

DRAFT REPORT ON THE
ANNUAL TRIPARTITE CONSULTATIONS ON RESETTLEMENT

(Geneva, 22-23 June 2006)

Introduction

The 2006 Annual Tripartite Consultations on Resettlement (ATCR) were held in Geneva on 22-23 June 2006. Governments, non-governmental organizations, IOM and UNHCR met for the two-day event. The agenda and list of participants together with presentations, background documents and other supporting materials will be included in the proceedings of the meeting.

Day 1: 22 June 2006

1. Opening statements

1.a The Chair

Mr Aass opened by welcoming all participants to this year's ATCR. He expressed hope that the following two days would be constructive for all involved and that all questions and queries could be answered before the meeting's conclusion. He highlighted some of the previous year's achievements, notably the success of the Mexico Plan of Action and the recent meeting on Solidarity Resettlement in Quito. Before handing the floor to Ms Feller, Assistant High Commissioner for Protection, Mr Aass expressed his pleasure to be present at this year's ATCR.

1.b The Assistant High Commissioner for Protection

After thanking the Chairman and Norway for their strong partnership, Ms Feller spoke of the recent restructure within UNHCR and the creation of the Resettlement Service. She outlined the progress already made and the future goals which UNHCR hoped to achieve by this new organizational measure. Ms Feller provided a brief summary of the presentations and the issues which were to be discussed over the following two days. Ms Feller thanked the participants and handed the floor to Mr Vincent Cochetel and Ms Eva Demant.

A copy of Ms Feller's statement is attached in the annex.

1.c The Head of the Resettlement Service

Welcoming participants and acknowledging the significant progress made by the Resettlement Section in recent years, Mr Vincent Cochetel introduced himself as the new Head of Resettlement Service. He gave a brief background of his past service in UNHCR and the expertise he will bring to his new role. He informed the meeting that he would provide a more comprehensive outline of the Resettlement Service workplan under agenda item 3.

Ms Demant gave an overview of the key resettlement activities implemented by

UNHCR and its partners since the previous ATCR in June 2005. In this respect, Ms Demant spoke of the closure of the Uzbek refugee camp in Romania, the progress made in the area of group resettlement and the success of the Regional Resettlement Hubs. In addition, Ms Demant summarized the success of a number of programs, notably the UNHCR-ICMC Resettlement Deployment Scheme and the UNHCR Resettlement Anti-Fraud Plan of Action. Ms Demant concluded by thanking all donor countries and expressing UNHCR's gratitude for their continued support.

A copy of Ms Demant's statement is attached in the annex.

1.d The NGO Focal Point

On behalf of the NGO network, Mr Thomas Horne of the Norwegian Refugee Council thanked the Norwegian Chair and UNHCR for their collaboration in planning this year's tripartite meeting. Mr Horne welcomed the creation of the Resettlement Service under the Division of International Protection Services as well as the appointment of Mr Vincent Cochetel as the Head of the Service.

Mr Horne spoke of some of the developments which had taken place throughout the year, notably the increased resettlement quota of some European countries. For this, Mr Horne expressed gratitude on behalf of the NGO community. Mr Horne also welcomed the opportunity to discuss the protection issues of refugees living with HIV/AIDS and was hopeful that their condition would no longer be a barrier to resettlement. Mr Horne concluded by urging resettlement countries to cease applying added resettlement criteria in addition to that outlined in the 1951 Convention.

A copy of Mr Horne's statement is attached in the annex.

2. Adoption of the draft agenda and the minutes from the ATCR meeting of 14-15 June 2005

The minutes of the 2005 Annual Tripartite Consultations on Resettlement were adopted by consensus. The agenda for the current meeting was also adopted by consensus with minor changes to the date and time of presentations owing to the availability of presenters. These changes are reflected in the amended agenda, attached in the annex, and the report on the proceedings.

3. Updates by UNHCR and discussion

3.a.i The Resettlement Service

Noting the significant progress made by the Resettlement Section in recent years, Mr Vincent Cochetel briefed the meeting on the recent changes within UNHCR and specifically the creation of the Department of International Protection Services; including the Resettlement Service and the Solutions and Operations Support Section (SOSS) under the direction of the Head of Resettlement Service. It was noted that this restructure would assist in strengthening synergies within UNHCR to develop initiatives for comprehensive durable solutions strategies, including the strategic use of resettlement, as well as give stature and vigour to resettlement. As the newly appointed Head of Resettlement Service, Mr

Cochetel presented an initial outline of the workplan for the Resettlement Service covering management, policy and operational issues.

Designed to improve the overall performance of the Resettlement Service, this draft workplan aimed at streamlining the Service by acting at three different levels. The first part of this plan pertains to managerial issues. In relation to this, Mr Cochetel stressed the necessity to improve not only the performance indicators for resettlement staff, but to improve the global predictability and consistency of referrals. However, Mr Cochetel reminded the participants that predictability was a shared responsibility that could only be achieved through continued cooperation.

With regard to policy issues, Mr Cochetel mentioned a number of areas in which improvements could be made. In this respect, Mr Cochetel spoke about the need to further support emerging resettlement countries in Latin America as well as the need to strengthen cooperation between UNHCR and its resettlement partners.

The final areas requiring action concern *methodology* and *operational issues*. Mr Cochetel looked at the different stages of the resettlement process and noted the ways in which UNHCR and its partners could improve their performance. In this respect, issues such as simplification of individual referrals and the finalization of the guidelines on re-submission are considered to be of great importance.

Mr Cochetel concluded by thanking all the participants for their continued support and commitment.

A copy of Mr Cochetel's presentation is attached in the annex.

3.a.ii The Regional Resettlement Hubs

Mr Arafat Jamal, Senior Durable Solutions Officer, UNHCR Regional Resettlement Hub in Beirut, provided a comprehensive overview of the rationale for the Regional Resettlement Hubs, their location, achievements and challenges as follows:

Rationale for the Hubs

- widen access to resettlement as both a protection and durable solution tool for refugees in need;
- improve the quality of resettlement submissions and processing;
- bring the delivery of resettlement services closer to the field;
- designate a responsible centre for all resettlement issues pertaining to a particular region
- ensure transparency and integrity, and to prevent fraud;
- act as a vanguard for the incorporation of resettlement into larger UNHCR regional protection and durable solutions strategies.

The Hubs attempt to meet these functions through:

- **Coordinating:** serving as an outpost of the Headquarters Resettlement

Service in the field, liaison with regionally based resettlement countries; promoting the strategic use of resettlement in support of wider protection and durable solutions strategies; ensuring harmony and consistency amongst UNHCR offices in respect of global and regional resettlement policies and practice, in liaison with the respective Bureaux and the Resettlement Service

- **Supporting:** building the capacity of country offices to effectively and efficiently manage resettlement through training, reviewing resettlement submissions, managing deployments in response to specific needs, and fielding support missions
- **Monitoring:** ensuring the transparency and maintaining the integrity of the resettlement process through the review of individual submissions and the assessing systems and procedures by means of field monitoring missions

Locations

Regional Resettlement Hubs located in:

- Nairobi (created in 2002 and covering 26 countries in East, Horn, Great Lakes and Southern African region);
- Accra (created in January 2003 and covering 21 countries in West and Central Africa); and,
- Beirut (created in December 2005 and covering 15 countries in North Africa, the Middle East and the Gulf) – and expected to expand to Central and South West Asia by the end of the year.

Achievements

The Regional Resettlement Hubs have managed to bolster the resettlement function in their three regions through:

- Enhancing and expanding the resettlement programmes by **increasing numbers** of persons submitted, and accelerating the speed with which they are submitted;
- **Increasing acceptance** rates;
- **Diversifying** nationalities and countries of asylum;
- Providing significant and **timely (emergency, quick impact) support** to field offices (eg, 40 % of regional submissions made through support missions by Hubs in 2005);
- Improving operational planning;
- Improving **accountability and transparency** in resettlement operations, including through the development of SOPs for individual offices;
- Bringing resettlement into mainstream of **UNHCR protection and durable solutions** strategies in region (i.e. Maghreb, Iraqis);
- Helping to use resettlement in a **strategic** fashion, in particular in tight asylum situations and in respect of protracted refugee situations;
- Serving as a one-stop **liaison** with regionally based embassies;
- Preventing the incidence of **fraud** and corruption.

In summary, the Regional Resettlement Hubs act as a motor, enabling individual

offices to perform more effectively and in a more connected manner to enhance resettlement in the region. The Hubs also ensure greater quality control, consistency of submissions, responsible and professional decentralization of policy-making through a creative dialogue between UNHCR and resettlement country practitioners at the field level.

Challenges

- Managing expectations;
- Turning strategic use of resettlement into a reality;
- Getting resettlement countries to be allies in using resettlement strategically, in furtherance of wider protection goals in the region; and,
- Ensuring appropriate level of human and financial resources.

3.b Overview of resettlement operations 2005-2006 and projected global resettlement needs and priorities for 2007

3.b.i Africa

As the time available for the regional presentation and answers to questions was limited, Ms Kamara (Director of the Africa Bureau) made a brief introductory statement. Ms Kamara opened this session by drawing attention to the number of protracted situations in Africa. While opportunities for voluntary repatriation are emerging in different parts of the continent, e.g. Burundi, Liberia and South Sudan, many refugees remain in protracted refugee situations with limited prospects for voluntary repatriation. Their hope for solutions must be kept alive. Thus, resettlement is being and must continue to be pursued.

In addition, Ms Kamara drew attention to the voluntary repatriation in West Africa and the resulting decrease in the number of refugees. These positive developments have had an impact on the number of refugees resettled from the sub-region. However, the overall number of refugees to be resettled from the other sub-regions is slightly increasing. Concerning Sudan, Ms Kamara informed the meeting that the office was preparing a comprehensive strategy for the refugees in Sudan (mainly Eritreans), of which resettlement is expected to be an important element.

Ms Kamara signaled her deep appreciation that the issue of HIV/AIDS had been included in the 2006 agenda of the ATCR. This is a critical issue throughout the world but particularly in Africa and she felt it was good to see it being addressed forthrightly despite the complexities and sensitivities necessarily incidental to discussions about it.

Ms Kamara concluded by inviting questions from the participants.

The USA NGO participant indicated that the number of Mauritanian long-stayers in Senegal identified for resettlement seemed low. Ms Kamara responded by explaining that there was still a great deal of work to do concerning verification of the population, including the issuance of identity documents, and that discussions between UNHCR and the Senegalese and Mauritanian Governments were ongoing in respect of local integration and repatriation respectively. These

discussions needed to be pursued further before establishing the final number of cases in need of resettlement.

