

REPORT ON UNHCR'S ANNUAL CONSULTATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

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GENEVA, SWITZERLAND

Abstract

This report provides highlights of the Annual Consultations with NGOs, which this year brought together some 344 representatives from around the world, representing 206 different NGOs, UN and international organizations, of which 93 of these NGOs were national NGOs.

The consultations were opened by UNHCR's Deputy High Commissioner, and featured twelve Thematic Sessions and five Regional Sessions with the active involvement of some 100 resource persons from NGOs, academia, member states, and international and UN organizations. Participating NGOs also had space to organize seven side-meetings. To meet the interests of such a diverse group of participants, and since this year marked the 60th Anniversary of the Universal Declaration of Human Rights, the consultations were structured around one theme, "Universal Human Rights for All". The related sessions addressed were:

• *The use of human rights mechanisms for the protection of persons of concern*, • *Protecting women and children at risk*, • *First aid, recovery and referral for refugees and other migrants injured or traumatized crossing borders* • *Protection and assistance to IDPs in host communities and urban areas*, • *Exploring new areas of cooperation in resettlement between UNHCR and NGO* • *Detention monitoring* • *How are the guiding Principles on Internal Displacement used in the field* • *Ensuring post-primary education for adolescents and youth and employment creation* • *The Governance of Refugee Law*, • *The shrinking of humanitarian space*, • *Realizing the right to nationality* • *Urban refugees*.

The sessions adopted a round-table format to promote greater dialogue and contact among participants. The reports of each session were prepared by the moderators with the aim to capture the main points of discussion and any conclusions reached. UNHCR's High Commissioner closed the NGO consultations.

Included in annex to this report are the Annual Consultations agenda, a list of participants, a list of side-meetings held during the Consultations, the keynote address given at the opening plenary session by guest speaker Virendra Dayal and the address by Her Majesty Queen Noor of Jordan.

The full report may also be accessed at www.unhcr.org and www.icva.ch.

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UNHCR'S ANNUAL CONSULTATIONS WITH NGOS

Rapporteur's Report

September 2008

James Thomson, Rapporteur for the Annual Consultations¹

This report reflects some of the highlights from the 26 sessions and side meetings held during UNHCR's 2008 Consultations with NGOs. In keeping with this year's 60th anniversary of the Universal Declaration on Human Rights (UDHR), the main theme of the Consultations was human rights.

This year, 344 participants from around the world registered to attend the Consultations, representing 206 different NGOs, 93 of which were national NGOs. In addition to the welcome increase in national NGOs attending there was also an increase in the number of refugees attending, who bring their experience and knowledge of situations back home to bear in these Consultations.

¹ The Rapporteur would like to thank UNHCR and ICVA for their support, the moderators for providing key points for this report and the Australian Refugee Rights Alliance volunteers who took notes in the meetings, all of which is invaluable in preparing the Rapporteur's report back to the Consultations and to ExCom and for UNHCR and NGOs to follow-up on the recommendations made during these consultations.

Opening Plenary Session

Her Majesty Queen Noor of Jordan spoke of the important role of first asylum countries, particularly Syria and Jordan who have hosted 2.2 million Iraqi refugees with comparatively little international assistance. She noted the hospitality extended by the people of the region and stressed the responsibility of developed nations to provide adequate assistance.

The Deputy High Commissioner stressed the value of identifying and quantifying the impact of 'unmet needs' in order to put the onus back on States to recognise their responsibility for these unmet needs.

The keynote speaker, Virendra Dayal, reminded us of the harsh reality faced by refugees and the displaced in today's world, but also of the progress we have made. "Never before in history," he reflected, "has such a remarkable body of normative law and mechanisms been created with such intensity, in so short a time, to protect and promote human rights. It is a crowning achievement of the UN, together with UN peacekeeping."²



THEMATIC SESSIONS

How can NGO Partners and UNHCR Increase the Use of Human Rights Mechanisms as Tools for the Protection of Persons of Concern?

Fully utilising Human Rights Mechanisms will require more knowledge and understanding of the opportunities that they offer and UNHCR and NGOs should seek to extend their collaboration in this context. The value of advocating for mechanisms was also highlighted, noting that, for example, the Secretary-General's Representative on the Human Rights of IDPs and the *Guiding Principles on Internal Displacement* continue to require our full support. While UNHCR has increasingly provided confidential reports to human rights mechanisms, this reporting must maintain its non-political and non-partisan humanitarian profile. UNHCR may not be able to comment on a State's practices as it would jeopardise its funding and/or its ability to provide protection. As such, NGOs must increase efforts to work more strategically with UNHCR to ensure that human rights mechanisms are being fully utilised.

Using a Rights-based Approach to Protect Women and Children at Risk – Strengthening Accountability

Over the years, several approaches have been used to strengthen protection and promote gender equality. The two recent Conclusions on Women and Girls at Risk and Children at Risk have helped to highlight the special protection needs of women and children. UNHCR outlined three key areas where improvements still must be made. First, the rights-based approach needs to be strengthened and much more work needs to be done on gender empowerment. Second, more needs to be done at all levels in terms of staff accountability. Third, whilst sound instruments and standards now exist, more efforts must be made to ensure they are implemented and their effectiveness is measured.

The session also noted that accountability to affected populations is the key to structuring an accountability framework and shifting the symmetry of power. Accountability in this context involves being open to external monitoring, ensuring consultations with refugee and IDP women and children, shifting from seeing refugees and IDPs as 'objects of charity', and recognition that we do not necessarily know what is best for those we seek to assist.

² The full text of Virendra Dayal's keynote address is available at: <www.icva.ch/doc00003056.pdf>.

First Aid, Recovery and Referral for Refugees and Other Migrants Injured or Traumatized Crossing Borders

The session highlighted the needs of refugees and migrants who have been traumatized while crossing borders. While NGOs, the Red Cross and Red Crescent Societies, churches and other faith groups actively assist migrants in these situations, the response has been ad hoc, inconsistent, and under-resourced. For international agencies such as UNHCR, questions around its mandate are not an excuse for failing to provide assistance and protection.

In addressing the asylum-migration interface only from an asylum perspective, it was also noted that we run the risk of squeezing the much broader issue of migration into the confines of refugee protection, which do not address the complexity of the subject.

The session highlighted the need for trauma counselling and psychosocial support; an ExCom Conclusion that focuses on protection and solutions in the maritime context; and responses that are both pre-differentiation and pro-differentiation.

Improving Protection and Assistance to IDPs in Host Communities and Urban Areas

Some of the operational complexities of dealing with IDPs and host communities in urban areas were identified in this session, which revealed difficulties in reaching out; identifying, registering and mapping populations; and, providing assistance and protection to IDPs, who often fear detection and reprisals from local authorities. Some national NGOs suggested government involvement from the beginning to improve responses, while others feared government involvement. There was frank recognition of NGO flaws, including the tendency to assist IDPs in the media spotlight more than those hidden from view. There are many different mandates and missions, but it was noted that none aim to target host communities, which has serious ramifications, including the tendency to deliver assistance according to the status of a group rather than on the basis of equality of need.

The session stressed a number of points of concern:

- the tendency for UNHCR to overlook urban IDPs in finding durable solutions;
- IDPs that miss out on compensation packages and education;
- the need for donors to properly fund early recovery, which is rarely done;
- the limitations of international human rights law when governments do not respect these laws;
- the importance of tailoring solutions to suit unique local situations and building local capacity to prepare for the time when UNHCR and other international agencies leave a country; and
- the need to explore ways of operationalising the *Guiding Principles* for urban IDPs

There was a suggestion for a combined session in next year's consultations that covers both urban IDPs and refugees.

Exploring New Areas of Cooperation in Resettlement between UNHCR and NGOs – Identification and Advocacy

Participants spoke strongly against the increased use of integration criteria in selecting candidates for resettlement. Combining protection-based resettlement programs with migration programs leads to 'cherry-picking' to select the best and the brightest people. As a result, refugee camps are drained of skilled refugees, who are often critical to improving the

conditions in the camps, and the most vulnerable groups – the aged, the disabled and those with HIV/AIDS, among others – can be left behind. The resettlement selection criteria of States must strictly focus on those in greatest need of protection and improved resettlement and integration services.

A number of recommendations were made:

- Governments should re-visit the issue of family reunion – particularly restrictive, western definitions of family – to avoid separation;
- Involve refugees in designing and delivering resettlement programs;
- Explore the potential for group resettlement in order to unlock certain protracted situations;
- Develop increased outreach programmes to identify the most vulnerable for resettlement, as many are not visible or do not know how to access the resettlement system;
- UNHCR should engage in roundtable discussions with NGOs in host countries when resettlement is being considered and planned;
- NGOs, UNHCR, and States should exchange examples of good resettlement practices;
- UNHCR and NGOs should not only focus on identification and referral, but look at all the stages of the resettlement process. A refugee's problems do not stop once they have been identified and referred to a resettlement country; and
- Cooperation between States, UNHCR, and NGOs needs to be enhanced to facilitate integration through better settlement services and pre-embarkation cultural orientation.

Detention Monitoring and Human Rights Mechanisms

The practicalities of detention monitoring and advocacy; practical criteria for choosing the most appropriate monitoring mechanisms; and examples of good practice and the lessons learnt were all discussed. During the session, NGOs were encouraged:

- to explore the mechanisms available at local, national (including national human rights commissions, ombudsmen and legal procedures), and international levels (including the human rights treaty bodies), and use them;
- to provide training to those visiting or working in detention centres on relevant human rights and protection issues as well as monitoring procedures;
- to engage in a continuing dialogue with national authorities and UNHCR on issues concerning detention conditions and practices;
- to form partnerships and provide advocacy support to those who do have access to the centres (e.g. nurses, doctors, lawyers, religious people);
- to advocate with their governments to sign and ratify the Optional Protocol to the Convention Against Torture and other relevant international human rights instruments; and
- to support other NGOs without the experience or the capacity to do detention monitoring, particularly in States where monitoring is challenging and/or difficult.

After 10 years, how are the Guiding Principles on Internal Displacement used in the Field

The session looked at how the Guiding Principles have contributed to the protection of IDPs in terms of better securing IDPs' rights and in developing new approaches to the protection of IDPs and also discussed the impact of the Guiding Principles on the international and national response to IDPs and looked at the lessons learned from the past 10 years.

