

# Providing Protection and Assistance

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## Global Consultations on International Protection

UNHCR launched the *Global Consultations on International Protection* in order to revitalise the 1951 Convention and effectively re-equip States to address current humanitarian challenges. UNHCR completed the first two “tracks” of the Global Consultations in 2001. The third and final track, consisting of meetings within the Standing Committee framework, came to a close in May 2002, with a meeting focusing on “The Search for Protection-Based Solutions” (i.e. voluntary repatriation, local integration and resettlement) and on “The Protection of Refugee Women and Refugee Children.” This meeting left the Agenda for Protection in its final, complete form, encompassing six goals:

- 1 Strengthen implementation of the 1951 Convention and its 1967 Protocol;
- 2 Protect refugees within broader migration movements;
- 3 Share burdens and responsibilities more equitably and build the capacity to receive and protect refugees;
- 4 Address security-related concerns more effectively;
- 5 Redouble the search for durable solutions; and
- 6 Meet the protection needs of refugee women and children.

In December 2002, the General Assembly welcomed the Agenda for Protection, as well as the contribution of the Global Consultations on International Protection “to strengthening the international framework for refugee protection and to equipping States better to address the challenges in a spirit of dialogue and co-operation.” UNHCR, through the Department of International Protection (DIP) set in place mechanisms to monitor implementation of the Agenda for Protection, as requested by the Executive Committee. Pursuant to the Agenda for Protection, the High Commissioner launched the “Convention Plus” initiative, to

develop tools and arrangements for better global management of refugee problems.

As part of the follow-up to the Agenda for Protection, DIP sponsored a roundtable seminar for experts in Lisbon in December 2002 on the topic of “effective protection” in the context of secondary movements of asylum-seekers and refugees. The question of what constitutes “effective protection” in a third country usually arises in the implementation of what is variously referred to as the concept of “first country of asylum”, “safety elsewhere” or the “safe” third country concept (i.e., States justify the rejection and removal of asylum-seekers on the ground that they have arrived via another state in which they already enjoyed safety). The Agenda for Protection recognises that better understanding of “effective protection” is needed to underpin the new strategies (for capacity-building, burden-sharing and return arrangements) to manage the mixed movements of people currently challenging the asylum systems of many countries.

## Statelessness

In 2002, follow-up on statelessness issues centred on the implementation of recommendations outlined in the 2001 *Evaluation of UNHCR’s Role and Activities in Relation to Statelessness Issues*, and the relevant Conclusion adopted by UNHCR’s Executive Committee. Increasing problems of statelessness were noted worldwide and UNHCR was asked to broaden the scope and geographic extent of its activities. The need for additional resources remained a key challenge in this regard. In the first half of 2002, these initiatives were severely affected by overall budget cuts. As a result, UNHCR was unable to seize certain opportunities to contribute to the reduction of statelessness.

UNHCR’s work on behalf of stateless persons, nevertheless, again included technical advice in the drafting and implementation of nationality laws. These laws are often the immediate cause of the displacement problem, and, if amended, could

instead become part of the solution. This expertise is increasingly sought by States and organisations from different regions. Through co-operation with UN agencies, including the Department of Political Affairs and the UN Security Council, UNHCR's perspectives are often reflected in negotiations and peace agreements that address issues of nationality.

Strengthening partnerships with regional and other international organisations was also a key area of activity, as these partnerships help to further effective solutions while minimising the impact of resource restrictions. In consultations with the European Commission early in 2002, UNHCR highlighted the problem of statelessness, and later agreed on a project to be carried out in 2003, to review implementation of the 1954 and 1961 Statelessness Conventions in EU Member States and provide recommendations for harmonisation measures. In June, UNHCR provided a full-day briefing on statelessness to the OSCE Permanent Council in Vienna. Consultations focused on the 1954 and 1961 Statelessness Conventions as tools of conflict prevention and regional stability. In these, and follow-up consultations at the OSCE Human Dimension Implementation Meeting in Warsaw in September 2002, several proposals for joint action were adopted. These included close collaboration with the Council of Europe on the elaboration of a legal instrument to reduce statelessness in the context of state succession.

Other workshops for government delegates and professionals dealing with cases of statelessness were held in Canada, the Republic of Montenegro (Serbia and Montenegro), Turkmenistan and, for the first time, in the Caribbean region. Significant strides have been made within UNHCR to ensure that statelessness-related initiatives are incorporated into Country Operation Plans.

