

**ANNUAL CONSULTATIONS WITH NGOS**  
**3 – 5 JULY 2012 - International Conference Center Geneva**

***BACKGROUND PAPER***

SIDE MEETING

Building and supporting legal aid and legal representation of asylum-seekers,  
refugees and stateless persons

*Wednesday 4 July 2012, 13h15 – 14h15 – Room 3*

The development of international standards for the protection of asylum-seekers, refugees, and stateless persons depends increasingly on national and international case law or jurisprudence. Judicial decisions contribute to consistent and sound interpretation and application of relevant standards, often bridging the protection deficit when political, administrative and legislative processes fail. UNHCR is engaged with the legal community, including lawyers and judges, in various countries and regions, by assisting legal aid organizations and lawyers in bringing cases to court, by strengthening the capacity of lawyers and judges through training, by cooperating and liaising with specific courts and judges associations and by intervening in cases before courts as a third party. According to the High Commissioner '[e]ngagement with the judiciary, at national and regional levels, is a central part of my Office's work'.<sup>1</sup>

In UNHCR's view, legal assistance and representation is an essential safeguard in asylum procedures as well as statelessness determination procedures. Quality legal assistance and representation is, moreover, in the interest of the decision-maker, as it can help to ensure that international protection needs are properly and early identified. The efficiency of first instance as well as appeal procedures is thereby improved.

In this framework, Non-Governmental Organizations (NGOs) that provide legal support services play a prominent role in improving the quality of the asylum systems, advancing legal standards, and securing the rights of asylum-seekers, refugees and stateless persons. This session aims at presenting UNHCR judicial engagement policy and offering the concrete examples in the Americas Region, where opportunities have risen and where engagement with legal aid organizations and legal interventions have been successful. The session will give the opportunity to commonly reflect on how legal aid organizations and UNHCR can work better together in the advancement of the rights of asylum-seekers, refugees and stateless persons.

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<sup>1</sup> Remarks of the High Commissioner at the opening of the judicial year of the European Court of Human Rights in Strasbourg, January 2011

**Opening remarks on UNHCR's Judicial Engagement / Moderator:** Cornelis (Kees) Wouters, Senior Refugee Law Advisor, DIP – Pillar I Law and Policy

**Legal aid in the context of UNHCR RSD:** Suzanne Duff Head of RSD UNIT, DIP – Pillar I Law and Policy

**Strategic litigation in Courts in the Americas:** Juan Carlos Murillo, Senior Legal Officer, Regional Legal Unit, Costa Rica