

## Chapter XII

## Refugees and displaced persons

In 2006, the worldwide declining refugee trend was reversed as some 1.2 million new Iraqi refugees in Jordan, Lebanon and the Syrian Arab Republic were registered. The number of persons of concern to the Office of the United Nations High Commissioner for Refugees (UNHCR) rose to 32.9 million, from 20.8 million in 2005. Of the total, some 9.9 million were refugees, 12.8 million internally displaced persons (IDPs), 5.8 million stateless persons, and 738,000 asylum-seekers. Some 2.6 million returned to their place of origin and the remaining 1 million were forced migrants and others of concern.

During the year, UNHCR achieved success in some areas, but was thwarted by constraints in others. In addition to its core protection and assistance activities to refugees, UNHCR committed itself to shared humanitarian responsibilities under the inter-agency cluster approach, whereby it assumed the global leadership of the protection cluster and co-led the camp coordination and camp management cluster with the International Organization for Migration. Almost all continents witnessed at least some progress towards solutions to forced displacement. A total of 2.6 million refugees and IDPs returned to their homes, including almost 400,000 to Afghanistan and around 1.4 million in Africa. In Latin America, UNHCR supported the local integration of refugees and facilitated their self-reliance in urban and border areas. However, a number of new, renewed, accelerating or entrenched crises produced millions of new refugees and IDPs in Africa, Asia and the Middle East. Ongoing violence in Iraq resulted in massive displacements, both internally and externally to Jordan and the Syrian Arab Republic, while the July/August war that erupted in Lebanon displaced 1 million Lebanese. The political instability and violence in Timor-Leste displaced 150,000 people, the breakdown of the peace process in Sri Lanka resulted in the internal displacement of 200,000 persons and a renewed crisis in the 15-year old conflict in Somalia caused thousands of Somalis to cross the border into Kenya. In the Darfur region of the Sudan, 2 million people were internally displaced by the end of the year, which adversely impacted neighbouring Chad. Rebel uprisings and cross-border raids caused disruptions to operations for 222,000 Sudanese refugees living in camps in

the east of the country and increased the number of people displaced inside Chad to 113,000.

Another issue of concern to UNHCR was the complexity of mixed migrations, especially the increasing number of people migrating by boat in the Gulf of Aden, the Caribbean, the Mediterranean, along Africa's Atlantic coast and between Indonesia and Australia. A significant number of refugees were caught up in those flows. UNHCR made efforts to help States address the issue.

Despite an improved refugee protection environment, UNHCR continued to highlight the need for a clear framework for the exercise of the "responsibility to protect", particularly with regard to the situation of IDPs in the Darfur region, and emphasized the importance of preserving the institution of asylum, opposing all forms of refoulement and ensuring respect for international refugee law. In October, the UNHCR Executive Committee adopted conclusions on women and girls at risk and on the identification, prevention and reduction of statelessness and protection of stateless persons, which included mechanisms and standards for addressing the protection issues of those vulnerable groups. Financially, 2006 was a difficult year for UNHCR. Austerity measures were put in place and the resulting cutbacks meant that some projects had to be delayed or suspended. During the year, UNHCR reassessed its mission and implemented structural and management reform. On 1 January, Erika Feller began her duties in the newly-established post of Assistant High Commissioner for Protection.

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### Office of the United Nations High Commissioner for Refugees

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#### Programme policy

**Executive Committee action.** At its fifty-seventh session (Geneva, 2-6 October) [A/61/12/Add.1], the Executive Committee of the UNHCR Programme, in a conclusion on women and girls at risk, acknowledged that forcibly displaced women and girls were exposed to particular protection risks related to their gender, such as trafficking. It underlined the importance of identifying and analysing

the range of factors that put women and girls at risk; recommended preventive strategies to be adopted by States, UNHCR and other agencies and partners; and provided a non-exhaustive list of recommended individual responses and solutions. The Committee recommended that UNHCR include a more detailed elaboration of those issues in the UNHCR *Handbook on the Protection of Women and Girls*.

In other actions, the Committee adopted a conclusion on identification, prevention and reduction of statelessness and protection of stateless persons, and decisions on institutional and on administrative, financial and programme matters.

In his opening statement to the Committee [A/AC.96/SR.599], the High Commissioner provided an update on the status of the six commitments he had made at the Committee's fifty-sixth (2005) session [YUN 2005, p. 1301]. They concerned: strengthening UNHCR identity as a protection agency; making UNHCR a fully engaged partner in the cluster approach to internal displacement situations; addressing protection concerns in mixed population flows (migrants seeking work and persons in need of protection); placing greater emphasis on the sustainability of returns and the enhanced role of resettlement; re-establishing a quick and flexible emergency response capacity; and reforming the structure and management of UNHCR to make it more flexible, effective and results-oriented. With regard to preserving asylum and rebuilding trust in the asylum systems, the High Commissioner cited Burundi's application of fair and effective asylum procedures for Rwandan refugees. In the area of strengthening protection capacity, the Assistant High Commissioner for Protection would lead the debate across the organization on such critical protection issues as mixed population flows, data protection, facilitation and promotion of voluntary repatriation, sexual and gender-based violence, statelessness, exit strategies, exclusion in a time of terrorism, alliances for protection, resettlement and internal displacement. As to the cluster approach to internal displacement, the High Commissioner stated that it had opened up new opportunities for durable solutions and the lessons learned in the pilot countries where the approach had been applied, such as Uganda, would guide UNHCR in the future. On mixed population flows, he stated that the UNHCR role involved creating an environment where migrants in need of international protection could be detected and assisted. The UNHCR 10-point Plan of Action set out measures that could be incorporated into migration procedures to address asylum and would be piloted in North Africa and Southern Europe. The High Commissioner also

highlighted the improvement in UNHCR capacity in resettlement services, its strengthened emergency response abilities and the increased number of staff available for immediate deployment. On the other hand, financial constraints had hampered the establishment of sufficient emergency stockpiles. The High Commissioner expressed concern that the steady rise in fixed costs and financial problems were increasingly affecting core activities. Hence, reform was essential for long-term sustainability. A review had been launched of all UNHCR processes, structures and staffing. In particular, efforts were being made to move field support closer to the point of delivery to maximize its impact and make administrative services more cost-effective.

The High Commissioner described measures taken to address the precarious financial situation, including a zero-growth policy for staff at Headquarters, as a result of which UNHCR was able to avoid disruptive budget cuts in 2006. The Deputy High Commissioner had been involved in efforts to reinvigorate the Council of Business Leaders in order to raise funds from the private sector. The 2007 budget, which was \$100 million less than that of 2006, represented a clear shift in policy. It was based on transparency and realistic assumptions about possible funding levels, with items classified as operations representing a higher percentage of global costs than staff and administrative costs.

#### GENERAL ASSEMBLY ACTION

On 19 December [meeting 81], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/61/436], adopted **resolution 61/137** without vote [agenda item 41].

#### Office of the United Nations High Commissioner for Refugees

*The General Assembly,*

*Having considered* the report of the United Nations High Commissioner for Refugees on the activities of his Office and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-seventh session and the conclusions and decisions contained therein,

*Recalling* its previous annual resolutions on the work of the Office of the High Commissioner since its establishment by the General Assembly,

*Expressing its appreciation* for the leadership shown by the High Commissioner, commending the staff and implementing partners of the Office of the High Commissioner for the competent, courageous and dedicated manner in which they discharge their responsibilities, and underlining its strong condemnation of all forms of violence to which humanitarian personnel and United

Nations and associated personnel are increasingly exposed,

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-seventh session;

2. *Welcomes* the important work undertaken by the Office of the United Nations High Commissioner for Refugees and its Executive Committee in the course of the year, and notes in this context the adoption of the conclusion on women and girls at risk and the conclusion on identification, prevention and reduction of statelessness and protection of stateless persons, which are aimed at strengthening the international protection regime, consistent with the Agenda for Protection, and at assisting Governments in meeting their protection responsibilities in today's changing international environment, including by promoting the progressive implementation of mechanisms and standards through relevant national public policies supported by the international community;

3. *Reaffirms* the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto as the foundation of the international refugee protection regime, recognizes the importance of their full and effective application by States parties and the values they embody, notes with satisfaction that one hundred and forty-six States are now parties to one instrument or to both, encourages States not parties to consider acceding to those instruments, underlines in particular the importance of full respect for the principle of non-refoulement, and recognizes that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees;

4. *Notes* that sixty-two States are now parties to the 1954 Convention relating to the Status of Stateless Persons and that thirty-three States are parties to the 1961 Convention on the Reduction of Statelessness, encourages States that have not done so to give consideration to acceding to these instruments, notes the work of the High Commissioner in regard to identifying stateless persons, preventing and reducing statelessness, and protecting stateless persons, and urges the Office of the High Commissioner to continue to work in this area in accordance with relevant General Assembly resolutions and Executive Committee conclusions;

5. *Takes note* of the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the mandate of the Office for refugees and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

6. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and resolve are required to enable the Office of the High Commissioner to fulfil its

mandated functions, and strongly emphasizes, in this context, the importance of active international solidarity and burden- and responsibility-sharing;

7. *Emphasizes* that prevention and reduction of statelessness are primarily the responsibility of States, in appropriate cooperation with the international community;

8. *Also emphasizes* that protection of and assistance to internally displaced persons are primarily the responsibility of States, in appropriate cooperation with the international community;

9. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources with a view to enhancing the capacity of and reducing the heavy burden borne by host countries, in particular those that have received large numbers of refugees and asylum-seekers, and calls upon the Office to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental and social impact of large-scale refugee populations in developing countries, in particular the least developed countries, and countries with economies in transition;

10. *Strongly condemns* attacks on refugees, asylum-seekers and internally displaced persons as well as acts that pose a threat to their personal security and well-being, and calls upon all concerned States and, where applicable, parties involved in an armed conflict to take all necessary measures to ensure respect for human rights and international humanitarian law;

11. *Deplores* the refoulement and unlawful expulsion of refugees and asylum-seekers, and calls upon all concerned States to ensure respect for the principles of refugee protection and human rights;

12. *Emphasizes* that international protection of refugees is a dynamic and action-oriented function that is at the core of the mandate of the Office of the High Commissioner and that it includes, in cooperation with States and other partners, the promotion and facilitation of, inter alia, the admission, reception and treatment of refugees in accordance with internationally agreed standards and the ensuring of durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups and paying special attention to those with specific needs, and notes in this context that the delivery of international protection is a staff-intensive service that requires adequate staff with the appropriate expertise, especially at the field level;

13. *Affirms* the importance of mainstreaming the protection needs of women and children to ensure their participation in the planning and implementation of programmes of the Office of the High Commissioner and State policies and the importance of according priority to addressing the problem of sexual and gender-based violence;

14. *Acknowledges* that forcibly displaced women and girls can be exposed to particular protection problems

related to their gender, their cultural and socio-economic position, and their legal status, that they may be less likely than men and boys to be able to exercise their rights, and that, therefore, specific action in favour of women and girls may be necessary to ensure that they can enjoy protection and assistance on an equal basis with men and boys, and notes the important guidance provided in the Executive Committee conclusion on women and girls at risk to address issues of identification of those individuals and action to be taken in prevention and response;

15. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking permanent solutions to refugee problems, and recalls that those solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported by necessary rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

16. *Expresses concern* about the particular difficulties faced by the millions of refugees in protracted situations, and emphasizes the need to redouble international efforts and cooperation to find practical and comprehensive approaches to resolving their plight and to realize durable solutions for them, consistent with relevant General Assembly resolutions and international law;

17. *Recalls* the important role of effective partnerships and coordination in meeting the needs of refugees and in finding durable solutions to their situations, welcomes the efforts under way, in cooperation with countries hosting refugees and countries of origin, including their respective local communities, United Nations agencies and other development actors, to promote a framework for durable solutions, particularly in protracted refugee situations, which includes the "4Rs" approach (repatriation, reintegration, rehabilitation and reconstruction) to sustainable return, and encourages States, in cooperation with United Nations agencies and other development actors, to support, inter alia, through the allocation of funds, the development and implementation of the 4Rs and other programming tools to facilitate the transition from relief to development;

18. *Welcomes* the progress that has been achieved in increasing the number of refugees resettled and the number of States offering opportunities for resettlement, notes that the Multilateral Framework of Understandings on Resettlement sets out the strategic use of resettlement as part of a comprehensive approach to refugee situations aimed at improving access to durable solutions for a greater number of refugees, and invites interested States, the Office of the High Commissioner and other relevant partners to make use of the Multilateral Framework, where appropriate and feasible;

19. *Notes* the progress that is being made by interested States and the Office of the High Commissioner to take forward elements outlined in the Mexico Plan of Action to Strengthen International Protection of Refugees in Latin America, adopted on 16 November 2004,

and expresses its support for the efforts to promote its implementation with the cooperation and assistance of the international community, as appropriate, including in the area of resettlement, as well as in supporting host communities that receive large numbers of persons who require international protection;

20. *Also notes* that some progress is being made by interested States and the Office of the High Commissioner within the context of the European-Asian Programme on Forced Displacement and Migration on issues related to asylum and forced displacement, consistent with the mandate of the Office;

21. *Further notes* the importance of States and the Office of the High Commissioner discussing and clarifying the role of the Office in mixed migratory flows, in order to better address protection needs in the context of mixed migratory flows, including by safeguarding access to asylum for those in need of international protection, and notes the readiness of the High Commissioner, consistent with his mandate, to assist States in fulfilling their protection responsibilities in this regard;

22. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals who have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

23. *Encourages* the Office of the High Commissioner to continue to improve its management systems and to ensure effective and transparent use of its resources, recognizes that adequate and timely resources are essential for the Office to continue to fulfil the mandate conferred upon it through its statute and by subsequent General Assembly resolutions on refugees and other persons of concern, recalls its resolutions 58/153 of 22 December 2003, 58/270 of 23 December 2003, 59/170 of 20 December 2004 and 60/129 of 16 December 2005 concerning, inter alia, the implementation of paragraph 20 of the statute of the Office, and urges Governments and other donors to respond promptly to annual and supplementary appeals issued by the Office for requirements under its programmes;

24. *Calls upon* the Office of the High Commissioner to widen its donor base, so as to achieve greater burden-sharing by reinforcing cooperation with traditional governmental donors, non-traditional donors and the private sector;

25. *Requests* the High Commissioner to report on his activities to the General Assembly at its sixty-second session.

## Strengthening UNHCR

**Oral report of UNHCR.** In response to General Assembly resolution 58/153 [YUN 2003, p. 1226] on strengthening UNHCR capacity to carry out its mandate, a UNHCR representative provided a 26 July oral report to the Economic and Social Council [E/2006/

SR.40]. Concerning the coordination aspects of its work, the representative said that the Office supported efforts to improve global humanitarian response capacity. The inter-agency dialogue carried out within the Inter-Agency Standing Committee (IASC) on improving the collaborative response to internal displacement had led to the “cluster leadership approach” (see p. 1054), a new arrangement aimed at bringing greater predictability, accountability and capacity to emergency management and early recovery, under which UNHCR had the lead role in protection, camp coordination and management and emergency shelter for internally displaced persons (IDPs) in situations of conflict-generated displacement. UNHCR continued to work to combat HIV/AIDS among refugees and other persons of concern and ensure their inclusion within host countries’ HIV/AIDS policies and programmes. UNHCR partnerships with non-governmental organizations (NGOs) continued to progress beyond traditional core operative arrangements.

UNHCR worked to build on its partnerships with NGOs. It initiated a review of the sub-project agreement (grants management) process and the levels of UNHCR contributions to NGO headquarters’ overhead costs and expatriate salaries. In 2006, the Office channelled some 20 per cent of its annual budget (\$247.7 million) through implementing partner agreements with some 645 NGOs, including 489 national NGOs.

With regard to Africa, which accounted for some 30 per cent of the world’s refugees (approximately 2.5 million persons) and over 9 million IDPs or returnees, the UNHCR representative provided an update on the status of various UNHCR repatriation operations on the continent where significant progress had been made, including in Burundi, the Democratic Republic of the Congo (DRC), Liberia and southern Sudan, and on resettlement operations in Guinea and the United Republic of Tanzania. In its repatriation and reintegration operations, UNHCR continued to improve the registration and documentation of refugees, to prevent sexual and gender-based violence and to build awareness of the role African Governments could play in supporting conflict prevention. Through both the cluster approach and UNHCR bilateral and multilateral partnerships, progress was achieved in combating malnutrition among refugees and other persons of concern, including refugees in national and regional HIV/AIDS programmes. However, deteriorating security related to conflict-generated displacement, combined with funding constraints, had had a significant impact on UNHCR presence in many situations, notably in the Darfur region of the

Sudan where its operations had to be downsized. There was a chronic disparity between growing needs and available resources, including consistent food supplies. UNHCR desperately needed sustained international support in order to continue to deliver minimum standards of protection and assistance to refugees and IDPs in Africa.

### **Coordination of emergency humanitarian assistance**

In 2006 [A/62/12], UNHCR continued to participate in the initiatives to reform the UN system and improve the global humanitarian response capacity, including follow-up to the humanitarian response review [YUN 2005, p. 991] through IASC, implementation of the 2005 World Summit Outcome [ibid., p. 48], and the relevant recommendations of the Secretary-General’s High-Level Panel on System-wide Coherence “Delivering as One” (see p. 1060). The Office also worked with the Peacebuilding Commission and the Peacebuilding Support Office, established in 2005 [YUN 2005, p. 93] (see p. 55), as the successful return and reintegration of displaced persons depended on sustainable peace and development. UNHCR participated in other coordination bodies, such as the UN System Chief Executives Board for Coordination (CEB) and its subsidiary bodies, the UN Development Group, the Executive Committee on Peace and Security and the Executive Committee on Humanitarian Affairs (ECHA). Through ECHA, the Office supported efforts to address operational challenges for the humanitarian community, such as in the Chad/Darfur situation.

Bilateral collaboration with a large number of agencies remained a key feature of the implementation of UNHCR mandate. High-level advocacy with the World Food Programme (WFP) yielded positive results in covering serious gaps in funding of food aid for refugees and raising awareness about their nutritional needs, while close cooperation on logistical and supply-related matters continued between the United Nations Children’s Fund (UNICEF), WFP and UNHCR. The Food and Agriculture Organization of the United Nations (FAO) and UNHCR collaborated on assessments and the promotion of food security for refugees and others of concern. Together with FAO and the International Labour Organization (ILO), the Office carried out activities in a number of countries and discussed a possible ILO/FAO/UNHCR initiative for recovery in priority post-conflict situations. Close cooperation continued between UNHCR and the Office of the United Nations High Commissioner for Human Rights (OHCHR). In July,

UNHCR and OHCHR signed a memorandum of understanding on the human rights of IDPs to address outstanding policy gaps on the human rights and protection of IDPs.

To ensure that the integrity of asylum was upheld, UNHCR cooperated with the UN Office on Drugs and Crime (UNODC) to ensure that legislation to address security concerns did not curtail the right to seek and obtain asylum. The two Offices also worked with other bodies, such as the Organization for Security and Cooperation in Europe (OSCE), on anti-trafficking legislation that would include measures to protect the victims. With the International Organization for Migration (IOM), UNHCR co-led the inter-agency cluster on camp coordination and management, with IOM taking the lead in natural disaster situations and UNHCR in cases of conflict-generated displacement. Cooperation with the International Committee of the Red Cross (ICRC) on activities in favour of refugees was expanded to IDPs, in tandem with the progressive involvement of UNHCR in situations of internal displacement.

#### *New international humanitarian order*

In an August report [A/61/224] (see. p. 1063), the Secretary-General described action taken to develop further the new international humanitarian order agenda. Five key issues that were the cornerstones for contemporary humanitarian action around the world were examined: prevention; access to people in need; the right to humanitarian assistance; local capacity-building; and burden-sharing. The report noted that, although the number of IDPs had become greater than the number of refugees, their needs had not been met satisfactorily outside national efforts.

On 19 December, in **resolution 61/138** (see p. 1063), the General Assembly invited Governments, the UN Office for the Coordination of Humanitarian Affairs (OCHA), relevant UN system entities, intergovernmental organizations and NGOs to reinforce activities and cooperation in order to further develop an agenda for humanitarian action.

#### **Evaluation activities**

UNHCR, in a July report [A/AC.96/1029], described evaluation and policy development activities since its previous report [YUN 2005, p. 1304], including the replacement of the former Evaluation and Policy Analysis Unit by the Policy Development and Evaluation Service (PDES), which would assume responsibility for the formulation, development and implementation of the organization's evalua-

tion activities. With the establishment of PDES, a review of UNHCR evaluation policy was initiated. The revised policy would take account of the Norms and Standards for Evaluation adopted by the inter-agency United Nations Evaluation Group and introduce enhanced mechanisms for the implementation of evaluation recommendations, which would be compiled in a newly established database. Steps would also be taken to ensure that there was a clear division of labour between UNHCR evaluation, inspection and audit functions.

Due to the reorganization of the UNHCR evaluation function, the level of evaluation activity was lower than in previous years. Nevertheless, several projects and their corresponding reports were completed, including: case studies of refugee livelihoods; an evaluation of the utilization and management of the UNHCR fleet of light vehicles; a review of the deployment of the Royal Canadian Mounted Police in Guinea; a review of the role of "the Desk" in UNHCR, along with a comparative review of its role in other UN organizations; and an evaluation of the Protection Information Section. Ongoing projects included: the formulation of a new UNHCR policy and implementation guide on refugees and asylum-seekers in urban areas; an evaluation of UNHCR three-year programme for IDPs in Liberia, which entailed the return of some 310,000 IDPs to their place of origin; an evaluation of UNHCR response to the December 2004 tsunami in Indonesia [YUN 2004, p. 952]; and a review of UNHCR role in international migration, which resulted in, among other documents, a 10-Point Plan of Action for Addressing Mixed Migratory Movements. PDES also resumed responsibility for the publication of the research paper series "New Issues in Refugee Research".

