

Chairman's Summary
High Commissioner's Forum
(12 March 2004)

General remarks

1. Thank you again for your support of the Convention Plus process and for your insights on how, together, we can ensure that it delivers on its goals. As I emphasized and many of you echoed, we are moving into the implementation phase while continuing our work on the generic strands.
2. A number of situations have been mentioned to which comprehensive Convention Plus approaches might be applied. As the Assistant High Commissioner and the Directors of the two Regional Bureaux have highlighted, there is a need to invest in comprehensive solutions for Somalis and for Afghans. These are two of the largest and most protracted refugee situations in the world today. But, as we also heard from the Assistant High Commissioner, there are many others that are worthy of our attention.
3. Comprehensive plans of action are a '*systématique*' or methodology to address large outflows of refugees with a focus on effective protection, burden sharing and permanent solutions. At an appropriate moment a paper will be presented by UNHCR, clarifying what circumstances prompt us to propose a comprehensive plan of action. Inspiration was already provided by the Global Consultations document on mass influx situations.
4. Convention Plus is becoming visible in all efforts that directly or indirectly lead to more effective protection and durable solutions, while practising burden-sharing. In this context, there is no difference between durable solutions and permanent solutions.

Generic strands

5. Turning to our generic work, I am encouraged by the strong support for the development of frameworks of undertakings and understandings, reflecting the strong commitment of States to do more on durable solutions and burden sharing.
6. Many of you stressed that strengthening the protection of refugees, providing more opportunities for durable solutions and enhancing burden sharing must remain the focus of this work. The frameworks must build on international refugee law and human rights law principles and respond to the needs of those who are affected by them, namely the refugees. It has been suggested that burden sharing principles should be agreed upon at the outset. But we can also ensure that these principles emerge from our work on the various frameworks, since improving burden and responsibility sharing is one of the overall objectives of the Convention Plus

initiative, and practising it will result in more effective protection and more sustainable solutions.

7. Within these frameworks it has been noted that there should be sufficient flexibility to respond to different situations. At the same time, the undertakings and understandings have to be clear and sufficiently concrete to be relied upon.
8. This generic work must be complemented by practical application. In particular, it was usefully suggested that, through practical pilot projects, the strengths and shortcomings of the frameworks should be identified and necessary adjustments made.
9. The strong interlinkages between the three generic strands have been repeatedly emphasized. We will continue to ensure consistency in the whole process, with each strand forming part of a coherent whole. In the end, these linkages will become fully apparent in situation-specific agreements.

Strategic use of resettlement strand

10. Convention Plus is starting to manifest itself in this strand, as was made clear in the progress report on the strategic use of resettlement. Enthusiasm for this work was in evidence today. Canada, other participating States, and intergovernmental and non-governmental partners, have stressed how positive and productive the experience has been. At the same time, I have cautioned against introducing too many qualifiers that may water down the understandings we reach and undermine their implementation.
11. Some of you have emphasized the need for multilateral resettlement solutions to be backed up by concrete contributions to make them a reality. This involves committing additional resources to resettlement and opening up more resettlement places by States. It entails reinforcing capacities, where needed, of hosting and receiving states, as well as UNHCR, to meet the requirements of a multilateral resettlement operation. We have also been reminded that resettlement is a protection tool as well as a durable solution, not the least for the most vulnerable among the refugees.
12. In terms of an outcome, we hope that there will be more resettlement countries, that resettlement countries will learn from each other's best practices, that resettlement quotas will be increased and that more money will be devoted to this activity. Resettlement is and will be positive for those communities to which refugees are resettled.
13. Resettlement will not only make burden sharing tangible, it will also be part of addressing irregular secondary flows more effectively.

Irregular secondary movements strand

14. We have also moved forward on the irregular secondary movements strand. As many of you rightly noted, this is not an attempt to find a quick fix for one group of

refugees. Nor is it an exercise in burden-shifting. We are seeking a protection-based response to reduce the need for onward movements and, in mixed-flow situations, we want to protect refugees.

