

UNHCR'S ANNUAL CONSULTATIONS WITH NGOS

Rapporteur's Report

September 2008

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This report reflects some of the highlights from the 26 sessions and side meetings held during UNHCR's 2008 Consultations with NGOs. In keeping with this year's 60th anniversary of the Universal Declaration on Human Rights (UDHR), the main theme of the Consultations was human rights.

This year, 344 participants from around the world registered to attend the Consultations, representing 206 different NGOs, 93 of which were national NGOs. In addition to the welcome increase in national NGOs attending there was also an increase in the number of refugees attending, who bring their experience and knowledge of situations back home to bear in these Consultations.

¹ The Rapporteur would like to thank UNHCR and ICVA for their support, the moderators for providing key points for this report and the Australian Refugee Rights Alliance volunteers who took notes in the meetings, all of which is invaluable in preparing the Rapporteur's report back to the Consultations and to ExCom and for UNHCR and NGOs to follow-up on the recommendations made during these consultations.

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Opening Plenary Session

Her Majesty Queen Noor of Jordan spoke of the important role of first asylum countries, particularly Syria and Jordan who have hosted 2.2 million Iraqi refugees with comparatively little international assistance. She noted the hospitality extended by the people of the region and stressed the responsibility of developed nations to provide adequate assistance.

The Deputy High Commissioner stressed the value of identifying and quantifying the impact of 'unmet needs' in order to put the onus back on States to recognise their responsibility for these unmet needs.

The keynote speaker, Virendra Dayal, reminded us of the harsh reality faced by refugees and the displaced in today's world, but also of the progress we have made. "Never before in history," he reflected, "has such a remarkable body of normative law and mechanisms been created with such intensity, in so short a time, to protect and promote human rights. It is a crowning achievement of the UN, together with UN peacekeeping."²



THEMATIC SESSIONS

How can NGO Partners and UNHCR Increase the Use of Human Rights Mechanisms as Tools for the Protection of Persons of Concern?

Fully utilising Human Rights Mechanisms will require more knowledge and understanding of the opportunities that they offer and UNHCR and NGOs should seek to extend their collaboration in this context. The value of advocating for mechanisms was also highlighted, noting that, for example, the Secretary-General's Representative on the Human Rights of IDPs and the *Guiding Principles on Internal Displacement* continue to require our full support. While UNHCR has increasingly provided confidential reports to human rights mechanisms, this reporting must maintain its non-political and non-partisan humanitarian profile. UNHCR may not be able to comment on a State's practices as it would jeopardise its funding and/or its ability to provide protection. As such, NGOs must increase efforts to work more strategically with UNHCR to ensure that human rights mechanisms are being fully utilised.

Using a Rights-based Approach to Protect Women and Children at Risk – Strengthening Accountability

Over the years, several approaches have been used to strengthen protection and promote gender equality. The two recent Conclusions on Women and Girls at Risk and Children at Risk have helped to highlight the special protection needs of women and children. UNHCR outlined three key areas where improvements still must be made. First, the rights-based approach needs to be strengthened and much more work needs to be done on gender empowerment. Second, more needs to be done at all levels in terms of staff accountability. Third, whilst sound instruments and standards now exist, more efforts must be made to ensure they are implemented and their effectiveness is measured.

The session also noted that accountability to affected populations is the key to structuring an accountability framework and shifting the symmetry of power. Accountability in this

² The full text of Virendra Dayal's keynote address is available at: <www.icva.ch/doc00003056.pdf>.

context involves being open to external monitoring, ensuring consultations with refugee and IDP women and children, shifting from seeing refugees and IDPs as ‘objects of charity’, and recognition that we do not necessarily know what is best for those we seek to assist.

First Aid, Recovery and Referral for Refugees and Other Migrants Injured or Traumatized Crossing Borders

The session highlighted the needs of refugees and migrants who have been traumatized while crossing borders. While NGOs, the Red Cross and Red Crescent Societies, churches and other faith groups actively assist migrants in these situations, the response has been ad hoc, inconsistent, and under-resourced. For international agencies such as UNHCR, questions around its mandate are not an excuse for failing to provide assistance and protection.

In addressing the asylum-migration interface only from an asylum perspective, it was also noted that we run the risk of squeezing the much broader issue of migration into the confines of refugee protection, which do not address the complexity of the subject.

