

Module Two: Foundation

Durable Solutions: Voluntary Repatriation

CONTENTS	Page
Briefing for Facilitators	
Introduction	3
Guidance for Facilitators	7
SECTION 1: GENERAL PRINCIPLES RELEVANT TO VOLUNTARY REPATRIATION	
Topic 1: The Right to Return in International Law	9
Topic 2: Operational Principles for Voluntary Repatriation	10
Topic 3: UNHCR’s Mandate for Voluntary Repatriation.....	13
Topic 4: The Role of Governments, Intergovernmental Organisations and Non-Governmental Organisations.....	16
SECTION 2: WHO MAKES THE DECISION: BEST INTERESTS, CHILD PARTICIPATION AND PARENTAL RESPONSIBILITY	
Topic 5: General Principles Relevant to the Voluntary Repatriation of Children	18
Topic 6: Additional Principles Relevant to the Voluntary Repatriation of Separated Children	21
SECTION 3: INFORMATION AND ACTIVITIES RELEVANT TO DECISION-MAKING	
Topic 7: Profiling the Refugee Community and the Situation in the Country of Origin	26
Topic 8: The Information Campaign and Refugee Children	28
Topic 9: Counselling	32
Topic 10: The Registration Process	33

SECTION 4: ENSURING CHILDREN'S SAFETY AND DIGNITY IN THE REPATRIATION PROCESS

Topic 11: Preparation for the Reception of Children in the Country of Origin	36
Topic 12: Cross-Border Communication and Co-ordination	37
Topic 13: The Repatriation Process	39
Topic 14: Reception of Returnee Children	43

SECTION 5: REINTEGRATION

Topic 15: Protection and Assistance Problems Faced by Children on Return	45
Topic 16: Children at Risk	48
Topic 17: UNHCR's General Role in Reintegration Operations	50
Topic 18: Co-ordination of Reintegration Activities for Children.....	52
Topic 19: Returnee Monitoring.....	54
Topic 20: Protection and Assistance Initiatives for Returnee Children	56
Participant Groups	61
Sample Programmes	68

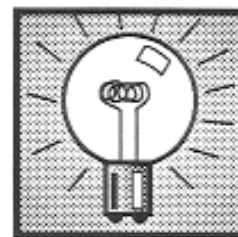
Training Materials

Handouts	86
Exercises	89
Overheads	129

Resources

Reading List	141
Useful Addresses and Contacts	142
Readings	144

Voluntary Repatriation: Introduction



The most important part of this module is the content. Before attempting any training using the materials in this module, read through the Topics, handouts, overheads and Readings carefully. You need to understand the material fully in order to train others. If you have not recently trained or worked in the area covered by this module, please reread it before starting to plan your training.

Voluntary Repatriation is an important but technical subject to cover. Try to be as creative as you can in getting over the material but recognise that there may be limitations to how participatory you can be!

SECTION ONE (TOPICS 1 TO 5): GENERAL PRINCIPLES RELEVANT TO VOLUNTARY REPATRIATION

Section one provides a brief overview of the basic principles relevant to a voluntary repatriation operation. Topics covered include: the legal basis for voluntary repatriation, including UNHCR's mandate in this respect; fundamental operational principles (including voluntariness, safety and dignity) and the responsibilities of governments, intergovernmental organisations and NGOs in a voluntary repatriation operation.

The themes examined are relevant to a voluntary repatriation operation generally, and do not focus on children in particular. However, it was felt that this overview would be helpful in contextualising the voluntary repatriation of children, particularly if the participants are not familiar with voluntary repatriation. If they are, the material in this section should be referred to only briefly, if at all. Most of the topics in Section one are re-examined from a children's perspective in subsequent sections of the module.

SECTION TWO (TOPICS 6 & 7) : WHO MAKES THE DECISION - BEST INTERESTS, CHILD PARTICIPATION AND PARENTAL RESPONSIBILITY

The principle of voluntariness is the cornerstone of international protection with respect to the return of all refugees. However, with respect to the voluntary repatriation of children other principles, notably the child's best interest, family unity, parental responsibility for raising children and the participation of the child, also apply. For separated children, additional principles such as continuity of care and the child's ethnic, religious, cultural and linguistic background, should also be considered. In addition, special procedures need to be established to ensure that the rights of separated children are respected in the decision-making process. This section explores these principles, and some of the difficulties encountered in their practical application.

SECTION THREE (TOPICS 7 TO 10): INFORMATION AND ACTIVITIES RELEVANT TO DECISION MAKING

A number of activities can be undertaken by UNHCR and NGOs working in a voluntary repatriation operation to ensure that the above-mentioned principles are respected and that children's needs and concerns are addressed in a voluntary repatriation operation. These include: preparing profiles of the refugee community and the situation in the country of origin; conducting an information campaign on voluntary repatriation which is of interest, relevant and accessible to children; providing special counselling for children; and ensuring that the registration process is sensitive to children's concerns. Particular measures need to be in place to ensure that the particular needs of separated children are addressed in these activities.

SECTION FOUR (TOPICS 11 TO 14): ENSURING CHILDREN'S SAFETY AND DIGNITY IN THE REPATRIATION PROCESS

Section four explores ways to ensure the child's safety and dignity in the voluntary repatriation process, including measures to be taken by the country of origin to prepare for the reception of children, cross-border co-ordination, measures to be taken in the repatriation process itself and measures to be taken in the country of origin upon return..

SECTION FIVE (TOPICS 15 TO 20): REINTEGRATION

The entitlement to return in safety and dignity does not end once refugees have crossed the border into their homeland. However, the reality is often that refugees are returning to a country which has been devastated by conflict and with still divided communities. For refugee children who received assistance in exile, return could be more difficult than the experience of exile itself.

This section examines the types of problems which children might face upon return. These include physical insecurity (such as land mines), material insecurity (such as lack of access to basic necessities, land and property and/or education), and legal insecurity (such as lack of documentation), as well as abuse (including sexual violence) and exploitation (including military recruitment). It examines the role of UNHCR and its partners in reintegration operations, and suggests protection (including monitoring) and assistance activities which might be implemented to assist the national Government in ensuring the successful reintegration of children in their homeland.

KEY CONCEPTS

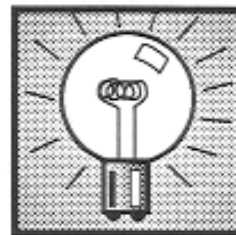
- Refugee children and their families have the right to leave and to return to their country of origin under international law.
- Repatriation must be voluntary (a free and informed decision), and should take place under conditions of safety and dignity.
- UNHCR is mandated to assist Governments, and with the approval of the Governments concerned, private organisations, to facilitate voluntary repatriation. This includes not only the promotion or facilitation of voluntary repatriation from the country of asylum to the

country of origin, but also protection and assistance activities in the country of origin after return.

- Voluntary repatriation is a co-operative endeavour between UNHCR, governments, intergovernmental organisations and non-governmental organisations.
- NGOs play a key role in the voluntary repatriation process, particularly as it relates to children.
- With respect to decisions about the voluntary repatriation of children, the principles of the child's best interest, family unity, parental responsibility and the participation of the child apply.
- With respect to decisions about the voluntary repatriation of separated children, in addition to the above-mentioned principles, additional considerations such as continuity of care and the child's ethnic, religious, cultural and linguistic background should be taken into account.
- Special procedures, involving child welfare experts, should be established to ensure that the rights of separated children are respected in the process of making a decision as to whether or not a child should repatriate.
- A number of activities can be undertaken by UNHCR and NGOs to ensure that children's rights, needs and concerns are respected in a voluntary repatriation operation. These include: preparing profiles of the refugee community, including children; profiling the situation in the country of origin; conducting an information campaign in the country of asylum which is relevant and accessible to children; providing special counselling for children; and ensuring that the registration process is sensitive to children's concerns.
- Special measures related to the child's health, personal effects, documentation, education, security and transport should be taken by UNHCR and NGOs to ensure the safety and dignity of children in the repatriation process. Particular attention should be paid to separated children.
- Special measures should be taken in the country of origin to prepare for the reception of refugee children on their arrival in the country of origin at transit or reception centres. Border areas and entry points should also be monitored. Particular attention should be paid to separated children.
- Cross-border co-operation among UNHCR offices, governments, intergovernmental organisations and NGOs is essential in a voluntary repatriation operation. Such co-ordination should be based on the principle that a voluntary repatriation operation should be determined by the conditions, absorption capacity and preparedness in the country of origin.
- Returnee children may face a number of protection and assistance problems on return to their homeland including physical insecurity (such as land mines), material insecurity (such as lack of access to basic necessities, land, property and/or education) and legal insecurity (such as lack of documentation). They are also vulnerable to abuse (including sexual violence) and exploitation (including military recruitment).
- Girls, adolescents and separated children are particularly at risk of facing protection and assistance problems on return.
- Protection and assistance activities carried out by UNHCR in reintegration operations must be limited in time and scope and fit within an agreed upon reintegration framework, involving a broad range of actors, in support of the national Government.
- Co-ordination between the Government, UN organisations and other actors, including financial institutions, is essential to ensure that activities taken for or on behalf of children do not overlap. The Government is the starting point for co-ordination of all activities.

- Returnee monitoring is one of UNHCR's core protection activities in the country of origin, and must pay attention to the needs and problems of returnee children.
- UNHCR and its partners can implement a wide range of protection and assistance initiatives for children, including projects in the areas of food and shelter, physical and psychological well-being, education (both formal and informal), reconciliation and law and justice. These initiatives should be community based, targeting returnee communities as primary actors in their own integration.

Voluntary Repatriation: Guidance for Facilitators



If you are new to training we provide a number of ways to help you maximise your use of the material.

- 1** **ARC Facilitator's Toolkit.** For those new to training this guide is intended to provide the basic principles. Read it and think about the key points when planning your training session. You can also use it as a support when using particular training methods as it provides guidelines and ideas about how to use all the methods included in this module.
- 2** **Training materials.** Each Topic includes a box with suggested training materials and is followed, in some cases, with further suggestions for training which could be developed by facilitators.
- 3** **Sample training programmes.** These are designed to be used as examples of training sessions that stand alone or can be combined to build up longer programmes covering a number of different modules.
- 4** **Exercises with learning points and clear instructions about use.** These can be used in your own training programmes or integrated into the standard format training programmes. They can be supplemented with handouts, overheads and other materials and are clearly linked to the Topics.

RESOURCES REQUIRED

Check that you have all the necessary resources and materials required to run a training programme. Some resources will be specific to the exercises, others are more general requirements.

Plenary room and small-group discussion areas; whiteboard / blackboard and pens / chalk; 3-4 flipchart stands, paper and marker pens; overhead projector, blank overhead transparencies and overhead transparency pens.

ARC Resources Pack (including copy of the CRC, 'Refugee Children: Guidelines on Protection and Care', and the ARC Facilitator's Toolkit.)

One copy of each of relevant prepared overhead transparencies (for the facilitator only).

Copies of relevant Readings for each participant (if possible these should be handed out in time to allow participants to read them in advance of the training sessions).

Copies of relevant handouts for each participant.

Copies of relevant exercise Participant's Notes for each participant.

Copy of the ARC leaflet for each participant.

Adhesive tape (masking tape is best because it is easily removed) and / or Blu Tack for sticking cards and flipchart sheets onto walls. Blank index cards in different colours

Folder and basic stationery for each participant.

Voluntary Repatriation Topic 1: The Right to Return in International Law



KEY LEARNING POINT

- *the right of refugees to return to their country of origin is fully recognised in international law*

Article 13 (2) of the Universal Declaration of Human Rights provides that:

“Everyone has the right to leave any country, including his own, and to return to his country.”

Although the Declaration is a General Assembly Resolution and not a binding treaty, it sets a code of conduct and serves as a point of reference for all universal and human rights instruments subsequently adopted. The right to return has subsequently been enshrined in binding international and regional human rights instruments.¹

This right is also contained in Article 10 of the CRC, and in this respect it is closely linked to the right of family unity. Article 10(2) in particular reads as follows:

“... States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country.”

This right is complemented by Articles 7 (right to name and nationality) and 8 (preservation of identity, including nationality).

TRAINING MATERIALS FOR TOPIC 1

Overhead VR Ov1.1: The Right to Return	Summary of two key instruments establishing the right to return of refugee children.
--	--

¹ See for example Art 12(4) of the International Covenant on Civil and Political Rights, Art. 5(d)(ii) of the International Convention on the Elimination of All Forms of Racial Discrimination, Art. 12(2) of the African Charter on Human and People’s Rights and Art 22(5) of the American Convention on Human Rights.

Voluntary Repatriation Topic 2: Operational Principles for Voluntary Repatriation



KEY LEARNING POINTS

- *repatriation should be voluntary, which includes two elements: freedom of choice and an informed decision*
- *repatriation should take place under conditions of safety and dignity*
- *safety and dignity in connection with voluntary repatriation focuses on the repatriation process itself and after return*
- *the two voluntary repatriation methods commonly distinguished are organised and spontaneous*

VOLUNTARY

The decision to repatriate should be a voluntary one. This requirement is more than a matter of principle, a return which is voluntary is more likely to be lasting and sustainable. A voluntary decision implies two elements: freedom of choice (which relates to the situation in the country of asylum) and an informed decision (which relates to the situation in the country of origin). As a general rule, UNHCR should be convinced that the positive pull-factors in the country of origin are an overriding element in the refugees' decision to return, rather than possible push factors in the host country or negative pull-factors, such as threats to property, in the home country.

(Please see Topics 5 and 6 for a discussion on how the principle of voluntariness relates to other principles relevant to the voluntary repatriation of children, and Topics 7 - 10 which discuss ways of helping to ensure that the child's decision is informed.)

SAFETY AND DIGNITY

Repatriation should not only be voluntary, it should take place under conditions of safety and dignity.

Safety

Return in safety is one that takes place under conditions of

- Legal safety: such as amnesties, public assurances of personal safety, integrity, freedom from fear of persecution or arbitrary punishment on return, citizenship status
- Physical security: including protection from armed attacks and mines

- Material security: access to land and property, means of a livelihood and for children an education as well

Dignity

The concept of dignity is less self-evident than safety. The dictionary definition of dignity contains elements of “serious, composed, worthy of honour and respect.” In practice it means that refugees are not manhandled, that they can return unconditionally and if they are doing so spontaneously they can do so at their own pace, that they are not arbitrarily separated from family members; and that they are treated with respect by the authorities and full acceptance by the national authorities, including the full restoration of their rights.

(For a discussion on how the concepts of safety and dignity relate to children in particular, please see Topics 11 to 14.)

PROMOTION VS. FACILITATION OF REPATRIATION

Whether the requirements of safety and dignity have been met will influence the role which UNHCR will play in the voluntary repatriation of a particular refugee. Typically, UNHCR’s involvement is either one of promotion or facilitation of repatriation.

Promotion

Promotion of repatriation means actively undertaking broad and wide-ranging measures to advocate refugees return. Promotion of repatriation can take place when a careful assessment of the situation shows that the conditions of safety and dignity can be met: in other words when it appears that objectively it is safe for most refugees to return and that such returns have good prospects of being durable. Please note that in making this assessment, attention must be paid to the safety and dignity of refugee children, as well as adults

UNHCR can promote voluntary repatriation without being in charge of organising all aspects of the return movement. Frequently members of the group will make their own arrangements for return, with or without UNHCR assistance. (See Organised and Spontaneous Repatriation below.)

Facilitation

Respecting the refugees’ right to return to their country at any time, UNHCR may facilitate voluntary repatriation when refugees indicate a strong desire to return voluntarily and have done so on their own initiative, even where UNHCR does not consider it safe for most refugees to return. Facilitation should only be done where UNHCR is satisfied that the refugee’s wish to return is indeed voluntary and not driven by coercion. The measures which UNHCR should take to facilitate voluntary repatriation are much more limited than those taken when promoting repatriation.

ORGANISED AND SPONTANEOUS REPATRIATION

The two voluntary repatriation methods commonly distinguished are :

- Organised repatriation: Return by means of UNHCR transport and usually linked with other assistance; and
- Spontaneous repatriation: Return by the refugees' own means, but does not preclude subsequent assistance in country of origin.

In most cases these types of repatriation may be occurring at the same time. While this module focuses on organised voluntary repatriation, it must be remembered that UNHCR's responsibilities for refugee protection and assistance are engaged regardless of whether refugees are returning in an organised manner under UNHCR auspices or spontaneously on their own. This also applies once they have returned to their homeland.

TRAINING MATERIALS FOR TOPIC 2

Exercise VR Ex2.1: Dignity and Rights in the Voluntary Repatriation of Children	Examines the links between children's rights and what constitutes dignity in the process of voluntary repatriation. (Can alternatively be used in Topic 13: ensuring the Safety and Dignity of Children in the Repatriation Process)
Overhead VR Ov2.1: Operational Principles	Summary of the main principles for Voluntary Repatriation

FURTHER SUGGESTIONS FOR TRAINING

Ask participants (in small groups) to write onto index cards examples of different types of security required for successful voluntary repatriation. Prepare four heading cards: Legal Security, Physical Security, Material Security and Other. Ask groups to place their cards, in turn, under one of the four heading cards, explaining what their card means and why they have placed it there.

Divide participants into two groups. Ask one group to identify what **enables** refugees from making a dignified return. Ask the other group to identify what can **prevent** a return from being dignified. In plenary, ask each group to present their points alternately (one from the enables group then one from the prevents group). When all the points have been presented, ask participants what can be done to reduce the **prevents** points and strengthen the **enables** points.

Voluntary Repatriation Topic 3: UNHCR's Mandate for Voluntary Repatriation



KEY LEARNING POINTS

- *UNHCR's responsibilities extend to helping secure protection and providing assistance to returnees in the country of origin*
- *the instruments from which UNHCR's mandate for voluntary repatriation is derived include both 'hard' and 'soft' law*

UNHCR's roles and responsibilities with regard to voluntary repatriation have been developed over decades through instruments, texts and practice. It is important to note that over the years, UNHCR's mandate for voluntary repatriation has been refined and extended; from an initial consideration that UNHCR's responsibilities ended when repatriants crossed the border back into their home country, to a substantive involvement with regard to helping to secure protection and providing assistance to returnees in the country of origin.

Some of the instruments from which UNHCR's mandate for voluntary repatriation is derived, such as the 1951 Convention Relating to the Status of Refugees (the "1951 Convention") and the OAU Convention governing specific aspects of refugee problems in Africa (the "OAU Convention") have the force of law and are binding on states that ratify them. Others, such as General Assembly Resolutions and Executive Committee ("EXCOM") Conclusions, belong to the category of soft law. While not legally binding, they nonetheless signify international consensus. The various instruments are highlighted below.

The 1951 Convention

The 1951 Convention does not address the question of voluntary repatriation directly, but the voluntariness of repatriation is implicit in the definition of refugee (well-founded fear of persecution) and the principle of non-refoulement (prohibition of expulsion or return as set out in Article 33.) In addition, under Article 35, states agree to co-operate with UNHCR in the exercise of [her] functions, which, as noted below, include the facilitation of voluntary repatriation.

The Convention on the Rights of the Child

The CRC does not refer specifically to voluntary repatriation or the mandate of UNHCR.² However, as noted in UNHCR's Policy on Refugee Children of 1994, the CRC provides a comprehensive framework for the responsibilities of states parties to all children within their border, including those of concern to UNHCR.³ Moreover, as a United Nations convention, it constitutes a normative frame of reference for all of UNHCR's action, including voluntary repatriation.

OAU Convention

The OAU Convention governing specific aspects of refugee problems in Africa (OAU Convention), which is a regional treaty, does contain a specific article on voluntary repatriation. Article V contains provisions prohibiting refoulement; emphasises the voluntary character of repatriation; obliges the country of origin not to penalise returnees and to provide them with full rights and privileges; and requires the country of asylum, the country of origin, voluntary agencies, international agencies and intergovernmental organisations to facilitate the return of those who freely decide to repatriate. The OAU Convention, in Article VIII, also requires member states to co-operate with UNHCR.

UNHCR's Statute

GA Res. 428(V) of 14 December 1950, adopting the UNHCR Statute, calls upon governments to co-operate with the High Commissioner in the exercise of [her] functions by "assisting the High Commissioner in [her] efforts to promote the voluntary repatriation of refugees."

The UNHCR Statute entrusts the High Commissioner with seeking permanent solutions for the problem of refugees by assisting governments and private organisations to facilitate their voluntary repatriation (para. 1) and with providing for the protection of refugees by assisting governmental and private efforts to promote voluntary repatriation as a solution (para. 8(c)).

General Assembly Resolutions

The UN General Assembly has repeatedly reaffirmed UNHCR's role in voluntary repatriation operations generally, and in the country of origin on return in particular. During the Algerian repatriation operation in 1961, it became apparent that UNHCR could only effectively assist in the operation if assigned a more active role in Algeria. Recognising this, the General Assembly requested UNHCR to assist in the rehabilitation of refugees in their homeland. This decision, which effectively broadened UNHCR's competence, has been reiterated in numerous subsequent resolutions, both in general terms and with reference to specific returnee situations.

Please see Topic 17 for the most comprehensive General Assembly Resolution on UNHCR's role in reintegration operations.

² In Article 45, however, UN organs (which include UNHCR) can be represented during the presentation of states party reports to the Committee on the Rights of the Child and may provide expert advice and reports to the Committee. UNHCR regularly attends formal and informal sessions of the Committee.

³ All the provisions of the CRC apply to asylum seeking and refugee children (Art 22) and returnee children as well, who are of course nationals of the country of origin. Of particular relevance to returnee children in Article 2, which guarantees the rights in the CRC to all children, regardless of their or their parent's status.

Requests by the Secretary-General

On many occasions UNHCR's responsibilities in major voluntary repatriation operations have been spelled out in specific terms by the Secretary General. This was the case in Vietnam in 1990, in Iraq in 1991, in Cambodia in 1991 and in Former Yugoslavia in 1991.

Executive Committee Conclusions

The EXCOM first examined the topic of voluntary repatriation in detail in 1980, and in Conclusion 18(XXXI) of that year codified UNHCR's special competence concerning returnees. In 1985, EXCOM adopted Conclusion 40(XXXVI) on the same subject and significantly developed doctrine with regard to voluntary repatriation, through a clear reiteration of protection principles and through outlining in some detail practical ways and means of promoting this solution and making it truly durable. UNHCR's country of origin role was expanded upon in greater detail, particularly with respect to returnee monitoring and reintegration and rehabilitation activities. (Please see Topic 17 for more detailed information on EXCOM Conclusions relating to UNHCR's role in reintegration operations.) These Conclusions were reaffirmed in EXCOM Conclusion 74 (XLV) which also underscored "the leading role of UNHCR in promoting, facilitating and co-ordinating voluntary repatriation."

TRAINING MATERIALS FOR TOPIC 3

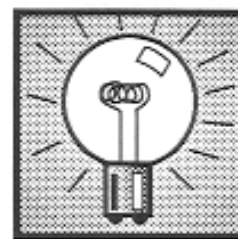
Overhead VR Ov3.1: UNHCR's Mandate for Voluntary Repatriation	Summary of the key treaties and soft law instruments which establish UNHCR's mandate
---	--

FURTHER SUGGESTIONS FOR TRAINING

Open a discussion with participants about what relevant international law applies in their country and what national law is relevant.

Alternatively, you may wait and open this discussion after presenting Topic 4 on the Role of Governments, Intergovernmental Organisations and Non-Governmental Organisations.

Voluntary Repatriation Topic 4: The Role of Governments, Intergovernmental Organisations and Non- Governmental Organisations



KEY LEARNING POINTS

- *voluntary repatriation is a co-operative endeavour between UNHCR, governments, intergovernmental organisations and non-governmental organisations*
- *NGOs play a key role in the voluntary repatriation process, particularly as it relates to children*

While UNHCR is the lead UN agency in a voluntary repatriation operation, voluntary repatriation is a co-operative endeavour. As noted above, UNHCR's Statute provides that UNHCR shall assist governments and, with the approval of governments concerned, private organisations, to facilitate the voluntary repatriation of refugees.

Governments in countries of asylum and the country of origin are bound by the principles set out in international and regional treaties which they have signed and which relate to voluntary repatriation. Some of these principles, such as non-refoulement, are arguably customary international law and binding on all states even in the absence of a treaty. UNHCR should ensure, however, that the obligations of governments with respect to any voluntary repatriation operation, are clearly set out in bilateral and/or tripartite agreements and/or Memoranda of Understanding.

Intergovernmental organisations also play an important role in voluntary repatriation operations. Within the UN system, the Office of the Co-ordinator for Humanitarian Affairs (OCHA), the United Nations Development Fund (UNDP), the United Nations High Commissioner for Human Rights (UNHCHR) and the United Nations Children's Fund (UNICEF) are of particular importance. Outside the UN system, the International Organisation for Migration (IOM) also have central roles.

Particular mention should be made of the International Committee of the Red Cross (ICRC). Although the ICRC is a private NGO, it is widely recognised as having an international juridical personality, due to the duties and responsibilities assigned to it by international humanitarian law. As a result of headquarters agreements which it has with many countries in which it operates, it is often on the same footing as intergovernmental organisations. ICRC works on behalf of prisoners of war, war wounded detainees, deportees, with civilian populations affected by war or famine, and in the tracing of and communication between separated families. All of these activities may include refugees and returnees, and the

activities of ICRC and UNHCR often converge. This is particularly true in the area of tracing and family reunification of separated children.

As explored in subsequent sections of this module, NGOs play a key role in the voluntary repatriation process, particularly as it relates to children and often as implementing partners of UNHCR. UNHCR should ensure that NGOs are consulted and kept informed and that their expertise benefits all stages of a voluntary repatriation operation.