The Swedish Migration Board inquired about Benin and Burkina-Faso, highlighting that they are listed as source countries of resettlement, and how this should be interpreted in light of them having been destination countries of resettlement. In response, reference was made to the findings of the external evaluation commissioned by UNHCR in 2004, and the serious socio-economic difficulties faced by both countries. The resettlement project had not been an overall success and at this stage there are no plans to resume resettlement to Benin and Burkina Faso as destination countries.

3.b.ii The Americas

Mr Philippe Lavanchy (Director, Americas Bureau) explained that resettlement was a key part of the Mexico Plan of Action (MPA) and allowed for the creation of a certain ‘humanitarian space’ within the countries hosting large refugee populations, particularly Ecuador and Costa-Rica. In addition, resettlement permits the construction of a larger protection network throughout the region, which is the key to creating successful resettlement programmes.

In the context of the MPA, Mr Lavanchy highlighted its purpose as a framework for burden sharing within Latin America and the importance of effective local integration in the region.

Mr Lavanchy also spoke of the shift in the resettlement programs in the region in recent years. The US had reduced its intake from Costa-Rica and Ecuador, while at the same time in both the afore-mentioned asylum countries have been raised. The capacity to integrate refugees in Costa-Rica and Ecuador is limited. Although the program in Argentina was expanding, Argentina had internal financial constraints. In light of this, Mr Lavanchy emphasized the need for continued support from donor countries in order to maintain the programs in the emerging resettlement countries.

Mr Lavanchy concluded by expressing his concerns about an apparent relationship between an increase in fraudulent claims and large scale resettlement selection missions.

3.b.ii (i) Intervention by Mr Ozvaldo Alvarez-Perez, Second Secretary, Permanent Mission of Chile to the UN

Mr Alvarez-Perez commenced by announcing that Chile fully supports the Mexico Plan of Action (MPA) and its aim to strengthen international solidarity in the search for long lasting solutions. Mr Alvarez-Perez explained the criteria applied in Chile to resettle individuals and families, which takes into account not only the legal framework of the MPA but also the real possibility of integration in Chilean society. Mr Alvarez-Perez concluded by noting that continued attention to the complex process of integration, even for refugees resettled within their region of origin, will assist in creating a support network. He emphasized the need to share information with other resettlement countries and UNHCR in order to achieve this and offered Chile’s full support in this regard.

3.b.iii Asia-Pacific

Ms Janet Lim (Director, Asia-Pacific Bureau) opened by noting the increasing importance of resettlement in the Asia-Pacific region, which is expected to become the key region from where resettlement takes place. Most countries of asylum are not signatories to the 1951 Convention and it is thus imperative that UNHCR retains its ability to provide resettlement and other forms of protection in the region.

The meeting was informed of three protracted camp situations in the Asia-Pacific region: (i) Bhutanese refugees in Nepal, (ii) Myanmar refugees in Thailand, and (iii) Rohingya refugees in Bangladesh. Ms Lim stated that the situation of the refugees in these camps is untenable and solutions must urgently be found. In this connection, the Norwegian Chair of the Working Group on Resettlement was acknowledged with gratitude for adopting the Bhutanese in Nepal as a case in which the strategic use of resettlement should be pursued. Ms Lim felt that the process initiated through the mobilization of a number of key countries to help resolve this protracted situation was significant progress; however efforts at the political level needed to continue.

Ms Lim took the opportunity to highlight a number of urgent issues in the region, including the Rohingya refugees in Bangladesh. During a recent visit to Bangladesh, she was encouraged by the support of the international community in Dhaka to move this situation forward. Although relatively small in numbers, it is nonetheless one of the more difficult refugee populations to find solutions for. UNHCR would like to mobilize the support of the international community in order to develop a comprehensive approach and find solutions for this group. As part of this effort, a consultation meeting for all stakeholders, including the host government, is being contemplated. In the past, resettlement was not considered a viable solution. However, this view is now changing, albeit still only for a relative small part of the population (i.e. protection and vulnerable cases). It was suggested that interested governments may form an informal steering group.

The second concern raised by Ms Lim was in respect of some protracted and highly vulnerable cases in urban settings. These individuals are located in a number of different asylum countries in the region (with very limited legal and socio-economic rights, if any) outside their region of origin and have repeatedly been rejected for resettlement. Subsequently, they are in an extremely precarious situation and in urgent need of a durable solution.

Ms Lim also spoke of the situation of the Afghan refugees in India. Although some ethnic Sikh and Hindu Afghans have the opportunity to be naturalized, this is not a possibility for the entirety of the population (e.g. ethnic Afghans). Ms Lim encouraged resettlement countries to consider Afghan refugees who are not eligible for naturalization in India as this would encourage the Indian government to move forward on the naturalization of those who qualify.

Mr Hasim Utkan, UNHCR Regional Representative in Thailand, highlighted some key issues relating to the Myanmar refugees in Thailand. In recent years,

the Government of Thailand has warmed to the notion of resettlement, seeing the benefits involved in terms of finding solutions for an otherwise protracted population of refugees. This positive trend started with the group resettlement of over 15,000 Laotian Hmong in 2003-2004. The Thai Government was even considering the establishment of a Center for group resettlement processing. It is thus important for resettlement countries to continue to show interest and that the expectations of the Thai authorities are met, while at the same time finding solutions for a protracted refugee population. The strategic use of resettlement is an important element in the on-going dialogue with the Thai authorities. Progress has been slowly made in terms of improving the rights and conditions of refugees, their access to the labor market, self-sufficiency projects, education opportunities etc., all of which are initiatives aimed at addressing the problems associated with protracted refugee situations.

3.b.iv Central Asia, South West Asia, North Africa and the Middle East (CASWANAME)

Mr Radhouane Nouicer (Deputy Director, Bureau for CASWANAME) began by listing the key issues of concern in the CASWANAME area. He advised that the situation in the major refugee producing countries was not conducive for voluntary repatriation and there are limited opportunities for local integration in the region, partly as a result of security concerns raised by countries of asylum. Resettlement, therefore, remains a major component of the protection and solutions strategy in the region.

Mr Nouicer highlighted three situations deserving particular attention. First, concerning the Iraq situation, it was noted that uncertainty existed regarding the future of individuals who fled Iraq during the past three years. It was estimated that more than 1,000,000 Iraqis were in neighboring countries. The Temporary Protection Regime, which UNHCR continued to advocate for this refugee population was showing serious signs of strain and needed to be revised. Furthermore, systematic registration and RSD of the population is not realistic from a resource / capacity perspective and it has been necessary to limit resettlement activity to avoid pull-factors. Mr Nouicer also mentioned the difficulties in establishing sound prioritization criteria for resettlement for the Iraqi population and welcomed input in this regard.

Mr Nouicer furthermore mentioned that significant progress had been made with regard to the situation of Afghan refugees. No major changes are envisaged in terms of the resettlement of Afghan refugees in Iran and Pakistan. The resettlement focus would remain on protection and individuals at risk such as journalists, human rights activists and women-at-risk. In Central Asia, priority would be given to the residual population of Afghans in Uzbekistan (around 1,000 individuals). Mr Nouicer expressed his gratitude to countries, especially the US Government, for considering this group for resettlement.

Mr Nouicer continued by addressing the issue of growing migration flows of Sub-Saharan Africans entering North Africa with the intention to reach Europe, as well as those from the Horn of Africa entering Yemen. He expressed concern for these individuals, as by undertaking such journeys they put their lives at risk. Although this was described as essentially a migration phenomenon, UNHCR

believed that a number of these persons are in need of international protection and that it is imperative that a common and collective effort of the international community aim at better managing these flows.

Mr Nouicer continued by highlighting a number of other vulnerable refugee groups in the region. For instance, the camp of Ruwaished in Jordan continues to host 450 persons comprising 150 Palestinians and 300 Kurds ex-Al Tash. 70-km west of Ruwaished, right on the Iraqi border, there was another group of ex-Al-Tash Iranian Kurds who wished to relocate in Northern Iraq. Another 70 km deeper into Iraq, there was a group of Sudanese claiming to be from Darfur also in urgent need of assistance. Further north, on the Syrian-Iraqi border, a group of 200 Palestinians who used to reside in Baghdad had been denied admission into Syria contrary to a previous group of 240 Palestinians who were admitted and were now at El-Hol. Finally, Mr Nouicer spoke about a group of 250 Sudanese who were currently in Israel after leaving Egypt in an unsuccessful attempt to return home.

On a more positive note, Mr Nouicer announced that the closure of Rafha camp (in Saudi Arabia) was scheduled to take place on 27 June 2006. However, 78 persons continued to insist on resettlement, refusing voluntary repatriation or local integration. In this context, Mr Nouicer suggested that resettlement be used as a strategic tool to close Rafha camp.

Finally, he spoke of other UNHCR efforts within the CASWANAME region:

- In recent months, UNHCR has managed to conduct RSD of a group of over 180 Ex-Mujahedeen E-Khalq members inside Iraq who were found to be in need of protection and durable solutions.
- Seven Iranian Ahwazi refugees in Syria were in imminent threat of deportation and UNHCR was maximizing its effort to prevent this.
- The use of group resettlement had worked well in the context of the Ethiopian ex-navy refugee group in Yemen and UNHCR was hopeful to use the same methodology for other groups in the region in the future.

Mr Nouicer concluded by expressing his gratitude to all parties who assisted in the establishment of the Resettlement Hub in Beirut and enhancing its capacity. The evaluation of the Hub was very positive. The creation of the Hub had clearly helped harmonize UNHCR's work in the region and the Bureau intended to expand the Hub's coverage to include the entire CASWANAME region.

3.b.v Europe

Mr Bo Schack (Senior Policy Advisor, Europe Bureau) opened by emphasizing the continued need for burden sharing within the international community. He spoke of the long-standing resettlement program in Turkey and that as Turkey's accession to the EU draws closer the resettlement program would gradually decrease.

Mr Schack furthermore listed the key issues of concern in Europe, including the

current climate of xenophobia and violence targeting refugees from outside Europe and the apparent lack of resettlement places for Chechen refugees. With regard to the Chechen refugee population, Mr Schack stressed that UNHCR undertakes a serious screening process to examine the past of these individuals. Additionally, he urged resettlement countries not to forget that there were vulnerable cases within this group, notably women-at-risk, as well as individuals seeking family reunification.

