

EXCOM Standing Committee
Oral report on the High Commissioner's Global Dialogue on International Protection.

Questions and answers

1. THE INFORMAL WORKING GROUP

1.1. Your report says that UNHCR is preparing to consult with a number of organizations and will report back in June. Exactly when will these consultations take place?

It is recalled that, as per the High Commissioner's summary at the conclusion of the Dialogue, the informal working group would be established to examine the protection gaps with respect to migrants who are deemed to be "irregular", fall outside the international protection framework, yet they evidently need some form of humanitarian response and/or different kinds of protection interventions. The summary envisaged that the initial consultations would take place within a circle comprised of IOM, ICRC, IFRC, OHCHR, ILO and UNDP, evidently on a preliminary basis. Thus, these consultations would consider how the subject could be more fully framed and also outline better the actual process itself. On the basis of these preliminary outlines, a feedback would be provided to the other stakeholders, and the process of consultations worked out accordingly. We expect the initial consultations to have taken place by the time the June Standing Committee will be meeting.

It should however be noted that the protection needs of movers not covered by the international protection framework will also be discussed at the four regional conferences being planned under the ten Point Plan framework, of which more details are provided further below.

1.2. What will the consultations actually cover?

Ref to answer to 1.1.

1.3. The understanding derived from the Dialogue was that the informal working group would be open to the participation of States. This does not seem to be the case. Could you please explain why?

Let me reiterate that the preliminary consultations alluded to earlier with partner agencies are just the beginning. They do not exclude that the process of substantive work on the issues itself will critically involve States and other stakeholders, including NGO partners. *They are intended to generate suggestions on how to take the consultations on specific situations forward at field level, and also how most usefully to engage with States at the Geneva level.*

This is a timing aspect as well to how the process of substantive consultations on the "gaps" will be built up. Our objective is to draw valuable information about those "gaps"

from the consultations on the 10 Point Plan, which will bring key stakeholders, especially States, around the table in specific mixed-movement situations. Discussions at Geneva level will then be helped in being more focused and effective by being informed by field realities. It is a bottom-up approach that we are proposing.

2. THE TEN POINT PLAN

2.1. You have mentioned a series of field-based Stakeholder conferences on the TPP. When will these conferences take place? Have the invitations been extended already? Who will be taking part in these conferences?

The Office has obtained a direct grant of 4 Million Euros from the European Commission for a project entitled “Fostering best practices in the international protection of asylum seekers, refugees and stateless persons” (Aeneas programme “*Financial and technical assistance to third countries in the field of migration and asylum*”). The project is composed of several subprojects one of which is devoted to the further development and implementation of the 10 Point Plan in four different regions. This subproject, entitled “UNHCR’s 10 Point Plan in Central America, Western Africa, Eastern Africa and Southern Asia” *inter alia* envisages the organisation of four regional stakeholder conferences on the Ten Point Plan. The first of these conferences is scheduled to take place in Sanaa on the Gulf of Aden situation from 19 to 20 May 2008. A second one, for the West Africa situation, would take place in Dakar, Senegal in October 2008. The third, covering the Asia situation, will take place in the first half of 2009. The one covering the situation in Latin America will take place in Costa Rica also in 2009.

The organizational work for these events is now in motion. Invitations have not yet been extended. What is clear however is that States will be invited as the principal participants to these meetings, although other pertinent players, including UN sister agencies, other international agencies, and civil society players will also be invited.

2.2. What exactly will the conferences be addressing? What are their expected outcomes?

Building upon and furthering the High Commissioner’s Dialogue on Protection Challenges, the regional conferences aim at sensitizing key stakeholders to the protection challenges arising in situations of mixed migration and to familiarize them with UNHCR’s 10 Point Plan as a possible framework for the development of a ‘protection sensitive’ migration strategy. On the basis of an analysis of the particular migration situation in the region, and its challenges and opportunities for persons of concern to UNHCR, the conferences would also serve to build regional consensus on key elements for an implementation strategy.

[Please refer also to the draft concept note for the first conference attached. This is still a work in progress document, but provides already an idea where our thinking is at the moment].

2.3. *You have also mentioned 4 Roundtables that would be staged here in Geneva. Could you say more about these Roundtables? When will they take place? Who will be participating in them? What will they be addressing? What are the expected results?*

The EC funded project further includes convening of four expert roundtables in Geneva with around 30 experts from governments, other international agencies, academics and civil society. These roundtables will provide a forum for an in-depth discussion of the draft chapters of the Best Practice Guide on the Ten Point Plan and offer the opportunity to gather further best practice examples. They are tentatively scheduled for the second half of 2008. More information will be made available in due course.

2.4. *More generally, please describe the state/progress on the Best Practices Guide on the TPP that UNHCR is preparing? Will drafts of this document be shared with States and other stakeholders?*

A wide variety of best practice examples has been collected and explanatory notes drafted for seven out of 10 chapters corresponding to each of the ten points of the Plan. The plan is to have a preliminary final version of the Guide ready by the summer. It would be made available to the participants of the expert roundtables and other interested parties for input and further discussion. The Guide will then be revised on the basis of the comments received and published in early 2009.

