

UNHCR led the protection cluster at the Haitian border after the destructive earthquake in Haiti.



Ensuring Protection for People of Concern

Six decades after its creation by the UN General Assembly, UNHCR remains the only UN agency with a mandate to provide international

protection to refugees, stateless persons and other people of concern. Since the launch in 2005 of the UN's humanitarian reform process, the Office has assumed a larger role with respect to internally displaced persons. UNHCR undertakes a wide range of activities—including refugee status determination (RSD), registration, resettlement, advocacy, capacity building and training—to ensure that all people of concern have access to the full complement of human rights as they await durable solutions to their plight.

Today, UNHCR faces new challenges in carrying out its mandate. Many factors are limiting the protection space available for people of concern and restricting UNHCR's ability to respond to their needs. These include mixed migratory flows and accelerated urbanization; the growth of displacement linked to climate change and natural disasters; and the changing nature and complexity of conflicts. The provision of protection is further complicated by racism and xenophobia, as well as the vulnerable status of women and children in many parts of the world.

In 2011, UNHCR plans to address these and other challenges by continuing its efforts to promote a favourable protection environment, improve access to fair protection processes and ensure the security of people of concern against violence and exploitation. In addition, the commitment to address problems of vulnerability linked to age, gender and diversity, and tailor programmes to the specific needs of people of concern, underpins all of UNHCR's activities.

A Favourable Protection Environment

ADEQUATE LEGAL AND ADMINISTRATIVE FRAMEWORKS

One of UNHCR's key missions is to provide guidance and advice on laws and policies affecting people of concern and to engage with governments to strengthen asylum systems. UNHCR also works to ensure consistent and sound interpretation and application of relevant protection standards through domestic and international court interventions. This helps to bridge protection gaps when administrative processes fail. UNHCR remains engaged with the legal community, including the judiciary, in various national and regional jurisdictions.

In 2011, UNHCR will bolster the protection of people of concern by helping to build the capacity of adjudicatory bodies. For instance, it will organize courses on international refugee law for national eligibility commissions in Ecuador and other countries that are members of the Organization of American States (OAS). It will also convene subregional meetings of national eligibility commissions in the Andean Region in South America, and in Senegal for 16 West African countries.

Guaranteeing the basic rights of people of concern is key to fostering a favourable protection environment. Throughout 2011, UNHCR will continue to focus on human rights principles in all areas of its work. With this objective, UNHCR will train staff on human rights norms, participate in regional protection meetings and support the exchange of good protection practices between the European and the

Inter-American human rights systems. Furthermore, it will organize, together with UNESCO, an annual course on Human Rights and Refugee Law in Benin. This will be open to members of civil society, government officials and UNHCR staff from West and Central Africa.

UNHCR will remain involved in consolidating the international human rights normative framework. It will work with the UN Committee on the Rights of the Child and the Human Rights Council to elaborate a general comment on the right of children to acquire a nationality, as well as on an Optional Protocol to the Convention on the Rights of the Child. UNHCR will also contribute to the adoption of a General Recommendation on displaced and stateless women by the UN Committee on the Elimination of Discrimination against Women.

Detention, especially of asylum-seekers and refugees, continues to be an issue of concern to UNHCR. Developments in the sphere of human rights and practical experience gained in several countries have led UNHCR to look for alternatives to detention. The Office will build on the outcomes of a 2010 subregional workshop in the Republic of Korea on this theme, for instance by organizing a series of regional roundtables on alternatives to detention. The results of these meetings will form the basis for a review of UNHCR's guidelines on detention, and for awareness-raising activities on humane and effective alternatives to detention.

PROTECTION-SENSITIVE MIGRATION POLICIES

In 2011, UNHCR will also focus on strengthening protection-sensitive migration policies. In Latin America, for instance, UNHCR will support regional migration forums in order to establish protection safeguards for the identification of refugees, victims of trafficking and unaccompanied minors. To follow up on the Regional Conference on the 10-Point Plan of Action on Refugee Protection and Mixed Migration that was held in Costa Rica in November 2009, UNHCR will publish its findings on extra-regional migration and set up profiling and referral mechanisms in the same region (from Mexico to Panama).

In Asia, UNHCR will continue to engage in the Bali Process, which supports coherent and practical migration management responses in the region. This would include protection safeguards to identify refugees, victims of trafficking and unaccompanied minors within mixed migration movements. In West Africa, UNHCR will work with IOM and the ECOWAS Commission to create networks and build capacity for the identification and referral of asylum-seekers, refugees and

victims of trafficking, and the facilitation of return of non-refugees.

