



A returnee girl in Kabul, Afghanistan.

Ensuring protection for People of Concern

THE FORCED DISPLACEMENT of large numbers of people is one of the most daunting challenges that confronts the international community in the 21st Century. The factors that drive this displacement range from conflict, famine and climate change to the denial of human rights and the slow breakdown of politically and socially fragile States. The worldwide increase in irregular migration makes it harder to identify those in need of protection within mixed migratory flows. This complex context is an additional challenge for UNHCR as it pursues its

efforts to protect and assist refugees, asylum-seekers and internally displaced persons (IDPs).

To achieve its objectives, UNHCR seeks to foster a favourable overall protection environment, to ensure that asylum procedures are fair and effective, that the displaced are secure from violence and exploitation, and that basic goods and services are available to vulnerable people. Towards these ends, it encourages the development of the necessary legal and administrative frameworks, guaranteeing access to territory and ensuring the fairness of procedures. It also conducts registration and, where appropriate, profiling;

furnishes documentation; and performs refugee status determination (RSD), or helps national authorities to undertake this responsibility.

Combating sexual and gender-based violence (SGBV) as well as exploitation, human trafficking, intolerance, discrimination and xenophobia are closely associated with these goals. Age, Gender and Diversity (AGD) considerations also need to figure prominently in UNHCR's programmes, along with measures to promote family reunification. The protection of stateless people and of IDPs (dealt with in separate chapters) are also high on UNHCR's agenda.

■ A Favourable Protection Environment

ADEQUATE LEGAL AND ADMINISTRATIVE FRAMEWORKS

IN ACCORDANCE WITH ITS Statute, UNHCR promotes the ratification of international conventions for the protection of refugees and oversees their application. The 1951 Refugee Convention calls on States Parties to cooperate with UNHCR in this regard.

Adequate legal instruments and administrative frameworks are essential in the application of the rights set forth in the 1951 Convention. A number of States Parties to the Convention have not

yet incorporated its principles into national law, while among others that have, gaps remain in the legal and administrative architecture. In 2012, UNHCR will promote refugee law and human rights by organizing training, workshops, round tables and conferences and supporting research and analysis in relevant areas. As part of its efforts to help develop adequate legal and administrative frameworks, UNHCR will seek the participation of State authorities, parliamentarians, NGO partners and the media in protection meetings and public events, as well as the development

of positions and reports on relevant issues. Finally, it will engage with the judiciary and help to build its capacity wherever required.

The detention of those in need of international protection is a major concern for UNHCR. In 2011, the Office released a study on alternatives to detention and organized a global round table in Geneva on the subject. Round tables at the regional and subregional level will be held as follow-up in 2012. UNHCR is also planning to publish revised guidelines as well as a monitoring manual of immigration detention.

PROTECTION-SENSITIVE MIGRATION STRATEGIES

UNHCR WILL CONTINUE TO support the development and implementation of regional strategies to address the complex issues raised by mixed migratory movements. Such strategies need to be protection-sensitive, and designed to allow the identification of refugees and others in need of international protection who travel in these movements. UNHCR will thus promote implementation of the regional cooperation frameworks adopted in 2011 by the Bali Ministerial Conference for the Asia-Pacific region, and the Almaty Process covering Central Asia. States that participated in the Bali conference are currently considering the establishment of a Regional Support Office in the Asia-Pacific region. Its role would be to strengthen information sharing, coordination, capacity-building and the pooling of resources.

NEW REGIONAL STRATEGIES WITH REGARD TO REFUGEE PROTECTION AND MIXED-POPULATION MOVEMENTS WILL NEED TO BE DEvised FOR NORTH AFRICA AND THE MEDITERRANEAN, NOT LEAST IN THE AREA OF RESCUE-AT-SEA

New regional strategies with regard to refugee protection and mixed-population movements will need to be devised for North Africa and the Mediterranean, not least in the area of rescue-at-sea. Better cooperation and effective arrangements for burden-sharing could serve to strengthen protection on both sides of the Mediterranean.

