

Rapporteur's Report

UNHCR's Annual Consultations with NGOs

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Every year, UNHCR's Annual Consultations with NGOs grows, in terms of numbers, complexity and maturity. It is no longer just a 'Pre-ExCom', but an essential meeting point for community-based refugee organisations, human rights groups and humanitarian agencies. This year, around 270 NGOs from around the world attended, including an increasing number of refugees who provided invaluable insights in all the meetings.

This year's consultations were organised around three themes:

- 1) *Partnership and Accountability*
- 2) *Next Steps in Durable Solutions*
- 3) *Special Situation Focuses*

This report attempts to bring together the vast array of issues raised in the plenary, working sessions and side meetings that were organised around these themes.

1). Partnership and Accountability

The most significant theme in this year's Annual Consultations was partnerships and accountability. Specifically, what partnership means and how we can work better together to enhance the effectiveness of our work. In her opening address, Beth Ferris from the Brookings Bern Project on Internal Displacement challenged NGOs to think about what we mean by partnership or 'joint action'. It is not just about UNHCR-NGO partnerships, but also NGO-NGO partnerships. With about 270 NGOs present, spanning the globe from North to South, and with a staggering diversity – from highly specialized agencies to Southern NGOs with little capacity and international NGOs with budgets exceeding UNHCR's – it was recognised that this is no easy feat.

Great emphasis was placed on the 'Principles for Partnership' that were developed and adopted by the 40 agencies of the Global Humanitarian Platform, which brings together the three families of the humanitarian system - the UN and international organisations, the Red Cross/Red Crescent Movement and NGOs - as equal partners. For the GHP to succeed, NGOs noted that we must simultaneously internalise and operationalise the GHP's key principles of - 1) equality 2) transparency 3) a results-orientated approach 4) responsibility, and 5) complementarity - at every level of 'joint action'- from the field to headquarters. We must also try to alter or minimize the impact of the competitive funding environment set by donor states, as this affects the larger framework in which we operate and the quality of partnerships that we develop.

While we have strong support from UNHCR, NGOs have a long road ahead in terms of both internalising the principles and making sure they are incorporated in all of their operations. It is no easy task and we must face difficult questions: would we withdraw if another agency were doing a better job? Instead of opening an office in the field would we invest in southern capacity, drawing on their expertise and local knowledge? Do we honestly consider complementarity or duplication before getting involved?

NGOs must also provide regular feedback to UNHCR on how they are implementing the Principles and progressing on the partnership front and UNHCR must do the same vis-à-vis NGOs. We were thus pleased to hear the High Commissioner refer to the GHP as ‘the key instrument’ by which we can come together in strategic partnership on an equal basis.

Improving Linkages Between the Annual NGO Consultations and ExCom

Partnership was also a central theme in the Plenary Session discussion on linkages between the Annual Consultations (known as Pre-ExCom) and ExCom. Far from having a narrow focus on how NGOs might better influence the Executive Committee, the session broadened into a much larger discussion around ways to enhance collaboration between states, UNHCR and NGOs. Due recognition was also given to the improvements that have been made. While previously NGOs could only influence the ExCom Conclusions process informally, now we are able to contribute directly through the Rapporteur of ExCom and member states. Governments have also placed more emphasis on the value of NGO contributions. Last year, for instance, was the first time that the Pre-ExCom Rapporteur was officially invited to report to ExCom. As NGOs, we must also remember that ExCom is not a one-off event each year but the culmination of a year-long process that NGOs need to understand and link-into to be heard. Here, the role of the International Council of Voluntary Agencies in mobilizing NGOs and facilitating access could be further supported.

Specific ideas to strengthen dialogue were also raised:

- The ExCom Rapporteur raised the idea of having an overlap event on themes of mutual interest to allow for better information-sharing.
- The ExCom Rapporteur also raised the idea of NGOs having specific information sessions especially on topics that are challenging for some member states or as a way of highlighting issues that need to be included in a protection conclusion.
- Erika Feller mentioned that NGOs had previously proposed a panel session with the High Commissioner and the Pre-ExCom and ExCom Rapporteurs.
- The Annual Tripartite Consultations (ATC) on resettlement were put forward as a model: not one to be replicated outright, but certainly one that works well as a collaborative year-round tri-partite process.
- The inherent difficulty in satisfying the needs of humanitarian NGOs and rights-based advocacy groups when planning the agenda for Pre-ExCom was raised, along with the idea of having intercessional meetings to prepare for ExCom.