In recent PARinAC (Partnership in Action) consultations, UNHCR and a broad array of NGOs reintegrated the basic principles underlying their co-operation in favour of the international protection of refugees, including those with respect to voluntary repatriation. The “Oslo Declaration and Plan of Action” which emanated from the global NGO and UNHCR Conference in 1994 encompassed nine recommendations specific to voluntary repatriation. These recommendations (which are found in Annex 8 of the Voluntary Repatriation Handbook and reproduced in Reading **VR R 4.1**) deal with a wide variety of topics, including measures to better promote inter-agency co-ordination, information collection and exchange and planning for voluntary repatriation. Recommendation 28 focuses on the education of refugee children in particular.

FURTHER SUGGESTIONS FOR TRAINING

Ask participants working in the same country or area to draw a ‘sociogram’ of the different UNHCR sections, government departments, intergovernmental agencies and NGOs which currently work together with refugee and/or returnee communities on issues relating to children. Organisations should be represented by a circle and the size of the circle can represent the importance of the organisation. Close links can be represented either by placing the circles close together or by the thickness of the line linking them. Open a discussion examining where links are missing; where links could be made or strengthened; where conflict or problems arise between organisations.

If you have not already done so in Topic 3, open a discussion with participants about what relevant international law applies in their country and what national law is relevant.

Voluntary Repatriation Topic 5: General Principles Relevant to the Voluntary Repatriation of Children



KEY LEARNING POINT

- *the key principles which underpin the voluntary repatriation of children are voluntariness, the child's best interests, family unity, parental responsibility and the participation of the child*

Below is a brief overview of the relevant principles, and the instruments in which they are articulated. Please see **Exercise VR Ex5.1** for an exercise which can be used as a way of having participants identify these principles.

VOLUNTARY

As noted in the discussion on legal principles, one of the most fundamental principles relating to repatriation is that the decision to repatriate should be a voluntary one, which implies freedom of choice and an informed decision. While there is general agreement that the child's decision should be informed, difficult issues arise with respect to freedom of choice and the potential conflict of this principle with other principles such as family unity and/or best interests. These issues are explored in the group exercise and the case studies.

THE CHILD'S BEST INTERESTS

The requirement that the best interest of the child be a primary consideration in all actions concerning children is articulated in Article 3 of the CRC. This principle is also central to UNHCR policy with respect to children generally, and with respect to the voluntary repatriation of children in particular.⁴

FAMILY UNITY

The voluntary repatriation of a child must also be guided by the principle of family unity. The importance of family unity, and the obligation of states parties to support families and/or assist in family reunification is provided for in various provisions of the CRC, notably the Preamble, Articles 5, 7, 9, 10 and 22. This principle is also noted in international refugee law⁵ and reflected in UNHCR policy.⁶

⁴ Please see UNHCR's Policy on Refugee Children (Guiding Principle 1(a)), UNHCR's Guidelines on the Protection and Care of Refugee Children (Chapter 2) and the three Conclusions adopted by EXCOM on Refugee Children (EXCOM Conclusions 47(XXXVIII) of 1987, 59(XL) of 1989 and 84(XLVIII) of 1997).

⁵ The 1951 Convention does not contain a provision to this effect. However, in the Final Act of the 1951 United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, which

With respect to family unity and the voluntary repatriation of children, UNHCR's Refugee Children: Guidelines on Protection and Care specifically provide as follows on p. 139:

“Parents should not normally be allowed to repatriate leaving a child behind. Likewise, requests from minor children to repatriate leaving behind their parents should only be considered in consultation and agreement with the parents and assurances that the child will be received by a responsible relative on return.”

PARENTAL RESPONSIBILITY FOR RAISING CHILDREN

Related to the principle of family unity is that of parental responsibility. The CRC recognises the rights and duties of parents, or where applicable members of the extended family or community to provide guidance to the child (Article 5) and recognises that parents have joint primary responsibility for raising their children (Article 18). This principle is also reflected in UNHCR policy.⁷

Thus with respect to the voluntary repatriation of a child who is accompanied, or in the case of an unaccompanied minor whose parents have been located in the country of origin or another country of asylum, the parents' views as to whether or not a child should repatriate should also be respected.

THE PARTICIPATION OF THE CHILD

The CRC, in Article 12, provides that a child who is capable of forming his or her own views has the right to express those views freely in all matters affecting him or her, the views being given due weight in accordance with the age and maturity of the child.

UNHCR's Guidelines on the Protection and Care of Refugee Children further detail how this right might be implemented particularly with respect to the voluntary repatriation of separated children. (See Topic 6: Additional Principles Relevant to the Voluntary Repatriation of Separated Children.) However, in some cases these considerations may be relevant to the voluntary repatriation of accompanied children as well.

In order for the child to participate meaningfully, he or she must be informed about the repatriation process and the situation to which he or she will return. The right of the child to participate in decision-making and be informed about voluntary repatriation also relates to the first principle noted above, the voluntariness of the decision. (For activities to ensure that children participate in and are informed about matters relating to voluntary repatriation please see Topics 7 - 10.)

is an Appendix to the 1951 Convention, it is recommended that Governments take measures for the protection of the refugee's family, especially with a view to ensuring that the unity of the family is maintained. The principle of family unity was stressed by the EXCOM in Conclusions 9(XXVIII) of 1977 and 24(XXXII) of 1981 as well as in the EXCOM Conclusions on Refugee Children referred to in Note 3.

⁶ See UNHCR's Policy on Refugee Children (Guiding Principle (b)) and UNHCR's Guidelines on the Protection and Care of Refugee Children (see Chapters 4, 7, 10 and 11).

⁷ See UNHCR's Policy on Refugee Children (Guiding principle (c)), UNHCR's Guidelines on the Protection and Care of Refugee Children (Chapter 4) and the above-noted EXCOM Conclusions.

TRAINING MATERIALS FOR TOPIC 5

Overhead VR Ov5.1: Voluntary Repatriation of Children Applicable Principles	Summary of the key principles for the voluntary repatriation of children.
Exercise VR Ex5.1: General Principles Relating to the Voluntary Repatriation of Children	Asks participants to identify principles which underpin the repatriation of children
Exercise VR Ex5.2: Applying Principles Relevant to the Voluntary Repatriation of Children	Asks participants to consider some of the difficulties inherent in application of the principles relevant to the voluntary repatriation of children.

Voluntary Repatriation Topic 6: Additional Principles Relevant to the Voluntary Repatriation of Separated Children



KEY LEARNING POINTS

- *special considerations come into play when dealing with the voluntary repatriation of an unaccompanied child;*
- *special procedures, involving child welfare personnel, need to be established to assist in making a decision as to whether or not an unaccompanied child should repatriate*
- *children who are fostered require particular consideration*

The principles referred to in Topic 5 apply with respect to decision-making for both accompanied and separated children. However, additional considerations come into play when dealing with the decision of an unaccompanied child as to whether or not to repatriate. These additional principles are outlined below.

GENERAL PRINCIPLES RELATING TO DURABLE SOLUTIONS FOR SEPARATED CHILDREN

UNHCR's Guidelines on the Protection and Care of Refugee Children contain some general principles relating to the appropriate durable solution for separated children, and with respect to voluntary repatriation in particular. These guidelines incorporate the principles referred to in Topic 5. They provide as follows:

- The plan for a durable solution must be based on the individual child's best interests. Family reunion should be the first priority for the child. Should such reunion not be in the best interests of the child or not possible within an appropriate time frame, other medium and long-term options such as foster care, guardianship and adoption may be sought. Eventual family reunion or repatriation should be kept open as long as possible: separated families never stop looking or hoping.
- The possibility of voluntary repatriation should at all times be kept under review and actively pursued where appropriate. Where voluntary repatriation is not possible, local integration should be explored. Resettlement of separated children should only be considered on an exceptional basis and through a case-by-case examination, where other solutions are not appropriate.

CONTINUITY OF CARE

The CRC provides, in Article 20, that, in considering a solution for a child deprived of his or her family environment, due regard shall be had to the desirability of continuity in a child's

upbringing and to the child's ethnic, religious, cultural and linguistic background.

PARTICIPATION OF THE UNACCOMPANIED CHILD

As noted in Topic 5, Article 20 requires the participation of the child in the decision-making process. UNHCR's Guidelines on the Protection and Care of Refugee Children articulate further principles to guide those assisting separated children in this respect. These are as follows:

- Unaccompanied refugee children over the age of 16 years⁸ are usually mature enough to make their own decisions about long term solutions.
- Depending on their degree of maturity, children over the age of nine or ten may be able to make rational choices if provided with adequate information. Their preferences should therefore receive consideration.
- Children below the age of nine or ten years of age may not be sufficiently mature to make an independent judgement; but they should always be given the chance to express their views.
- In each case, a minor's evolving mental maturity must be determined in light of the personal, family and cultural background. Qualified child welfare workers should be involved in the process of interviewing separated children.

With respect to separated children, the need to provide all relevant information is of particular importance. Possible options for the child, and the advantages and disadvantages of each, should be discussed with the child. It is important to be truthful to the child about his or her prospects. In some cases the child may not have any options, but he or she should understand what is going to happen to them and why. Too often things are done, for or on behalf of the child, ostensibly in his or her interest, but without letting the minor know.

CONSIDERATIONS RELATED TO THE VOLUNTARY REPATRIATION OF CHILDREN IN FOSTER CARE

UNHCR's Guidelines on the Protection and Care of Refugee Children and the Voluntary Repatriation Handbook also contain principles to follow when dealing with the voluntary repatriation of separated children in foster care. These are summarised below as follows:

- With the aid of a child welfare specialist it is important to ascertain the following: the family's plan upon repatriation and whether help is needed in linking up with the parents; the child's degree of attachment to the family; the family's degree of commitment to care for the child on an ongoing basis; the child's views regarding a durable solution in relation to those of the family; the child's degree of mental maturity; and the child's immediate and developmental needs. Ensuring a healthy relationship can minimize the risk that such children are abandoned after movement.

⁸ In some situations it was felt that the reality of the child's life necessitated that the age of 16 be lowered. For example, with respect to the voluntary repatriation of Guatemalan refugees from Mexico to Guatemala, all children aged 14 years and older were interviewed individually for voluntary repatriation. It was noted that many of the children were married, some had children, and some were heads of their household or sharing this responsibility because one or both parents had died.

- The child's need for continuity of care must be balanced against the possibility of ultimate family reunion.
- Obtain assurances that the family will continue to care for the child on return.
- Clearly inform foster families as to whether or not assistance will be available to them in the country of origin because they are caring for the child. If assistance will be available, families should be advised as to the nature and location of such assistance programmes.
- Give consideration to the area of origin of the unaccompanied child and the intended destination of the foster family. If they are from different areas the child needs to be counselled about this and the distances and problems involved. If this will have an effect on tracing and family reunification possibilities the child should be advised of this.⁹
- Carefully listen for signals that the child does not wish to stay with the foster family upon repatriation. Even careful assessments of child welfare workers should not override the child's concerns. The child may feel that the family is only caring for him or her because of the extra assistance given. These feelings need to be taken seriously and respected.
- Advise families as to the competent body/organisation dealing with registration, tracing and family reunification activities for children in the country of origin.

Foster families may abandon children at any time during the repatriation process and on return to the country of origin. Monitoring and programmes should be put in place in the country of origin to prevent this.

ADOPTION

The issue of adoption may also come up when determining whether or not a child should repatriate. Article 21 of the CRC deals with adoption. In addition, UNHCR's policy on adoption is set out on pages 130-133 of the Guidelines on Refugee Children and summarised and elaborated upon in IOM 59/95 FOM 62/95 of 22 August 1995. Certain provisions are summarised here, although reference should be made to the documents themselves for additional clarification.

It is UNHCR's policy that refugee children in an emergency context are not available for adoption. Since most separated children are not orphans, what they need is suitable interim care with a view to possible reunification with their families, not adoption. Staying with relatives in extended family units is a better solution than uprooting the child completely. Serious efforts to trace family members are essential before a child is considered eligible for adoption, and these are impossible in an emergency. Any adoption of a child of concern to the High Commissioner must be determined as being in the child's best interests and carried out in accordance with applicable national and international law.

It is UNHCR's policy that adoption should not be carried out if:

- There is reasonable hope for successful tracing and family reunification is in the child's best interests.
- A reasonable period (normally at least two years¹⁰) has not yet elapsed during which time

⁹ Normally the location of the child within the country should not have an effect. UNHCR should aim at ensuring that tracing and family reunification is carried out on a country-wide basis.

¹⁰ *Two years should be considered the minimum waiting period. In some cases, such as the Great Lakes, which has been an emergency situation for some time, and where security concerns have seriously hampered tracing and family reunification activities, a much longer waiting period may be required.*

all feasible steps to trace the parents or other surviving family members have been carried out.

- It is against the express wishes of the child or parent.
- Voluntary repatriation in conditions of safety and dignity appears feasible in the near future and options in the country of origin would better provide for the psychosocial and cultural needs of the child than adoption in the country of asylum or third country.

Reference should also be made to the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption and the Recommendation to the Hague Convention which relates to refugee and other internationally displaced children. These are reproduced in the IOM/FOM noted above.

PRINCIPLES RELATING TO THE PROCEDURES TO FOLLOW WHEN DECIDING WHETHER OR NOT AN UNACCOMPANIED CHILD SHOULD REPATRIATE

Whenever possible, special procedures should be established to determine the appropriate durable solution for separated children. UNHCR's Guidelines on Refugee Children provide some assistance in principles to follow in this respect:

- Decisions on durable solutions for separated children must be taken by competent bodies that include child welfare personnel.
- Cases must be assessed on an individual basis. The procedure should permit the effective participation of the refugee child, and arrangements should be made for him or her to be represented. Where possible the views of the parents or other who act instead of parents should also be obtained.
- Social histories and documentation about separated children should be provided to decision makers. Ensure that this documentation includes as much information as possible about families, relatives and friends, to enhance tracing efforts.

In addition to the above general guidelines, UNHCR has also specific guidelines on policies and procedures to follow in dealing with separated children seeking asylum. Although the focus of these guidelines is on the determination of refugee status for separated children, they also contain recommendations on identifying and implementing appropriate durable solutions both for children who are found to qualify for asylum, and for those who are not.

The first of such guidelines was developed in connection with the Comprehensive Plan of Action ("CPA") for asylum seekers fleeing from Vietnam in the late 1980s. In addition, in 1997 UNHCR issued a general set of guidelines entitled "Guidelines on Policies and Procedures in dealing with Separated Children Seeking Asylum." As was the case with the CPA Special Procedures Guidelines, these contain detailed policies and procedures on refugee status determination, interim care, and identification and implementation of durable solutions. Guidance is given on measures to be taken for the voluntary repatriation of children. These include tracing and home assessments in countries of origin (including a determination of the family's capacity to care for the child), appropriate counselling for the child, and assistance for the family on return when necessary.

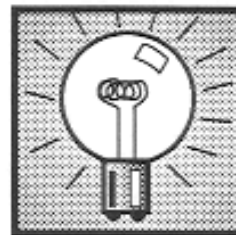
It is also important to note that the realities of the field are such that it will not always be possible to follow all the principles referred to above. An example of such situations is when massive numbers of children are involved, and their situation in the country of origin is very precarious. In such case, the child's right to life, survival and development (Article 6 of the CRC) may outweigh other considerations. Even in a less extreme situation, it may not be possible to follow all of the recommendations. However, the general principles above should still guide decision-making. Also, the participation of a child welfare expert in this respect is extremely important. Even in emergencies, there is usually an individual or NGO with the necessary expertise, or one can be seconded immediately.

While the individual principles may seem straight forward enough, their application in practice may be difficult. Please see **Exercise VR Ex6.1** for possible plenary and/or small group discussions to explore issues which arise when applying these principles in practice. Please also see the case studies in **Exercise VR Ex6.2**, which will enable participants to explore in greater depth the various principles involved in the repatriation of children and some of the inherent difficulties in their application.

TRAINING MATERIALS FOR TOPIC 6

Exercise VR Ex 6.1: Applying Principles Relevant to the Voluntary Repatriation of Separated Children	Asks participants to consider some of the difficulties inherent in the application of the principles relevant to the voluntary repatriation of separated children.
Exercise VR Ex 6.2a: Case Study on Repatriation to Vietnam	Encourages an in-depth discussion of the various principles involved in the repatriation of unaccompanied children and some of the inherent difficulties in their application.
Exercise VR Ex 6.2b: Case Study on Repatriation of Twin Children to Rwanda	Encourages an in-depth discussion of the various principles involved in the repatriation of unaccompanied children and some of the inherent difficulties in their application.
Exercise VR Ex 6.2c: Case Study on Repatriation of Rwandan Children in Europe	Encourages an in-depth discussion of the various principles involved in the repatriation of separated children and some of the inherent difficulties in their application.
Exercise VR Ex 6.2d: Case Study on Repatriation of Rwandan Children fostered in Zairean families	Encourages an in-depth discussion of the various principles involved in the repatriation of children and some of the inherent difficulties in their application.
Exercise VR Ex 6.2e: Case Study on Separated Children and Family Repatriation	Encourages an in-depth discussion of the various principles involved in the repatriation of unaccompanied children and some of the inherent difficulties in their application

Voluntary Repatriation Topic 7: Profiling the Refugee Community and the Situation in the Country of Origin



KEY LEARNING POINTS

- *registration and the profiling of the refugee population in the country of asylum should be done from the early stages of a refugee situation for protection and assistance purposes, but also with a view to a possible repatriation*
- *it is important to involve refugee children when obtaining this information*
- *unaccompanied children must be registered as soon as possible so that tracing can begin immediately*
- *knowledge about developments in the country of origin, including information of relevance to children, must also be obtained*

For protection as well as assistance and planning purposes, it is vital to have detailed knowledge about the refugee community, their culture, traditions, concerns and aspirations generally, and as they relate to children in particular. In fact, this information should be obtained from the very early stages of a refugee situation, and updated periodically, so that it can benefit all programmes related to this refugee group, including their possible future repatriation.

When developing the refugee profile, particular types of information are particularly relevant with respect to refugee children. For example, it is essential to obtain information on educational and occupational background and skills, particularly for adolescent children. This information can be used to develop programmes aimed at ensuring that adolescents receive the education and/or training they need in the country of asylum, which would benefit them should they repatriate. It must be remembered that some adolescents will have to support themselves and their families on return to their homeland.

It is also extremely important to register and document separated children at the very beginning of a refugee situation. This will enable tracing to begin immediately and lead to the earliest possible reunification of children with their families who may have been separated by the flight. Tracing should be carried out not only in the country of asylum in which the child is situated, but also in other countries of asylum and in the country of origin.

In addition, the UNHCR registration should be used as a means of obtaining information from parents on children from whom they have been separated. Normally, separated children are

registered in a UNHCR registration. Tracing requests are usually submitted to ICRC or NGOs separately. However, if tracing requests could also be included in the UNHCR registration and the information is computerised, it could be matched against the registration of separated children on the same data base not only in that country, but also in other countries of asylum and the country of origin.

Finally, particularly vulnerable children should be identified (such as separated children, those in child-headed households or foster families, those with special medical needs.) This will enable action to be taken at an early stage to ensure that, should they decide to repatriate, appropriate arrangements are made for them during the repatriation process and on their arrival in the country of origin. It is essential that appropriate arrangements are made so that particularly vulnerable children are able to repatriate during the mainstream of an operation. The negative effect on the child being left in the camp when everybody else has left cannot be overestimated. Moreover, agencies that used to assist such children in the country of asylum may have phased out their programme, leaving the children in a very difficult position.

Refugee participation and input is important not only in designing effective protection and assistance programmes in the country of asylum, but also in planning for repatriation. It is necessary, in particular, to obtain information about how the refugee population feels about repatriation.

It is extremely important to involve refugee children in this exercise to determine how refugee children view themselves vis-a vis the country of origin and their feelings about return. One possibility would be to conduct mini-surveys to determine the extent to which children's realities are understood should be considered. This will enable those working with the children to better design programmes to help gear the children for return and to respond to children's questions, fears, and concerns in this respect.

The refugee profile in the country of asylum should be complemented by information from the country of origin, particularly related to developments in the country of origin in areas where the refugees come from, political developments indicating a move towards reconciliation and absorption capacity of the country of origin. (See Topic 8 for information which would be of particular relevance to children.)

This information (both in the country of asylum and the country of origin) should be computerised, with the same system being used in the countries of asylum and the country of origin.

TRAINING MATERIALS FOR TOPIC 7

Exercise VR EX7.1: People Oriented Planning case study on Voluntary Repatriation to Eritrea: Profile of the Refugee Community	Involves participants in profiling a refugee community with a view to voluntary repatriation
---	--

Voluntary Repatriation Topic 8: The Information Campaign and Refugee Children



KEY LEARNING POINTS

- *information campaigns are UNHCR's core responsibility and principal mechanism to ensure that refugees' decisions are taken freely and with full knowledge of the facts;*
- *it is essential that an information campaign is of interest and relevant to refugee children*
- *it is important to ensure that there is an NGO focal point for children's needs in a voluntary repatriation operation;*
- *children should be provided with accurate information in an appropriate manner;*
- *particular attention must be paid to providing separated children with appropriate information and counselling*

Information campaigns are UNHCR's core responsibility and principal mechanism to ensure that refugees' decisions are taken freely and with full knowledge of the facts. In order to ensure that the information campaign is relevant to and reaches children in the refugee community, it is important to establish a focal point for children's needs in a voluntary repatriation operation, for example an NGO with broad experience working with children.

The information campaign should contain information of interest to children. It must be remembered that many children are born in exile, or were very young when they left their homeland, and may be repatriating to a country and area which they have never seen or cannot remember and only know-of only from "hear-say." They must be informed not only about the voluntary repatriation process itself, but also what to expect when they return to their country of origin. The type of information to be included in an information campaign is as follows:

- A description of the situation in the country of origin generally, as well as details on specific areas of return (include information re security, landmines, and infrastructures etc.) Of particular relevance to children is information on social services, schools, health posts and medical centres.
- Text of guarantees, amnesties, assurances provided by the country of origin, including explanations of these texts.
- Information on access to land and other property. Include information respecting the access of women and children to land and property.

- Information on access to education.
- Information on UNHCR's assistance and protection role in the country of asylum and origin. Also include information respecting assistance which returnees cannot expect.
- How to contact UNHCR upon return to the country of origin in case of protection problems.
- Information on the roles of other organizations and partners involved in the repatriation process and rehabilitation/reintegration programmes. Include in particular information on the organizations responsible for tracing and family reunification in the country of origin and how to contact them.
- Registration procedures and documentation.
- Repatriation procedures, including customs, immigration and health formalities; any restrictions concerning personal or communal property refugees are allowed to take with them.
- Specific information for vulnerable groups, including vulnerable children, on special arrangements made for them.
- If applicable, the importance of participation in mine awareness training courses.
- Deregistration procedures from the assistance programme in the country of asylum, if any.
- Procedures and options for those who do not wish to repatriate.
- Timing and phase out of the operation.

Children should be provided with accurate information in an appropriate manner and through a variety of different means. These include:

- Posters and leaflets.
- Verbal presentations at public and community meetings and at schools.
- Broadcasts on public address systems.
- Audio tapes, video tapes, films, photographs.
- Cultural performances, song and drama.
- Radio programmes, including those involving children.
- Publications from the country of origin.
- House-to-house visits by UNHCR staff members. This should include visits to separated children living in foster families of nationals of the host country or living in urban centres.
- Individual counselling, including counselling aimed at assisting children.
- A variety of networks including NGO networks, churches and other groups.
- Meetings with women.

UNHCR should facilitate that refugees, including children, receive information from as many sources as possible.

- Where possible ensure that there is a mail or exchange of letter system, such as the ICRC system of Red Cross family messages. This is an extremely effective way for children to communicate with or learn about the whereabouts of their parents or relatives. Often it is faster than the ICRC tracing system. In the case of repatriation to Rwanda, many separated children in countries of asylum requested to repatriate after having received ICRC letters from their parents or relatives in Rwanda advising them to return.
- Radio programmes and newspapers from countries of origin.
- Cross-Border visits. Cross-border visits are an important way of providing refugees with information. However, in order for them to be useful and successful they must be very carefully planned. Close communication and coordination with all those involved in the country of asylum and the country of origin (governments, UNHCR offices,

intergovernmental organizations, NGOs, refugees and returnees) is essential. Different types of cross-border visits can be arranged:

- Refugees can visit their areas of origin. Visits should be limited to activities of a non-political nature and directly related to voluntary repatriation. Women should be included on these visits. Also, it is possible to have thematic cross border visits on issues related to children, such as cross-border visits of social workers or teachers. In some cases it is even appropriate to include children. This was done in the case of unaccompanied Rwandan children living in Zaire. This particular group of children had been separated from their parents and living in an orphanage in Rwanda before the war, and were considering returning to Rwanda to live again at the same orphanage. A visit to the orphanage and surrounding community for some of the older children was arranged, in order to assist them and other children from the orphanage in deciding whether or not to repatriate.
- Provided that the refugees have been consulted and have no objections, local authorities and returnees from the county of origin can come and meet with refugees in the country of asylum.

When possible, include programmes in which children are able to communicate with other children about repatriation. In Rwanda, unaccompanied returnee children who were interviewed in radio shows was an effective way of providing information to children remaining in countries of asylum about life in Rwanda.

Children must not only be kept informed about voluntary repatriation, they should be given an opportunity to discuss their questions, fears, hopes, expectations and insecurities about returning to their homeland. In this respect, it is important to organise specific programmes and activities to assist children in the process of reorientation and psychological preparation for repatriation.