In the Horn of Africa, continued support will be provided through a comprehensive regional programme addressing needs in Djibouti, Kenya

RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND OTHER FORMS OF INTOLERANCE PRESENT SERIOUS PROTECTION CHALLENGES FOR PEOPLE OF CONCERN WORLDWIDE

and Yemen. Further targeted action is foreseen in terms of rescue-at-sea, the protection of people at risk, and the role of host communities and civil society in refugee protection. In 2012-2013, UNHCR will also give priority to measures to meet challenges arising from the growing number of irregular arrivals and secondary movements in Southern Africa.

ENSURING ACCESS TO TERRITORY

THE DENIAL OF ACCESS TO TERRITORY remains of great concern to UNHCR. Interceptions, push-backs and the closure of land borders without the necessary protection safeguards have been observed in some countries. To counter these barriers to protection, UNHCR will endeavour to ensure that border guards receive adequate training, and that screening procedures are in place for the identification of people in need of protection. For this purpose, UNHCR will work with States to devise appropriate programmes and procedures. It will also cooperate with NGOs to increase the resources needed to monitor borders and facilitate greater transparency.

In the Americas, UNHCR will collaborate with IOM in introducing training modules on protection and assistance in the context of mixed migration. The modules are designed to aid law enforcement agents and immigration officials – particularly those present at entry points, in border areas and in detention centres.

In Senegal, the Working Group on Protection and Mixed Migration has produced an information leaflet on the protection at borders of people on the move. This will be disseminated among border officials and used during training sessions. Its suitability for use in other countries of the region will also be explored.

In Europe, UNHCR cooperates with Frontex - the European Union agency for the management of external borders - in the training of border guards. It

has contributed to Frontex's training curriculum, including areas such as the prevention of trafficking in human beings and the protection of victims.

IMPROVING ATTITUDES TOWARDS PEOPLE OF CONCERN

RACISM, RACIAL DISCRIMINATION, xenophobia and other forms of intolerance present serious protection challenges for people of concern worldwide. UNHCR will intensify its partnerships with a variety of stakeholders in this area, following up on its 2009 *Strategy Note on Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance*. In 2011, UNHCR has signed a Memorandum of Understanding with the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, on elaborating guidelines on methods of monitoring and reporting hate crimes. The guidelines will be tested in a number of countries in Europe.

For IDPs, the acceptance and support of local host communities is of paramount importance to the sustainability of any durable solution. Local communities frequently bear the brunt of assisting and supporting newly-arrived IDPs, sharing their scarce resources such as shelter and water. Without support for local communities, there is a real danger of aggravating protection problems, leading to increased vulnerability through dwindling resources, and heightened risk of SGBV, exacerbated by crowded conditions in small shelters. In turn, simmering community tensions may flare up, particularly when conflict and displacement are already fuelling inter-communal violence. By contrast, assistance that is provided to both local communities and IDPs alike, reinforces community-based coping mechanisms, favours the social acceptance of IDPs, and strengthens the reconciliation processes.

In 2012 and 2013, UNHCR will share lessons learned and good practice in hosting arrangements outside camps, particularly with host families. In eastern Chad, UNHCR will support mixed conflict-resolution committees, encompassing both IDPs and local

communities, and conduct sensitization campaigns on peaceful coexistence. In Iraq, UNHCR will invest in projects for water, sanitation, garbage removal, drainage and minor infrastructural repairs that benefit IDPs and local communities alike.

Fair Protection Processes and Documentation

REGISTRATION AND PROFILING

ENSURING RELIABLE REGISTRATION, data collection and documentation at all stages of an operation is a priority. UNHCR works with governments to register asylum-seekers and refugees and helps to issue identity documents. This is a critical element of its response to basic protection needs and its efforts to prevent discriminatory practices. Profiling is a special technique to enable the gathering of population data in situations where comprehensive registration may not be feasible or advisable. UNHCR will continue to employ five Regional Registration Officers in Asia, the Middle East and Africa.

In 2012, UNHCR will continue the *proGres in Partnership* project, involving a major review of the current registration and case-management system. The new version of the *proGres* software to emerge from this review will be rolled out in 2013. Some of its benefits include a web-based tool, enabling data-sharing between UNHCR and its partners, as well as among UNHCR offices. As UNHCR revises its data protection framework, registration standards and techniques will be updated and presented in a new edition of the *Handbook for Registration*.

