the right to seek asylum and protection through, inter alia, the appropriate use of relevant provisions in the 1951 Convention.

15. In Southern Africa, nearly all countries are signatories to the 1951 Convention, its 1967 Protocol and the 1969 OAU Convention, and have established national asylum systems. Yet many national asylum systems in the region continued to encounter challenges in the implementation of fair and efficient asylum procedures. Limitations on freedom of movement and access to employment in some countries limited the ability of refugees to obtain solutions and integrate into their host communities. Meanwhile, increased mixed movements led to growing hostility towards refugees in some places, placing pressure on asylum and protection space. UNHCR continues to support the subregion in enhancing the quality of refugee protection, including with respect to the review and revision of relevant laws and policies.

16. The growing number of refugees and migrants undertaking life-threatening journeys by sea highlighted the need for greater cooperation among States affected by mixed movements. During 2015 and the first five months of 2016, some 1.2 million people crossed the Mediterranean arriving in Greece, Italy and Spain. Approximately 38 per cent were Syrian refugees, 20 per cent were Afghans and 12 per cent were Iraqis. Some 6,300 went missing, believed to be drowned. Across the South-East Asia region, approximately 33,600 refugees and migrants of various nationalities took to boats organized by smugglers, including 32,600 (mainly Rohingya and Bangladeshi nationals) in the Bay of Bengal and the Andaman Sea, some 700 across the Straits of Malacca and over 200 who were intercepted en route to Australia and New Zealand. Approximately 370 people were recorded as lost in the Bay of Bengal and the Andaman Sea. Similarly, loss of life in the Gulf of Aden and the Red Sea, and the crisis in Yemen, reflected the need for a coordinated, strategic approach to address major gaps in search and rescue, and in reception and protection capacity, in the countries affected by the movement of people along these maritime routes. After fighting escalated dramatically in Yemen in late March 2015, more than 100,000 people fled the country – the majority via sea crossings to Djibouti and Somalia, as well as to Saudi Arabia.

17. In European Union Member States and other western European countries, where over 1 million asylum claims had been received by the end of 2015, the asylum and reception systems of several States came under severe strain. In many national contexts, exemplary efforts were made to receive asylum-seekers and refugees, address basic needs and render asylum decisions within a reasonable time. However, some States avowedly implemented measures designed to limit or prevent access to territory and asylum, including border closures, the erection of fences or walls, the establishment of quotas on the numbers of people able to access asylum procedures and territory, the confiscation of assets, the increased use of detention and the curtailment of due process rights in the asylum procedure, including access to legal remedies.

18. In October 2015, an agreement was reached in the European Union to support Greece and Italy through the relocation of 160,000 asylum-seekers to 23 European countries. Many observers highlighted the slow progress of the relocation, which they ascribed partly to administrative challenges, but also to delays in the provision of pledged relocation places by some Member States. The need to ensure better cooperation within the European Union, compliance with relevant legal standards and the effective operation of asylum systems remains apparent.

19. Arrangements between the European Union and Turkey aimed at managing the refugee situation foresaw the return of individuals arriving in or intercepted en route to Greece. UNHCR reiterated the critical nature of individual assessments of all refugees and asylum-seekers and the need to respect legal safeguards under any mechanism through which responsibility for providing protection or for assessing an asylum claim would be transferred.

20. In partnership with the European Union and other European States, UNHCR intensified advocacy efforts calling for a holistic and coordinated response to the situation. The Office worked to support States through implementation of its Special Mediterranean Initiative, aimed at stepping up operational responses and protection initiatives in countries of transit, asylum and destination. This initiative consists of a number of coordinated actions in southern Europe and the western Balkans, the East and Horn of Africa, North Africa and the Middle East and West Africa. UNHCR also promoted complementary pathways for refugees; the proper identification of persons of concern, including stateless persons; and durable solutions, in line with UNHCR's rights-based, participatory and age, gender and diversity-centered approach.

