
**Executive Committee of the
High Commissioner's Programme**

Distr.: Restricted
5 June 2023
English
Original: English and French

**Standing Committee
Eighty-seventh meeting**

Note on international protection

Note by the High Commissioner

Summary

Three-quarters of a century since the Universal Declaration of Human Rights was adopted, the right to seek and enjoy asylum, enshrined in article 14 and one of the earliest human rights principles, remains elusive for many people who are forced to flee conflict and persecution. This note examines the progress made in securing the rights of refugees, asylum-seekers, returnees, internally displaced persons and stateless people, as well as the significant obstacles encountered, covering the period from July 2022 to June 2023. It analyses the protection landscape, including in forgotten crises and protracted situations of displacement, while highlighting efforts to facilitate solutions for the displaced.

The note describes the complementary efforts of the Office of the United Nations High Commissioner for Refugees and partners to strengthen responses to mixed movements of refugees and migrants, in support of the implementation of the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration. It calls on States and all stakeholders to prepare concrete and meaningful pledges towards the 2023 Global Refugee Forum, unlocking opportunities for inclusion, development, education and other key areas that require support and investment. It also outlines the needs of people at heightened risk, including those with disabilities, women and children, and survivors of gender-based violence.

The note concludes that too many displaced and stateless people are unable to enjoy their rights and that UNHCR, governments and partners need to redouble efforts, working together with displaced and stateless people, to realize them in practice.

I. Introduction

1. This year marks the seventy-fifth anniversary of the Universal Declaration of Human Rights, the foundation of the modern-day international legal framework for the protection of human rights. Adopted by the United Nations General Assembly in 1948, the Universal Declaration of Human Rights recognizes that the inherent dignity and the equal and inalienable rights of all members of the human family constitute the foundation of freedom, justice and peace in the world (preamble, para. 1). This landmark document expressed for the first time in a major multilateral instrument the right for people to seek and enjoy asylum from persecution and the right for them to leave and to return to their own country (articles 13 and 14).
2. The right to seek asylum requires that people have access, in law and practice, to the means to: claim international protection in safety; have their international protection needs assessed through fair and efficient asylum procedures; and be protected from removal to a territory where they would face a real risk of persecution or serious harm. The right to enjoy asylum ensures that people in need of international protection can exercise their rights in dignity, free from discrimination on any grounds, and that they are included and can participate in society in their host countries, including in national economies and other systems. The right to return recognizes the relationship between people and their country of origin. In the context of displacement, it ensures that those who fled can go back to their country of origin in safety and dignity, ending their refugee status.
3. The Universal Declaration of Human Rights provided a basis for the 1951 Convention relating to the Status of Refugees (1951 Convention) and the development of international refugee and human rights law more broadly. Through these, the right to seek and enjoy asylum has been given substance and content, including guarantees of civil and political as well as economic, social and cultural rights for refugees. Against this background, this note examines the link between displacement and the enjoyment of key human rights, as reflected in global developments affecting refugees, internally displaced persons and stateless people during the period from July 2022 to June 2023. It has been prepared by the Office of the High Commissioner pursuant to its mandated responsibilities and does not necessarily represent the views of all member States of the Executive Committee.
4. Conflict and violence are increasing in intensity and prevalence across the globe, with humanitarian crises growing in scale and complexity. Civilians bear the brunt of the resulting harm and are being displaced in greater numbers year after year. In 2022, the Office of the United Nations High Commissioner for Refugees (UNHCR) was faced with 35 emergencies in 25 countries that were marked by conflict, violence, rising inflation and food shortages, often exacerbating existing vulnerabilities linked to poverty, gender inequalities and discrimination on various grounds, and the effects of climate change and environmental degradation. The conflict in Ukraine dominated the headlines in 2022, drawing attention to the international protection needs of refugees fleeing the country and the plight of the internally displaced. More recently, the crisis in Sudan has highlighted the need for the international community to devote greater attention and resources, in a timely manner, to address unfolding emergencies as well as protracted situations in many parts of the world.
5. States located closest to countries in crisis continue to shoulder the greatest burden and responsibility for supporting refugees. Despite their efforts, a number of factors may lead to onward movements. Sometimes individuals in need of international protection cross borders seeking safety, only to find themselves in the middle of an equally difficult situation. Violence, insecurity and intercommunal tension, combined with a lack of basic services and livelihood opportunities, may compel refugees to move again. The consequences of insufficient burden- and

responsibility-sharing among States and lack of viable solutions can also drive people to undertake perilous journeys at the hands of smugglers and traffickers, often to suffer human rights violations en route and be denied entry at borders.

6. While many States were able to bring the rates of infection of the coronavirus disease (COVID-19) to manageable levels and provide adequate treatment, concerns over public health continued to be invoked in some countries to justify restrictions on entry and deny access to asylum. This was notwithstanding the availability of effective strategies to manage arrivals, while protecting public health, which had been successfully implemented in many locations. The past year has also seen much negative political discourse, policies and practices aimed at preventing irregular movements and arrivals, with insufficient safeguards to ensure access to asylum for those who need it.

7. To address the current global displacement situation, greater political will and economic investments are needed to end the cycle of violence, ensure stability, re-establish the rule of law and build strong frameworks for the protection of human rights in affected countries. Such measures, rather than restrictive border and migration management policies, are needed to effectively prevent displacement and to put in place the conditions for safe and sustainable return. Greater opportunities for resettlement and complementary pathways, as well as local integration, are also needed to expand solutions and enhance burden- and responsibility-sharing.