Particular attention must be paid to providing separated children with appropriate information and counselling. For children that have been in centres for separated children for a long time the process of repatriation requires particular attention. This account from Cambodia illustrates some of the action taken with this group of refugee children:

“By 1992 as the repatriation commenced, unaccompanied minors were mainly the product of unstable homes in which there was a history of child abuse, alcoholism, prostitution, etc. ... There were also children placed in “orphanages” for additional benefits or whose parents were serving in the military ... a primarily Cambodian staffed NGO working with these minors chose to care for children in groups of 20 to 35 rather than in institutions ... Continuous efforts were made to link children with family where possible ... none of these children had seen or could remember life in Cambodia. Nor had they the benefit of warm caring homes where traditions could be transmitted ... The NGO mounted exhibitions of rural life in Cambodia to help children understand their culture and their heritage. They demonstrated farming techniques and other traditional activities that could help returning children integrate into the community.”¹¹

¹¹ *Refugee Children in the Process of Reconciliation*, Paper prepared by UNHCR the Community Services Officer in Thailand, 1993

One group of separated children which is most difficult to reach are children living in foster families of nationals of the country of asylum or living in urban centres. Measures should be taken to ensure that they are reached in the information campaign and receive the appropriate counselling with respect to repatriation.

As a complement to the information campaign, it is important to set up a counselling programme, including counselling aimed particularly at children. (See Topic 9: Counselling.)

TRAINING MATERIALS FOR TOPIC 8

Exercise VR Ex8.1: The Information Campaign and Refugee Children	For those participants involved in an ongoing voluntary repatriation operation this exercise involves participants in examining their information campaign to consider if it addresses the needs of children.
Exercise VR Ex8.2: People Oriented Planning Case Study on Voluntary Repatriation to Eritrea: Preparing for the Information Campaign	Asks participants to design an information campaign for a voluntary repatriation operation.
Overhead VR Oh8.1: Information Campaigns and Refugee Children	Summarizes key points with respect to information campaigns as they relate to children
Overhead VR Oh8.2: Information of Particular Relevance to Children	Summarizes information of particular relevance to children

FURTHER SUGGESTIONS FOR TRAINING

Facilitators are encouraged to study the exercises on communicating with children in the Module on Child and Adolescent Development.

Voluntary Repatriation Topic 9: Counselling



KEY LEARNING POINTS

- *children's concerns with respect to voluntary repatriation should be addressed, in part, through appropriate counselling;*
- *counselling is particularly important for separated children, and should be accessible by them*

In order to ensure that children's concerns with respect to voluntary repatriation are addressed, they should be provided with appropriate counselling. This can most ideally be provided for by an NGO already working with refugee children. A counselling programme for children and adolescents should be pro-active in attempting to identify, understand and address children's needs in the repatriation and reintegration process. Counselors should have expertise in child welfare issues, and women must be included amongst them. Counselling should be available not only at registration points, but also at locations where and at times during which counselors can be easily contacted by women and children on a confidential basis.

Counselling has proved helpful in:

- Resolving problems within families and improving decision-making within families related to voluntary repatriation.
- Improving decision-making with respect to the voluntary repatriation of separated children who are alone or in foster families.
- Identifying children and/or families who may be in need of special protection and/or assistance on return.

Counselling is particularly important for separated children, and should be accessible by them. It is essential that counselors reach separated children living outside the setting of the refugee camp, such as those living with foster families of nationals in the country of asylum or those children living alone in urban centres.

TRAINING MATERIALS FOR TOPIC 9

FURTHER SUGGESTIONS FOR TRAINING

Participants could be asked to brainstorm what they think would be the characteristics of a good child counselor.

Voluntary Repatriation Topic 10: The Registration Process



KEY LEARNING POINTS

- *the registration process is one of the most practical methods of determining the voluntary character of a repatriation;*
- *registration provides an opportunity to identify, counsel and assist refugee children with special needs either in the repatriation process or on return.*
- *registration also helps to ensure that families do not separate during the repatriation process*
- *the voluntary repatriation form contains important information about refugee children which is extremely useful in the country of origin when carrying out returnee monitoring*

To begin the discussion on registration, you may want to have participants examine a Voluntary Repatriation Form (VRF), if the participants are involved in a voluntary repatriation you may wish to use the form from that operation. Please see **Exercise VR Ex10.1**, which contains some suggestions on how to structure the discussion relating to an examination of this form.

GENERAL PRINCIPLES RELEVANT TO THE REGISTRATION PROCESS

What important protection elements should be considered during the interviewing, counselling and registration process? Include particular elements relating to children. These may be summarised on an overhead.

Free access by all refugees As noted previously, it is important that this procedure is accessible to all children, including separated children living in urban centres or with foster families who are nationals of the country of asylum.

Privacy and Confidentiality Registration should take place under conditions of confidentiality. Counselling should be available where registration takes place in order to help clarify issues of concern in connection with registration.

Non-Involvement of Government Authorities Government authorities should not normally be involved in the registration process.

Link families /support systems together Ensure that nuclear families and where possible extended families are registered together. For example, two children living with grandparents should be flagged during registration so that they can all repatriate with their parents and other siblings. Other persons with special needs during voluntary repatriation, such as pregnant women, should be linked with a support group with which they were connected to in the camp. (Creation of artificial support groups should be avoided.) Separated children should be linked with a support group, but should also be accompanied by a staff member from an NGO engaged in the care of separated children in the camp. (See Topic 13, Ensuring the Safety and Dignity of Children in the Repatriation Process.) Also, plan for flexibility if mistakes are identified so that last minute changes allow families to repatriate together.

No split families During registration families should be asked whether all families members are present and being registered. If not, the registration team should find out why. In order to ensure family unity and to ensure the voluntariness of repatriation, no refugee, regardless of his or her age, should be registered in his or her absence. If a family member is unable to come to the registration point due to a particular vulnerability or illness, the registration team should make a home visit.

Parents should normally not be allowed to repatriate leaving a child in the country of asylum. Likewise requests from children to repatriate leaving their parents in the country of asylum should only be considered in consultation and agreement with the parents and with an assurance that the child will be received by a responsible adult relative on return. In such cases, families may need to be referred to counselling.

Registration and Cessation It should be explained to the refugees and the authorities that the refugees do not automatically cease to be refugees by registering for voluntary repatriation, but only once they have crossed the border into their home country. (Please note that refugees on cross-border visits will not lose their refugee status even though they have crossed the border, as they have not re-availed themselves of national protection.)

Freedom to withdraw registration Refugees should be advised of their right to change their mind and withdraw their registration for voluntary repatriation at any time.

REGISTRATION TEAMS

Registration for voluntary repatriation is not merely a clerical task, as it involves interviewing potential repatriants, answering questions on voluntary repatriation, assessing and identifying special needs, including those relating to children, providing counselling where possible, and/or referring the child and/or family to the appropriate counselor. The VRF must be completed correctly, as failure to do so can have serious implications for the refugees once they have returned to the country of origin. It is essential, therefore, that registration teams receive adequate training in this respect. (See Voluntary Repatriation Handbook, p. 52, for more details on training of registration staff.)

Registration teams should always have one female member, and where possible, a person with special expertise in child welfare issues. When the latter is not possible, registration teams should be able to identify problems and refer the child, and where applicable his or her family, to the person with the necessary expertise. If the registration teams do not speak the language

of the refugees (although normally they should) a female interpreter should be included amongst the interpreters.

INTERVIEWING

As noted above, all family members should be present during the interview process. In addition to ensuring the voluntariness of each refugee's decision, and ensuring families stay together, the interview process provides an opportunity to identify potential problems within families generally and children in particular. Registration staff should be trained to spot this. In some cases, a separate interview of the wife, or even a child may be warranted. Attention should be paid to how this is done, bearing in mind possible protection concerns.

When might a separate interview of a woman or child be warranted?

- A wife who was more politically active.
- A wife who is not of the same ethnic or religious community as her husband; this would likely have ramifications for the child as well.
- A wife or child whose personal experience (such as sexual violence) might prevent her from returning in safety and dignity. This could apply to boys also.

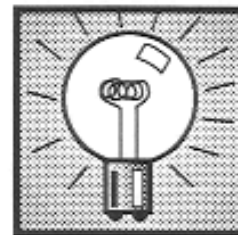
The interviewing process is also quite important means of identifying potential problems which might be experienced by children who are considering repatriating in foster families. (Please see the discussion on Considerations Relating to the Voluntary Repatriation of Children in Foster Families contained in Topic 6).

The interview may then necessitate the need for further counselling. (Please see Topic 9: Counselling.)

TRAINING MATERIALS FOR TOPIC 10

Exercise VR Ex10.1: The Voluntary Repatriation Form (VRF)	Contains some suggestions on how to structure a discussion relating to an examination of the Voluntary Repatriation Form
Overhead VR Ov10.1: The Registration Process	Summary of the main principles which should underpin all voluntary repatriation operations
Overhead VR Ov10.2: Registration Principles	Summary of more detailed points relating to registration

Voluntary Repatriation Topic 11: Preparation for the Reception of Children in the Country of Origin



KEY LEARNING POINTS

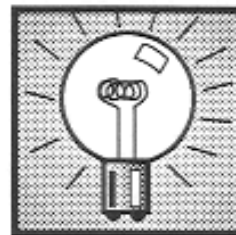
- *it is essential to make arrangements for the reception of vulnerable individuals, including children, in the country of origin*
- *the standards of treatment for returnees should not exceed that available for the local population*

It is essential that very early on in the process of planning for repatriation, UNHCR in the country of origin, together with the Government and implementing partners, identifies and makes arrangements for the reception of vulnerable individuals, including children. It is important to bear in mind, however, that the standards of treatment for returnees should not exceed that available for the local population, as this may have the unintended effect of creating resentment and undermining the reconciliation process.

The types of activities which might be undertaken with respect to children are as follows:

- Intensify tracing activities to try to locate parents or relatives of separated children in the country of origin.
- Contact the Education Ministry in the country of origin to arrange for the recognition within that country of studies undertaken in exile. If required, UNHCR can facilitate the coordination between the Education Ministries in the country of origin and the countries of asylum.
- Conduct surveys to obtain accurate, complete and updated information on conditions and social support services available for children and their families in the country of origin. To the extent possible use individuals with experience in the country to obtain this information, rather than bring in outside experts.
- Obtain information on government policies/programmes with respect to children. Relevant type of information would include policies/programmes on fostering, children previously associated with the military, education, etc.
- Meet with relevant government officials and other organizations to plan for and coordinate activities relating to the reception of vulnerable returnee children and their families.
- Co-ordinate as much as possible with traditional/religious/community systems. Assess their capacity to support separated children and children in families which are particularly vulnerable. Link with similar groups in the refugee camps, whenever possible.
- Standardise reception centre systems for receiving returnees generally and vulnerable individuals in particular. Ensure protection as well as assistance concerns are addressed. (See Topic 14: Reception of Returnee Children.)

Voluntary Repatriation Topic 12: Cross-Border Communication and Coordination



KEY LEARNING POINTS

- *the extent to which offices and colleagues on both sides of a border cooperate and communicate can make or break a voluntary repatriation operation;*
- *it is important that UNHCR offices, intergovernmental organizations, NGOs and government counterparts on opposite sides of the border cooperate so as to help ensure the successful reintegration of children in their home country;*
- *voluntary repatriation operations have to be determined by the condition, absorption capacity and preparedness in the country of origin*

Any voluntary repatriation operation is a cross-border operation. The extent to which offices and colleagues on both sides of the border cooperate and communicate can make or break an operation. This applies not only to logistics, but to policies and programmes. From a very early stage, attempts should be made to see that to the extent possible programmes are complementary. Failure to do so can exacerbate problems faced by children on return. Consequently, it is important that not only do UNHCR offices on opposite sides of the border cooperate, but also that they involve other intergovernmental organizations, NGOs and government counterparts in co-operative activities as well.

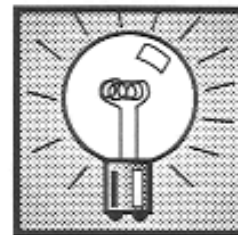
Some ways of enhancing cross-border cooperation and communication are as follows:

- Once the relevant policy issues and operational framework have been agreed upon, UNHCR field officers on both sides of the border should be authorised to liaise with each other directly to agree on operational details, while keeping their relevant sub-offices and branch offices informed.
- Regular coordination meeting between UNHCR offices on both sides of the border, involving intergovernmental and governmental counterparts and NGOs as appropriate.
- Organize cross-border fraternisation visits for UNHCR staff from each side of the border to improve understanding of difficulties faced and to facilitate communication.
- Conduct joint training for staff on both sides of the border, involving governmental and intergovernmental counterparts and NGOs. Training can be specific and related to a particular subject, such as care, registration, tracing and family reunification of separated children or child education.
- Establish administrative and operational linkages with social welfare services and humanitarian organizations in the country of origin.

- Make complete information on social support services in the country of origin available to NGOs in the country of asylum, stressing what services are and are not available and locations where services can or cannot be found.
- Encourage and support agencies working with vulnerable groups in the refugee setting to develop programmes in the country of origin and continue to work with the same population, contributing to continuity of care. Assist them in trying to find funding for their programmes. In Croatia, for example, a cross-border programme is being developed which will cover children and adolescents eventual health needs upon eventual repatriation.
- In order to ensure that vulnerable children are properly received and cared for in reception centres, ensure that reception centres are notified in advance of the arrival of vulnerable children and receive relevant information/documentation. In Rwanda, separated children travelling alone would arrive in convoys unknown to staff in Rwanda, who did not have time to make arrangements for their reception and care while attempts were being made to locate their families.

The underlying principle of cross-border coordination should be that voluntary repatriation operations have to be determined by the condition, absorption capacity and preparedness in the country of origin.

Voluntary Repatriation Topic 13: The Repatriation Process



KEY LEARNING POINTS

- *a variety of measures can be taken in the actual repatriation process to ensure that children's safety and dignity is respected*
- *these include measures related to the child's health, personal effects, documentation, education, security and transport*
- *particular attention must be paid to separated children travelling alone or with minor siblings*

The following suggests some measures to help ensure the safety and dignity of refugees generally, and children in particular, in the repatriation process.:

HEALTH

- Pre-departure health screening of all repatriants should take place about two days prior to departure. If it takes place any earlier acute illnesses may not be diagnosed. The presence of medical personnel during the embarkation of passengers may provide an additional safeguard that only repatriants fit to travel join repatriation movements. If a child is too ill to travel, then at least one family member should stay behind to look after him or her. If a parent is ill, then someone should stay behind to care for him or her as well. Whether the children then remain or repatriate will depend on the family composition. (For example, if it is a single-headed household than the child should normally remain behind as well.)
- Pregnant women: All pregnant women should be screened by medical personnel to determine whether they can travel.
- Health cards: The use of simple health cards for repatriants suffering from chronic illnesses of having a tendency to high risk pregnancies should be encouraged. Detailed information on the nature of the illness or handicap should be recorded on the card and not on the VRF in order to avoid stigmatisation. However, the special needs of a medically at risk person should be indicated in a code on the VRF, to ensure that they receive the attention they need on return. This is particularly important for subsequent monitoring.
- Refugees/Returnees medically at risk: The special medical needs of refugees, including psychiatric cases, need to be met at all phases of the repatriation. As noted earlier, an appropriate long-term solution, which will provide the individual with the necessary services, will have to be identified in the country of origin prior to repatriation. Assistance such as drugs should be provided before departure to bridge possible gaps between arrival in the home country and access to services there. The basic principle to observe whenever

possible is: Keep vulnerable individuals with their family/community; do not single them out.

- Medical escorts, with personnel trained in emergency procedures should accompany the convoys. Drivers of vehicles should receive training in first aid and emergency procedures as well.

EDUCATION

- As repatriation approaches, documents should be issued to returning students, indicating the studies they have taken. These should be in appropriate languages.
- Teachers should also be provided with documentation receiving any training they have received, years of service, and positions held.
- If at all possible, repatriation movement schedules should give consideration to the school term in order to reduce the number of students who are returning home prior to the completion of their current term.

PERSONAL PROPERTY

- When refugees are returning to a difficult situation and after having lived in the country of asylum for an extended period, the repatriation or personal property and funds is of crucial importance for a dignified return and a smooth reintegration. Every effort should be made to allow refugees to leave without leaving their belongings behind.
- Customs procedures should be waived, or if they exist should be kept simple and to a minimum.
- Personal effects should travel with participants, and appropriately labelled to avoid loss.
- Attention should be paid to ensure that returning refugees are not deprived of their property or coerced into selling their belongings en route.

DOCUMENTATION

- All important documentation should be carried by the repatriating refugees: VRF, birth and marriage certificates, health and school certificates. (For documents relating to separated children see below.)

SECURITY CONSIDERATIONS AND TRANSPORT ARRANGEMENTS

- Staff members of the implementing partner should be trained on paying attention to the needs of vulnerable individuals in the repatriation process.
- Check and assess repatriation convoy routes to ensure that they are safe, do not pass through conflict areas, and are not mined.
- Negotiate to see that customs and immigrations procedures are waived. If this is not possible, see that they take place in a way that avoids having to stop at border crossing points (i.e. in the camps prior to departure).

- If there are border or security checks on leaving the country of asylum or arriving in the country of origin, UNHCR officers should be present during such checks.
- Make arrangements for food, water and medical care during the movement.
- Make special arrangements as required for vulnerable groups. For example, ambulances may be needed for some repatriants. A system needs to be established whereby the country of origin can advise the country of asylum that they are able to receive returnees which need special care on arrival.
- Do not overcrowd convoy vehicles.
- Establish procedures to ensure that families and support groups travel together.
- Inform UNHCR in the country of origin as early as possible as to convoy movements and the number of repatriants.
- Transport repatriants as close to their final destination as possible.
- Avoid travelling with military escort, as this may give the impression that repatriation is not voluntary.
- Once the convoy is moving establish a system of frequent radio checks.
- Establish a mobile response system to deal with problems such as vehicle breakdown en route.

SEPARATED CHILDREN

Special measures need to be put into place to ensure that separated children repatriate in safety and dignity. Some suggestions are as follows:

- Set up mechanisms to ensure that the unaccompanied child receives all the benefits related to his or her repatriation.
- Ensure that all relevant documentation relating to the accompanied child (VRF, tracing documentation, school and health certificates, any records kept by NGOs relating to the care of the child) travels with the child to the country of origin and is handed over to the competent persons/institutions receiving the child.
- Clearly mark the belongings of the unaccompanied child and make sure that staff involved in the movement know where the child's luggage is and ensure that it is handed to the child at the end of the journey.
- Arrange two-way Cross-Border Travel Authorisations for persons engaged in the care of separated children to enable them to accompany the child during the return movement. It is important that staff with whom the children are familiar travel with them to their destination and that proper hand-over procedures are carried out with the persons/institutions receiving the child.
- Between relevant partners on both sides of the border set up a system of advance information as well as reporting back following the return of separated children.

TRAINING MATERIALS FOR TOPIC 13

Exercise VR Ex2.1: Dignity and Rights in the Voluntary Repatriation of Children	Examines the links between children's rights and what constitutes dignity in the process of voluntary repatriation. (This exercise may also be used in Topic 2)
Exercise VR Ex13.1: Voluntary Repatriation from Guinea to Liberia	Requires participants to consider some of the general protection problems, including those related to children, which might arise in the voluntary repatriation process

Voluntary Repatriation Topic 14: Reception of Returnee Children



KEY LEARNING POINTS

- *a range of measures must be taken at the border and at reception/transit centres in the country of origin to ensure the reception of refugee children in safety and dignity*

The following summarises the types of measure to be taken at the border and at reception centres in the country of origin to ensure the reception of refugee children in safety and dignity.

Border presence

UNHCR should be present at border/entry points, to ensure that the reception of returnees into the country goes smoothly, and to intervene to assist the returnees if need be.

Reception / Transit Centres

It was previously noted that throughout the country of origin systems for receiving refugees generally and vulnerable individuals should be adopted. The following types of measures may be taken:

- Procedures should be established for screening, referral, changing of destination, special assistance and distribution of assistance packages.
- Special measures relating to separated children, such as procedures relating to registration and documentation, need to be put into place. It is important that the NGO dealing with registration and tracing activities in the country of origin meets each convoy, and obtains relevant information on all arriving separated children (either alone or with foster families.) Ensure, however, that assistance activities relating to separated children are kept to a minimum and do not have the effect of causing families and/or foster families to abandon children.
- Make ambulances available and arrange for appropriate medical care for special cases.
- Reserve a portion of each reception centre for families or children who might need to stay for a more extended period. However, ensure that these do not end up as the durable solution for particularly vulnerable children and their families with no place to go and no-one to assist them. This is why it is essential that long-term care arrangements for vulnerable individuals who need specialised care be identified at a very early stage. Otherwise these individuals may end up staying indefinitely at transit centres which are not properly suited to care for them.
- Ensure that proper systems are in place so that children, particularly separated children and women are protected and not exploited in reception centres. Particular attention must be paid to the potential problem of sexual exploitation of women and children in transit centres, either by transit centre staff or by other refugees.

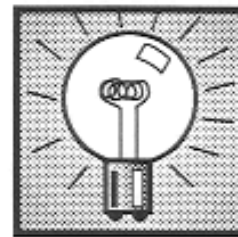
TRAINING MATERIALS FOR TOPIC 14

Exercise VR Ex 14.1: Transit Centres and the Problem of Sexual Exploitation of Children	Case study examines the problem of sexual exploitation of children at transit centres, and how to respond
Overhead VR Oh14.1: Reception of Returnee Children	Summarises the key points to consider in the reception of returnee children

FURTHER SUGGESTIONS FOR TRAINING

For guidelines on the appropriate response in cases of sexual exploitation, the participants may want to refer to “Sexual Violence Against Refugees: Guidelines on Prevention and Response,” UNHCR Geneva, 1995. Another problem which may arise is that transit centre staff may in fact be responsible for exploiting women and children. You may want to have participants discuss ways of preventing this. These exercises may also be used for the Sexual Exploitation module.

Voluntary Repatriation Topic 15: Protection and Assistance Problems Faced by Children on Return



KEY LEARNING POINTS

- *For children and youth who have spent most of their life in a country of asylum and may not know or remember their homeland, going home may be more difficult than the experience of exile.*
- *Returnee children may face physical insecurity (such as land mines), material insecurity (such as lack of access to basic necessities, land and property, and education) and legal insecurity (such as lack of documentation)*
- *Returnee are also vulnerable to abuse (including sexual violence) and exploitation (including military recruitment)*

The entitlement to return in safety and dignity does not end once refugees have crossed the border into their homeland. Returnees need to have access to reasonable resources, basic services and opportunities to establish a self-sustained livelihood. They are also entitled to enjoy human rights and fundamental freedoms on an equal footing with their fellow citizens. However, the reality is often that refugees are returning to a country which has been devastated by conflict and with still divided communities. Many returnee areas are rural and poor, with little available production capacity and very limited social, judicial and administrative infrastructures. In some countries there are risks of mines and other security threats.

For refugee children who received assistance in exile, return could be more difficult than the experience of exile itself. Many may have been born and raised in a country of asylum, or have little or no memory of their homeland. “Going home” may prove to be a traumatic experience for some refugee children, with many difficult adjustments.

In Topic One, a return in safety was defined as including physical security, material security and legal security. Returnee children may face insecurity in all three respects.

Physical insecurity

In many situations, countries and areas to which refugees return have been devastated by civil war or hostilities resulting in material destruction, and in some cases, hidden anti-personnel mines randomly spread in villages, roads and pathways. Most of the mines victims are women and children. Mine awareness campaigns must be tailored to the needs of children. The need for “return in safety and dignity” means that UNHCR cannot promote the voluntary repatriation of refugees in patently dangerous situations with the risk of bodily injury or death.

Land mines and unexploded ordinances pose a particular danger to children, especially because children are naturally curious and likely to pick up strange objects they come across. Devices like the butterfly mines used extensively in Afghanistan are coloured bright green and have two wings, making them attractive to children. Children who have spent all or most of their lives in exile are even more likely than others to fall victim of mines because they may not be aware of the threat itself and are not familiar with the warning signs or dangerous areas.

In addition, where there is a serious shortage of agricultural land, some returnees have found it necessary to settle on and farm those areas which are most heavily infested with land-mines.

Material Insecurity

Returnee populations often include a disproportionate number of adolescent and/or female headed households, many of whom lack the basic necessities to establish new livelihoods when they return to their country of origin.

Lack of access to land and property is a particular problem for these groups. In recent years, there has also been a growing recognition of the need for returnees to have secure title to the property which they left behind and the land on which their livelihoods depend. However, female-headed households tend to experience particular difficulties in doing so, partly because they are often socially and economically marginalised, and partly because land tenure laws in many countries do not even recognise the right of women to enjoy secure access to land. This has impacted their children directly.

Children who are returning without their parents may also experience difficulty obtaining access to their land, and some may not have the necessary skills or resources to make their livelihood from it.

For children, material security includes access to education. However, in many countries and areas of return, schools and educational materials have been destroyed or damaged, professors are missing and other aspects of an education system are lacking as well.

Economic needs of returnee families often require children to work to support themselves and their families. In addition, in order to attend school children may be required to pay for uniforms or school materials, which they cannot afford. As a result, even when schools and teachers are available, enrolment of and attendance by returnee children might still be very poor.

Legal Insecurity

Citizenship, documentation and property rights are of particular importance to returnees. In countries where political tensions still exist, or where the country's archives have been destroyed, lack of documentation, such as a missing birth certificate, may place children at risk of harassment and result in lack of access to education and social services, and loss of freedom of movement.

Abuse and Exploitation

Return should be not only in safety but in dignity. However some returnee children are vulnerable to grievous violations of their most fundamental human rights, including abuse and exploitation.

Children may have been victims of abuse, such as physical and sexual assault and domestic violence while refugees and/or after they have returned. Separated children, particularly girls, either alone or in foster families may be particularly at risk. There are also cases where separated children placed in orphanages and institutions have been victimised by staff or their own peers. While girls are most often victims of sexual violence, sexual abuse of boys has also been reported.

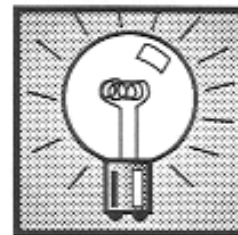
Due to economic hardship common to many reintegration situations, returnee children are commonly required to work to survive. Girls and separated children, in particular, have been exploited and forced into occupations hazardous to their health and development.