21. In the Caribbean, important steps were taken to address regional asylum and migration issues and to develop comprehensive rights-based migration policies. Following the commitment in the Brazil Plan of Action to establish the Regional Consultative Mechanism for the efficient management of mixed migration, earlier this year, eight countries and territories – Aruba, the Bahamas, Belize, the Cayman Islands, Jamaica, Guyana, Trinidad and Tobago, and the Turks and Caicos Islands – developed the “Caribbean Regional Consultative Process”. This forum aims to develop comprehensive policies concerning migration and refugee protection within a rights-based framework, in order to ensure protection-sensitive entry mechanisms and differentiated procedures for those seeking international protection.

22. In most countries, asylum-seekers and refugees enjoyed freedom of movement in accordance with international human rights law and good practices. Yet, the increased use of detention and penalization for irregular entry in some countries raised serious concerns, in particular where it affected children. UNHCR continued to work with States in the framework of its global strategy, “Beyond detention (2014-2019)”, notably with the completion of a baseline report and activities promoting alternatives to detention in 12 focus countries. These activities included training for civil society on detention-monitoring; capacity-building programmes for child protection partners, UNHCR staff and State authorities; and support to States' initiatives on alternatives to detention and the establishment of newly opened shelters for unaccompanied child asylum-seekers. Several governments have committed to identifying alternatives to detention, and plans are being developed to expand community-based programmes that offer alternatives to detention and open accommodation options for children and families. In all regions, UNHCR contributed to advocacy efforts related to detention. An institutional policy on the monitoring of

immigration detention, defining and ensuring consistent application worldwide of UNHCR's monitoring methodology, was also disseminated.

## **B. Refugee status determination and registration**

23. Refugee status determination (RSD) procedures, based on international standards, are critical to the integrity of the institution of asylum and to fair and efficient State-led asylum systems. Over the past year, UNHCR collaborated with States on quality assurance initiatives, capacity-building and other forms of support aimed at strengthening State-led RSD processes. UNHCR's Quality Assurance Initiative, implemented in Argentina, Brazil, Costa Rica, Mexico and Panama, supported enhancement of national asylum systems through incorporation of due process of law principles into RSD procedures. The programme commenced in Chile, while the National Refugee Eligibility Committee (CONARE) of the Plurinational State of Bolivia adopted a formal resolution to join the initiative. In the Caribbean, several countries took steps to establish or consolidate asylum systems in close cooperation with UNHCR. Inter-State cooperation also promoted protection standards and capacity-building, bringing together States with differing expertise and experience within and across regions. Examples included the engagement of Germany and Sweden in the Quality Initiative in Eastern Europe; the partnership between Canada, Mexico and the United States of America to enhance asylum capacity; and the 'twinning' arrangement between Argentina and Ecuador, focusing on the legal representation of children in the asylum process. UNHCR also supported consistency in State-led RSD procedures through the issuance of legal and country-related guidance, including eligibility guidelines and non-return advisories.

24. UNHCR carried out RSD under its mandate in countries where there was an absence of national asylum procedures or where national asylum systems continued to require support. This engagement was coupled with sustained efforts to enhance the efficiency, quality and integrity of UNHCR's procedures, reinforcing the strategic role of RSD in ensuring protection and access to rights. UNHCR has called on States to facilitate access for refugees to broader protection, durable solutions and rights frameworks, in addition to recognizing their status, as conferral of status without attendant rights often fails to ensure meaningful and lasting protection for individuals.

25. UNHCR continued to enhance capacity and cooperation in the area of registration, working with States in further developing their registration systems and improving data management in UNHCR's operations. This aimed to ensure the integrity and management of data, in line with the Office's data protection policy. The improved registration and case management system, "proGres in partnership", was deployed in three operations, and the Biometrics Identity Management System was deployed in more than 60 locations in 11 countries, including in remote sites with limited connectivity. As an example of the Office's strengthened engagement in countries requiring registration support, UNHCR and partners in Iraq transitioned to a digital protection monitoring platform, allowing improved analysis and a more efficient and targeted humanitarian response.