### Internally Displaced Persons

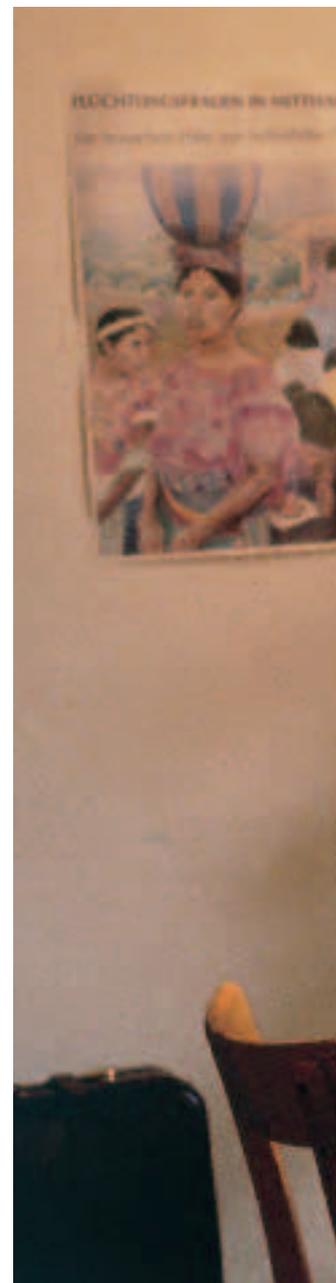
DIP and the Evaluation and Policy Analysis Unit (EPAU) jointly organised a workshop on "Protection and Solutions in Situations of Internal Displacement: Learning from UNHCR's Operational Experience" in May 2002. The High Commissioner subsequently informed the UN Emergency Relief Co-ordinator, of IDP operations in which UNHCR is involved worldwide, indicating his willingness to

discuss other operations in which UNHCR might become involved, within the common UN arrangements to respond to IDP situations. In response, the Emergency Relief Co-ordinator asked United Nations OCHA IDP Unit to carry out a mapping exercise to identify what UN agencies are doing on behalf of IDPs in the different countries affected by the phenomenon. The aim is to better co-ordinate UN activities to ensure the provision of protection and assistance for the estimated 25 million IDPs around the world.

As part of its close co-operation with this unit, UNHCR assigned a senior staff member on a non-reimbursable basis, and participated in a number of its missions. It also deployed a senior staff member to go on behalf of the Unit to Sudan as a temporary IDP Advisor, to provide support for the design of an IDP strategy that could be applied throughout the country.

### Migration and Asylum

Protecting refugees within broader migration movements is one of the objectives of the *Agenda for Protection*. As part of its efforts in this field, UNHCR contributed to a study undertaken by the Berne Initiative, of international legal norms applicable in the sphere of migration. Several high-profile meetings also served to highlight UNHCR's views on the necessity of ensuring adequate protection safeguards within migration-control measures. These meetings included the Inter-governmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia; the Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants; the work of the International Centre for Migration Policy Development (Vienna) and the International Migration Policy Programme.





Providing international protection is crucial to UNHCR's efforts to help millions of refugees. A protection officer helps refugees in Austria with their papers and documents. *UNHCR / L. Taylor*

UNHCR also participated actively in the first Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime held in Bali in early 2002.

The joint UNHCR-IOM Action Group on Asylum and Migration (AGAMI) launched in November 2001, in response to recommendations made during the *Global Consultations on International Protection* met several times during 2002 and held useful discussions on the asylum/migration nexus. In late 2002, it was proposed to extend the dialogue to the Office of the UN High Commissioner for Human Rights.

In response to the challenges posed by large-scale arrival by sea, of both immigrants and asylum-seekers, UNHCR convened a workshop in Lisbon in March 2002, on the theme of *Rescue-at-Sea: Specific Aspects relating to the Protection of Asylum-Seekers and Refugees*. The meeting, attended by 33 representatives of governments, the shipping industry, NGOs and academia, explored guidelines on rescue-at-sea and disembarkation, and discussed a potential co-operative framework to sustain the maritime tradition of rescue-at-sea with adequate refugee protection safeguards. In this effort, co-operation with the International Maritime Organisation (IMO) was considerably strengthened during 2002.

In April 2002, UNHCR began to co-chair, with ILO, the IGO Contact Group on Human Trafficking and Migrant Smuggling. The Contact Group is an informal grouping of agencies with representation in Geneva whose work is affected by issues relating to the trafficking and smuggling of human beings. This Group focuses on key issues of law and policy relating to trafficking in persons and smuggling of migrants as defined in the Protocols to the Convention Against Transnational Organised Crime (adopted by the General Assembly in November 2000). It aims to facilitate the exchange of information on trafficking and smuggling and to foster inter-agency co-operation.

## Expenditure on Protection

UNHCR's global activities may be considered an integral part of international protection. They range from assistance and logistical support to the deployment of protection staff in the field to activities at headquarters to urge States to adopt legal instruments of international protection. Expenditure on international protection can also be located throughout this Global Report as follows:

- In individual Country Chapters: under the budget headings Protection, and Legal Assistance;
- In the chapter on Global Programmes: under the budget headings Promotion of Refugee Law and Advocacy, Resettlement Projects and Protection-Related Projects, including Voluntary Repatriation;

- In the chapter on Headquarters: under the heading Department of International Protection.

Other protection-related expenditure is implicitly included under various budget headings such as staff training, security, refugee women and children, or NGO projects. UNHCR's financial system does not permit the aggregated calculation of protection-related elements in such budget headings.

### Budget and Expenditure (USD)

Country	Current Year's Projects	Prior Years' Projects
	Annual Programme Budget	Supplementary Programme Budget
Legal Assistance	170,707	58,940
Programme Support	168,367	1,092
<b>Total</b>	<b>339,074</b>	<b>60,032</b>
Unliquidated Obligations	10,346	0
<b>Total</b>	<b>349,420</b>	<b>60,032</b>
Outstanding 1st January	0	114,434
New Obligation	349,420	0
Disbursements	339,074	60,032
Cancellations	0	54,402
<b>Outstanding 31 December</b>	<b>10,346</b>	<b>0</b>