The challenges to implementation were identified as follows:

- The lack of legislation and policies to implement the Guiding Principles leaves implementation to the political agenda of governments. Governments should be encouraged to develop and adopt national legislation and policies drawing from the Guiding Principles;
- Regional binding instruments promoting the rights of IDPs should be developed and adopted, along the model of the Great Lakes Pact, as they also contribute to the reinforcement of the legal framework;
- Actual implementation of laws and policies should be monitored carefully, for instance with regard to budget allocation, creation of functioning coordination structures by national authorities;
- Most IDPs have never heard of the Guiding Principles. If the Guiding Principles are to continue to be used as a basis for advocacy and a framework for protection, they need to be more widely disseminated.

The following operational issues were also noted:

- Many concepts have to be understood and used in a more consistently. For instance, more guidance on the IDP definition is needed, especially also in relation to those who move because of the impact of climate-change on their environments. If the definition is expanded too widely, it risks becoming meaningless;
- There are still voices against any particular attention to IDPs, based on the argument that they are not the most needy, which replicates the 1980s argument against the need for attention to the special needs of refugee women;
- The involvement of IDPs in negotiations and peace agreements strengthens the process of peace-building, and should be encouraged; and
- The cluster process provides a framework where the protection of IDPs can be reinforced; however, serious obstacles may hamper its impact on the ground, such as the number of meetings strangling action on the ground.

Ensuring Post-Primary Education and Employment Creation for Adolescents and Youth - How can we achieve this?

This session discussed the need to collaborate in addressing the needs of adolescents and youths for education and work skills in displacement contexts. UNHCR highlighted the work that it does to support formal post-primary education opportunities and provided examples of projects for refugee students. These projects, although often small scale, are essential as these students are often the only trained professionals in their communities. In addition, the ninemillion.org campaign launched in 2006 supports post-primary education with a focus on girls. The Norwegian Refugee Council gave an overview of the conceptual framework of the NRC Youth Pack Initiative, including literacy, skills training and life skills, which is operating in 9 countries with approximately 3,000 youths. The Refugee Education Trust presented its program for secondary education for youth aged 15-25 in Chad. A presentation from the International Labour Organization highlighted ILO's role in the transition between humanitarian and development assistance, and in helping UNHCR and partners examine labour issues in contexts of displacement.

UNHCR noted that post-primary education was one element in UNHCR's education strategy 2007-09, which was prioritised despite difficulties and challenges relating to a lack of funds, qualified teachers, etc. The need to distinguish between post-primary education and basic education for post-primary-aged learners was also raised. Working with host governments is

important in order to ensure employment opportunities for refugees living in camps. The significant lack of secondary school opportunities for resettled refugee youth in countries of resettlement was noted.

Participants also noted the need for more work to be done in the following areas:

- Advocacy for the provision of post-primary education opportunities for adolescents and youth, highlighting the different educational needs such as basic and post-primary, as well as different contexts such as urban and camp situations;
- The need for research and for monitoring and evaluation of educational programs, which identifies the scale of the needs and gaps;
- Combining education with a livelihoods-approach has the potential for strengthening the cross-sectoral connections;
- Youth participation in the planning, implementation, monitoring and evaluation of programming, as well as youth participation in advocacy and research.

The Inter-Agency Network for Education in Emergencies, in particular the Task Team for Adolescents and Youth, was identified as a critical forum for this work to move forward.

Governance of Refugee Law

The session grappled with the difficulties of supervising the implementation of the Refugee Convention in the absence of an individual complaints mechanism or a treaty body. Article 38 of the Convention has never been invoked and although Article 35 provides for UNHCR's supervision of the Convention's implementation, it is a task fraught with difficulty given the need for the agency to ensure access and financial support from governments. UNHCR cannot afford to be "biting the hand that feeds it." While various mechanisms for ensuring better implementation of the Convention were discussed, including lobbying donors to cut off aid to violators, one clear proposal stood out. In 2001, at the time of the Global Consultations, NGOs submitted a proposal that the High Commissioner appoint an advisory group with recognised expertise, status and independence to supervise the implementation of the Convention and to advise on refugee law, reporting back to the High Commissioner or Standing Committee. The appointment of such a body is within the power of the High Commissioner. In the absence of any other immediately achievable or viable mechanism, session participants believed that this proposal should be revisited.

Shrinking Humanitarian Space

The concept of humanitarian space was generally understood as the ability of impartial humanitarian organisations to protect and assist civilian populations without interference from political or military actors. Focusing on Afghanistan, a representative from NATO noted the role that military forces have played in delivering humanitarian aid in this context. Many humanitarian (UN and non-UN) organisations hold the view that this military involvement has blurred the roles of civil and military actors, has contributed to reduced humanitarian space, and has resulted in increased security risks for them.

One challenge for humanitarian organisations is to ensure their safety while not shrinking their own space through overzealous precautionary measures, such as erecting walled-compounds, insisting on security escorts that isolate 'us' from 'them,' and creating fear and suspicion among those we seek to protect and assist. How do we ensure culturally sensitive practices that contribute to proximity with local communities?

Humanitarian organisations must talk to all armed actors involved in the conflict and refer and advocate on humanitarian principles. Humanitarian agencies, however, can also do a lot themselves in “winning back” humanitarian space. Humanitarian principles should be included in everything that organisations do: operations, recruitment, training, etc., as it is equally important that NGOs are consistent in applying humanitarian principles. NGOs, especially those that are multi-mandate (i.e. undertake humanitarian and development work) should be honest about their ability to adhere to humanitarian principles, such as impartiality. With regard to Afghanistan, NGOs have advocated for the establishment of an OCHA office, which is separate from the political structure (UNAMA), in order to ensure proper coordination and advocacy on humanitarian needs and space.

Realising the Right to a Nationality: Steps to Prevent and Reduce Statelessness

While some impressive gains have been made since the Conclusion on Statelessness nearly two years ago, the issue of statelessness does not receive adequate attention. With over 12 million stateless people in the world, only two NGOs are doing systematic research and advocacy work in this area.

The right to a nationality is anchored in Article 15 of the UDHR and international human rights laws have strengthened the right to nationality, obliging States to grant nationality at birth to prevent statelessness, and to ensure that the acquisition, enjoyment, and deprivation of nationality are not based on racial, gender, religious, or political distinctions. Despite the existence of these international laws, and the 2006 Conclusion on Statelessness, which specifically called on States, UNHCR and NGOs to combat statelessness, States frequently fail to uphold these obligations. There is still much work to be done in realising the right to a nationality, including: amending nationality legislation that discriminates against women; assisting States in developing birth registration; looking at minority groups affected by statelessness; and improving cooperation among UN agencies, States, and NGOs to prevent, reduce, and, ultimately, end statelessness.

Urban Refugees: Protecting Access to Public Health and HIV/AIDS Services

Participants discussed the myriad of challenges and protection risks encountered by urban refugees and asylum-seekers in trying to access public health and HIV/AIDS services. The session discussed the need for sharing program objectives and sharing responsibility; for common, coordinated approaches; and also agreed on the need to focus resources on those who are most vulnerable. There was also consensus on the need to respond with more creativity and greater flexibility; on abolishing user-fees; and on the need for a long-term commitment from the donor community.

The increased use of UNHCR’s community-based approach would be most effective in improving information channels; training peer educators; supporting and establishing community centres; identifying community leaders; mapping communities; partnering with existing local service structures; forming female support groups; and, in providing health service information in refugee languages.

On the specific situation of Iraqis in Jordan, it was recommended that an effective co-payment and insurance financing mechanism for Iraqis be made available; that targeted medical assistance programs for the extremely poor be provided; and, that a predictable legal policy framework that harmonises the delivery of health services between NGOs, the government sector and private health care services be created.

It was noted that there is a real need for: 1) an adequate consultation period now that UNHCR has released its long-awaited draft urban refugee policy; 2) either a pilot or field testing of the policy in different settings; and 3) a guide to implementation. While concerns were raised on the danger in creating a new category of refugee in speaking of ‘urban’ verses ‘encamped’ refugees, all agreed that it is critical to correct the current imbalance by ensuring that urban refugees have equal access to protection, assistance, and durable solutions.



REGIONAL BUREAUX SESSIONS

Some of the main points and recommendations emerging from the regional bureaux sessions are covered below.

Africa Bureau Session

A number of key concerns were raised, including:

- Protracted situations requiring political solutions;
- Sexual and gender-based violence in DRC;
- Refugees in Ghana and Ivory Coast;
- Asylum-migration flows from the Horn of Africa, resulting in increasing loss of life and horrific human rights abuses;
- Egypt’s deportation of 900 Eritrean refugees after they had been detained for several months with no access to UNHCR;
- Zimbabwean outflows and the resulting tensions in South Africa: UNHCR noted the difficulty in estimating the number of Zimbabweans in South Africa, which range from 800,000 to 3.5 million, but the main focus is to encourage the South African government to suspend deportations, grant temporary status and improve access to asylum;
- The IDP situation in Sudan: Although UNHCR is working with IOM to facilitate the return of Southern Sudanese IDPs now in Khartoum, they are becoming rapidly urbanised and finding livelihoods and Southern Sudan has a lack of resources for re-integration;
- The need for UNHCR to improve partnerships with NGOs and strengthen its interaction with national human rights bodies in its protection work and with regional structures such as SADEC and ECOWAS; and
- Increased food and fuel costs are compounding problems for displaced populations and for those who protect and assist them.

Asia Pacific Bureau

While it was recognised that UNHCR has made serious efforts to resolve a number of protracted refugee situations in the region, UNHCR and NGOs also recognised that much work still needs to be done. Whole generations have now grown up in refugee camps and have been denied a normal life. In this regard, participants looked forward to the High Commissioner’s Dialogue on Protection Challenges, which this year will focus on protracted refugee situations as a way of renewing the focus on regional situations.

Asia now hosts the highest level of resettlement globally, partly because most States oppose local integration. Sexual and gender-based violence (SGBV) is also a serious concern throughout the region, along with respect for basic refugee rights such as the right to documentation, health and education.

One of the key problems remains the fact that most States in the region have not signed the Refugee Convention.

Recommendations:

- NGOs and UNHCR must collaborate more closely to encourage States to sign the Refugee Convention and improve protection and assistance at the national level.
- Increase engagement with regional organisations (particularly the need to penetrate the dialogue and thinking within SARC and ASEAN).