## **IV. Meeting essential needs and promoting self-reliance**

### **A. Youth and education**

26. UNHCR has sought to address the particular needs of youth by expanding participatory approaches and through a number of initiatives, including global refugee youth consultations. Such initiatives acknowledge the desire of young people to engage and be engaged in matters that affect their own lives, for example in decision-making structures and processes, and in humanitarian programme design, implementation and evaluation. They aim to build the capacity of youth by



encouraging participation in their communities in a variety of leadership roles and supporting them to address their own challenges.

27. Through education, refugee, IDP and stateless youth and children acquire essential skills to become key actors in their own protection and in the future rebuilding of their communities. Work undertaken in advancing UNHCR's "Education strategy 2012-2016" sought to expand the availability and impact of educational opportunities for persons of concern. UNHCR collaborated with civil society actors to facilitate access to education for children affected by conflict and forced displacement in Africa, Asia and the Middle East. Working in partnership with development actors and collaborating with ministries of education, UNHCR strengthened national systems, fostered social cohesion with host communities and sought to avoid the creation of parallel services by including refugees in national education systems. Countries affected by the Burundi, Central African Republic, Nigeria, South Sudan and Syria emergency situations demonstrated particular leadership in ensuring access to education for refugee children in their respective countries. In protracted displacement situations, countries including Chad, Kenya, the Islamic Republic of Iran and Zambia, made significant progress in mainstreaming refugees into their national education systems.

28. Building on strong partnerships in the education sector, UNHCR realized a critical opportunity to secure a global commitment to develop inclusive education systems that ensure education for children in crisis contexts, including refugees and IDPs, through Sustainable Development Goal 4.<sup>4</sup> This commitment lays the foundation for governments, UNHCR and partners to collaborate on the inclusion of refugees in national education sector planning and systems, which is of paramount importance considering that globally, only 50 per cent of refugee children have access to primary education, 25 per cent of refugee adolescents have access to secondary education and less than 1 per cent of refugee youth have access to higher education. Building the capacity of country operations to promote integration in national education systems is a UNHCR priority.

29. Expansions in UNHCR's tertiary education donor base doubled the number of Syrian refugees that have access to the Albert Einstein German Academic Refugee Initiative Fund (DAFI) tertiary scholarship programme in 2015, with new programmes established in Lebanon and Turkey. In February 2016, Germany committed to support UNHCR in enrolling an additional 2,560 refugees over a four-year period at universities in their first country of asylum. This sets a positive example of government action that can help meet the educational needs of an increasing number of refugee youth.

## **B. Livelihoods, health, shelter and energy**

30. The movement of people, including refugees and asylum-seekers, can be a positive economic and social driver, and can facilitate access to solutions, particularly when supported by well-formulated policies and international cooperation. Seeking to capitalize on the benefits of potential labour market participation and opportunities for economic growth that mixed movements can present, the private sector sought to create new employment, training and vocational opportunities, as well as labour mobility schemes, in a number of countries. However, some States denied or limited asylum-seekers' and refugees' access to formal livelihood opportunities and labour markets. A notable exception to this was Turkey's granting of work rights to refugees in January 2016 and Jordan's exemption of Syrian nationals from work permit and associated fees for three months, starting from 5 April 2016, allowing them to regularize their employment status.

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<sup>4</sup> Sustainable Development Goal 4 aims to ensure inclusive and quality education for all and to promote lifelong learning (see <http://www.un.org/sustainabledevelopment/education/>).

31. UNHCR collaborated with a range of partners to facilitate asylum-seekers' and refugees' access to, inclusion in and contribution to formal economies, by engaging them in local, national and global value chains and including them in national development plans. In Burkina Faso, the integration of 2,800 Malian refugees in the national milk production value chain, and the provision of skills assistance to 1,000 refugee artisans, allowed for their progressive transition from food assistance to self-reliance. Through its "Global strategy for livelihoods 2014-2018", UNHCR introduced practical evidence-based models and innovative approaches to livelihoods, such as the poverty-reduction graduation approach that was extended to several countries.