#### **Inspections**

During 2006 [A/62/12], the UNHCR Inspector General's Office carried out 23 inspections at the country level and one at headquarters, resulting in over 400 recommendations to address: recurring problems, such as the improper use of non-staff personnel; difficulties faced by managers in addressing conflicts; unclear relationships between field offices and functional units at headquarters; the need for standardized protection monitoring guidelines for implementing partners; the uneven use of standards and indicators; and the fact that the level of available resources, rather than the actual needs of beneficiaries, was the main basis for programme planning and implementation. Other activities included 131 investigations resulting in 32 investigation reports sent to the Department for Human Resources Management for disciplinary action. A total of 13

management implication reports were issued, highlighting procedural or management problems and covering a range of topics from asset management to implementation of refugee status determination (RSD) procedures. A report [A/AC.96/1028] on the activities of the Inspector General's Office undertaken since 2005 was transmitted to the UNHCR Executive Committee in July.

The audit service of the UN Office of Internal Oversight Services (OIOS) continued to perform the internal audit function for UNHCR. In 2006, the audit service introduced a more risk-based approach to its planning process by selecting and prioritizing audit assignments based on the level of risk they posed to UNHCR, which ensured that audit resources were focused on higher-risk areas, and determined which programmes and activities should be audited and how often. OIOS conducted 32 audits and issued 197 recommendations to improve accountability mechanisms and control systems, as well as recommendations for the development or clarification of policies and procedures and workflow processes. In July, OIOS submitted to the UNHCR Executive Committee a report on its internal audit of UNHCR for the period 1 July 2005 to 30 June 2006 [A/AC.96/1027].

### Enlargement of Executive Committee

On 26 July, the Economic and Social Council, by **decision 2006/237**, took note of requests from Costa Rica [E/2006/3] and Estonia [E/2006/82] for membership in the UNHCR Executive Committee and recommended that the General Assembly take a decision at its sixty-first (2006) session on the question of enlarging the Committee's membership from 70 to 72 States.

#### GENERAL ASSEMBLY ACTION

On 19 December [meeting 81], the General Assembly, on the recommendation of the Third Committee [A/61/436], adopted **resolution 61/136** without vote [agenda item 41].

### Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

*The General Assembly,*

*Taking note of Economic and Social Council decision 2006/237 of 26 July 2006 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,*

*Taking note also of the requests regarding the enlargement of the Executive Committee contained in the letter dated 8 March 2006 from the Deputy Permanent Representative of Costa Rica to the United Nations addressed to the Secretary-General and the letter dated 30 May*

2006 from the Permanent Representative of Estonia to the United Nations addressed to the Secretary-General,

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from seventy to seventy-two States;

2. *Requests* the Economic and Social Council to elect the additional members at its resumed organizational session for 2007.

On 29 November [E/2006/92], Benin requested admission in the membership of the UNHCR Executive Committee.

### Financial and administrative questions

The UNHCR initial annual programme budget target for 2006 was set at \$1,136.8 million by the Executive Committee in 2005 [YUN 2005, p. 1305]. Income for 2006 totalled some \$1,228 million, comprising \$922.3 million in contributions, transfers and miscellaneous income (including currency exchange gains) towards the annual programme budget and \$251.4 million towards supplementary programmes, \$16.6 million for the Junior Professional Officer (JPO) programme and \$31.5 million from the regular UN budget. Expenditures totalled \$1,100.7 million, of which Africa accounted for \$490.4 million; Central Asia, South-West Asia, North Africa and the Middle East \$170.2 million; Europe \$99.3 million; Asia and the Pacific \$80.4 million; and the Americas, \$33.4 million.

In an October decision [A/61/12/Add.1], the Executive Committee approved the revised annual programme budget for 2006, amounting to \$1,136.8 million, including the UN regular budget contribution of \$32.9 million, which, with the provisions for JPOs of \$10 million and \$288 million for supplementary programmes, brought total requirements in 2006 to \$1,434.8 million.

The Committee approved \$1,032.9 million for the 2007 annual programme budget, which included the UN regular budget contribution, an operational reserve of \$89.4 million, or 10 per cent of programme activities, and \$50 million for new or additional mandate-related activities. Those provisions, together with \$10 million for JPOs, brought total requirements in 2007 to \$1,042.9 million. The Committee authorized the High Commissioner, within the total appropriation, to effect adjustments in regional and global programmes and the headquarters budgets, and to create supplementary programmes and issue special appeals when new emergency needs could not be met from the operational reserve.

The Committee requested UNHCR to finalize the criteria for the inclusion or non-inclusion of supplementary programme budgets for refugee or refugee-related programmes in the annual programme budget and to consult on how supplementary programme budgets could be best managed to support UNHCR role as cluster lead in certain internal displacement situations. UNHCR was called upon to keep its administrative expenditure under review in order to reduce it as a proportion of total expenditure.

### Accounts

The audited financial statements of voluntary funds administered by UNHCR for the year ending 31 December 2005 [A/61/5/Add.5] showed total expenditures of \$1,144.7 million and total available funds of \$1,278 million, with a reserve balance of \$133.3 million.

The UN Board of Auditors found that, since there was no audit certificate available at UNHCR when the 2005 financial statements were prepared and signed for amounts paid to implementing partners in 2005, which totalled \$340 million as at 31 December 2005, UNHCR had no reasonable assurance on the proper use of funds disbursed to those partners. It also found that the financial position of UNHCR had weakened, showing an excess of expenditure over income of \$32 million, raising questions about the UNHCR financial position and its ability to sustain such a trend. UNHCR lacked efficient tools for its treasury information and cash forecasting, which limited the efficient management of its Treasury. There was no formalized foreign-exchange risk policy, leaving UNHCR facing global exposure as payments and receipts were not made in the same currencies and during the same period. Completed travels were posted as unliquidated obligations and had not been settled six months after completion, and the amounts in previous-year sub-projects covered by audit certificates had increased from 53 per cent in June 2005 to 67 per cent in June 2006. UNHCR had not completed the phase-out of the use of "project staff" by the deadline established in 2001, nor had it devoted sufficient resources to income-generating activities or properly defined or monitored performance indicators for fund-raising activities. UNHCR had signed agreements that were not in compliance with UN rules for staff, suppliers and audit arrangements, and its internal audit service had not devoted all the agreed resources to the audit of UNHCR. As the needs assessment could not be properly conducted for tsunami-related operations, UNHCR could not spend all the resources it had requested, or stored items that it had pur-

chased in excess. The procurement service had little information on procurement conducted by field offices and implementing partners. The Board of Auditors made recommendations to improve financial management and reporting and programme management. It observed that UNHCR had actively responded to most recommendations, although some had not yet been implemented.

UNHCR, in a September report [A/AC.96/1025/Add.1], described measures taken or proposed in response to the Board's recommendations.

The Advisory Committee on Administrative and Budgetary Questions (ACABQ), in September [A/61/350], expressed concern regarding the sustainability of UNHCR expenditures. It noted that the gap between available funds and the approved budget for 2005 had forced UNHCR to impose caps on programme budgets and non-staff administrative costs. Factors contributing to the situation included the fact that contributions received fell short of the increase in the annual programme budget; a good portion of contributions received went to supplementary programmes; and high exchange-rate losses (\$36 million in 2005), due to the organization's vulnerability to foreign-currency fluctuations. Hence, UNHCR ended 2005 having to borrow \$12.2 million from the Working Capital and Guarantee Fund. ACABQ stressed the importance of ensuring predictability, flexibility and early funding, especially in the context of the upcoming biennial budget cycle and of efforts to expand the base, as 97 per cent of UNHCR resources came in the form of voluntary contributions. It noted that the UNHCR proposed programme budget for 2007 [A/AC.96/1026 & Add.1] included several initiatives to ensure financial stability and welcomed the implementation of centrally managed incentive-based fund-raising at the field level. It also encouraged further efforts to increase private-sector funding.

The Executive Committee, in an October decision [A/61/12/Add.1], requested that it be regularly informed on measures taken to address the recommendations made by the Board of Auditors and ACABQ.

### Management and administrative change

In February, UNHCR launched an in-depth process of structural and management change, with the overall aim of streamlining and simplifying organizational processes, reducing administrative costs and enhancing the efficiency of field operations, so as to improve its flexibility and responsiveness to the needs of beneficiaries. The change process involved reviewing and realigning structures and processes, as well as workforce and implementing

arrangements, to maximize overall performance. Under the structural part of the reform, a number of UNHCR centralized administrative and support functions were to be outposted to Budapest, Hungary, freeing up resources for beneficiaries. Accrued savings from outposting were expected to total some \$10 million per year once the initial investment in the establishment of the new centre was made. The Office also examined ways to improve operational effectiveness by strengthening regional structures, decentralizing a number of operational support functions and strengthening its capacity to undertake situational and solutions planning at the subregional level. Work in the area of processes included clarifying priorities by revising UNHCR Global Strategic Objectives and establishing clear linkages between those objectives and UNHCR planning processes. Procedural guidelines and structures were being developed to support those process-related reforms. Meanwhile, staffing policies and strategies were being aligned with organizational needs, and the deployment of staff between capital cities and field locations and the balance between international and national staff were being reviewed. In November, a Global Staff Survey was carried out to underpin UNHCR reform efforts.

UNHCR continued to develop a management approach that emphasized the achievement of results. It finalized its Results-based Management (RBM) Conceptual Framework and made significant progress in developing RBM *Focus* software to assist its field and headquarters units with results-based planning, managing and reporting. The *Focus* software would be fully integrated with the Management Systems Renewal Project (MSRP) and UNHCR registration software. Progress was also made in information management with the September launch of the first components of MSRP Human Resources. The successful development of Project Profile (refugee registration system), which was closed down at the end of 2006 as planned, resulted in a global roll-out of refugee registration standards and *proGres*, a standardized information technology application. *ProGres* biometric technologies increased efficiency in the registration exercises of several UNHCR operations during the year.

**Policy guidelines for consultants.** In response to General Assembly resolution 59/270 [YUN 2004, p. 1368], the Secretary-General submitted a July report [A/61/201] on the development and use of comprehensive policy guidelines for the selection and management of consultants in UNHCR. The guidelines, which were implemented in 2005, were developed to ensure transparency and objectivity in the

engagement, monitoring and evaluation of consultants, and ensure a geographical balance in the use of qualified consultants. The changes resulting from the new policy included: the introduction of a new type of consultancy, the locally hired international consultant; limiting the duration of consultancy to 24 months within a 36-month period, with a mandatory break after 11 consecutive months; review and approval by the Headquarters Committee on Contracts when expenditure on a contract or related extension reached \$100,000 or more; basing a request for consultants on detailed terms of reference; a full medical examination for consultants assigned to or on mission to category B, C, D and E duty stations, and a certificate of good health for category H and A duty stations; and the successful completion of security training prior to travel for consultants on mission or assigned to a duty station with phase I security status or above. Attached to the policy were administrative guidelines outlining the steps to be taken when hiring consultants, the roles and responsibilities of the parties involved in a consultant contract, and the procedures for work and travel. The report described the process for the evaluation and monitoring of consultants and provided statistics on consultants for 2005.

### Standing Committee

The UNHCR Standing Committee held three meetings in 2006 (7-9 March [A/AC.96/1022]; 26-28 June [A/AC.96/1032]; and 20-21 September [A/AC.96/1034]). It considered issues relating to UNHCR programme budgets and funding; international protection; regional activities and global programmes; programme/protection policy; coordination; management, financial control, administrative oversight and human resources; governance; and consultations.