3. RESCUE AT SEA

3.1. *At the conclusion of the last Dialogue, UNHCR indicated that the rescue at sea issue would be followed up within EXCOM, including a conclusion on the subject. Where do things stand in this respect?*

There have indeed been consultations in the Conclusions framework on this subject. Things stand as follows: At the June Standing Committee this year, UNHCR will present a conference room paper on the protection and solutions problems which arise in the maritime context. Thereafter, the process of considering a Conclusion will follow. In keeping with the overall manner in which the Conclusions process has been agreed to be addressed, it is foreseen that the Conclusion itself would be adopted in 2009.

3.2. *You have indicated that UNHCR will be meeting with a number of agencies sometime in the second quarter. Please explain exactly what this meeting will be about?*

UNHCR is part of an interagency group on the treatment of persons rescued at sea. Other members of this group are IMO, DOALOS (Division for Ocean Affairs and the Law of the Sea, Legal Department UN HQ New York), IOM, ILO, OHCHR. The last meeting of the group took place in December last year, at which it was agreed to continue working on a compilation of conclusions and suggestions on rescue at sea and on an action plan for improved interagency cooperation. The first document is almost ready (current draft attached) and we are now working on the action plan.

UNHCR has agreed to host together with the IMO an interagency meeting of Heads of Agency to discuss and endorse the above-mentioned on-going work at the highest levels.

3.3. *When will the meeting take place?*

We are currently exploring options for a date in for the second half of 2008.

3.4. *Will the meeting be open to those States that may be interested to take part?*

The meetings have always been held internally between the agencies concerned. UNHCR will however report on the results of the meeting as it has done before, for instance during the Dialogue. If it was thought useful, UNHCR would also be ready to arrange it for interested States to have an encounter of one hour or so with the group in the final part of its deliberations.

3.5. *Has the UNHCR/IOM brochure on rescue at sea been re-issued?*

The joint UNHCR/IMO "Rescue at Sea" leaflet has been very successful. Almost all the English version copies and a substantial number of the other language versions (French, Spanish, and Arabic) have been distributed. To meet the increasing number of requests, the English version of the brochure will re-issued within the next few months.

3.6. *Can we have more information on the evaluations of the Lampedusa and Canary Islands reviews that UNHCR is planning? Are other reviews planned? What will the reviews cover? What will they be used for? Will the reports be shared?*

The aim of these evaluations is to assess the effectiveness and impact of UNHCR's partnership arrangements, and their contribution to ensuring that those in need of protection as refugees actually find it, and identify lessons that might be drawn on how to improve UNHCR's own performance in this area in future. The Policy Development and Evaluation Service will first be looking at Lampedusa, to be followed by reviews of other situations. It is also hope that these reviews will contribute to the gaps discussions.

4. NEXT MEETING OF THE HIGH COMMISSIONER'S DIALOGUE

4.1. *We have noted that the next meeting of the High Commissioner's Dialogue will take place in the late part of November 2008. Is an actual date known at this point?*

No, not yet. The preference is definitely for a date in the third or fourth week of November. We are now establishing what other meetings might be taking place around about the same time, and which may interest the same participants as for the Dialogue so that the dates of the Dialogue can be firmed up accordingly. It is not excluded that if the most appropriate date would be the first week of December, the Dialogue could be scheduled accordingly.

4.2. You have indicated that the High Commissioner is interested for the next Dialogue to discuss protracted refugee situations. Could you elaborate the priority issues that the High Commissioner will be bringing forth accordingly?

The range of issues that UNHCR is presently seized with on the broad subject of protracted situations will be explained in the presentations to be made by the two Assistant High Commissioners following this session. Those briefings will, among others, portray the number, scope, and issues of the protracted situations globally with which UNHCR is seized today. In particular, the challenges they present will be highlighted, along with the Office's strategies and requirements for dealing with them with a view to the priority objective of solutions. The range of issues will be seen to be quite vast and complex, including protection, assistance, management and the inter-play of frameworks and responsibilities. While many of these issues will be considered by UNHCR, States and other stakeholders in the EXCOM context, the High Commissioner believes that the opportunity for an in-depth, free ranging debate of the subject in the Dialogue framework, benefiting from the input of experts, will be helpful in elucidating the conceptual, policy, strategic and operational intricacies of the issue.

4.3. How will the Dialogue be funded? How are the Dialogues as a whole funded?

The first Dialogue was funded primarily from UNHCR's own resources (request from the Operational Reserve), and a small earmarked contribution from Canada. The same approach will be followed in funding the next Dialogue.

Obviously, UNHCR will welcome support from States in funding the Dialogue on a predictable basis. Among others, this would enable the identification of a venue outside the Palais des Nations in the interest of an even more informal and inter-active atmosphere of dialogue. The Palais des Nations setting, as you all well know, brings with it a degree of formality and protocol. We would therefore welcome it if one or more donor States would like to help us in funding the Dialogue in 2008.

DIPS

3 March 2008