

Working with the host government

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Key points

- Familiarize yourself with the political dynamics, capacities and institutional arrangements of the host government as relevant to the emergency response
- Understand other UN agencies' engagement with the government and identify synergies and complementarities
- Always work with local government authorities (governors, municipalities) in operational areas and maintain an up-to-date contact list of key government counterparts
- In refugee situations, the UNHCR Representative or most senior UNHCR official in the country keeps a direct communication line with high-level government authorities to advocate for refugee protection and solutions as per UNHCR mandate

1. Overview

States are responsible for the safety and security of forcibly displaced and stateless people on their territory. This responsibility includes providing protection and assistance and treat them according to internationally recognized standards. UNHCR's mandated role is to support host governments in their response, including through international cooperation efforts. This entry outlines basic principles and practical advice for working with host governments in both refugee and IDP responses.

2. Main guidance

State Responsibility

While the responsibility for refugee protection lies with the central government, regional and local authorities play an essential role, international cooperation in support of States receiving

refugees is at the heart of the 1951 Convention on the Status of Refugees and for UNHCR to play a supportive role. This was reaffirmed by the [Global Compact on Refugees](#) in 2018. This role includes engaging development actors in support of host governments from the onset of an emergency response to ensure the socioeconomic inclusion of forcibly displaced, and link up the response with State coordination mechanisms to avoid creating parallel systems. UNHCR and partners will work with national and local authorities to bolster their operational capacity.

UNHCR's relationship with the host government

Refugees

Given the particular character of refugees as people seeking protection outside their country of origin, the 1950 Statute confers legal authority to the High Commissioner to intercede on behalf of refugees, as illustrated by the supervisory responsibilities.

The High Commissioner's refugee mandate applies to asylum-seekers and refugees in both emergency and non-emergency situations, in mixed movements, camps and urban settings.

The High Commissioner and his Office (UNHCR) are authorized to declare which individuals or groups may be of concern to the Office under its core mandate. Their concern may relate to a specific individual or a wider group. Exercising the mandate in this way informs other actors of the High Commissioner's international protection interest in and responsibility for forcibly displaced and stateless people.

Stateless persons

The High Commissioner for Refugees has responsibilities for refugees who are stateless, pursuant to the 1951 Convention. Moreover, in accordance with GA resolutions 3274 XXIX and 31/36, and pursuant to Articles 11 and 20 of the 1961 Convention on the Reduction of Statelessness, it is to UNHCR that persons claiming the benefits of the 1961 Convention apply, both to examine their claims and assist them to present claims to the appropriate authorities.

Internally displaced persons (IDPs)

The High Commissioner does not have a general or exclusive mandate to intercede on behalf of internally displaced persons, however, it has been authorized by the UN General Assembly to become involved operationally under certain circumstances for the purpose of enhancing protection and providing humanitarian assistance to internally displaced persons through special operations.

Certain requirements must be met before the High Commissioner may act in favour of internally displaced persons. The Secretary-General or a competent principal organ of the UN must issue a specific request or authorization; the State or other entities concerned must consent; there must be assurances that UNHCR will obtain access to the internally displaced persons in question; adequate resources and the Office's particular expertise and experience must be available; action should complement the action of other agencies; and adequate staff safety should be

assured.

The scope of [UNHR's operational engagement in situations of internal displacement](#) will normally be aligned with our global [cluster](#) leadership and coordination responsibilities related to protection, and co-ordination of shelter and camp coordination and camp management. Please see the Handbook entries on the [IASC cluster approach](#) for more information as well as the [2019 Policy on UNHCR's Engagement in Situations of Internal Displacement](#).

When a major new crisis occurs, UNHCR operations should be conscious that government arrangements to respond to refugee or IDP needs may change. Emergency response operations are delivered by a number of government departments, such as those responsible for public works (water, sanitation), education, health, and home affairs (safety and security), which often also oversees local government institutions. Many Governments may have emergency-specific institutions, such as Civil Defence and DRM.

In terms of the practical management of government relations, UNHCR emergency managers should keep an up-to-date contact list and regularly engage with their key government counterparts. These can make a big difference when quick or urgent operational and protection decisions or interventions need to be made.

Refugee emergencies

Emergency preparedness

UNHCR offices, or visiting missions if there is no presence, support host governments in preparing for emergencies. Assistance covers all aspects of preparedness, from identifying and monitoring emergency risks and scenarios to advanced preparedness actions related to contingency planning. UNHCR offices should be aware of government contingency plans and national response capacities. For more information on preparedness, please consult the chapter on [Emergency Preparedness](#).

During refugee emergencies

When a refugee emergency occurs or is imminent, UNHCR should initiate high-level consultations with the host government on the points listed below. With respect to inter-agency coordination arrangements, the [Refugee Coordination Model](#) (RCM) applies, by which UNHCR (co-)leads the refugee emergency response with and in support of the host government.

Main points to consider in deliberations with the government:

- Highlight the groups of people who, in UNHCR's view, are or may be in need of international protection and assistance by UNHCR.
- Seek to ensure that newly arriving asylum-seekers and refugees have access to the territory, to asylum and asylum procedures.
- Seek to ensure that new arrivals are granted appropriate status and enjoy corresponding rights.
- Given that the government is responsible for ensuring the civilian character of asylum, clarify security arrangements as well as related procedures for separating civilians from

- combatants and former combatants, as required.
- Enquiring about existing government-based operational interventions and coordination mechanisms, if any.
- Establish who will be the most senior government counterpart in charge of the emergency situation, as well as primary working-level counterparts.
- Open consultations on the response strategy and how (as appropriate) UNHCR can enhance the host government's emergency response capacity.
- Propose joint development of a contingency plan or lead a refugee response plan (RRP), as applicable.
- Offer assistance with coordination of the emergency response, given the possible involvement of UN and NGO partners.