32. In line with its "Global strategy for public health 2014-2018", UNHCR promoted access to national health care systems by refugees, in recognition of the right to health as a core component of protection for individuals. Refugees of all nationalities enjoyed access to national health care services in Niger, as did Syrian refugees in Egypt. In the Islamic Republic of Iran, the formal inclusion of all registered refugees in the universal health insurance scheme set a global precedent. UNHCR also continued to develop and provide holistic settlement, shelter and sustainable energy solutions in line with its "Global strategy for settlement and shelter 2014-2018" and its "Strategy for safe access to fuel and energy 2014-2018". Through the Safe from the Start initiative, UNHCR and partners worked in these areas to prevent and respond to sexual and gender-based violence in humanitarian emergencies around the world.

## **V. Promotion of a favourable protection environment**

33. Many host countries and communities around the world demonstrated a welcoming, positive and generous attitude towards refugees and asylum-seekers, despite the difficulties encountered, reflecting a commitment to the principles of international protection and to responsibility-sharing. In some regions, however, major challenges arose from populist politics. Insufficient political leadership, compounded by ignorance and irresponsible reporting, contributed to a climate of fear in some countries and fuelled acts of violence and prejudice, jeopardizing the safety and well-being of refugees and asylum-seekers.

34. Security considerations have also led to measures restricting the right of refugees to access and enjoy protection in some regions. In several parts of the world, serious security incidents resulted in the emergence of uninformed and polarized discourse, with allusions to possible linkages between terrorism and movements of people made by some politicians and policy-makers without a factual or evidentiary basis. UNHCR shares the legitimate concern of States regarding the need to respond to possible security threats but maintains the view that security and protection are not mutually exclusive. In December 2015, UNHCR issued a "Note on addressing security concerns without undermining refugee protection", which calls for an integrated approach that ensures both goals are met, including through the proper application of those provisions in the 1951 Convention and other relevant instruments that enable States to manage security concerns, while maintaining refugee protection standards.

35. Racial discrimination, intolerance and xenophobia can be major causes of displacement and can compromise the protection afforded to persons of concern. To combat this, UNHCR continued to strengthen its partnerships with key human right actors, including the Office of the High Commissioner for Human Rights (OHCHR). A joint multi-stakeholder campaign is being developed by the two organizations to raise public awareness about this issue and to seek to influence policies and measures resulting in xenophobic behaviours. An expert meeting was convened by UNHCR in Geneva in March 2016, with the aim of establishing a joint strategy for addressing racism and xenophobia involving the Council of Europe, the European Union Agency for Fundamental Rights, the European Commission, IOM, the Office for Democratic Institutions and Human Rights (ODIHR), OHCHR and the United Nations Children's Fund (UNICEF). The Office also contributed to the ODIHR's 2015 annual hate crime report, providing information on and developing incident reporting tools for hate crimes committed against persons of concern.

36. To create and sustain a protective environment for persons of concern, closer ties must be established between them and the communities that host them – a process to which political leaders, the media, civil society and other actors can contribute in positive ways. This can help build and maintain broad public support for asylum, without which some host communities may not be willing to continue to provide hospitality and shelter. Reinforcing social cohesion between the forcibly displaced and their host communities at the national and community levels can assist in preserving pluralism and diversity, reinforcing the social mosaic and enabling the displaced to contribute to the economic growth of their host societies. In recognition of this crucial link, the Organisation for Economic Cooperation and Development and UNHCR led in January 2016 a high-level event in Paris, which highlighted the contributions that refugees make to their host societies and examined ways to ensure that States' approaches to integration can achieve more measurable and sustainable results.

37. Improving gender equality, eliminating gender-based discrimination and empowering displaced women and girls, including through their meaningful participation in decision-making processes, are also vital for the creation of safe environments. In this regard, UNHCR is working to revise its five commitments to refugee women, based on the outcomes of a gender equality review undertaken in 73 operations around the world.