Europe Bureau

The Europe Bureau session concentrated on holding an exchange of strategies with NGOs focusing on UNHCR's key concerns regarding access to asylum, the process towards the creation of a Common European Asylum System, the enhanced search for durable solutions, identifying broader sources of global support, and providing an update on European operations. UNHCR strategic objectives and concerns in Europe follow three themes: 1) access to territory and to procedures for asylum-seekers; 2) a common European asylum system or the lack of it; and 3) global support to refugees.

Four main challenges were identified:

- Access to territory and Refugee Status Determination (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 receptive attitudes; and
- Promoting solutions for refugees in Europe through integration and for refugees in other regions – not least Iraqis – through enhanced resettlement.

In order to address these challenges, UNHCR and NGOs need an even stronger partnership to jointly develop strategies, programs, and projects and to jointly advocate for 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 asylum and migration had helped in generating greater attention regarding the need for better protection and assistance for migrants and refugees in mixed flows and enhanced partnership.

Serious concerns were also raised over Europe's new returns Directive, which allows for 18 months' detention for deportees. NGOs are concerned that the Directive may lead to longer detention periods rather than reducing them.

Americas Bureau

The Bureau takes as its framework for action the November 2004 Mexico Plan of Action for Latin America, which encapsulates a political commitment to strengthen the protection of refugees in a spirit of cooperation and burden sharing. UNHCR hopes to reinforce its presence on the pacific coast where there is increased movement, given that Colombia is seeing large numbers of displacement, which is spilling over into neighbouring countries, particularly Ecuador, Panama, Venezuela, and Costa Rica. UNHCR has difficulties, generally, in serving urban populations, but is promoting the Cities of Solidarity approach set out in the Mexico Plan of Action, facilitating access to public services and livelihoods.

Ecuador hosts the highest number of refugees and asylum-seekers from Colombia, but needs more international help to support them, and some 50,000 unregistered Colombians in need of protection. It was suggested that an 'Andean Humanitarian Conference' be held where

humanitarian actors and civil society organisations could discuss the increasing polarisation in the region.

Argentina, Brazil, and Chile have played a key role in supporting Colombian refugees and others through the ‘Solidarity Resettlement Program’ of the Mexico plan. In 2007, the scope of the program expanded to include refugees outside the region; including the resettlement of 109 Palestinian refugees in Brazil and 117 in Chile.

The biggest population of concern in the Dominican Republic are Haitian refugees or stateless persons. The Dominican Republic has an RSD procedure, which is not fully working and many children born of Haitian parents are unregistered, stateless, and have suffered discrimination and social and political exclusion.

Three key factors were stressed during the session:

- The need to increase training for integration and border officials;
- The need to strengthen RSD procedures (both of which are central elements of any protection program): and,
- The need to promote and enforce legislation to ensure that everyone has access to documentation (which is essential for obtaining work and integrating more generally).

Middle East and North Africa Bureau Session

The MENA session focused on Iraq and Yemen and protection gaps in the region. While there is a great deal of generosity, brotherhood and solidarity in the region – for example, Syria and Jordan hosting over 2 million Iraqi refugees – access to safety is problematic throughout the region and the distinction between refugees and economic migrants is often blurred. UNHCR’s ability to engage in dialogue on key protection issues with regional States has grown.

Key points on Iraq:

- There is increasing pressure arising from the overall increases in the prices of food and commodities and more restrictive visa policies by all countries;
- There is still a huge backlog of unregistered Iraqi refugees, despite registration being stepped up in Jordan and Syria;
- While some refugees have returned to Iraq, the numbers are quite small and many of those who have returned have become internally displaced. Even though UNHCR should be prepared for eventual return of refugees, it was stressed that the situation in Iraq has not improved sufficiently to allow for the return of refugees or IDPs. It was also noted that basic services are extremely weak;
- Funding has been less forthcoming this year, compared to last year.
- 3,000 Palestinians have left Iraq to be resettled in Sudan, Chile, Sweden and Iceland.
- Property issues will be a major concern for current and future returnees; and
- Documentation of IDPs is problematic. Many IDPs have had to risk returning to their city or village of origin to renew documents.

Key points regarding mixed flows to Yemen:

- The number of Somalis and other Africans crossing the Gulf of Aden in extremely precarious situations continues to grow;
- Future strategies need to be based on increased assistance and presence in Haras camp; improved living conditions in urban areas; and increased investment in reception centres (there is only one reception centre on the coast);
- Invest in more community-based projects with NGO partners in areas where Somalis and Yemenis are living side-by-side in difficult conditions; and

- Among Ethiopians, some are just seeking better conditions and attempting to migrate to Gulf States and they must be distinguished from refugees.

General session recommendations:

- Advocate for increased funding for Iraqi refugees.
- Speed up resettlement.
- Address property and documentation issues in Iraq.
- Be prepared for the eventual return of Iraqi refugees.
- Identify the Ethiopians who are refugees.
- Improved living conditions in urban areas, investment into reception centres and increased assistance and presence in the Haras camp in Yemen.
- Advocate for support for UNHCR's 10 Point Plan.



SIDE MEETINGS

Launch of the 2008 World Refugee Survey

The World Refugee Survey reviews refugee situations in the 60 countries hosting the largest numbers of refugees, accounting for over 98% of the world's refugees. It grades country performance in four key protection areas — *refoulement* and physical protection; detention; freedom of movement, and the right to earn a livelihood — against the standards of the 1951 Convention. In this edition, the Survey also lists ten 'Worst Places for Refugees', highlighting where significant mistreatment of refugees occurs. The information is collected from local human rights NGOs. The perspective and statistics contained in the Survey, while different at times from UNHCR's reports, highlight key concerns in specific countries, drawing the attention of the international community to urgent needs. UNHCR has considered an Asylum Index which might also take a more evaluative role to refugee rights in hosting countries.

Demystifying UNHCR's ExCom Conclusions and the Role of NGOs

The *Review of ExCom Conclusions* has re-engaged States and reaffirmed the value of Conclusions, although there remain difficulties in the process and potential dangers. While States thankfully do not vote in blocks, the process has become more politicised with greater positioning and influence from regional groups. One valuable suggestion in the Review is to ensure that Conclusions are not an end in themselves, but part of a process that engages States on issues, deepens State understanding, and brings clarity and consensus on the way forward. On this note, the idea of linking potential themes with ongoing consultations, such as the High Commissioner's Dialogue, would allow States to interact and consult more freely.

There are many opportunities for NGOs to engage. Based on our expertise and field experience, we should take advantage of the Informal Consultative Meetings to provide input and make the time to raise issues of concern with governments. The proposal to move to multi-year plans for Conclusions, will give NGOs greater ability to plan ahead and engage.

Implementation of the 2006 ExCom Conclusion on the Protection of Women and Girls at Risk – International Working Group Strategy Meeting

The session on the *Implementation of the Women and Girls at Risk Conclusion* focused on highlighting the value of the Conclusion, which provides a guiding framework for combating

the widespread and often systematic rape of women in places like Eastern Congo and the consequences, including fistula, HIV, children born of rape, and community and family rejection. Efforts are underway to monitor and evaluate the implementation of the Conclusion and an international NGO working group has been set up with this aim.

Exchange of views on the *Principles of Partnership*: what do they mean and how useful are they?

As in last year's Consultations, great emphasis was placed on the *Principles of Partnership* that were developed and adopted by the 40 agencies of the Global Humanitarian Platform (GHP), which brings together the three families of the humanitarian system – the UN and international organisations, the International Red Cross/Red Crescent Movement and NGOs – as equal partners. With the session being held a week before the 2008 GHP meeting, the session appropriately focused on developing strategies to implement the principles. For the GHP to succeed, NGOs recognised that we must simultaneously internalise and operationalise the principles at every level of 'joint action', from the field to headquarters.

Protection of Unaccompanied Children

In the context of the protection of unaccompanied children, the session also looked at the Conclusion on Children at Risk and its practical relevance, which provides a critical framework for the humanitarian community to address the special needs of forcibly displaced children. UNHCR, governments, and other relevant actors must pay special attention to the Conclusion's recommendations to establish confidential and accessible referral systems, as well as strong monitoring mechanisms. Communities, families, and children must be trained and supported to engage in these monitoring and referral processes. Civil society also plays a role in monitoring governments in meeting their (legal) obligations in protecting children.

A Heavy Burden: IDPs in Georgia

The session focused on the protracted IDP situation in Georgia and the need for durable solutions. In this context, there is an obvious need to listen to the IDPs' accounts of what it means to be displaced, what problems they are facing, and what their expectations are for the future. The book "*A Heavy Burden, Internally Displaced in Georgia: Stories of People from Abkhazia and South Ossetia*" was presented together with the IDP Voices project. This project <www.idpvoices.org> has highlighted four themes: the burden of war trauma on IDPs; issues of identity among IDPs; elderly IDPs waiting to return; and the need for reconciliation. The IDPs in Georgia, who find themselves in a protracted situation, receive small handouts from the Government. Donors have been reluctant to become involved, due to the long-term conflict in Georgia that has caused displacement. Solutions, which are needed to end the protracted IDP situation, require political engagement. There is a need to consider creative solutions, as the options of return or local integration have yet to become feasible ones.



Closing Plenary Session

The Closing Session was aimed at getting feedback for this report, and a number of other issues were raised that have not integrated elsewhere in the report, which include:

- The need to ensure that refugees are seen and considered as rights holders with aspirations and dreams, skills and experience, not just ‘illegals’ or ‘victims’;
- The situation facing lesbian, gay, and bisexual refugees and IDPs and those living with HIV/AIDS who often face severe stigmatisation in conservative countries must be addressed;
- Some States still have geographic reservations under the Refugee Convention, while others have signed the Convention, but not the 1967 Protocol;
- Former ‘child’ soldiers that are now 18 years or older still need assistance;
- There is an increase in faith-based persecution;
- The asylum-migration nexus should be seen as an issue of global social justice and equality rather than as a nexus. Migration represents a right for people to fulfil their human potential, yet for many southern citizens, asylum is the only legal right they have to move. For many people in the South, movement is restricted by migration barriers erected by northern States while people from the North can move quite freely around the world.