In October [A/61/12/Add.1], the Executive Committee requested its Bureau to continue consultations on the nature and value of Executive Committee conclusions on international protection, including a review of the process for their adoption and its effectiveness with regard to contributions by Standing Committee Observers, in order for the Committee to take a decision on the question in 2007; and to resume and finalize, prior to its 2007 session, consultations to investigate options for extending the input from NGOs that were UNHCR implementing or operating partners in the work of the Executive Committee. It requested the Standing Committee to report on its work in 2007. The Executive Committee also approved applications by Governments to participate as observers in Standing Committee meetings and a list of inter-

governmental and international organizations to be invited to participate as observers.

### Staff safety

At the September meeting of the Standing Committee [A/AC.96/1034], the Director of the UNHCR Division of Operational Services, in an update on staff safety and security management [EC/57/SC/CRP.24], described efforts to implement the recommendations of the UNHCR Security Policy and Policy Implementation Review, as well as new initiatives to strengthen a culture of security and other security-related activities. He said that UNHCR needed to strike a balance between working within the framework established by the UN Department of Safety and Security and effectively serving refugees and other persons of concern. Achievements in 2005-2006 included the provision of more security training for middle and senior-level managers; security training for representatives of implementing partners; and the establishment of measures for minimum operating security standards (MOSS) compliance in all countries with Phase III and above conditions by the end of 2006. During 2006-2007, the Office planned to organize more functional training and enhance links with staff welfare issues and with the Staff Council. The Director confirmed that UNHCR interventions, particularly in situations of internal displacement, were sometimes complicated by the positions and actions taken by States and non-State actors and by the lack of specifically binding legal instruments for IDPs. A component on dealing with IDPs had been included in the Workshop on Emergency Management and steps were being taken to incorporate IDPs into planning tools and training programmes. Delegates expressed regret about the increase of incidents against humanitarian actors and the funding shortfalls that had affected staffing and security.

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## Refugee protection and assistance

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### Protection issues

In his annual report covering 2006 [A/62/12], the High Commissioner described challenges facing States and UNHCR in protecting persons of concern, such as armed conflict; targeted violence based on religion, ethnicity, social group or political opinion; refusal of asylum; recruitment by rebel movements of refugees in camps; political turmoil; and eruptions of violence and fighting, which restricted humanitarian access to camps and IDPs. Issues affect-

ing States' efforts to manage migration, especially the identification of persons in need of protection within mixed migratory movements, were of particular concern to UNHCR. In addition to its core protection and assistance activities for refugees, UNHCR committed itself to the framework of shared humanitarian responsibilities under the inter-agency "cluster approach", which resulted in an increasing demand for its services to address the needs of IDPs. UNHCR assumed the global leadership of the protection cluster and co-led the camp coordination and camp management cluster with IOM. By the end of 2006, some 12.8 million IDPs were receiving humanitarian assistance under the cluster approach and other arrangements involving UNHCR.

In the context of protecting people with a well-founded fear of persecution within broader migration movements, UNHCR launched its 10-Point Plan of Action to ensure that measures taken to curb irregular migration movements were consistent with international refugee law. UNHCR also worked to preserve asylum space and put refugee protection on the agenda of the migration debate. To address the increasing number of deaths in journeys across the Mediterranean Sea, the Gulf of Aden and other maritime areas, UNHCR collaborated with IOM in publishing the leaflet "Rescue at Sea: a guide to principles and practice as applied to migrants and refugees", as a reference guide for shipmasters.

In October, the Executive Committee requested UNHCR to intensify action to address statelessness in cooperation with States and relevant UN bodies, in particular, UNICEF and the United Nations Population Fund (UNFPA). In that regard, UNHCR activities were divided into four broad areas: identification, prevention and reduction of statelessness, and protection of stateless persons. Renewed efforts to identify stateless people led to the number of such persons known to UNHCR rising to 5.8 million in 49 countries in 2006.

In a July note on international protection [A/AC.96/1024], the High Commissioner described developments with regard to refugee movements up to May 2006 and outlined protection measures taken within the framework of the Agenda for Protection [YUN 2002, p. 1205], including strengthening implementation of the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520] and its 1967 Protocol [YUN 1967, p. 477]; protecting refugees within broader migration movements; sharing burdens and responsibilities more equitably and building capacities to receive and protect refugees; addressing security-related concerns more effectively; redoubling the search for durable solutions; and meeting the protection needs of refugee women and children.

The High Commissioner concluded that protection was the primary responsibility of States and UNHCR protection efforts were as effective as States would have them. Outstanding gaps in the protection of persons of concern required greater commitment on the part of all. He stated that the preparation of a comprehensive progress report on implementation of the Agenda for Protection, five years after its endorsement by the Executive Committee, as had been suggested in 2005 [YUN 2005, p. 1309], would be a timely way forward to take stock of gaps, challenges and future directions.

In October [A/61/12/Add.1], the UNHCR Executive Committee adopted conclusions on women and girls at risk and on identification, prevention and reduction of statelessness and protection of stateless persons, calling for measures to protect those vulnerable groups.

### International instruments

In 2006, Montenegro succeeded to the 1951 Convention relating to the Status of Refugees [YUN 1951, p. 520] and its 1967 Protocol [YUN 1967, p. 477], bringing the number of parties to each instrument to 144. The number of States parties to one or both instruments totalled 147. Belize, Montenegro, Romania and Rwanda ratified the 1954 Convention relating to the Status of Stateless Persons [YUN 1954, p. 416], bringing the number of States parties to 62. With the accessions of New Zealand, Romania and Rwanda, the number of States Parties to the 1961 Convention on the Reduction of Statelessness [YUN 1961, p. 533] increased to 33.

In December, the legal protection framework was strengthened by the adoption of two new human rights conventions: the Convention on the Rights of Persons with Disabilities (see p. 785) and the International Convention for the Protection of All Persons from Enforced Disappearance (see p. 800), which introduced a new non-refoulement obligation and stipulated that the widespread or systematic practice of enforced disappearance constituted a crime against humanity.

### Convention Plus

In 2006, the "Convention Plus" initiative, launched in 2003 [YUN 2003, p. 1229] to improve international protection and strengthen the commitment of States and UNHCR partners to resolving refugee situations, was mainstreamed into UNHCR operations, as announced in 2005 [YUN 2005, p. 1309]. Although, as a result, no meetings of the High Commissioner's Forum took place in 2006, the Forum's Co-Chairs issued a February statement

[FORUM/2005/8] on the targeting of development assistance for durable solutions to forced displacement, one of the Convention Plus initiative's strands. The statement summarized the viewpoints of States and other stakeholders in discussions within the Convention Plus framework, including in the Forum. A number of States had recommended that the discussion on targeting development assistance be incorporated in the work of the Executive Committee and its Standing Committee as part of the mainstreaming.

### Assistance measures

The global population of concern to UNHCR increased to 32.9 million in 2006, from 20.8 million in 2005. For the first time since 2002, the trend of declining refugee figures was reversed, reaching 9.9 million. That primarily reflected the 1.2 million new Iraqi refugees in Jordan, Lebanon and the Syrian Arab Republic. The number of IDPs receiving UNHCR assistance rose from 6.6 million in 2005 to 12.8 million in 2006, due mainly to the large numbers of new displacements in the Central African Republic, Chad, Colombia, Iraq, Somalia, Sri Lanka and Timor-Leste, the activation of the cluster approach, which resulted in an expansion of activities, and the revision upwards by several countries of their IDP estimates. While the number of stateless persons had more than doubled from 2.4 million in 2005 to 5.8 million in 2006, the figure did not capture the full magnitude of the phenomenon, as a significant number of stateless people had not been systematically identified and statistical data on statelessness was not always available. Moreover, the increased numbers did not necessarily indicate new situations of statelessness, but rather the result of better identification methods. The number of asylum-seekers fell to 738,000 by year's end, some 35,000 fewer than in 2005.

Situations of concern included the constant insecurity in Iraq; the plight of Iraqi Palestinians who had fled targeted violence in Baghdad but were refused entry by neighbouring countries already hosting large numbers of Palestinian refugees; the 200,000 Lebanese who remained internally displaced after the cessation of hostilities in August between Israel and Hizbullah (see p. 574); ethnic violence in eastern Chad, which strained the Government's ability to protect internally displaced Chadians and Sudanese refugees, and restricted humanitarian access to camps and IDPs in surrounding villages; the precarious situation of 2.1 million Sudanese displaced by the violence in Darfur; and armed conflict in Somalia, which led to a continu-

ous outflow of Somalis into Ethiopia, Kenya and Yemen. The displacements of an additional 200,000 persons in Sri Lanka due to the deteriorating security situation in the country, and the 150,000 people in Timor-Leste in and around the capital Dili, as a result of political unrest, were also of concern.

During the year, an estimated 734,000 refugees returned voluntarily to their places of origin, mainly to Afghanistan (387,917), Angola (47,017), Burundi (48,144), the DRC (41,228), Liberia (107,954) and the Sudan (42,258). UNHCR further assisted the return of some 238,000 IDPs in Liberia. The number of resettled people in 2006 (29,500) was 11 per cent lower than in 2005. Admitting countries included: Australia (13,400), Canada (10,700), New Zealand (700), Norway (1,000), Sweden (2,400) and the United States (41,300). The main beneficiaries were refugees from Afghanistan, the DRC, Myanmar, Somalia and the Sudan. Under the "Solidarity Resettlement" chapter of the Mexico Plan of Action [YUN 2004, p. 1210], several States in Latin America emerged as new resettlement countries. Significant numbers of refugees were also granted citizenship by their asylum countries: Armenia (1,200); Belgium (2,500); Kyrgyzstan (600); the Russian Federation (420); Turkmenistan (9,500); and the United States (98,500). Progress was also made on negotiations with several African Governments on local integration opportunities for long-staying refugees who were unlikely to return to their countries of origin.

### Refugees and the environment

During the year, UNHCR continued to implement its environmental policy in accordance with the four principles outlined in the 2005 revision [YUN 2005, p. 1310] of its *Environmental Guidelines*: prevention, integration, cost-effectiveness and community participation, which was in line with the Office's broader objective to defend the institution of asylum, as excessive damage to the environment or the depletion of resources could affect host countries' decisions to provide asylum to refugees. UNHCR provided technical guidance to field operations in Africa and Asia, including carrying out environmental assessments and developing community environmental action plans at camp and village levels. The Office raised awareness of environmental issues in Africa and designed educational materials for schools, teachers and ecological clubs to ensure that refugees and returnees were better informed about the management of natural resources. On the occasion of World Environment Day (5 June), the Office, together with the United Nations Environment Programme (UNEP) and the

United Nations Educational, Scientific and Cultural Organization (UNESCO), distributed information packages to field offices worldwide. Other initiatives included the application of environmentally-friendly agro-forestry techniques in Ethiopia and the United Republic of Tanzania and the training of some 200 refugees in sustainable small-scale agriculture; the construction of 50 environmentally friendly houses in Rwanda utilizing mud bricks, which reduced the amount of wood used by 70 per cent; and the introduction of biofuel, ethanol and solar cooking techniques in over 1,000 households in Chad, Ethiopia and Nepal. UNHCR introduced environmental assessment, monitoring and evaluation tools in Ethiopia and Uganda.