With regard to the Uzbek refugees in Romania, Mr Schack stated that the camp in Timisoara was about to be closed. Only a few refugees remained, most of who had been accepted by a resettlement country. Mr Schack thanked the international community for the support in achieving these positive results and added that the Uzbek operation was an excellent example of international burden sharing and cooperation.

In response to a question concerning the low number of identified cases in need of resettlement in Russia and Ukraine, Mr Schack stated that very few refugees approached the UNHCR offices in those countries and that some refugees would only visit the office once. Mr Schack assured the meeting that UNHCR was doing everything it could to maintain contact with the refugees in these countries.

4. Operational Issues

4.a Top ten questions from the field, including challenges to the management and allocation of resettlement places (presentations by IOM and UNHCR)

The session began with a presentation by Mr Hans Becker, IOM Bangkok, who gave an overview of services provided by IOM in Thailand including medical testing, cultural orientation, travel arrangements and exit permits. He mentioned that since 2004, IOM had facilitated the travel of 20,349 persons to 10 resettlement countries.

Mr Becker noted the challenges of harmonizing among various country programs, as well as among partner organizations in Thailand. He spoke favorably of the benefits of the Working Group on Resettlement, which brings together UNHCR, government actors, and IOM. Noting that IOM provides similar services to different countries, IOM believed it may be advantageous for governments to pool their resources for resettlement processing activities. One of the ideas proposed for Thailand was to have a separate facility created where refugees destined for a resettlement country could be moved for medical checks or other required procedures prior to departure.

Mr David Derthick of IOM Nairobi discussed operations in Africa, particularly in East Africa. He underscored the importance of good coordination among various actors, and said that IOM worked closely with the UNHCR Resettlement Hub in Nairobi. IOM and the UNHCR Hub have undertaken several joint missions that have improved operational planning for resettlement activities in the region. An additional key factor in the good cooperation in the region was that the roles of UNHCR and IOM have been clearly defined. Noting the comments from AHC for Protection, Ms Erika Feller, that group processing

remains a challenge, Mr Derthick expressed the view that group processing has had much success in East Africa through UNHCR and IOM cooperation. He noted that each group process has unique operational characteristics that do not neatly fit into the normal paradigm that UNHCR is responsible for refugees prior to resettlement country acceptance, and IOM is responsible only afterwards. He cited examples where IOM and UNHCR had cooperated on tasks, such as verification exercises.

Following the IOM presentation, UNHCR presented a discussion paper entitled “Top ten questions from the field.” The paper – attached in the annex – provided additional details to the nature of the questions, which are briefly described below:

Question 1: Resettlement travel costs for medical cases.

Ms Catherine Hamon, Senior Resettlement Officer in Accra, presented UNHCR concerns that there is a lack of a clear policy by resettlement countries on who is responsible for covering medical expenses for individual cases who have been accepted by resettlement countries, but who have not yet departed. She outlined UNHCR’s views that resettlement countries should adopt more clear and consistent approaches for such cases.

Question 2: What time span is considered acceptable by resettlement countries for resettlement processing?

Mr Francesco Moshetta, Resettlement Officer in Teheran, raised the question about what should be considered normal and acceptable times for processing. He noted that particularly for emergency and urgent cases there was a need for more rapid responses and departure. He noted also, that for some normal priority cases processing times were quite long, often taking more than a year after approval for departure.

Responses:

Norway (Chair) noted the issue related to travel costs was real, and that some countries do currently rely on UNHCR to facilitate such aspects of resettlement given that countries might not have an embassy or other resources in the country where the refugee is. Thus there are budgetary implications for changes. He suggested the issue of harmonization be taken up by the Working Group.

Australia noted that for its government funded cases, the government covers all costs related to post-processing.

Denmark stated that it had traditionally relied on UNHCR to assist with transportation, but agrees it should be referred to the Working Group.

Canada noted that medical costs, travel, and other post approval processes are covered by the applicants under a loan basis from the government. Any extraordinary costs should be flagged by UNHCR and brought to the attention of Canadian authorities. Generally, however, transportation costs to Canada are the responsibility of the refugee.

USA informed the meeting that the US typically pays for costs such as medical testing, and other post approval costs. Transportation is also covered on a loan basis. While the US is willing to discuss ways to harmonize medical tests or other procedures, medical testing standards are set by the US Center for Disease Control, and thus are not likely to be negotiable.

As concerns processing times, **New Zealand** informed the meeting that 35 places per year were allocated for expedited processing. New Zealand responds to emergency cases as soon as possible after receiving the submissions from UNHCR. A key element of expedited processing was the evaluation by UNHCR as to the nature of the problem and degree of urgency.

Question 3: Family reunification

Ms Monique Bamu, Senior Resettlement Officer in Pretoria, raised the issue of individuals who initially approach resettlement countries and are advised to go to UNHCR for a referral. The concern is that refugees view such 'referral' from UNHCR as an automatic procedure, and that problems arise because of the expectations with which refugees then approach UNHCR, which can lead to security problems. UNHCR is of the view that States are in the best position to facilitate family reunion between family members in a resettlement country and country of asylum.

Question 4: Unaccompanied minors (UAMs)

There are only two countries that have programs that are expressly designed for the resettlement of UAMs. UNHCR asked if there are other countries willing or able to resettle UAMs.

In regard to UAMS, **Denmark** informed the meeting that it had no special program. However, a minor can be referred through the regular program in the same manner as any other refugee. This is due to a recent (2005) change in Denmark's resettlement criteria.

New Zealand stated that its resettlement programme was similar to Denmark's in this regard; however, New Zealand was in the process of reviewing the establishment of some sub-categories within their quota, and UAMs will be considered within this review.

Canada requested clarification in regard to the family reunification question. It was furthermore noted that Canada did not have a UAM program owing to the lack of necessary capacity to respond to the specific [settlement] needs of UAMs who might be resettled. Canada noted nevertheless that there were some UAMs de facto resettled on the basis of consanguineous relationships with persons in Canada.

The **Refugee Council of the USA (RCUSA)** noted that among family reunion cases are persons who might also have protection needs, or otherwise meet UNHCR's own criteria for resettlement. UNHCR should therefore examine such cases even if they are referred by an embassy.

UNHCR responded that the concern is not principally over having to conduct interviews, but over the way such cases are advised when being referred to UNHCR. Applicants may not have been hitherto known to UNHCR, and thus there are a number of steps that would have to be completed before a case is prepared / presented for resettlement. The individual may not be found to be of concern to UNHCR, or otherwise meet UNHCR's criteria for resettlement. Refugees are not being properly advised of this, and often have unrealistic expectations about UNHCR's role in the scheme of things.

UNHCR underscored the need for better communications in advance, when embassies are going to refer cases to UNHCR for assistance. For example, if UNHCR assistance will be needed for an exit visa, this should be discussed in advance, not after a country has already accepted an individual (who may or may not be of concern to UNHCR). Finally, it was noted that family reunification cases account for about 1 percent of UNHCR's submissions, but in reality UNHCR involvement with facilitating family reunification is much higher than the statistics would suggest. Family reunion cases can be extremely complex and procedurally time consuming.

Question 5: Extra-regional refugees in protracted urban situations

UNHCR continues to have difficulty finding resettlement places for urban refugees if they are located beyond the region of their country of origin, for example, African refugees in Asia. In addition, some of these cases may have particular histories which might make them inadmissible according to the criteria of some resettlement country programs.

Question 6: Integration criteria

Ms Myriam Baele, Senior Resettlement Officer in Nairobi, outlined the continuing gap between UNHCR resettlement criteria and individual country criteria in regard to the use of integration criteria. For UNHCR, integration criteria are not a consideration in identification of refugee resettlement needs.

Norway (Chair) responded by noting that this was a long-standing debate in Europe. Norway reiterated that protection remains the key factor in determining who should be resettled. However, in a country with limited population of particular refugee groups, Norway's concern is that there is a viable refugee community particularly if some of the refugees have special needs. Within a group, there needs to be some individuals who can succeed and provide support for others in the group. The success of the first group will allow them to be a support for future arrivals of the same group. To be able to retain public support to take "hard to integrate" cases, a country will also need to have success stories to point to.

New Zealand suggested that the question of integration needs to be discussed further. New Zealand feels that integration is viewed differently between small and large resettlement programs. It is important to have some balance in the refugee population to ensure that a small program succeeds. In a smaller country, unsuccessful resettlement can more quickly have political ramifications

as the program is more visible than in some of the large country programs. Furthermore, New Zealand does not evaluate the skills and education of individuals in determining who is resettled, but rather selects the populations to be resettled.

Chile reflected on the difficulties it faced with earlier groups resettled to Chile where integration did not succeed. In a new resettlement program like that of Chile, there was a greater need to resettle persons who would likely have less problems integrating, for example persons who speak Spanish. As with smaller established program like New Zealand, resettled refugees have a high profile. It would be good have a mechanism to share experiences and best practices among resettlement programs on integration-related issues.

The **Danish Refugee Council (DRC)** stated that integration is not a new issue, but was now being emphasized in Denmark due to the passage of new legislation. The DRC feels that UNHCR should not attempt to alter its past approach to submission to Denmark, as there was a good mix of refugees who were resettled in the past.

Argentina stated that refugees without clear integration prospects should not be discriminated against when it comes to resettlement. However, UNHCR should keep in mind the lack of capacity in the [Latin American] region, and should direct cases with higher integration support needs to larger and more established programs.

RMS Refugee Resettlement (New Zealand NGO) stated that NGOs in New Zealand could identify with the concerns of the Nordics about the problems faced in countries with programs of limited size. Protection as a basis of UNHCR identifying refugees remains fundamental. Nevertheless, the visibility of resettled refugees is higher in smaller countries than it would be in larger countries. Therefore, some distinctions may have to be made on where UNHCR refers certain cases depending on the type of program.

UNHCR informed the meeting that the Organisation was sensitive to the need to strike a balance in regard to the types of cases that are referred to small vs. large programs. Still, UNHCR would encourage States to consider alternative approaches to deal with the integration issue, such as funding programs for refugees in first countries of asylum to improve education and skills which would help mitigate integration concerns.

The **RCUSA** stated that “integration potential’ is not easy to define or measure. The US experience is that successful outcomes in resettlement rely heavily on the steps countries and NGOs take with refugees after arrival.