Annexes

- I. Programme of the Annual Consultations with Non-Governmental Organizations**
- II. List of Participants**
- III. Agenda of Side Meetings at the Annual Consultations with NGOs**
- IV. Keynote Address by Guest Speaker Virendra Dayal**
- V. Address by Her Majesty Queen Noor of Jordan**
- VI Evaluation of the 2008 Annual Consultations with NGOs**

PROGRAMME OF THE Annual Consultations with Non-Governmental Organizations

**25 – 26 June 2008, International Conference Centre Geneva
27 June 2008, Palais des Nations, Geneva, Switzerland**

Wednesday, 25 June 2008

International Conference Centre Geneva (ICCG)

11h00 – 13h00 **Plenary Session** (interpretation English-French-Spanish)

Room 2 *Welcome and Opening Address*

Her Majesty Queen Noor of Jordan
Virendra Dayal, Keynote Speaker
Craig Johnstone, Deputy High Commissioner for Refugees
Bernard Doyle, Head, Inter-Agency Unit, UNHCR
Ed Schenkenberg, Coordinator, International Council of Voluntary Agencies

13h00 – 14h00 *Lunch*

14h00 – 15h45 **Thematic Sessions** (Interpretation: English-French-Spanish)

Room 2 *How UNHCR and its NGO partners can increase the use of the human rights mechanisms as tools for the protection of persons of concern*

Making effective use of the UN human rights mechanisms is essential in order to ensure that human rights are integrated and mainstreamed into all areas of UNHCR's work, as called for by the 1993 Vienna Declaration and the 2005 World Summit Outcome document. The aim of this session is to explore how UNHCR and its NGO partners can make increased use of the human rights treaty monitoring bodies, the Special Procedures and the Human Rights Council, including its Universal Periodic Review (UPR) mechanism as tools for the protection of persons of concern. It will also examine how and the extent to which UNHCR and its NGO partners use, for example, treaty body concluding observations and thematic as well as situation-specific reports by the Special Procedures as protection advocacy tools and thus our role in 'operationalizing' the recommendations contained in these human rights documents. Particular focus will be placed on the UPR mechanism where NGOs will often be better placed than UNHCR to provide input into the OHCHR Stakeholders reports.

Moderator: Sherif Elsayed-Ali, Amnesty International

Speaker(s): Mariette Grange, International Council on Human Rights Policy
Karolina Lindholm Billing, Protection Operations and Legal Advice Section, UNHCR
Dan Nicholson, Centre on Housing Rights and Evictions
Markus Schmidt, Office of the UN High Commissioner for Human Rights

Room 3 *Using a rights-based approach to protect women and children at risk – Strengthening accountability*

Over the years, a number of approaches have been developed to strengthen the protection of women and children and to promote gender equality, such as the concept of "risk", the rights-based approach and by seeking to enhance accountability at the individual, team and country office level. Ultimately, the goal is to ensure that the rights of all persons of concern - whether male or female, young or old, or facing discrimination on account of disability, ethnicity, class, sexuality or other factors - are enjoyed equally. These efforts are underpinned by international human rights standards and a number of other normative tools, including the two recent ExCom Conclusions of 2006 on Women and Girls at Risk (No. 105 (LVII)) and that of 2007 on Children at Risk (No. 107 (LVIII)),

as well as various handbooks, manuals and guidelines. The questions that this session would like to address are: how do we strengthen the translation of these standards into practice and how do we make sure that each actor knows what they are accountable for in fulfilling these responsibilities?

Moderator: Eileen Pittaway, Asia Pacific Women's Watch

Speaker(s): Claudine Haenni, Women's Commission for Refugee Women and Children
George Okoth-Obbo, Division of International Protection Services, UNHCR
Katarina Samara, Humanitarian Accountability Partnership

Room 4 *First aid, recovery and referral for refugees and other migrants injured or traumatized crossing borders: A follow-up to the High Commissioner's Dialogue*

Through the media, people in our own communities, and often with our own eyes, we see the gap in basic first aid and referral services for boat people and other migrants seriously injured or traumatized while crossing borders all over the world, on land and at sea. While NGOs, Red Cross Red Crescent societies, churches and faith groups actively assist migrants in these situations to the best of their ability, the overall response to refugees and migrants along dangerous borders worldwide, is often ad hoc, inconsistent and under-resourced. The December 2007 High Commissioner's Dialogue concluded that this is distinct protection gap that needs to be—and with the active engagement of NGOs, *can be*—filled. Fundamentally a gap in implementation rather than in rights *per se*, it represents a gap in operational standards and response for refugees as well as for victims of trafficking, torture, trauma and violence, including women and children. With the view that better attention to all individuals upon arrival also ensures better protection of refugees, victims of trafficking and others in need of care and protection, this panel will invite NGOs to engage in suggesting and pursuing follow-up steps to fill this protection gap, with an explicit focus on the slice of time which falls *after* rescue or arrival and *prior* to referral or return, and on responses that are both pre-differentiation and pro-differentiation, including relevant aspects of UNHCR's 10 Point Plan (in particular Points 3, 4, 5, and 6).

Moderator: Mamadou Ndiaye, Office africain pour le développement et la coopération

Speaker(s): Annette Bombeke, European Council on Refugees and Exiles
Raul Baez Quintana, Spanish Red Cross
Jose Riera, Policy Development and Evaluation Service, UNHCR
Alanna Ryan, International Catholic Migration Commission

15h45 – 16h15 *Presentation of an Exhibition on the five Principles of Partnership of the Global Humanitarian Platform*

John Holmes, Emergency Relief Coordinator and Co-Chair of the Global Humanitarian Platform
Nick van Praag, Director, Division of External Relations, UNHCR

16h15 – 18h00 *Thematic Sessions (Interpretation: English-French-Spanish)*

Room 2 *Improving protection and assistance to IDPs in host communities and urban areas*

Although many IDPs flee to camp settings, large numbers of IDPs around the world also seek shelter with host communities or in urban areas. While they may share many of the same needs as IDPs living in camps, non-camp like settings often make it challenging for humanitarian organisations and the government to identify IDPs, determine their specific needs, and deliver timely protection and assistance. As a result, these IDPs may have limited or no access to protection and assistance services, and may also not benefit from durable solution interventions and compensation packages. The panel speakers will seek to shed light on the operational difficulties involved in identifying and responding to the needs of IDPs in host families and urban areas. Panelists will also share best practices by describing tools and examples to explore how NGOs, UNHCR, governments and other humanitarian partners can provide effective protection and assistance to these sometimes "invisible" communities.

Moderator: Elizabeth Ferris, Brookings-Bern Project on Internal Displacement

Speaker(s): Najla Chahda, Caritas Lebanon
Ivanka Kostic, Praxis
Simon Russell, UNHCR Kenya Operation

Room 3 *Exploring new areas of cooperation in resettlement between UNHCR and NGO – Identification and advocacy*

This panel will highlight the critical role NGOs play in expanding UNHCR refugee identification and resettlement advocacy efforts, by bringing their field expertise and unique organizational status to bear on UNHCR protection activities. UNHCR Resettlement Service will provide an overview of the need for innovative identification and advocacy partnerships including brief mention of recent themes focused on, and models used, as well as some of the operational and systemic challenges involved. Specific examples of NGO/UNHCR partnerships in identification and advocacy will be provided. Discussion will include a brief analysis of gaps in the identification and advocacy models presented as well as targeting priority themes/projects for NGO/UNHCR collaborative efforts in the immediate future.

Moderator: Anne Peeters, European Council on Refugees and Exiles
 Speaker(s): Jennifer Ashton, Resettlement Service, UNHCR
 Manal Stulgaitis, Mapendo International
 Margarita Tileva, International Catholic Migration Commission

Room 4 *Detention monitoring and human rights mechanisms*

All Avenues: Exploring strategies to protect the rights of individuals confined or detained

This panel intends to explore strategies for the effective monitoring of asylum-seekers, refugees and other migrants in various forms of detention or confinement. It hopes to provide a useful toolkit of formal and informal monitoring strategies that can be utilised by NGOs (including the latest international human rights mechanisms) and to discuss and share strategies on how best to utilise them.

Moderator: Andrew Galea Debono, Jesuit Refugee Service
 Speaker(s): Alice Edwards, Human Rights Law Centre, University of Nottingham
 Grant Mitchell, International Coalition on Detention of Refugees, Asylum Seekers and Migrants
 Adriano Silvestri, Protection Policy and Legal Advice Section, UNHCR

18h30 *Reception – UNHCR Cafeteria, UNHCR main building (94, rue de Montbrillant)*

Thursday, 26 June 2008

International Conference Centre Geneva (ICCG)

09h00 – 10h45 Regional Sessions

Room 2 *Africa Bureau*

(Interpretation English-French)

The discussion will start with a brief presentation of main developments and challenges in Africa since the last NGOs Annual Consultations. It will be followed by a question and answer session on any issues the NGO community would like to raise with the Africa Bureau.

Moderator: Mamadou Ndiaye, OFADEC
 Speaker(s): Marie-Christine Bocoum, Deputy Director
 Steven Corliss, Deputy Director
 Mengesha Kebede, Deputy Director

Room 3 *Asia and the Pacific Bureau*

(Interpretation English-French-Russian)

The Director of the Regional Bureau for Asia and the Pacific will provide a brief overview of major developments in the region since the last Annual Consultations with NGOs. Following which, the Bureau will introduce a discussion on how human rights mechanisms can be better used in the region to promote the integration of refugees in hosting societies. Building on last year's session under the theme of advocacy, and looking at some cases in the region where migrants enjoy more rights than refugees and asylum-seekers, the session will look in particular at how rights such as the freedom of

movement, freedom from detention, right to work and right to documentation can be used to improve the socio-economic well-being of refugees and what the constraints and challenges are to achieving these rights. This session will complement a separate meeting being organized by NGOs from the Asia and Pacific region on the development of an advocacy network.

Moderator: Virendra Dayal, former UN Under Secretary-General and former member of the Indian National
 Speaker(s): Human Rights Council
 Janet Lim, Director *joined by*
 Pascale Moreau, Deputy Director
 Terry Morel, Deputy Director

11h15 – 13h00 Regional Sessions

Room 2 *Europe Bureau*

(Interpretation English-French-Russian)

An exchange of strategies with NGO partners focusing on UNHCR's key concerns regarding access to asylum, the process towards the creation of a Common European Asylum System, the enhanced search for durable solutions, identifying broader sources of global support and providing an update on European operations. A particular discussion on partnering with NGOs in the EU / non-EU context is envisaged.

Moderator: Thomas Getman, World Vision International
 Speaker(s): Pirkko Kourula, Director *joined by*
 Udo Janz, Deputy Director

Room 3 *Americas Bureau*

(Interpretation: English–French–Spanish)

Following a brief presentation by the Director on the regional highlights and developments since the last NGO Consultations in September, the session will provide an overview of developments, accomplishments and challenges in North America and the Caribbean, and Latin America.