8. In line with the Global Compact on Refugees, strong partnerships – including with States, United Nations partners, civil society, representatives of affected communities, development partners, international financial institutions and the private sector – must be reinforced. These partnerships should be oriented towards protection, the safeguarding of rights and solutions, in the spirit of solidarity and effective burden- and responsibility-sharing, and away from policies that undermine human rights including, the right to seek and enjoy asylum.

9. The emphasis on the crucial nature of working in partnership was reflected in the Secretary-General's Action Agenda on Internal Displacement. This recognizes that achieving lasting change in the context of internal displacement requires not only a robust humanitarian response, but also greater collaboration among actors from across the United Nations system and beyond, particularly development, peace and climate actors.

II. The right to seek asylum

A. Mixed movements

10. People seeking international protection continue to move across borders alongside those moving for different reasons, often following similar routes and facing similar risks. Increasing population movements have prompted important initiatives that seek to better respond to mixed flows of refugees and migrants. Addressing this phenomenon requires a comprehensive and collaborative approach, with investments in capacity-building, the development of effective asylum and migration management systems, support for integration, development initiatives, and innovative partnerships.

11. Responses must be based on reinforced commitments to international legal obligations and cooperation built on solidarity and burden- and responsibility-sharing. Maintaining and expanding access to asylum across countries and regions is paramount and needs to be coupled with targeted initiatives to strengthen asylum and solutions in regions of origin and along main routes. Together with partners, UNHCR intensified efforts to strengthen protection and solutions in the context of mixed and onward movements and will continue in this direction.

12. It must be recognized that it is not possible, nor warranted, to halt all population movements. Based on the recognition that both migrants and refugees deserve safety and respect for their rights, UNHCR and the International Organization for Migration (IOM) agreed on a framework of engagement in late 2022. The framework focuses on strengthened joint responses to mixed movements of refugees and migrants, durable solutions for internally displaced persons and data. Both organizations committed to undertaking joint analysis and advocacy as well as, in relevant contexts, joint planning and responses. Targeted programmatic interventions will be undertaken, based on coordinated data and information management.

13. In Nigeria, the two organizations communicated jointly with communities on protection risks en route, and in Cameroon and Gabon, they supported capacity-building for local border authorities. In order to address the risks and reinforce the rights of refugees and migrants, UNHCR has called for complementary implementation of the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration, including through pledges at the 2023 Global Refugee Forum.

14. Tragic incidents en route involving the loss of life of refugees and migrants persisted, including in the central Mediterranean, the Andaman Sea and Bay of Bengal, and the Darién. Concerned about inadequate search-and-rescue capacity and the need for safe and timely disembarkation of rescued refugees and migrants, UNHCR welcomed efforts by the European Union to address mixed movements across the central Mediterranean, including through an action plan and operational measures. It also welcomed efforts to address a 360 per cent increase in onward movements of Rohingya refugee in the Andaman Sea and Bay of Bengal over the past year, including activation of the Second Consultation Mechanism of the Bali Process in April 2023. In response to increased departures by sea, IOM, UNHCR and the United Nations Relief and Works Agency for Palestine Refugees in the Near East called on coastal States to reinforce search-and-rescue capacities and to ensure predictability in identifying safe places for disembarkation. Further action is needed to address the root causes of these movements, and States are urged to strengthen access to safe, lawful pathways, as viable alternatives to dangerous journeys, in line with the principle of burden- and responsibility-sharing.

B. Asylum systems

15. The national asylum systems of some countries struggled to cope with increased numbers of asylum claims. While some States worked on expanding their capacities to tackle backlogs and to receive people seeking asylum, others responded with attempts to close their borders and deny access to asylum procedures, or to shift their responsibilities under international law by transferring asylum-seekers to third countries, despite unsafe conditions and inadequate protection frameworks. As a result, violations of the principle of non-refoulement, including through arbitrary expulsions and violent pushbacks or redirections at frontiers, occurred in all parts of the world. States are reminded of their obligation to respect the principle of non-refoulement, which is key to the right to seek and enjoy asylum. Articulated in the 1951 Convention and other human rights instruments, and a norm of customary international law, non-refoulement must be upheld through resolute actions that preclude the removal of people to countries where they risk facing serious harm.

16. Strong asylum systems and robust mechanisms for identifying international protection needs remain central to the ability of States to provide protection to those seeking safety from conflict and persecution. They must ensure that all civilians fleeing violence and persecution have non-discriminatory access to safe territory, receive international protection and are able to enjoy basic rights, irrespective of their

nationality, race, ethnicity, religion, political affiliation, sexual orientation or gender identity, and any other grounds. The ending of COVID-19 travel restrictions in many countries, combined with numerous refugee-producing events – such as the ongoing armed conflict in Ukraine and the situation in Afghanistan – led to the number of new asylum applications increasing dramatically in 2022. As a result, many States strengthened their asylum procedures to maximize the protection offered to individuals seeking safety. Some were able to increase efficiency through group-based prima facie approaches to refugee recognition, including in the Central African Republic for arrivals from South Sudan and in Benin for arrivals from Burkina Faso. UNHCR worked with States on developing fair and efficient asylum systems and adopting national laws and policies that are compliant with international legal standards. Benin and Senegal adopted new laws that are largely in line with international and regional legal standards. They provide refugees with extensive rights, including the right to asylum and protection from refoulement, and foster solutions by facilitating access to employment, education, property, documentation and, in some cases, naturalization.