## **VI. Internally displaced persons**

38. Greater international cooperation is also needed to address the challenges around increasing internal displacement worldwide. During the reporting period, UNHCR was providing protection and assistance to some 34 million conflict-induced IDPs in 26 countries. The highest number on record, this figure represents a more than five-fold increase in the number of IDPs supported by UNHCR since the introduction in 2006 of the Inter-Agency Standing Committee cluster system. Protection and assistance was provided in the Syrian Arab Republic, where over 6.5 million people have been internally displaced since the conflict began in 2011. In Iraq, more than 1 million people were newly displaced during 2015, raising the total number of IDPs in the country to 4.4 million. In Yemen, where violence escalated significantly in March 2015, over 2.5 million people were internally displaced and more than 80 per cent of the population was in urgent need of humanitarian aid. Violence in the Lake Chad basin led to the internal displacement of 2.5 million persons in Cameroon, Chad, Niger and Nigeria combined and left over 9 million persons in need of humanitarian assistance.

39. Sporadic fighting continued in Ukraine despite ceasefire and peace agreements brokered in 2015. According to the Ukrainian authorities, more than 1.7 million people were registered as internally displaced as of April 2016. An inter-agency humanitarian response plan was launched in early 2016 to meet the needs of those affected by the crisis, including between 800,000 and 1 million IDPs estimated by UNHCR and the United Nations Office for the Coordination of Humanitarian Affairs as being in government-controlled areas. The situation for the population living along the conflict fault line is particularly difficult, with restrictions on freedom of movement, loss of livelihoods, absence of the rule of law and limited access to basic services. In Central America's Northern Triangle region, record numbers of people were displaced by criminal violence – often committed by transnational organizations involved in the narcotics trade. Few governments in Central America have adopted laws or policies that adequately protect those displaced by this phenomenon and, coupled with insufficient government capacity, this significantly limits the prospects of the region's internally displaced from finding protection at home.

40. In this complex context, UNHCR continued to provide global leadership for the protection, shelter, and camp coordination and camp management clusters. In 2016, UNHCR reinforced programme design and operational planning within established inter-agency coordination frameworks through further guidance to its operations, with a view to making its engagement more

predictable and protection-driven. UNHCR also continued to advocate for enhanced State responsibility for IDPs, including through the promotion of law and policy measures in a number of countries around the world. In Colombia, for example, UNHCR worked closely with the Government to ensure that the land restitution policy complemented reparation and protection measures through enhanced coordination among the concerned authorities.

41. Several operations, including in Bosnia and Herzegovina and Sudan, laid the groundwork for drafting laws or policies aimed at advancing durable solutions for IDPs. In Mali, a technical committee composed of members of key ministries and parliament, civil society and the African Union Mission for Mali and the Sahel (MISAHEL), was created to implement the African Union Convention for the Protection and Assistance of IDPs in Africa (Kampala Convention) in national law and policy.

42. The global protection cluster also encouraged the protection of IDPs, including through the work of a Task Team on Law and Policy that, inter alia, supported implementation of the Kampala Convention in 2015. The Task Team will also support regional IDP law and policy activities for countries in the Northern Triangle of Central America in 2016. An IDP profiling exercise conducted by the Government of Honduras, in close cooperation with UNHCR and the Joint IDP Profiling Service, provided information on more than 41,000 IDP households (174,000 individuals) in several municipalities affected by criminal violence and is ready to support the Government of El Salvador in a similar exercise. In all of these activities, increased efforts by UNHCR, other humanitarian actors and concerned States, to support countries directly affected by internal displacement, are necessary to address the challenges.

## VII. Statelessness

43. November 2015 marked the first anniversary since UNHCR's "#IBelong Campaign to End Statelessness" was launched. Key objectives achieved during the first year included establishing robust support for the campaign and demonstrating tangible achievements against the campaign goals. Joint efforts with partners produced notable results, as inroads were made into the resolution of a number of protracted statelessness situations. The thematic focus for the campaign's first two years is on childhood statelessness, with the following objectives: advocating that nationality laws contain safeguards to prevent statelessness at birth, addressing gender discrimination in nationality laws and improving birth registration to prevent statelessness. UNHCR conducted participatory consultations with more than 250 stateless children and youth in seven countries around the world. Their experiences were highlighted in a special report entitled, "I am Here, I Belong: The Urgent Need to End Childhood Statelessness", launched in November 2015 to commemorate the first anniversary of the campaign.