The session highlighted the need for trauma counselling and psychosocial support; an ExCom Conclusion that focuses on protection and solutions in the maritime context; and responses that are both pre-differentiation and pro-differentiation.

Improving Protection and Assistance to IDPs in Host Communities and Urban Areas

Some of the operational complexities of dealing with IDPs and host communities in urban areas were identified in this session, which revealed difficulties in reaching out; identifying, registering and mapping populations; and, providing assistance and protection to IDPs, who often fear detection and reprisals from local authorities. Some national NGOs suggested government involvement from the beginning to improve responses, while others feared government involvement. There was frank recognition of NGO flaws, including the tendency to assist IDPs in the media spotlight more than those hidden from view. There are many different mandates and missions, but it was noted that none aim to target host communities, which has serious ramifications, including the tendency to deliver assistance according to the status of a group rather than on the basis of equality of need.

The session stressed a number of points of concern:

- the tendency for UNHCR to overlook urban IDPs in finding durable solutions;
- IDPs that miss out on compensation packages and education;
- the need for donors to properly fund early recovery, which is rarely done;
- the limitations of international human rights law when governments do not respect these laws;
- the importance of tailoring solutions to suit unique local situations and building local capacity to prepare for the time when UNHCR and other international agencies leave a country; and
- the need to explore ways of operationalising the *Guiding Principles* for urban IDPs

There was a suggestion for a combined session in next year’s consultations that covers both urban IDPs and refugees.

Exploring New Areas of Cooperation in Resettlement between UNHCR and NGOs – Identification and Advocacy

Participants spoke strongly against the increased use of integration criteria in selecting candidates for resettlement. Combining protection-based resettlement programs with migration programs leads to ‘cherry-picking’ to select the best and the brightest people. As a result, refugee camps are drained of skilled refugees, who are often critical to improving the conditions in the camps, and the most vulnerable groups – the aged, the disabled and those with HIV/AIDS, among others – can be left behind. The resettlement selection criteria of States must strictly focus on those in greatest need of protection and improved resettlement and integration services.

A number of recommendations were made:

- Governments should re-visit the issue of family reunion – particularly restrictive, western definitions of family – to avoid separation;
- Involve refugees in designing and delivering resettlement programs;
- Explore the potential for group resettlement in order to unlock certain protracted situations;
- Develop increased outreach programmes to identify the most vulnerable for resettlement, as many are not visible or do not know how to access the resettlement system;
- UNHCR should engage in roundtable discussions with NGOs in host countries when resettlement is being considered and planned;
- NGOs, UNHCR, and States should exchange examples of good resettlement practices;
- UNHCR and NGOs should not only focus on identification and referral, but look at all the stages of the resettlement process. A refugee’s problems do not stop once they have been identified and referred to a resettlement country; and
- Cooperation between States, UNHCR, and NGOs needs to be enhanced to facilitate integration through better settlement services and pre-embarkation cultural orientation.

Detention Monitoring and Human Rights Mechanisms

The practicalities of detention monitoring and advocacy; practical criteria for choosing the most appropriate monitoring mechanisms; and examples of good practice and the lessons learnt were all discussed. During the session, NGOs were encouraged:

- to explore the mechanisms available at local, national (including national human rights commissions, ombudsmen and legal procedures), and international levels (including the human rights treaty bodies), and use them;
- to provide training to those visiting or working in detention centres on relevant human rights and protection issues as well as monitoring procedures;
- to engage in a continuing dialogue with national authorities and UNHCR on issues concerning detention conditions and practices;
- to form partnerships and provide advocacy support to those who do have access to the centres (e.g. nurses, doctors, lawyers, religious people);
- to advocate with their governments to sign and ratify the Optional Protocol to the Convention Against Torture and other relevant international human rights instruments; and

- to support other NGOs without the experience or the capacity to do detention monitoring, particularly in States where monitoring is challenging and/or difficult.

After 10 years, how are the Guiding Principles on Internal Displacement used in the Field

The session looked at how the Guiding Principles have contributed to the protection of IDPs in terms of better securing IDPs' rights and in developing new approaches to the protection of IDPs and also discussed the impact of the Guiding Principles on the international and national response to IDPs and looked at the lessons learned from the past 10 years.