Boys who have served as underage combatants (child soldiers) are in particular need of rehabilitation assistance. The risk of coerced recruitment or enlistment might still be acute in the country of origin. Return to an unstable environment where no education nor income generating activities are available for adolescents increases the likelihood of military recruitment of children.

TRAINING MATERIALS FOR TOPIC 15

Overhead VR Ov 15.1: Protection and Assistance Problems Faced By Children on Return	Summary of key problems faced by children on return
---	---

Voluntary Repatriation Topic 16: Children at Risk



Topic 16: Children at Risk

KEY LEARNING POINTS

Girls, adolescents and separated children are particularly at risk for violations of their rights on return, and their needs should be addressed when developing and implementing protection and assistance activities

Some returnee children may be particularly at risk of violations of their rights on return, and it is important to address their needs when developing and implementing protection and assistance activities.

Girls

Returnee girls have been found to be a vulnerable group in reintegration situations. In particular, they are often more likely than boys to be working instead of going to school, in order to contribute to the family's wages. They are also more likely to be victims of sexual violence and/or exploitation. In addition, girls may be subject to discriminatory laws or practices, denying them access to essential services and resources.

Adolescents

Adolescents, both boys and girls are also vulnerable. Unfortunately their vulnerability has often been overlooked, as physically they may appear as adults. However, the process of reintegration may in fact be the most difficult for adolescents, particularly if they have spent most of their lives in a refugee situation. Many may have received a truncated education, and also lack the necessary skills to earn a livelihood in their homeland. The most vulnerable among this group include adolescents who are heading a family of siblings, adolescents living in foster families, and adolescents who are parents.

Adolescents have important needs for protection and assistance. Efforts to improve the well-being of adolescents is a step forward in the reconciliation and reintegration process, as the immediate future of a country lies with its youth.

Separated Children

Separated children are often cared for by returnee foster families from their community, however experience shows that their physical and developmental needs are not always met. In a situation where resources are scarce, the children may ultimately be abandoned by, or decide to leave, their foster families. Separated children in centres may also face problems of lack of

proper protection and care. Finding appropriate care and protection arrangements for older unaccompanied adolescent children who are alone and without property is particularly difficult. Due to their age, neither fostering nor living in centres may be an appropriate solution.

After return, it is important not only to monitor the situation of separated children, but also to prioritise tracing and family reunification activities.

Child soldiers

See paragraph on Exploitation in Topic 15

Training Materials for Topic 16

Overhead VR Ov 16.1: Vulnerable Groups	Lists Groups of Vulnerable Children on Return
--	---

Voluntary Repatriation Topic 17: UNHCR's General Role in Reintegration Operations



KEY LEARNING POINTS

- *UNHCR has both a protection and assistance role in reintegration operations; activities in both spheres are mutually reinforcing*
- *Activities carried out by UNHCR must be limited in time and scope and fit within an agreed upon reintegration framework, involving a broad range of actors, in support of the national Government*

The durability of voluntary repatriation depends to a large extent on the protection and assistance given to returnees during their social, political and economic reintegration into their communities in their homeland. The Government of the country of origin is primarily responsible in this respect. However, UNHCR, by virtue of its statutory mandate to seek permanent solutions to refugee problems by assisting governments in promoting voluntary repatriation, also has a role to play in the reintegration process.

This role was recognised by the Executive Committee in its Conclusion 40 of 1985 (subsequently endorsed in the General Assembly in GA Res. 40/118), which provides

“...The High Commissioner must be entitled to insist on [her] legitimate concern over the outcome of any return that [she] has assisted. Within the framework of close consultations with the State concerned [she] should be given direct and unhindered access to returnees so that [she] is in a position to monitor the fulfilment of the amnesties, guarantees or assurances on the basis of which the refugees have returned. This should be considered as inherent in her mandate.”

This Conclusion also notes that

“ ... Assistance for the reintegration of returnees provided by the international community in the country of origin is recognised as an important factor in promoting repatriation. To this end, UNHCR and other UN agencies as appropriate, should have funds readily available to assist returnees in the various stages of their integration and rehabilitation in their country of origin.”

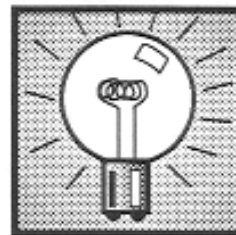
UNHCR's involvement in the reintegration of returnees, was comprehensively addressed by the General Assembly in 1997 in GA Res. 52/103, when it

“Call[ed] upon all States to promote conditions conducive to the return of refugees and to support their sustainable reintegration by providing countries of origin with necessary

rehabilitation and development assistance in conjunction, as appropriate, with the Office of the High Commissioner and relevant development agencies, and, in view of the relationship between safeguarding human rights and preventing conditions that give rise to refugee outflows, urges the Office of the High Commissioner, within its mandate and at the request of the Government concerned, to strengthen its support of national efforts at legal and judicial capacity building, where necessary, in co-operation with the United Nations High Commissioner for Human Rights, and in view of creating conditions furthering reconciliation and long-term development in countries of return urges the Office of the High Commissioner to strengthen its co-operation and co-ordination with relevant development agencies.”

UNHCR’s involvement in reintegration thus has an operational dimension with a double focus, namely activities related to protection and reintegration assistance; both spheres of activities are mutually reinforcing. Such activities must be consistent with UNHCR’s humanitarian mandate, limited in time and scope, and fit within an agreed upon reintegration framework or plan of action, involving a broad range of actors, in support of the national government.

Voluntary Repatriation Topic 18: Co-ordination of Reintegration Activities for Children



KEY LEARNING POINTS

- *The Government of the country of origin is the starting point for the co-ordination of all protection and assistance activities for returnees, including children*
- *A number of measures can be taken to ensure that the activities of the many organisations and agencies involved in reintegration efforts for children do not overlap and fit within the country's overall reintegration strategy*

In the country of origin, the Government is the starting point for co-ordination of protection and assistance activities for all returnees, including children. As much as possible, UNHCR and other organisations should encourage the Government to take a strategic approach to planning and co-ordination of activities relating to the protection and care of children, at the national, provincial and local levels.

In reintegration efforts, individual mandates and sectoral efforts of UN agencies, intergovernmental organisations, NGOs and others, such as financial institutions, may overlap and may result in duplication of efforts. This underlines the need for co-ordination and co-operation among a wide range of actors.

In order for UNHCR's reintegration activities to have an impact, they must fall within the broader recovery, reconstruction and reconciliation framework for the country of origin. In close consultation with national authorities and other relevant parties such as UNDP and the World Bank, UNHCR's reintegration strategy should be developed within the context of this framework. This strategy should take into account and be reflected in the United Nations Development Assistance Framework (UNDAF) and be consistent with the overall country strategy, and other relevant instruments, such as the World Bank Country Assistance strategy.

To ensure that this overall framework addresses protection and assistance problems of children, and does so in a co-ordinated and coherent manner, the following is suggested:

- Establish task forces, headed by the relevant government authority at each level, to pull together and co-ordinate all activities being undertaken for or on behalf of children or specific groups of children, such as adolescents or former child combatants. This may increase awareness about the needs of these groups, and open up possible avenues for action
- Special needs of children should be included as a priority from the beginning in interagency planning and agreements, such as Memoranda of Understanding between UNHCR and its partners, such as UNDP, UNHCHR and UNICEF etc.

- UNHCR can establish joint projects with other UN partners, such as UNICEF, aimed at facilitating the reintegration of children.

In Liberia, UNHCR and UNICEF have established a joint initiative to facilitate the reintegration of children and adolescents into their community through a focus on basic education and essential social reintegration activities linked to it. The target group includes minors among returning refugees and returning internally displaced children, former child combatants, separated children and other war affected adolescents and youth; a component for strengthening Liberia's justice system with regard to children and youth is also included. The project targets four returnee areas, builds upon the comparative advantages of the two organisations and responds to gaps in existing programmes.

- UNHCR and its implementing partners should establish administrative and operational linkages with social welfare services and humanitarian organisations in the country of origin. Ensure that a social welfare follow-up system is established to monitor children's well being after their return. If the country of origin suffers from post-war devastation, institution building will be required.
- In order to ensure that the process continues along the right track in the long term, it is vital to initiate measures which, in view of the future, focus on children in a greater way. As UNHCR plans to phase out, collaboration with the relevant national line ministries, national and local organisations, and UN children's organisations such as UNICEF and UNESCO is most relevant.

Interagency co-operation permits planned phase out. For instance, it allowed for the conduct of election and issuance of proper documentation. This type of reintegration assistance provided to El Salvador targeted the returnees as well as the local population. In a country of 5.5 million, approximately 1.1 million birth certificates were reissued. The lead role of UNHCR in this effort is widely recognised as its most valuable contribution to reconciliation during the post-conflict period.

Voluntary Repatriation Topic 19: Returnee Monitoring



KEY LEARNING POINTS

- *Returnee monitoring is one of UNHCR's core protection activities in a country of origin, and must pay attention to the needs and problems of children*
- *There are four purposes of returnee monitoring:*
 - *To monitor the adherence by authorities to agreements and guarantees.*
 - *To facilitate the provision of national protection by assisting government authorities in providing national protection to their citizens*
 - *To ensure the sustainability of repatriation*
 - *To gather and disseminate country of origin information*
- *When monitoring returnee children it is important to do so in a sensitive manner, ensure the safety and security of the child and respect confidentiality concerns*

Returnee monitoring is one of UNHCR's core protection activities in the country of origin. UNHCR's monitoring role extends to all refugees who repatriate, whether or not through an organised repatriation operation or spontaneously.

A review of the relevant EXCOM Conclusions and General Assembly Resolutions relating to UNHCR's country of origin role reveals four main purposes of returnee monitoring:

- **To monitor the adherence by authorities to agreements and guarantees.** This involves verifying that amnesties and guarantees have been respected and that returnees enjoy human rights and fundamental freedoms on an equal footing with fellow citizens. UNHCR's role is supportive, non-adversarial and is not a substitute for national protection.
- **To facilitate the provision of national protection by assisting government authorities in providing national protection to their citizens.** This involves making interventions with competent authorities in the case of violations of returnee rights to work out solutions with authorities to redress the violation(s) and to help ensure that similar violations do not occur in the future. This would include violations of the rights of children, such as those discussed in Topic 15.
- **To ensure the sustainability of repatriation.** Information gathered during returnee monitoring should be used for protection and programming activities, to identify and support confidence building measures within given communities and to strengthen local and national institutional capacities when state structures are unable to provide effective protection or assistance. This would include initiatives for children such as those considered in Topic 20.

- **To gather and disseminate country of origin information.** The need for refugees to have accurate and reliable information about the situation in the country of origin in order to make a free and informed decision about whether or not to return has already been highlighted. Monitoring can provide an important source of information which is relevant and of interest to refugee children. See Topics 7 - 9.

Generally speaking monitoring can be divided into two main types, which usually are carried out at the same time and complement each other.

General monitoring: This involves monitoring trends and developments vis-à-vis the returnee population through monitoring general conditions of return and reintegration. It may be carried out by regular visits to places where returnees congregate and meetings with local authorities, community leaders, women’s groups.

With respect to children this involves visits to schools, health centres, hospitals and youth centres. It also involves meeting with teachers, representatives of women’s groups, health care and social workers, and children and youth themselves. Another important source of information are local and international NGOs working with children, often as an implementing partners of UNHCR. Not only are they often the first to identify protection and assistance problems facing children, they are also frequently involved in developing and implementing solutions to these problems.

Individual/family monitoring: This involves meeting and talking with returnee individuals and families at their homes. It also includes confidential individual monitoring of specific persons. It is important when meeting with returnee families to find out about the possible types of problems which children might face (such as whether they are going to school, and whether they have adequate access to basic necessities, and if not, why not.) It is also important to ensure that vulnerable families or individuals (such as foster families or adolescent headed households) are included in the course of regular monitoring. Such families should be readily identifiable from the Voluntary Repatriation Form.

When conducting returnee monitoring, it is also important to bear the following in mind:

- Never assume that you know what is of interest to or in the best interest of the returnees
- The safety and security of the returnee must be respected and kept in mind at all times.
- Respect confidentiality of information and sources
- Maintain credibility, neutrality, objectivity and sensitivity

A great deal of information respecting the needs and concerns of children can be obtained without singling out individual children for confidential interviews. However, in those cases when this must be done, particular care must be taken, and the interview should be conducted by someone with expertise in this respect. For further suggestions in this respect please see the exercise on communicating with children in the Module on Adolescent and Child Development.

Training Materials for Topic 17

Exercise VR 19.1: Case study on monitoring of returnee children	Asks participants to identify some of the protection problems facing returnee children, and come up with suggestions as to how they may be addressed
--	--

Voluntary Repatriation Topic 20: Protection and Assistance Initiatives for Returnee Children



KEY LEARNING POINTS

- *UNHCR and its partners can implement a wide range of initiatives for the protection of and assistance to children, including in particular, initiatives in the area of food and shelter, physical and psychological well-being, education (both formal and informal), reconciliation and law and justice.*
- *The focus of these initiatives should be community based, targeting returnee communities as primary actors in their own integration.*

UNHCR's reintegration activities should include a range of protection initiatives to assist the Government to provide protection to returnees and to monitor such protection (see Topic 19), and the provision of basic repatriation assistance, and short-term quick impact self-reliance and rehabilitation projects (QIPs), undertaken at the grass roots level and targeted at returnee communities as primary actors in their own reintegration. In order to ensure that such activities address the needs and problems of children, the following is suggested:

- Each UNHCR Sub and Field office in the area of return should be supported by an officer focusing on community development and women/children.
- When selecting implementing partners, UNHCR should consider the implementing partner's past experience and discuss any specific aspect of their programmes targeting children.
- Children benefit from direct involvement of women in planning and implementation of projects. Women will generally prioritise differently and give preference to projects ensuring safety, access to education, health and general well-being of their children. Returnee women should participate in the planning and implementation of projects and projects should be developed to empower women through specifically designed and targeted assistance, in particular, with a view to income generation
- Projects should be aimed at assisting communities, rather than only returnees, so as to facilitate the reconciliation process

The following briefly outlines **suggested** actions in priority areas and is not exhaustive in any way. The facilitator and participants are encouraged to read individual ARC modules dealing specifically with these issues.

Food and Shelter

- Ensure families have access to safe/potable drinking water.
- Establish shelter programmes to assist vulnerable households in rebuilding or reconstructing houses.
- Identify and assist adolescent mothers, single or unaccompanied.
- Counter the marginalisation of vulnerable returnee families. This may include strengthening the capacity of local groups assisting vulnerable returnee families (such as adolescent and female headed households and foster families) and enabling these families to have access to income-generating activities.

Physical and psychological well-being

- Mine awareness training should become an integral part of every returnee movement to regions affected by this problem. UNHCR should make sure that mine awareness reaches all children, including those who do not have access to the formal education system.
- Implement programmes to respond to the particular counselling needs of adolescents.
- Implement programmes to provide counselling and assistance for victims of abuse and exploitation (in a sensitive way, avoiding stigmatisation).

The Bosnian Women's Initiative (BWI), a five million dollar special fund of UNHCR, began in 1996 to bring work opportunities to women in Bosnia and Herzegovina. Priority is given to women whose lives have been most affected by the war. Initially it focused all its efforts on income-generating activities. But this approach was challenged by Bosnian women who argued, in the word's of one Gorazde woman, that "the trauma of these people is not over with the last bullet." Consequently the programme was extended to include counselling and psycho-social rehabilitation projects.

- All agencies, working together with relevant government authorities and local communities, should co-ordinate activities in an attempt to ensure that separated children receive proper protection and care and to ensure that measures are in place to protect and assist children should violations of their rights occur. Community efforts in particular should be supported.
- Train staff working with separated children in transit and other centres in areas of psycho-social, nutritional and other aspects of child care.
- It is also important that tracing and family reunification activities continue throughout the country of origin after the refugee children have returned. Where appropriate, adopt innovative measures to facilitate family reunifications, such as parent visits to centres where children are placed.

In Gisenyi (Rwanda), UNHCR's partner, Food for the Hungry International implemented a rehabilitative Programme (Care for Our Own Children). Its purpose is to provide transitional assistance for vulnerable families and prevent abandonment of separated children. Its method is to assist in the development of government capacity and community resources that enable vulnerable families to maintain unity and become self-sufficient. There was no child-family abandonments or separations among the especially vulnerable families served by this integrated food, agricultural and assistance programme.

Schooling and Education

- Access to education is one of the most important measures in the reintegration process in order to permit children to re-establish family life and productive livelihoods.
- Focus should be (as a priority) on basic education, vocational training and social reintegration.

Suggested Project Framework: Primary education, accelerated learning for war-affected youth as well as psychological and social reintegration activities for at-risk children and adolescents, in complement to efforts to revive formal education.

Suggested Priority Areas: Vocational skills training, rehabilitation of schools by UNHCR and distribution of temporary school tents, support the quality of education, initiate negotiations with the Ministry of Education, and where appropriate jointly revise *curricula*, textbooks and school materials .

- Design QIPs to relaunch the education system. These could include construction or reconstruction of schools, teacher training, developing educational materials, providing for school uniforms and teachers' salaries, and support for physical education activities.
- Negotiate the admission of returnee children into schools with local authorities. Financial assistance to reconstruct schools or to add new classrooms may facilitate this.
- Work with officials in the country of origin to have children's academic achievements in the country of asylum recognised.
- Train teachers on the effective handling of children who have been traumatised

Informal Education:

- Build/rehabilitate playgrounds. These locations can also be used to give street children basic health services and education.
- Support projects designed to support the development of community-based structures and social activities for children. Examples are sport facilities, meeting spaces for youth and social clubs.
- Use cultural, educational and recreational activities as a means of preventive health (physical and psychological) care.
- Provide guidance on training and job opportunities. Promote self-help groups.

- Promote vocational and life style skills training and income generation, particularly for child/adolescent heads of households, or children of single headed households.
- Implement development and peace and tolerance education programmes in schools, community centres and other forums.
- Develop informal primary education for adolescents who lost educational opportunities as a result of war or conflict

Reconciliation (Peace education)

The participation of and emphasis on women and youth in reconciliation efforts is vital, as reconciliation efforts build confidence in finding solutions for the future. Examples of initiatives which recognise the importance of children in the future reconciliation of the country is including youth in community welcome committees, which meet arriving refugees, and radio shows, such as Radio Zena (see below). Other programs targeting children specifically have been implemented by UNHCR and its partners in several regions of the world (see below, for example, ‘peace education in Kyrgystan’)

Radio Zena: Zena means woman... Likely to reach the ears of almost everyone in Bosnia and Herzegovina is Radio Zena, a BWI communication project. ... the purpose of Radio Zena is to air divergent views in a forum that helps resolve rather than feed conflicts. The show deals with conflict in the family and the workplace as well as inter-ethnic conflict issues. Radio Zena promotes values that were lost during the period of devastation and destruction. It seeks to establish an environment that permits people to communicate with each other without fear.

Peace education in Kyrgystan: Working with the Ministry of education in Kyrgystan, UNHCR developed an ‘Education for Tolerance’ programme, intended as a ‘preventive’ measure to help the various ethnic groups in Kyrgystan to live peaceably together. The method used is for the teacher to read an illustrated story book to the class gathered around him or her, interrupting the story to ask the children questions such as ‘what happened next?’, or ‘what would have you done?’, and building other tolerance and conflict resolution promotion activities around each story . The first story was written by UNHCR, the next one by pupils, and more are to be printed after national competition for writing more stories. It is intended that teachers learn how such stories can be created and used, in their own school, and are not limited to national texts. In-service teacher training was a key part of the project, which UNHCR intends to hand over to a local NGO after involving the NGO in ongoing activities for some time.

Law and Justice

Apart from returnee monitoring, a variety of legal initiatives can be implemented by UNHCR and others to assist the national Government in its efforts to provide protection to children. Some suggestions are :

- When appropriate, assist national authorities in legislative revision so that national legislation is in line with the CRC.
- Support a variety of programmes to provide training on women’s and children’s rights to lawyers, judicial officials and local authorities.
- Support programmes to provide legal education to women and youth themselves, so that they are aware of their rights. These should be complemented by projects which provide them with means of realising their rights.

- Support the publication and dissemination of materials on the rights of women and children.
- Support the rehabilitation of judicial buildings

Exercise VR Ex 20.1: Afghan Returnee children	Ask participant to identify problems and possible solutions for Afghan returnee children
---	--

Voluntary Repatriation: Participant Groups



Different participants are likely to have different learning needs and priorities. We have divided participants into three broad groups: senior managers, programme officers and field staff.

Senior managers are those people who have key responsibility for an NGO's operations in a country or region or a UNHCR Section. They will have overall responsibility for strategy and resource allocation within the organisation's policy framework. Senior managers' needs are likely to be best served through briefings.

Programme staff comprise those members of NGOs who have responsibility for a particular aspect of their agency's work in a country or region or who, as UNHCR programme officers, have a responsibility for a particular function such as education or protection. Programme officers are those responsible for translating policy into practice and ensuring that programme budgets reflect the necessary resources to support good practice. Programme staff are likely to require a deeper understanding of specific issues and will need to consider programming and budgeting implications.

Field staff are those people working in the field who are responsible for implementing the programme activities. They often have considerable front-line experience. Field staff may value the opportunity to develop and practise new skills as well as develop their knowledge and understanding.

Training programmes should be designed with the responsibilities and learning needs of these different groups in mind. If possible, participants from different groups should be trained separately but if this is not possible, exercises and input should be selected which will meet the needs of all groups. It may be possible to use different small group exercises to address the needs of each type of participant.

The following table provides ideas for how to use the materials in this module with the three main participant groups.

<p style="text-align: center;">Senior Managers</p> <p style="text-align: center;">Key Learning Points</p>	<p style="text-align: center;">Suggested Participatory Exercises</p>
<ul style="list-style-type: none"> • The right of refugee children and their families to leave and return to their country of origin is fully recognised in international law • Repatriation must be voluntary which includes two elements: freedom of choice and an informed decision • Safety and dignity in connection with voluntary repatriation focuses on the repatriation process itself and after return • UNHCR’s responsibilities extend to securing protection and providing assistance to returnees in the country of origin • The instruments from which UNHCR’s mandate for voluntary repatriation is derived include both ‘hard’ and ‘soft’ law • Voluntary repatriation is a co-operative endeavour between UNHCR, governments, intergovernmental organisations and non-governmental organisations • NGOs play a key role in the voluntary repatriation process, particularly as it relates to children 	<p style="text-align: right;">Exercise VR Ex21</p>
<ul style="list-style-type: none"> • The key principles which underpin the voluntary repatriation of children are the child’s best interests, family unity, parental responsibility and the participation of the child • Special considerations come into play when dealing with the voluntary repatriation of an unaccompanied child; • A number of activities can be taken by UNHCR and NGOs to ensure that children’s rights, needs and concerns are respected in a voluntary repatriation operation. These include: preparing profiles of the refugee community, including children; profiling the situation in the country of origin; conducting an information campaign in the country of asylum which is relevant and accessible to children; providing special counselling for children; ensuring that the registration process is sensitive to children’s concerns. • Special measures related to the child’s health, personal effects, documentation, education, security and transport should be taken by UNHCR and NGOs to ensure the safety and dignity of children in the repatriation process. Particular attention should be paid to separated children. 	<p style="text-align: right;">Exercise VR Ex5.1</p>

Senior Managers
Key Learning Points (contd.)

**Suggested
Participatory
Exercises**

- Special measures should be taken in the country of origin to prepare for the reception of refugee children, and to receive them in the country of origin on their arrival at transit or reception centres. Border areas and entry points should also be monitored. Particular attention should be paid to separated children.
- Cross-border co-operation among UNHCR offices, governments, intergovernmental organisations and NGOs is essential in a voluntary repatriation operation. Such co-ordination should be based on the principle that a voluntary repatriation operation should be determined by the conditions, absorption capacity and preparedness in the country of origin.
- Returnee children may face a number of protection and assistance problems on return to their homeland including physical insecurity (such as land mines), material insecurity (such as lack of access to basic necessities, land, property and/or education) and legal insecurity (such as lack of documentation). They are also vulnerable to abuse (including sexual violence) and exploitation (including military recruitment).
- Girls, adolescents and separated children are particularly at risk of facing protection and assistance problems on return.
- Protection and assistance activities carried out by UNHCR in reintegration operations must be limited in time and scope and fit within an agreed upon reintegration framework, involving a broad range of actors, in support of the national Government
- Co-ordination between the Government, UN organisations and other actors, including financial institutions, is essential to ensure that activities taken for or on behalf of children do not overlap. The Government is the starting point for co-ordination of all activities.
- Returnee monitoring is one of UNHCR's core protection activities in the country of origin, and must pay attention to the needs and problems of returnee children.
- UNHCR and its partners can implement a wide range of protection and assistance initiatives for children, including in particular projects in the areas of food and shelter, physical and psychological well-being, education (both formal and informal), reconciliation and law and justice. These initiatives should be community based, targeting returnee communities as primary actors in their own integration.