17. Practical measures were also employed in some States to complement the asylum regime. In the Islamic Republic of Iran, a headcount exercise enabled 2.6 million Afghans to obtain temporary documentation. In the Americas, Venezuelans in need of international protection continued to enjoy access to asylum, temporary protection and regularization, including in Argentina, Colombia, the Dominican Republic, Ecuador, Peru and Uruguay. Brazil extended its humanitarian visa and temporary protection policy for Haitians, and Costa Rica implemented a special temporary-stay arrangement on humanitarian grounds for certain individuals from Cuba, Nicaragua and Venezuela (Bolivarian Republic of), whose asylum claims were rejected but who could not return. Belize initiated an amnesty programme for undocumented foreigners, including asylum-seekers, providing a pathway for permanent residence. Ukrainians continued to benefit from temporary protection under a European Union directive and from national protection schemes across Europe and beyond. These mechanisms are essential for providing protection in the context of large-scale displacement and ongoing conflict.

18. An independent evaluation of the work of UNHCR in support of asylum capacity development¹ released in 2022 made a number of key recommendations, including that the organization should revise and expand its strategy and guidance in this area and take a more strategic, performance-driven approach. UNHCR is committed to more effectively supporting States as part of the management response to the evaluation. This includes the development of a five-year strategy on asylum capacity development, in close consultation with States, that will shape the organization's engagement in this area in the coming years.

19. UNHCR issued guidance to support States in decision-making on asylum claims, particularly through the provision of country guidance. It issued positions on returns to the Democratic Republic of the Congo and to the Sudan, international protection considerations on Nicaragua and Somalia², and country guidance on Afghanistan². UNHCR is also revamping its Refworld website, which provides decision-makers and other stakeholders with policy and law information, making it more user-friendly.

20. In over 50 countries where it conducts refugee status determination under its mandate, UNHCR continued to improve the quality and efficiency of its procedures. While processing more than 91,000 individual claims in 2022, UNHCR developed the capacity of its staff to address particular types of claims and to work with

¹ UNHCR, "UNHCR Asylum Capacity Development Evaluation" available at <https://www.unhcr.org/media/es/2022/01-unhcr-asylum-capacity-development-evaluation>.

² Available from <https://www.refworld.org/>.

individuals with specific needs, including children and those with mental health needs.

21. At the 2019 Global Refugee Forum, many States made pledges to improve their asylum systems and support other countries to do so. However, many pledges in this area remain to be implemented. Demand for asylum capacity support by far exceeds supply. At the 2023 Global Refugee Forum, States are urged to recommit to fundamental protection principles and make pledges in this area that are concrete and implementable. UNHCR supported the implementation of pledges relating to asylum and, particularly, the initiatives of the Asylum Capacity Support Group. The online portal for the Asylum Capacity Support Group contains good practices, which are helpful in the development of new pledges. In response to calls for the Asylum Capacity Support Group to assume a more active convener role in the asylum capacity space, a Dialogue Platform³ was launched earlier this year.

III. The right to enjoy asylum

22. Since the Universal Declaration of Human Rights was adopted, the right to seek and enjoy asylum has been developed through the frameworks for international refugee law and international human rights law, and other relevant branches of law. The Universal Declaration of Human Rights and subsequent legal developments have conferred a catalogue of rights upon refugees, including socioeconomic and civil and political rights. To ensure access to and the effective enjoyment of asylum, a human-centred approach is required, recognizing the need for unconditional respect for rights and human dignity. While challenges exist, including gender-based violence, xenophobia, stagnating economies, limited socioeconomic opportunities and disasters, advances in inclusion and expanded opportunities for solutions in recent years have enabled many refugees to better enjoy asylum and the rights that come with it.

23. Stigmatization, prejudice and marginalization can prevent displaced and stateless people from enjoying the rights conferred on them by international law. Preventing and addressing discrimination, on any grounds is therefore essential. UNHCR works with partners to ensure that displaced and stateless people can participate in the economies and societies in which they reside and have meaningful access to their rights through systems that are safe, non-discriminatory and inclusive.

24. Over the past year, uneven and slow economic growth limited the ability, and sometimes the willingness, of States to support refugees, internally displaced persons and stateless people in ways that are consistent with their rights. This pushed many into poverty, particularly where access to work and other sources of subsistence were limited. While it is established that refugees can contribute positively to their host countries in the long-run, their presence can have a significant short-term impact on local economies, including rising food prices. As a result, rising anti-refugee rhetoric, violence and further displacement have been observed in some host countries, particularly those already experiencing hardship.

25. In 2022, disasters affected the ability of people in many countries to enjoy asylum and caused further displacement. Between July and September, over 3.4 million refugees, internally displaced persons and members of host communities were affected by floods in Burkina Faso, Cameroon, Chad, Mali, the Niger and Nigeria. In South Sudan, more than 1 million people needed assistance following severe floods that took place in November. In Pakistan, floods impacted around 33 million individuals, destroying and damaging homes, farmland and livestock, affecting both refugees and host communities. In early 2023, earthquakes in the

³ For more information about the Dialogue Platform, see <https://acsg-portal.org/wp-content/uploads/2023/01/ACSG-Dialogue-Platform-January-2023.pdf>.

Syrian Arab Republic and Türkiye took the lives of tens of thousands of people, including refugees, and impacted millions, leaving many injured and without shelter. Drought was a driver and result of displacement in the Horn of Africa, with the region entering its fifth consecutive wet season with no rain. UNHCR is actively engaged in the response to disasters in vulnerable countries and communities, where refugees, internally displaced persons, stateless people and host communities are impacted. It is also helping to reduce risks by strengthening preparedness and building resilience, in line with its 2021 Strategic Framework on Climate Action.