Moderator: Rodrigo Joaquin Tupper Altamirano, Vicaria de Pastoral Social y de los Trabajadores
 Speaker(s): Merida Morales-O'Donnell, Director *joined by*
 Eva Demant, Deputy Director a.i.

Room 4 *MENA Bureau*

(Interpretation Arabic-English-French)

The session will focus on three main issues: the protection gaps in the region; the Iraq situation/operation and the situation/operation in Yemen.

Moderator: Taher Cheniti, Tunisian Red Crescent
 Speaker(s): Radhouane Nouicer, Director *joined by:*
 Ursula Aboubacar, Deputy Director
 Karim Abdul Ghoul, Senior Policy Adviser

13h00 – 14h00 *Lunch*

14h00 – 15h45 *Thematic Sessions (Interpretation: English-French-Spanish)*

Room 3 *After 10 years, how are the Guiding Principles on Internal Displacement used in the field?*

The objective of the session is to review and discuss the impact of the Guiding Principles on Internal Displacement on the protection of IDPs' rights. Since their release in 1998, the Guiding Principles have become a key reference for actors involved in the response to internal displacement. States, international and regional organizations, as well as NGOs have increasingly promoted and used the Guiding Principles in their policies, advocacy, and operational programmes. Have the Guiding Principles contributed to a better approach to the protection of IDPs? What has been their impact on the international and national response to IDPs' protection and assistance needs? What are the lessons learned from the past 10 years? What can be done to ensure their implementation on the ground?

These questions will be addressed by a panel representing key actors for the protection of IDPs.

Moderator: Christophe Beau, IDMC, Norwegian Refugee Council
 Speaker(s): Elizabeth Ferris, Brookings Institution
 Justinian M. Kateera, Permanent Mission of Uganda
 Dilek Kurban, Turkish Economic and Social Studies Foundation

Erika Feller, UNHCR Assistant High Commissioner - Protection will be present and respond to the discussions

Room 3 *Ensuring post-primary education for adolescents and youth and employment creation – How can we achieve this?*

Access to education and post-primary opportunities for refugees and displaced persons are often limited consequently creating challenges to employment and livelihood prospects. During displacement, both in emergencies and post- emergencies, adolescents and youth face higher protection risks as many of them may live without a sufficient protective network. Without their usual social protection networks and with little or no economic support and opportunities, this group often find itself trapped in a cycle of violence, poverty, exploitation, illiteracy and social exclusion. In conflict and post-conflict situations, educational and life skills activities play an important role in helping to reintroduce normality and routine into the lives of children and adolescents. Education is not only an essential protection tool addressing psycho social needs but both formal and non- formal education contribute significantly to developing life skills, self- reliance and empowerment of people and thus create a “human and social capital” needed for future reconstruction and economic development. UNHCR would like to explore ways to increase the level of attention and resources to address these education and livelihood issues, as they are key elements in the protection and the search for durable solutions to displacement, in preparing future generation and therefore in building peace and stability. **Achievement of session:** To have a number of creative and concrete solutions that address the issue of availability and access to post- primary education and employability /livelihoods for youth (girls and boys) in conflict and post- conflict situations.

Moderator: Marian Hodgkin, Interagency Network for Education in Emergencies
 Speaker(s): Christine Evans-Klock, International Labour Office
 Nathalie Meynet, Operations Solutions and Transition Section, UNHCR
 Eldrid K. Midttun, Norwegian Refugee Council
 Nicolas Servas, Foundation of the Refugee Education Trust

Room 4 *The Governance of Refugee Law: Suggestions and perspectives*

“While all States have a responsibility to guarantee human rights to all persons in their jurisdiction, 147 signatories and one international agency are primarily responsible for implementing and enforcing the rights contained in the 1951 Convention Relating to the Status of Refugees. However, unlike later human rights treaties, there is no individual complaints mechanism nor a monitoring committee to ensure the obligations of the Convention are enacted nor to resolve competing interpretations of the Convention. The dispute settlement mechanism in Article 38 of the Convention has never been invoked and although Article 35 of the Convention provides for UNHCR to supervise the Convention's implementation, this task remains fraught with difficulty, especially in light of other aspects of UNHCR's mandate and operations. Unlike under other human rights treaties, there is no formal legal role for individuals or NGO's in ensuring the proper governance of refugee law. In addition to the problem of resolving disputes between jurisdictions, within UNHCR itself there is no formal mechanism by which its interpretation of the Convention, for example in the context of its refugee status determination decisions, can be guaranteed. The questions are many, for example: What options are there for a meaningful legal process by which to reconcile conflicting policies and judicial decisions between sovereign jurisdictions? How to ensure that the interpretation of existing norms does not undermine both the legitimacy of the regime and its ability to provide protection to refugees? The debate will no doubt also examine how refugee law has over the years been strengthened by various external factors, including regional arrangements and by jurisprudence and soft law. The panel will seek to address issues related to international refugee law, with particular reference to the role of UNHCR and NGO's, existing models of governance in other international legal domains, various proposals in the academic and advocacy literature and the role of various actors and institutions in resolving issues of governance.”

Moderator: Oldrich Andrysek, Division of International Protection Services, UNHCR

Speaker(s): Martin David Jones, University of Melbourne and York University
George Okoth-Obbo, Division of International Protection Services, UNHCR
Manisha Thomas, International Council of Voluntary Agencies

16h15 – 18h00 Thematic Sessions (Interpretation: English-French-Spanish)

Room 2 *The shrinking of humanitarian space: Impact and challenges*

Background: The term ‘espace humanitaire’ was first coined by former Médecins Sans Frontières (MSF) President Rony Brauman, who described it in 1990 as: “ A space of Freedom in which we are free to evaluate needs, free to monitor the distribution and use of relief goods, and have a dialogue with the people”. Although it does not have a formal definition, there is a common minimum understanding of the meaning of the concept. The shrinking of humanitarian space has manifested itself in various ways: The increased insecurity of humanitarian staff; the increased inability to access affected populations the latter’s decreasing safety and security; and the greater involvement of non-traditional actors in undertaking relief work. **Expected outcome:** The session will examine Afghanistan to illustrate the range of complex challenges that agencies meet in preserving humanitarian space. It will focus on factors that affect the humanitarian space in that country. The panelists will speak on these factors, presenting his or her insights on the challenges that their organizations face, and describe the strategies that they have adopted.

Moderator: Ingrid MacDonald, Norwegian Refugee Council

Speaker(s): Terry Morel, Asia Bureau, UNHCR
Harald Mühlhausen, NATO
Ramesh Rajasingham, OCHA

Room 3 *Realizing the right to nationality: Concrete steps to prevent and reduce statelessness*

Around 12 million people worldwide are stateless, living without effective nationality. This session will focus on the right to nationality anchored in Article 15 of the Universal Declaration of Human Rights. International human rights law has strengthened the right to nationality, obliging states to grant nationality at birth to prevent statelessness and to ensure that acquisition, enjoyment, and deprivation of nationality are not based on racial, gender, religious, or political distinctions. Yet states frequently fail to uphold these obligations and few civil society groups are working in the field. UNHCR ExCom Conclusion No. 106 of 2006 specifically calls on states, UNHCR, and nongovernmental actors to fill the protection gaps to combat statelessness. The session will critically assess progress made and work to be done in realizing the right to nationality, focusing on amending nationality legislation that discriminates against women; assisting states in developing birth registration; tackling statelessness affecting minority groups; and improving cooperation among UN agencies, states, and nongovernmental actors to prevent, reduce, and ultimately end statelessness.

Moderator: Joel Charny, Refugees International

Speaker(s): Shabir Ahmed, Community of Sant’ Egidio and Plan International (formerly)
Julia Harrington, Open Society Justice Initiative
Mark Manly, Statelessness Unit, UNHCR

Room 4 *Urban Refugees: Protecting access to public health & HIV services*

This session will raise awareness on the myriad of challenges and protection risks encountered by urban refugees and asylum seekers when accessing public health and HIV/AIDS services in urban areas. Emphasis will also be given to good practices used to improve access to adequate public health and HIV services for urban refugees and asylum seekers. Field level experience will be shared from three contextually distinct urban settings: Amman, Nairobi and Kuala Lumpur. An open dialogue with audience participants is encouraged to provide recommendations to address challenges and identify operational strategies for moving forward.

Moderator: Dr Hervé Le Guillouzic, Public Health and HIV Section, UNHCR

Speaker(s): Andreas Fabricius, German Red Cross
Monica Mwangi, GTZ
Sideeka Narayan, Public Health and HIV Section, UNHCR
Adam Sirois, International Medical Corps

Friday, 27 June 2008

Palais des Nations Geneva, Room XIX

10h00 – 11h30 *Plenary Session (Interpretation English-French-Spanish)*

Room XIX *Report back on the NGO Consultations*

Emina Tudakovic, Permanent Mission of Canada, Rapporteur for the ExCom Bureau
James Thomson, Rapporteur to the Annual Consultations with NGOs

11h45 – 13h15 *Plenary Session (Interpretation English-French-Spanish)*

Room XIX *Closing Address by*

António Guterres, High Commissioner for Refugees

ANNEX II

List of Participants by Organization
Annual Consultations with Non-Governmental Organizations
25 – 27 June 2008
CICG – Palais des Nations

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ANNEX III

AGENDA OF SIDE MEETINGS
Annual Consultations with Non-Governmental Organizations
25 – 27 June 2008
International Conference Center Geneva
Palais des Nations Geneva
Switzerland

Wednesday, 25 June 2008
International Conference Centre Geneva

13h00 – 14h00 Room 3

Launch of the 2008 World Refugee Survey

Merrill Smith, US Committee for Refugees and Immigrants
Gina Snyman, Lawyers for Human Rights
George Okoth-Obbo, Division of International Protection Services, UNHCR

World Refugee Survey 2008 evaluates and grades the treatment of refugees in the 60 countries hosting the largest populations at the end of 2007. It uses the standards of the 1951 Convention divided into five categories: Refoulement/Physical Protection, Detention/Access to Courts, Freedom of Movement and Residence, Right to Earn a Livelihood, and Public Relief and Education. The U.S. Committee for Refugees and Immigrants has produced the Survey for nearly 50 years and, this year, with the help of some 40 Research Partners, national human rights organizations in the refugee hosting countries as first hand reporters on the frontlines of the struggles for refugees and their rights. WRS08 also features "Taking Action" a summary of host community actions in solidarity with refugees in Israel, Turkey, Thailand, Tanzania, and elsewhere around the world.