<p style="text-align: center;">Programme Staff</p> <p style="text-align: center;">Key Learning Points</p>	<p style="text-align: center;">Suggested Participatory Exercises</p>
<ul style="list-style-type: none"> • The right of refugee children and their families to leave and return to their country of origin is fully recognised in international law • Repatriation must be voluntary which includes two elements: freedom of choice and an informed decision • Safety and dignity in connection with voluntary repatriation focuses on the repatriation process itself and after return • UNHCR’s responsibilities extend to securing protection and providing assistance to returnees in the country of origin • The instruments from which UNHCR’s mandate for voluntary repatriation is derived include both ‘hard’ and ‘soft’ law • Voluntary repatriation is a co-operative endeavour between UNHCR, governments, intergovernmental organisations and non-governmental organisations • NGOs play a key role in the voluntary repatriation process, particularly as it relates to children 	<p style="text-align: right;">Exercise VR Ex21</p>
<ul style="list-style-type: none"> • The key principles which underpin the voluntary repatriation of children are the child’s best interests, family unity, parental responsibility and the participation of the child 	<p style="text-align: right;">Exercise VR Ex5.1</p>
<ul style="list-style-type: none"> • Special considerations come into play when dealing with the voluntary repatriation of an unaccompanied child; 	<p style="text-align: right;">Exercise VR Ex6.1</p>
<ul style="list-style-type: none"> • A number of activities can be taken by UNHCR and NGOs to ensure that children’s rights, needs and concerns are respected in a voluntary repatriation operation. These include: preparing profiles of the refugee community, including children; profiling the situation in the country of origin; conducting an information campaign in the country of asylum which is relevant and accessible to children; providing special counselling for children; ensuring that the registration process is sensitive to children’s concerns. 	<p style="text-align: right;">Exercises VR Ex7.1, 8.2 and 10.1</p>
<ul style="list-style-type: none"> • It is important that there is a focal point for children in a voluntary repatriation operation 	
<ul style="list-style-type: none"> • Special measures related to the child’s health, personal effects, documentation, education, security and transport should be taken by UNHCR and NGOs to ensure the safety and dignity of children in the repatriation process. Particular attention should be paid to separated children. 	

Programme Staff Key Learning Points (contd.)	Suggested Participatory Exercises
<ul style="list-style-type: none"> • Special measures should be taken in the country of origin to prepare for the reception of refugee children, and to receive them on their arrival in the country of origin at transit or reception centres. Border areas and entry points should also be monitored. Particular attention should be paid to separated children. 	
<ul style="list-style-type: none"> • Cross-border co-operation among UNHCR offices, governments, intergovernmental organisations and NGOs is essential in a voluntary repatriation operation. Such co-ordination should be based on the principle that a voluntary repatriation operation should be determined by the conditions, absorption capacity and preparedness in the country of origin. 	
<ul style="list-style-type: none"> • Returnee children may face a number of protection and assistance problems on return to their homeland including physical insecurity (such as land mines), material insecurity (such as lack of access to basic necessities, land, property and/or education) and legal insecurity (such as lack of documentation). They are also vulnerable to abuse (including sexual violence) and exploitation (including military recruitment). 	
<ul style="list-style-type: none"> • Girls, adolescents and separated children are particularly at risk of facing protection and assistance problems on return. 	
<ul style="list-style-type: none"> • Protection and assistance activities carried out by UNHCR in reintegration operations must be limited in time and scope and fit within an agreed upon reintegration framework, involving a broad range of actors, in support of the national Government 	
<ul style="list-style-type: none"> • Co-ordination between the Government, UN organisations and other actors, including financial institutions, is essential to ensure that activities taken for or on behalf of children do not overlap. The Government is the starting point for co-ordination of all activities. 	
<ul style="list-style-type: none"> • Returnee monitoring is one of UNHCR's core protection activities in the country of origin, and must pay attention to the needs and problems of returnee children. 	Exercise VR Ex19.1
<ul style="list-style-type: none"> • UNHCR and its partners can implement a wide range of protection and assistance initiatives for children, including in particular projects in the areas of food and shelter, physical and psychological well-being, education (both formal and informal), reconciliation and law and justice. These initiatives should be community based, targeting returnee communities as primary actors in their own integration. 	Exercise VR Ex20.1

<p style="text-align: center;">Field Staff</p> <p style="text-align: center;">Key Learning Points (contd.)</p>	<p style="text-align: center;">Suggested Participatory Exercises</p>
<ul style="list-style-type: none"> • Special measures should be taken in the country of origin to prepare for the reception of refugee children, and on their arrival in the country of origin at transit or reception centres. Border areas and entry points should also be monitored. Particular attention should be paid to separated children. • Cross-border co-operation among UNHCR offices, governments, intergovernmental organisations and NGOs is essential in a voluntary repatriation operation. Such co-ordination should be based on the principle that a voluntary repatriation operation should be determined by the conditions, absorption capacity and preparedness in the country of origin. • Returnee children may face a number of protection and assistance problems on return to their homeland including physical insecurity (such as land mines), material insecurity (such as lack of access to basic necessities, land, property and/or education) and legal insecurity (such as lack of documentation). They are also vulnerable to abuse (including sexual violence) and exploitation (including military recruitment). • Girls, adolescents and separated children are particularly at risk of facing protection and assistance problems on return. • Protection and assistance activities carried out by UNHCR in reintegration operations must be limited in time and scope and fit within an agreed upon reintegration framework, involving a broad range of actors, in support of the national Government • Co-ordination between the Government, UN organisations and other actors, including financial institutions, is essential to ensure that activities taken for or on behalf of children do not overlap. The Government is the starting point for co-ordination of all activities. 	<p>Exercise VR Ex14.1</p>
<ul style="list-style-type: none"> • Returnee monitoring is one of UNHCR’s core protection activities in the country of origin, and must pay attention to the needs and problems of returnee children. 	<p>Exercise VR Ex19.1</p>
<ul style="list-style-type: none"> • UNHCR and its partners can implement a wide range of protection and assistance initiatives for children, including in particular projects in the areas of food and shelter, physical and psychological well-being, education (both formal and informal), reconciliation and law and justice. These initiatives should be community based, targeting returnee communities as primary actors in their own integration. 	<p>Exercise VR Ex20.1</p>

Voluntary Repatriation: Sample Programmes



The following three sample programmes have been devised to provide examples of how the particular learning needs and requirements of the three broad participant groups can be addressed using materials drawn from the module.

The programmes are intended as guidance examples only. It is very important that the facilitator should think carefully about the group of participants with whom he or she will be working and devise a programme that takes into account:

- the role and responsibilities of the participants;
- the learning needs of the participants;
- their existing level of knowledge;
- their interest in the subject;
- their willingness to share experience and admit to gaps in their knowledge / skills;
- current / local issues and priorities for the participants;
- the amount of time they have available;
- their position in their organisation;

Any training programme should be devised, if possible, in consultation with the intended participants. If it is not possible to consult with all participants (for example, by sending out an application form including questions about their expectations for the training), the facilitator should try to speak to a sample of participants before making final decisions about the programme.

The facilitator should also consider:

- the range of Topics to be covered;
- the order in which Topics should be addressed;
- how to encourage the sharing of experience and information between participants;
- who will carry out the training;
- what methods will be most appropriate for the participants

More detail on the process of training can be found in the **ARC Facilitator's Toolkit** section of the **ARC Resources Pack**.

Remember to build in a workshop evaluation - you will find ideas for this in the **ARC Facilitator's Toolkit**

PROGRAMME 1: AWARENESS SESSION FOR SENIOR MANAGERS (ONE DAY)

This programme is aimed primarily at senior managers and officials of UN Agencies, NGOs and Government.

Learning Objectives

- To establish the legal framework for the safe and dignified voluntary repatriation of children and their reintegration in their homeland
- To acknowledge the need for co-operation and co-ordination between UNHCR, Governments, intergovernmental organisations and NGOs in the process of voluntary repatriation and reintegration
- To examine the principles which underpin the voluntary repatriation of children
- To identify the special consideration which must be given to the voluntary repatriation and reintegration of separated children
- To identify the purpose and key characteristics of an effective information campaign and voluntary repatriation registration process.
- To examine the role of UNHCR and its implementing partners in voluntary repatriation and reintegration operations as they relate to children
- To examine ways of ensuring the safety and dignity of children in the repatriation process
- To identify protection and assistance problems which children may face reintegrating in their homeland, and to identify possible solutions

Preparation

The facilitator should prepare a comprehensive information pack for the senior managers which includes:

1. Copies of the relevant Handouts and Checklists.
2. A copy of the Reading List and Readings.
3. Copies of relevant materials from the region / country / locality (e.g. research papers, monitoring reports)*.

If possible, this pack should be sent out in advance.

- * The facilitator should gather any locally relevant information on the Topics to be addressed in the training and identify individuals with specific expertise who could act as resource persons.

Facilitator's Notes

Introduction

10 mins	Introduce the agreed aims of the session on International Legal Standards and Policies. Using the Key Concepts Overhead , introduce the relevant Key Concepts.	Flipchart summarising aims of session. Key Concepts Overhead
---------	---	--

The Right to Return

5 mins	Using Overhead VR Ov1.1 , introduce the two main legal instruments which recognise the refugee's right to return. Focus particularly on the right of the refugee children established under the CRC.	Overhead VR Ov1.1
--------	---	--------------------------

Operational Principles for Voluntary Repatriation

20 mins	Introduce Exercise VR Ex2.1 to examine the links between dignity and children's rights in the process of voluntary repatriation.	Exercise VR Ex2.1
20 mins	Ask participants (in small groups) to write onto index cards examples of different types of security required for successful voluntary repatriation and reintegration. Prepare four heading cards: Legal Security, Physical Security, Material Security and Other. Ask groups to place their cards, in turn, under one of the four heading cards, explaining what their card means and why they have placed it there. Summarise the discussion on principles using Overhead VR Ov2.1 .	Index cards, marker pens, prepared heading cards. Overhead VR Ov2.1

UNHCR's Mandate for Voluntary Repatriation and Reintegration

10 mins	<p>Using Overhead VR Ov3.1, introduce the key treaties and soft law instruments which establish UNHCR's mandate. Refer to the Briefing Notes in Topic 3, and also Topic 17.</p> <p>Open a short discussion on what international treaties and national laws apply in the countries covered by participants.</p>	<p>Overhead VR Ov 3.1</p>
---------	--	--------------------------------------

The Role of Governments, Intergovernmental Organisations and NGOs

20 mins	<p>Ask participants working in the same country or area to draw a 'sociogram' of the different UNHCR sections, intergovernmental organisations, NGOs and government departments which currently work together with refugee and/or returnee communities on issues relating to children. Organisations should be represented by a circle and the size of the circle can represent the importance of the organisation. Close links can be represented either by placing the circles close together or by the thickness of the line linking them. Open a discussion examining where links are missing; where links could be made or strengthened; where conflict or problems arise between organisations.</p>	
15 mins	<p>Open a discussion on examples of good practice in co-operation and co-ordination with respect to activities relating to children and ask how current levels of co-operation could be strengthened. (Refer to Briefing Papers for Topics 4 and 18.)</p>	

The Voluntary Repatriation of Children

50 mins	<p>Introduce Exercise VR Ex5.1 to examine the key principles for the voluntary repatriation of children.</p>	<p>Exercise VR Ex5.1</p>
---------	---	-------------------------------------

Summarise the relevant principles after the presentations, using **Overhead VR Ov5.1**

Overhead VR Ov5.1

Separated Children

10 mins Using the Briefing Paper for Topic 6, introduce the additional principles applicable to the voluntary repatriation of separated children.

20 mins Introduce **Exercise VR Ex. 6.1** to consider the difficulties of putting principles into practice.

Exercise VR Ex6.1

The Information Campaign

30 mins Using the Briefing Notes for Topics 7 to 9 and **Overheads VR Ov8.1 and Ov8.2**, open a discussion on how to ensure the information campaign and counselling activities are relevant to children, drawing on participants experience and local issues.

Overheads VR Ov8.1 and Ov8.2

The Registration Process

20 mins Using the Briefing Paper for Topic 10 and **Overhead VR Ov10.2 and Ov10.3**, introduce the general principles underpinning the registration process and how it needs to address the needs of children.

Overheads VR Ov10.2 and 10.3

Cross Border Communication and Co-operation

15 mins Using the Briefing Paper for Topic 12, open up a short discussion on the importance of cross-border communication, drawing on local experiences.

Repatriation and Reception in Safety and Dignity

30 min	Using the Briefing Papers for Topics 11, 13 and 14, discuss the types of measures which need to be in place to ensure that the return to and reception of children in their country of origin is safe and dignified. Discuss local issues involved.	
--------	---	--

Protection and Assistance Problems faced by Returnee Children

40 min	Using the Briefing Papers for Topics 15 and 16, discuss the types of problems which children may face on return, linking these problems with violations of children's rights under the CRC. Summarise the discussions using Overheads VR Ov15.1 and Ov16.1	Overheads VR Ov15.1 and Ov16.1
--------	---	---

Protection and Assistance Initiatives for Returnee Children

40 min	Using the Briefing Papers for Topics 19 and 20, discuss the types of protection (including returnee monitoring) and assistance initiatives which may be implemented for children. Drawing on local experience, come up with ways in which these two types of initiatives (ie protection and assistance) might be better linked and complement each other.	
--------	---	--

Summary and Evaluation

10 mins	Summarise the key points addressed during the seminar. Conduct a brief evaluation of the seminar.	
---------	--	--

SAMPLE PROGRAMME 2: PROGRAMME ISSUES (ONE DAY)

This programme is aimed at programme staff from UN agencies and NGOs and those in government with responsibility for translating policy into practice and ensuring that programme budgets reflect the necessary resources to support good practice.

Learning Objectives

- To establish the legal framework for the safe and dignified voluntary repatriation of children and their reintegration in their homeland
- To acknowledge the need for co-operation and co-ordination between UNHCR, Governments, intergovernmental organisations and NGOs in the process of voluntary repatriation and reintegration
- To examine the principles which underpin the voluntary repatriation of children
- To identify the special consideration which must be given to the voluntary repatriation and reintegration of separated children
- To identify the purpose and key characteristics of an effective information campaign and voluntary repatriation registration process.
- To examine the role of UNHCR and its implementing partners in voluntary repatriation and reintegration operations as they relate to children
- To examine ways of ensuring the safety and dignity of children in the repatriation process
- To identify protection and assistance problems which children may face reintegrating in their homeland, to identify possible solutions, and to discuss practical ways of implementing these solutions

Preparation

If possible, participants should be sent and requested to read the Case Examples prior to attending the workshop.

The facilitator should prepare a comprehensive information pack for the programme staff which includes:

1. Copies of the relevant Handouts and Checklists.
2. A copy of the Reading List and Readings.
3. Copies of relevant materials from the region / country / locality (e.g. research papers, monitoring reports)*.

If possible, this pack should be sent out in advance.

- * The facilitator should gather any locally relevant information on the Topics to be addressed in the training and identify individuals with specific expertise who could act as resource persons.

Facilitator's Notes

Introduction

10 mins	Introduce the agreed aims of the session on International Legal Standards and Policies. Using the Key Concepts Overhead , introduce the relevant Key Concepts.	Flipchart summarising aims of session. Key Concepts Overhead
---------	---	--

The Right to Return

5 mins	Using Overhead VR Ov1.1 , introduce the two main legal instruments which recognise the refugee's right to return. Focus particularly on the right of the refugee children established under the CRC.	Overhead VR Ov1.1
--------	---	--------------------------

Operational Principles for Voluntary Repatriation

20 mins	Introduce Exercise VR Ex2.1 to examine the links between dignity and children's rights in the process of voluntary repatriation.	Exercise VR Ex2.1
20 mins	Ask participants (in small groups) to write onto index cards examples of different types of security required for successful voluntary repatriation and reintegration. Prepare four heading cards: Legal Security, Physical Security, Material Security and Other. Ask groups to place their cards, in turn, under one of the four heading cards, explaining what their card means and why they have placed it there. Summarise the discussion on principles using Overhead VR Ov2.1 .	Index cards, marker pens, prepared heading cards. Overhead VR Ov2.1

UNHCR's Mandate for Voluntary Repatriation and Reintegration

10 mins	Using Overhead VR Ov3.1 , introduce the key treaties and soft law instruments which establish UNHCR's mandate. Refer to the Briefing Notes in Topic 3, and also Topic 17.	Overhead VR Ov 3.1
5 mins	Open a short discussion on what international treaties and national laws apply in the countries covered by participants.	

The Role of Governments, Intergovernmental Organisations and NGOs

20 mins	Ask participants working in the same country or area to draw a 'sociogram' of the different UNHCR sections, intergovernmental organisations, NGOs and government departments which currently work together <i>on a local level</i> with refugee and/or returnee communities on issues relating to children. Organisations should be represented by a circle and the size of the circle can represent the importance of the organisation. Close links can be represented either by placing the circles close together or by the thickness of the line linking them. Open a discussion examining where links are missing; where links could be made or strengthened; where conflict or problems arise between organisations.	
15 mins	Open a discussion on examples of good practice in co-operation and co-ordination with respect to activities relating to children at the local level and ask how current levels of co-operation could be strengthened. (Refer to Briefing Papers for Topics 4 and 18.)	

The Voluntary Repatriation of Children

50 mins	Introduce Exercise VR Ex5.1 to examine the key principles for the voluntary repatriation of children.	Exercise VR Ex5.1
	Summarise the relevant principles after the presentations, using Overhead VR Ov5.1	Overhead VR Ov5.1

Separated Children

20 mins	Using the Briefing Paper for Topic 6, introduce the general principles relating to durable solutions for separated children.	
30 mins	Introduce Exercise VR Ex6.1 to consider the difficulties of putting the principles into practice.	Exercise VR Ex6.1
50 mins	Examine the practical difficulties involved in the repatriation of children using one of the case studies in Exercise VR Ex6.2 . (This can be done in addition to or as an alternative to Exercise VR Ex6.1)	Exercise VR Ex6.2

The Information Campaign

40 mins	Review the Briefing Paper for Topic 7 and then introduce Exercise VR Ex7.1 as a way of having participants profile a refugee community through a case study example.	Exercise VR Ex7.1
20 mins	Using the Briefing Paper for Topic 8 and Overheads VR Ov8.1 and Ov8.2 , open a discussion on how to ensure the information campaign and counselling activities are relevant to children, drawing on participants experience and local issues.	Overheads VR Ov8.1 and Ov8.2
40 mins	Introduce Exercise VR Ex8.1 as a way of having participants design an information campaign for a voluntary repatriation operation through a case study example. This case study builds on Exercise VR Ex7.1 .	Exercise VR Ex8.1

Counselling

20 mins	Introduce an experience-sharing discussion on the use of counselling in the process of voluntary repatriation.	
---------	--	--

The Registration Process

20 mins	Using Exercise VR Ex10.1 and Overhead VR Ov10.2 , introduce the use of the VRF in the process of registration, and illustrate its relevance to children	Exercise VR Ex10.1 Overhead VR Ov10.1
5 mins	Summarise the discussion with reference to Overhead VR Ov10.2 and VR Ov10.3	Overhead VR Ov10.2 and Ov10.3

Cross Border Communication and Co-operation

15 mins	Using the Briefing Paper for Topic 12, open up a short discussion on the practicalities of enabling cross-border communication, drawing on local experiences	
---------	--	--

Repatriation and Reception in Safety and Dignity

30 min	Using the Briefing Papers for Topics 11, 13 and 14, discuss the types of measures which need to be in place to ensure that the return to and reception of children in their country of origin is safe and dignified. Discuss local issues involved.	
60 mins	Introduce Exercise VR Ex14.1 to examine the problem of sexual exploitation at transit centres. (Optional)	Exercise VR Ex14.1
10 mins	Refer to the UNHCR document “Sexual Violence Against Refugees: Guidelines on Prevention and Response” as a focus for further discussion.	

Protection and Assistance Problems faced by Returnee Children

40 min	Using the Briefing Papers for Topics 15 and 16, discuss the types of problems which children may face on return, linking these problems with violations of children’s rights under the CRC. Summarise the discussions using Overheads VR Ov15.1 and Ov16.1 .	Overheads VR Ov15.1 and Ov16.1
--------	--	---

Protection and Assistance Initiatives for Returnee Children

30 min	Using the Briefing Papers for Topics 19 and 20, discuss the types of protection (including returnee monitoring) and assistance initiatives which may be implemented for children.	
40 min	Use either the case study Exercise VR Ex19.1 or Exercise VR Ex20.1 to examine some of the protection and assistance problems children face, and come up with solutions.	Exercise VR Ex19.1 or VR Ex20.1
20 min	Drawing on local experience, come up with ways in which these two types of initiatives (ie protection and assistance) might be better linked and complement each other.	

Summary and Evaluation

10 mins	Summarise the key points addressed during the workshop.	
10 mins	Conduct a brief evaluation of the seminar.	

SAMPLE PROGRAMME 3: PRACTICE ISSUES (ONE DAY)

This programme is aimed at field staff from UN agencies, NGOs and Government working directly with refugees in and out of camps.

Learning Objectives

- To understand the legal framework for the safe and dignified voluntary repatriation and reintegration of children
- To examine the practicalities of co-operation and co-ordination between UNHCR, Governments, intergovernmental organisations, and NGOs in the process of voluntary repatriation and reintegration
- To apply the principles which underpin the voluntary repatriation and reintegration of children in practice
- To identify the special consideration which must be given to the voluntary repatriation and reintegration of separated children
- To identify the purpose and key characteristics of an effective information campaign.
- To examine how counselling can be used in the process of voluntary repatriation.
- To understand and be able to apply the principles of effective registration
- To examine ways of ensuring the safety and dignity of children in the repatriation process
- To identify protection and assistance problems which children may face reintegrating in their homeland, to identify possible solutions and to discuss practical ways of implementing these solutions

Preparation

The facilitator should be familiar with the scale and nature of the problem of child soldiers in the area covered by the participants attending the training. If possible, documentary evidence about the problem should be gathered. The facilitator should also identify individuals with specific expertise who could act as resource persons.

The facilitator should prepare a comprehensive information pack for the field staff which includes:

1. Copies of the relevant Handouts and Checklists.
2. A copy of the Reading List and Readings.
3. Copies of relevant materials from the region / country / locality (e.g. research papers, monitoring reports).

If possible, this pack should be sent out in advance.

- * The facilitator should gather any locally relevant information on the Topics to be addressed in the training and identify individuals with specific expertise who could act as resource persons.

FACILITATOR'S NOTES

Introduction

10 mins	Introduce the agreed aims of the session on International Legal Standards and Policies. Using the Key Concepts Overhead , introduce the relevant Key Concepts.	Flipchart summarising aims of session. Key Concepts Overhead
---------	---	--

The Right to Return

5 mins	Using Overhead VR Ov1.1 , introduce the two main legal instruments which recognise the refugee's right to return. Focus particularly on the right of the refugee children established under the CRC.	Overhead VR Ov1.1
--------	---	--------------------------

Operational Principles for Voluntary Repatriation

20 mins	Introduce Exercise VR Ex2.1 to examine the links between dignity and children's rights in the process of voluntary repatriation.	Exercise VR Ex2.1
20 mins	Ask participants (in small groups) to write onto index cards examples of different types of security required for successful voluntary repatriation and reintegration. Prepare four heading cards: Legal Security, Physical Security, Material Security and Other. Ask groups to place their cards, in turn, under one of the four heading cards, explaining what their card means and why they have placed it there.	Index cards, marker pens, prepared heading cards.
	Summarise the discussion on principles using Overhead VR Ov2.1 .	Overhead VR Ov2.1

UNHCR's Mandate for Voluntary Repatriation and Reintegration

10 mins	Using Overhead VR Ov3.1 , introduce the key treaties and soft law instruments which establish UNHCR's mandate. Refer to the Briefing Notes in Topic 3, and also Topic 17.	Overhead VR Ov 3.1
5 mins	Open a short discussion on what international treaties and national laws apply in the countries covered by participants.	

The Role of Governments, Intergovernmental Organisations and NGOs

20 mins	Ask participants working in the same country or area to draw a 'sociogram' of the different UNHCR sections, intergovernmental organisations, NGOs and government departments which currently work together <i>on a local level</i> with refugee and/or returnee communities on issues relating to children. Organisations should be represented by a circle and the size of the circle can represent the importance of the organisation. Close links can be represented either by placing the circles close together or by the thickness of the line linking them. Open a discussion examining where links are missing; where links could be made or strengthened; where conflict or problems arise between organisations.	
15 mins	Open a discussion on examples of good practice in co-operation and co-ordination with respect to activities relating to children on a local level and ask how current levels of co-operation could be strengthened. (Refer to Briefing Papers for Topics 4 and 18.)	

The Voluntary Repatriation of Children

50 mins	Introduce Exercise VR Ex5.1 to examine the key principles for the voluntary repatriation of children. Summarise the relevant principles after the presentations, using Overhead VR Ov5.1	Exercise VR Ex5.1 Overhead VR Ov5.1
---------	---	--

Separated Children

20 mins	Using the Briefing Paper for Topic 6, introduce the general principles relating to durable solutions for separated children.	
30 mins	Introduce Exercise VR Ex6.1 to consider the difficulties of putting the principles into practice.	Exercise VR Ex6.1
50 mins	Examine the practical difficulties involved in the repatriation of children using one of the case studies in Exercise VR Ex6.2 . (This can be done in addition to or as an alternative to Exercise VR Ex6.1)	Exercise VR Ex6.2

The Information Campaign

40 mins	Review the Briefing Paper for Topic 7 and then introduce Exercise VR Ex7.1 as a way of having participants profile a refugee community through a case study example.	Exercise VR Ex7.1
20 mins	Using the Briefing Paper for Topic 8 and Overheads VR Ov8.1 and Ov8.2 , open a discussion on how to ensure the information campaign and counselling activities are relevant to children, drawing on participants experience and local issues.	Overheads VR Ov8.1 and Ov8.2
40 mins	Introduce Exercise VR Ex8.1 as a way of having participants design an information campaign for a voluntary repatriation operation through a case study example. This case study builds on Exercise VR Ex7.1 .	Exercise VR Ex8.1

Counselling

20 mins	Introduce an experience-sharing discussion on the use of counselling in the process of voluntary repatriation. Ask participants to identify the characteristics of an effective counsellor for children.	
---------	--	--

The Registration Process

20 mins	Using Exercise VR Ex10.1 and Overhead VR Ov10.2 , introduce the use of the VRF in the process of registration, and illustrate its relevance to children	Exercise VR Ex10.1 Overhead VR Ov10.1
5 mins	Summarise the discussion with reference to Overhead VR Ov10.2 and VR Ov10.3	Overhead VR Ov10.2 and Ov10.3

Cross Border Communication and Co-operation

15 mins	Using the Briefing Paper for Topic 12, open up a short discussion on the practicalities of enabling cross-border communication and co-ordination, drawing on local experiences	
---------	--	--

Repatriation and Reception in Safety and Dignity

30 min	Using the Briefing Papers for Topics 11, 13 and 14, discuss the types of measures which need to be in place to ensure that the return to and reception of children in their country of origin is safe and dignified. Discuss local issues involved.	
60 mins	Introduce Exercise VR Ex14.1 to examine the problem of sexual exploitation at transit centres. (Optional)	Exercise VR Ex14.1
10 mins	Refer to the UNHCR document “Sexual Violence Against Refugees: Guidelines on Prevention and Response” as a focus for further discussion.	