The challenges to implementation were identified as follows:

- The lack of legislation and policies to implement the Guiding Principles leaves implementation to the political agenda of governments. Governments should be encouraged to develop and adopt national legislation and policies drawing from the Guiding Principles;
- Regional binding instruments promoting the rights of IDPs should be developed and adopted, along the model of the Great Lakes Pact, as they also contribute to the reinforcement of the legal framework;
- Actual implementation of laws and policies should be monitored carefully, for instance with regard to budget allocation, creation of functioning coordination structures by national authorities;
- Most IDPs have never heard of the Guiding Principles. If the Guiding Principles are to continue to be used as a basis for advocacy and a framework for protection, they need to be more widely disseminated.

The following operational issues were also noted:

- Many concepts have to be understood and used in a more consistently. For instance, more guidance on the IDP definition is needed, especially also in relation to those who move because of the impact of climate-change on their environments. If the definition is expanded too widely, it risks becoming meaningless;
- There are still voices against any particular attention to IDPs, based on the argument that they are not the most needy, which replicates the 1980s argument against the need for attention to the special needs of refugee women;
- The involvement of IDPs in negotiations and peace agreements strengthens the process of peace-building, and should be encouraged; and
- The cluster process provides a framework where the protection of IDPs can be reinforced; however, serious obstacles may hamper its impact on the ground, such as the number of meetings strangling action on the ground.

Ensuring Post-Primary Education and Employment Creation for Adolescents and Youth - How can we achieve this?

This session discussed the need to collaborate in addressing the needs of adolescents and youths for education and work skills in displacement contexts. UNHCR highlighted the work that it does to support formal post-primary education opportunities and provided examples of projects for refugee students. These projects, although often small scale, are essential as these students are often the only trained professionals in their communities. In

addition, the ninemillion.org campaign launched in 2006 supports post-primary education with a focus on girls. The Norwegian Refugee Council gave an overview of the conceptual framework of the NRC Youth Pack Initiative, including literacy, skills training and life skills, which is operating in 9 countries with approximately 3,000 youths. The Refugee Education Trust presented its program for secondary education for youth aged 15-25 in Chad. A presentation from the International Labour Organization highlighted ILO's role in the transition between humanitarian and development assistance, and in helping UNHCR and partners examine labour issues in contexts of displacement.

UNHCR noted that post-primary education was one element in UNHCR's education strategy 2007-09, which was prioritised despite difficulties and challenges relating to a lack of funds, qualified teachers, etc. The need to distinguish between post-primary education and basic education for post-primary-aged learners was also raised. Working with host governments is important in order to ensure employment opportunities for refugees living in camps. The significant lack of secondary school opportunities for resettled refugee youth in countries of resettlement was noted.

Participants also noted the need for more work to be done in the following areas:

- Advocacy for the provision of post-primary education opportunities for adolescents and youth, highlighting the different educational needs such as basic and post-primary, as well as different contexts such as urban and camp situations;
- The need for research and for monitoring and evaluation of educational programs, which identifies the scale of the needs and gaps;
- Combining education with a livelihoods-approach has the potential for strengthening the cross-sectoral connections;
- Youth participation in the planning, implementation, monitoring and evaluation of programming, as well as youth participation in advocacy and research.

The Inter-Agency Network for Education in Emergencies, in particular the Task Team for Adolescents and Youth, was identified as a critical forum for this work to move forward.

Governance of Refugee Law

The session grappled with the difficulties of supervising the implementation of the Refugee Convention in the absence of an individual complaints mechanism or a treaty body. Article 38 of the Convention has never been invoked and although Article 35 provides for UNHCR's supervision of the Convention's implementation, it is a task fraught with difficulty given the need for the agency to ensure access and financial support from governments. UNHCR cannot afford to be "biting the hand that feeds it." While various mechanisms for ensuring better implementation of the Convention were discussed, including lobbying donors to cut off aid to violators, one clear proposal stood out. In 2001, at the time of the Global Consultations, NGOs submitted a proposal that the High Commissioner appoint an advisory group with recognised expertise, status and independence to supervise the implementation of the Convention and to advise on refugee law, reporting back to the High Commissioner or Standing Committee. The appointment of such a body is within the power of the High Commissioner. In the absence of any other immediately achievable or viable mechanism, session participants believed that this proposal should be revisited.