13h00 – 14h00 Room 4

Demystifying UNHCR's ExCom Conclusions and the Role of NGOs"

Emina Tudakovic, Permanent Mission of Canada, Rapporteur for the ExCom Bureau
José Riera, Policy Development and Evaluation Service, UNHCR
Manisha Thomas, International Council of Voluntary Agencies

Ever wonder what UNHCR ExCom Conclusions are really about? Join us to discuss ExCom Conclusions, a recent review of the Conclusions, and then find out how NGOs can contribute to UNHCR's Executive Committee Conclusions process.

Thursday, 26 June 2008
International Conference Centre Geneva

8h00 – 9h00 Room 3

Ethical, consistent and fair treatment of refugees in accessing their rights

Emily Arnold-Fernandez, Asylum Access
Rachel Levitan, Helsinki Citizens' Assembly's Refugee Law Project
Zachary Lomo, University of Cambridge
Salima Namusoby, Refugee Law Project
Richard Stainsby, Status Determination & Protection Information Section, UNHCR

Much attention has been paid to how to establish accountability for severe abuse and misconduct against refugees, but there has not been much attention paid to how to ensure fairness in the routine but high stakes decisions made everyday about the lives of refugees. UNHCR and NGOs often make decisions about the management of camps and eligibility for services and refugee status that in principle should be made by governments. But unlike democratic governments, there are often no clear rules about how UNHCR and NGO decision-makers should explain their actions to refugee. NGOs providing services too often operate outside established systems of professional regulation (i.e. for lawyers, doctors and social workers). This panel will explore some of the 'trouble' cases and consider how principles of transparency and administrative justice should be applied by UNHCR and NGOs. It will draw on recent efforts by UNHCR and NGOs to improve fairness of refugee status determination and to develop a code of legal ethics for other refugee cases than RSD for which the Nairobi Code is an example.

Expectation

Greater awareness of how rights of refugees are violated in both urban and camp situations

13h00 – 14h00 Room 3

Implementation of the 2006 ExCom Conclusion on the protection of Women and Girls at Risk
International Working Group Strategy Meeting

Linda Bartolomei, Centre for Refugee Research
Luisa Cremonese, Senior Coordinator for Gender Equality, UNHCR
Liliane Lukoki, African Women's Advocacy Unit
Nava Malula, Australian National Committee on Refugee Women
Eileen Pittaway, Asia Pacific Women's Watch
Judy Wakahiu, Refugee Consortium Kenya

The aim of the Working Group is to effectively monitor, advocate and provide support for the implementation of the 2006 Conclusion on the Protection of Women and Girls at Risk.

The aim is to be supported by a range of activities, including:

Advocacy and lobbying of governments, donors and NGOs with a mandate to implement the Conclusion.

Influence domestic policy and law leading to more effective practice for the protection of forcibly displaced women and girls.

Measurement and dissemination of implementation strategies leading to protection.

Establish access to web-based resources to assist stakeholders in the implementation of the Conclusion.

Provide an annual update at ExCom, PreExCom and the Annual Tripartite Consultations on Resettlement on the progress of the implementation of the Conclusion.

Assist in supporting sensitivity and awareness raising across stakeholder organisations.

Thursday, 26 June 2008
International Conference Centre Geneva

13h00 – 14h00 Room 4

Exchange of views on the Principles of Partnership: What do they mean and how useful are they?

Ed Schenkenberg, International Council of Voluntary Agencies

Background:

The Global Humanitarian Platform (GHP) brings together the three families of the humanitarian community – NGOs, the Red Cross/ Red Crescent movement, and UN and other inter-governmental organizations – on an equal footing – with the overall goal of enhancing the effectiveness of humanitarian action. This is premised on the belief that no humanitarian agency can cover all humanitarian needs alone and that collaboration is, therefore, not an option, but a necessity. The organizations participating in the GHP seek to improve humanitarian response by strengthening partnerships at the global and field levels based on five Principles of Partnership (PoP) - namely equality, transparency, result-oriented approach, responsibility, and complementarity. The PoP were endorsed by 40 leaders of humanitarian organizations at the first meeting of the GHP in Geneva in July 2007. Together with many NGOs, UNHCR is committed to these principles and, to ensure and enhance their application, is taking stock of its approach to partnership, as well as considering how to support the GHP process most effectively.

Expectations:

This side meeting aims to listen to NGOs' views on and experience with the PoP. It will also serve as a briefing on the GHP process, recent regional workshops and the forthcoming Annual GHP meeting on 1-2 July. Envisaged as an open and frank brainstorming session, it will provide an opportunity to receive feedback from UNHCR's partners and a first-hand view and field-perspective on the PoP. Questions of interest also relate to what activities the PoP are already applied to; where this could be improved; relationships among and between partner organisations; general expectations in relation to partnership.

Friday, 27 June 2008
Palais des Nations Geneva

8h30 – 10h00 Room XXII

Protection of children at risk: Practical realities in the South and North

Jamieson Davies, Catholic Relief Services USA
Najla Chahda, Caritas Lebanon
Amani Gamal El Din, Catholic Relief Services Egypt
George Joseph, Caritas Europa
Vincent Sebukyu, Caritas Uganda
Peter Verhaeghe, Caritas Europa

Bearing in mind the best interests of the child principle, on this side event Caritas Internationalis looks at the issue of protection of unaccompanied children in first country of asylum and in case of resettlement when protection is not guaranteed in the first country of asylum. Our purpose is to share our experience in preparing resettlement in countries of destination by presenting current practices and possibilities in European countries (e.g. Caritas Sweden & Belgium-legal guardians' system; Caritas Austria & Belgium-reception expertise and capacity), identify protection gaps and discuss together appropriate recommendations in this field.

8h30 – 10h00 Room XXIII

A heavy burden: IDPs in Georgia

Udo Janz, Deputy Director for Europe, UNHCR
Anne-Sophie Lois, Acting Head of Communications, IDMC, Norwegian Refugee Council
Lika Margania, IDP Educator, Norwegian Refugee Council Georgia
Margaret Vikki, Regional Director, Norwegian Refugee Council south Caucasus
Siobhan Warrington, Oral Testimony Director, Panos London

When did you last listen to a displaced person and grasp the impact of Displacement? On this side event the Internal Displacement Monitoring Centre (IDMC) of the Norwegian Refugee Council (NRC) invites you to learn more about the protracted displacement situation in Georgia, durable solutions and to listen to IDPs recount what it means to be displaced, what problems they are facing and what they want for the future. The book "*A Heavy Burden, Internally Displaced in Georgia: Stories of People from Abkhazia and South Ossetia*" will be presented together with the IDP Voices project. More information is available at www.idpvoices.org

ANNEX IV**Keynote Address by Virendra Dayal****Annual Consultations with NGOs****25 June 2008****"Universal Human Rights for All"**

Your Majesty,

Thank you for being with us today. Your presence adds great luster to this gathering. It also strengthens the resolve of human rights defenders immensely. The Hashemite Kingdom of Jordan has, historically, set an example to the world of solidarity with refugees, of grace, generosity and fortitude, often under intense pressure. Your Majesty embodies the virtues of your Kingdom. For your leadership and vitality we are most grateful. For its own part, the international community must do all that it can to support and assist Jordan, and lighten the burden that the Kingdom carries on behalf of us all.

Distinguished participants,
Friends,

Thank you for asking me here today. Mine is a case of "family reunion". My delight is the greater for having been invited by the distinguished Coordinator of ICVA, Mr Ed Schenkenberg van Mierop, rather than by UNHCR-no offence meant, of course! That told me that the UNHCR-NGO partnership is alive and well, and that NGOs can be in the driver's seat-at least from time to time.

That is as it should be. The Charter was, after all, written in the name of The Peoples of the United Nations, even though it was the Plenipotentiaries of Governments that signed it. NGOs are the voice of The Peoples. One look at the range, number and exceptional caliber of the NGOs present here leaves no doubt that, in the next three days, that voice will be heard with clarity and fervor.

Friends,

Your theme for these consultations is "Universal Human Rights for All". When you asked me to speak to it, my mind immediately recalled a tongue in-cheek comment of Mahatma Gandhi, made at a time when India was still striving for Independence. "Mr Gandhi" he was asked, "What do you think of Western Civilization?" "I think", he replied, "It would be a very good idea!"

I think it would be a very good idea if human rights were indeed "Universal" and for "All"-in practice. In theory and law they indisputably are universal. But in practice that is manifestly not the case. At times we have come perilously close to destroying them, universally and for all.

Consider the facts. The 20th century saw 100 million human beings killed by their own kind in acts of war and another 110 million killed in politically related violence for reasons of race, ethnicity, language, religion or membership of a particular social or political group. In each year of the past many decades the number of refugees, IDPs and the stateless has been in the 10's of million. We had to coin a new word "genocide"- half Latin and half Greek-to describe the "ultimate crime", and war crimes, crimes against humanity and ethnic cleansing have entered our daily lexicon. And we have entered the 21st century through what Kofi Annan described as "gates of fire" in the aftermath of 9/11.

Professor Cassin, a principal author of the Universal Declaration was right on target. When persistently asked why we needed such a Declaration he replied, in one of the great under-statements of all time, "Because men are not always good!"

We do not seem to be living in "the best of all possible worlds in the best of all possible times." And when we look at the problems of refugees, IDPs and stateless persons, we must sadly conclude that the universality of human rights for all remains illusory.

It is true we sometimes feel helpless when states-many of whom know better- fail in their responsibility to 'respect', 'protect' and 'fulfill' the obligations they entered into when they became party to human rights, refugee and humanitarian law treaties. The newspapers name them each day; there is no need to mention them here.

It is true that non-state actors are increasingly being used as proxies to kill and drive people from their homes. The shame is they often have high patronage. We know who and where they are. The increase in refugees and IDPs tells us.

It is true that this is a time of massive human displacement and mixed migration, often forced, for complex inter-locking reasons: conflict and persecution, extreme deprivation, economic degradation and climate change, to which are now added food scarcity and rising prices.

And it is true that this is a time when the fear of terrorism is creating a fortress mentality in many parts of the world, raising ghosts that we thought we were burying-xenophobia and racism.

National security is essential to a state and the need to ensure it is the primary duty of each government. But, in the process, a less than subtle effort is too often being made to undermine established principles of international human rights, refugee and humanitarian law. This is thoroughly unbecoming.