In the Horn of Africa, UNHCR will support protection activities through a regional project covering Djibouti, Kenya and Yemen. This will revolve around three refugee protection themes: rescue-at-sea; the protection of persons at risk (with a focus on victims of sexual and gender-based violence and unaccompanied and separated children); and the role of host communities and civil society in refugee protection.

ENSURING ACCESS TO TERRITORY

The principle of *non-refoulement* is of cardinal importance in international refugee law. Telling indicators of lapses in protection include: instances of *refoulement*; interception of asylum-seekers and migrants at sea and push-backs to unsafe countries; improper verification procedures; inadequate reception conditions; and long waiting periods before asylum claims are registered and adjudicated. UNHCR is working to address these issues by helping States to develop asylum laws; training border police and immigration officials; and making formal and informal interventions with relevant authorities and institutions.

RESPONDING TO THE CHALLENGE OF URBANIZATION

Persons of concern to UNHCR are increasingly moving to, and residing in, urban areas. Following the 2009 High Commissioner's Dialogue on Protection Challenges, UNHCR selected seven pilot sites to assess the implementation of UNHCR's new policy on urban refugees, and identify good practices. Pilot programmes are underway in Cairo, Desamparados (San José), Dushanbe, Kuala Lumpur, Nairobi, Moscow and St. Petersburg. In 2011, UNHCR will evaluate the pilots, conduct workshops on the lessons learned, and develop additional operational guidance.

IMPROVING PUBLIC ATTITUDES TOWARDS PEOPLE OF CONCERN

In 2011, UNHCR will give priority to combating racism, racial discrimination, xenophobia and related intolerance, which remain serious problems for people of concern in many parts of the world. As a follow-up to its 2009 *Strategy Note on Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance*, UNHCR will produce a compilation of good practices for distribution to staff and partners.

Fair Protection Processes and Documentation

REGISTRATION AND PROFILING

Ensuring reliable registration, data collection and documentation at all stages of an operation is a priority for UNHCR. The Office works with governments to register asylum-seekers and refugees and helps to issue identity documents. This is a critical element of UNHCR's work to respond to basic protection needs and prevent discriminatory practices. Profiling is a special technique to enable the gathering of population data in situations where comprehensive registration may not be feasible or advisable.

UNHCR will continue to deploy five Regional Registration Officers in Asia and Africa. A significant upgrade of its registration software, *proGres*, is helping to improve connectivity and accessibility by other partners,

including governments. The new version, called *proGres in partnership*, will be deployed to field offices and partners starting in 2012.

The Office will continue to host and support the Joint Inter-Agency Profiling Service (JIIPS) established in 2009, which has significantly improved the quality and availability of data, particularly on IDPs. The service supports data collection by all agencies working in humanitarian operations, providing them with technical advice, field support missions and guidance, as well as the resources necessary to gather and share comprehensive data on populations disaggregated by sex and age.

The Office will also strengthen data management capacity in the Field through technical missions, staff training, the deployment of expert staff

and the development of new data collection tools, particularly those needed to support UNHCR's results-based management.

Furthermore, an emergency stockpile of registration items to cover the needs of 500,000 people of concern will be maintained.

REFUGEE STATUS DETERMINATION

States have the primary responsibility to determine the refugee status of asylum-seekers on their territory. UNHCR encourages and assists governments to adopt fair and efficient RSD procedures. In countries with developing asylum systems, including countries where it has handed over responsibility for RSD to national authorities, UNHCR will remain ready to provide technical advice and train RSD decision-makers.

In 2011, UNHCR will play a role in the first-instance and appeal bodies in a number of countries, particularly in Africa. It will also help to develop and refine asylum laws and procedures in States to which it has recently handed over responsibility for RSD, such as Cambodia, Israel and Kazakhstan. In addition, UNHCR will engage with the legal community in various countries in order to improve access to justice for people of concern, build the capacity of lawyers and improve the quality of legal aid and representation.

Training will remain key to maintaining UNHCR's RSD capacity. In 2011, some 100 staff in four regions will complete the RSD Learning Programme. The Office will also launch a new RSD Management Learning Programme. This will help managers of RSD operations to deliver high-quality decisions more efficiently and develop case-management strategies adapted to their operations. UNHCR will expand the RSD Community of Practice, an internal online platform for facilitating discussions on RSD issues among staff.

The diversity of contexts in which UNHCR carries out RSD can make it difficult to plan accurately for staffing needs. In 2011, UNHCR will develop an internal roster to aid the rapid deployment of experienced RSD staff to operations facing acute challenges.