Shrinking Humanitarian Space

The concept of humanitarian space was generally understood as the ability of impartial humanitarian organisations to protect and assist civilian populations without interference from political or military actors. Focusing on Afghanistan, a representative from NATO noted the role that military forces have played in delivering humanitarian aid in this context. Many humanitarian (UN and non-UN) organisations hold the view that this military involvement has blurred the roles of civil and military actors, has contributed to reduced humanitarian space, and has resulted in increased security risks for them.

One challenge for humanitarian organisations is to ensure their safety while not shrinking their own space through overzealous precautionary measures, such as erecting walled-compounds, insisting on security escorts that isolate ‘us’ from ‘them,’ and creating fear and suspicion among those we seek to protect and assist. How do we ensure culturally sensitive practices that contribute to proximity with local communities?

Humanitarian organisations must talk to all armed actors involved in the conflict and refer and advocate on humanitarian principles. Humanitarian agencies, however, can also do a lot themselves in “winning back” humanitarian space. Humanitarian principles should be included in everything that organisations do: operations, recruitment, training, etc., as it is equally important that NGOs are consistent in applying humanitarian principles. NGOs, especially those that are multi-mandate (i.e. undertake humanitarian and development work) should be honest about their ability to adhere to humanitarian principles, such as impartiality. With regard to Afghanistan, NGOs have advocated for the establishment of an OCHA office, which is separate from the political structure (UNAMA), in order to ensure proper coordination and advocacy on humanitarian needs and space.

Realising the Right to a Nationality: Steps to Prevent and Reduce Statelessness

While some impressive gains have been made since the Conclusion on Statelessness nearly two years ago, the issue of statelessness does not receive adequate attention. With over 12 million stateless people in the world, only two NGOs are doing systematic research and advocacy work in this area.

The right to a nationality is anchored in Article 15 of the UDHR and international human rights laws have strengthened the right to nationality, obliging States to grant nationality at birth to prevent statelessness, and to ensure that the acquisition, enjoyment, and deprivation of nationality are not based on racial, gender, religious, or political distinctions. Despite the existence of these international laws, and the 2006 Conclusion on Statelessness, which specifically called on States, UNHCR and NGOs to combat statelessness, States frequently fail to uphold these obligations. There is still much work to be done in realising the right to a nationality, including: amending nationality legislation that discriminates against women; assisting States in developing birth registration; looking at minority groups affected by statelessness; and improving cooperation among UN agencies, States, and NGOs to prevent, reduce, and, ultimately, end statelessness.

Urban Refugees: Protecting Access to Public Health and HIV/AIDS Services

Participants discussed the myriad of challenges and protection risks encountered by urban refugees and asylum-seekers in trying to access public health and HIV/AIDS services. The session discussed the need for sharing program objectives and sharing responsibility; for common, coordinated approaches; and also agreed on the need to focus resources on those

who are most vulnerable. There was also consensus on the need to respond with more creativity and greater flexibility; on abolishing user-fees; and on the need for a long-term commitment from the donor community.

The increased use of UNHCR's community-based approach would be most effective in improving information channels; training peer educators; supporting and establishing community centres; identifying community leaders; mapping communities; partnering with existing local service structures; forming female support groups; and, in providing health service information in refugee languages.

On the specific situation of Iraqis in Jordan, it was recommended that an effective co-payment and insurance financing mechanism for Iraqis be made available; that targeted medical assistance programs for the extremely poor be provided; and, that a predictable legal policy framework that harmonises the delivery of health services between NGOs, the government sector and private health care services be created.

It was noted that there is a real need for: 1) an adequate consultation period now that UNHCR has released its long-awaited draft urban refugee policy; 2) either a pilot or field testing of the policy in different settings; and 3) a guide to implementation. While concerns were raised on the danger in creating a new category of refugee in speaking of 'urban' versus 'encamped' refugees, all agreed that it is critical to correct the current imbalance by ensuring that urban refugees have equal access to protection, assistance, and durable solutions.



REGIONAL BUREAUX SESSIONS

Some of the main points and recommendations emerging from the regional bureaux sessions are covered below.