In part for this reason, and partly for the sheer numbers on the move, asylum- as UNHCR has reminded us - is becoming a lottery, interception and interdiction on land and sea is increasing, detention is becoming arbitrary, and even an economic lobby is being created for its "privatization". That is gross.

And where are universal human rights when it comes to refugees who are now considered "unwanted" and "untouchable"? Their refugee status and protection needs are not in doubt, but they are undesirable because they belong to "politically sensitive ethnic groups", are old or disabled, belong to large families, or are single men who are viewed as a potential threat to "public order", or those who are afflicted by HIV/AIDS. Our kindness is becoming increasingly non-inclusive.

Dear Friends,

For all of these painful challenges to the universality of human rights for all, it would be totally wrong to behave as if we are living in "the worst of all possible worlds in the worst of all possible times".

Perspective helps. We should remember where we are coming from. Sixty years ago today, there was no Universal Declaration. There were none of the 95 human rights instruments which we now take for granted-Covenants, Conventions, Declarations and Principles. We now have 8 treaty bodies with a ninth on the way. We have Special Procedures, Special Rapporteurs and Special Representatives. There is a new Human Rights Council, the members of which are subject to Universal Periodic Review.

All this is progress. Never before in history has such a remarkable body of normative law and mechanisms been created with such intensity, in so short a time, to protect and promote human rights. It is a crowning achievement of the United Nations, together with UN peacekeeping.

On the institutional front, too, we have come a long way.

I remember the days when UNHCR protested its "humanitarian and non political role" too much. It scarcely dealt with other components of the UN system - the division of Human Rights included - for fear of being politically contaminated.

UNHCR's NGO partners too often shared many of its worst apprehensions and steered clear of anything having the dreaded connotation of being "political".

More than a two-way street divided the ICRC from the UN in the Palais des Nations. Much was made of their genetic differences and their supposedly incompatible DNAs.

Scholars have observed that when the Charter was being drafted, delegates did not wish to have their attention diverted by the "law of war". They were devising a system of collective security to maintain peace and end war - a "jus contra bellum".

Likewise, when the Universal Declaration was being drafted, delegates altogether bypassed the issue of human rights in situations of armed conflict. The compliment was returned when the four Geneva Conventions of 1949 were drafted: delegates discussed human rights only tangentially.

This initial disconnect between the humanitarian and the political, between the custodians of human rights law and the custodians of international humanitarian law was clearly not what the situation required.

And reality proved to be a stern teacher.

It became apparent by the late 60s that there was need for "convergence". So by the time the two great Covenants of 1966 came into force in March 1976, and the two 1977 Protocols to the Geneva Conventions were adopted, our language, ideas and actions were, of experience and necessity, beginning to meet. We also began to work more systematically together, though it was only in October 1990 that the ICRC formally sought and was granted Observer Status at the UN.

I have inflicted this history on you because, I think, it is important to remember and learn from it.

It is folly to try to go it alone.

That is why I cannot sufficiently praise the sagacity of the 40 leaders of humanitarian organizations who met in Geneva in 2006 to explore ways of "enhancing the effectiveness of humanitarian cooperation", an effort that culminated in the formation of the Global Humanitarian Platform (GHP) and the endorsement of its Principles of Partnership in July 2007. These are giant steps forward for mankind.

There have been many other innovative and encouraging developments in recent years which, I believe, will take us closer to the elusive goal of Universal Human Rights for All.

As everyone, including UNHCR, seems to have a 10-Point Programme for everything these days, let me now list 10 issues that, to my mind, are important and that relate to your thematic sessions.

First: the vexed issue of human rights and terrorism.

Many of us feared after 9/11 that international human rights, refugee and humanitarian law would be thrown to the winds, and many disturbing efforts have been made to undermine such law. But the human rights community-essentially those who are now members of the Global Humanitarian Platform, and the treaty bodies - have fought back magnificently to take the issue straight to the citadels of political decision-making, the Security Council and General Assembly of the United Nations.

As a result, in all of the recent resolutions of the General Assembly, for instance, states have been asked to "ensure that any measure to combat terrorism complies with their obligations", in particular under "international human rights, refugee and humanitarian law". The obligation of states to respect non-derogable rights has been reaffirmed. Further, states have been specifically urged "to fully respect non- refoulement obligations under international refugee and human rights law"

The lesson I have learnt from this experience is this: when the humanitarian coalition (the GHP) acts together and is prepared to take its fight into the political arena, it can prevail. If it can do this on the dreaded subject of terrorism it can do so on other issues of consequence, which we should identify. NGOs can and should encourage such political activism to give spine to the humanitarian cause. This means that the humanitarian coalition must become adept in knowing which political levers to press and when. Timing is all. The involvement of the Emergency Relief Coordinator is essential.

Second: human rights mechanisms.

I have been delighted to read of UNHCR's close cooperation with the High Commissioner for Human Rights and treaty bodies in recent years. In my view, the relationship between UNHCR, its NGO partners and the human rights mechanisms should be a two-way street. While the General Comments of treaty bodies are a most valuable advocacy tool for UNHCR/NGOs, so can the increasingly authoritative conclusions of the Executive Committee be of value to the treaty bodies.

May I suggest, if this has not already been done, that NGOs make even more systematic the manner in which they give their views to the human rights bodies. Why not adopt a variation of the "cluster approach"? Why not have "lead" NGOs for different countries (Universal Periodic Review purposes included) and varying aspects of refugee, IDP and stateless persons' rights?

Third: partnerships at country-level

I feel that the UNHCR protection function remains fraught with difficulty and sensitivity when it comes to dealing with governments. Part of the quandary is that while it is usually diplomats who are party to Executive Committee decisions, on the ground it is Home Ministry and Immigration officials who call the shots, and they are obsessed with security and illegal migration.

To me it seems essential that UNHCR and NGOs develop stronger and wider local contacts and allies. I am thinking in particular of the legal fraternity, both bar and bench and, most of all, of National Institutions for Human Rights. The former are increasingly receptive to advocacy based on international law, and the latter have the great virtue of being national and therefore capable of expressing themselves with a clarity and ferocity that no external interlocutor can match without being declared *persona non grata*! Partnerships of this kind can be particularly helpful in states that are not party to the 1951 Convention and the 1967 Protocol. They can also advance the consideration and adoption of national legislation that is fully compatible with international law. National Institutions are ready to help. Their Santa Cruz Declaration of October 2006 requests them to "include refugees and asylum seekers among the groups requiring special attention" and it asks such institutions to take "an active role" in implementing the "International Protection Agenda promoted by UNHCR".

Fourth: strengthen local NGOs.

It is most important to strengthen the capacity of local NGOs. Their knowledge, dedication and skills at the ground level are incomparable. They are fundamental to the success and sustainability of efforts at the country level, whether in relation to refugees or IDPs. I feel that a more concerted and organized effort must be made to strengthen their hands. They are an invaluable resource.

Fifth: the High Commissioner's Dialogue on Protection Challenges.

This is an innovation of extraordinary openness and value. It gives maximum opportunity to NGOs to be participant in the earliest-stages of policy formulation on the most sensitive issues. It is an opportunity that must be seized. I see that the Dialogue of December of 2007 has already identified distinct protection gaps in implementation when it comes to cases of "mixed migration", a gap that NGOs must help to fill. I am glad you will be discussing your role more fully in the thematic session.

Sixth: the "Cluster Approach".

I must confess, I was befuddled during my first reading of the "Inter-Agency Standing Committee's Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response". I had to ask myself "Now who is going to do what to whom?" I also had to compile a glossary to make my way through the thicket of new acronyms. Nevertheless, it appears that the cluster approach has already received two cheers from everyone concerned. It needs to be preserved with since it respects the talents of individual players and creates a team, with specific responsibilities and accountability. I get the sense that the involvement of NGOs needs to be thought through more fully. Experience and evaluation will provide the answers.

Seventh: the "Shrinking Humanitarian Space".

I like the elegance of the thought, but is it somewhat self-indulgent? I am not convinced that our times are worse than any other. Where was the "humanitarian space" during the genocide in Europe during the 1930s- 40s and

where was it during the genocide in Cambodia and Rwanda? For all of the grievous losses we have taken - including friends we loved and admired and not least because of their sacrifices - we have in fact expanded the humanitarian space in these past years. When Nobel Laureate Kofi Annan propounded the doctrine of "dual sovereignty"- that of the state and that of the individual- he expanded that space. When the Millennium Summit endorsed the Responsibility to Protect there was a radical, even if still conceptual, alteration in humanitarian space and opportunity. Now, that space and opportunity must be wisely and legitimately used by the humanitarian coalition.

Eighth: Human Rights Defenders.

The toll has been too grave in recent years, both of them and of UN Peacekeepers. The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect the Universally Recognized Human Rights and Freedoms needs to be taken far more seriously by states. The UN system and NGOs - the GHP - must press for this at every opportunity.

Ninth: Stateless Persons.

They have not received the attention they deserve. They are the silent minority and their right to nationality must be given salience. I am glad that the UNHCR Executive Committee has adopted Conclusion 106 of 2006 on this subject. There is no reason why UNHCR and NGOs should not take up this issue with greater resolve.

Tenth and last: two thoughts of Dag Hammarskjöld.

These have been my guidance and consolation for many years and may, perhaps, be of use to you.

The first: Hammarskjöld said: "The international civil servant should be politically celibate, but not virginal." I would commend this advice to the NGO community: Be politically aware!

The second went to this effect: "The UN was not created to take earth to heaven, but to save it from going to hell!"

So do not fret if you cannot create paradise. It is enough to protect and save life.

Thank you.

ANNEX V

Address by Queen Noor of Jordan

Annual Consultations with NGOs
25 June 2008

Good morning,

It is an honor for me to be among you today. Your tireless work under challenging circumstances on behalf of refugees throughout the world is truly heroic, and I applaud every one of you.

The **Universal Declaration of Human Rights**, in this, its 60th year, applies nowhere more strongly than to Refugees, whose need for freedom, dignity and security is magnified a thousand-fold by their exile.

As you know first-hand, the world is experiencing **a global refugee crisis of staggering proportions**. An astounding 67 million people throughout the world have been forced to leave their homes - equivalent to a population larger than most countries.

((This population is at record levels and increasing. Environmental disasters are joining political, ethnic and economic conflict as the main causes of displacement - particularly as we experience changing global climate trends. Last year, half of all Internally Displaced Persons were victims of natural disasters.))