Several cautionary interventions were also made. While we call UNHCR’s Annual Consultations with NGOs ‘Pre-ExCom’, it is not just a prelude to ExCom or a dialogue with UNHCR. It is an important NGO meeting point in its own right. We must also avoid developing an overly formalistic process, where process replaces substance, and overarching themes drown-out or crowd-out voices from the field and from the displaced.

The High Commissioner’s Dialogue on Protection Challenges

Great hopes were also expressed for the *High Commissioner’s Dialogue on Protection Challenges* and its proposed focus on the asylum-migration nexus. The High Commissioner expressed his wish to have very active NGO participation and NGOs are keen to engage and develop a strong tripartite dialogue around the proposed themes. Given the complexity of the asylum-migration nexus and the experience that NGOs have in addressing the issue, perhaps the model of the *Global Consultations on International Protection* can be followed to maximise NGO participation.

UNHCR Reform

The High Commissioner also stressed in his address to Pre-ExCom that NGOs need to be part of the next stage of the internal reform, which will look at the field level and called for representatives of NGOs to be involved in the internal discussions of UNHCR's reference group that will be following this stage of the reform.

Responding to IDP Situations in Non-Cluster Countries

Under the theme of partnership and accountability, the session on *Humanitarian Reform and Responding to IDP situations in Non-Cluster countries* stressed three key aims: predictability, partnership and accountability. It was noted that in the last few years, the cluster approach has overshadowed engagement with IDPs in non cluster countries. The approach to IDPs has also changed. When previously UNHCR took on IDPs on a case-by-case basis, it now takes a more centralised approach and the old approach is no longer seen as being suitable.

Key recommendations made:

- Step-up better training regarding humanitarian reform.
- Make governments accountable for the protection of their own citizens.
- Do not ignore protracted IDP populations and work to find solutions.
- Build the capacity of local NGOs to improve the lives of local people.
- Last, but not least, it was emphasized that the humanitarian community needs to strike a balance and ensure that non-cluster and cluster countries receive the same level of attention and that the tools and training available for cluster countries are made available equally to all IDP situations. Here it is pertinent to note the valuable work being done by UNHCR in developing a handbook on IDP protection, which will be published shortly. A draft is available.

2). Next Steps in Durable Solutions

Asylum-Migration Nexus

The session on *Protection in Mixed Migration Flows* outlined the strategic directions being taken by UNHCR to ensure that entry systems are protection sensitive and that partnerships and practical cooperation is being developed between UNHCR, NGOs and states in the process. UNHCR has sought to provide practical tools for border officials; ensure that states recognise their protection obligations in entry management systems; and that these obligations extend to wherever a state exercises jurisdiction and/or control. UNHCR also called for NGO assistance in border monitoring and training.

In the session, we were also given stark reminders of the violence and abuse being suffered by migrants and asylum-seekers alike when attempting to cross the Gulf of Aden, primarily from Somalia to Yemen. With people being beaten, raped and often thrown overboard, it is clear that both migrants and refugees are equally at risk and equally deserve physical and psychosocial care on arrival.

Migration is today at the top of the political agenda and yet access to territory and asylum procedures is increasingly denied through the 'externalisation' of border controls. Without access to territory, asylum systems will soon be meaningless.

While the panellists predominantly focused on the situation in Europe, interventions also relayed concerns about other countries such as Canada, Australia, Libya and Italy.