### Refugees and HIV/AIDS

During 2006, in line with its HIV/AIDS Strategic Plan [YUN 2005, p. 1310], UNHCR continued to collaborate with its partners to combat HIV/AIDS among refugees and other persons of concern and ensure that the basic rights of those affected by HIV/AIDS were fully respected. The Office expanded its HIV/AIDS programmes to the Americas, Europe and the Middle East. As designated lead agency for refugees and IDPs within the Joint United Nations Programme on HIV/AIDS (UNAIDS), UNHCR expanded technical support and conducted HIV and IDP assessment missions in Colombia, Eastern Europe and Nepal. In March, the Standing Committee endorsed the recommendations of the Global Task Team on Improving AIDS Coordination among Multilateral Institutions and International Donors and all related decisions of the UNAIDS Programme Coordinating Board [ibid., 2005, p. 1327]. In April, UNHCR released a note on HIV/AIDS and the Protection of Refugees, IDPs and Other Persons of Concern to inform staff and Governments of recognized standards in the field of HIV/AIDS and the protection of people of concern to UNHCR. Together with UNFPA, UNHCR expanded its support to countries in Central and Southern Africa for the provision of post-exposure prophylaxis. Other activities included: the issuance of a UNHCR/UNAIDS policy brief on HIV/AIDS and refugees, focusing on actions required to address the effects of HIV/AIDS on refugees and their surrounding communities; and the conduct of two HIV sentinel and three behavioural surveillance surveys in Africa.

In 2006, UNHCR received funding for HIV/AIDS activities from global, regional and country donors, including additional earmarked contributions and in-kind donations of over \$2 million.

## Refugee women

In 2006, UNHCR continued to implement its pilot project on age, gender and diversity mainstreaming (AGDM), launched in 2004 [YUN 2004, p. 1205], in order to: develop an accountability framework with a reporting mechanism for senior managers to provide feedback on the completion of agreed actions; foster partnerships on Security Council resolution 1325(2000) [YUN 2000, p. 1113] on women, peace and security; and undertake initiatives for the prevention of and response to sexual and gender-based violence. During the year, the UNHCR ADGM strategy was introduced in 41 country operations across Africa, Asia and Europe, bringing the number of offices applying the strategy to 97. The Office also observed the "16 Days of Activism" campaign to end sexual and gender-based violence.

In March, the Standing Committee considered a paper on women at risk [EC/57/SC/CRP.7], which highlighted the importance of moving away from labelling refugee women as being vulnerable and broadening common understanding of specific risk factors in the legal, social and economic environment that heightened their vulnerability to harm.

In October [A/61/12/Add.1], the Executive Committee adopted a conclusion on women and girls at risk.

## Refugee children

In 2006, UNHCR continued to emphasize education, nutrition and protection from violence in addressing the needs of refugee children. In June [A/AC.96/1032], the Standing Committee encouraged UNHCR to enhance its partnership with child protection agencies to build common understanding and develop an implementation strategy for child protection in all operations. To strengthen the prevention of and response to sexual and gender-based violence, UNHCR issued instructions to all country offices to establish standard operating procedures. To prevent malnutrition and improve the nutritional status of refugees and others of concern, UNHCR carried out assessments and analyses; ensured access to adequate food, including infant and young child feeding; and adopted an integrated approach to public health. UNHCR strengthened its partnership with WFP, conducting joint assessment missions and nutritional reviews that led to the development of a joint global nutrition strategy. Austerity measures in 2006 severely affected educational services for refugee children. While pupil-to-teacher ratios increased, the overall quality of education decreased. Although reduced support for refugees' secondary education and vocational training in a number of

countries left adolescents more exposed to the risk of abuse and exploitation, some advances were made. UNHCR conducted an in-depth follow-up to the standards and indicators on education to monitor progress and reassess priority countries for technical support. Progress was noted in many countries, while new countries facing educational challenges were identified. Support was provided to a number of priority countries with low enrolment or retention rates of girls.

In June [A/AC.96/1032], the Standing Committee called on Governments and UNHCR humanitarian partners to include all persons of concern to the Office, notably refugee women and children, in future national, regional and international initiatives, such as the Ending Child Hunger and Undernutrition Initiative. In a June decision on the five global priorities for refugee children (sexual exploitation and violence; under-age military recruitment; education; unaccompanied minors; and adolescents) [YUN 1997, p. 1241], the Committee encouraged UNHCR to enhance cooperation with Governments and UN agencies, particularly UNICEF, and civil society, in support of the implementation of the Monitoring and Reporting Mechanism outlined in Security Council resolution 1612(2005) on children and armed conflict [YUN 2005, p. 863].

## Regional activities

### Africa

In 2006, persons of concern to UNHCR in Africa, excluding North Africa, rose to 11 million, more than double the 4.9 million recorded in 2005 [YUN 2005, p. 1311]. The total comprised some 2.4 million refugees, 6.8 million IDPs, 225,690 asylum-seekers, 1.4 million returned refugees and IDPs, and others of concern.

**Report of Secretary-General.** In response to General Assembly resolution 60/128 [ibid., p. 1313], the Secretary-General submitted an August report [A/61/301] on assistance to refugees, returnees and displaced persons in Africa, covering 2005 and the first half of 2006. He stated that the consolidation of peace in several African countries had maximized opportunities for the voluntary and safe return of large numbers of refugees and IDPs to their places of origin, notably to Angola, Burundi, the DRC, Liberia and southern Sudan. However, with more than 16 million persons uprooted, Africa remained the continent most affected by forced displacement. The estimated 13 million IDPs represented more than half the global IDP population and, despite a decrease, some 2.6 million refugees remained in

Africa. Meanwhile, volatile situations persisted. The steady deterioration of security in the northern Central African Republic, Chad and the Darfur region of the Sudan triggered the forced displacement of people to safer regions, both internally and to neighbouring countries. Violence in Côte d'Ivoire, the DRC and Somalia continued to drive people from their homes. Efforts to uphold international protection principles continued in cooperation with Governments, NGOs and regional organizations, with a special focus on the plight of IDPs. The report described specific areas of inter-agency cooperation, such as IDPs, protection, durable solutions, delivery of assistance and special needs, cooperation with regional organizations and the coordination of resources, and provided a regional overview of the refugee situation on the continent.

In East Africa and the Horn of Africa, the Sudan, with over 6 million people displaced by conflict, remained at the heart of the international community's attention, particularly the situation in Darfur and its impact on neighbouring Chad. Moreover, severe drought in the region affected an estimated 5.5 million persons and caused additional population movements, including to refugee settlements in Kenya. In Somalia, the emergence of the Islamic Courts Union in Mogadishu in June weakened the position of the Transitional Federal Government and the humanitarian needs of an estimated 350,000 to 400,000 IDPs were not fully met. The 20-year old armed conflict in northern Uganda had displaced some 1.5 million persons from their homes into camp settlements, where their needs were largely unrealized. However, the cluster leadership approach had strengthened humanitarian protection strategies.

In West Africa, significant improvements in the humanitarian situation in the Mano River Union countries (Guinea, Liberia, Sierra Leone) resulted in a decline in the overall number of refugees in the region. However, the socio-economic situation in Sierra Leone, as in most West African countries with extreme poverty and massive youth unemployment, remained a concern. The plight of Côte d'Ivoire's estimated 709,000 IDPs prompted OCHA to ask UNHCR to chair an IDP protection cluster to enhance the operational response to displaced persons. Armed confrontations along Guinea-Bissau's border with Senegal displaced some 12,500 persons, both internally and externally. More than 70,000 Liberian refugees returned under UNHCR auspices, while an estimated 200,000 returned spontaneously. Some 314,000 IDPs were assisted by the Government, the United Nations and NGOs to return to their places of origin.

Although advances were made in the Central Africa and Great Lakes region, security incidents in Burundi, the Central African Republic and the DRC, which led to displacements, illustrated the fragility of the peace. The humanitarian situation in Chad deteriorated due to increased insecurity within the country, as well as in northern Central African Republic and in Darfur (the Sudan). Violence in the DRC continued to create a cycle of displacement, despite developments in the democratic process. In addition to an estimated 1.6 million IDPs, some 1.6 million returnees, mostly women and children, required reintegration assistance.

In Southern Africa, there was a marked decrease in the number of persons of concern to UNHCR. However, a large number of Angolan refugees remained in Zambia, and many of the estimated 700,000 persons who lost their homes or livelihoods in the "clean-up" operation by the Zimbabwe Government in 2005 [YUN 2005, p. 371] continued to be in need of protection and assistance.

The Secretary-General concluded that protracted situations of displacement across the African continent necessitated continued efforts and initiatives to alleviate its humanitarian consequences and address the root causes. Access to persons of concern and adequate security were vital preconditions for successful humanitarian operations. He called for the cooperation of all concerned to ensure unhindered access to displaced persons. Firm action was required by Governments to ensure the civilian character of refugee camps and translate commitments for consolidated peace processes, enhanced good governance and conflict prevention into concrete actions leading to successful resolutions and the prevention of displacement. He stressed the importance of funding predictability to ensure the smooth delivery of assistance and protection to displaced persons. More action and commitment were needed to ensure the sustainability of durable solutions. In addition, the application of the cluster leadership approach, while promising, would need to be evaluated soon to draw lessons learned.

#### *Subregional developments*

**UNHCR report.** According to the UNHCR *Global Report 2006*, UNHCR provided humanitarian assistance to more than 350,000 camp-based refugees in Central Africa and the Great Lakes subregion and facilitated the return of over 90,000 refugees to several States in the area, including Angola (2,600), Burundi (44,000), the DRC (29,000), Rwanda (6,000) and the Sudan (10,600). UNHCR helped Burundi clear the backlog of pending Rwandan asylum requests, with more than 2,700 cases ad-

judicated, 200 people granted refugee status and 18,700 people, whose claims had been rejected or who had withdrawn their asylum applications, returned to Rwanda with UNHCR assistance. In the DRC and the Central African Republic, UNHCR worked to improve the physical safety and promote the human rights of IDPs. The remaining 132,000 Angolan refugees in the DRC and 9,300 Republic of the Congo refugees in Gabon who were unwilling to return home received UNHCR assistance towards local integration and self-reliance. UNHCR also established standard operating procedures to prevent and respond to sexual and gender-based violence in Burundi, Rwanda, the DRC and the United Republic of Tanzania. Despite progress achieved, natural disasters, such as floods and drought, and ongoing conflicts hampered UNHCR efforts to find durable solutions for displaced persons. Increasing instability in the northern prefectures of the Central African Republic resulted in the internal displacement of 150,000 people and caused an additional 70,000 to seek refuge in Cameroon and Chad. The Office continued to work closely with the African Union (AU) and other regional institutions on issues concerning refugees and IDPs in Africa.