26. UNHCR, development actors, humanitarian partners and international financial institutions, can leverage their expertise, analysis and financing to support stability and progress in host communities, while ensuring access to protection and solutions. Effective inter-agency coordination is crucial to this endeavour. The Regional Refugee and Resilience Plan in response to the Syrian refugee crisis, co-led by UNHCR and the United Nations Development Programme, ensures linkages between the humanitarian response and longer-term national strategies for inclusive growth and sustainable development. In the Americas, the inter-agency coordination platform for refugees and migrants from Venezuela (Bolivarian Republic of) launched its response plan for 2023-2024. The plan brings together over 200 partners, implementing humanitarian, protection and socioeconomic activities for Venezuelan refugees and migrants and host communities. In Costa Rica, the Global Concessional Financing Facility, managed by the World Bank, provides funding to aid development projects, benefiting asylum-seekers, refugees and host communities.

A. Inclusion in national systems and economies and development action

27. The total number of displaced people continues to rise, with the majority displaced for at least five years and in some of the poorest countries in the world. According to the World Bank, the majority are hosted in low and lower-middle income countries, where economies are fragile with weak national services and heavily reliant on international assistance, and where laws are sometimes restrictive and face challenges to implementation. Many countries welcoming large numbers of refugees have seen a decline in living conditions for both refugees and host communities. Displacement and statelessness are not only humanitarian concerns but have longer-term development implications. Protection and development are, therefore, mutually interdependent and reinforcing.

28. Longer-term development initiatives can encourage governments to build strong legal frameworks and develop fully inclusive policies and programmes. In line with its mandate, UNHCR supports accession to international and regional legal instruments, including the 1951 Convention and its 1967 Protocol, the withdrawal of reservations, and the adoption and implementation of inclusive laws and policies to strengthen national systems and the provision of services. Collaboration across the peace, humanitarian and development nexus can help affected countries and communities avert and respond to crises and advance protection and solutions, while stimulating economic growth and increasing the welfare of host societies.

29. Yet many countries have laws, policies and practices that exclude displaced and stateless people from accessing their rights. For instance, 44 per cent of contracting States have reservations in place restricting the rights provided to refugees in the 1951 Convention and its 1967 Protocol. Approximately 70 per cent of refugees live in countries with legal restrictions on their formal employment, where they are not allowed to open and operate businesses, cannot access land for agriculture and have limited freedom of movement. Even in countries with favourable laws and policies, challenges persist because of discrimination and a lack of awareness of the rights of refugees. As highlighted in the World Bank's May 2023

World Development Report, this not only severely impacts the self-reliance of refugees, but leads to missed opportunities to address the needs of the labour market. Acknowledging the distinct rights and protection needs of refugees, alongside migrants, the report examines the challenges and the significant and substantial opportunities in this area. These include the chance for States to harness the economic potential of refugees and migrants to address labour market shortages, including through recognizing their right to work and more far-sighted, strategic responses to human mobility.

30. Many low and middle-income countries made far reaching commitments in the context of the first Global Refugee Forum in 2019 and universal periodic reviews to improve access to rights and include refugees in national systems and economies. However, sufficient and predictable long-term capacity and financing are required to implement these commitments. While progress on inclusion in national systems, prior to the achievement of durable solutions, has been made in numerous countries, these efforts are dependent upon contributions channelled through UNHCR and other humanitarian actors.

31. These issues were discussed at the High Commissioner’s Dialogue on Protection Challenges in December 2022, which took stock of progress achieved and challenges remaining for strengthening development cooperation across the cycle of displacement, focusing on early action, inclusion and solutions. The Dialogue highlighted the potential of regional coordination mechanisms and frameworks. In December 2022, the Regional Comprehensive Protection and Solutions Framework (known by its Spanish acronym “MIRPS”) in the Americas marked its fifth anniversary with the adoption of the Tegucigalpa Declaration. This sought to reinforce national and local institutions and foster dialogue and actions for shared responsibility and regional solidarity. Strategic recommendations were made and actions proposed to improve humanitarian-development cooperation and jointly improve access to rights in law, policy and practice.

B. Access to services

32. Inclusive policies and practices can help ensure access to rights for people in vulnerable situations and with specific needs. Taking into account age, gender and diversity considerations, as well as specific needs, UNHCR promotes access to services for refugees, internally displaced persons and stateless people, recognizing the need for effective responsibility-sharing and support to host countries and communities. In Jordan and Mauritania, UNHCR and the World Food Programme (WFP) embarked on a joint profiling and harmonized approach to assessing the welfare of vulnerable households. Financial inclusion was secured in Argentina, Brazil and Costa Rica through measures to provide access to bank accounts. In Ecuador and Mexico, private companies were encouraged to employ refugees, and in Chile, support was provided for skills training, while products and services offered by refugees were commercialized through private sector partnerships. In Colombia, almost 1.5 million Venezuelans received temporary protection permits, with an additional 500,000 having been biometrically registered, facilitating access to rights and socioeconomic inclusion. Uganda’s integrated refugee response serves as a model for the socioeconomic inclusion of refugees in host communities, with many refugee settlements in the country becoming indistinguishable from host communities.

33. In responding to increasing food insecurity in some regions, UNHCR and WFP developed joint programming to facilitate greater self-reliance. In four countries in Africa, Kenya, Malawi, South Sudan and Zimbabwe, UNHCR initiated insect farming for food, feed and fertilizers to expand innovative, low-cost, green

approaches that improve food security, employment and income-generating opportunities for refugees and host communities.