The **Australian NGOs** informed the meeting that there are many positive stories about how refugees have succeeded. What is the root of the current anxiety about integration potential? There is a danger in using integration potential which appears to blame the victims of persecution, rather than focusing on putting into place appropriate policy and programmatic responses. Australia has taken many complex refugee populations with multiple needs, but they have by and large integrated successfully. The process that ultimately led to the

Integration and Reception Handbook (Norrköping meeting) addressed many of these issues and questions in detail. The discussion started then should be fully reviewed and reinvigorated.

The **United Kingdom** stated that integration potential should not be defined in terms of the skills and abilities of individual refugees. Integration potential should be looked at in terms of countries' ability to receive and resettle particular communities.

The **USA** concurred with RCUSA comments that in the US, integration potential is not a factor, and populations of a wide diversity of backgrounds have successfully resettled in the US. On the issue of resettlement of urban cases outside of their region of origin, the US will consider any UNHCR referral made, thus the US is not clear why there has been difficulty in referring such cases for resettlement.

Norway stated that individual characteristics are not considered when determining integration potential. The Myanmar Chin refugees resettled to Norway have done well despite the limited education of most of the refugees.

Question 7: Security Concerns

Mr Arafat Jamal, Senior Durable Solutions Officer in Beirut, outlined the need for UNHCR to have more predictability about security checks, and to understand better the timeframe that such checks will take. This is of special concern in the Middle East where refugees are often under a deadline of several months to be resettled after their refugee status recognition. When refugees do not leave within the prescribed time period, it can lead to serious protection problems such as detention or refoulement.

Question 8: Dossier submissions

UNHCR needs a greater ability to make dossier submissions, not only for urgent and emergency cases, but also for normal priority submissions. Only Sweden allocates part of their quota for normal priority [dossier] submissions. These are necessary for locations which resettlement countries usually do not travel to or where there are other access issues.

The **United Kingdom** asked for additional information to be given as to what is required in a dossier submission.

In regard to security clearances, **Chile** informed the meeting that its programme gave priority clearance for persons facing protection or security problems. Still, Chile considers it essential to have interviews with the refugees. This is because refugees may not know much about Chile, and experience with past groups had shown that this could become a problem if not addressed at the time of interview.

Denmark advised that if there was a need for a security clearance in a particular case to be expedited, this should be raised by UNHCR directly to Denmark.

Australia advised that – owing to national legislation – dossier submissions

could not be considered. However, alternative approaches to interviews could be explored, such as via video-conference.

Canada informed the meeting that the Canadian law had specific requirements for security clearances, which UNHCR can refer to if there are questions. While dossier submissions had not been previously submitted to Canada, this would not foreclose the possibility of dossier submissions being considered in the future.

Ireland noted that they allocate 20 percent of their annual quota for dossier submissions.

Sweden informed the meeting that 50 percent of the Swedish annual quota was allocated to dossier submissions. Sweden has generally found the RRFs to be sufficient for making decisions on cases, but there is often a need to go back to UNHCR for additional information; e.g. regarding family links or health.

UNHCR encouraged further discussion on this topic, particularly the possible use of video-conference interviews in lieu of face to face interviews.

Question 9: Enhanced cooperation with Governments and NGOs for identification and processing

UNHCR continues to seek ways to enhance the involvement of NGOs in various aspects of resettlement work. Accordingly, UNHCR welcomed further ideas or models for partnership to strengthen work in the field.

Question 10 Chechen and Iraqis

These two refugee groups continue to be difficult in terms of finding resettlement countries to respond to identified needs.

The **RCUSA** provided information on the US program's use of targeted response teams: joint missions of US government and NGO staff, who conduct missions to the field to look at potential refugee populations for resettlement. These are done in full consultation with UNHCR. This has proven to be an effective method of evaluating potential resettlement populations.

Norway reported that its Government had seconded government staff to work with UNHCR in Lebanon, Kenya and Thailand. The experience was frustrated, however, by UNHCR's bureaucratic requirements.

4.b Update on the Anti-Fraud Plan of Action

Mr Sean Henderson, Senior Resettlement Officer, Resettlement Service, UNHCR Headquarters, provided a comprehensive update on actions taken by UNHCR since August 2005 with regard to the Resettlement Anti-Fraud Plan of Action. He informed the meeting that a dedicated staff position had been established within the Resettlement Service to implement the Resettlement Anti-Fraud Plan of Action. This position would also serve to assist the organisation-wide effort to develop institutional linkages to steer activities and strengthen interface between UNHCR and key operational partners on fraud-related matters.

Mr Henderson further outlined the priority activities that had been implemented, some of which remained on-going. These included:

- induction training for new staff;
- reporting mechanisms for field offices;
- global roll-out of the new proGres registration database with anti-fraud features and efforts to widen the use of biometrics and enhanced audit controls;
- mass information campaign against internet resettlement fraud;
- development of training modules; and,
- development of internal policy and procedural guidelines concerning the consequences for those refugees who commit resettlement fraud.

There were no questions from the floor.

A copy of Mr Henderson's statement is attached in the annex.

4.c Update case identification and processing methods (conclusions of the regional workshops held in New Delhi and Nairobi)

Owing to time limitations and the reconfiguration of the agenda, this item was not presented. However, UNHCR tabled a report on this topic, which was distributed at the meeting.

A copy of the report is attached in the annex.

4.d UNHCR update on HIV and refugee protection and implications for refugee resettlement – feedback from governments and NGOs concerning the UNHCR note on HIV/AIDS and refugee protection

Dr Paul Spiegel, UNHCR's Head of the HIV Unit provided a comprehensive briefing on complex interactions between HIV transmission among conflict-affected and refugee populations. This presentation highlighted the vulnerabilities faced by refugees, noting that for the majority of refugee situations in Africa and Asia, refugees originate from low HIV prevalence areas and are forced into areas within the host country with relatively higher prevalence.

Dr Spiegel then discussed the essential linkage between HIV and protection, noting that UNHCR recently released a Note on HIV/AIDS and the Protection of Refugees, IDPs and Other Persons of Concern (April 2006).

Finally, key issues regarding HIV and resettlement were presented together with a qualitative UNHCR study of panel physicians. Recommendations included: 1) counselling duties may need to be transferred to professional counselling services; 2) professional and confidential translators should be provided; 3) applicants and doctors should be informed of resettlement criteria; 4) HIV-positive applicants should receive care and treatment while awaiting resettlement; 5) procedural safeguards should be enacted to ensure follow-up consultations; 6) monitoring by resettlement countries to ensure systems that are put in place to address the issues are followed.

A copy of Dr Spiegel's presentation is attached in the annex.

Denmark thanked UNHCR for the interesting presentation and found the results of the paper and study rather surprising. It was noted that Denmark tested for HIV before resettlement using the services of IOM.

Canada stated that they did not believe the methodology of the UNHCR qualitative study was sufficient. Furthermore, they regretted that they were not involved in the study preparation and implementation. Concerns about the methodology were also raised by the USA.

IOM presented an overview of their HIV programmes in various migration situations. A copy of IOM's presentation is attached in the annex.

5. Integration

5.a "Belonging is a feeling" – presentation by the RMS Refugee Resettlement (NGO), New Zealand

A copy of the RMS presentation is attached in the annex.

5.b Australia's integration programmes for adult and child survivors of torture and trauma – presentation by the Victorian Foundation for Survivors of Torture (VFST)

A copy of the VFST presentation is attached in the annex.

5.c The development of refugee community organisations – presentation by the Refugee Council of the United Kingdom (RCUK)

A copy of the RCUK presentation is attached in the annex.

Day 2: 23 June 2006

6. Separate Meetings

6.a Indications Meeting (Governments and UNHCR)

[Separate reporting prepared by the Chair of the WGR.]

6.b Meeting of NGOs

[Separate reporting arrangement by NGOs.]

7. Applying comprehensive and strategic use of resettlement

7.a Status of efforts to solve the protracted situation of the Bhutanese refugees in Nepal

The Chair remarked that there is general agreement that resettlement should be

used strategically, however there was no uniform understanding of what the 'strategic use of resettlement' actually means. The Chair put forward the view that strategic use of resettlement should make it easier to achieve a comprehensive solution for refugees, consisting of three durable solutions: voluntary repatriation, local integration and resettlement. This being said, the Chair noted that resettlement should be available to those who do not have the opportunity to return to their home country, or to locally settle in their country of refuge.

Turning to the situation of the Bhutanese refugees in Nepal, the Chair noted the active interest of resettlement countries to find a solution to this protracted refugee situation, and that some resettlement countries were in fact prepared to offer resettlement for a considerable number of refugees, in the hope that this might provide momentum for a comprehensive solution. It was thought that their offers of resettlement could encourage the governments of Buthan and Nepal to accept other refugees for voluntary repatriation and integration. It was believed that this could be the key to unlock the situation. Unfortunately, the refugee situation has not been solved, despite concerted efforts. The Chair invited UNHCR to explain the difficult humanitarian situation these refugees face, to be followed by an update on the work of the core group consisting of UNHCR and a few resettlement and donor countries, established to find a solution.

The Chair handed the floor to Peter Janssen, Senior Legal Adviser, Asia Bureau (UNHCR), for an update on the refugee situation in Nepal.

Mr. Janssen noted that ATRC participants were quite aware by now of the problem of this particular refugee population in Nepal. He stated that the population comprised over 100,000 ethnic Nepalese, originally from Bhutan, in seven camps. The camps were described as relatively satisfactory in comparison with, for example, refugees located in Bangladesh, which would be discussed later. However, Mr. Janssen stated that a refugee camp is never a good place to be because people cannot officially integrate. He added that this had been the situation for the refugees in Nepal for almost 15 years. UNHCR has also noted the dynamic of refugees in the camp receiving a level of education that was higher than the rest of Nepal. He explained that one would obviously think that this is a good thing. The unfortunate result of encampment, however, is that people who received this relatively high quality of education are now in their late teens or early twenties, and find themselves without any real possibility of putting their education to use, causing them to become increasingly frustrated.

Mr. Janssen noted that this phenomenon links with the political development in Nepal to set the stage for a potentially disruptive situation. It was reported that an obvious starting point for the Maoist influence in the camp was to mobilise this particular cohort of students. In this regard, the dynamic in the camps called for cautious sensitivity with regard to the pursuit of solutions. Mr. Janssen informed the meeting that this situation is not a question of armed elements entering the camps and recruiting. Rather, a certain ideology and political message is being spread. Indeed, the recent development in Nepal and the success of the people's revolution movement inspired many refugees in the camp to think about doing something similar in Bhutan, and although not necessarily by violent means, some students may not have renounced the possibility of violence. Obviously,

this is not something that Bhutan would be very keen to hear when it is in the process of considering repatriation. So, all these things do not really help find a solution in the long run, and could even be a complicating factor for resettlement countries. Still, Mr. Janssen noted the need to be quite careful in any assessment of this particular situation.