Africa Bureau Session

A number of key concerns were raised, including:

- Protracted situations requiring political solutions;
- Sexual and gender-based violence in DRC;
- Refugees in Ghana and Ivory Coast;
- Asylum-migration flows from the Horn of Africa, resulting in increasing loss of life and horrific human rights abuses;
- Egypt's deportation of 900 Eritrean refugees after they had been detained for several months with no access to UNHCR;
- Zimbabwean outflows and the resulting tensions in South Africa: UNHCR noted the difficulty in estimating the number of Zimbabweans in South Africa, which range from 800,000 to 3.5 million, but the main focus is to encourage the South African government to suspend deportations, grant temporary status and improve access to asylum;
- The IDP situation in Sudan: Although UNHCR is working with IOM to facilitate the return of Southern Sudanese IDPs now in Khartoum, they are becoming rapidly urbanised and finding livelihoods and Southern Sudan has a lack of resources for re-integration;
- The need for UNHCR to improve partnerships with NGOs and strengthen its interaction with national human rights bodies in its protection work and with regional structures such as SADEC and ECOWAS; and

- Increased food and fuel costs are compounding problems for displaced populations and for those who protect and assist them.

Asia Pacific Bureau

While it was recognised that UNHCR has made serious efforts to resolve a number of protracted refugee situations in the region, UNHCR and NGOs also recognised that much work still needs to be done. Whole generations have now grown up in refugee camps and have been denied a normal life. In this regard, participants looked forward to the High Commissioner's Dialogue on Protection Challenges, which this year will focus on protracted refugee situations as a way of renewing the focus on regional situations.

Asia now hosts the highest level of resettlement globally, partly because most States oppose local integration. Sexual and gender-based violence (SGBV) is also a serious concern throughout the region, along with respect for basic refugee rights such as the right to documentation, health and education.

One of the key problems remains the fact that most States in the region have not signed the Refugee Convention.

Recommendations:

- NGOs and UNHCR must collaborate more closely to encourage States to sign the Refugee Convention and improve protection and assistance at the national level.
- Increase engagement with regional organisations (particularly the need to penetrate the dialogue and thinking within SARC and ASEAN).

Europe Bureau

The Europe Bureau session concentrated on holding an exchange of strategies with NGOs focusing on UNHCR's key concerns regarding access to asylum, the process towards the creation of a Common European Asylum System, the enhanced search for durable solutions, identifying broader sources of global support, and providing an update on European operations. UNHCR strategic objectives and concerns in Europe follow three themes: 1) access to territory and to procedures for asylum-seekers; 2) a common European asylum system or the lack of it; and 3) global support to refugees.

Four main challenges were identified:

- Access to territory and Refugee Status Determination (RSD) procedures in Europe and ensuring humane treatment in the mean time;
- Push backs and *refoulement* happening in Europe;
- Combating xenophobia and intolerance and contributing to receptive attitudes; and
- Promoting solutions for refugees in Europe through integration and for refugees in other regions – not least Iraqis – through enhanced resettlement.

In order to address these challenges, UNHCR and NGOs need an even stronger partnership to jointly develop strategies, programs, and projects and to jointly advocate for increased funding for NGOs to provide legal and social assistance, as well as border monitoring activities. It was noted that the High Commissioner's Dialogue on asylum and migration had helped in generating greater attention regarding the need for better protection and assistance for migrants and refugees in mixed flows and enhanced partnership.

Serious concerns were also raised over Europe's new returns Directive, which allows for 18 months' detention for deportees. NGOs are concerned that the Directive may lead to longer detention periods rather than reducing them.

Americas Bureau

The Bureau takes as its framework for action the November 2004 Mexico Plan of Action for Latin America, which encapsulates a political commitment to strengthen the protection of refugees in a spirit of cooperation and burden sharing. UNHCR hopes to reinforce its presence on the Pacific coast where there is increased movement, given that Colombia is seeing large numbers of displacement, which is spilling over into neighbouring countries, particularly Ecuador, Panama, Venezuela, and Costa Rica. UNHCR has difficulties, generally, in serving urban populations, but is promoting the Cities of Solidarity approach set out in the Mexico Plan of Action, facilitating access to public services and livelihoods.