Protection and Assistance Problems faced by Returnee Children

40 min	Using the Briefing Papers for Topics 15 and 16, discuss the types of problems which children may face on return, linking these problems with violations of children’s rights under the CRC. Summarise the discussions using Overheads VR Ov15.1 and Ov16.1	Overheads VR Ov15.1 and Ov16.1
--------	--	--

Protection and Assistance Initiatives for Returnee Children

30 min	Using the Briefing Papers for Topics 19 and 20, discuss the types of protection (including returnee monitoring) and assistance initiatives which may be implemented for children.	Exercise VR Ex19.1 or Exercise VREx20.1
40 min	Use either the case study Exercise VR Ex19.1 or Exercise VR Ex20.1 to examine some of the protection and assistance problems children face, and come up with solutions	
20 min	Drawing on local experience, come up with ways in which these two types of initiatives (ie protection and assistance) might be better linked and complement each other.	

Summary and Evaluation

10 mins	Summarise the key points addressed during the workshop.
10 mins	Conduct a brief evaluation of the seminar.

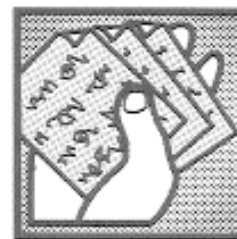
Voluntary Repatriation Handouts



Handout VR H1.1 Key Concepts

Voluntary Repatriation Handout VR

H1.1: Key Concepts



- Refugee children and their families have the right to leave and to return to their country of origin under international law.
- Repatriation must be voluntary (a free and informed decision), and should take place under conditions of safety and dignity.
- UNHCR is mandated to assist Governments, and with the approval of the Governments concerned, private organisations, to facilitate voluntary repatriation. This includes not only the promotion or facilitation of voluntary repatriation from the country of asylum to the country of origin, but also protection and assistance activities in the country of origin after return.
- Voluntary repatriation is a co-operative endeavour between UNHCR, governments, intergovernmental organisations and non-governmental organisations.
- NGOs play a key role in the voluntary repatriation process, particularly as it relates to children.
- With respect to decisions about the voluntary repatriation of children, the principles of the child's best interest, family unity, parental responsibility and the participation of the child apply.
- With respect to decisions about the voluntary repatriation of separated children, in addition to the above-mentioned principles, additional considerations such as continuity of care and the child's ethnic, religious, cultural and linguistic background should be taken into account.
- Special procedures, involving child welfare experts, should be established to ensure that the rights of separated children are respected in the process of making a decision as to whether or not a child should repatriate.
- A number of activities can be undertaken by UNHCR and NGOs to ensure that children's rights, needs and concerns are respected in a voluntary repatriation operation. These include: preparing profiles of the refugee community, including children; profiling the situation in the country of origin; conducting an information campaign in the country of asylum which is relevant and accessible to children; providing special counselling for children; and ensuring that the registration process is sensitive to children's concerns.
- Special measures related to the child's health, personal effects, documentation, education, security and transport should be taken by UNHCR and NGOs to ensure the safety and dignity of children in the repatriation process. Particular attention should be paid to separated children.
- Special measures should be taken in the country of origin to prepare for the reception of refugee children, and to receive children on their arrival in the country of origin at transit or reception centres. Border areas and entry points should also be monitored. Particular attention should be paid to separated children.
- Cross-border co-operation among UNHCR offices, governments, intergovernmental organisations and NGOs is essential in a voluntary repatriation operation. Such co-ordination should be based on the principle that a voluntary repatriation operation should

be determined by the conditions, absorption capacity and preparedness in the country of origin.

- Returnee children may face a number of protection and assistance problems on return to their homeland including physical insecurity (such as land mines), material insecurity (such as lack of access to basic necessities, land, property and/or education) and legal insecurity (such as lack of documentation). They are also vulnerable to abuse (including sexual violence) and exploitation (including military recruitment).
- Girls, adolescents and separated children are particularly at risk of facing protection and assistance problems on return.
- Protection and assistance activities carried out by UNHCR in reintegration operations must be limited in time and scope and fit within an agreed upon reintegration framework, involving a broad range of actors, in support of the national Government
- Co-ordination between the Government, UN organisations and other actors, including financial institutions, is essential to ensure that activities taken for or on behalf of children do not overlap. The Government is the starting point for co-ordination of all activities.
- Returnee monitoring is one of UNHCR's core protection activities in the country of origin, and must pay attention to the needs and problems of returnee children.
- UNHCR and its partners can implement a wide range of protection and assistance initiatives for children, including in particular projects in the areas of food and shelter, physical and psychological well-being, education (both formal and informal), reconciliation and law and justice. These initiatives should be community based, targeting returnee communities as primary actors in their own integration.

Voluntary Repatriation Exercises



-
- Exercise VR Ex2.1 Dignity and Rights in the Voluntary Repatriation of Children
 - Exercise VR Ex5.1 General Principles Relating to the Voluntary Repatriation of Children
 - Exercise VR Ex5.2 Applying Principles Relevant to the Voluntary Repatriation of Children
 - Exercise VR Ex6.1 Applying Principles Relevant to the Voluntary Repatriation of Separated Children
 - Exercise VR Ex6.2 Case Studies on Voluntary Repatriation of Children
 - Exercise VR Ex7.1 POP Case Study on Voluntary Repatriation to Eritrea: Profile of the Refugee Community
 - Exercise VR Ex8.1 The Information Campaign and Refugee Children
 - Exercise VR Ex8.2 POP Case Study on Voluntary Repatriation To Eritrea: Preparing for the Information Campaign
 - Exercise VR Ex10.1 The Voluntary Repatriation Form (VRF)
 - Exercise VR Ex13.2: Case Study - Voluntary Repatriation from Guinea to Liberia
 - Exercise VR Ex14.1: Case Study - Transit Centres and the Sexual Exploitation of Children
 - Exercise VR Ex19.1: Case Study on Monitoring of Returnee Children
 - Exercise VR Ex20.1 Case Study on Returnee Children in Afghanistan

Voluntary Repatriation Exercise VR Ex2.1: Dignity and Rights in the Voluntary Repatriation of Children (*Facilitator's Notes*)



TARGET AUDIENCE

Senior Managers; Programme Staff; Field Staff.

OBJECTIVES

To identify the characteristics of being treated with dignity during voluntary repatriation.
To examine the links between dignity and rights.

TIMEFRAME

5 minutes: initial small group work

10 minutes: small group work using CRC cards

15 minutes: plenary discussion

METHOD

Introduce the definition of the term 'dignity' as "serious, composed, worthy of honour and respect." Working in small groups, participants should be asked to list ways in which refugee children may be treated which demonstrates little or NO concern for their dignity during the process of voluntary repatriation. Groups can be asked to think about the different stages of the repatriation process (before, during and after).

The facilitator should then provide each group with a set of the UN CRC cards or a copy of the Convention and ask them to identify which specific rights are being denied the children when they are not being treated with dignity.

In plenary session, the facilitator should then reinforce the understanding that not treating refugee children with dignity is likely to involve a denial of their rights.

Finally, the facilitator should ask participants what can be done to ensure that refugee children are treated with dignity and to illustrate this with examples from their experience.

RESOURCES

A set of Convention on the Rights of the Child cards for each group.

Flipchart and pens.

Voluntary Repatriation Exercise VR Ex5.1: General Principles Relating to the Voluntary Repatriation of Children (Facilitator's Notes)



TARGET AUDIENCE

Senior Managers; Programme Staff; Field Staff.

OBJECTIVE

To have participants identify the various principles which may be relevant to a decision as to whether or not a child should repatriate.

TIMEFRAME

20 minutes: small group work

20 minutes: presentations and discussion

METHOD

Working in small groups, participants should be asked to identify in the CRC and other relevant materials, the principles which may be applicable in making a determination as to whether or not a child should repatriate. As reference materials for this exercise, participants should be provided with the CRC, UNHCR's Guidelines on Refugee Children, UNHCR's Policy on Refugee Children (which is an Appendix to the Guidelines), UNHCR's Guidelines on Policies and Procedures in dealing with Separated Children Seeking Asylum and relevant EXCOM Conclusions. Participants should be asked to note the main principles on a piece of flipchart paper and be prepared to present their conclusions in plenary.

The facilitator can then summarise the relevant principles after the presentations, using **Overhead VR Ov5.1**, before turning to a discussion of how the principles may be applied in practice.

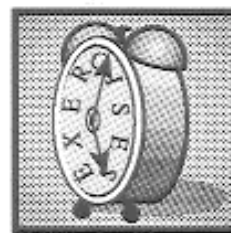
RESOURCES

A set of Convention on the Rights of the Child cards for each group.

A copy of UNHCR's Guidelines on Refugee Children for each group.

A copy of UNHCR's Guidelines on Policies and Procedures on Dealing with Separated Children

Voluntary Repatriation Exercise VR Ex5.2: Applying Principles Relevant to the Voluntary Repatriation of Children (Facilitator's Notes)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVE

To have participants consider some of the difficulties inherent in application of the principles relevant to the voluntary repatriation of children.

TIMEFRAME

40 minutes plenary discussion

METHOD

Write up the questions below on flipchart paper. Open up a plenary discussion of the questions in order to help them to identify some of the difficulties encountered in the practical application of the principles relevant to a decision as to whether or not a child should repatriate. The questions can then be followed by small group work with the remaining exercises in this section, which will permit more in-depth analysis of the application of the principles.

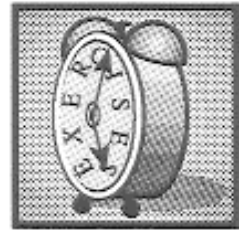
1. What should be done when a child who is with family members in the country of asylum wants to repatriate, but his parents do not? or vice-versa? What if the child and parents agree that a different durable solution for the child is in the child's best interests?
2. What should be done if one parent chooses to repatriate, the other does not, and the parents cannot agree as to with whom the child should remain?

RESOURCES

Prepared flipchart paper with the four questions above, each on a separate sheet.

Blu Tack or tape.

Voluntary Repatriation Exercise VR Ex6.1: Applying Principles Relevant to the Voluntary Repatriation of Separated Children (*Facilitator's Notes*)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVE

To have participants consider some of the difficulties inherent in application of the principles relevant to the voluntary repatriation of children.

TIMEFRAME

40 minutes plenary discussion

METHOD

Write up the questions below on flipchart paper. Open up a plenary discussion of the questions in order to help them to identify some of the difficulties encountered in the practical application of the principles relevant to a decision as to whether or not a child should repatriate. The questions can then be followed by small group work with the remaining exercises in this section, which will permit more in-depth analysis of the application of the principles.

1. What should be done if an unaccompanied child wishes to repatriate, and his or her foster family in the country of asylum prevents this?
2. What should be done if an unaccompanied child does not wish to repatriate even though his or her parents have been located in the country of origin?

RESOURCES

Prepared flipchart paper with the four questions above, each on a separate sheet.

Blu Tack or tape.

Voluntary Repatriation Exercise VR Ex6.2: Case Studies on Voluntary Repatriation of Children (Facilitator's Notes)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVES

To examine in detail the various principles involved in the repatriation of children and some of the inherent difficulties in their application.

TIMEFRAME

30 mins small groups
30 mins plenary

METHOD

Select case studies from the five supplied or devise some case studies of your own. Divide participants into small groups and give each group a different case study (or, alternatively, give more than one group the same case study) and ask them to discuss and answer the questions.

Bring everyone together for a plenary presentation and discussion.

Alternatively, ask the participants to prepare a short drama based on their case-study and bring the groups together to act out the dramas and pose the questions to the plenary. This is more interesting but more time-consuming.

RESOURCES

Copies of the case studies **Exercise VR Ex6.2a to d: (Participant's Notes)** for all participants. Alternatively, develop your own case studies using these as examples.

Flipchart paper and marker pens.

Blu Tack or tape.

Voluntary Repatriation Exercise VR Ex6.2a: Repatriation to Vietnam (Participant's Notes)



OBJECTIVES

To consider practical issues arising in the decision about the voluntary repatriation of children

TIMEFRAME

20 minutes: small group discussion

30 minutes: presentations and summary

METHOD

Please read through the following scenario and discuss the questions in your small group. Agree answers to the questions and be prepared to present your answers in the plenary.

Background

The exodus of Vietnamese Boat People began with the fall of Saigon in late April 1975. Throughout the 1980's and early 1990's, large numbers of unaccompanied Vietnamese children arrived in the first asylum countries of South-East Asia. Many of these children were victims of inadvertent separations, where one or both parents were lost in transit. Some children were sent away intentionally in the false hope that they would be resettled quickly enabling their parents to join them at a later time.

In June 1989, the International Conference on Indo-Chinese Refugees agreed on a *Comprehensive Plan of Action* (CPA) on how to deal with the large influx of Vietnamese Boat People into first asylum countries. The aim of the CPA was to "achieve a humanitarian and comprehensive solution to the problem of the Vietnamese Boat People who continue to depart illegally from their country in large numbers."¹² The CPA introduced asylum procedures to determine whether new arrivals from Viet Nam had a legitimate claim to refugee status.

Due to the fact that many of those arriving as Vietnamese Boat People were separated children, it was considered inappropriate to apply the same CPA criteria as were used for

¹² Refugee Status Determination and Special Procedures under the Comprehensive Plan of Action. Kuala Lumpur, November 1992

adults for their claim to refugee status. Consequently, a new procedure was established for unaccompanied minors. Using the CRC as a guide, the procedure for separated children was based on the premise that decisions concerning minors should not be based entirely on the child's eligibility to refugee status, but should also take into account the "best interests" of the child and the principle of family unity. When this procedure was designed, UNHCR believed that in the majority of cases it would be in the child's best interest to return to their family in Viet Nam. However, as can be seen in the case study below, extenuating circumstances demonstrate why there has been understandable reluctance to force separated children to go back to Viet Nam against their will and why it is important to make decisions on a case by case basis.

Scenario - Part One

H. was abandoned and left on the street by both of her parents at birth. She was picked up by a childless couple and raised for a couple of years. Before long, the couple's marriage began to deteriorate and they decided to separate. The deterioration was said to be caused by the wife's consuming drug habit and her and her family's pressure on the husband to support her addiction. The couple decided to give H. to a temple before they finally parted from each other. It was in the temple that H. was cared for by Mr. T., a monk. Mr. T sent her to school and took care of her as a foster father. He took H. with him when he escaped from Viet Nam and continued to care for her in the camp as a matter of course. Once in the camp, the screening procedure recognised Mr. T.'s claim for refugee status but did not recognise H.'s claim as legitimate.

Questions

Please discuss these questions before going on to Part Two of the case study.

1. How could the "best interest" principle of the CRC be used when making the decision as to whether or not H. should be sent back to Viet Nam?
2. What additional information would you need from H. or Mr. T. in order to exercise good judgement in this case decision?
3. What issues would you look for more clarification on in the CPA guidelines to help you make a well informed decision, while still taking into account H.'s best interest?

The Aftermath - Part Two

UNHCR's office in the country of asylum attempted to trace the mother of the adoptive mother of H. but she was unable to be located since her house was sold and she had moved away. Despite her lack of familial ties in Viet Nam, it was recommended that H. be separated from Mr. T. and returned to Viet Nam unaccompanied. Upon her return H. was placed in a children's home set up by a local NGO. By this time however, H. had already attained grade 8 in school under the supervision of Mr. T.

H. appeared to be very unsettled once she arrived back in Viet Nam and could not continue her education. The local NGO helped her to learn tailoring and assisted her in setting up her own small dressmaking business. H. had difficulty managing her business and she gradually sold the content of her trade to survive. As the business deteriorated H. began to avoid the local NGO staff and began having a relationship with a much older man. The local NGO staff tried to encourage the two to consider the matter of their relationship carefully but to no avail. Soon H. broke all ties with the local NGO staff and was said to have started a coffee bar business with her new common law husband. H. was still under age for marriage at this time. In the first few months after she started the coffee bar business, H. was seen around, relatively well off with pretty clothes and expensive jewellery. However, this soon ended and H. was abandoned by her common law husband. As her living conditions deteriorated, H. was seen working as a prostitute and avoiding all contact with local NGO staff and friends. In the meantime, the local NGO's budget was drastically cut and the children's home was closed due to a lack of funding. Efforts to locate H. for the purpose of this study failed.

Questions

1. What action could UNHCR have taken to ensure that H.'s reintegration was successful? To prevent her economic and social decline into prostitution?
2. How does the sometimes transient nature of NGO assistance and unpredictable funding affect the success of reintegration for separated children such as H.?
3. What principles of the Convention on the Rights of the Child are relevant in this case study? How were they addressed or ignored? Why?

Voluntary Repatriation Exercise VR Ex6.2b: Case Study on Repatriation of Twin Children to Rwanda *(Participant's Notes)*



OBJECTIVES

To consider practical issues arising in the decision about the voluntary repatriation of children

TIMEFRAME

20 minutes: small group discussion

30 minutes: presentations and summary

METHOD

Read through the following scenario and discuss the questions in your small group. Agree answers to the questions and be prepared to present your answers in the plenary.

Scenario

You are a protection officer working in a country to which large numbers of refugees are returning after prolonged ethnic conflict. The country has been devastated by the conflict, and while the overall security situation is now stable, violent clashes occur periodically. Late one afternoon you receive a visit from a local UNHCR staff member, who is a recent returnee to the country, having lived as a refugee in a neighboring country for most of her life.

She is asking your assistance to help repatriate her niece and nephew, two twins aged 11 years. The twins' entire immediate family was killed at the height of the conflict, two years earlier. While the staff member has not met the twins before, she knew their parents well, and is very anxious for the twins to come and live with her and her family. She plans to raise them as her own children.

She has received news that her nephew is living in a refugee camp in a neighboring country and that her niece is living in a country located quite far away with an unrelated family who took her with them when they fled from the conflict one and a half years ago. The local staff member has contacted the International Committee of the Red Cross (ICRC) but they were unable to assist. She is desperate to be reunited with them.

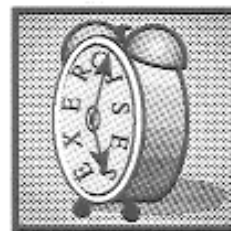
You decide to look into the matter and the UNHCR officer in the neighboring country advises that she has located the little boy who is thrilled at the prospect of returning home to live with his aunt. However, you encounter some resistance when trying to repatriate the little girl. The

UNHCR protection officer in the country concerned advises that he visited her and that she does not wish to return and live with her aunt whom she does not know. While she misses her brother, she is very happy with her new family, her new friends and her new school. In addition, the family with whom she is living would like to adopt her. The UNHCR officer in that country also expresses some concern about the safety of the little girl should she return.

Questions for consideration:

1. What type of information do you need before deciding whether we should assist in the repatriation of these children?
2. What is the role of ICRC in this case and how does it relate to that of UNHCR?
3. Do you think the nephew/the niece should be repatriated? What principles guide your decision?
4. Would these principles permit the adoption of the little girl by the unrelated family with whom she is now living?
5. If you decide that both children should return to the country to be reunited with their aunt, what types of measures take in order to facilitate/ease their return, particularly in light of the reluctance of the little girl?
6. What are the roles of the different organizations in making a decision and how do they inter-relate?
7. What procedures should be followed in the decision-making process?

Voluntary Repatriation Exercise VR Ex6.2c: Case Study on Repatriation of Rwandan Children in Europe *(Participant's Notes)*



OBJECTIVES

To consider practical issues arising in the decision about the voluntary repatriation of children

TIMEFRAME

30 minutes: small group discussion

20 minutes: presentations and summary

METHOD

Read through the following scenario and discuss the questions in your small group. Agree answers to the questions and be prepared to present your answers in the plenary.

Scenario

You are a repatriation officer in a European country to which many Rwandan children were evacuated during the genocide in Rwanda in 1994. You have just received a call from the embassy of the country in which you are working, saying that the Organization for International Migration has located the family of some of these children in Rwanda. The Embassy has requested UNHCR's assistance in repatriating the children.

The only information which you have with respect to the children are as follows:

Child AB, Male, DOB 1980, Byumba Prefecture

Child CD, Male, DOB 1988, Kigali Prefecture

Child EF, Female, DOB 1986, Kigali Prefecture

Child GH, Female, DOB 1992, Gitarama Prefecture

Conflict is continuing in certain parts of the country, to which UNHCR does not have full access.

Questions

1. Which principles in the CRC are relevant?
2. What decision would be appropriate in this case and on which principles is the decision based?
3. What are the roles of the different organizations in making a decision and how do they inter-relate?
4. What procedures should be followed in the decision-making process?

Voluntary Repatriation Exercise VR Ex6.2d: Case Study on Repatriation of Rwandan Children Fostered in Zairian Families (Participant's Notes)



OBJECTIVES

To consider practical issues arising in the decision about the voluntary repatriation of children

TIMEFRAME

30 minutes: small group discussion

20 minutes: presentations and summary

METHOD

Read through the following scenario and discuss the questions in your small group. Agree answers to the questions and be prepared to present your answers in the plenary.

The situation in Pepi had been deteriorating over a number of years: the country had been ruled by the Wari Party since independence, who had adopted increasingly repressive measures in the face of the growing support of the Bopi party, many of whose members had been driven into the neighbouring country of Ganya. A sudden coup, staged by the Bopi, party was accompanied by a massive invasion of exiled supporters, apparently with the unofficial backing of the Ganya government. After a couple of days' fighting the Wari party government fell. Reports of a systematic hunting down and killing of former government ministers and their families started coming in. Former government officials and intellectuals, perceived as sympathetic to the ousted government, were summarily killed. Soon the killings were not only confined to these groups but, to all who were suspected of either being sympathisers or collaborators. In a matter of days thousands were fleeing into Zapa.

Wari Party officials always felt that it was because of their stand that the country won its independence. To find themselves living in exile after what they perceived as their right to wield power was a bitter blow. The host country of Zapa was predominantly Arab speaking and the religion was mainly Islamic. Both countries have signed the UN Convention on the Rights of the Child. The people of Pepi are composed of a number of tribes with clan sub-divisions: villages in the countryside reflect some of these subdivisions.

Sophie, a Community Services Officer had recently attended UNHCR's basic training for new recruits to the Emergency Standby Team. She was contacted by UNHCR to form part of the

Emergency Team (ERT) to be deployed in Zapa. The situation was deemed so acute that there was no time for her to travel via headquarters. All processing and briefing was done by fax and telephone and within 72 hours she was to report to UNHCR Branch Office in Zapa. The Emergency Refugee Team members were coming from different countries, she was the third team member to arrive. When she arrived the Site Planning Officer and the Protection Officer from Geneva had arrived the day before and were already at the border. The Field Officer at the Field Office near the border was the designated team leader. Sophie was immediately dispatched to the border on the next UN plane available and was instructed to catch up with the team leader and the other members at the border reception centre.

On arrival at the border post she met with a scene swarming with a sea of people, some with a few possessions on their backs or heads, and some with practically nothing except what they stood in. Estimates given were that about a 1000 refugees were crossing the borders every day. The team leader informed her that at this initial stage she would have to help in registering the new arrivals. There were already a number of both international and local NGOs at the border. Some were helping register the new arrivals and some were directing them to temporary shelters. In spite of this input the situation was very chaotic with many refugees getting through without proper registration. Sophie observed that there were many children and young people among the refugees: some seemed to consist of groups of young people or children keeping together; some were with elderly people and some with families.

Those coming in the company of families stated on registration that they were from the same family. Often the groups of young people would say they were siblings.

Sophie's terms of reference included making a needs assessment in co-operation with the other sectors. They were to jointly draw up an action plan. In addition, she was to identify implementing partners for community services, lay foundations for refugee involvement through identifying, supporting and organising refugee community structures, identify and recruit refugee and local workers as well as to initiate capacity building. She was also to identify vulnerable groups, giving particular attention to unaccompanied minors and setting up a tracing programme for family reunion. The initial assignment was to be accomplished within 3 months.

Within a week of her arrival the medical and logistics experts complemented the ERT. The Team Leader informed the team that, conditions permitting, the team would meet every morning to discuss the current situation and to formulate joint action plans. Sophie was anxious to have these meetings take place to enable the team to make concerted plans. She was particularly eager to co-operate with the protection and health officers.

In reality, however, the team was lucky if all team members could meet at one and the same place once a week. In this chaotic situation, at this initial stage, pressing issues were cropping up every day. It soon became evident that the site with the temporary shelters was on land, though not in use, belonging to the local villagers who were objecting in its use by the refugees. It was therefore urgent to relocate the refugees to other suitable sites as soon as possible. The site planner, who combined his duties with those of the water expert, identified together with the local authorities three sites where camps could be established. The new camp sites identified were situated near a rivulet used by the local villagers. The villagers were now sharing it with the refugees. Not only was this causing friction between the locals and the refugees but it was soon apparent that the stream was getting polluted and could not satisfy everyone's needs for water. Soon reports were coming in of an outbreak of diarrhoea among children - large numbers were reported dying every day but no one had any exact statistics. The immediate identification of an implementing partner in health was urgent.

