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## Agenda for Protection: review and way forward

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## **I. Introduction**

1. The *Agenda for Protection* (AfP) was one of the important outputs of the Global Consultations on International Protection (December 2000 - May 2002), a process that marked the commemoration of the 50<sup>th</sup> Anniversary of the 1951 Convention relating to the Status of Refugees. The AfP was also conceived from in-depth discussions in UNHCR's Standing Committee on issues that were not or only partially covered by the 1951 Refugee Convention and its 1967 Protocol, but were found to present formidable challenges for UNHCR and the broader international community when seeking to improve the protection of asylum-seekers and refugees around the globe. Endorsed in 2002 by UNHCR's Executive Committee and welcomed by the General Assembly, the AfP reflected a broad-based consensus on goals, objectives and actions deemed necessary both to uphold and strengthen the international refugee protection regime.

2. This note broadly reviews implementation of the AfP; assesses its impact; and concludes with some reflections on the way forward as the Office prepares to mark UNHCR's 60<sup>th</sup> anniversary, the 60<sup>th</sup> anniversary of the 1951 Refugee Convention, and the 50<sup>th</sup> anniversary of the 1961 Convention on the Reduction of Statelessness.

## **II. Review of UNHCR implementation**

3. The AfP remains an ambitious, multi-year programme of action for UNHCR, States and partners. It also provides key policy directions for the Office and effectively guides UNHCR's protection work. Given the extensive reporting to date, only some examples of the work undertaken to implement the AfP have been highlighted below.

### **A. Improving registration and documentation**

4. Within its first goal of strengthening implementation of the 1951 Convention and 1967 Protocol, the AfP recognized that registration is not only an essential tool for protection and for the achievement of durable solutions, but is also important in the management of operations. The information compiled through the registration process is required to support a wide range of activities including the issuance of identity documents; refugee status determination; planning and targeting of assistance and services; providing access to services (e.g. ration cards and health cards); the identification of beneficiaries with special needs; and the implementation of durable solutions (voluntary repatriation, resettlement, and local integration).

5. The Executive Committee has welcomed the significant strides made by the Office in improving systems and guidance for registration. This has been achieved, inter alia, through the publication of the *UNHCR Handbook on Registration* (2003) and *Operational Standards for Registration and Documentation* (2009), combined with robust and comprehensive registration exercises at the field level, including the introduction of biometric features. UNHCR's Profile Global Registration System (proGres) is a registration database application, which incorporates the registration standards defined in the Handbook, and in ExCom Conclusion No. 91 (LII) on the Registration of Refugees and Asylum-seekers (2001).

### **B. Protecting refugees within broader migration movements**

6. With the growing scale, scope and complexity of population movements and recognition of the points of intersection between refugee protection and international migration, Goal 2 of the AfP suggested a range of objectives and activities to better protect

refugees immersed within broader migration movements. This is another area where substantial progress has been made.

7. One example is UNHCR's strengthened operational and strategic cooperation with the International Organization for Migration (IOM). This includes the biannual strategic consultations between the High Commissioner and the Director General of IOM, as well as their respective senior management teams. In December 2009 UNHCR and IOM issued *Joint Guidance on Developing Standard Operating Procedures to Facilitate the Protection of Trafficked Persons*. This document calls for the development of standard operating procedures between IOM and UNHCR at the country level, and sets out a procedure for cooperation to ensure that the available expertise, capacities, and potential of both partners are effectively employed to deliver the best possible protection and assistance for victims of trafficking.

8. UNHCR continues to encourage implementation of its *10 Point Plan on Refugee Protection and Mixed Migration*, issued in January 2007, which serves as a tool to assist all stakeholders in incorporating refugee protection considerations into broader migration policies and practices. IOM has actively participated in discussions at the regional level regarding implementation of the 10 Point Plan. The Office has also assisted some States in operational arrangements aimed at identifying refugees in mixed flows and has compiled good practices relevant to the implementation of the 10 Point Plan.

9. The link between refugee protection and mixed migration was an issue which was debated extensively in the first High Commissioner's Dialogue on Protection Challenges in December 2007. In support of the AfP (Goal 1, objective 5, action 2), the Dialogue has more broadly provided an excellent "forum for high-level and participatory dialogue on protection issues, emerging global themes and challenges, as well as specific protection situations". UNHCR is also a founding member of the Geneva Migration Group, the predecessor of the Global Migration Group (GMG), and remains an active partner in ongoing discussions on refugee protection in the context of mixed migration movements.

### **C. Responding to age, gender and diversity issues**

10. The AfP makes numerous suggestions about how to improve the security and protection of women and children. Indeed, AfP Goal 6 is entirely devoted to objectives and activities aimed at meeting the protection needs of this group. While much progress remains to be achieved, a recently concluded external evaluation of UNHCR's age, gender and diversity mainstreaming (AGDM) strategy observes that at the conceptual level, it encompasses and goes beyond analogous initiatives in other UN organizations. The Steering Committee for Humanitarian Response (SCHR) peer review on accountability to disaster-affected populations, also found that UNHCR has gone further than most in pursuing its commitment to senior management accountability for AGDM and accountability to persons of concern. The AGDM has been deemed a 'cutting edge tool' and the Office has been commended for its methodical development and implementation.