34. UNHCR is working with States and partners to open opportunities for inclusion, as outlined in its Strategy on Engagement with Development Actors. In the Congo (Republic of), UNHCR is supporting implementation of a social safety net project in Likouala and its expansion in Brazzaville and Pointe Noire, in line with the Government's positive stance towards inclusion and with funding from the World Bank's International Development Association refugee sub-window. The project provides thousands of refugees and host community members with cash assistance and grants for income-generating activities. In Mauritania, through an initiative involving UNHCR and several partners, refugee households have been enrolled in the national social registry, receive regular cash transfers and are eligible for primary health subsidies. In Colombia, the social and economic integration of Venezuelans with temporary protection was supported by development funding. In the Republic of Moldova, UNHCR and partners are working with the Government to strengthen inclusion through social assistance and services, while reinforcing work opportunities.

35. Inclusion facilitates the integration of displaced and stateless populations in their host communities, benefiting host societies and economies by addressing labour and skills shortages and contributing to tax revenues. The relocation of displaced populations in Mexico and Brazil to areas where they can access jobs, housing and education are positive examples in this regard.

36. UNHCR advocates for the rights of displaced and stateless people with disabilities. Through a global partnership with the International Disability Alliance, UNHCR engaged over 200 participants in global consultations to identify priority areas on disability inclusion for 2023 and beyond. Guidance⁴ was developed to help ensure the timely identification of people with disabilities and a meaningful response. In Honduras, UNHCR collaborated with Save the Children, the Honduran Deaf Association and the Honduras Union of the Blind to develop training material on forced displacement for people with visual and hearing impairments. Training was provided to UNHCR protection staff and disability inclusion focal points in the Middle East and North Africa region, and in the Democratic Republic of the Congo, where practical tools were shared and the organization's training package on disability inclusion was rolled out.⁵

37. UNHCR employed community-based approaches to protection to ensure the enhanced participation of displaced and stateless people through cooperation with grass-roots refugee-led organizations, recognizing that community structures are often the first to respond to a humanitarian crisis. Displaced and stateless women were also supported in community leadership and management structures. In Darfur, the Sudan, UNHCR provided community-based structures with equipment and other resources to provide first-line support. In Malta, UNHCR supported community mobilization efforts against female genital mutilation. Multiple UNHCR operations reinforced community volunteer programmes, which facilitate outreach and the identification of people with specific needs.

38. Initiatives to enhance community engagement through digital connectivity were carried out in Chad, Mali and the Niger. In Europe, UNHCR launched a Regional Contact Centre that provided critical information to refugees from Ukraine in neighbouring countries. Globally, UNHCR operated 93 Help.UNHCR.org websites, providing access to information in 32 languages and receiving 14 million

⁴ UNHCR, "Guidance: Identification of persons with disabilities at registration and other data collection efforts", available from <https://www.unhcr.org/media/65079>.

⁵ Available from <https://www.unhcr.org/what-we-do/how-we-work/safeguarding-individuals/persons-disabilities/strengthening-protection>.

visits in 2022. In Afghanistan, assistance for Afghan women and girls was strengthened through the provision of psychosocial support, emergency shelter, community centres, schools and small business development activities. It is crucial to continue this support, in view of efforts to exclude girls from secondary education, ban women from attending university and prevent women staff members from the United Nations and partners from working to meet fundamental needs.

39. UNHCR reinforced its support for organizations led by displaced and stateless people, in line with its localization agenda. It helped build the capacity of volunteers from displaced communities and strengthened community structures. In 2022, a simplified partnership agreement for grass-root organizations was put in place to facilitate their access to small-scale resources. In 2022, UNHCR established an advisory board with 16 member organizations led by refugees, internally displaced persons and stateless people to facilitate meaningful engagement.

C. Child protection and education

40. Children account for 41 per cent of the world's displaced population. Over the past year, complex protection risks for children persisted in the context of new emergencies and protracted displacement. National child protection systems struggled to effectively respond to diverse protection challenges, and solutions in the best interest of the child remained limited. Child protection risks included abuse, violence, neglect, exploitation, child labour and child marriage, family separation and lack of access to services and care. Children were also impacted by the lack of birth registration and limited access to child-friendly asylum procedures. These risks are often foreseeable and can be avoided through robust legal frameworks and institutional interventions from the outset of displacement.

41. UNHCR and partners implemented child protection prevention and response programmes in over 70 countries, in order to strengthen national capacity, including protection services for children at risk. As the gap between the protection needs of children and the financial resources provided continued to grow, UNHCR and partners were unable to provide key services in several countries. In Cameroon, for example, life skills programmes for adolescent boys and girls were scaled back, and the number of children with disabilities who received support declined.

42. States have the responsibility to protect children and establish child protection systems and policies to ensure their safety. UNHCR provided practical guidance on how to adapt existing national child protection systems and services to respond to challenges in 47 operations. The UNHCR-UNICEF Inclusion Toolkit on Refugee Children in National Child Protection Systems was used to assess the extent to which refugee children were included in national child protection systems and to strengthen their accessibility and responsiveness. Child protection services for Ukrainian refugees were provided by the authorities in Hungary, Poland, the Republic of Moldova, Romania and Slovakia, including by adapting policies and procedures, and 36 "blue dot" protection and support hubs were established across seven countries.

43. Under the Blueprint for Joint Action for Refugee Children, UNHCR and UNICEF strengthened the inclusion of refugee children in national child protection systems, scaled up birth registration, mitigate risks, including child marriage, respond to gender-based violence, and strengthened community-based child protection services in 10 country operations. In line with its technical guidance on child-friendly procedures, UNHCR advanced reception, registration, status determination and durable solutions for displaced children. Together with partners, it supported programmes to strengthen the resilience and life skills of children, families and communities in 39 operations. In Mali, 22 child-friendly centres were supported, providing life skills and recreational activities to over 14,500 children and offering information on child protection issues and services to 45,000 people.