Conclusions:

1. There has been no extensive evaluation of the impact of border controls on human rights and access to asylum procedures, particularly 'pre-frontier controls' and such research must be conducted.
2. On interdiction and rescue at sea, it was noted that the nearest port is not necessarily the safest port of disembarkation in protection terms and this area needs to be explored with a view to reaching an agreement on defined 'safe ports'.
3. Regardless of their status, all persons should be able to access appropriate physical, medical and psycho-social care on arrival. There should be effective cooperation between all relevant international agencies and NGOs to ensure basic standards are upheld and fundamental human rights protected.
4. Because of increasing barriers to entry, often the only way to access territory is illegally. There is a need to ensure that this form of entry does not interfere with individuals being able to access the protection that is appropriate and tailored to their situation.
5. Experience has shown that cooperation (both practical in terms of joint trainings and conceptual such as joint advocacy initiatives) between NGOs and UNHCR, and among NGOs, is very effective. NGOs in states practicing interception should cooperate with NGOs in the states where refugees are being intercepted or returned.
6. NGOs should ensure that they are aware of UNHCR's 10 point plan on mixed migration. Is it being put into practice? Are there any concerns which should be brought to the attention of UNHCR?

Trafficking

On trafficking, it was noted that the ILO estimates that at any given time at least 2.45 million people live in situations of forced labour as a result of trafficking. Many have specific protection needs under the 1951 Convention that may or may not relate to the trafficking experience. Identification of those in need of assistance and/or protection is thus critical. In the Europe Bureau Regional Session UNHCR was asked to expand its trafficking-related Guidelines on International Protection¹ to include operational directives related to identification issues and practical guidance to decision makers on situations where protection needs may arise out of trafficking experiences. UNHCR foreshadowed convening a round-table discussion bringing together experts to examine trafficking and the asylum-migration nexus.

Water and Sanitation

The session on *UNHCR Challenges in the Provision of Water and Sanitation Services* in refugee operations highlighted huge gaps in the provision of these services in the majority of refugee camps. This has significantly affected the lives, health and livelihoods of refugee, primarily women and children. Several key ways were identified to address this including:

- meeting the agreed standards in the water, sanitation and hygiene (WASH) service provision in refugee camps as a priority, as opposed to merely providing what available budgets will finance;
- building technical capacity and improving design, monitoring and evaluation skills inside UNHCR. A good example given was the response post-Pakistan earthquake when Sphere and Red-R organised field-level training to ensure key messages and

¹ UNHCR, Guidelines on International Protection: The application of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked. HCR/GIP/06/07, 7 April 2006.

standards were reinforced. Other skill-sets also need to be considered include issues such as *Code of Conduct* training at field level; and

- ensuring greater clarity on coordination aspects surrounding the link between the water and sanitation cluster and UNHCR for new refugee crises in order to have clarity of action in the event of a new refugee crisis. This needs to be undertaken between UNHCR and the WASH cluster and between UNHCR and UNICEF to define the scope and mechanism for such collaboration.

Toward a Fully-Independent Internal RSD Appeals Board

In the session titled *An Independent Appeal Board for RSD Cases*, special attention was given to procedural fairness and due process standards in UNHCR's internal RSD appeals system and the need for the development of a Southern Legal Aid network, which is now being planned. Regarding UNHCR's internal appeals system, it was recognised that numerous improvements have been made, despite resource constraints.

For UNHCR, quality first instance RSD and independent appeals are priorities. UNHCR has made progress on both these fronts, including: better initial decisions; a compulsory RSD learning program; greater involvement of supervisors; and having a person other than the primary case officer decide the appeal.

While it was recognized that UNHCR cannot outsource its appeals system to an independent entity, as it has an international mandate for this work, it can significantly improve the independence of its internal appeals system.

NGOs raised a number of concerns: that refugees are often not allowed representation by an advisor or a lawyer or an interpreter of their choice and where they are provided one by UNHCR protection staff, their backgrounds are not explained to the refugee; protection staff used confidentially-obtained 'evidence' without giving an applicant a chance of rebuttal; protection officers do not provide reasons why an applicant's case had been rejected; there is no fair appeal mechanism against negative decisions; often, an applicant must file an appeal to the same office or official who denied refugee status in the first instance; and the credibility of the applicant for refugee status is assessed in an arbitrary manner without due regard to basic minimum legal standards of proof and due process.

Five basic criteria were suggested to strengthen the appeals process:

- 1) The appeal officer must be senior to the original decision-maker; and 2) have taken no part in the original decision; 3) applicants must be able to make representations and any representation considered; 4) applicants must be told of right of appeal; and 5) reasons must be given for rejection, if the appeal is denied.

