

UNHCR AFRICA CONSULTATIONS WITH NGOS AND MULTISTAKEHOLDERS

10-11 SEPTEMBER 2019

DISCUSSION PAPER

Date: 10 September

Time/Room: 1:30pm – 3:30pm/Nelson Mandela Foundation, Lower Level

Title of session: Protection Capacity

Executive Summary:

The refugee protection system has come under pressure today with more 70 million people displaced [of whom 25.9 million are refugees], conflicts continuing and proliferating, and environmental degradation on the rise. The narrative is that the world is facing an unprecedented crisis, and that the “burden” of forced migration is becoming an impossible one to carry. This context raises serious questions about refugee protection and how different stakeholders can respond.

National authorities are responsible for the protection and assistance of refugees, stateless persons and other persons of concern and for preventing, responding to, and helping solve displacement. National laws, policies and strategies on refugees can provide important guidance to national authorities and other relevant parties, as well as serving as an important tool for safeguarding refugees’ rights. The fulfilment of this responsibility is a challenge, however, particularly in the context of limited institutional capacities and funding.

For example, some challenges to protection has been stricter immigration and refugee laws; access to legal, education, health and social services; unlawful arrest and detention; xenophobic attacks and looting of businesses; and continued clashes from countries of origin.

Given these challenges, we are here to ask what can be done to work towards a better, more equitable and comprehensive global and regional approach to refugee protection and solution.

This session will look at the many positive examples, of community-based protection approaches and programmes, progressive laws, policies and practice that have been put in place in refugee hosting countries for the benefit of refugees and host communities alike. Equally, this session will also discuss the growing challenges facing the protection of persons of concern.

Civil society has a role in saving lives and providing protection for those in need remains critical. This includes among others, investing in legal protection as well as community-based protection which has proven effective in promoting social cohesion amongst communities; advancing accountability to affected people; enhancing the identification of persons and communities at heightened risk; and engaging communities in addressing SGBV, gender inequality, child protection and the exclusion of marginalized groups.

This session will also discuss the sensitive and dehumanizing trend towards refugees and asylum seekers and how best to address protection issues and ensure that human dignity remains at the forefront of protection. In reality, long-term protection and solutions dividends can only be achieved in close partnerships all stakeholders and with the individuals and communities we serve. The regionalization efforts of UNHCR recognizes the importance of being closer to refugees and partners in order to strengthen protection activities and responses to refugee protection needs.

This panel will concentrate discussions on how to strengthen partnerships with civil society and stakeholders, consider national policies that safeguard refugees and the obligation of UN

member States toward refugee protection, no more so than in the wake of the adoption of the Global Compact for Refugees and the upcoming Global Refugee Forum.

Objectives of the session:

1. The Global Compact on Refugees recognises the importance of an improved multi-stakeholder and partnership approach in global prevention and response to large-scale refugee situations. A strong partnership commitment and multi-stakeholder action to promote context-specific, predictable, broadened fora of support for refugees, host countries, and communities, in line with national priorities and national response arrangements, will support and expand the regional protection capacity to prevent and respond.
2. Support a strong, diverse and collective regional African voice among the NGOs and all the stakeholders and prepare to support the Global Refugee Forum discussions in the best way possible.

Desired outcome of the session:

1. What role can various actors in the international community but more importantly in the region play in the improvement or development of Law and/or Policy in refugee protection?
2. How can various actors best contribute to the implementation of Law and/or Policy related to refugee protection?

Methodology & choreography (*panel discussion, break-out sessions, mixture of different elements*)

The session will comprise of a 40 minute facilitated panel discussion, a Q&A session. The panel will be framed around a discussion to consider a refugee centred system- to re-imagine protection, status determination and to look at prevention strategies and durable solutions in an era of long-term displacement.

Co-facilitators – UNHCR and Lawyers for Human Rights (Sharon Ekambaram)

Moderator:

Maanda Makwarela joined SERI as a Senior Researcher in April 2018. Prior to joining SERI, her work focused on the development of civil society, public housing law, and refuge and asylum law. Maanda most recently worked with the Legal Aid Forum in Rwanda.

Panelists:

1. Dr. Bonolo Ramadi Dinokopila, Associate Professor, Department of Law, University of Botswana
2. Mr. Celestino Chorar a Butão Epalanga, Deputy Director, Jesuit Refugee Service, Angola
3. Ms. Liesl Muller- Statelessness-Planning for statelessness in the last 5 years of the iBelong campaign, including the High Level Segment at Excom in October.
4. Mr. Leonard Zulu, Deputy Regional Director for Southern Africa, UNHCR