

Remarks by Erika Feller
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Mr. Chairman,

Before we move into substantive discussion on the Note on International Protection, allow me to add context to the debate by offering a few reflections on some persistent as well as emerging protection gaps brought to light through this year's **Annual Programme Review**, in which I have just participated.

The **Annual Programme Review** is a lengthy and rigorous process. It involves Bureau Directors, support Divisions and then the Troika in analyzing protection and assistance needs of persons of concern emerging from the Comprehensive Needs Assessments done in the field. It leads to the settling of a needs-based budget and the global programming parameters for 2011. We now have two years of working with this budgeting process. In spite of teething difficulties, the CNA has no doubt provoked a fundamental shift in the way UNHCR identifies and expresses needs. It has the advantage not only of coherently and in detail bringing needs to light, but also of clearly flagging some serious consequences arising from not meeting those needs. In this sense, it is starting to function also as an accountability mechanism.

The CNA is contributing to an institutional shift in the way we define our ambition to serve persons of concern through addressing real and concrete protection gaps on the ground. It is an encouragement to more ambitious and imaginative programming. The APR review confirmed, for example, that statelessness has achieved a greater priority in UNHCR's programmes. However, we still have some way to go when it comes to moving from a technical services and advisory support role to protection-based programming in situations of statelessness. It was also clear that our knowledge of the extent of the problem globally is still patchy, a situation we will be moving to rectify in the run-up to the 2011 anniversary commemorations of the 1961 Reduction of Statelessness Convention.

The APR, revealed worrying gaps in life-saving sectors. Up to one third of basic needs in the areas of nutrition, access to clean water and primary health care are, currently not being met. In the more classical protection fields, fundamental rights to documentation, basic education and protection against sexual violence are far from guaranteed for many displaced people. Such gaps were patently evident when it came to the situation of urban refugees, which the field had been requested to factor into their programs with particular care. It was stipulated that UNHCR's **Urban Refugee Policy** should be used as the basis for setting 2011 program priorities. While no two urban refugee situations are the same, the APR underlined that the policy will confront enormous challenges if our ambition is to see it implemented across the board. Recent missions to Cairo and to Jakarta also made this clear to me. Defining the situation-specific parameters for field office engagement will be very challenging, with the breadth and depth of our activities necessarily having to differ commensurate with population size. Reaching out to large populations will need to be enhanced incrementally, with an initial focus on doing more and better for the registered group, while leveraging complementarities with existing programs. The Policy will require multi-year donor support, innovative and reliable partners across several fronts and, most importantly, national and local authorities willing to engage creatively and to meaningfully deliver on their responsibilities. Between now and mid next year, the Office will undertake real time evaluations of the policy

in seven selected sites (Cairo Desamparados de San Jose, Dushanbe, Kuala Lumpur, Moscow, Nairobi, and St. Petersburg).

The CNA has given a boost to innovation when it comes to the protection requirements of **women and children**. It was welcome to find them approached by at least one Bureau as an “**entrenched priority**”, meaning that all field offices under the purview of that Bureau had no option other than to budget for them. The **Age Gender and Diversity Mainstreaming Accountability Framework** was this year used more expansively as a core planning tool. If it is not yet “second nature” across all of our activities, it is nevertheless, for a large number of field offices, an integral part of their gaps assessment methodology to support their CNA. We assess that this will certainly be to the benefit, for example, of programming for Afghan unaccompanied children and for Somali homeless refugee children in Europe.

The APR process in fact brought out the insufficiency of programs - yours and ours - to meet the protection needs more generally of unaccompanied children. This needs a more holistic global response. Fear, uncertainty, hopes and aspirations for the future are variously driving children in worrying numbers into displacement situations, not only in Europe, but also in Asia, Africa and the Americas. The stories of their journeys are harrowing enough, replete as they often are with deaths of fellow travelers, severe mistreatment and beatings at the hands of smugglers, or un-provisioned night-time treks over impossible terrains. Many children end up, far from their promised land, in make-shift shanty settlements, arbitrary detention arrangements, even an overcrowded jail. Best interests is rarely a determinant of how their futures will then be approached. The AGDM Accountability Framework reveals that UNHCR itself needs to make more effort to put in place child responsive programming. We strongly encourage States to undertake a similar process of introspection. In this regard, it is a pity that the possibility of a Conclusion of this Committee on birth registration seems currently pretty remote.

The Comprehensive Needs Assessment goes beyond being an aggregate of needs. It is also a barometer of what programmes, against these needs, the Organization is likely to be able to implement in the broader operating environment. There is only so much we can do when we do not have access to persons of concern, when our staff and our partners cannot move freely, when government policies do not easily accommodate our actions and when capacity remains too weak to implement meaningful programs. The APR certainly brought out the importance of moving on the High Commissioner’s priority of strengthening protection capacity in-house. We are making some progress. Preliminary benchmarks for protection staffing, measured against size of population and character of the protection activity, have been developed and were actually used this year by many field offices for this CNA budgeting process. They are being refined, based on their proven utility, and the expectation is that they will become a core tool for operations planning. For many years this Committee has spoken about the importance it attaches to adequate protection staffing in the field, as well as to protection training for staff members and partners. We hope that the benchmarks will provide an opportunity for this Committee to move from the supportive rhetoric to actual, concrete support in this regard.

Finally, allow me now to briefly mention how our thinking is evolving on the 2011 **60th Anniversary** commemorations, in full knowledge that delegations will have the opportunity to hear more about this at the planned side event. To ensure a coordinated and cost-effective ‘whole-of-UNHCR’ approach, for the anniversary years, the Deputy High Commissioner and I are chairing an in-house Commemorations Steering Committee, which is already up and running. Our starting point is that the commemorations are, obviously, not an end in themselves, but an opportunity to advance on a number of fronts. Firstly, they should enable us collectively to renew consensus around the basic protections as the ever relevant and indispensable framework for ensuring the security and physical integrity of persons of

concern to UNHCR. Secondly, we hope the commemorations will prove the energizer needed when it comes to building upon the understandings and approaches we currently work with, to enable agile and flexible responses to the displacement crises of tomorrow. Thirdly, the anniversaries should serve to re-position the displaced, the stateless and UNHCR in political and public fora in a way that ensures the grass roots compassion is there and private and public sector donor support is forthcoming. We hope that policy, law and pragmatism will all find their balance in the events we would like to organise with you, including the ministerial-level meetings of States Parties in Geneva on 7 and 8 December 2011. We will also give prominence, throughout the commemorations, to the voice of those directly impacted, who must be enabled to advocate on their own behalf and participate in processes that directly affect their lives and future. A cross-cutting theme of the commemorations will be protection of women and every effort will be made to bring their voices into the events we will organise.

In conclusion, Mr Chairman, 2011 also marks the **150th anniversary of the birth of Fridtjof Nansen in 2011**. This will enable us collectively to recall and reaffirm the enduring fundamental values that must continue to underpin humanitarian responses to today's refugees and others who are forcibly displaced.

Thank you Mr. Chairman.