From among those that had been helping at the border post, a food distribution NGO and a camp management NGO were identified: the rest of the ERT could start concentrating on their respective tasks. There was a need of people to help organise the food distribution and to systematise the registration of families. There was also a need to identify and document vulnerable groups: especially unaccompanied minors. Groups of male former secondary school students had come forward and offered their services in any way necessary. Sophie felt that it was urgent that she attended to the question of unaccompanied minors. Her observations at the reception centre had raised a number of questions. Some of these questions had to do with the number of children who were in the company of other children, groups of adolescent boys keeping together, families who had a number of children of about the same age.

Sophie decided to make a transect survey walk through the three camps. She selected three volunteer male students to take with her - one from each of the three camps. She reckoned that as a start this would give her a rough idea about the situation and the needs of the refugees.

During these transect walks she made random interviews with different refugees, and there were indications that there were many single women headed households. Some of these were headed by young girls still in their teens. She was told that in each camp estimates were that the unaccompanied minors accounted for about 20% of children under 14 years. There were even single males with young babies to care for. While Sophie was concentrating her efforts on the transect walks she discovered that in camp 2 a local NGO had put up a centre where twenty children reported to be unaccompanied were already installed. The NGO had not consulted with UNHCR before doing this. This was against UNHCR policy. The NGO defended itself by saying that somebody had to address the needs of these children and UNHCR did not seem able to act fast enough.

Some of the women interviewed seemed reluctant to talk to Sophie, this was especially so with some young girls who just sat staring into space and when addressed answered in one syllable words. Not only was it the young girls who were not forthcoming but some young men, aged about 16-18 years, would refuse to talk to her. This behaviour puzzled her. She tried to find out from her helpers why this was so but got vague answers back.

The refugees had spontaneously organised committees to deal with problems they perceived as important, like the water situation. Leaders of this committee had approached the health officer, the site planner and Sophie separately and told them that there was a well known water diviner among the refugees and they were strongly recommending that he be consulted to divine if there was water that could be drilled from under the surface. Some one mentioned this in one of the sporadic team meetings but more as a joke.

Although new refugees were still arriving, after a month the numbers had decreased to about 100-200 coming in every day. All registration of the refugees was now taken over by the local NGO with students and former teachers helping. Soon after the registration was systematised it was noticed that there was an increasing number of minors who were not attached to any family and were living rough. There were reports of food raids on the villages around the camps. Some families seemed to be collecting surprisingly large amounts of rations. The helpers reported that they suspected that some of the families had double ration cards. There were rumours that some of the children reported to be unaccompanied had in fact relatives in the camps. Sophie noticed that some of the old people had difficulty in getting to the distribution centre because of the distance from their homes.

The camp management had tried to group people in zones corresponding more or less to their original villages. They were however facing some problems with some of the refugees and children who had already been displaced in their country of origin. Many were refusing to name their original villages or it was later discovered that some had given false information.

Sophie encouraged the starting of committees for the various tasks to be tackled. She noticed that the elders were half-hearted in expanding both the scope of the committees they themselves had started or starting new ones. In most of the already existing committees discussion centred around the water situation, on livestock lost and the urgent need to have it replaced.

The elders appealed to Sophie to take up these questions with UNHCR. She was puzzled by why the stock question was so important when there were other urgent needs. She kept on hearing that expanding the scope of these committees was more or less futile as long as the people did not have livestock.

Sophie found herself relying more and more on the students' committees. They, on the other hand, did not seem to attach too much importance to the issue of stock but had formed committees to deal with issues like unaccompanied minors and opportunities for schooling and recreation.

The Group's Task - Part 1:

On the basis of the information, discuss the following questions:

- What are the main priority issues facing different groups within the refugee community - e.g. leaders, children, youth, parents, single adults etc.?
- What information is needed in order to compile a child-centred situation analysis?
- How can this information be gathered (different methods and techniques) in a context in which the CSO has many competing demands on her time? What might assist her?
- How can the different sectors co-ordinate and complement each other in collecting the information ?
- How can the refugees be involved in this process?
- How can the need for immediate action be combined with the need to take time to collect good information ?
- How can you analyse information which may be incomplete (and potentially inaccurate) in order to make immediate decisions?

Produce an action plan on flip-charts which clearly identify the major tasks to be undertaken, the techniques to be used and ideas on who might carry out these tasks.

Voluntary Repatriation Exercise VR Ex6.2e: Case Study on Separated Children and Family Repatriation to Conflict Areas (Participant's Notes)



OBJECTIVE

To consider practical issues arising in the decision about the voluntary repatriation of children

TIMEFRAME

20 minutes in small groups

30 mins in presentations and summary

METHOD

Read through the following scenario and discuss the questions in your small group. Agree answers to the questions and be prepared to present your answers in the plenary.

Scenario

You are the protection officer in a refugee camp. One day you are approached by a 12 year old unaccompanied minor who is living with a foster family in the camp. She has just received a letter from her mother in her homeland. The mother advises that she would like the child to come home immediately. The situation in the homeland is still unstable, with continued fighting and security incidents in certain areas. UNHCR is facilitating but not promoting voluntary repatriation to the homeland. The child advises that she would like to return home immediately. She says that she is very unhappy in the foster family, where she is treated like a servant and not able to go to school. The foster family knows she has received news from her mother but has told her not to return. ICRC has advised that they will not carry out the reunification.

Questions

1. What should UNHCR / its implementing partners do in such circumstances?
2. What type of additional information is needed before a decision can be made?
3. What rights does the girl have?
4. What principles will guide the decision?

5. What action can be taken to resolve the current situation of the girl?
6. Would your decision be any different if the girl was basically happy in the foster family but still wanted to return home to be with her mother?
7. What are the respective roles of UNHCR and ICRC in such a case?

Voluntary Repatriation Exercise VR Ex7.1: POP Case Study on Voluntary Repatriation to Eritrea: Profile of the Refugee Community (*Facilitator's Notes*)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVES

To create an action plan for assembling the data base that will be essential for the effective repatriation and intergration of Eritrean refugees who will return from Sudan.

TIME FRAME

30 minutes: small group discussion

30 minutes: presentation and plenary discussion

METHOD

Your small group must prepare an action plan for assembling the data base that will be essential for the effective and efficient repatriation and integration of Eritrean refugees who will return from Sudan. Use the above materials to assist you and consider the questions following the Background Information.

RESOURCES

Exercise **VR Ex7.1** (Participant's Notes)

Reading **VR R7.1**: Voluntary Repatriation Handbook; Annex Checklist, pp. A1-A8

Flip chart paper and marker pens.

Blu Tack or tape.

Voluntary Repatriation Exercise VR Ex7.1: POP Case Study on Voluntary Repatriation to Eritrea: Profile of the Refugee Community (*Participant's Notes*)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVES

To create an action plan for assembling the data base that will be essential for the effective repatriation and intergration of Eritrean refugees who will return from Sudan

TIME FRAME

30 minutes: small group discussion

30 minutes: presentation and plenary discussion

METHOD

Your small group must prepare an action plan for undertaking an information campaign for Eritrean refugees still in Sudan. Use the above materials to assist you and consider the questions following the Background Information.

Background Information about Eritrean Returnees Who Have Already Returned

Since the beginning of the pilot phase of organized repatriation in November 1994, 25,000 Eritreans have returned from the Sudan under the organised repatriation Programme for Refugee Reintegration and Rehabilitation of Resettlement Areas in Eritrea. The returnees have settled in ten major sites mainly in the provinces of Gash/Setit and Barka. A group of more than 100,000 spontaneous returnees also have been settled in the province of Gash/Setit. Each family has been given two hectares of ploughed agricultural land.

Thirty percent of the returnees under the organised repatriation programme are female-headed households. Sex, age and household size data for these 25,000 returnees is not available. The majority of the returnees were formerly from the lowlands of Eritrea. Although the exact skills profile is not very clear, 38 percent were farmers and the rest were general labourers. Eighty percent are of Moslem faith, while the remaining 20 percent are Christians.

Sex, age, size of household and household-head data for the 108,867 spontaneous returnees are provided below.

Individuals							Total
Children		% of total	Adults				
Boys	Girls	Population	Men	%	Women	%	
24,618	22,788	43.5%	30,457	27.9%	31,007	28.5%	108,870

Households			
Size	Male heads	Female Heads	Total Households
1	11,379 (30%)	5,554 (15%)	16,933 (45%)
2-3	3,296 (9%)	4,199 (11%)	7,495 (20%)
4-6	6,247 (17%)	3,902 (10%)	10,149 (27%)
7+	2,259 (6%)	792 (2%)	3,051 (8%)
Total	23,181 (62%)	14,447 (38%)	37,628 (100%)

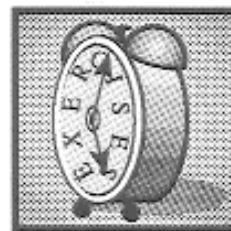
The Alebu settlement has a population of 4,421 individuals and 1,255 families. There are three hand pumps, two of which are motorized. The first arrivals have constructed rakcubas. The temporary clinic is functioning. There is no shortage of medicines and drugs. A temporary primary school is far from the site, often a 5-6 hour walk. Fice grinding mills are functioning on the site. The economic potential for the site is mainly farming and raising livestock.

In the Fanko settlement, women are visibly unable to cope with the workload. Women have to walk up to four hours to cultivate their land, their only means of subsistence. Community support in the form of “wefera” is available, but women are expected to provide food or drinks in return. This is beyond the means of most women. A group of women are working on a cotton plantation in Adigeder. In the absence of family support, they are obliged to take their children to the plantation.

Questions

1. What are your requirements and priorities for in-depth knowledge of the returnee population?
 2. What are your requirements and priorities for knowledge regarding the country of origin?
 3. On what mechanisms/procedures will you rely to obtain data? From whom will you need to obtain information?
 4. Who will have responsibility for what data assembly and interpretation tasks?
 5. What actions will you take to ensure that you have reliable information regarding women, men, and children? What information will be essential to obtain for each group?
- Be prepared to present your action plan to the group for comment and discussion.

Voluntary Repatriation Exercise VR Ex8.1: The Information Campaign and Refugee Children (*Facilitator's Notes*)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVE

To have participants involved in a voluntary repatriation operation consider whether or not the information campaign is relevant to and addresses the needs of children.

TIMEFRAME

20 minutes: small group work

20 minutes: presentations and summary

METHOD

Based on the discussions about the information campaign, participants are asked to consider the information campaign in connection with the voluntary repatriation operation in which they are working to see if it is relevant to and addresses the needs of children. In those cases where there is a voluntary repatriation brochure or leaflet this could also be reviewed in this respect. Positive examples and also recommendations on improving the campaign in this respect could be discussed in small groups and then shared in plenary.

RESOURCES

Flip chart paper

Marker pens.

Voluntary Repatriation Exercise VR Ex8.2: POP Case Study on Voluntary Repatriation to Eritrea: Preparing for the Information Campaign (*Facilitator's Notes*)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVES

To create an action plan for an information campaign

TIME FRAME

30 minutes: small group discussion

30 minutes: presentation and plenary discussion

METHOD

Your small group must prepare an action plan for undertaking an information campaign for Eritrean refugees still in Sudan. Use the materials below to assist you and consider the questions following the Background Information.

RESOURCES

Exercise VR Ex8.2 (Participant's Notes)

Reading VR R7.1: Voluntary Repatriation Handbook; Annex Checklist, pp. A1-A8

Flip chart paper and marker pens.

Blu Tack or tape.

Voluntary Repatriation Exercise VR Ex8.2: POP Case Study on Voluntary Repatriation to Eritrea: Preparing for the Information Campaign (*Participant's Notes*)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVES

To create an action plan for an information campaign

TIME FRAME

20 minutes: small group discussion

20 minutes: presentation and plenary discussion

MATERIALS

Background on Eritrean Repatriation
Annex 1 Checklist, pp. A1-A8

METHOD

Your small group must prepare an action plan for undertaking an information campaign for Eritrean refugees still in Sudan. Use the above materials to assist you and consider the questions following the Background Information.

Background Information about Eritrean Returnees Who Have Already Returned

Since the beginning of the pilot phase of organized repatriation in November 1994, 25,000 Eritreans have returned from the Sudan under the organised repatriation Programme for Refugee Reintegration and Rehabilitation of Resettlement Areas in Eritrea. The returnees have settled in ten major sites mainly in the provinces of Gash/Setit and Barka. A group of more than 100,000 spontaneous returnees also have been settled in the province of Gash/Setit. Each family has been given two hectares of ploughed agricultural land.

Thirty percent of the returnees under the organised repatriation programme are female-headed households. Sex, age and household size data for these 25,000 returnees is not available. The majority of the returnees were formerly from the lowlands of Eritrea. Although the exact skills profile is not very clear, 38 percent were farmers and the rest were general labourers. Eighty percent are of Moslem faith, while the remaining 20 percent are Christians.

Sex, age, size of household and household-head data for the 108,867 spontaneous returnees are provided below.

Individuals							Total
Children		% of total Population	Adults				
Boys	Girls		Men	%	Women	%	
24,618	22,788	43.5%	30,457	27.9%	31,007	28.5%	108,870

Households			
Size	Male heads	Female Heads	Total Households
1	11,379 (30%)	5,554 (15%)	16,933 (45%)
2-3	3,296 (9%)	4,199 (11%)	7,495 (20%)
4-6	6,247 (17%)	3,902 (10%)	10,149 (27%)
7+	2,259 (6%)	792 (2%)	3,051 (8%)
Total	23,181 (62%)	14,447 (38%)	37,628 (100%)

The Alebu settlement has a population of 4,421 individuals and 1,255 families. There are three hand pumps, two of which are motorized. The first arrivals have constructed rakcubas. The temporary clinic is functioning. There is no shortage of medicines and drugs. A temporary primary school is far from the site, often a 5-6 hour walk. Fice grinding mills are functioning on the site. The economic potential for the site is mainly farming and raising livestock.

In the Fanko settlement, women are visibly unable to cope with the workload. Women have to walk up to four hours to cultivate their land, their only means of subsistence. Community support in the form of "wefera" is available, but women are expected to provide food or drinks in return. This is beyond the means of most women. A group of women are working on a cotton plantation in Adigeder. In the absence of family support, they are obliged to take their children to the plantation.

Questions

1. Who comprises the (potential) repatriating population?
2. How much specific/comprehensive detail do you have about refugee profile?
3. What information will you need to obtain? How will you obtain it? Where/When?
4. What methods of information sharing will you use for particular population groups (eg. women, men, different ethnic/religious groups, illiterates, etc.)?
5. Where/how will you disseminate/receive information?
6. What actions will you take to ensure that all women and men are fully informed? Who will take actions? How? When? Where?

Be prepared to present your action plan to the group for comment and discussion.

Voluntary Repatriation Exercise VR Ex10.1: The Voluntary Repatriation Form (VRF) (Facilitator's Notes)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVES

- To acknowledge the importance of the VRF in the repatriation process and also on return.
- To assess the sample VRF against criteria for good practice.

TIMEFRAME

30 minutes: small group discussion

20 minutes: presentations and summary

METHOD

The facilitator may show participants the sample voluntary repatriation form. If the participants are involved in a voluntary repatriation operation, then use the form which has been designed for that operation. If a form has not yet been designed, then after this exercise participants may work in small groups, using overheads, to design the form, and then each group would present their form in plenary.

The VRF should be copied on an overhead. Participants should be asked the following questions (possible answers also included.)

What does this form indicate?

- The voluntary nature of the decision to return.
- Destination.
- Family or status.
- Profession or skills.
- Special needs (explore these in some detail, are they sufficient?).

When considering special needs during a repatriation process and thereafter, it is important to remember that a vulnerability may not be relevant at all stages of the operation. For example, an unaccompanied child repatriating for purposes of family reunification may need special assistance during the pre-departure and movement phase but not after reunification. (Their situation should of course be monitored, however.)

What is missing from the form?

- Separated Children (Please note that separated children should have their own VRF).
- Should have place for signatures for both the husband and wife, not one Head of Family.
- Should indicate if the unaccompanied child is alone, with foster family, or accompanied by minor siblings.
- Should have codes for special needs and also for separated children. (eg. unaccompanied minor, disabled person)

The UNHCR Voluntary Repatriation Handbook says that the wife and husband should each sign a different form and then decide whether the children should be entered with the mother or the father. Even if the forms are “linked” this is confusing and impractical in the vast majority of cases. It results in the artificial separation of families, can create problems (whose form should include the children) and can be misleading and difficult for both monitoring and assistance purposes in the country of origin. One form should be used for both families and both parents should sign (if they cannot sign, thumbprint can be used).

Why is this form important?

- Records voluntaries.
- If special needs, helps preparations both in the country of origin and the country of asylum. If particularly vulnerable individuals, including children, are identified in the registration process, this should be communicated immediately to the country of origin who can plan for their reception.
- Travel document and identity document.
- Monitoring purposes in country of origin (including vulnerable children).
- Assistance, including food assistance, in the country of origin.

The information on the VRF should be computerised, as this can serve as a helpful tool in planning and managing voluntary repatriation on both sides of the border. It can also provide information relevant to monitoring and assistance activities in the country of origin, both with respect to individual returnees and assistance programmes generally.

Additional Documentation

Families should be advised during registration of the importance of taking all relevant documentation, including the VRF, with them. This includes birth certificates, marriage certificates, school and health certificates. For separated children, all registration and tracing documentation should accompany the child and must be handed over to the competent person in the country of origin. Consider translating these materials into the language of the country of origin, if this has not already been done.

RESOURCES

Copies of **Exercise VR Ex10.1: The Voluntary Repatriation Form (Participant’s Notes)** for each participant.

Copies of a sample VRF for each participant. Can use **Overhead VR Ov10.1**

Flipchart paper.

Voluntary Repatriation Exercise VR Ex10.1: The Voluntary Repatriation Form (VRF) *(Participant's Notes)*



OBJECTIVE

- To acknowledge the importance of the VRF in the repatriation process.
- To assess the sample VRF against criteria for good practice.

TIMEFRAME

30 minutes: small group discussion

20 minutes: presentations and summary

METHOD

Examine the sample voluntary repatriation form and discuss the following questions:

1. What does this form indicate?
2. What is missing from the form?
3. Why is this form important?
4. What additional documentation should families take if available?

Note down your key points and be prepared to give a short presentation of your answers in a plenary discussion.

UNHCR VOLUNTARY REPATRIATION FORM



Country and Site of Asylum

UNHCR Transport Organised Yes No

Linked Cases

Family/Group No.:

Address/Location in Camp

Identity/Ration Card No.:

Family Name	First Name	Sex	Year of Birth	Place of Birth	Relationship	Skills	Special Needs
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							

Intended Departure Date:

Reception Centre:

Intended Destination
District

Admin. Post

Location

I, the undersigned principal applicant, declare that I (and my dependants) after due consideration wish to be repatriated to _____

Applicant: _____ Date: ____ / ____ / ____ Witness: _____ Date: ____ / ____ / ____

Voluntary Repatriation Exercise VR Ex13.1: Case Study - Voluntary Repatriation from Guinea to Liberia (Facilitator's Notes)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVE

To consider some of the general protection problems, including those related to children, which might arise in the voluntary repatriation process

TIMEFRAME

20 minutes in small groups
15 mins in plenary
10 mins in small groups
15 mins in plenary

METHOD

Divide participants into small groups. Give each participant a copy of **Exercise VR Ex13.1: Case Study - Voluntary Repatriation from Guinea to Liberia (Participant's Notes)** and ask them to discuss the case study and answer questions 1 and 2. After a plenary discussion of these two questions, ask them to read the follow-on and then discuss and answer questions 3 and 4. Hold another plenary

RESOURCES

Copies of **Exercise VR Ex13.1: Case Study - Voluntary Repatriation from Guinea to Liberia (Participant's Notes)** for each participant.

Reference copy of UNHCR Voluntary Repatriation Handbook
Flipchart paper.
Blu Tack or tape.

Voluntary Repatriation Exercise VR Ex13.1: Case Study - Voluntary Repatriation from Guinea to Liberia (Participant's Notes)



OBJECTIVE

To consider some of the general protection problems, including those related to children, which might arise in the voluntary repatriation process

TIMEFRAME

20 minutes in small groups

15 mins in plenary

10 mins in small groups

15 mins in plenary

METHOD

In your small group, discuss the following scenario and answer questions 1 and 2. After a plenary discussion of these two questions, you should then read the follow-on and then discuss and answer questions 3 and 4. You will then be asked to present your answers to these questions in a second plenary.

Scenario

You have just arrived as the protection officer in N'Zerekore, Guinea, and are anxiously waiting as a group of twenty five refugees are boarding the bus to head home to Liberia. This is the first time that you are accompanying the convoy, and you are anxious for everything to go well.

Suddenly you are approached by your assistant, who is checking off the names of the refugees as they board the bus. He advises you that one of the refugees slated to return has changed his mind. You decide to interview the man privately. He says that he is a Mandingo, and was formerly a wealthy businessman in Liberia. He has just received news from relatives already in Liberia, that he will not be able to recover his business. He has also learned that the shops of other returnee businessmen in his community in Liberia are being burned and looted.

While you are discussing the man's situation, your assistant approaches you with another problem. He says that at the last minute a family with a foster child, whom they had cared for in Guinea, has suddenly decided that they cannot afford to bring the child with them to

Liberia. The child, aged 14 years, is sitting sadly by the side of the road. Your assistant also mentions that the bus is very crowded with all the refugees and their personal belongings and suggests that some of the refugees wait until next week's convoy. However, everyone is on the bus and ready to go.

Questions

1. Identify the protection issues.
2. How would you resolve them?

Scenario - follow on

You solve these problems and are on your way. When you arrive at the border, you recognise the Guinean immigration official as he recently attended the voluntary repatriation workshop which you conducted. You feel confident that things will proceed smoothly. However, you and the refugees are left waiting, as the customs official advises you that his boss is not around. After one hour the boss still hasn't arrived, so you ask the customs official if it would be possible to proceed without him. The official agrees and asks all the refugees to get off the bus, and insists on searching everyone's belongings. It is raining quite hard, and there is no shelter at the border. After two hours, the search is over (the boss still hasn't arrived) and the customs official advises you that in order to proceed all the refugees have to pay a border tax. In lieu of this, however, he is willing to take an assortment of non-food items.

Questions

3. What do you do ?
4. How might you avoid this type of problem in the future?

Voluntary Repatriation Exercise VR Ex14.1: Case Study - Transit Centres and the Sexual Exploitation of Children (*Facilitator's Notes*)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVE

To examine the problem of sexual exploitation of children at transit centres, and how to respond.

TIMEFRAME

35 minutes in small groups

25 mins in plenary

METHOD

Divide participants into small groups. Give each participant a copy of **Exercise VR Ex14.1: Case Study - Transit Centres and the Problem of Sexual Exploitation of Children (Participant's Notes)** and ask them to discuss the case study and answer the questions. After 35 minutes, bring the groups together for a plenary discussion. As you work through the questions, ask a different group to lead the discussion by presenting their answer to the question under scrutiny.

RESOURCES

Copies of **Exercise VR Ex14.1: Case Study - Transit Centres and the Problem of Sexual Exploitation of Children (Participant's Notes)** for each participant.

Reference copy of 'Sexual Violence Against refugees: Guidelines on Prevention and Response', UNHCR Geneva, 1995.

Flipchart paper and pens.

Blu Tack or tape.

Voluntary Repatriation Exercise VR Ex14.1: Case Study - Transit Centres and the Sexual Exploitation of Children (Participant's Notes)



OBJECTIVE

To examine the problem of sexual exploitation of children at transit centres, and how to respond.

TIMEFRAME

35 minutes in small groups

25 mins in plenary

METHOD

In your small group, discuss the following scenario and answer the questions as they arise. Note your answers to each question. Be prepared to present your answers at a plenary discussion.

Scenario

You are a protection officer working for UNHCR in Country HOMELAND, to which hundreds of thousands of refugees are returning under a massive UNHCR voluntary repatriation programme.

Under this programme, refugees are transported from refugee camps in neighbouring countries of asylum to temporary transit centres in HOMELAND. The transit centres are run by UNHCR, through its implementing partner, WELCOME. Returnees normally remain at the transit centre for a few days, where they are registered and receive food and non-food items. Subsequently they are transferred by UNHCR to their homes.

Included amongst the returnees to HOMELAND are thousands of “separated children”. Some of these children are repatriating alone and others are returning with the foster families with whom they lived in countries of asylum. As a result, UNHCR has set up special measures for separated children at the transit centres. All separated children are interviewed and registered by WELCOME social workers for purposes of tracing and family reunification. Children who are completely alone are taken by WELCOME from the transit centres to one of the many children’s centres located throughout HOMELAND. Children who are with foster families generally remain with the foster families.

PROBLEM: DAY 1

Late on a Friday afternoon, you receive an urgent call on the radio from a WELCOME camp manager operating a transit camp located nearby. She advises that she has just learned from one of her social workers that a 12 year old girl, who recently arrived at the transit centre with a foster father, is being sexually abused by the foster father. She asks you to come immediately.

When you arrive at the transit centre, the WELCOME social worker who knows about the case fills you in on the details. Approximately one week ago, a man with four young children aged between 3 and 12 arrived from a country of asylum with a UNHCR convoy to the transit centre. He claimed that he was their foster father, however he had no registration papers indicating this, as is normally the case. The children appeared to the social workers to be in very poor health. After a few days, some other returnees at the transit centre reported to the WELCOME social worker that the man was sexually abusing one of the children, a girl aged 12 years. The social worker tried to take the four children to a children's centre, but the man refused. The social worker became angry and went to the local authorities to arrest the man, but the authorities refused for lack of medical evidence. Eventually the social worker told his supervisor, the WELCOME camp manager, who immediately contacted you.

After hearing the story you ask the social worker to find the four children. He manages to find three of them, but the girl who had allegedly been abused ran away when she found out that the social worker was looking for her so that "UNHCR could take her away."

Consider Questions 1 and 2

You speak to the children, who are dirty and poorly clothed, but so are most the children at the transit centre. You also speak with various people about the case, but the neighbours at the transit centre who had reported the case to the social worker are now reluctant to talk. Two hours have passed, it is getting dark and close to curfew, and the girl has still not returned.