UNHCR will continue to provide operational support to RSD operations through the RSD deployment scheme. In 2010, RSD project consultants were deployed to enhance case-processing efficiency in a number of UNHCR operations, including Lebanon, Malaysia and Morocco. In India, Kenya and Turkey, the consultants have helped to reduce significant RSD backlogs. RSD project consultants are also assisting the UNHCR operation in Indonesia to respond to the 830 per cent increase in new applications. In South Africa and Ukraine, RSD project experts have permitted the operations to improve resettlement capacity significantly.

Building on the positive collaboration with the Immigration and Refugee Board of Canada, and the *Office Français de Protection des Réfugiés et Apatrides*, UNHCR plans to expand strategic partnerships with governments to allow members of national asylum bodies to be deployed to support UNHCR's RSD capacity-building activities globally.

Staff members visit families in Gardasin camp, Iraq, as part of UNHCR's regular protection monitoring activities.



PROTECTION INFORMATION

In 2011, UNHCR will continue to assess security and human rights situations and the applicability of protection standards in particular countries and will follow up with eligibility guidelines. It will produce up to 10 eligibility guidelines on countries where demand from States and UNHCR for guidance is greatest.

FAMILY REUNIFICATION

UNHCR will continue to adhere to the principle of family unity and promote the best interests of children. For example, in any resettlement submission, UNHCR takes account of close family members who may already be living in a resettlement country.

Most resettlement countries require that a best interest determination (BID)

THE COMMITMENT TO ADDRESS PROBLEMS OF VULNERABILITY LINKED TO AGE, GENDER AND DIVERSITY, AND TAILOR PROGRAMMES TO THE SPECIFIC NEEDS OF PEOPLE OF CONCERN, UNDERPINS ALL OF UNHCR'S ACTIVITIES

To improve the quality of decision making and policy analysis, UNHCR will place emphasis on the accuracy, reliability, objectiveness and accessibility of protection information and the training and capacity building of government and UNHCR staff. In order to guarantee that such information is easily accessible to refugee decision-makers, UNHCR will enhance *Refworld*, its database on refugee issues, which is already freely available at www.refworld.org.

is made before accepting a child who is not living with its natural parents or close relatives (when the parents are deceased). Through the ICMC Resettlement Deployment Scheme, UNHCR has access to a roster of BID experts who can be deployed to operations dealing with a significant number of separated children.

Security from Violence and Exploitation

SEXUAL AND GENDER-BASED VIOLENCE

Sexual violence is recognized as a priority security concern by all UN agencies. Security Council Resolutions 1820 and 1888, as well as recent initiatives, such as the UN Secretary-General's campaign *Unite to End Violence Against Women*, demonstrate the growth in international action to prevent and respond to this type of crime.

In 2011, UNHCR will continue to participate in the *UN Action Against Sexual Violence in Armed Conflict* campaign as well as inter-agency groups such as the Gender-Based Violence Area of Responsibility sub-cluster (under the global protection cluster led by UNHCR) and the Gender-Based Violence Information Management System Global Team on sexual and gender-based violence data collection. These activities will be conducted in partnership with UNFPA and IRC.

UNHCR's strategy for preventing and responding to sexual and gender-based violence is being developed in consultation with partners and will be finalized and implemented in 2011. It outlines themes to guide UNHCR's work in this critical area over the next five years, including:

- Engaging men and boys in the effective prevention of sexual violence through culturally appropriate initiatives that address attitudes and behaviour.
- Addressing the use of survival sex as a coping mechanism in displacement by focusing on early identification of, and responses to, women and children at risk.
- Ensuring access to information, health care and social services for those involved in sex work, including access to education for children of sex workers.
- Identifying effective, innovative and sustainable solutions to address water and sanitation needs.
- Addressing sexual and gender-based violence, including harmful traditional practices, against those of concern to UNHCR who are living with disabilities, children, or who are lesbian, gay, bisexual, transgender, and intersex individuals.

UNHCR will implement a joint programme to develop the capacity to prevent and respond to sexual and gender-based violence in Afghanistan, Nepal and Pakistan. The programme aims to train 63 staff who will then bolster the capacity of 360 international and national personnel.

The Gender-Based Violence Information Management System (GBVIMS) is a multi-faceted initiative that enables humanitarian actors to collect, store, share and analyse reported-incident data in a simple, confidential and harmonized manner. The GBVIMS aims to give service providers a better understanding of cases being reported, and to enable them to share data across project sites and with other agencies.