Self-Reliance

The roundtable on self-reliance entitled *Towards a Conclusion on Refugees' Rights Associated with Self-Reliance Rights in 2008* stressed that promoting self-reliance was crucial in protracted situations and a specific aim of the Agenda for Protection, the Millennium Development Goals and the 1951 Convention. There was also the need to distinguish between self-reliance and the durable solution of naturalization. National civil society groups have particular legitimacy in promoting self-reliance for refugees in their own countries.

The key challenge in achieving self-reliance in East Africa was gaining government support. Many host country governments still tend to see refugees as a national security issue and often consider freedom of movement a security risk. They also worry about their capacity to absorb large numbers of refugees into their own economy.

In terms of future directions, it was suggested that: UNHCR engage more with development agencies (not just human rights and humanitarian organizations); support research initiatives showing how refugees contribute to the economy; examine how self-reliance feeds into poverty-reduction; build capacity in institutions to support self-reliance amongst refugees; promote the expansion of markets in geographical areas where refugees reside (so they do not have to move to capital cities); encourage states to factor refugees into their national development plans; and build public support through shaping public opinion.

States must also look at the structure of international funding in relation to promoting self-reliance. Donors fund refugee situations by drawing on relief budgets. In order to promote self-reliance, it is necessary for development funds to also be made available for refugee situations.

Finally, civil society groups were urged to promote a rights-based ExCom Conclusion on Self-Reliance with equitable international responsibility-sharing in 2008.

Local Integration in Africa

In the session on *Local Integration in Africa: Lessons Learnt and the Way Forward*, several key needs were stressed:

- The need for permanent residence for the security of refugees, which required combined NGO/UNHCR lobbying and advocacy.
- Ambiguities in refugee perspectives on local integration need to be addressed as refugees often refuse to participate in small scale integration, fearing that this may exclude them from resettlement.
- We need to factor in the views, thoughts and feelings of refugees. Refugees are not simply victims to be straight-jacketed and put into durable solution boxes. When did the refugee become a passive victim to quantify or someone with no capacity or will? Where is refugee self-determination within UNHCR's dialogues and processes?
- For rural origin refugees, land is crucial. Land is a significant issue in local integration and resettlement.

A key recommendation was that UNHCR advocate for a special fund to support the development of infrastructure to enable effective local integration and re-integration for repatriated refugees.

Livelihoods in Post-Conflict Return

The side meeting on *Building the Peace: Livelihoods in Post-Conflict Return* made a number of key findings:

- Current livelihood programs run by NGOs and by UNHCR tend to be based on short-term thinking and often lack adequate analysis of the economic context of the local situation. Long term analysis needs to be done in an economic context.
- Livelihood programs also usually fail to take into account the “demand” element of “supply and demand”.
- Training programs must also take into account labour supply and demand and also be placed in a cultural context.
- Education is a vital component to rebuilding livelihoods in post-conflict situations.
- The lack of effective livelihood programming results in a lack of protection, especially for women.

- Livelihoods programming must:
 - be based on strategic planning which analyses the economic context
 - include market assessments
 - be conflict-sensitive
- Advocacy to put pressure on UNHCR and NGOs to change their current mindset concerning their current ineffective practices of economic interventions is necessary.
- Partnerships between humanitarian agencies and development organizations are essential for generating economic recovery in post-conflict return settings.
- All agencies must work together in order to create a holistic approach to training, this includes supply chain analysis, job placement and apprenticeships.
- The early recovery cluster presents an opportunity which must be seized, and more active NGO participation in this cluster should be encouraged.

Improving and Expanding Refugee Resettlement

The session titled *Improving and Expanding Refugee Resettlement* noted the increasing role NGOs are playing in enhancing the capacity of states and UNHCR to provide refugee protection, particularly through resettlement. NGO initiatives and involvement have been crucial in providing additional resources for refugee identification, protection and referral needs and in the assessment of durable solutions including resettlement. NGOs are involved in resettlement activities at a number of levels, including: as local partners in countries of asylum; international advocates for resettlement as a protection tool and a durable solution; and as providers of integration services within resettlement countries.