These forced migrations have a **multi-dimensional effect** on the people themselves, the places they've left, and the places they move to. And the choices that leaders make regarding them carry long term consequences.

For 35 years I have **lived and worked in** one of the world's major conflict regions, home to over **10** million refugees and displaced inhabitants. I have **witnessed** the anguish of those uprooted from their lives and, like you, committed myself to support them. When I married my husband His Majesty King Hussein, every day included some action to achieve the just and peaceful return of Palestinian refugees to their homeland. Today, up to 6 million displaced Palestinians continue to hold out hope of returning to their own land.

With a variety of Governments, UN and International organizations, our Jordanian Red Crescent Society and as a board member of RI since 2001, I have also worked with the displaced of Afghanistan in Pakistan, the Iraqis in Jordan, IDPs in Columbia, and Somalis and others seeking safe haven during the first Gulf War.

((I have seen **many sides** of this terrible pandemic, which have also included **positive contributions** and enrichment of host communities, for example by Palestinians, displaced Iraqis in Jordan. And I have been heartened and moved by the compassion and sacrifice of my fellow Jordanians and others in our region who have over the past 60 years reached out to help, even when struggling themselves with limited resources .

On the other hand, these are far outweighed by))

The humanitarian tragedy - the devastating impact on individuals, families and entire communities that all of these refugee flows reflect. The destruction of lives and hopes, the psychosocial trauma, the economic, social and political marginalization of the displaced. The pressure on scarce resources and the resulting instability that these influxes can create in host countries.

The Iraqi displacement offers a case study of all these challenges. The first is **scale**: Iraq presents the **fastest growing refugee crisis in the world**. Since the conflict began, almost 5 million people -- 1 in 5 Iraqis - have been displaced. History shows that these mass migrations pose a serious threat to regional stability, as in Palestine, Afghanistan, Somalia, Sudan and West Africa. This danger is more evident than ever in the Middle East. Syria, Jordan and their neighbors are simply not equipped to meet the needs of all those arriving.

The second is **sufficient aid to host countries**: 80% of refugees end up in neighboring countries within their own region - primarily Syria and Jordan in this case. Syria is struggling with the impact of 1.5 million Iraqis. Jordan's population has increased by 10%, putting an **enormous strain on already stretched public services, limited resources, and fragile infrastructure**. Asylum countries **struggle to provide adequate care**, and many have started imposing drastic entry restrictions, with some **even deporting Iraqis back to Iraq**.

All this emphasizes the third challenge: **stepping up resettlement, to share responsibility for refugees' well-being**. But in 2007, fewer than 1% of the world's refugees were resettled - including just 1,608 Iraqis accepted by the United States, significantly less than its promise of 7,000. This year's commitment of 12,000 by end September has only reached 4,700. Overall, **less than 1% of Iraqi refugees are in industrialized countries**.

After a brief decline, **violence in Iraq has increased** this year. We all must support the Iraqi government in providing **a secure environment that will allow their citizens to voluntarily return home** as soon as possible. Until then, given their central role in the Iraq conflict as well as resources available, the U.S., Great Britain and other Western countries have a moral duty to **dramatically increase resettlement**. This will help assure the Iraqis' "right to life, liberty and security of person" enshrined in the Human Rights Declaration.

The scale and duration of this humanitarian emergency **requires a renewed commitment of international support** to fund the UNHCR, its NGO partners and other organizations in their critical relief work. Yet the UNHCR **now faces a dire funding shortfall** that threatens to curtail its programs through the end of the year, despite new Iraqi funding and nearly \$200 million from the U.S. **We can not let this happen**. Donors must increase their support commensurate to this growing crisis.

Finally, the majority of Iraqi displaced have settled in Damascus, Amman and Cairo - large urban centers - reflecting a **global trend of increasing numbers** of refugees and the displaced **struggling to survive among the underclass in cities** in the developing world. ((We see this with Afghans in Pakistan, Burmese refugees in Thailand, and Zimbabweans and others in the cities of South Africa.))

RI is highlighting this trend and, as Joel Charney our VP will no doubt emphasize here, - the pressing need for the international community, for UNHCR and its partners, to creatively address this particularly challenging, developing phenomenon.

It is difficult in the urban context for aid organizations to identify and reach the displaced, requiring us to rethink traditional approaches to delivering services. In Jordan, prior to last year, most assistance organizations were able to identify and serve only **a few beneficiaries**, as Iraqi refugees remained housebound - unable to work, uncertain of their legal status, and fearful of deportation.

The Noor Al Hussein Foundation, the regional NGO that I established more than 20 years ago, **has partnered with the American NGO International Relief and Development (IRD) and the Jordanian Red Crescent** to implement programs funded by UNHCR and the U.S. State Department, that provide healthcare services to thousands of Iraqis living in Jordan.

Healthcare is a preeminent need for Iraqi refugees, who suffer disproportionately from psycho-social and medical problems. But the fears that kept them housebound also kept Amman's refugee clinics **operating below capacity**. Our program trained 200 **Iraqi volunteers** to provide basic health education, screening, and referrals in refugee communities. In less than a year, this team visited over 60,000 displaced Iraqis, generating 26,000 visits to clinics operated by NHF and the Jordanian Red Crescent. Together with other UNHCR programs, we have dramatically increased healthcare for Iraqis, solving some of the urban challenges they face.

We are fortunate in the Middle East that so many NGOs want to work in our region and are expressing genuine interest in helping the displaced Iraqi community. Unfortunately in some cases access is restricted due to security concerns. To overcome this, we must develop **programs and models that encourage these governments to have confidence** in aid organizations and perceive the real value they offer to local beneficiaries.

Partnering with credible local organizations is one effective way of encouraging communities to welcome NGOs, and to be more effective in your work. Syria, for example, is now letting more organizations work there after positive experiences with initial aid programs.

The Noor Al Hussein Foundation and Jordanian Red Crescent partnerships.

These are all difficult challenges which **require a greater level of cooperation, communication, and sharing of best practices between donors, aid providers and host governments.** I wish you the best of luck over the next three days in your deliberations.

You are an amazing group of people. I admire your strength and perseverance in the face of enormous challenges. The global community needs and honors your vital work. May God be with you all.

ANNEX VI**EVALUATION OF THE
2008 ANNUAL CONSULTATIONS WITH NGOS**

This evaluation is based on the response of 52 participants, which represents 15% of the 344 participants. The findings can be considered representative, although not conclusive.

As with previous years, the overall rating for the Annual Consultations with NGOs was good. The CICG venue was found to be very conducive to networking, easy to access, and with better facilities, however, some had difficulty having to rush between the two buildings (UNOG and the CICG) in order to attend the Standing Committee meetings and the NGO Consultations. The structure and usefulness of the Agenda was generally considered full, good, interesting and tight. The Consultations document folder was considered better designed/documented this year.

Most participants commented that they would prefer that the dates of the NGO Consultations do not overlap with the Standing Committee meetings, and some would prefer it held at a date close to the UNHCR Executive Committee meeting.

The structure and usefulness of the sessions was considered to be generally good and interesting, however comments are varied showing that some sessions were very good whilst others were poor. Comments on the Regional Sessions vary from “poor session, too broad, no agenda, excellent, rich, informative, allowed deep discussion, helpful, and very useful”. Participants also found the exchange between UNHCR and NGOs working in the region “good, informative, very useful and having similar experiences”, and appreciated the large number of NGOs from the south. A general comment was that good and interesting sessions were being held simultaneously and, therefore, they regret that they could not attend and benefit from all of them. Some suggested allocating a full day for the Regional Sessions to enable exhaust all the issues of concern.

The comments on time generally were that it was much improved when compared to previous years, but that since issues were large/complex/interesting, there should have been more time for more in-depth discussion, and Q/A sessions. Further some commented that due to the fact that the agenda/program was full/tight, it was unfortunate that they could not find enough time to network with other participants/NGOs, and also had to skip lunch.

Some other comments from participants include:

- “The rapporteur forgot to mention many key issues that had risen from the conversation and put his issues forward as a conclusion. I don’t think this is the role of a rapporteur”.
- “I wish we had more small group discussions concerning all the areas and the issues involved. To put all the facts and the challenges on the table to be able to offer the best services through the most effective means. I am sure there are many good suggestions for the different situations that did not even reach the concerned people, it was lost in the crowd or had no chance to be heard”.
- “The facilitation overall has definitely improved from four years ago. The speakers and the questions from the floor were more on topic, and people were generally disciplined in terms of the time allocations. There is a tendency, however, for the sessions to be structured to have three or four like-minded people who agree with each other or present various complementary aspects of the same issue. It might be more dynamic to try to have panels where there are opposing viewpoints or perspectives as a way of stimulating debate”.

- “I should emphasize my appreciation for the great idea of the conference and for all people who helped to organize the thousands of logistic details. It was a great eye opener to me, helped me to appreciate the services of UNHCR around the world, and to examine our role as an organization to find out the best ways to fill up some gaps and to enhance our ministry to the needy”.

Other suggestions include, bigger badges, to avoid having music at the reception as it was considered too noisy, and did not help networking, inviting more NGOs from the field, making available more time to help networking with participants and to meet Government representatives, the presentation and representation of refugees need to increase.

The table below provides some indication of the degree of satisfaction of the 2008 Annual Consultations with NGOs. The participants’ comments are available at www.unhcr.org.

Rate the Sessions attended from 1 – 4
(1 = very poor, 2 = poor, 3 = good, 4 = very good)

Rating: 1 = very poor; 2 = poor; 3 = good; 4 = very good	Structure					Usefulness				
	1	2	3	4	Avge.	1	2	3	4	Avge.
Agenda		2	24	26	3.5		2	24	25	3.5
Overall quality of the round-tables you attended		3	27	21	3.4		5	24	19	3.3
Overall quality of the regional sessions you attended		5	19	21	3.4	1	3	17	21	3.4
Overall quality of the plenary sessions	1	3	29	17	3.2	2	2	25	17	3.2
Venue at CICG		3	9	40	3.7		1	9	36	3.8
Venue at the Palais des Nations	1	4	15	26	3.4	1	5	15	17	3.3
Side meetings	2	3	16	15	3.2	1	3	16	16	3.3
Opportunity to network	2	9	24	15	3.0	3	3	23	21	3.2
Overall organization of the Annual Consultations		4	25	23	3.4		3	18	31	3.5