UNHCR will upgrade its current biometric identification systems, and soon introduce the collection of biometric data as a regular and routine feature of registration. It will also strengthen its capacity to protect refugees and asylum-seekers through the issuance of identity documents that utilize the new technology.

In 2012, UNHCR will continue to host the Joint IDP Profiling Service, an inter-agency facility that supports profiling activities in operations.

In 2012, UNHCR will promote the use of IDP profiling among relevant stakeholders, in order to generate common operational datasets, and influence humanitarian assistance programming.

UNHCR will also strengthen its information management capacity in the field, particularly in new emergencies. This will be achieved through technical missions, staff training, the deployment of expert staff, and the development of new data collection tools, notably those needed to support results-based management. Furthermore, an emergency stockpile of registration items to cover the needs of 500,000 people of concern will continue to be maintained.

REFUGEE STATUS DETERMINATION

STATES HAVE THE PRIMARY responsibility for refugee status determination (RSD). Where States are unable or unwilling to do so, UNHCR conducts RSD under its mandate. In 2010, UNHCR conducted RSD in 57 countries, and registered 89,500 individual asylum applications. UNHCR's goal is to strengthen international protection by enhancing the quality and efficiency of RSD procedures and decision-making. In 2012, UNHCR will oversee and support RSD procedures worldwide through expert missions and deployments, the development and delivery of procedural and legal advice, as well as training and coaching. In this context, UNHCR will maintain its strategic partnerships with bodies such as the Canadian Immigration and Refugee Board and the *Office Français de Protection des Réfugiés et Apatrides* (OFPRA).

In 2012, UNHCR will begin revising its procedural standards for

RSD under its mandate, with the aim of facilitating accurate and efficient decision-making. It will also continue to develop related policy guidance and legal advice. The RSD Community of Practice, UNHCR's online platform for discussions among RSD staff, will be expanded and restructured in order to improve its impact. UNHCR will also develop and roll out training programmes for new RSD staff, as well as managers of RSD operations.

UNHCR will continue to carry out RSD under its mandate in diverse operational environments, including in emergency situations. Renewed efforts will be made to boost its RSD workforce globally. UNHCR will continue to support implementation of the RSD Staffing Benchmarks, developed in 2010 to assist RSD managers to assess staffing needs accurately, and avoid the accumulation of backlogs.

PROTECTION INFORMATION

IN 2012-2013, UNHCR WILL again seek to improve the adjudication of international protection claims and encourage predictability and consistency in decisions, by providing country of origin information, and publishing reports in cooperation with partners. For selected countries of origin, it will assess available information and publish eligibility guidelines. UNHCR will research and publish child-specific country of origin information, to support best interest determination (BID) procedures.

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UNHCR will collaborate with specialized partners in training its staff, governmental personnel, and providers of legal aid, in collecting, using and assessing country of origin information. In addition to maintaining the links it already has with a wide network of

governmental and non-governmental experts, UNHCR intends to establish close ties with new actors in this area, including the European Asylum Support Office. It will continue to invest in *Refworld* to ensure that the information in this database is easily accessible to assist the adjudication of claims worldwide.

FAMILY REUNIFICATION

REFUGEE FLIGHT OFTEN RESULTS IN the dispersal of family members. In 2012-2013, UNHCR will continue to promote a flexible approach to family reunification, which covers relationships beyond parents and children, including same sex and common law partnerships. Where possible, efforts will be made to restore family unity in a country of refuge while the family awaits a durable solution. Where this is not feasible owing to a State's immigration policies, UNHCR may take steps to achieve family reunification through other channels, including resettlement. Close coordination with partners, in particular the ICRC, IOM and NGOs, will be maintained.

DOCUMENTATION

WHILE MOST PEOPLE TAKE BIRTH registration and the possession of a birth certificate for granted, for refugee and other children assisted by UNHCR, these documents are vital to allow them to attend school, gain access to health services and avoid statelessness. In view of the importance of birth registration for protection, UNHCR will continue in 2012 to cooperate with PLAN International and other NGOs to boost birth registration through advocacy and operational initiatives. Forty-eight UNHCR operations plan to conduct birth registration activities for refugees in 2012.