The Session brought together European organisations and two organisations involved in the Mexico Plan of Action, which since its inception in 2004 has grown to four resettlement countries (Chile, Argentina, Brazil and now Uruguay) and is poised to add more.

Key points:

- Partnership was referred to as a joint effort not only in the implementation stage, but in the conceptualization and planning stages as well.
- Latin American speakers noted the difficulty in developing resettlement services and often referred to resettlement as ‘integration’.
- Some NGOs in France and Italy are concerned that resettlement is being used to ‘externalise’ asylum, with resettlement being used as a preferred solution instead of meeting state asylum responsibilities under the 1951 Convention. They are also concerned about the disparity between services to resettled refugees and asylum-seekers.
- Having a voluntary resettlement program is no substitute for in-country asylum, which is a core responsibility of states under the 1951 Refugee Convention and an essential part of the international protection system.
- The decline in the number of asylum-seekers in some European countries has created excess capacity that can be redirected into resettlement activities.
- Resettlement should be seen as a strategic tool to leverage other solutions, such as greater respect for asylum and refugee rights in host countries.
- This is the first year since 1957 that identified needs exceed resettlement capacity and this year resettlement country capacities are expected to be overwhelmed.

- UNHCR is intending to: develop a common advocacy platform with NGOs; emphasize the durable solutions aspect of resettlement; be mindful of the durable solutions framework imposing solutions against the will of refugees; promote a non-discriminatory approach to resettlement, particularly towards vulnerable populations; and encourage greater predictability among resettlement state quotas to ensure greater planning ability.

3). Focus on Special Situations

Protection Challenges and Opportunities

Another key protection challenge for NGOs raised in the session on *The Challenge and Opportunities of Protection* was the lack of common language and a common framework among humanitarian actors for assessing protection problems. Unless addressed, this will continue to critically effect how we come together and address protection needs.

Different agencies approach protection problems from different angles and often their assessments are influenced by the perception of their ability to assist. For instance, it appears self-evident when a woman is raped while collecting firewood that there is a protection challenge, but how do we analyse the problem and define and develop a common framework for addressing the root cause – is it a rights infringement, a criminal act, a violation of Convention on the Elimination of Discrimination Against Women (CEDAW) or the lack of respect for the law and law enforcement? Our perceptions will impact on the solutions we pursue. For example, if we define protection problems with reference to national law then it is easier to link in with the national authorities.

Best Interest Determinations

With regard to Best Interest Determinations, the side meeting titled *No Small Matter* stressed that pre-conditions – such as identification, tracing, and monitoring – that need to be in place before determinations can be made effectively. The meeting highlighted the need for 1) bettering understanding of how the whole child protection system fits together, not just in a vacuum of best interests determinations; 2) greater collaboration among child focused agencies; 3) better identification and practice in removing documentation bottlenecks; 4) more consistent child welfare expertise rather than reliance on generalist staff during best interests determinations processes; and 5) to ensure identification and documentation and develop practical case-based training material for best interest determinations and prioritize child welfare in systems and staffing. The meeting also noted the need to change the mindset of best interest determinations from ‘a resettlement exercise’ to a tool for ‘child protection’.

Asylum Procedures

The meeting on *The Istanbul Protocol and Asylum Procedures* aimed to familiarise participants with the Istanbul Protocol in relation to asylum procedures and to explore how NGOs can join efforts to promote awareness of how medico-legal reports are taken into account in asylum procedures. The initiative aims to enhance the protection of survivors of torture and promote the use of medico-legal reports which comply with the Istanbul Protocol.

- To fulfil the obligation to refrain from *refoulement* and to ensure survivors are offered rehabilitation and redress, states need to determine which asylum-seekers are survivors of torture or ill-treatment.
- Medico-legal reports should be used to support these efforts. However, they are often not adequately taken into account in the different European asylum procedures.