In East Africa and the Horn of Africa, poor security, escalating conflicts, as well as drought and floods, caused major population movements within and from Somalia. Limited humanitarian access to populations of concern in central and southern Somalia aggravated conditions there. UNHCR protected some 34,000 Somali refugees who fled to neighbouring countries when armed conflict broke out between the Transitional Federal Government and the Union of Islamic Courts militias in December. The unresolved border dispute between Eritrea and Ethiopia hindered development and humanitarian activities. Limited absorption capacity was a problem in southern Sudan, slowing down the repatriation of Sudanese refugees from Ethiopia, Kenya and Uganda. UNHCR signed repatriation agreements with Ethiopia, the Sudan and Uganda, which enabled it to assist 5,000 refugees to return to southern Sudan and repatriate 4,600 Sudanese refugees from Ethiopia. The August cessation of hostilities agreement between the Government of Uganda and rebel forces in the north, led to the UNHCR-assisted return of some 300,000 IDPs to their areas of origin. Insecurity hampered UNHCR operations in Chad and the Sudan, as well as the presence of landmines, the long rainy season, poor infrastructure and epidemics of cholera and meningitis. UNHCR developed a strategy to address the protracted situation of mainly camp-based Eritrean refugees in eastern Sudan by enhancing the qual-

ity of asylum and providing access to services and opportunities for self-reliance to urban and camp-based refugees. The geographical focus of UNHCR intervention for the voluntary repatriation of southern Sudanese refugees was expanded to the Eastern Equatoria, Jonglei and Upper Nile states. More than 26,000 refugees and 4,000 IDPs were able to return to their places of origin in southern Sudan with UNHCR assistance. In Chad, refugees were registered in 13 of the 15 camps in the southern and eastern part of the country, which strengthened UNHCR ability to deliver protection and assistance. However, insecurity in eastern Chad—a foiled coup attempt in April and a rebel attack on Abéché in November—hampered UNHCR operations and internal displacement continued unabated. By year's end, there were more than 112,000 IDPs in the country. Two new refugee camps were set up in West Darfur to accommodate some 3,000 Chadian refugees who were moved from the Chad-Sudan border. Despite the signing of the Darfur Peace Agreement in May (see p. 274), the security situation in west Darfur worsened. Violent attacks increased, causing further displacement, and humanitarian staff were targeted. Six relief workers were killed during the year. In August, the Security Council, in **resolution 1706(2006)** (see p. 282), strengthened the United Nations Mission in the Sudan to facilitate the voluntary return of refugees and IDPs and requested the Secretary-General to report on the protection of civilians in refugee and IDP camps in Chad.

In West Africa, the relative stability of most countries allowed UNHCR to advance its search for durable solutions. The Office facilitated the return of 43,000 Liberian refugees from neighbouring countries and some 51,000 Liberian IDPs, following which all 35 IDP camps in Liberia were closed. Some 10,000 Nigerian refugees from Cameroon returned home and 2,400 Togolese refugees were repatriated from Benin. UNHCR examined conditions for the local integration of residual groups, particularly Liberians in Guinea, Nigeria and Sierra Leone, and became formally involved with IDPs in Côte d'Ivoire and Liberia as part of the inter-agency response to internal displacement. It continued the implementation of its AGDM strategy in Cameroon, Côte d'Ivoire, Ghana, Mali, Liberia and Senegal. Participatory assessments enabled UNHCR to better address a wide range of protection issues, including sexual exploitation of refugee girls, child labour, discrimination against persons with HIV/AIDS and prostitution of adolescent girls. An average of 74 per cent of refugee children in camps and settlements were enrolled in primary schools and UNHCR helped to provide preventive and curative care for measles,

malaria, acute respiratory infections and diarrhea. Despite positive developments, the region witnessed some conflict, which resulted in population displacement. Fighting in the Casamance region of Senegal forced more than 6,000 people to flee to the Gambia, renewed clashes between rebel groups and the army in the northern Central African Republic drove 25,000 refugees into Cameroon, and some 709,000 people remained displaced in Côte d'Ivoire. Meanwhile, mixed migratory flows assumed significant proportions in Mali and Senegal. A major preoccupation for refugees and others of concern in West Africa was the difficult socio-economic situation. Many refugees and returnees had problems settling locally or reintegrating back home without UNHCR support; some 44,000 urban refugees in the subregion were affected by the unfavourable economic conditions.

In Southern Africa, more than 47,000 Angolan refugees returned home in the last phase of the repatriation operation from neighbouring countries; with the return of nearly 400,000 Angolans since 2002, the number of refugees and others of concern to UNHCR in Southern Africa continued to decline. UNHCR worked with Governments to ensure that they had functioning refugee status determination (RSD) and registration systems in line with international standards; notable improvements in the capacity to process asylum claims were achieved. Other key advances included the launching of an RSD initiative in Mozambique to address 4,000 pending asylum claims; the establishment of a unit in Malawi to clear outstanding applications and some 30,000 long-standing asylum claims in South Africa; and a registration exercise in Zimbabwe. A major positive development was the increased willingness of Governments in the region to consider local integration as a durable solution for long-term refugee populations, including Congolese from the DRC in Angola, Angolans in Botswana, Namibia and Zambia, and Somalis and Congolese in South Africa. In the light of the decreasing refugee population in the region and a shift in priorities from repatriation to reintegration, local integration and mixed migratory flows, UNHCR developed a comprehensive plan of action for 2006-2008, which included specific country targets. Uncertainty over the political and security situation in the DRC made it impossible to start organized return movements. Nonetheless, thousands of refugees made their own way back to the country, particularly from Zambia. Mixed flows continued to strain the institution of asylum and Governments were overwhelmed by the number of asylum-seekers. For the same reason,

UNHCR faced challenges in ensuring that only those with genuine needs received assistance.

By subregion, UNHCR assisted 3.1 million persons in Central Africa and the Great Lakes region, which received \$190 million in agency expenditures. In East Africa and the Horn of Africa, \$159.6 million was spent on 6.2 million persons of concern, while some \$94.1 million was spent on programmes assisting 1.4 million persons in need in West Africa. In Southern Africa, \$46.8 million was spent on 379,120 persons of concern.

**Other developments.** The AU Executive Council, at its eighth ordinary session (Khartoum, Sudan, 16-21 January), adopted a decision (EX.CL/Dec.240(VIII)) on the situation of refugees, returnees and displaced persons in Africa, in which it called on the international community to increase support to States and populations concerned and requested its Commission to formulate a policy to facilitate the access of refugees and IDPs to education, including at the post-primary level. The AU Ministerial Meeting on Refugees and Displaced Persons was held in Ouagadougou, Burkina Faso, from 1 to 2 June.

#### GENERAL ASSEMBLY ACTION

On 19 December [meeting 81], the General Assembly, on the recommendation of the Third Committee [A/61/436], adopted **resolution 61/139** without vote [agenda item 41].

#### Assistance to refugees, returnees and displaced persons in Africa

*The General Assembly,*

*Recalling* the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969 and the African Charter on Human and Peoples' Rights,

*Reaffirming* that the 1951 Convention relating to the Status of Refugees, together with the 1967 Protocol thereto, as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

1. *Takes note* of the reports of the Secretary-General and the United Nations High Commissioner for Refugees;

2. *Notes* the need for African States to address resolutely the root causes of all forms of forced displacement in Africa and to foster peace, stability and prosperity throughout the African continent so as to forestall refugee flows;

3. *Notes with great concern* that, despite all of the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious, and calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanita-

rian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

4. *Welcomes* decision EX.CL/Dec.284 (IX) on the situation of refugees, returnees and displaced persons in Africa, adopted by the Executive Council of the African Union at its ninth ordinary session, held at Banjul on 28 and 29 June 2006;

5. *Expresses its appreciation* for the leadership shown by the Office of the United Nations High Commissioner for Refugees, and commends the Office for its ongoing efforts, with the support of the international community, to assist African countries of asylum and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

6. *Recognizes* that, among refugees, returnees and internally displaced persons, women and children are the majority of the population affected by conflict, and in this context notes the conclusion on women and girls at risk adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its fifty-seventh session;

7. *Notes* the conclusion on identification, prevention and reduction of statelessness and protection of stateless persons adopted by the Executive Committee at its fifty-seventh session, which is aimed at enhancing the protection of stateless persons as well as the prevention and reduction of statelessness;

8. *Reiterates* the importance of the full and effective implementation of standards and procedures, including the monitoring and reporting mechanism outlined in Security Council resolution 1612(2005) of 26 July 2005, to better address the specific protection needs of refugee children and adolescents and to safeguard rights and, in particular, to ensure adequate attention to unaccompanied and separated children and children affected by armed conflict, including former child soldiers in refugee settings, as well as in the context of voluntary repatriation and reintegration measures;

9. *Recognizes* the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

10. *Recalls* the conclusion on registration of refugees and asylum-seekers adopted by the Executive Committee at its fifty-second session, notes the many forms of harassment faced by refugees and asylum-seekers who remain without any form of documentation attesting to their status, recalls the responsibility of States to register refugees on their territories, and, as appropriate, the responsibility of the Office of the High Commissioner or mandated international bodies to do so, reiterates in this context the central role which early and effective registration and documentation can play, guided by protection considerations, in enhancing protection and supporting efforts to find durable solutions, and calls upon the Office, as appropriate, to help States to conduct this procedure should they be unable to register refugees on their territory;

11. *Calls upon* the international community, including States and the Office of the High Commissioner and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute generously to projects and programmes aimed at alleviating their plight and facilitating durable solutions for refugees and displaced persons;

12. *Reaffirms* the importance of timely and adequate assistance and protection for refugees, also reaffirms that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection, notes the importance of a rights- and community-based approach in engaging constructively with individual refugees and their communities to achieve fair and equitable access to food and other forms of material assistance, and expresses concern in regard to situations in which minimum standards of assistance are not met, including those in which adequate needs assessments have yet to be undertaken;

13. *Also reaffirms* that respect by States for their protection responsibilities towards refugees is strengthened by international solidarity involving all members of the international community and that the refugee protection regime is enhanced through committed international co-operation in a spirit of solidarity and burden- and responsibility-sharing among all States;

14. *Further reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, and calls upon States, in co-operation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character, and encourages the High Commissioner to continue efforts, in consultation with States and other relevant actors, to ensure the civilian and humanitarian character of camps;

15. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, and calls upon States of refuge, in co-operation with international organizations, where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers;

16. *Deplores* the continuing violence and insecurity which constitute an ongoing threat to the safety and security of staff members of the Office of the High Commissioner and other humanitarian organizations and an obstacle to the effective fulfilment of the mandate of the Office and the ability of its implementing partners and other humanitarian personnel to discharge their respective humanitarian functions, urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national

and international humanitarian workers and ensure the safety and security of the personnel and property of the Office and that of all humanitarian organizations discharging functions mandated by the Office, and calls upon States to investigate fully any crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes;

17. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the international refugee protection system;

18. *Calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities;

19. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

20. *Also reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees right to return, recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urges the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations;

21. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

22. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden- and responsibility-sharing, to the third-country resettlement needs of African refugees, notes in this regard the importance of using resettlement strategically, as part of situation-specific comprehensive responses to refugee situations, and to this end encourages interested States,

the Office of the High Commissioner and other relevant partners to make full use of the Multilateral Framework of Understandings on Resettlement, where appropriate;

23. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

24. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, inter alia, as a result of repatriation possibilities, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

25. *Encourages* the Office of the High Commissioner and interested States to identify protracted refugee situations which might lend themselves to resolution through the development of specific, multilateral, comprehensive and practical approaches to resolving such refugee situations, including improvement of international burden- and responsibility-sharing and realization of durable solutions, within a multilateral context;

26. *Expresses grave concern* at the increasing numbers of internally displaced persons in Africa, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in this regard the Guiding Principles on Internal Displacement, takes note of the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

27. *Invites* the Representative of the Secretary-General on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Human Rights Council and the General Assembly;

28. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its sixty-second session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".