In 2009–2010, UNHCR, UNFPA and IRC introduced the GBVIMS in Kenya, Southern Sudan, Thailand and Uganda. In 2011, UNHCR will implement the GBVIMS in Burundi, the Central African Republic, Chad, Egypt, Ethiopia, Jordan, Liberia, Nepal, Rwanda, Sudan (Darfur) and the Syrian Arab Republic.

In the Democratic Republic of the Congo (DRC), UNHCR has established protection and prevention working groups at the provincial level in south Kivu, north Kivu and Ituri. In recognition of the extent of sexual violence in the country, UNHCR's work in 2011 will include initiatives to prevent and mitigate threats and reduce vulnerability and exposure to sexual violence. The Office will participate in coordination mechanisms at the national and provincial levels. Finally, it will launch an e-learning tool on sexual and gender-based violence for staff and partners in 2011.

AGE, GENDER AND DIVERSITY MAINSTREAMING

UNHCR's age, gender and diversity mainstreaming (AGDM) efforts aim to ensure gender equality and the enjoyment of rights by all persons of concern. At the same time, AGDM leverages the rich range of capacities that exist within communities to bring about positive change.

In June 2010, the High Commissioner called for additional efforts to implement the AGDM strategy more effectively. A three-year *AGDM Forward Plan* was launched in late 2010 and sets out some 40 concrete steps to be taken in seven key areas (see text box), beginning in 2011. Examples of these actions include:

- Convening quarterly Senior Management Committee meetings to monitor progress and endorse strategies to address gaps in AGDM implementation;
- Developing and integrating age, gender and diversity (AGD) concepts into all relevant learning modules;
- Ensuring that new work on the Global Management Accountability Framework maintains an AGD perspective;
- Revising the Results Framework so that it is fully aligned with, and supportive of, an AGD approach, including the responsibility to collect essential disaggregated data on sex and age;
- Promoting the collection of sex and age disaggregated data by governments; and
- Ensuring that UNHCR promotes an AGD approach in all interagency protection forums.

● Seven core areas of action for AGDM

1. Enhanced leadership and visibility
2. Expanded capacity for enhanced impact
3. Strengthened accountability
4. Age, gender and diversity prioritized in resource allocation
5. Strengthened monitoring and evaluation of AGD and its impact
6. Enhanced policy and other AGD-related guidance
7. Expanded partnerships to strengthen AGD

In close partnership with a local NGO in Somaliland, UNHCR provides physiotherapy to the disabled as well as counselling for survivors of sexual and gender-based violence.



UNHCR / A. WEBSTER

The impact of these activities will be measured by assessing progress towards the achievement of the AGD-related Global Strategic Priorities, as well as the annual progress assessment undertaken as part of the AGDM accountability framework. The latter will allow the Office to share good practices and ensure that senior managers are accountable for the promotion of gender equality and the rights of women, children, survivors of sexual and gender-based violence, older persons, people with disabilities and other groups with specific needs.

PROTECTION OF PEOPLE WITH SPECIFIC NEEDS

People with disabilities and older people may be overlooked in humanitarian response operations, as they tend to be less visible in the community. UNHCR supports the implementation of the Convention on the Rights of Persons with Disabilities and the Executive Committee adopted a Conclusion on refugees with disabilities and other persons with disabilities protected and assisted by UNHCR at its 61st plenary session in October 2010. In 2011, the Office will focus on issuing a global strategy and accompanying guidance on working with displaced people with disabilities.

For 2011, more than 65 operations around the world have made

FOR 2011, MORE THAN 65 OPERATIONS AROUND THE WORLD HAVE MADE COMMITMENTS TO IMPROVE THE INDEPENDENCE OF PERSONS WITH DISABILITIES AND OLDER PERSONS OF CONCERN

commitments to improve the independence of persons with disabilities and older persons of concern. Some of the initiatives planned include projects to improve the accessibility of UNHCR offices, food distribution points, medical services and sanitary facilities; provide targeted income-generation projects, vocational training, special education and counselling; increase the number and scope of community outreach programmes, particularly in urban environments; and support the integration of persons with disabilities and older persons into all aspects of community life.

PROTECTION OF CHILDREN

Protecting children of concern to UNHCR requires collaboration with governments, international and national partners, local communities and the children themselves. UNHCR supports national child-protection capacities where they exist, and tries to ensure minimum standards of protection for

children where national child protection systems are weak.