44. Education is vital to enable refugees to enjoy asylum through full participation in society. It helps children find purpose and shape their futures. Though progress has been made in increasing access to primary education for refugee children, access to secondary education and the retention of girls in school remain grossly inadequate. There have, nevertheless, been some positive developments, including policy shifts that expanded opportunities for learning. In Mauritania, for example, refugees now have access to the national curriculum. The inclusion of refugees in national education systems is more challenging where resources are lacking. Predictable multi-year financing, benefiting refugee and host communities, is essential, particularly in lower and lower-middle income host countries. Accelerated efforts are needed to meet the World Bank estimate of \$4.85 billion a year required to include all refugees in national systems, although there are promising examples. In Kenya, policy shifts, including the new Refugee Act (2021) and the Marshall Plan for refugees to facilitate self-reliance and ease pressure on host communities, have attracted development financing, including from the World Bank and the Global Partnership for Education, with limited money made available to support camp-based schools.

45. At the primary school level, UNHCR provided access to education for refugee children, with funding from Educate a Child. Since 2012, 1.4 million children have been enrolled in primary education, thanks to support from Educate A Child. This includes nearly 23,000 children enrolled in Uganda in 2022. With refugee children insufficiently addressed in national education plans, programmes and budgets, Educate A Child also contributed in crucial ways to meeting core education costs, including the improvement of infrastructure, construction, teacher compensation, training and materials. To promote physical and psychosocial well-being, social inclusion and cohesion in schools, the Sport for Protection programme was implemented in Chad, Kenya, Rwanda and Uganda.

46. In 2022, the Albert Einstein German Academic Refugee Initiative programme marked 30 years of providing higher education and opportunities to refugee youth in 55 countries, together with over 30 national partners. The programme delivered scholarships to over 9,000 students and enrolled students in over 700 higher education institutions, with a rise in female enrolment from 41 per cent to 43 per cent.

47. Country-level advocacy resulted in access to higher education in Burundi, where a policy was adopted to admit refugee students under the same fee structure as national students. A number of graduates of the Albert Einstein German Academic Refugee Initiative have been admitted to master's degree programmes in France, Germany and Italy. Across the world, working with various partners including the United Nations Education, Scientific and Cultural Organization, the German Academic Exchange Service, the Connected Learning in Crisis Consortium, DuoLingo, Times Higher Education, Open Society University Network and the Tertiary Refugee Student Network, UNHCR is expanding higher education opportunities for refugees and advancing towards the goal of enabling 15 per cent of refugees to access tertiary education by 2023.

D. Protection from gender-based violence

48. Refugees, internally displaced persons and stateless people are at heightened risk of gender-based violence. The risks are compounded by deep-rooted, intersecting forms of discrimination, food insecurity and the effects of climate change. The impact of gender inequality should inform policies and multisectoral programmes to better prevent, respond to and mitigate the risk of gender-based violence. UNHCR continues to prioritize gender action and implement its policy on prevention, risk mitigation and response to gender-based violence, together with the

accompanying provisional gender-based violence policy monitoring framework. Women-led organizations helped ensure the meaningful participation of displaced women, including in coordination mechanisms for the prevention of and response to gender-based violence. The 2022 Refugee-led Innovation Fund recognized seven women-led organizations for their outstanding work with displaced and stateless people.

49. Increasing access to quality services for survivors of gender-based violence, remains a priority. Services for survivors are available in many countries, though many do not have sufficient resources. In Jijiga, Ethiopia, UNHCR worked with the national Bureau of Women, Youth and Children Affairs to strengthen the quality of services for women affected by gender-based violence. UNHCR received funding from the Safe from the Start initiative, funded by the United States of America, to deploy specialists focused on the prevention of gender-based violence to emergencies. Specialists were deployed to the Central African Republic, Chile, Djibouti, Ethiopia, the Islamic Republic of Iran, the Niger, Pakistan, Poland, the Republic of Moldova, Somalia and the Syrian Arab Republic, reaching over 1 million displaced people through their outreach.

50. UNHCR took steps to prevent violence against women by engaging communities in addressing harmful social norms and practices, implementing the “Engaging men in accountable practices” initiative in Indonesia, Iraq, Malaysia, Nigeria, South Sudan, the Syrian Arab Republic and Thailand.

E. Resettlement and complementary pathways

51. Resettlement, complementary pathways and family reunification provide life-saving routes for refugees to enjoy asylum and find solutions, representing a tangible demonstration of solidarity and burden- and responsibility-sharing. In 2022, a third country solutions roadmap⁶ was launched, reaffirming three mutually reinforcing goals: to expand resettlement; to advance complementary pathways and family reunification; and to build the foundations for welcoming and inclusive societies. The roadmap aims to expand opportunities for third-country solutions to 3 million refugees through resettlement (1 million) and complementary pathways (2 million) by 2030. While there are positive signs of commitment from States and other stakeholders, achieving these targets remains a significant challenge.

52. Resettlement is considered a critical protection tool for refugees at risk. In 2022, submissions were up by 84 per cent compared to 2021, with expanded submissions for Afghans and Rohingya. The impact of the COVID-19 pandemic and events in Afghanistan and Ukraine strained processing capacity and affected objectives to increase resettlement.