To add further urgency to the need for durable solutions, Mr. Janssen highlighted the need to resettle the most vulnerable refugees, regardless of whatever long-term comprehensive solution is ultimately found. The most vulnerable group comprised women-at-risk, many of them girl victims of rape, violence and/or trafficking. Their only real hope is to be resettled. Nepal does not allow them to leave because they want to see resettlement as part of a comprehensive approach. Still, UNHCR is of the view that while a comprehensive approach is desirable, and an objective that all parties should strive to deliver, a resettlement solution for these vulnerable individuals is now an urgent matter. But Nepal remains inflexible. Accordingly, UNHCR is of the view that additional pressure is necessary to convince Nepal to allow this to happen.

Mr. Janssen fully subscribed to Vincent Cochetel's invitation to resettlement countries to come forward and say "We can really submit cases to you now." This would create a concrete record of cases that we can present to the Nepalese, and say: "Look, these people are ready to leave, if you only gave the actual permission." Still, we also understand that there are individual considerations for each country to decide whether this is the best way to go.

Finally, Mr. Janssen noted that the issue of refugees at risk in Nepal has taken a political dimension, in addition to its humanitarian aspects, because there are misconceptions about resettlement in the camps and among some of the authorities involved. One of these misconceptions is that resettlement would only be for young, able, bright, intelligent and professional people, and that the vulnerable people (the elderly, sick, and so forth) would be left behind to burden on the host country. This is something that has been reflected in the public statements made by the so-called refugee leaders, and government officials. He added that UNHCR believes that it is important to counter this kind of misconception, and one way to do so would be to show that the first people to be resettled from Nepal are exactly those people that the government is afraid to be stuck with, that is, the most vulnerable persons. So, it is very important that we make this move, and that we continue with this momentum.

The Chair thanked UNHCR for its analysis of the situation of the Bhutanese refugees, and proceeded to inform the meeting about the work of the core group. He recalled that at a bilateral meeting in September, UNHCR was asked to identify an example of how to use resettlement strategically. At that time, UNHCR suggested that the situation of the Bhutanese refugees in Nepal could be explored. Hence, it was put on the agenda for the working group meeting in November. In response, Denmark produced a very useful 'non-paper', which was discussed at the November meeting, at which time it was concluded that we should have a smaller number of States, a 'core group', to try and move the issue toward finding solutions for the Bhutanese refugees. The core group comprised the United States, Australia, Canada, the Netherlands, Denmark, and Norway. New Zealand joined as the upcoming Chair of the WGR. Several meetings have

been held since November of last year, and the last core group meeting was held yesterday evening. Before that, a meeting was held in the Hague, on June 1st.

The Chair informed the participants that the ‘non-paper’ produced by Denmark had subsequently been updated. He expressed appreciation for Denmark’s efforts to produce this paper, which now highlights four key points that need to be pursued. First, there should be limited resettlement for protection purposes for a group of vulnerable refugees, such as those just mentioned by UNHCR. Yesterday, UNHCR mentioned that as many as 1600 people could be defined as being in a similar situation of vulnerability. Second, there should be a census or registration of the refugee camp population. Third, Bhutan should provide additional written information related to the guarantees, terms and conditions of voluntary returns. Finally, Bhutan and Nepal should agree on, and prepare for, the repatriation of refugees in the Khudunabari camp by elaborating a timeline, terms, and a modality for repatriation and obtaining information needed. In addition to the points highlighted in the Denmark paper, the core group agreed that it was important to develop key messages for the two governments. In connection with this objective, the United States is in the process of producing a paper, which very usefully outlined what the messages to the two countries should be, for use by all governments in their bilateral contacts with Bhutan and Nepal.

The Chair informed the meeting about the core group’s discussions on the potential role of India, including its potential role in brokering a solution. The core group was eager to engage India, but agreed that it would be for India to determine the degree of its involvement, and what it might do to assist in finding a solution to this problem.

He reported that, as resettlement was not proving to be the right key to unlock the situation, other keys should be used, such as development aid. Therefore, the core group members would have to approach their respective foreign ministries to take the lead on this.

Finally, he noted that many different States had done a lot of good work to move this initiative forward, despite the limited results to show for it. Nevertheless, the efforts would continue, and he expressed hope that more positive results could be reported at the next ATCR. He thanked the Netherlands for hosting the last core group meeting.

The Chair then invited remarks from the floor.

The Jesuit Refugee Service (JRS) raised concerns about the current situation of the Bhutanese refugees in Nepal. It expressed concern that a rather small proportion of the potential total of 200-300 people who cannot go back to Bhutan is being used to lock the solution for the rest of the population. It further noted the change in positioning that occurred in recent years; that is, the recognition that we need to find durable solutions for these people now, and that if Bhutan is not willing to take back any refugees, that should not prevent the rest of the people from obtaining a durable solution. Yet, it seems that this proposal currently allows Bhutan to block a solution for the situation. Furthermore, it was evident in the camp that people have lost hope that they will ever be able to

return home. This, in turn, has created many social problems. What had held this community together thus far had very much been the people's hope that they would be able to return. The fact that they have now lost that hope has led to a deterioration in the community's social cohesion: increased drinking, domestic violence, family breakdown, tensions between the young and the elder. This should be taken into consideration in mapping the way forward.

UNHCR noted that the idea of Nepal accepting the resettlement of vulnerable individuals regardless of any conditions already indicates that we do not see conditionality as part of a comprehensive solution. If we could only obtain its acceptance with respect to the priority cases, it would already be an incredible achievement in comparison to the deadlock experienced over the last ten years or so. Putting too much weight on the need to have the three solutions — repatriation, local integration and resettlement — working together as part of a comprehensive package could also be counter productive. Indeed, it is evident that one solution has already become hostage due to the lack of progress in the other, and this is something we should be concerned about, especially as one country is saying that the window of opportunity will not be there forever. This is something that should be taken into account.

Accordingly, UNHCR called on the support of NGOs, such as the JRS and others who have presence in the camps and a certain influence among the refugees and among the so-called refugee leaders. It is important to recognise that a number of influential people in the camp see resettlement as a ploy by UNHCR to prevent repatriation, but in fact, this is not the case, UNHCR is working to find the best solution for all. The fact that certain individuals want repatriation — for whatever reason — does not necessarily reflect the views of all persons in the camp. People are, of course, entitled to their opinions, but the views of some do not necessarily reflect the opinion of all. The efforts of some to misrepresent the purpose of resettlement have ill-served efforts to break the deadlock. Everybody should at least be able to make up their own mind as to what they want to do — whether they want resettlement or repatriation — but we would insist that they be able to do so totally free from outside intervention. And if NGOs can help communicate the real message about resettlement, I think that would be very helpful.

The Chair thanked Mr. Janssen for his intervention and added that the situation in Nepal is indeed very complex, and a number of the States represented at the ATCR are willing to resettle people. He added that there is also a willingness to give development aid to assist with repatriation and local integration. So, there have been many offers from States to do anything possible to solve the situation. The Chair agreed that the “window of opportunity” that States are willing to set might not be there forever. But it remains that most States are willing to do whatever they can. Right now, the main problem is that we are not able to resettle vulnerable refugees, despite concrete offers to do so by resettlement countries.

Mr. Vincent Cochetel (Head of Resettlement Service) appealed to the NGO community to take on an active a role in terms of advocacy vis-à-vis the Nepalese authorities to facilitate the exit of refugees out of Nepal. He suggested that the new interim government might be sensitive to its public image, and

while States are undertaking many demarches to try to facilitate the exit of those who have already been accepted for resettlement, it is important for NGOs, particularly NGOs involved in Nepal and assisting with the protection programme there, to make public demarches with the Nepalese authorities to raise this issue.

The incoming Chair of the Working Group on Resettlement, Mr. Kevin Third (New Zealand Immigration Service) noted to the importance of maintaining political momentum on this matter because resettlement was certainly going to play a critical role, and it would therefore remain a standing agenda item on further Working Groups meetings.

7.b Other refugee situations that could benefit from strategic use of resettlement:

The Rohingya refugees in Bangladesh

The Chair invited UNHCR to brief the meeting on the situation of the Rohingya refugees in Bangladesh, and on how the strategic use of resettlement could benefit this population.

Mr. Peter Janssen (UNHCR, Asia Bureau) took the floor. He explained that resettlement is a different question for the Rohingya refugees than it is for the Myanmar refugees in Thailand, or the Bhutanese in Nepal for instance. He explained that over 20,000 Muslims fled Myanmar and entered Bangladesh approximately fifteen years ago. Today, there are approximately 20,000-25,000 refugees from Myanmar in Bangladesh. They are part of a “residual group” of an original number of almost 250,000 people. The government of Bangladesh has insisted that they return to Myanmar, and has clearly rejected local integration as a durable solution.

UNHCR assessed that the phase of mass repatriation is over. It does not expect many more refugees to go back to Myanmar. In 2005, some 90 individuals returned. The birth rate in the camps, however, has been higher than the number of returnees. Therefore, and although UNHCR will facilitate refugees’ desire to voluntarily return to Myanmar, it will not promote repatriation as a solution. Consequently, it is important to explore alternative solutions, other than repatriation.

In addition to rejecting local integration as a durable solution, Bangladesh has refused to take any action that would lead to improved living conditions in the refugee camps. Mr. Janssen explained that the authorities’ underlying rationale is that improving conditions would keep refugees in Bangladesh, rather than encourage their departure.

As a result, these camps are among the worst UNHCR has witnessed. Every diplomat, NGO, foreigner, and anyone who visits these camps echoes the appalling conditions reported by UNHCR. Over the last years, UNHCR has actively been looking for ways to solve this situation. There has recently been an increased interest among resettlement countries, donor countries, and the EU in solving this problem. There have been many demarches aimed at pushing the

government of Bangladesh to accept this refugee community locally, and at least improve living conditions in the camps. Bangladesh's response has consistently been that the refugees must return to Myanmar, and that once the refugees have been returned there, UNHCR can conduct its training, self-sufficiency programs, etc. The authorities view the refugees as highly problematic so long as they remain in Bangladesh.