Ecuador hosts the highest number of refugees and asylum-seekers from Colombia, but needs more international help to support them, and some 50,000 unregistered Colombians in need of protection. It was suggested that an 'Andean Humanitarian Conference' be held where humanitarian actors and civil society organisations could discuss the increasing polarisation in the region.

Argentina, Brazil, and Chile have played a key role in supporting Colombian refugees and others through the 'Solidarity Resettlement Program' of the Mexico plan. In 2007, the scope of the program expanded to include refugees outside the region; including the resettlement of 109 Palestinian refugees in Brazil and 117 in Chile.

The biggest population of concern in the Dominican Republic are Haitian refugees or stateless persons. The Dominican Republic has an RSD procedure, which is not fully working and many children born of Haitian parents are unregistered, stateless, and have suffered discrimination and social and political exclusion.

Three key factors were stressed during the session:

- The need to increase training for integration and border officials;
- The need to strengthen RSD procedures (both of which are central elements of any protection program); and,
- The need to promote and enforce legislation to ensure that everyone has access to documentation (which is essential for obtaining work and integrating more generally).

Middle East and North Africa Bureau Session

The MENA session focused on Iraq and Yemen and protection gaps in the region. While there is a great deal of generosity, brotherhood and solidarity in the region – for example, Syria and Jordan hosting over 2 million Iraqi refugees – access to safety is problematic throughout the region and the distinction between refugees and economic migrants is often blurred. UNHCR's ability to engage in dialogue on key protection issues with regional States has grown.

Key points on Iraq:

- There is increasing pressure arising from the overall increases in the prices of food and commodities and more restrictive visa policies by all countries;

- There is still a huge backlog of unregistered Iraqi refugees, despite registration being stepped up in Jordan and Syria;
- While some refugees have returned to Iraq, the numbers are quite small and many of those who have returned have become internally displaced. Even though UNHCR should be prepared for eventual return of refugees, it was stressed that the situation in Iraq has not improved sufficiently to allow for the return of refugees or IDPs. It was also noted that basic services are extremely weak;
- Funding has been less forthcoming this year, compared to last year.
- 3,000 Palestinians have left Iraq to be resettled in Sudan, Chile, Sweden and Iceland.
- Property issues will be a major concern for current and future returnees; and
- Documentation of IDPs is problematic. Many IDPs have had to risk returning to their city or village of origin to renew documents.

Key points regarding mixed flows to Yemen:

- The number of Somalis and other Africans crossing the Gulf of Aden in extremely precarious situations continues to grow;
- Future strategies need to be based on increased assistance and presence in Haras camp; improved living conditions in urban areas; and increased investment in reception centres (there is only one reception centre on the coast);
- Invest in more community-based projects with NGO partners in areas where Somalis and Yemenis are living side-by-side in difficult conditions; and
- Among Ethiopians, some are just seeking better conditions and attempting to migrate to Gulf States and they must be distinguished from refugees.

General session recommendations:

- Advocate for increased funding for Iraqi refugees.
- Speed up resettlement.
- Address property and documentation issues in Iraq.
- Be prepared for the eventual return of Iraqi refugees.
- Identify the Ethiopians who are refugees.
- Improved living conditions in urban areas, investment into reception centres and increased assistance and presence in the Haras camp in Yemen.
- Advocate for support for UNHCR's 10 Point Plan.



SIDE MEETINGS

Launch of the 2008 World Refugee Survey

The World Refugee Survey reviews refugee situations in the 60 countries hosting the largest numbers of refugees, accounting for over 98% of the world's refugees. It grades country performance in four key protection areas — *refoulement* and physical protection; detention; freedom of movement, and the right to earn a livelihood — against the standards of the 1951 Convention. In this edition, the Survey also lists ten 'Worst Places for Refugees', highlighting where significant mistreatment of refugees occurs. The information is collected from local human rights NGOs. The perspective and statistics contained in the Survey, while different at times from UNHCR's reports, highlight key concerns in specific countries, drawing the attention of the international community to

urgent needs. UNHCR has considered an Asylum Index which might also take a more evaluative role to refugee rights in hosting countries.