## The Americas

UNHCR activities in North America and the Caribbean centred on refugee protection, resettlement, RSD procedures and mobilization of support

for refugees. During the year, the United States accepted some 41,000 people for resettlement, despite admission difficulties relating to terrorism and national security measures. Waivers of the material support bar to admission to the United States allowed the resettlement of over 2,100 refugees from Myanmar. The United States continued to strengthen its refugee protection capacity, especially through its Asylum Division and Refugee Corps. Almost 11,000 persons were resettled in Canada. Public confidence in the refugee system in Canada was lost due to perceived misuse by undeserving claimants. The Government postponed plans to overhaul the system and informed UNHCR that the statutory provision to establish the Refugee Appeal Division would not be implemented in 2006. As a result, despite its generous policies towards asylum-seekers and refugees, Canada still had no mechanism for appeals based on merits. UNHCR made periodic recommendations to the Government on management and operational issues relating to asylum-seekers, which led to improvements in their treatment and the processing of claims, as well as better coordination between UNHCR and Canada. In the Caribbean, progress was limited by the lack of political priority on asylum issues, limited UNHCR human and financial resources, and the complexity of mixed migratory movements from South to North, mostly by sea. The majority of those migrants were from Cuba, the Dominican Republic and Haiti, but increasing numbers of Africans were also reported. Asylum-seekers and refugees found themselves within those wider migratory movements, and the lack of national refugee legislation and asylum procedure in most Caribbean countries presented a challenge to UNHCR. Nevertheless, the Office carried out RSD in nine Caribbean countries and collaborated with Governments in contingency planning in the event of mass migration or refugee emergencies.

In Central America and Mexico, the refugee population remained constant at some 5,500 people. Durable solutions were found for a number of refugees, including the naturalization of 131 refugees in Belize. In El Salvador, Honduras and Nicaragua, 55 refugees received permanent or temporary residence or were naturalized. In Mexico, the UNHCR programme was affected by political changes following the elections, including frequent management changes within the UNHCR main government counterpart entities. Consequently, a pilot project to receive resettled refugees, the process to establish a new asylum law and the drafting of a new decree regulating the asylum procedure were halted. Lack of employment opportunities was a major obstacle to

refugee integration and self-sufficiency. Migratory movements in the region were characterized by a massive flow of undocumented migrants, including persons arriving through human trafficking, mostly from Central America, crossing Mexico and heading for Canada or the United States. Of the 180,000 migrants intercepted at Tapachula, Mexico's principal border crossing with Central America, 86,000 were deported, including some 5,000 unaccompanied minors. As human smuggling and trafficking were widespread, the UNHCR presence in Tapachula was essential to ensure that persons of concern had access to international protection. A mapping exercise on the situation of unaccompanied and separated children in migratory flows was carried out at Mexico's southern border as a first step towards strengthening protection and assistance. A capacity-building pilot project for border and migration officials in Belize, El Salvador, Guatemala, Honduras and Nicaragua was launched to improve access to asylum procedures, strengthen protection monitoring capacities and reinforce networking.

The major issues of concern in northern South America related to the ongoing conflict and worsening humanitarian situation in Colombia, which had led to a steady influx of Colombians into Costa Rica, Ecuador, Panama and Venezuela. More than 11,000 Colombians applied for asylum in neighbouring countries in 2006; however, the majority of displaced Colombians did not seek asylum. The lack of legal status of the estimated 500,000 unregistered Colombians living in border communities and marginal neighbourhoods in the large cities of the region made them vulnerable to deportation and hindered their access to basic human rights, such as education and health care. In line with the Mexico Plan of Action [YUN 2004, p. 1210], UNHCR developed a new strategy for the region that focused on the protection of and assistance for unregistered Colombians. The Borders of Solidarity and Cities of Solidarity pillars of the Mexico Plan of Action were further developed and over 100 projects were implemented to foster a positive environment for local integration and good coordination with local development plans. In follow-up to the Mexico Plan of Action, the first meeting on Resettlement in Solidarity in the Americas (Quito, Ecuador, February) strengthened resettlement as a durable solution. Some 845 Colombian refugees were resettled in countries within or outside the region. Security remained the main concern for the delivery of protection and assistance in the region; violent incidents in border areas were increasingly reported and included death threats and assassination, disappearance or the killing of asylum-seekers.

In most countries in southern South America, poverty, unemployment and underemployment affected large parts of the population. Most of the refugees in the region (8,500), mainly from Latin America with some from Africa, were working in the informal sector and their concerns were usually overshadowed by national priorities. Some 1,900 new asylum-seekers, mostly Colombians, were reported in 2006, compared to 1,400 the previous year. The increased number of applications for asylum was most significant in Bolivia and Chile. UNHCR was unable to provide assistance in line with established minimum standards due to budget caps, creating hardship among refugees and asylum-seekers. However, positive developments included the passage of new refugee laws in Argentina and Uruguay, the reinforcement of national eligibility commissions and the strengthening of national and regional protection networks, most notably in Brazil, which facilitated the local integration of refugees and the provision of timely information on border movements. Brazil also approved a decree granting complementary protection to asylum-seekers who did not meet the refugee definition of the 1951 Convention but were in need of international protection on humanitarian grounds.

Total UNHCR expenditure in the Americas and the Caribbean for the year was \$33.4 million for a population of concern of 4.7 million.

### **Asia and the Pacific and the Arab States**

In 2006, UNHCR spent \$80.4 million on activities in Asia and the Pacific for a population of concern of 6.2 million. Expenditures for operations in Central Asia, South-West Asia, North Africa and the Middle East amounted to \$170.2 million for a population of concern of 7.8 million.

#### *South Asia*

In 2006, UNHCR led the collective humanitarian response in Sri Lanka after hostilities between Government forces and the separatist Liberation Tigers of Tamil Eelam resulted in the displacement of 200,000 people, adding to the 300,000 already displaced since the ceasefire agreement in 2002 [YUN 2002, p. 1213]. More than 18,000 refugees sought safety in south India. Meanwhile, all parties to the conflict had hardened their positions and rhetoric, further hampering access by the humanitarian community to the displaced. In addition, the humanitarian space for UN agencies and NGOs came under pressure and 17 staff members of the NGO Action contre la Faim were killed. In Bangladesh and Nepal, national priorities took

precedence over issues related to refugees and asylum. In Nepal, the camp population was increasingly concerned about the stalemate in negotiations between Bhutan and Nepal regarding returns to Bhutan. Nepal and UNHCR conducted a census for the more than 100,000 refugees living for some 15 years in seven camps, and the Government approved the resettlement of those with special needs. UNHCR formed a steering group of Governments to sharpen the international focus on refugees from Myanmar in Bangladesh. Consequently, participatory assessments were conducted and registration completed in the camps, capturing previously unregistered persons. In India, a positive shift in relations between UNHCR and the Government improved the outlook for refugee protection, and progress was made towards durable solutions for Hindu and Sikh refugees from Afghanistan. The High Commissioner visited India at the end of the year in an environment of increased openness to UNHCR concerns.

#### *East Asia and the Pacific*

During 2006, UNHCR made a concerted effort to find durable solutions, through resettlement, for refugees in Thailand, Malaysia and Hong Kong, China. Of the 23,400 applications for resettlement from refugees in Malaysia and Thailand, some 6,000 refugees were accepted and subsequently departed. Although Thailand experienced political instability arising from a military coup and lacked clear policies on refugees, the interim Prime Minister said that the issue of refugees was among the top three concerns of the Government. Nevertheless, UNHCR and the international community were alarmed by Thailand's hardening attitude towards refugees, particularly those from the Lao People's Democratic Republic, with a number of Laotians of Hmong ethnicity being deported without UNHCR being given access to them. There was also a rise in the number of asylum-seekers in Indonesia and Malaysia, which placed an additional burden on UNHCR resources. Restricted access to detention facilities in Malaysia limited UNHCR monitoring and protection interventions. In Timor-Leste, the displacement of 150,000 people in the capital, Dili, and the surrounding districts, due to political unrest, triggered UNHCR participation in an inter-agency emergency response. In Myanmar, the Government's acceptance of two UN political missions to the country was considered a positive sign. However, restrictions on humanitarian agencies and control over their operations continued. UNHCR strengthened its operation in the south-east of the country along the border of Thailand and focused on providing a legal status to all residents pending the resolution of their citizen-

ship status. In that connection, UNHCR was able to convince the Myanmar Ministry of Immigration to accelerate the issuance of personal documents to more than 200,000 eligible stateless people over 10 years of age. UNHCR consolidated its access to returnees in the central highlands of Viet Nam and the Prime Minister issued a directive in December to begin the process of the naturalization of some 9,500 stateless persons, mostly former Cambodian refugees. There were also promising indications that durable solutions would be found for at least half of the 240 long-staying Afghan and Iraqi nationals living in legal uncertainty in Indonesia.

#### *Central Asia, South-West Asia, North Africa and the Middle East*

In South-West Asia, while some 399,000 Afghans returned home during the year, the number repatriated with UNHCR assistance (139,000) was the lowest in five years. The downward trend could be attributed to deteriorating security in some provinces, difficult economic and social conditions, and the fact that many refugees had been in exile for more than 20 years. Notable progress included the compilation of an overall profile of the Afghan presence and displacement in the region; the implementation of reintegration programmes, including the construction of shelters, the digging of water points and completion of income-generation and vocational projects; and the agreement between the Government and the international community, known as the Afghanistan Compact (see p. 363), which outlined key objectives in governance and economic and social development. The registration process in Iran enumerated some 920,000 Afghans living there. A similar exercise was started in Pakistan to account for the estimated 2.1 million Afghans in the country. Through a joint project between UNHCR and the Iranian authorities, registered Afghan refugees would benefit from skills training and access to basic services to improve their prospects for repatriation. In Pakistan, preliminary needs assessments in the health, education, water and sanitation sectors were carried out in 38 districts hosting Afghans. Security was the single most important determinant in finding successful solutions for displacement in and from Afghanistan.