Mr. Janssen then turned to the question of resettlement, and explained that UNHCR would of course encourage resettlement countries' interest in the Rohingyas. He noted that the Asia Bureau has set in motion a process which it hopes will result in interested governments and stakeholders getting together by the end of 2006 and early 2007 to further discuss possible solutions for this particular group.

Mr. Janssen indicated, however, that resettlement should be considered carefully, and proceeded to describe the complexity of the situation. There is a large number of illegal Rohingyas outside the camps, in addition to the 20,000 plus refugees inside. Some say that these people were originally repatriated to Myanmar, and then returned to Bangladesh. Additionally, there exists a fair number of Rohingyas in Malaysia. The government of Malaysia has promised to provide a local solution for the Rohingya refugees, and offer them work and residency permits. Thus far however, they do not appear to be taking action, despite the boost in awareness. If Malaysia witnesses the existence of an interest in resettling the Rohingyas from Bangladesh, it will expect the same to happen with respect to the Rohingya population in Malaysia, and this will decrease any incentive Malaysia may have to provide a local solution. As a result, resettlement is a double-edged sword and should be used very strategically.

Additionally, similarly to the situation in Nepal, there are a number of vulnerable Rohingya refugees. Mr. Janssen explained that UNHCR believes that these individuals should be able to leave anyway. In Bangladesh, he continued, the situation is such that vulnerable refugees are, regrettably, not difficult to find. At present, UNHCR will focus on them, and will see whether future resettlement can be used as a tool for a larger part of the refugee population, and hopefully to encourage Bangladesh to become little more flexible in its position with respect to a local solution. He repeated that UNHCR has just initiated a process with several countries to heighten interest in the Rohingyas, and noted that UNHCR is pleased with the increased interest in the Rohingya, which he described as a forgotten population.

He also explained that people in the region generally dislike the Rohingyas, and do not accept them. Additionally, they have no citizenship and are discriminated against. But for UNHCR and certain NGOs, Mr. Janssen stated, the Rohingyas would have no one to turn to. For this reason alone, the process set in motion aimed at increasing interest is extremely important. Despite the lack of direct results, Mr. Janssen noted that the Rohingyas' case is an example of a situation where the process itself is extremely important. Even though a decade and a half has passed without any results, patience is needed here. Sooner or later, there will be a light at the end of the tunnel, and it is important to keep this international interest as it is right now.

The situation in North Africa and protracted urban refugee situations

The Senior Regional Global Resettlement Officer (Beirut Hub) made a presentation on the resettlement situation in North Africa. He described it as an area characterized by large-scale migration movements from sub-Saharan Africa to Europe, with a proportionally small number of refugees but a very tight asylum climate. For UNHCR, the challenge is to ensure that those in need of protection — and eventually resettlement — are able to access these options, while at the same time avoiding creating pull factors and the impression that resettlement might be an alternative migration route.

The speaker referred to the targeted, small-scale program for the resettlement of vulnerable refugees from North African countries, which is part of the “10-point plan of action” for North Africa launched in mid-2006. The plan is intended to help manage asylum and migration issues in the region, and resettlement is to be used as a small but crucial component – a strategic tool to help demonstrate the importance of international burden-sharing and convince the North African countries to accept a proportion of refugees into their territories as well.

The speaker noted in particular the situation in Morocco and Algeria. In the former, he described how massive transit flows and a weak economy engendered a very small asylum space. He also suggested ways in which the 10-point plan could be implemented. In Algeria, the speaker highlighted the worrying case of the “Adrar refugees,” in which a group of some 70 sub-Saharan African refugees had been summarily detained in a remote desert location, and for whom resettlement was the only option.

Protracted urban refugee situations in the Asia-Pacific Region

Ms. Janet Lim (Director, Asia-Pacific Bureau) reiterated her request that resettlement countries consider a number of protracted and highly vulnerable cases in urban settings in the Asia-Pacific region. The individuals in question are located in a number of different asylum countries (with very limited legal and socio-economic rights, if any) outside their region of origin, and have been subjected to multiple rejections by resettlement countries. As a result, these urban refugees are in an extremely precarious mental state and in urgent need of protection. The Director of the Asia-Pacific Bureau urged resettlement countries to adopt a burden and responsibility-sharing approach in order to find a lasting solution for this population.

Interventions by States

Denmark and the **Netherlands** expressed their willingness to consider the cases. Furthermore, the Netherlands asked to receive several cases in question for review on a dossier basis.

Canada indicated its readiness to consider residual Afghan cases from India. The US added that it is also open to considering residual urban cases from India and elsewhere.

The Resettlement Service and the Asia-Pacific Bureau also raised the issue of protracted urban refugees during bilateral meetings held in the margins of the ATCR with Australia, Canada, the US and the Nordic countries. Canada and the US indicated that they were willing to consider these cases. The Nordic countries also proved open to re-considering these individuals on a case-by-case basis.

The US delegation further informed UNHCR that US government agencies are working together to develop a waiver of legal inadmissibility provisions for Myanmar Chin refugees, which could greatly facilitate resettlement processing out of Malaysia.

Follow-up action:

1. The Resettlement Service to coordinate with concerned field offices regarding dossier submission of the protracted urban refugees to resettlement countries;
2. The Resettlement Service to advise field offices to also consider presenting protracted urban cases to resettlement countries in connection with selection mission;
3. In close consultation with the Asia Bureau and concerned field offices, the Resettlement Service to prepare a background document outlining the profile of the protracted urban cases for the meeting of the Working Group on Resettlement in October.
4. The subject to be included in the agenda of the next meeting of the Working Group on Resettlement.
5. UNHCR headquarters to pursue the topic with the resettlement countries.

7.c Discussion about residual populations following repatriation: Afghan and Sudanese refugees

UNHCR has developed a comprehensive plan to deal with Afghan refugees in the central-Asian region, which includes all three durable solutions. However, countries hosting large refugee populations have thus far not seriously contemplated local integration.

Voluntary repatriation

In the last 4 years, 3.4 million Afghans have repatriated to Afghanistan with the assistance of UNHCR. According to the latest registration programmes, over 1 million refugees still reside in Iran, while the number in Pakistan is 1.5 million.

The number of UNHCR-assisted Afghan repatriations from Iran since January 2006 is approximately 2,700, compared with around 87,000 from Pakistan. Various reasons can explain this unexpected decrease in repatriation trends.

Between 2006-2009, 1.5 million Afghans are expected to return to Afghanistan, and a global comprehensive solutions plan has been designed to respond to the

problems of Afghan returnees, and is based on the following elements:

- i) Protection will focus on the full enjoyment of human rights in the country of asylum and in the country of return;
- ii) Development of projects in the country of asylum, as well as in the country of return, especially targeting vulnerable cases;
- iii) UNHCR's catalytic role in the area of migration policy and law to benefit a broader migration movement.

The specific profile of Afghans in the region should be taken into account when implementing these plans, namely that the refugee population 1) is mainly urban, save some minor camp refugees especially in Pakistan; and 2) has been displaced over the last two decades, fleeing first the Soviet invasion (1979), then the Mujahedin regime (1992-1996), and finally the Taliban (up to 2001).

In Iran, a recent registration programme (the Amayesh II) indicates that over 940,000 Afghan refugees, the majority of which are scattered in urban areas, still reside in that country. Around 45% of this refugee population have access to education, and they are considered de facto, but not de jure, locally integrated.

Framework of comprehensive solutions strategy

Pakistan: A registration exercise is scheduled for the end of 2006, at which time refugees will be provided with a three-year resident permit in the country and become entitled to all rights outlined in the 1951 Convention. The registration will be followed by community-based projects involving refugees, with a particular focus on the most vulnerable cases. Resettlement will be considered as a solution for cases that can neither return to Afghanistan, nor remain in Pakistan.

Iran: The main programme will continue to be voluntary repatriation. Discussions are ongoing with the Iranian and Afghan governments to identify possible incentives that might render the return more attractive. Meanwhile, other solutions may be explored with the Iranian government for those who are not willing or capable of returning to Afghanistan despite these combined efforts. For this latter category, discussions will be initiated with a view to providing them with access to work and education, and other rights listed in the 1951 Convention. UNHCR will also play a catalytic role in promoting and discussing with the Iranian government a migration law that could benefit a broader migration movement. In this context, resettlement will be considered as a durable solution for those refugees who can neither return nor remain in Iran for compelling reasons.

Sudanese refugee population

UNHCR is engaged in facilitating (although not promoting) the voluntary repatriation of Sudanese refugees from the Central African Republic, Uganda, Kenya and the Democratic Republic of Congo to southern Sudan. Although conducive to voluntary repatriation, southern Sudan still has very limited infrastructure, which makes the re-integration of returnees a considerable challenge.

Consequently, resettlement may play an important role for residual refugee populations in the region, particularly for vulnerable cases.

Voluntary repatriation of Sudanese from Egypt will start upon signature of the Tripartite Agreement. Resettlement will be used strategically for protection and vulnerable cases. Special attention should be given to two groups of particular concern: 1) refugees affected by the December 2005 incident in Cairo, who are being detained by the authorities; and 2) Sudanese refugees who moved irregularly to Israel. The increasing irregular movement of Sudanese refugees to Israel is of concern to UNHCR, particularly as current Israeli legislation does not include any asylum provisions. Consequently, there are no procedures in place to protect asylum seekers and refugees in Israel from refoulement.

Interventions

The Head of Resettlement Service requested that NGOs, especially those operating in the Middle East region, encourage Israel to adopt asylum legislation, and ultimately engage in the protection of refugee and asylum seekers residing in the country.

NGOs

Q. How is resettlement utilized in a repatriation context? Are there any specific case-profiles that may not be able to repatriate? If so, is there a specific methodology used to identify such cases?

A. *There is a list of categories of cases that could be considered for resettlement, and the registration (in the context of voluntary repatriation) phase could be used to identify cases in need of protection which are unable to return to Sudan.*

Q. What about the Sudanese refugees pending resettlement in Cairo? What will happen to those refugees when the repatriation starts? Is there a specific strategy?