Supporting the capacity of national authorities to issue or restore birth registration and civil status documentation has also become a key UNHCR activity in many IDP operations, including in emergencies. In the Democratic Republic of the Congo, UNHCR will systematically use camp-based registration exercises to identify unregistered children

and facilitate the issuance of birth registration documents. In 2012, UNHCR expects to assist with the registration of 25 per cent of children born to vulnerable IDP families in North Kivu. In Sri Lanka, UNHCR will work with UNDP and the national Human Rights Commission to conduct awareness campaigns among IDP and returnee populations on the importance of obtaining civil documentation. At the same time, UNHCR will provide technical and financial support to authorities to improve their capacity to issue documentation, such as birth, marriage, death and citizenship papers. In Zimbabwe, UNHCR will help reinforce the capacity of the Office of the Registrar General to issue personal identity and civil registration

documents to IDPs, to facilitate their access to essential services.

The right to travel documents for refugees and stateless people is enshrined respectively in the 1951 Refugee and 1954 Statelessness Conventions. Such documents may be vital for family reunification or visits, medical treatment abroad, trainings and job opportunities, as well as access to durable solutions. The International Civil Aviation Organization (ICAO) has set standards for machine-readable travel documents, and Convention travel documents must now comply with these standards, as must national passports. UNHCR will therefore work with States as from 2012 to prepare Convention travel documents both for refugees and for stateless people that are compatible with the ICAO standards.

Security from Violence and Exploitation

SEXUAL AND GENDER-BASED VIOLENCE

ACTION TO STRENGTHEN SECURITY from SGBV remains one of UNHCR's core protection priorities. Its updated strategy (2011) emphasizes a multi-sectoral and inter-agency approach to prevention and response interventions. The strategy now includes three focus areas: partnership and coordination; knowledge management and capacity-building; and data collection and analysis.

Ten lead operations are also currently developing updated country-specific strategies, to be implemented in 2012. Their aim is to strengthen the coordination of responses in the areas of medical, legal and psychosocial support as well as safety, and to address gender inequality and other root causes of sexual and gender-based violence through long-term changes in attitude and behaviour.

Strategies will also cover six action areas that are often overlooked or inadequately addressed: children at risk; survival sex; the role of survivors and of men and boys as agents of

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change; safe access to domestic energy and natural resources; people with disabilities; as well as lesbian, gay, transgender, bisexual and intersex individuals.

In Colombia, UNHCR's programmes to increase gender equality will focus on men and youth, seeking to identify men and boys who are survivors of SGBV. In Ecuador, UNHCR will step up its efforts to prevent women becoming involved in survival sex and it will strengthen local support networks and organizations.

A lack of reliable data relating to incidents of SGBV continues

to be a significant challenge. The Gender-Based Violence Information Management System (GBVIMS) allows safe data collection and storage, and anonymous information sharing. UNHCR will expand its work on the GBVIMS in partnership with UNFPA, UNICEF, WHO and the International Rescue Committee.

The roll-out of the GBVIMS in UNHCR operations will continue in 2012 and 2013. Regional training workshops will build the capacity of UNHCR and partner staff involved in data collection, management and trend analysis. Lessons will be drawn from results obtained in Kenya and Yemen, where UNHCR operations have successfully pioneered the system. In 2012, UNHCR will extend the use of the GBVIMS to other operations, such as in Uganda and Somalia.

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AGE, GENDER AND DIVERSITY MAINSTREAMING

THROUGH THE SYSTEMATIC application of AGD considerations in its operations, UNHCR seeks to ensure that all people of concern have equal access to their rights, and are able to participate fully in the decisions that affect their lives, those of their family members and of their communities.

A five-year AGD Forward Plan has been prepared to consolidate achievements under UNHCR's 2004-2009 AGD Mainstreaming Action Plan. The Forward Plan sets out seven strategic results to be achieved over a five-year period. These results touch on thematic areas such as strengthening internal leadership and accountability for AGD, enhancing the integration of AGD in programming, and reinforcing and expanding partnerships to strengthen AGD. Once achieved, the results will help UNHCR to fulfil its corporate goal of becoming an organization that has integrated an AGD approach into all its programmes for people of concern.