- The *Care Full* project has been developed to: give due weight to medico-legal reports in asylum procedures, provide adequate time and facilities to asylum-seekers to enable a more accurate determination, ensure early acknowledgement of health problems, train asylum authorities to recognise signs of torture and trauma, and request medical or psychological expertise.
- UNHCR was asked to: draw up guidelines on the relevance of medical aspects with respect to the need of international protection and on the role and use of medical reports within the asylum procedures; and include medical evidence of torture as a priority theme on the agenda of ExCom's next session and to reach consensus through an ExCom Conclusion.
- It was highlighted that the refugee determination capacity is deficient in assessing claims impacted by torture or ill-treatment (a flawed process leading to an inaccurate determination based on limited information).

Safe Schools and Learning Environments

The session on *Creating Safe Schools and Learning Environments* aimed to raise awareness and commitment to address critical issues impeding access to quality education and learning environments. Education and child-centred/friendly spaces are essential in the protection of children in emergency situations, conflicts, during instability and in protracted IDP and refugee situations. Schools, however, are not always safe places for children as cycles of violence and exploitation can too easily be perpetuated within learning environments. Through creating child-friendly spaces and healing classrooms, the perpetuation of violence and exploitation can be reduced. Repeatedly throughout Pre-ExCom, the need for funding education – primary, secondary and beyond – was stressed as a key to protection and solutions.

Children at Risk

A key problem faced by refugee children in many African refugee camps is the issue of statelessness. Children born in refugee camps cannot claim nationality or are ineligible for the nationality of the host country because of the country's constitution, effectively leaving them stateless. Unaccompanied and amputee children are particularly disadvantaged, having not only lost their limbs or parents, but also their identities. Many resettlement countries are reluctant to accept amputees for resettlement because of the perceived economic burden of people with disabilities. This has resulted in families being separated and amputees being prevented from joining other family members who have been resettled. This leads to extreme vulnerability through loss of family support, risk of predation by others, social isolation and increased poverty.

4) Regional Sessions

Europe Bureau

The Europe Bureau session stressed four challenges for future work:

- Access to territory and RSD procedures in Europe and ensuring humane treatment in the mean time
- Push backs and *refoulement* happening in Europe
- Combating xenophobia and intolerance and contributing to more receptive attitudes
- Promoting solutions for refugees in Europe; through integration and for refugees in other regions – not least Iraqis – enhanced resettlement.

In order to address these needs, it was noted that UNHCR and NGOs need even greater partnership to develop joint strategies, programs and projects and to jointly have increased funding for NGOs to provide legal and social assistance as well as border monitoring activities.

It was noted that the *High Commissioner's Dialogue on Protection Challenges* on asylum and migration could help in generating greater attention in this area and enhanced partnership. It was also suggested that NGOs should take greater advantage of the Europe Bureau's Consultations with NGOs before finalizing their strategic objectives, which would allow more opportunities to align strategies for the future.

Asia Pacific Bureau:

In the Asia Pacific region, refugee protection is challenging because many states have not ratified the Convention. Refugee advocates have had to draw on other human rights mechanisms (such as CEDAW and the CRC), national legislation and migration mechanisms to advance the protection of refugees.

UNHCR uses a range of methods to influence governments, ranging from quiet diplomacy to public advocacy, but UNHCR is there at the invitation of the host country. Therefore, it is imperative for the UNHCR, international advocacy groups, embassies and the members of the international community to work in strategic partnership when advocating for refugee rights and well-being as each have different types of access and different levels of influence with host governments.

Africa Bureau:

The Africa Bureau session drew attention to a number of ongoing constraints, emphasizing that progress in assistance and protection can be attributed to coordinated efforts with partners. Four priorities were outlined: 1) the promotion of durable solutions; 2) improving standards of care and protection; 3) assisting governments to fully assume their protection responsibilities, and: 4) strengthening partnership. It was suggested that a task force look at how we can better work together for refugees, IDPs and stateless people.

Latin America Bureau

The panel reviewed the progress and challenges of the Mexico Plan of Action (MPA) in its 3rd anniversary. The main discussion points were:

1. The instrumental role of civil society in expanding and strengthening protection networks in the region.
2. Progress on 3 key issues regarding the MPA:
 - a. Borders of solidarity: More than 1,000 community projects have been developed in 350 border communities of Ecuador, Venezuela and Panama, benefiting more than 160,000 Colombians in the region.
 - b. Cities of Solidarity: Through alliances of municipalities in 25 cities spanning 7 countries there is a network dedicated to the resettlement of refugees.
 - c. Solidarity resettlement: Argentina, Brazil and Chile together with the newcomers Uruguay and Paraguay are actively involved in resettlement programs for Colombian refugees. Brazil began a new stage of the program accepting Palestinian refugees (117). Chile is following Brazil's steps and is receiving 100 Palestinians this year.
3. More than 200,000 IDPs were registered in Columbia in 2006, where the government is making important efforts to protect and assist this population.