44. Several regional intergovernmental initiatives on statelessness endorsed the campaign and served as avenues for achieving its goals. In Africa, the adoption in February 2015 of the Abidjan declaration of the Economic Community of West African States (ECOWAS) on the eradication of statelessness was followed in August 2015 by the adoption by the African Commission on Human and Peoples' Rights of a draft protocol on the right to nationality in Africa, which aims to eradicate statelessness on the continent. The final version of the protocol is expected to be adopted by African Union Member States in 2016. The Council of the European Union passed its first conclusions on statelessness in December 2015, welcoming UNHCR's campaign and inviting the European Commission to facilitate the exchange of good practices among Member States. A regional workshop for the Association of Southeast Asian Nations (ASEAN) on the right to a nationality and birth registration facilitated the exchange of good practices. In the Americas, notable progress was also made under the 2014 Brazil Declaration and Plan of Action.

45. In 2015, UNHCR strengthened its cooperation with UNICEF and OHCHR, as well as with international bodies, including the International Parliamentary Union (IPU). Together with the

Parliament of South Africa, the IPU and UNHCR organized a conference on ensuring everyone's right to a nationality, at which parliamentarians from 39 countries adopted a 7-point plan of action to address statelessness. Cooperation was also strengthened with the World Bank on statelessness, including as a development issue, particularly in relation to the achievement of relevant Sustainable Development Goals.

46. UNHCR continued its technical support to governmental efforts to resolve and prevent situations of statelessness. Globally, at least 49,100 stateless people or those with undetermined nationality acquired a nationality or had their nationality confirmed. UNHCR's collaboration with the government of Côte d'Ivoire enabled over 2,000 stateless individuals to acquire nationality. In Central Asia, UNHCR's work with governments and non-governmental organizations (NGOs) enabled the identification and resolution of thousands of cases of statelessness. In Thailand, close cooperation with the Government and NGO partners, working with stateless communities, resulted in the granting of nationality to more than 18,000 individuals over the last three years. In the Dominican Republic, the authorities confirmed that 55,000 individuals previously deprived of their Dominican nationality were considered Dominican nationals and that they would receive civil registration documents. UNHCR maintained strong partnerships with governments and NGOs to facilitate birth registration aimed at preventing statelessness, including in Bosnia and Herzegovina, Indonesia and Kenya. Of particular importance was the work undertaken by affected governments, UNHCR and partners in the countries neighbouring the Syrian Arab Republic, to facilitate and improve the birth registration of children born to Syrian refugees, mitigating the risk of statelessness.

47. The number of States parties to the statelessness conventions continued to increase, with accessions by Belize, Italy, Mali and Sierra Leone. This brought the total number of States parties to the 1954 Convention relating to the Status of Stateless Persons to 88 and to the 1961 Convention on the Reduction of Statelessness to 67. To improve the quantity and quality of information and data collection on stateless populations, UNHCR supported new studies and surveys in eight countries. UNHCR also facilitated the establishment and expansion of activities carried out by dedicated NGO networks on statelessness.

48. Notwithstanding these positive developments, much more must be done to eradicate statelessness. In 2015, UNHCR estimated the actual number of stateless persons to be over 10 million.<sup>5</sup> As people without a nationality are also often forced to flee persecution and human rights violations, the correlation between statelessness and displacement requires that analyses of displacement drivers systematically include and address statelessness. This must also involve action to address discrimination and inequality, which are common to all forms of statelessness. Some forms of discrimination, such as gender-discriminatory legislation, including citizenship laws based exclusively on patrilineal descent, can result in statelessness when children of mixed parentage, for example, are denied nationality in their country of residence.<sup>6</sup>

## VIII. Solutions

49. Assisting States, as well as populations of concern, to find solutions to displacement and enabling these populations to live dignified and productive lives, and to determine their futures, remains the ultimate goal of the international protection regime. However, increased inter-State cooperation and the sharing of responsibilities is critically needed in this area, given that the

<sup>5</sup> According to country-level data, some 3.7 million persons were reported to be stateless persons in 2015. However, UNHCR estimates the global stateless population to be more than 10 million persons.