PROTECTING PEOPLE WITH SPECIFIC NEEDS

THE PROTECTION OF LESBIAN, gay, bisexual, transgender and intersex (LGBTI) asylum-seekers and refugees is an area of increasing focus for UNHCR, as these people often face abuse, discrimination and isolation during flight and in exile. With more work needed to raise awareness of the need to improve the quality of protection available to LGBTI individuals, revised guidelines on international protection in cases of refugee claims based on grounds of sexual orientation and gender identity will be issued in 2012. Together with expert partners, UNHCR will thus be in a position to provide qualified guidance on appropriate RSD procedures. A training module will be developed and a series of training sessions will be conducted to build awareness of the particular risks faced by LGBTI people in displacement.

Following the issuance in 2011 of a guidance note on working with individuals with disabilities in forced displacement, UNHCR will seek to ensure that the specific needs of people of concern with disabilities in both camp and urban operations are addressed. It will work in cooperation with the Special Rapporteur on Disability and support the implementation of the 2006 UN Convention on the Rights of Persons with Disabilities. A training module will be developed with key partners both to raise awareness of disability issues, and to promote the active participation of individuals with disabilities in all interventions that concern them. This material will be used in a series of targeted country-level training sessions in at least ten operations.

CHILD PROTECTION

CHILDREN ACCOUNT NOT ONLY for one of the largest segments of UNHCR's population of concern, but also one of the most vulnerable. Recognizing this, UNHCR developed a comprehensive protection strategy for children in 2011 through a participatory process which involved consultations with children and adolescents in India, Jordan, Kenya and Nepal. The strategy will be rolled

out in 2012 and shall lead to stronger and more predictable protection responses for children.

UNHCR will also work to attain its child-related Global Strategic Priorities, such as those regarding the Best Interest Determination (BID) process, birth registration and targeted programming for adolescents. An e-learning training package will be launched in 2012 to support continuous learning among UNHCR and partner staff and to further strengthen the implementation of the BID process for children at risk. Best interest guidance applicable to the European context is also under development, based on an initial review of existing practices. Selected country operations will receive technical and operational support in the area of birth registration through a new partnership with PLAN International. The Office will also conduct two specific studies on the protection concerns of refugee children and adolescents in asylum countries as well as those travelling within mixed migration movements. Child protection deployments through partners such as Save the Children and the IRC Surge scheme will continue to be crucial for UNHCR operations.

GENDER EQUALITY AND THE PROTECTION OF WOMEN AND GIRLS

THE REGIONAL DIALOGUES with Refugee Women and Girls organized in the framework of the 60th anniversary commemorations of the Refugee Convention in 2011 have highlighted a number of serious protection concerns. They include the challenges faced by women and girls in relation to their participation in camp management and other areas that concern them; documentation and individual registration; the distribution of sanitary materials; economic self-reliance; and access to education, shelter, health and legal services. UNHCR will undertake a number of initiatives in response to these findings. In India, for instance, where the lack of access to decent work emerged as one of the major problems, UNHCR is revising its livelihoods strategy.

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UNHCR will also consolidate several core indicators as a baseline for the protection of women and girls in the areas discussed during the Regional Dialogues. Guidance and training will be provided to field offices on the collection and use of these indicators. The resulting data will serve to specify the protection gaps, to target interventions and monitor protection trends. UNHCR will also develop new ways of conducting participatory assessments, strengthen the participation of women and develop community-based solutions.

A toolkit of good practices on gender equality will be used to support field operations. The toolkit will serve, for example, to promote capacity-building projects for women in Colombia, and to increase the participation of women in camp committees in the Meheba refugee settlement in Zambia.

UNHCR will continue to work in partnership with UN agencies, NGOs and development actors in promoting gender equality and increasing the protection for women at risk, and will continue to ensure the deployment of gender and protection specialists through the *GenCap*, *ProCap* and Surge rosters. ■