4. Situations in Haiti and Dominican Republic were discussed. UNHCR is preparing a mission to the latter for the end of the year.

It was agreed during the session, that the Bureau should continue focusing on the situation of detained asylum-seekers and refugees in the continent.

The Bureau should be following the progress made in the Dominican Republic and ensure the completion of the waiver for Colombians willing to go to the US with regards to the Material Support Bar.

During the session there was consensus regarding the steps the Bureau should be taking towards the MPA and South-South resettlement.

All the countries involved - donors and non-donors - should strengthen their efforts and commitment towards the MPA. If sustained, it will mean an opportunity for refugees and asylum-seekers worldwide.

Middle East and North Africa Bureau

Overall, the region is volatile with inter- and intra-state problems, military occupations and extremist trends. The fragility of the situation indicates that there may be future problems for large numbers of displaced people. The region shows a lot of promise for development, with gradual advancement in the region in democracy and governance, resources, a young population and widening consciousness of human rights. These changes are slow and gradual and will lead to an increase in viable asylum-seeker systems. The aim is to expand protection systems and the adoption of national asylum systems, RSD mechanisms.

The reorganisation of the CASWANAME Bureau into MENA will allow for long-term goals of building partnerships and being better prepared for emergencies. Longer-term planning will ensure a more consistent presence rather than just arriving when there is an emergency.

Three emergency refugee situations:

1. North Africa: Approximately 200,000 people from Sub-Saharan Africa come across this area with the view to continuing onto Europe, in mixed migration flows. Some of these people are refugees. UNHCR is not a migration agency, but many of these people have protection needs and UNHCR wants to ensure that these needs are adequately met. UNHCR is aiming to form partnerships with local NGOs.
2. Yemen: Continues to absorb a lot of Africans, particularly Somalis. In September, 17 boats brought hundreds of Somalis to Yemen's shores. Many others died along the way or were killed by the smugglers. Yemen continues to recognise and admit Somalis. The international community was urged to recognise the situation and provide more support to Yemen. UNHCR has doubled its budget for 2007 to help support Yemen.
3. Iraq: The escalating violence continues to displace Iraqis. The last eight months has been particularly difficult with UNHCR having to hire staff; negotiate with governments; collect data on the needs of the displaced Iraqis; mobilise international support; ensure protection against forceful returns and safety and protection for their stay in that country.

Three key points:

1. The recognition of the generosity of Syria, Egypt and Jordan, who are hosting thousands of refugees from Iraq.
2. The recognition of the exceptional role of the Red Crescent and meaningful partnerships in the region.

3. The recognition of the work of UNHCR's partners inside Iraq who are providing assistance to the most vulnerable Iraqis.

Key Observations and Recommendations Made

1. The need to expand protection systems in the region and establish national legislation for asylum-seekers and RSD mechanisms.
2. The international community should recognise the situation of asylum-seekers arriving in Yemen and increase support for Yemen so that they can continue to admit people arriving on their shores.
3. Bilateral donors should increase funding for Iraqi refugees and displaced persons.
4. Registration of Iraqi refugees in the region is critical for identifying needs and referral to appropriate services, but despite efforts many Iraqis are unregistered and often in hiding.
5. Durable long term solutions need to be found for Palestinian refugees from Iraq.
6. More funding is needed for education and health.

On behalf of the NGOs that attended UNHCR's Annual Consultations with NGOs, I would like to thank the Executive Committee for the opportunity to present this report to the Executive Committee. I would also like to thank UNHCR's NGO Liaison Unit, the International Council of Voluntary Agencies and the Pre-ExCom Moderators and volunteer documenters of the Australian Refugee Rights Alliance for all of the assistance provided in preparing this report.