15. It was reiterated today that the concept of effective protection is key to understanding the reasons for onward movement and is an important component of any multilateral effort aimed at reducing irregular secondary flows. These are two sides of the same coin. From my perspective, making effective protection more visible and tangible is a good ambition. In practice, this means a major commitment to boosting the protection capacities of many countries of asylum in the developing world. It also means timelier access to durable solutions. Only then will you see irregular secondary flows diminish. Discouraging smuggling and trafficking is also an important objective. At the same time, border control has to be made more sensitive to the protection of refugees. Another aspect of this issue is documentation. Not only do people require documents, but we also need to devise incentives for people to retain their documents.
16. The planned survey of the movements of Somali asylum-seekers and refugees and the analysis of gaps in protection regimes in selected countries will feed into this process. But we must not wait for the results of this survey before starting to work on the elements for a framework agreement.
17. Refugees must be clearly distinguished from other migrants. Recognizing, however, that many contemporary flows of people are mixed, we have a strong interest in there being better management of migratory movements, even though this is not, as such, a task for Convention Plus.

Development assistance strand

18. On the targeting of development assistance strand, a number of issues and concerns have emerged from our discussions today. These include the need for additionality, as opposed to inappropriate conditionality, the need for a focus on communities and the need to live up to our common commitment to reduce poverty and to make clear how this can be practised in host communities, as well as in areas of return.
19. Denmark and Japan have provided us with some examples of how development aid can be usefully targeted to refugees in a manner that benefits both refugees or returnees and hosting communities. Among the key elements they highlighted were:
 - Strengthening the links between humanitarian and development agencies;
 - Building on existing development programmes, where possible;
 - Encouraging a high degree of local ownership; and
 - Promoting gender equality and individual empowerment.
20. We now need to take this work further and build on the successful experiences of States and development agencies. I welcome the interest expressed by many States

who wish to join Denmark and Japan in this important work. Let's harness this enthusiasm by convening a meeting soon to move the work forward.

21. Through this broad collaboration I am certain we will reach a framework of understandings and commitments that will ensure that refugees, returnees and their host communities are an integral part of development activities and assistance. We have already heard today ideas of what such a framework should ensure, including:
- That development assistance in relation to refugees be additional, and not be provided at the expense of other pressing needs or made conditional on assuming more burdens;
 - That hosting countries incorporate the needs of the refugee and/or returnee populations and hosting communities in national development plans and poverty reduction strategies; and
 - That, by practising the above, the trend towards more and more effective development assistance be strengthened, both bilaterally and multilaterally.

The Convention Plus process

22. We have heard a couple of remarks about "mainstreaming" the budget of the Convention Plus Unit into UNHCR's annual budget. While there is no fundamental problem with this idea, the reality is that the Convention Plus Unit is currently not part of the annual budget. For the moment we need funds to keep the process moving. The Convention Plus Unit itself is time-limited, in principle for two years only. The time-limited approaches that characterized the UNHCR 2004 and Global Consultations processes have provided us with good experience in this regard.
23. At the outset, we agreed to a transparent process. Transparency is key. Transparency in the drafting of generic agreements, transparency in the implementation of comprehensive solutions and transparency among ourselves in the varied work we are pursuing under Convention Plus. At the same time, we should recognize that it is normal that certain strands and specific initiatives of Convention Plus are more important to some than to others. This diversity of interests can stimulate the process and also points towards the need for the Forum as a venue where we can have an open discussion about progress in the various initiatives. For our part, UNHCR will be regularly providing updates, including supporting documentation and issues papers that will be available on our website.

Situation-specific and other initiatives

24. Questions have also been raised concerning situation-specific initiatives, including why and how some of these initiatives have come within the ambit of Convention Plus. Convention Plus builds upon the Framework for Durable Solutions, therefore there is a clear logic to including in the scope of Convention Plus what began as pilot projects for 4Rs, DLI or DAR, for example in Zambia. Afghanistan provides an interesting example of how the 4Rs and other aspects of Convention Plus, including the dimension of temporary migration movements, can be combined. In this way, the

efforts that are already under way in terms of durable solutions are put in the context of Convention Plus. The Convention Plus initiative also includes building blocks being developed by our Resettlement Section, the Registration Unit, with the African Union in the context of NEPAD, etc. Furthermore, I intend to use Convention Plus to boost new initiatives, especially where comprehensive approaches are needed to bring protracted refugee situations to a successful resolution.

Final remarks

25. All in all we started with a progress report, but we managed to make even further progress today. It is now time for reflection and for focused work in the various Core Groups. Let us study the documents, those before us today as well as those which we will make available in the near future, including these concluding remarks. These will provide us with insights and inspiration to advance further.