Determining the best interests of children at risk is central to UNHCR's child protection activities in all regions. While UNHCR has made significant progress in putting the principle of the best interests of the child into practice, more efforts are needed to ensure that children who are unaccompanied, victims of violence or otherwise at risk have access to BID procedures that are conducted by qualified individuals.

In 2011, UNHCR and its partners will strengthen their BID capacity through an e-learning course, workshops and the deployment of expert staff to field operations. UNHCR also plans to undertake a review of BID procedures in Europe, with a view to developing guidance that industrialized countries can use to protect unaccompanied and separated asylum-seeking children and other children at risk in mixed migratory flows.

Birth registration is another important tool in child protection, but

COMMUNITY-BASED CHILD PROTECTION MECHANISMS ARE AN INTEGRAL PART OF EVERY PROTECTION STRATEGY, ESPECIALLY FOR CHILDREN IN CAMP SETTINGS. THESE MECHANISMS INVOLVE COMMUNITY PARTICIPATION IN THE IDENTIFICATION AND FOLLOW-UP OF CHILDREN WHO ARE AT RISK OF VIOLENCE OR EXPLOITATION

remains out of reach for more than half of the world's refugee children. Increasing the number of children registered at birth is therefore a primary objective for UNHCR. In 2011, information campaigns to increase the number of children with access to birth documentation—such as those carried out in 2009 and 2010 in Senegal to ensure that Mauritanian children born in the country were fully documented prior to return—will be extended to other operations. Best practices seeking to prevent or reduce statelessness, such as the birth registration campaign in Côte d'Ivoire, will be replicated in other operations.

Community-based child protection mechanisms are an integral part of every protection strategy, especially for children in camp settings. These mechanisms involve community participation in the identification and follow-up of children who are at risk of violence or exploitation. UNHCR will also support child-friendly spaces, where children are provided with a safe setting in which to learn, play and grow even in the midst of turmoil. Such spaces exist or are planned in refugee settings such as in Algeria, Kenya and Uganda.

Strengthening UNHCR's work in relation to unaccompanied children is

Internally displaced girls receive education in mine risk awareness in Yemen.



essential to ensure that effective mechanisms for identification, documentation and family tracing are in place. This entails direct interventions and partnerships in the Field. At the global level, it involves helping UNICEF and NGO partners to develop policy guidance and other tools with regard to unaccompanied and separated children.

GENDER EQUALITY AND THE PROTECTION OF WOMEN AND GIRLS

UNHCR is committed to promoting gender equality and ensuring equal access to livelihoods, education and community participation initiatives. Nevertheless, challenges remain in systematically collecting, analysing and reporting on the specific experiences of refugee, returnee, internally displaced and stateless women and girls.

To address this gap, in 2011 UNHCR will systematically apply specific indicators that provide a comprehensive view of the situation of women and girls. Areas to be measured include participation in camp management; documentation and individual registration; the prevention of, and response to, sexual and gender-based violence; distribution of sanitary materials; economic self-reliance; and access to education, shelter, health and legal services. An initiative being implemented in cooperation with the University of New South Wales (Australia) will test indicators that relate to nine core areas of concern that affect women's and girls' livelihoods.

Operations selected for this initiative will commit to measuring the indicators for a minimum of three years. The project is expected to strengthen UNHCR's Results Framework in relation to women and girls. A group of

refugee, stateless and displaced women participating in this initiative will be invited to take part in the 2011 NGO Consultations and speak at events in connection with the anniversary commemorations in 2011.

UNHCR will also develop a compilation of effective field responses to a wide range of protection concerns faced by women and girls. This tool will be widely distributed to staff and partners.

The Office continues to work to fulfil the High Commissioner's Five Commitments to Refugee Women, which were made in 2001. A series of five video clips on the importance of the commitments will be produced in Kenya in 2011 for awareness-raising and staff training purposes.

A 2010 review of UNHCR's performance in relation to the provision of sanitary materials to women and girls has indicated that most UNHCR offices still face constraints in meeting standards in this area. Addressing this gap will be a priority in 2011.

UNHCR estimates that women's participation in camp management and food distribution bodies stood at approximately 37 per cent in 2010. A number of measures aimed at reaching the objective of 50 per cent participation are planned for 2011.

Finally, UNHCR will continue to work with States in 2011 to achieve legal reforms that foster gender equality. The Office will build on successful advocacy initiatives carried out in 2010, such as in Germany, where gender-related persecution is now considered as grounds for asylum, or in the United Kingdom, where the proportion of women at risk being accepted into the resettlement programme has increased. ■