Demystifying UNHCR's ExCom Conclusions and the Role of NGOs

The *Review of ExCom Conclusions* has re-engaged States and reaffirmed the value of Conclusions, although there remain difficulties in the process and potential dangers. While States thankfully do not vote in blocks, the process has become more politicised with greater positioning and influence from regional groups. One valuable suggestion in the Review is to ensure that Conclusions are not an end in themselves, but part of a process that engages States on issues, deepens State understanding, and brings clarity and consensus on the way forward. On this note, the idea of linking potential themes with ongoing consultations, such as the High Commissioner's Dialogue, would allow States to interact and consult more freely.

There are many opportunities for NGOs to engage. Based on our expertise and field experience, we should take advantage of the Informal Consultative Meetings to provide input and make the time to raise issues of concern with governments. The proposal to move to multi-year plans for Conclusions, will give NGOs greater ability to plan ahead and engage.

Implementation of the 2006 ExCom Conclusion on the Protection of Women and Girls at Risk – International Working Group Strategy Meeting

The session on the *Implementation of the Women and Girls at Risk Conclusion* focused on highlighting the value of the Conclusion, which provides a guiding framework for combating the widespread and often systematic rape of women in places like Eastern Congo and the consequences, including fistula, HIV, children born of rape, and community and family rejection. Efforts are underway to monitor and evaluate the implementation of the Conclusion and an international NGO working group has been set up with this aim.

Exchange of views on the Principles of Partnership: what do they mean and how useful are they?

As in last year's Consultations, great emphasis was placed on the *Principles of Partnership* that were developed and adopted by the 40 agencies of the Global Humanitarian Platform (GHP), which brings together the three families of the humanitarian system – the UN and international organisations, the International Red Cross/Red Crescent Movement and NGOs – as equal partners. With the session being held a week before the 2008 GHP meeting, the session appropriately focused on developing strategies to implement the principles. For the GHP to succeed, NGOs recognised that we must simultaneously internalise and operationalise the principles at every level of 'joint action', from the field to headquarters.

Protection of Unaccompanied Children

In the context of the protection of unaccompanied children, the session also looked at the Conclusion on Children at Risk and its practical relevance, which provides a critical framework for the humanitarian community to address the special needs of forcibly

displaced children. UNHCR, governments, and other relevant actors must pay special attention to the Conclusion's recommendations to establish confidential and accessible referral systems, as well as strong monitoring mechanisms. Communities, families, and children must be trained and supported to engage in these monitoring and referral processes. Civil society also plays a role in monitoring governments in meeting their (legal) obligations in protecting children.

A Heavy Burden: IDPs in Georgia

The session focused on the protracted IDP situation in Georgia and the need for durable solutions. In this context, there is an obvious need to listen to the IDPs' accounts of what it means to be displaced, what problems they are facing, and what their expectations are for the future. The book "*A Heavy Burden, Internally Displaced in Georgia: Stories of People from Abkhazia and South Ossetia*" was presented together with the IDP Voices project. This project <www.idpvoices.org> has highlighted four themes: the burden of war trauma on IDPs; issues of identity among IDPs; elderly IDPs waiting to return; and the need for reconciliation. The IDPs in Georgia, who find themselves in a protracted situation, receive small handouts from the Government. Donors have been reluctant to become involved, due to the long-term conflict in Georgia that has caused displacement. Solutions, which are needed to end the protracted IDP situation, require political engagement. There is a need to consider creative solutions, as the options of return or local integration have yet to become feasible ones.



Closing Plenary Session

The Closing Session was aimed at getting feedback for this report, and a number of other issues were raised that have not integrated elsewhere in the report, which include:

- The need to ensure that refugees are seen and considered as rights holders with aspirations and dreams, skills and experience, not just 'illegals' or 'victims';
- The situation facing lesbian, gay, and bisexual refugees and IDPs and those living with HIV/AIDS who often face severe stigmatisation in conservative countries must be addressed;
- Some States still have geographic reservations under the Refugee Convention, while others have signed the Convention, but not the 1967 Protocol;
- Former 'child' soldiers that are now 18 years or older still need assistance;
- There is an increase in faith-based persecution;
- The asylum-migration nexus should be seen as an issue of global social justice and equality rather than as a nexus. Migration represents a right for people to fulfil their human potential, yet for many southern citizens, asylum is the only legal right they have to move. For many people in the South, movement is restricted by migration barriers erected by northern States while people from the North can move quite freely around the world.