<sup>6</sup> Brad K. Blitz, 'Statelessness, Protection and Equality', Forced Migration Policy Briefing 3, Refugee Studies Centre. Available from: <http://www.rsc.ox.ac.uk/files/publications/policy-briefing-series/pb3-statelessness-protection-equality-2009.pdf>.

number of people of concern to UNHCR continues to rise at a rate faster than solutions can be found. As many displacement-inducing conflicts remain protracted, voluntary repatriation is not an option for many, as evidenced by low numbers of returns in recent years. At the same time, resettlement places are insufficient and prospects for local integration remain limited. Many refugees and IDPs are, therefore, forced to rely on humanitarian assistance, at least partially, for years and even generations.

50. As 80 per cent of the world's IDPs remain displaced from their places of origin for more than five years, the need for concerted efforts to strengthen durable solutions for IDPs is paramount. Notable multilateral and multi-year efforts to do so are currently underway in the Democratic Republic of the Congo, Somalia and Sri Lanka, particularly through IDP policies and national solutions strategies.

51. Despite welcome offers of additional resettlement places and other forms of humanitarian admission, the number of places required continues to exceed those made available. New approaches, which support the autonomous use by refugees of complementary pathways to protection and solutions, are necessary, as are progressive approaches to durable solutions that address the legal, social, cultural, political and economic dimensions of life. Collaboration between UNHCR and States reflected recognition that these need to be tailored to meet the particular needs and capacities of youth, children at risk and survivors of SGBV. UNHCR welcomes the expansion of multi-year resettlement programmes that prioritize the most vulnerable, including children at risk and survivors and persons at risk of SGBV, through a protection-sensitive approach.

52. Beyond international protection for asylum-seekers and traditional resettlement activities, complementary pathways can benefit both persons in need of protection and host societies. In February 2016, UNHCR and the Migration Policy Institute Europe organized a roundtable in Belgium, bringing together States, the private sector, universities, scholarship providers and civil society to explore ways to establish and expand such complementary pathways to admission and stay for refugees and to discuss how to overcome the administrative, legal and practical obstacles that may preclude refugees from accessing these channels. Topics discussed included: the potential for expanded humanitarian visas and admission; private sponsorships; scholarships and student visa programmes; the facilitation of family reunification and the resettlement of refugees to countries where family members reside; the relaxation of associated administrative and procedural processes; medical evacuation; and labour mobility and migration schemes. When well-designed and implemented on a sufficient scale, these pathways have the potential to ensure access to protection and reduce the compulsion for dangerous onward movement for many people in need of international protection, and represent an important form of responsibility sharing.

53. In the MERCOSUR and ECOWAS regions, UNHCR and States explored how regional agreements can support complementary pathways to solutions for people of concern. Some West African States considered how the ECOWAS framework and their own national laws could facilitate permanent residency and, in some cases, naturalization. In Europe, UNHCR collaborated with States on complementary pathways for refugees and the facilitation of safe labour mobility schemes for persons of concern.

54. To promote comprehensive approaches to protection and solutions from the onset of emergencies, UNHCR enhanced its collaboration with relevant governments and partners, including the World Bank and the International Trade Centre, including on the development of multi-year, multi-partner strategies. UNHCR developed tools to assist its operations in analysing barriers to solutions and in ascertaining the intentions of persons of concern. UNHCR undertook solutions-driven programming in a number of operations and re-oriented its programmes in others to address displacement and statelessness situations from their onset, to mitigate the negative impact of long-term displacement and support the progressive enjoyment of rights, including through early engagement with development actors and the inclusion of all persons on a State's territory, in national and United Nations development plans. Strengthened cooperation between

humanitarian, protection and development actors is important to identify the drivers of displacement and catalyse action to address them. The relationship between protection and solutions and addressing the root causes of displacement was emphasized at the High Commissioner's 2015 Dialogue on Protection Challenges, focusing on the theme of root causes.