11. Additional important findings of UNHCR's approach to AGDM are that:
- Participatory assessments involving persons of concern have improved programme and protection responses, and led to specific targeted actions and improvements in the protection situation for one or more groups of persons of concern;
  - The introduction of multi-functional teams (bringing together protection, programme, community services and other work units) have improved the quality of operational responses;
  - There has been a change in the operational culture of UNHCR since the introduction of AGDM including increased interaction with persons of concern, changed attitudes and assumptions, and a renewed sense of purpose through direct contact with persons of concern; and
  - NGO partners and donors are supportive of the approach and view AGDM as essential to UNHCR's mandate to protect all persons of concern, not just refugees.

#### **D. Redoubling the search for durable solutions, including by expanding and making more efficient use of resettlement**

12. Finding durable solutions is an important element of UNHCR's core mandate. Since endorsement of the AfP, the Office has made durable solutions a key global strategic priority. The High Commissioner's Dialogue on Protection Challenges in 2008 focused on protracted situations and contributed to encouraging the noteworthy decision of the United Republic of Tanzania to integrate through naturalization some 218,000 Burundian refugees who had arrived in the country close to 40 years ago. The refugee situation in the United Republic of Tanzania is one of five such situations that form part of the High Commissioner's 2008 initiative on finding solutions to protracted refugee situations. In the first quarter of 2009, the Office went further in developing a three-year Global Action Plan on Protracted Refugee Situations as a follow-up to the High Commissioner's Dialogue.

13. Since the upgrading of the resettlement function with the creation of the Resettlement Service in 2006, UNHCR has steadily increased its identification and submissions of persons in need of resettlement, from over 54,000 submissions in 2006 to 121,000 in 2009 – a 224 per cent increase. In addition, significant progress has been made and resources invested in increasing the number of resettlement places on offer; multiplying the number of countries that resettle refugees; boosting UNHCR and NGO capacity; and launching multi-year resettlement planning.

### **III. Review of state implementation**

14. While some Executive Committee members and Standing Committee observers have occasionally reported on their own progress with respect to the Agenda for Protection, it is difficult for UNHCR to assess the impact of the initiative more broadly. At the June 2008 meeting of the Standing Committee UNHCR announced the intention to elicit State perspectives on progress achieved at the national level. UNHCR country offices were invited to contact Government counterparts, share a matrix summarizing the AfP's goals and objectives, as well as suggested activities, and encourage States to report on their own performance, both nationally and globally.

15. The feedback received from States varied widely. Some provided a comprehensive account of activities carried out pursuant to the AfP, whereas others only reported on activities deemed to be more relevant for, or considered a priority by, the country concerned. Nevertheless, UNHCR compiled the feedback provided in a *Preliminary Report on Feedback by States on their Implementation of the Agenda for*

*Protection.* A further update was submitted to the 45<sup>th</sup> meeting of the Standing Committee, reflecting developments up to May 2009, based on a total of 46 responses.

16. The responses provided valuable information and insights. Most States commented on progress as well as the challenges being encountered. The challenges revolved mainly around protection delivery and the recommendations related to filling policy, legal, administrative or operational gaps.

17. Overall, the reports reflect a strong commitment to the AfP's goals, objectives and activities. A particularly welcome factor has been the frequent reference to age, gender and diversity mainstreaming, and the need for community-based approaches and participatory assessments. Numerous references to the Executive Committee's Conclusions on International Protection underscored their importance as key sources of guidance in relation to protection.

#### **IV. Assessment of impact**

18. While it is recognized that efforts are still required to achieve a limited number of individual objectives in the AfP, UNHCR believes that the implementation phase is drawing to a close. In assessing the impact of the AfP, the Office wishes to highlight the following positive contributions:

- The AfP has proved to be visionary both in its assessment of protection challenges and in pointing the way for improvement. Overall it has effectively defined UNHCR's 'protection agenda', and that of States and partners, since its endorsement in 2002.
- The participatory manner in which the AfP was developed contributed to a broad-based commitment to its implementation.
- The AfP was instrumental in identifying themes for potential ExCom Conclusions, as well as areas where additional UNHCR guidelines and tools would be needed. In so doing, it introduced a degree of predictability. Such a multi-year programme of Conclusions proved valuable, enabling UNHCR and States to anticipate and plan for their adoption.
- The AfP's impact is not limited to UNHCR and its operations. It has been drawn upon in other fora.

#### **V. The way forward**

19. The AfP is a valuable legacy of the 50<sup>th</sup> anniversary commemoration of the 1951 Refugee Convention. It is timely to reflect upon future challenges and how they could be addressed in relation to populations of concern to the Office, building upon the AfP and the results of the three Dialogues on Protection Challenges to date. As UNHCR prepares to mark the 60<sup>th</sup> anniversary of the 1951 Refugee Convention, as well as the 50<sup>th</sup> anniversary of the 1961 Convention on the Reduction of Statelessness, UNHCR looks forward to working closely with States, NGOs, people of concern and other actors in finding practical solutions to the challenges that lie ahead.

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