In Central Asia, the search for solutions for Tajiks progressed, with the naturalization of more than 9,300 Tajik refugees in Kyrgyzstan and 9,500 in Turkmenistan. In June, in the light of the improved conditions in Tajikistan and under the terms of the 1951 Convention, refugee status for Tajiks was considered no longer applicable. UNHCR phased out its reintegration programme for returnees and ended

its repatriation programme for refugees by year's end. Some 1,500 refugees in Tajikistan, mostly Afghans, were resettled in third countries and the Office developed a project with the Government on local integration of the remaining 1,000 Afghan refugees. The fallout from the 2005 Andijan events in Uzbekistan [YUN 2005, p. 456] continued to affect the overall situation in Central Asia and resulted in the deterioration of the protection environment in the country. The April decision of the Uzbek Government to close down the UNHCR Office was indicative of the changed working environment. The United Nations Development Programme (UNDP) took over UNHCR activities related to finding a solution to the 1,400 Afghan refugees in Uzbekistan; half were referred for group resettlement in the United States. Political instability in Kyrgyzstan persisted in 2006 and had a negative impact on UNHCR activities.

In 2006, UNHCR continued to reinforce its presence in North Africa, thereby expanding protection space in the Libyan Arab Jamahiriya, Mauritania and Morocco. Thousands of asylum-seekers were able to avail themselves of international protection, including RSD. With no early political solution to the conflict in Western Sahara (see p. 329), UNHCR continued to provide basic assistance to the Saharawi refugees in the Tindouf camps in Algeria. The Office also implemented the Confidence-Building Measures project for Western Saharan refugees in the Tindouf camps and the residents of the Western Sahara Territory, which helped to reunite many separated families. In February, torrential downpours in Tindouf damaged schools, health centres and refugee dwellings. Some 60,000 refugees, or 12,000 families, lost their personal belongings. The UNHCR emergency programme met the needs of the affected population. During the year, UNHCR focused on strengthening the institution of asylum in North Africa through the promotion of national refugee legislation and the establishment of national procedures. The member States of the Union of the Arab Maghreb (Algeria, Libyan Arab Jamahiriya, Mauritania, Morocco, Tunisia) witnessed a steep increase in mixed flows of asylum-seekers and economic migrants from sub-Saharan Africa transiting their territories en route to Europe; the Office cooperated with the European Commission (EC) in implementing a mixed asylum-migration project to address the issue. The complex asylum-migration situation in the region posed a great challenge to UNHCR and, as it reinforced protection in the Union of the Arab Maghreb countries, increased staffing and funding were required.

In the Middle East, massive internal and external displacement of Iraqis continued unabated. By year's end, nearly 4 million Iraqis were displaced, with some 2 million having fled to Egypt, Jordan, Lebanon and the Syrian Arab Republic. While most countries in the Middle East were generous in hosting refugees, tolerance toward Iraqis in neighbouring States declined as their numbers increased and the prospect of a speedy return diminished. UNHCR protected and assisted the most vulnerable among the increasing number of IDPs and non-Iraqi refugees inside Iraq, as well as Iraqis in neighbouring countries. A less visible emergency developed in Yemen, where persons continued to arrive from across the Gulf of Aden. Some 25,000 new arrivals entered Yemen and as no additional support was forthcoming to help the Government increase its absorption capacity, the protection climate in the country was fragile. The situation in Lebanon remained volatile. UNHCR responded to the emergency humanitarian crisis that resulted from a month-long conflict that began in July (see p. 574), displacing up to 1 million people. The Office provided protection and assistance to 150,000 IDPs, refugees and returnees in the country, and to more than 20,000 Lebanese refugees in the Syrian Arab Republic. The cessation of hostilities in August triggered the massive return of IDPs and refugees. In other activities, UNHCR re-established dialogue with Sudanese communities in Egypt after the December 2005 deaths of 28 Sudanese demonstrators demanding more assistance and resettlement, and strengthened its representation in Israel to help the Government receive Sudanese and other asylum-seekers from sub-Saharan Africa.

## Europe

In 2005, UNHCR expenditures for activities in Europe totalled \$99.3 million for a population of concern of 4.6 million. More than one third of that amount (\$38 million) was for the 608,840 persons of concern in South-Eastern Europe.

### *Western, Central and Eastern Europe*

The number of asylum-seekers arriving in Europe in 2006 continued to decline significantly compared to previous years. France remained the leading asylum destination, with some 30,000 claims. In Switzerland, more than 68,100 persons were in the asylum procedure, compared to 71,900 the previous year. The significant drop in applications across Europe could be partially due to more restrictive border control mechanisms established in response to mixed migration flows. In the Mediterranean, on

the other hand, Italy, Malta, Spain and, to a lesser extent, Greece, continued to receive irregular arrivals of undocumented migrants by sea, mostly from North and sub-Saharan Africa, some of whom were possibly in need of international protection. The development of the UNHCR Ten-Point Plan of Action for Addressing Mixed Migratory Movements provided a framework for the Office's efforts to address the problem. The Office worked, in particular, with Greece, Italy, Malta and Spain to establish procedures to address the needs of unaccompanied and separated children and build national capacities to counter and prevent sexual and gender-based violence. In Sweden, there was a 39 per cent increase in asylum applications, with over 24,300 applications at the end of the year, representing the largest upsurge amongst all Western European countries. That was due to almost 9,000 asylum applications from Iraqi nationals. The majority of asylum applications to the European Union (EU) came from Iraq (20,000) and the Russian Federation (mainly from Chechnya) (13,000). Other significant asylum-seeker arrivals were registered from Afghanistan, Iran, Serbia (mainly from Kosovo) and Turkey. UNHCR continued to work with the EC, national authorities and NGOs to support the transposition of the main EU asylum directives, especially those linked to asylum procedures and qualifications. An agreement reached between the Italian authorities and UNHCR resulted in the Office establishing a permanent presence in southern Italy. UNHCR also strengthened its relations with the new EU agency, FRONTEX, and worked on common priorities relating to interception and reception. It was particularly concerned about cases of insufficient legal counselling mechanisms for asylum-seekers; inadequate identification, referral and protection mechanisms for those with special needs; and reception and detention conditions. Significant variations in refugee recognition across countries, particularly in respect of Iraqi nationals, were also a growing concern. Additionally, integration was recognized as a considerable challenge in Europe. In view of negative public attitudes with respect to asylum and towards refugees in general, UNHCR sought to raise public awareness and emphasized the need to fight intolerance and xenophobia.

In Central Europe and the Baltic States, the number of asylum-seekers continued to decrease. In 2006, some 11,200 people applied for asylum in Bulgaria, Hungary, Poland, Romania, Slovakia and Slovenia, approximately 2,400 fewer than in 2005. UNHCR continued to observe key areas in which gaps were apparent, including the right of access to national territory and asylum procedures; prob-

lems in processing asylum claims (especially the lack of access to legal advice and confinement in detention or transit/border zones); and the quality of decision-making. In line with UNHCR strategic objectives for Europe, the Office facilitated access for asylum-seekers to the territories of European States and to RSD procedures. Hungary, Poland, Slovakia and Slovenia agreed to be the primary providers of protection and assistance to asylum-seekers and refugees, allowing UNHCR to phase out its material assistance and legal and social services and concentrate on strengthening the asylum systems in those and other European countries. UNHCR was concerned that some Governments in the region were giving less priority to the protection of asylum-seekers and refugees, for whom the primary durable solution continued to be local integration. Conversely, refugees continued to face obstacles to integration due to difficulties in learning the national language, finding jobs, acquiring housing and accessing social services. The Office was also concerned about the significant number of people with unclear nationality status. The removal of thousands of citizens of the former Yugoslav republics from the Slovenian population records in 1997 had resulted in a so-called "erased" group of people, who were at risk of becoming stateless. Governments continued to cooperate closely with UNHCR in amending their national asylum legislation. The Office welcomed the accession of Romania to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

In Eastern Europe, Belarus, Moldova and Ukraine underwent significant political, socio-economic and institutional reforms. In the field of migration and asylum, the reform process resulted in institutional restructuring, but the allocation of government resources in support of the asylum system remained insufficient. The geopolitical situation of the three countries, located along the EU external borders, triggered a complex situation of mixed migration flows from and through their territories. UNHCR continued to provide training, support and technical advice to the Governments to improve their national asylum systems. The Söderköping Cross Border Cooperation Process, focusing on the three countries, as well as on seven neighbouring EU member States, continued to be a forum for the exchange of experience and policy development on migration and asylum issues. Progress in the legislative field in Belarus, Moldova and Ukraine led to a better reflection of international standards on refugee protection in draft national refugee legislation; UNHCR continued to ensure that all amendments

were in line with national standards. The unresolved situation in Abkhazia and South Ossetia in Georgia remained a concern, as did the unresolved issue of Nagorny Karabakh in Azerbaijan. Negotiations over Abkhazia and South Ossetia continued despite the tense political climate, but numerous security incidents affected UNHCR programme delivery. Consequently, there were no refugee returns from North Ossetia/Alania in 2006 and only a few IDPs in Georgia requested assistance to return to South Ossetia. With regard to IDPs, UNHCR assisted Georgia in developing a national strategy, and in the Northern Caucasus (Russian Federation), close to 159,000 IDPs benefited from UNHCR protection and shelter activities. The Office also met the protection and assistance needs of 4,000 Chechen refugees in Azerbaijan and Georgia and supported Armenia in carrying out a census of ethnic Armenian refugees from Azerbaijan.

### *South-Eastern Europe*

During the year, UNHCR provided protection and facilitated durable solutions for some 504,000 people in South-Eastern Europe, of whom 120,000 were refugees and 384,000 were IDPs. The decrease from 600,000 in 2005 was accounted for partly by repatriation and returns of refugees and IDPs from Croatia and Bosnia and Herzegovina and partly by the local integration of refugees in Serbia. More than 4,600 refugees repatriated to Croatia, of whom 1,400 were assisted by UNHCR. Close to 4,200 IDPs returned to their homes in Bosnia and Herzegovina, 3,540 with UNHCR assistance, while more than 1,400 refugees repatriated from abroad, with 128 being assisted by the Office. A total of 22 collective centres were closed in Serbia, decreasing the number of refugees and IDPs living in centres from 9,130 to 7,480. The 2005 Sarajevo Declaration [YUN2005, p. 1320], which resulted from an initiative jointly undertaken by UNHCR, the EC and OSCE, helped to provide political impetus and a platform for cooperation to remove obstacles to durable solutions for refugees who fled the wars in Croatia and Bosnia and Herzegovina in the 1990s. Consequently, some progress was made in de-registering refugees who had found durable solutions in Serbia and Bosnia and Herzegovina and through the Croatian reconstruction and alternative housing care programmes. The positive results, however, did not adequately reflect the problem of the long-term economic sustainability of those who were de-registered, or the fact that there was a high proportion of extremely vulnerable individuals among the remaining refugees and IDPs who continued to rely on UNHCR for protection and assistance. The

number of displaced from Kosovo was still high, with 207,000 in Serbia, 16,000 in Montenegro, and 22,000 within Kosovo itself. Hence, repatriation of displaced Kosovar minorities could only take place on a strictly voluntary basis. Therefore, the Office adopted a flexible strategy by continuing to facilitate voluntary returns through “go-and-see” visits and by strengthening the protection regime of IDPs. The main constraints to finding solutions to the Croatian

IDP and refugee problem continued to be the issue of tenancy rights, the validation of social rights and the lack of employment opportunities. In Serbia, the fluid political situation held back the adoption of a new asylum law. Meanwhile, the election of a new Government in Albania, the overhaul of the Directorate for Refugees and the appointment of new staff, slowed UNHCR capacity-building efforts in the asylum sector.