53. The implementation of measures to reunify separated refugee families must be a priority, in line with the right to family unity. UNHCR advocated family reunions in response to the emergency in Ukraine and following the earthquakes in the Syrian Arab Republic and Türkiye. Notwithstanding the right to enjoy family life, administrative and practical obstacles, including lack of access to consulates, present barriers. UNHCR urges procedural flexibility, including remote processing and flexible documentation requirements. It acts as the Secretariat of the global Family Reunification Network, which serves as a global platform for cooperation and information-sharing. In 2022, the Network provided country situation updates for Ethiopia, Pakistan and Sudan to inform partner engagement, and is currently

⁶ UNHCR, “Third country solutions for refugees: Roadmap 2030”, June 2022, available from <https://globalcompactrefugees.org/media/third-country-solutions-refugees-roadmap-2030>.

mobilizing members around impactful pledges for the 2023 Global Refugee Forum to increase family reunification in line with the Global Compact on Refugees.

54. The momentum behind efforts to secure labour and education pathways continued, with programmes launched in Belgium, France, Ireland the Republic of Korea and the United Kingdom of Great Britain and Northern Ireland, while tertiary education pathways were expanded in Italy and Japan. The work of global task forces on education and labour mobility pathways helped expand access to complementary pathways through engagement with a large community of practice, capacity-building efforts and the development of guidelines and tools.

IV. Upholding the rights of internally displaced persons

55. People displaced inside their own countries by armed conflict, generalized violence and human rights violations constituted the majority of displaced people globally in 2022, an increase of 57.3 million. Safeguarding the rights and guarantees relevant to protection against arbitrary displacement, ensuring protection and assistance during displacement, and finding solutions, are core elements of the work of UNHCR in situations of internal displacement and are in line with the Guiding Principles on Internal Displacement.

56. The right to be protected from displacement continues to be undermined, including due to violence, with the majority of situations where UNHCR works being in active conflict areas and characterized by recurrent violations of international humanitarian law, particularly against civilian populations. UNHCR promoted new guidance for States on making arbitrary displacement a crime, deterring and ending impunity, and promoting access to justice and solutions. Addressing internal displacement remained among the Secretary-General's priorities in the context of the protection of civilians. UNHCR undertook global advocacy to reinforce these efforts, together with the United Nations Mine Action Service and the United Nations Institute for Disarmament Research, focusing on the impact of urban warfare on displacement.

57. UNHCR is engaged in situations of internal displacement in 33 countries where internal displacement resulted from factors such as armed conflict, violence and human rights violations, often in conditions where food insecurity and other vulnerabilities were exacerbated by climate change.

58. UNHCR leads the Global Protection Cluster in 28 out of 32 protection cluster and cluster-like mechanisms, where it advocates the rights of internally displaced persons and responds to the needs of 140 million in need of protection. In 2022, more than 280 partners worked in coordinated efforts around the centrality of protection, human rights, disability inclusion, law and policy, anti-trafficking, mental health and psychosocial support, cash for protection and advocacy. In 2022, more than 2,000 people participated in the annual Global Protection Forum, which convened field coordinators, partners and key stakeholders to discuss contemporary and emerging protection challenges. The Global Protection Cluster's campaign on access that protects led to the adoption of an agenda for change, which seeks to ensure sustained quality access to protection.

59. Together with the Special Rapporteur on the Human Rights of Internally Displaced Persons, UNHCR co-leads the Protection Expert Group on Internally Displaced Persons, with participation from key experts including former Special Rapporteurs, Resident Coordinators and Humanitarian Coordinators, and thought leaders and academics from different disciplines to provide senior-level advisory support to States on protection. The Protection Expert Group contributed to a long-awaited law on internally displaced persons adopted by the Congress in Honduras.

60. Recognizing that national authorities have the primary duty and responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, UNHCR supported States to develop and implement national laws and policies on internal displacement. It supported advances in Burkina Faso, Ethiopia, Honduras, Mexico, Nigeria, the Philippines and South Sudan. UNHCR also released its first global report on law and policy on internal displacement, offering a comprehensive picture of three decades of legal and policy developments and outlining obstacles and opportunities to concretely advance protection and solutions in various countries. The challenges, nevertheless, remain formidable, including in Afghanistan, where UNHCR and partners are struggling to provide support to internally displaced women and girls because of restrictions on the presence of female staff. This complicates efforts to support returns, which many internally displaced Afghans hope to pursue with improvements in the security situation in some parts of the country. In situations where humanitarian access is limited, such as in Myanmar, UNHCR and partners have expanded cooperation with community-based organizations and faith groups in order to reach internally displaced persons and deliver emergency assistance, while piloting cash assistance in support of transitional solutions led by internally displaced persons.

61. States bear the primary duty and responsibility to establish conditions which permit solutions, including by facilitating and ensuring the full participation of internally displaced persons. This includes measures to ensure that internally displaced persons can participate in elections, as participation is often hindered by residency and documentation requirements that these populations cannot meet. Participation in electoral processes allows internally displaced persons to ensure their interests are represented and that they play a meaningful part in the community, exerting influence on politicians to address their displacement. UNHCR is a core member of the Steering Group on Solutions to Internal Displacement, which was formed to support implementation of the Secretary-General's Action Agenda on Internal Displacement and to drive increased action and a one-United Nations approach to solutions. To build on efforts to advance solutions, UNHCR enhanced its support to United Nations Resident Coordinators and cooperated with the International Monetary Fund on joint macroeconomic engagement in response to internal displacement.