A. *Each voluntary repatriation application will be considered and assessed individually. A screening of cases that could be in need of protection and that may fall within the Four Freedoms Agreement will be carried out.*

8. Broadening the base of resettlement

8.a The regional resettlement programme for Latin America – follow-up on meeting in Quito 2-3 February

Statement by Philippe Lavanchy, Director of the Americas Bureau

Mr. Philippe Lavanchy extended his gratitude to the Norwegian Chair for his support of the Solidarity Resettlement Programme, and for the opportunity to inform and update the ATRC participants on the Programme. He provided a brief account of the background of the Programme, which falls within the Mexico Plan of Action (MPA). The MPA was adopted in 2004 by 20 Latin American countries, and comprises three strands. The third strand includes a resettlement component designed to serve as a burden and responsibility-sharing mechanism

vis-à-vis the large number of Colombian refugees in the region.

Brazil and Chile started resettling Colombian refugees in 2002. Argentina joined the Programme in June 2005 and welcomed the first resettled (Colombian) refugees in December 2005.

In February 2006, the *First Meeting on Solidarity Resettlement in the Americas* took place in Quito, Ecuador. The meeting aimed at achieving a common understanding of the main challenges and actions needed to strengthen and ensure the sustainability of the Solidarity Resettlement component of the MPA.

The rationale behind the “Solidarity Resettlement Programme” is to keep the asylum space open in the two countries receiving the largest number of asylum applications at present, namely Costa Rica and Ecuador. The Latin American region has a positive experience in regard to refugee protection, both in terms of asylum legislation and practice. The regional resettlement programme is a stepping-stone towards building a protection network in the region, and ultimately raising the overall regional protection standard and ensuring the region’s preparedness in the event of future crises. The establishment of resettlement programmes will provide the structures needed to receive large numbers of refugees and persons of concern in a region where new outfluxes can arise at any time. Moreover, enhancing the number of resettlement countries is an important part of UNHCR’s efforts to increase and diversify resettlement opportunities worldwide.

Mr. Lavanchy continued by providing an update on the Programme. He underlined that the first years of a resettlement programme are critical to its success. The Solidarity Resettlement countries remain very committed toward the Programme, despite having experienced a number of challenges, the main one being the integration of resettled refugees. The lack of funds in emerging resettlement countries, as well as UNHCR’s budgetary shortfalls, are factors seriously affecting the quality of the Programme. In this context, UNHCR continues to work closely with emerging resettlement countries in Latin America, with a view to strengthening and consolidating the Solidarity Resettlement Programme, and ultimately making it sustainable.

To this end, the numbers anticipated for resettlement to Argentina, Brazil and Chile in 2006 have been reduced. Instead the emerging resettlement countries in the region are focusing on geographically expanding their respective national receiving communities. This exercise has already been successfully implemented in Brazil and the focus is now on northern Chile, with Argentina to follow. Brazil has furthermore established a fast-track programme, under which urgent cases are considered on a dossier basis.

Mr. Lavanchy concluded by stating that UNHCR counts on the traditional resettlement countries’ support of and cooperation with Argentina, Brazil and Chile, not only in terms of financial support, but also through information-sharing and technical support. Mr. Lavanchy encouraged a discussion on how the governments and NGOs of traditional resettlement countries can share experiences and best practices with respect to case selection, pre-departure arrangements, reception and integration of resettled refugees within the emerging

resettlement countries.

Brazil reaffirmed its commitment to the Solidarity Resettlement Programme. Through its Fast Track procedure, Brazil has ensured that urgent cases are reviewed within 72 hours. This mechanism has been in place since December 2005. A total of 202 refugees have been resettled in Brazil, a significant number of which are survivors of violence and torture and women-at-risk. The integration of resettlement refugees is achieved mainly through income-generating programmes, housing projects and projects specifically tailored for women-at-risk. Brazil reiterated its request for support from traditional resettlement countries, and the need for a strong commitment from emerging and traditional resettlement countries, as well as UNHCR, in order to consolidate the Solidarity Resettlement Programme.

Chile stated its intention to consolidate its resettlement programme and to review the MOU on resettlement signed by Chile and UNHCR in 1999, with a view to making it a self-renewing instrument. Chile confirmed that efforts are under way to geographically expand the reception capacity in the country. However, due to financial constraints, Chile has so far not been in a position to plan any selection missions in 2006.

Denmark stated that it considers the Solidarity Resettlement Programme a very positive development in the region, and invited the South American resettlement countries to visit Denmark to study the Danish resettlement programme and exchange experiences and best practices. Denmark also invited Solidarity resettlement country officials to join one of its selection missions. Denmark added that it would look into the possibility of financially supporting the Solidarity Resettlement Programme.

Vincent Cochetel, Head of Resettlement Service, encouraged the conversion of quota places into financial contributions in support of the Programme, and increased cooperation and twinning between NGOs in North and South America.

Mexico expressed its continued interest in exploring the possibility of establishing a resettlement programme. However, it will postpone its decision until after the 2006 elections.

The **RCUSA** expressed its desire to contribute to the Programme, however, it is also experiencing financial constraints.

Argentina stated that it recently joined the group of resettlement countries, and that it had so far received 9 families comprising 34 persons as a result of its first selection mission. Argentina was initially aiming to resettle 100 persons in 2006, but had to reduce the number to 40 persons because of financial constraints. Argentina nevertheless remains fully committed to its programme. It added that refugees are included in existing national programmes, and are granted a special visa which allows them to work immediately upon arrival. Argentina further mentioned its plans to decentralize the resettlement programme, given the proven difficulty it experienced in receiving and integrating resettled refugees in the capital.

8.b Follow-up on dialogue with potential resettlement countries

The Chair encouraged a continuation of the discussion with emerging and potential resettlement countries initiated at the Working Group on Resettlement meeting in March 2006. Furthermore, the Chair expressed interest in hearing from emerging and potential resettlement countries about possible needs for technical support, in addition to existing needs for financial support, as the latter had already been mentioned during the first day of the meeting.

The Head of Resettlement Service informed the meeting that, regrettably, several of the potential resettlement countries invited to attend the 2006 ATCR were unable to participate, and had asked him to convey their apologies in this regard. Furthermore, the aforementioned countries emphasized their desire not to be referred to as resettlement countries, as they see themselves merely as countries which are open to considering resettlement submissions on an *ad hoc* basis, as opposed to countries with established resettlement programmes and quotas. The Head of Resettlement Service further mentioned that two additional countries requested meetings with him in early July to discuss the possibility of becoming resettlement countries. He added that progress is being made in broadening the base of resettlement, and that he hopes to see more resettlement countries around the table at the next ATCR.

The **UK** delegation stated that, earlier this year, the Italian Refugee Council, which was in the process of carrying out a study on the feasibility of Italy becoming a resettlement country, had approached the UK authorities. In connection with this objective, the Italian Refugee Council visited the UK (among other resettlement countries) to gather information on the UK resettlement programme, with a view to promoting the establishment of a resettlement programme in Italy. A conference was organized in Italy in early May, at which time the feasibility study was presented and discussed – however, to date, the UK delegation has not heard of the outcome of said conference. The UK further mentioned that it had entered its third year as a resettlement country. It added that it has been through both ups and downs in the past years, and would gladly share its experience with interested parties. It also welcomed further visits to the UK for this purpose.

France mentioned that there has recently been a debate on whether France should become a resettlement country; however this discussion is currently on hold given the upcoming elections. France is nevertheless hoping to be in a position to report some more concrete and positive developments at the next ATCR, if invited to attend the meeting again.

The **Canadian Council for Refugees** (CCR) referred to its long-standing resettlement experience, having received and assisted resettled refugees in their integration for many years. CCR would be happy to once more share its experience with interested parties as it has done in the past.

Denmark echoed the UK and CCR by offering to share Denmark's experience as a resettlement country, and invited emerging and potential resettlement countries to contact the Danish authorities in this regard.

The Head of Resettlement Service made an appeal for political support at the European level to bring the European Commission (EC) initiative to increase resettlement to Europe and related discussions back on the table, including the EC proposal to establish a common EU-wide or European Resettlement Scheme. The Head of Resettlement Service requested that a meeting be organized by European countries as soon as possible, with a view to reactivating the debate on this topic, regardless of whether there is agreement regarding the proposed common EU-wide or European Resettlement Scheme.

Denmark added that it is very encouraged by the fact that “broadening the base of resettlement” has become a regular feature on ATCR and Working Group on Resettlement meeting agendas. Denmark further suggested that UNHCR prepare and share an update/Progress Report on developments in this area at future meetings. The Danish delegation also recommended that the update/Progress Report list potential needs for technical and/or financial support in emerging and potential resettlement countries.

9. Refugee women and children

9.a UNHCR update on the recommendations of the surveys on the vulnerability of refugee women in Thailand and Kenya

Ms. Myriam Baele (Senior Resettlement Officer in Nairobi) provided an update on the recommendations (including follow-up actions) resulting from a survey on refugee women at risk in Kenya conducted by Eileen Pittaway and Linda Bartolomei of the University of New South Wales. The survey was broader than resettlement, and focused on the protection gaps for displaced vulnerable women and girls. As follow-up to this survey, UNHCR has taken a proactive approach in identifying gaps and needs involving all sectors. Through the use of multifunctional teams, participatory assessments and the proGres database, UNHCR has been able to map needs and risks for refugee women and girls at various stages.

From October 2003 to August 2004, UNHCR undertook a profiling exercise of Sudanese girls and women in the Kakuma camp. The exercise enabled UNHCR to identify highly vulnerable cases for resettlement. The exercise also highlighted prominent protection issues in relation to refugee girls and more broadly Sexual and Gender-Based Violence (SGBV) issues in the camps. It also helped UNHCR develop risk assessment tools. UNHCR continues to submit refugee women for resettlement. In fact in 2005, almost half of UNHCR’s resettlement submissions were female heads of households and/or single women. However, few are submitted as Women at Risk. Instead, there is a growing trend of identifying vulnerable women and girls for resettlement on the basis of Legal and Physical Protection Needs, Survivors of Violence and Torture and Medical Needs.

Participatory assessments continue to take place and are a basis for monitoring and programming. This mechanism has helped UNHCR shape its program and protection interventions to have a greater impact. Branch Office Nairobi has appointed a SGBV focal point within the Protection Unit to give refugee women and girls direct access to this focal person upon documentation of their cases. The SGBV focal point expeditiously refers identified cases to the Community

Services or the Resettlement Unit. Victims are subsequently referred for psychosocial counselling, and provided with assistance to minimize further risk.

Mr. Jeffrey Savage (Resettlement Officer in Bangkok) informed the meeting that UNHCR in Thailand undertook a similar project with the University of New South Wales with a view to identifying risk factors for refugee women and girls, and designing strategies to respond to their protection needs. Women at Risk consultations took place in Mae La Camp and Mae Sot. The Karen Women's Organization was an important partner in providing links with the refugee community.