55. The Solutions Alliance expanded its outreach and activities in support of National Groups in Somalia, Uganda, the United Republic of Tanzania and Zambia, involving donor and host States, multilateral financial institutions, international organizations, civil society and the private sector. Alliance members are working to identify where technical expertise, funding and political engagement can support the achievement of comprehensive solutions in target operations. In particular, the Rule of Law Thematic Group is working to clarify where development actors can contribute to solutions through the inclusion of refugees, IDPs, returnees and stateless persons in rule of law interventions. Building on a UNHCR-funded access to justice through mobile courts scheme, and resulting from collaboration with the Ugandan Government, the Uganda Human Rights Council and the Refugee Law Project, the High Court of Uganda convened a special session in April 2016 in the Nakivale refugee camp in western Uganda to consider the cases of refugees who had been on remand, awaiting trial for several years.

## **IX. Development and financing**

56. The past year has presented opportunities, including through several high level events and initiatives, to advance protection and solutions for persons of concern and to ensure that responses to forced displacement extend beyond short-term humanitarian relief efforts. The provision of financial support is critical to these endeavours and remained one of the most widely-accepted and important forms of responsibility-sharing among States to address the protection needs of persons of concern to UNHCR. Global attention on forced displacement and mixed movements has also highlighted the need for synergies between development and humanitarian actors, as well as strengthened partnerships with the private sector.

57. The February 2016 London conference on the Syria situation, the Wilton Park Forum on New Approaches to Protracted Forced Displacement, and the World Humanitarian Summit, among other key developments, were important in generating broad support for IDPs and refugees. Nevertheless, the Regional Refugee and Resilience Plan (3RP) and the Syria Humanitarian Response Plan remain seriously underfunded. The rapid disbursement and allocation of pledged funds is essential to ensure protection for those in need.

58. The World Bank is helping identify innovative financing instruments and mobilize development funds to address the consequences of the Syria crisis and other humanitarian situations. Working closely with UNHCR it undertook analytical studies in Lebanon and Jordan on refugee poverty and welfare, and a study in the Horn of Africa and the Sahel on building resilience. Collecting data on and gaining greater insights into the poverty and welfare of refugees is critical to future initiatives in the context of the 2030 Agenda for Sustainable Development. This in turn, may help address the circumstances that cause people to flee their homes and countries in the first place.

59. The November 2015 Valetta Summit on Migration, organized by the European Council to discuss migration issues with African and other key countries, concluded with an action plan outlining priority initiatives and the establishment of a EUR 1.9 billion trust fund for Africa. Within this framework, numerous challenges related to forced displacement and onward movement in the Horn of Africa, Lake Chad and the Sahel region are sought to be addressed.

## **X. Conclusion**

60. While the past year presented many challenges with respect to global forced displacement, it also presented opportunities to strengthen and systematize protection responses. Persecution, human rights violations and conflicts around the world have caused immense suffering, magnified humanitarian needs and resulted in increasingly complex protection environments. This necessitates coordinated global commitments to bolster responsibility-sharing among States, based on fundamental protection principles, to ensure that comprehensive responses are developed and implemented from the onset of forced-displacement crises. Concerted political efforts at the highest levels could help ensure the requisite will and engagement that must be mustered to address large-scale forced displacement.

61. There is a pressing imperative for the international community to join efforts to tackle the root causes of forced displacement and address the protection needs that arise from it, reflecting long-standing traditions of providing refuge to those in need, and recalling the centrality of protection. Strengthened international and regional frameworks for cooperation and response are critical, drawing on the collective actions of traditional and non-traditional actors. Such actions would enhance the existing efforts of States to humanely address large-scale population movements, reduce the disproportionate burden borne by a limited number of States and provide genuine opportunities for people in need of protection to access it through safe and predictable avenues. It was for such challenges as those encountered today that the international refugee protection system was created. It is in the collective interest of the international community as a whole to ensure that it operates effectively in all regions of the world.

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