

NGO Statement to the High Commissioner's Forum 17 November 2005

Delivered by Rachel Brett, Quaker UN Office, Geneva

1. The future of the Forum: We would like to start by recalling that this Forum comes from the Agenda for Protection (Goal 1, subgoal 5, point 2):

“... UNHCR to continue to provide a Forum for high-level and participatory dialogue on protection issues, emerging global themes and challenges, as well as specific protection situations, particularly those of an urgent character.”

“Convention Plus” was a later initiative which became the focus of the Forum's discussions. We believe that there is a need for the Forum as originally envisaged and would like to see it continue on the basis set out in the Agenda for Protection.

2. We are concerned that the issue of “irregular secondary movement” should not be narrowed only to the question of the asylum-migration nexus. The key issue which emerged from the Core Group discussions is the need to address the problem of those persons who have not found protection. This is evident from the findings of the “Somali Refugee Survey” (commissioned for the Core Group) which showed that the top three motivations for secondary movement were (i) lack of durable solutions; (ii) lack of fair asylum procedures and secure legal status; and (iii) lack of physical safety. We therefore welcome the emphasis on strengthening protection capacities, which help to address the problem, rather than focussing on readmission, which is an admission of failure and an evasion of responsibility. There is a separate issue about ensuring protection of the human rights of migrants: no discussions within a refugee framework should compromise this.

3. We would like to emphasize the need not only to getting development aid for durable solutions, but also to look at the methodology for working with refugees. We need to get away from dependency toward empowering refugees to be part of the solution themselves through a more community development approach and more refugee participation from the full spectrum of the refugee population – children, adolescents, men, women, elderly, minorities, etc – as is done in the age, gender and diversity mainstreaming outlined in UNHCR's too little known policy on community development.

4. We look forward to seeing the Multilateral Framework of Understanding on resettlement in action. Resettlement is an important form of durable solution, both for individual particularly at risk cases and more generally. We would like to express appreciation for countries of resettlement and urge other countries to become resettlement ones. In particular, only seven European countries (out of 16 countries worldwide) are resettlement ones. In addition, the countries which have resettlement quotas must increase their efforts to fill their annual quotas. (Fewer than 5,000 refugees were resettled in Europe in 2004). Resettlement must not be used to undermine the right to

seek and enjoy asylum, but it would increase access to Europe for refugees in a way that could facilitate public understanding and acceptance of the plight of refugees rather than feeding xenophobic attitudes, as well as demonstrating European governments' commitment to taking a fairer share in this.

5. In the context of comprehensive solutions for Afghan refugees, we would like to highlight as priorities the need for security, shelter and job opportunities for returnees.

6. Finally, we think it is also essential to draw attention to the realities. UNHCR's operational budget for 2005 was cut by 20%<sup>1</sup>. The recently-approved 2006 budget will also be cut by 20% at the beginning of the year. We are extremely concerned to learn that the strengthening protection capacities project is not fully funded. Equally we are concerned about ensuring funding for the various comprehensive plans of action. This raises the question of how is the mainstreaming of Convention Plus going to be done in order to make a difference in reality and how are development actors and funding going to be brought in? We are interested by the High Commissioner's comments about the possible role of the proposed new UN Peacebuilding Commission in this regard, but this High Commissioner's Forum, as set out in the Agenda for Protection, was also seen as a flexible tool which could serve for this purpose.

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<sup>1</sup> Figure corrected by the High Commissioner in his response as he only approved a 14% cut