The main risks identified by refugee women included:

- Rape, sexual violence, and the lack of legal redress for such crimes;
- Rape and sexual abuse of refugee children, and of women and girls with disabilities;
- Domestic and family violence;
- Forced marriage to older men;
- Labor exploitation, including rape and sexual harassment by employers;
- Trafficking of women and girls;
- Lack of confidentiality in camps, resulting in stigma and shame experienced by victims;
- Lack of access for refugee women and girls to protection measures, safe houses, education, and income-generation;
- Lack of access by women to the decision-making processes in camps;
- Lack of legal documentation for women, which increases risk of abuse.

In response to these problems, key strategies were identified. They include access to legal mechanisms, support and counseling for victims of violence, strict confidentiality rules, better monitoring of foster care, capacity-building and leadership training for refugee women, and procedures for responding to the needs of refugee women and girls at risk. The project highlighted the need for more coordinated mechanisms to address incidents of SGBV in the camps, and to provide support to victims of such abuse. It raised awareness among refugee women and girls that options are available to them when they become victims of violence and abuse. It highlighted to all partners the role resettlement can play in addressing the needs of refugee women at risk. The project also identified gaps in existing mechanisms for the referral of refugee women and girls in need of support and assistance. However, thus far, UNHCR has received very few referrals from NGO partners – either due to resistance to resettlement as a solution, or because of a lack of capacity. Those received have mainly been limited to cases involving individuals with physical disabilities.

In 2005, UNHCR received reports of 125 incidents of SGBV, double the number in 2003. Although troubling, this number is a positive development, as UNHCR believes it indicates that refugee women and girls are becoming more confident in reporting such incidents. The reports mainly related to rape, attempted rape and domestic violence. More than 50% were perpetrated against refugee children. Most incidents reported were in camps. UNHCR nevertheless continues to be concerned about the under-reporting of incidents. The disproportionate punishments imposed on perpetrators constitute a continuing problem. One

conclusion is that the small number of women involved in camp leadership roles is a key factor in the failure of the community structures to address SGBV.

UNHCR in Thailand is currently in the process of developing standard operating procedures for resettlement cases involving SGBV. UNHCR has developed a database for single women heading households and for women with disabilities, as well as a confidential database on victims of SGBV, so as to enable monitoring and follow-up. Since 2005, UNHCR has submitted 69 women at risk cases in Thailand including 26 cases involving victims of SGBV and their families. In addition, 118 cases (nearly 700 persons) were submitted as Women at Risk as part of the Tham Hin group referral.

Discussion

A representative of the **Jesuit Refugee Service** (JRS) responded to the presentations by saying that she had visited Kakuma camp in Kenya and come across protection gaps. She noted the limited capacity to assist refugee women seriously at risk because the safe haven and protection areas in the camp are always full. At the same time, resettlement processing can take years. She proposed that resettlement processing time be minimized. Mr. Cochetel (Head of UNHCR's Resettlement Service) agreed that there were protection gaps, and expressed his appreciation of JRS's help. He also expressed hope that the forthcoming EXCOM Conclusion on Women at Risk would help give momentum toward improved case identification.

A copy of the presentations made by Ms Baele and Mr Savage are attached in the annex.

9.b UNHCR update on draft Executive Committee Conclusion on displaced Women and Girls at Risk

Ms. Karuna Anbarasan (Senior Adviser, Refugee Women) provided an overview of UNHCR activities relating to advancing protection for refugee women and girls. She began by referring to the draft EXCOM Conclusion on refugee women at risk, the most recent draft of which was shared the previous day. The draft Conclusion will refer to women and girls asylum seekers and refugees, both in urban and rural contexts. It will, however, not attempt to define a woman at risk.

Ms. Anbarasan noted that past evaluations have identified gaps in the areas of protection, assistance and community services vis-à-vis refugee women and children. In response to these evaluations, UNHCR launched an age, gender and diversity mainstreaming project in 2004, involving a number of UNHCR offices. The participatory assessment tool exercise used in this project has helped UNHCR offices better understand and determine how to address the protection concerns of refugee girls, boys, women, men and elderly women and men.

UNHCR has also been working with the Women's Commission for Refugee Women and Children, the Jesuit Refugee Service (JRS) and the University of New South Wales. The Women's Commission report, "Displaced Women and Girls at Risk," examines risk factors facing refugee women and girls as well as potential protection solutions. These risks arise at various stages of displacement, including when refugee women and girls are in protracted situations. Risk factors

also arise as a result of various coping mechanisms. Additionally, there are special groups of women, such as widows and those with HIV or AIDS, who may face particular risks. The report further notes that various protection solutions can be promoted relating to various activities, such as registration, deployment of camp security, increased staffing, protected areas, access to health care, education and training, etc. In order to further develop these responses, UNHCR will need to work closely with NGOs and governments.

9.c UNHCR's guidelines on the best interest of the child – update

Mr Ron Pouwels (Senior Adviser for Refugee Children) provided an update on the development of UNHCR's best interest determination (BID) guidelines since the 2005 ATCR. He explained that in May 2006, following several rounds of consultation, UNHCR provisionally released "UNHCR Guidelines on Formal Determination of the Best Interests of the Child." The guidelines are being pilot-tested until the end of November 2006. Four offices in particular (Guinea, Kenya, Malaysia and Thailand) will be sharing their views and experiences in implementing the Guidelines with the Division of International Protection Services (DIPS). Furthermore, UNHCR has developed a questionnaire to assist staff of UNHCR and partners in providing feedback on the Guidelines. The final version of the Guidelines will be released in early 2007.

Mr Pouwels added that the Guidelines do not address the obligations of States in a comprehensive manner, but are meant to assist staff from UNHCR, as well as its operational and implementing partners who are required to make and document a formal determination in the field. The Guidelines set out legal and other principles concerning: when to make a formal BID; who should make the determination; what procedural safeguards should be followed; and how criteria should be applied to make a decision in a particular case. Mr. Pouwels further explained that a BID will be conducted for specific activities requiring higher procedural safeguards, such as identifying durable solutions for unaccompanied and separated children, deciding on temporary care arrangements for unaccompanied and separated children in particularly complex situations, or determining whether to separate a child from her/his parents against their will.

The Guidelines set out higher procedural safeguards by involving child welfare experts in gathering information, establishing panels to undertake such decisions, and documenting the entire process. The main challenge will be the capacity of UNHCR and its partners to implement the BID Guidelines minimum standards, as UNHCR will have to rely to a large extent on the expertise and capacity of its partners in this regard. Operations involving protracted situations with a substantial number of unaccompanied and separated children will be assisted to implement the BID Guidelines through deployments of child protection officers from, for example, the standby roster of Save the Children Norway and Sweden. Furthermore, a series of sub-rosters within the UNHCR-ICMC Resettlement Deployment Scheme have been developed and include Children and BID Specialists.

Mr Ron Pouwels expressed UNHCR's appreciation of the Refugee Council of the USA' input throughout the drafting process of the BID Guidelines. He concluded by highlighting that while UNHCR is working closely with four

countries in the testing of the BID Guidelines, all UNHCR offices should implement them.

A copy of Mr Pouwels' presentation is attached in the annex.

10. Any other business

Mr. Kevin Liston, from the Refugee Council of Australia, opened the discussion by emphasizing the importance of integration services, which he described as the public face of resettlement. He noted that success or failure to integrate reflects community attitudes, which in turn impact political support for resettlement at the Parliamentary level.

He also noted the responsibility of meeting participants to develop quality standards and benchmarks for integration services. Indicators of successful integration are necessary to guide the process. Mr. Liston explained that States use widely diverging approaches to assess integration, usually on the basis of local circumstances. He suggested that UNHCR encourage coherence in this area, and recommended that integration success assessment be placed on the agenda for the next ATCR, and that action be taken in the interim.

A copy of Mr Liston's intervention is attached in the annex.

The United States then took the floor to present and read out an award from the Bureau of Population Refugees and Migration, signed by U.S. Assistant Secretary of State Ellen Sauerbrey, recognizing Eva Demant.

Next, Peter Clasen Toft took the floor for Denmark. He began by thanking the Norwegian Chair of the working group, and expressed his gratitude for the Chairman's hard work, as well as that of his assistant, Magne Holter.

The Chairman then introduced the incoming Chairman, Kevin Third, from New Zealand.

Mr. Third took the floor and conveyed his thanks to the Norwegian chair for his guidance. He noted that a lot of work had been accomplished, but that many issues remained on the table. He indicated his desire to see as many resolved as was possible by the end of New Zealand's chairmanship term.

Additionally, he requested that participants in the forum provide feedback by completing an evaluation form, in order to assist him in his planning. He also indicated his intention to proceed with timeliness, and to maintain the momentum that had persisted thus far.

Thomas Horne, Norwegian Refugee Council, took the floor and thanked Eva Demant on his own behalf, and on behalf of the NGO network, including present participants and those unable to attend the ATCR. He noted that the NGOs had confirmed Peter Cotton (RMS Refugee Resettlement) as the new NGO Focal Person for the ATCR 2007, and he wished his successor well.

11. Concluding Remarks and Closure of the Consultations

The Chairman noted that there was insufficient time to further evaluate the meeting, but invited participants to send Magne Holter an e-mail with feedback. He indicated that he would summarize the feedback and share it with Kevin Third, New Zealand and UNHCR.

He also thanked UNHCR, Eva Demant, and Vincent Cochetel, as well as all ATCR participants, and Magne Holter.

Mr. Vincent Cochetel took the floor to thank the Norwegian chair, participating States and NGOs for their contribution to and preparation of the 2006 ATCR, and for their contribution to the debate and follow-up. He noted the potential value of consultations when they are used, and when there is follow-up on remarks and recommendations.

He noted indications suggesting progress in the structure of the debates and in the format of the ATCR. Mr. Cochetel also recognized that more progress was still necessary in other areas, notably with respect to time available for debates and consultations. He promised to take these areas needing improvement into consideration in the discharge of his duties.

Finally, Mr. Cochetel also thanked his colleagues, his resettlement colleagues in the field and in the Resettlement Service, as well as all colleagues and interns who helped prepare the 2006 ATCR.

Mr. Kevin Third took the floor one last time and requested that NGOs who had the possibility of staying a bit longer remain for a short meeting.

The meeting closed.