Consider Question 3

PROBLEM: DAY 2

You arrive at the centre early the next morning to and meet with the WELCOME manager. She advises that the girl has not yet returned. She also advises that after you left yesterday evening, she decided to "lock up" the man in a small room where non-food items are stored, to ensure that he will not harm the other children. While you are talking the girl returns.

Consider Question 4

The WELCOME manager releases the man. You explain to the man that you would now like to take all four children to the children's centre. The man agrees that the three younger children can be taken to the children's centre, but refuses to part with the oldest girl. He says that she will refuse to go anyway.

Using the WELCOME social worker as an interpreter you decide to talk to the girl alone. She insists that she wants to stay with the man and refuses to come to the centre.

Consider Questions 5 to 8

QUESTIONS FOR CASE STUDY ON SEXUAL EXPLOITATION OF CHILDREN

1. Should you take any action before going to the transit centre?
2. At the transit centre who should you speak to? What type of information should you try to obtain? Where and how should the interviews be conducted?
3. What action do you take?
 - With respect to the girl?
 - With respect to the man?
 - With respect to the other children?
4. What do you think of the action of the WELCOME manager in locking up the man?
5. What should you do? Are there any international instruments or UNHCR Guidelines which might assist you in making your decision?
6. UNHCR policy favours fostering, seeing children's centres as a last resort. However, is fostering possible in a situation like this? How can UNHCR protection monitor the situation of children in foster families?
7. What are the various roles of the parties involved in a case like this: UNHCR (Protection and Community Services), NGOs, Government. How might they be better co-ordinated?
8. How might this problem have been avoided at an earlier stage? In the country of asylum? In HOMELAND? Do any UNHCR Guidelines provide assistance? Are these practical in the circumstances?

Voluntary Repatriation Exercise VR Ex19.1: Returnee Monitoring (Facilitator's Notes)



TARGET AUDIENCE

Programme Staff; Field Staff.

OBJECTIVES

To consider the issues concerning the return of persons

TIME FRAME

30 minutes: small group discussion

30 minutes: presentation and plenary discussion

METHOD

1. Divide participants into small groups and provide each participant with a copy of **Exercise R Ex19.1: (Participant's Notes)**
2. Ask the groups to read through the scenario and discuss the questions in their small group.
3. Bring together all the groups and open a plenary discussion.
4. Write up key points on flip chart paper.

RESOURCES

Copies of **Exercise R Ex19.1: (Participant's Notes)** for all participants.

Flip chart paper and marker pens.

Blu Tack or tape.

FACILITATORS

The facilitator may use the following questions to guide the plenary discussion:

1. How did the group determine the veracity of the claims?
2. Did the group take any measures to protect the interviewee, if so, what?
3. What was the long term impact of the group's action between UNHCR and the local authorities?
4. How was the case of the returnee father resolved, if at all?
5. How was the case of a minor as head of household resolved?
6. What sort of long term follow-up was planned?
7. Were there any efforts to make use of other resources within UNHCR and other UN agencies?

Voluntary Repatriation: Overheads



Overhead VR Ov1.1 The Right to Return

Overhead VR Ov2.1 Operational Principles

Overhead VR Ov3.1 UNHCR's Mandate for Voluntary Repatriation

Overhead VR Ov5.1 Voluntary Repatriation of Children Applicable Principles

Overhead VR Ov8.1 Information Campaigns and Refugee Children

Overhead VR Ov8.2 Information of Particular Relevance to Children

Overhead VR Ov10.1 The Registration Process

Overhead VR Ov10.2 Registration Principles

Overhead VR Ov15.1 Protection and Assistance Problems faced by Returnee Children

Overhead VR Ov16.1 Children at Risk

Voluntary Repatriation Overhead : Key Concepts



1. Human Rights, Universal and Regional Instruments and Humanitarian Law.
2. The Convention on the Rights of the Child
3. Special Protection Measures - Legal Status
4. Special Protection Measures - Protection of Children Affected by Armed Conflict

Voluntary Repatriation
Overhead VR Ov1.1:
The Right to Return



UNIVERSAL DECLARATION OF HUMAN RIGHTS

Article 13(2)

Everyone has the right to leave any country, including his own, and to return to his country

CONVENTION ON THE RIGHTS OF THE CHILD

Article 10(2)

... States parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country

Voluntary Repatriation
Overhead VR Ov2.1:
Operational Principles



- Voluntary
- Safety and dignity
- Promotion vs. facilitation
- Organised and spontaneous voluntary repatriation

Voluntary Repatriation
Overhead VR Ov3.1: UNHCR's
Mandate for Voluntary
Repatriation



Treaty Law

- 1951 Convention
- Convention on the Rights of the Child
- 1969 OAU Convention

“Soft” Law

- General Assembly Resolutions
- Requests by the Secretary-General
- Executive Committee Conclusions

Voluntary Repatriation
Overhead VR Ov5.1: Voluntary
Repatriation Of Children
Applicable Principles



- Voluntary
- Best interests of the child
- Family unity
- Parental responsibility
- Participation of the child
- Continuity of care

Voluntary Repatriation
Overhead VR Ov8.1:
Information Campaigns and
Refugee Children



➤ **WHY?**

Decisions are taken **FREELY** with **FULL KNOWLEDGE** of the **FACTS**

➤ **REMEMBER THAT:**

- Information should reach all segments of the refugee population **INCLUDING CHILDREN**
- Information provided to refugees includes those which are **RELEVANT** and of **INTEREST** to **CHILDREN**
- Children are provided with information through a variety of means which they can **UNDERSTAND**

Voluntary Repatriation
Overhead VR Ov8.2: Information
of Particular Relevance to Children



- Access to education

- Access to basic services and support structures

- Protection and care arrangements to separated children

Voluntary Repatriation Overhead VR Ov10.1: The Registration Process



- Free access by all refugees
- Privacy and confidentiality
- Non-involvement of government authorities
- Link families/support systems
- No split families
- Registration and cessation
- Freedom to withdraw registration

Voluntary Repatriation
Overhead VR Ov10.2:
Registration Principles



Not only a clerical task, but it involves:

- **INTERVIEWING, ASSESSING AND IDENTIFYING** special needs including those relating to **CHILDREN**

- **PROVIDING COUNSELLING** where possible

- **REFERRING THE CHILD/FAMILY** to the appropriate counselor

DON'T FORGET: Registration teams should always have **ONE FEMALE** member and where possible a person with expertise on children.

Voluntary Repatriation
Overhead VR Ov15.1: Protection
And Assistance Problems Faced
By Children On Return



• **PHYSICAL PROBLEMS**

presence of mines

• **MATERIAL PROBLEMS**

lack of resources

lack of access to land and property

lack of education

• **LEGAL PROBLEMS**

lack of personal documentation

• **ABUSE AND EXPLOITATION**

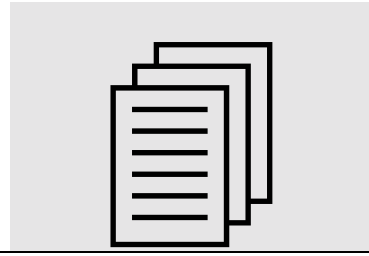
**including sexual abuse and
military recruitment**

Voluntary Repatriation Overhead VR Ov15.1: Children At Risk:



-
- **GIRLS**
 - **ADOLESCENTS**
 - **UNACCOMPANIED MINORS**
 - **CHILD SOLDIERS**

Voluntary Repatriation: Reading List



ESSENTIAL READING

Guidelines on Policies and Procedures in dealing with Separated Children Seeking Asylum. UNHCR Geneva, February 1997

Refugee Children: Guidelines on Protection and Care. UNHCR Geneva, Switzerland, 1994

Sexual Violence Against Refugees: Guidelines on Prevention and Response. UNHCR Geneva, Switzerland, 1995

UNHCR Handbook on Voluntary Repatriation: International Protection. UNHCR Geneva, Switzerland, 1996

UNHCR's Role in Reintegration, Paper prepared for Consultations on UNHCR and Reintegration Activities (10 June 1998)

RECOMMENDED READING

Annual Theme: The Pursuit and Implementation of Durable Solutions. Executive Committee of the High Commissioner's Programme, A/AC.96/872 August 1996

Crisp, Jeff. "Meeting the Needs and Realising the Rights of Refugee Children and Adolescents: From Policy to Practice", Refugee Survey Quarterly Vol. 15, No 3, UNHCR Geneva, Switzerland, 1995.

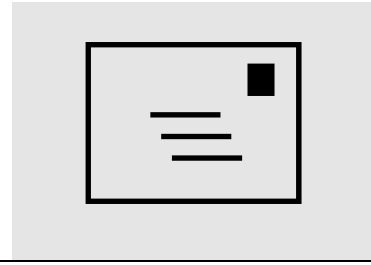
Goodwin-Gill Guy S. "Unaccompanied Refugee Minors: The Role and Place of International Law in the Pursuit of Durable Solutions", in McCallin, M. (Ed), The Psychological Well-being of Refugee Children. Second Edition. International Catholic Bureau, Geneva, 1996

Refugee Status Determination and Special Procedures under the Comprehensive Plan of Action. UNHCR, Kuala Lumpur, Malaysia, November 1992

Voluntary Repatriation Training Module. RP1, 2nd Edition, UNHCR Geneva, Switzerland, January 1993

Voluntary Repatriation Trainer's Guide. UNHCR Geneva, Switzerland, May 1994

Voluntary Repatriation: Useful Addresses & Contacts



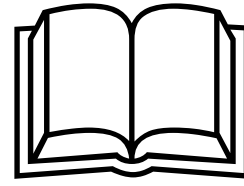
This section includes the names and addresses of organisations which can provide useful resources. Use the blank pro-forms to add your own contacts.

Name	
Organisation	
Address	
Phone	
Fax	
Email	
Web Site	
Details	

Name	
Organisation	
Address	
Phone	
Fax	
Email	
Web Site	
Details	

Name	
Organisation	
Address	
Phone	
Fax	
Email	
Web Site	
Details	

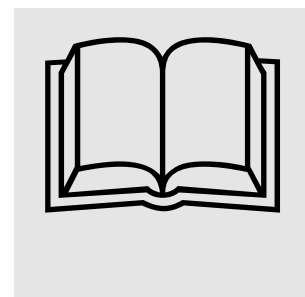
Voluntary Repatriation: Readings



- Reading VR 1: Adoption of Refugee Children. Inter-Office Memorandum No. 59/95
Field Office Memorandum No. 33/93 of 22 August 1995, UNHCR
Geneva, Switzerland
- Reading VR 2: EXCOM Conclusions on Voluntary Repatriation (18(XXXI),
40(XXXVI)), Family Unity (9(XXXVIII), 24(XXXII)), and Refugee
Children and Adolescents (47(XXXVIII), 59(XL), 84(XLVIII)).
- Reading VR 3: UNHCR Policy on Refugee Children. Executive Committee of the
High Commissioner's Programme, EC/SCP/82, October 1993
- Reading VR R4.1 Handbook Voluntary Repatriation: International Protection, UNHCR,
Geneva, 1996, Annex 8
- Reading VR R7.1 Handbook Voluntary Repatriation: International Protection, UNHCR,
Geneva, 1996, Annex 1

Voluntary Repatriation: Reading VR R4.1:

Voluntary Repatriation Handbook, Annex 8, PARINAC OSLO CONCLUSIONS ON VOLUNTARY REPATRIATION



The "Oslo Declaration and Plan of Action" which emanated from the global NGO and UNHCR conference in June 1994 encompassed nine recommendations specific to voluntary repatriation.

The specific recommendations are as follows:

Recommendation 23

UNHCR and NGOs should establish repatriation committees involving NGOs, UNHCR, and refugee representatives in the countries of origin and of asylum, to facilitate efforts of voluntary repatriation, and should designate focal points to liaise with these committees. Development agencies should be involved at the earliest possible stage to prepare for the transition from relief to development in consultation with representatives of refugee and refugee organizations.

Recommendation 24

UNHCR and NGOs should develop databases on: (i) the population profile of returnees and (ii) the actual situation in the country of origin. This information should be shared with international organizations, NGO partners, and refugee/returnees in countries of origin and of asylum, with a view particularly to identifying any Extremely Vulnerable Individuals. UNHCR should identify a lead agency under whose umbrella the repatriation of such vulnerable individuals would be funded, carried out and/or coordinated in conjunction with local NGOs in the country of origin. UNHCR should also supply information on conditions in the country for refugee status determination purposes that is as complete as possible, while NGOs should make every effort to access such information.

Recommendation 25

UNHCR and NGOs should develop an information campaign to provide balanced information exchange with refugees, profiting from their knowledge of their country of origin. Specific fears of refugees should be investigated and answered as part of an assessment of the situation in the country of origin. When planning for and carrying out repatriation programmes, UNHCR should seek information from NGOs well established in such countries and knowledgeable of the political and security situation, state of national infrastructures and local conditions. In addition, a mechanism for comprehensive monitoring of returnees and ascertaining the viability of involving local NGOs should be established by UNHCR with NGO cooperation as early as possible.

Recommendation 26

UNHCR should distribute widely among NGOs the UNHCR Guidelines on Voluntary Repatriation, share information with NGOs on planned and/or on-going repatriation programmes, and involve NGOs and prospective repatriates in the actual planning and implementation of repatriation programmes.

Recommendation 27

Where appropriate, UNHCR should clearly identify lead implementing agencies in repatriation operations, and ensure in consultation with the repatriation committees that criteria for voluntariness are met and that conditions of safety and dignity prevail.

Recommendation 28

UNHCR and NGOs should view education of refugee children within the terms of durable solutions, and such programmes should be undertaken in a culturally sensitive way, bearing in mind their eventual return, reintegration, and/or resettlement. UNHCR and NGOs should also work toward increased education of adolescent girls through culturally appropriate modes of instruction and by gaining family support for female education. More informal ways of meeting the education needs of refugee children to prepare them for reintegration upon return should be explored. A particular focus should be given to self-sufficiency projects for female-headed households, as well as households where the primary care-taker/wage earner is disabled.

Recommendation 29

UNHCR and NGOs should ascertain the profile of potential residual caseloads as early as possible in order to design effective and culturally sensitive counselling programmes and to explore possible alternatives to repatriation, if needed. They should cooperate in the provision of counselling of returnees, both before and after return, and agree upon common, minimum humanitarian standards for phasing down or eliminating services in refugee camps, as well as on minimum standards for services and protection in countries of origin, as repatriation takes place.

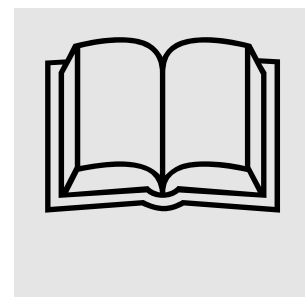
Recommendation 30

Considering that anti-personnel landmines are a daily and serious life-threatening danger in many countries to which refugees are fleeing and/or returning, UNHCR and NGOs should: (a) continue to promote the establishment and international financing of humanitarian landmine clearance and eradication programmes, as well as victim assistance and rehabilitation programmes; and (b) continue actively to support on-going international campaigns calling for an international ban on the production, distribution and use of landmines.

Recommendation 31

In situations of internal armed conflict, UNHCR and NGOs, in consultation with refugee populations, should cooperate in monitoring the situation and consult as to when organized voluntary repatriation would be feasible, in accordance with international standards. They should also monitor closely any signs of recurring military activity or human rights abuses which could possibly affect returnees. In these situations, UNHCR and NGOs should balance the various factors and risks - in coordination with governments concerned - in considering facilitation or promotion of voluntary repatriation and return to home areas.

Voluntary Repatriation:
Reading VR R7.1:
Voluntary Repatriation Handbook,
Annex 1, Checklists



The following checklist of activities during voluntary repatriation operations is taken from *Handbook Voluntary Repatriation: International Protection* published in 1996 by the United Nations High Commissioner for Refugees, Geneva.

**MAIN PROTECTION ACTIVITIES IN VOLUNTARY
REPATRIATION OPERATIONS**

Once UNHCR has determined that it can be involved in an organized voluntary repatriation operation, the following practical protection elements must always be borne in mind:

- UNHCR has to ensure the voluntary nature of the repatriation and that it takes place under conditions of safety and dignity.
- Physical security in camps, staging areas, reception centres and routes of return must be assured. The national authorities are responsible for this, but UNHCR should maintain an uninterrupted presence in all of these locations.
- All measures have to be taken to ensure that refugee and returnee women are fully involved in the planning and implementation and have equal access to all information, procedures and assistance related to repatriation.
- Family members should be repatriated together whenever possible. Cases of split families must be identified and provisions made for tracing, where necessary, and subsequent reunification.
- The needs of school-going refugee children to complete their current cycle of education should be accommodated, whenever possible.
- Specific measures must be taken to ensure the protection and care of unaccompanied minors and other vulnerable groups.
- Agreements must be negotiated to dispense with, or reduce to a minimum, immigration, customs and health formalities for border crossings.
- Repatriating refugees should be permitted to bring their legally-acquired assets and movable personal and communal property.
- Following repatriation, returnees should not be deprived of freedom of movement through prolonged involuntary stays in reception centres.

- In the country of origin, the focus should be on and UNHCR should monitor the non-discrimination of returnees for having been in exile, the re-establishment of an effective and durable state-citizen relationship and the early and full restoration of national protection.

A. PREPARATORY AND PROMOTIONAL ACTIVITIES

(I). In Countries of Asylum

- Strengthen/establish UNHCR presence.
- Undertake or update repatriation-related surveys, including demographic and socio-economic profiles of the refugee population, identification of areas of origin and preferred destinations upon eventual return, identification of vulnerable groups and their particular needs and share this information cross-border.
- Consult refugee women and men about ways to promote voluntary repatriation. Present a low-key explanation of voluntary repatriation, stressing that once a programme is initiated it will be for each refugee to freely decide whether to return.
- Consult the authorities, with a view to agreement for establishing a tripartite (repatriation) commission; identify potential positive and negative factors, including political sensitivities and administrative concerns, as well as seasonal factors relevant to the repatriation.
- Determine whether different repatriation approaches would have to apply to different ethnic or other groups within the refugee population, or between refugees in (UNHCR-assisted) camps and those who have settled spontaneously; if this is the case, consider how to accommodate such differences in your plans.
- Based on an assessment of refugees' post-repatriation needs, re-orient assistance programmes towards repatriation preparedness in such areas as education, vocational training, income-generating activities, health and community development. Ensure that this will not undermine the voluntary nature of the programme.
- Identify possible implementing partners for tasks under the repatriation programme that you do not foresee UNHCR implementing directly.
- In cooperation with the country of origin, start work on an operations plan covering all protection and assistance aspects.

(ii) In Countries of Origin

- Make a thorough assessment of the causes that led to the refugee situation, and subsequent developments (such as policy changes, domestic stability, signals from the government to accept refugees back) which now make voluntary repatriation possible.
- Strengthen/establish UNHCR presence in the capital and areas to which the refugees are expected to return.
- Collect baseline data on potential areas of return, and identify possible constraints (such as access to suitable land, housing, land mines), and other important factors such as the

availability of health/water/education facilities, presence of NGO's and other UN agencies, seasonal, security, administrative, or logistical issues.

- Share with the government and other relevant parties the profile of the refugee community (= future returnee population) for operations planning.
- Encourage the authorities to promote conditions conducive to the voluntary repatriation and reintegration of refugees, including recognition of and respect for their right to return to their country in conditions of safety and dignity; seek, as appropriate and necessary, proclamation of amnesties and/or other official guarantees and assurances for the safety of those who may decide to repatriate.
- Obtain agreement on the establishment of a tripartite (repatriation) commission and on such issues as reception facilities, security en route to final destinations, protection without recrimination, access to documentation, UNHCR returnee monitoring.
- Assess the effectiveness of existing cooperation between local UN organizations, if any.
- Identify and work with (local) NGOs in the human rights field, if appropriate with a view to maximizing support for the creation of conditions conducive to safe return and reintegration of refugees.
- Based on the estimated potential caseload, identify with input from the authorities, appropriate UN agencies and international and national NGOs, Quick-Impact Projects that could meet the repatriating refugees' rehabilitation and initial reintegration needs. Implementing and coordinating mechanisms, including the integration of returnee projects with other national developmental programmes, will have to be identified as well.
- In cooperation with the country of asylum, start work on an operations plan covering all protection and assistance aspects.

B. ACTIVITIES IN PRE-DEPARTURE PHASE

(i) In Countries of Asylum

- In consultation with refugee women and men, determine the assistance package and security/protection procedures for facilitating voluntary repatriation.
- Plan, assign and coordinate tasks, including for activities relating to training, information dissemination, registration and documentation, security, movement escorts, etc.; arrange for the repositioning of the necessary strategic commodities and establishing of required services.
- Determine desired assembly centres or staging areas, border crossing points, routes and methods of return, as well as a timetable (i.e. estimated number of people moving at what intervals over what period taking into consideration the absorption capacity and preparedness of the country of origin); ascertain all departure formalities required by the government.
- Select competent implementing partners and establish clear-cut operations arrangements among all parties involved including government, UN system and NGOs.
- Establish a repatriation commission, ideally in the form of a tripartite commission.

- Conclude a repatriation agreement, ideally in the tripartite format, in the context of the legal framework established by the tripartite (repatriation) commission.
- Design and start conducting a UNHCR supervised and coordinated information campaign to reach out not only to the refugees, but also to governments, NGOs, the local population and the media.
- Consider enabling refugee representatives (women and men), accompanied by authorities and UNHCR to study the situation in the country of origin; if necessary and appropriate, facilitate visits to the refugees by community leaders or government authorities from the country of origin.
- Agree with the country of origin on the format of the VRF, registration guidelines and, as appropriate, a system for the computerization of VRF data.

(ii) In Countries of Origin

- Establish workable mechanism for linking spontaneous repatriants to existing or anticipated UNHCR operations, for both protection and assistance considerations.
- Establish where necessary, reception centres/arrival points (location, size, infrastructure) and a system for onward movement to final destinations, bearing in mind distance, size of caseload, security and seasonal factors.
- Obtain agreement on entry and dispersal procedures, including immigration, health and customs formalities and duration of stay in reception centres.
- Undertake training activities geared to strengthen the capacity of local institutions (governmental and non-governmental) in the management and implementation of reception and post-repatriation programmes.
- Contact, and hold discussions with government departments and humanitarian organizations providing social welfare services to separated children and other particularly vulnerable groups.
- Establish a repatriation commission, ideally in the form of a tripartite commission.
- Conclude a repatriation agreement, ideally in the tripartite format, on the basis of the legal framework established by the tripartite (repatriation) commission.
- With the authorities, plan measures to sensitize and prepare the population particularly in the communities to which refugees will eventually be returning.
- Establish returnee monitoring systems and mechanisms.
- Initiate/complete repairs or rehabilitation of access roads and basic water and health services; preposition food and other items (e.g. seeds, tools, shelter material) which are required for returnee assistance programmes.

C. ACTIVITIES IN THE MOVEMENT AND POST-ARRIVAL PHASE

(I) In Countries of Asylum

- Under close UNHCR supervision, interview; counsel and register refugees who wish to repatriate; complete all necessary documentation. De-register departed repatriants.
- Establish a plan of action and procedures for dealing with possible new-arrivals; ensure that access to international protection remains available to those in need of it, be they returnees forced to flee their country of origin or first-time asylum-seekers.
- Agree upon and establish procedures for a possible residual caseload.
- Undertake all efforts to reduce vulnerability and to allow for the mainstreaming of the return of individuals already vulnerable.
- Make final assessment of routes of return; agree with all concerned and implement logistics and security arrangements for the movement; establish movement monitoring procedures.
- Develop a plan for the transfer of refugee camp facilities to the authorities concerned; make a plan for the future use/redeployment of all non-expendable property.

(ii) In Countries of Origin

- Keep under review any political or physical constraints directly affecting the timing and rate of return movements (e.g. elections, the rate of spontaneous returns, food availability, progress on construction/rehabilitation of basic infrastructure, climatic conditions, prospect of violence).
- Ensure adequate availability of food and fuel stocks and preparedness of reception facilities, means of onward movement, and suitable arrangements at the destinations.
- Implement a system whereby the registration undertaken in the country of asylum (VRF) also benefits registration needs in the country of origin; implement a registration system for spontaneous repatriants. Use this to help ensure direct UNHCR access to all returnees in all parts of the country in order to monitor the consequences of their return.
- Implement returnee monitoring including effective UNHCR intervention with national authorities to redress any threats to the fundamental human rights and freedoms of returnees.
- Coordinate and implement assistance programmes for the initial reintegration of returnees and encourage other relevant organizations to establish medium and long-term reconstruction and development programmes.

Ensure that UNHCR's protection and assistance programmes for returnees also extend, as may be agreed and appropriate, to internally displaced persons, demobilized soldiers and the needy local population in returnee communities.

CHECKLIST FOR COOPERATION WITH NGOS

The following is a basic checklist from the UNHCR Voluntary Repatriation Training Manual for principles to observe in dealing with NGOs as part of a repatriation operation:

- Seek government clearance for NGO operations and their access to returnees. Make sure this is included in tripartite agreements and memoranda of understanding.
- Involve NGOs at all stages of the operation, beginning with the needs assessment and planning stage. Make sure they are invited to any team building or training workshops that take place.
- Establish a mechanism for regular consultations, or better still adapt one that is already in place.
- Respect the independence of NGOs as implementing partners, and delegate authority accordingly; give a positive lead, but maintain a democratic and interactive process rather than simply imposing arrangements.
- In difficult security situations which commonly occur in repatriations, assist NGO implementing partners as far as possible with clearances, permits, telecommunications, transport, etc.
- Carefully plan the phase-out in the country of origin together with NGOs particularly if they are to provide reintegration assistance after UNHCR has left.

Whenever possible, make use of the services and expertise of local NGOs; their knowledge of local conditions can provide invaluable help.