V. The right to a nationality

62. Currently, data on 97 countries indicates that there are 4.4 million stateless people or people with undetermined nationality, an increase of 91,000 people compared to 2021. Millions of stateless people continue to be deprived of access to basic rights and services, leaving them vulnerable to exploitation and abuse. Discrimination in nationality laws and policies continues to be one of the main causes of statelessness, with little evidence of the political will to change such laws and policies in many countries. The continuing rise of xenophobia and ethno-nationalism threatens to create new situations of statelessness in several parts of the world, and the significant increase in forced displacement has put many more at risk of statelessness. The conflict in Ukraine has starkly highlighted the vulnerable situation in which stateless people find themselves, with reports that stateless people fleeing the conflict have faced additional barriers when seeking safety due to their lack of nationality or lack of civil documentation. Many stateless people from Ukraine have not received the same level of protection that is extended to other people fleeing the conflict.

63. Notwithstanding the challenges, several States have made significant progress in addressing statelessness over the past year. Several have reformed laws and policies to recognize stateless populations as nationals and grant women and men

equal rights in passing on nationality to their children. Further achievements concern the adoption and implementation of a statelessness determination procedure, in line with the 1954 Convention relating to the Status of Stateless Persons. This provides the means to determine statelessness clearly and consistently, ensuring stateless people receive protection and the ability to access their rights. Temporary protection or temporary stay arrangements can also be an important legal basis to protect stateless people. In Portugal, the Government has been interpreting the European Union Temporary Protection Directive in a flexible manner, extending temporary protection to some categories of stateless people from Ukraine.

64. To implement the recommendation to end statelessness in the Secretary-General's "Our Common Agenda" report, UNHCR commenced a process with stakeholders, including people affected by statelessness, to establish a Global Alliance to End Statelessness. This multistakeholder global alliance, with a planned launch in 2024, will build on the concrete gains and momentum generated by the #IBelong Campaign and serve as a platform to increase collective advocacy efforts, catalyse political commitments to address the problem, and accelerate the implementation of concrete solutions to statelessness.

65. With less than two years left of the #IBelong Campaign, UNHCR will continue its global work to address statelessness, including through support for the implementation of pledges made at the Global Refugee Forum. As one of the High Commissioner's strategic focus areas, UNHCR developed a new strategic plan to guide its work to prevent and respond to statelessness until 2026. Additionally, 28 priority operations have been selected for amplified advocacy efforts and operational support. UNHCR is working with States to develop and implement national action plans to end statelessness. UNHCR also contributes to creating and strengthening networks of national and regional civil society organizations to foster engagement with stateless people and civil society. To improve statistics on statelessness, the United Nations Statistical Commission endorsed UNHCR's recommendations to facilitate the production of statelessness statistics at the national level and promote greater harmonization of the data regionally and globally.

VI. The right to return

66. People have the right to return to their own country, in safety and in dignity, and be granted the full set of rights and privileges to which they are entitled as nationals. Voluntary repatriation undertaken in conditions of safety and dignity is the only traditional durable solution anchored in international human rights law. UNHCR maintains its legal responsibility for the protection and assistance of refugees and mandated interest in the consequences of their return, regardless of whether refugees are repatriating with its assistance or in a self-organized manner.

67. In recent years, many returns take place in adverse circumstances and are largely self-organized, with relatively little or predictable support. Return in such conditions occur when refugees find themselves in a precarious situation in their host country, with limited alternative solutions. Return to a country of origin, where conflict remains unresolved and conditions are uncertain and unstable, is not considered a durable solution.

68. Ongoing instability in many countries, including in Afghanistan and Myanmar, are hindering voluntary return. Nonetheless, UNHCR and partners have continued to make gains in the priority areas of return and reintegration in Afghanistan, providing access to health care, education and livelihoods. Regarding Myanmar, a comprehensive regional approach seeks to expand solutions for Rohingya refugees and maintain support for host countries. It focuses on safeguarding the right to return and creating the conditions for voluntary, safe dignified and sustainable repatriation, while expanding third country solutions and

strengthening the resilience of refugees through education, skills development and livelihoods. UNHCR collaborates closely with the Association of Southeast Asian Nations and other regional actors, as well as with the Special Envoy of the Secretary-General on Myanmar to help find lasting solutions. In June 2022, the application of the cessation clauses for Ivorian refugees came into effect, following the peaceful resolution of two decades of civil conflict in Côte d'Ivoire. Ivorians with ongoing international protection needs have the opportunity to request an exemption from cessation.

69. Following the formal end of conflict, re-establishment in the country of origin is often challenging due to unaddressed root causes of the conflict, overstretched services and the lack of livelihood opportunities. The situation in Burundi highlights some of these challenges. While since 2017, UNHCR and partners have facilitated the voluntary repatriation of more than 207,000 Burundian refugees, as the conditions in Burundi have improved, increased support is needed from development actors to expand access to services and livelihoods in the communities where returnees need to be reintegrated into national and, as relevant, United Nations development plans and initiatives.

VII. Conclusion

70. As the international community marks the seventy-fifth anniversary of the Universal Declaration on Human Rights, it is an important moment to recall the value of the international human rights framework. It is also time to reassert and reinforce its key principles, including the right to seek and enjoy asylum and the right to protection against arbitrary displacement. Persecution, violence and human rights violations compel many people to flee their homes, communities and countries, including in recently emerging conflicts that have seized the world's attention. These factors also prevent millions of others from being able to return home. This underscores the need for access to rights in host countries and redoubled efforts to achieve solutions, supported by effective burden- and responsibility-sharing among States. While mixed movements add to the scale and complexity of displacement challenges, they also bring to the fore the critical importance of responses to global mobility that reflect human rights. As UNHCR, States and other stakeholders, including refugees, internally displaced persons and stateless people as equal partners, look ahead to the second Global Refugee Forum, the commitment to rights needs to be reflected in more effective action, which brings about positive change to the lives of those in need of protection.