UNHCR assists the government in coordinating, delivering the response and addressing protection issues. Typically, this involves coordination arrangements, partnership with various government departments in service delivery, and regular dialogue at all levels on refugee protection issues.

At the request of government, UNHCR may complement national capacities to deliver essential services to newly arriving refugees in an emergency situation. It is of critical importance that an emergency response operation supported by UN and NGO actors does not displace or operate in parallel to government services: existing national capacity should always be the starting point when planning emergency response services.

IDP emergencies

When an IDP emergency occurs or is imminent, the UN Resident Coordinator (RC) or Humanitarian Coordinator (HC) initiates consultations with the host government on UN engagement. In terms of inter-agency coordination, the [cluster approach](#) applies to IDP emergencies and the overall response is (co)-led by the RC or HC. Please read the entry on the [IASC Cluster approach](#) for important information on UNHCR's role in IDP responses.

UNHCR's role and engagement with host governments focuses on the three global clusters for which it has lead or co-lead responsibility. UNHCR leads the Global [Protection Cluster](#) (GPC) and co-leads the Global [Cluster for Shelter](#) and the Global Cluster for [Camp Coordination and Camp Management](#) (CCCM). UNHCR does not normally support the entire response. Its role and interventions reflect the plan and approach adopted by the UN Country Team (UNCT) or Humanitarian Country Team (HCT).

UNHCR presence /offices

All staff should be familiar with their host country agreement (often referred to as the Accord de Siège), which specifies the basic conditions under which UNHCR, in accordance with its mandate, cooperates with the government, opens or maintains an office or offices, and carries out its international protection and assistance functions on behalf of refugees and other persons of concern, in the host country. In countries that have not agreed an Accord de Siège, the UNHCR country office or the emergency team should strive to formalize exchanges with the government and define the initial scope and modalities of cooperation. This needs to be done in consultation

with the relevant regional bureaux and divisions at UNHCR headquarters.

Country partners

National government authorities

National authorities lead and manage the overall emergency response in a country. It is vital that UNHCR plans and coordinates with national authorities and engages them in protection and operational issues.

National authorities include government leaders; the principal focal points or task forces on refugee and IDP issues; relevant line ministries, such as those responsible for foreign affairs, justice, immigration, social welfare, civil registration, etc.; and relevant security forces, enforcement agencies and the military. Policies and guidance issued by national authorities, including the executive and line ministries, may have a major impact on the approach that local authorities take in specific operational areas.

Local government

Local government may include governors, mayors, municipalities, local councils, police, security forces, and branches of line ministries. The influence and role of local government authorities should not be underestimated. They are usually responsible for all local public services, land and settlement issues, and security and law and order. Municipal authorities are often at the forefront of **emergency** response and are often pragmatic, hands-on actors.

In both out-of-camp and camp operations, the success of a response will depend significantly on the degree to which persons of concern have access to public services. UNHCR may put in place capacity-building initiatives or community support projects to facilitate service delivery and ensure the good will of local populations.

Judicial authorities

Judicial authorities are institutions of the State but are normally independent of the government in terms of their functions. They may operate at national, regional or local level, and include courts of appeal as well as first instance. UNHCR's engagement with the judicial system may take several forms. It may intervene formally as a party in legal proceedings, may offer informal support or input to courts or other judicial bodies, and may support lawyers or applicants associated with an action or who seek redress, for example, after removal or to prevent refoulement.

Independent bodies

Independent bodies may include commissions (such as national human rights commissions), ombuds offices and other independent institutions that may be established or appointed by the government or parliament to investigate and address complaints of maladministration or violations of rights. They can be useful allies for advocacy, including when UNHCR needs to juggle advocacy with supporting government co-leadership, for instance in Protection Clusters.

Where appropriate, UNHCR approaches such bodies for support or intervention, for example to prevent refoulement.

UNHCR's role and accountabilities

- UNHCR engages with the host government at all levels on emergency preparedness and response.
- On issues of operational delivery and to channel international humanitarian assistance, UNHCR works in support of government authorities in line with protection principles and the humanitarian imperative.
- When appropriate, feasible and in agreement with authorities, UNHCR may engage in emergency service provision for refugees and IDPs, and in capacity-building initiatives that strengthen the ability of host government systems and services to cope with an emergency situation.

Post emergency phase

The humanitarian-development-peace (HDP) nexus approach encourages joined-up complementary efforts across stakeholders to reduce people's humanitarian needs, risks and vulnerabilities. It does not imply that humanitarian, development, peace and other actors should merge their activities or integrate roles, but it calls for programmes or activities to be layered in all contexts, in line with the respective mandates of each actor.

Responses to both IDP and refugee situations should contribute to operationalizing the HDP nexus by coordinating and combining mutually reinforcing humanitarian, development and peace efforts that work towards solutions for people in need and host communities, in line with the [OECD's DAC recommendation on the HDP nexus](#). This means that, after the live-saving emergency phase, response partners need to embed longer-term objectives in national or local development plans, UNSDCF or other frameworks of relevance, as part of the Agenda 2030 commitment of leaving no one behind and as part of UNHCR's responsibility to find durable solutions for refugees. It is useful, as soon as feasible in an emergency, to map policies and programmes from relevant line ministries to identify the best approaches to achieve inclusion of forcibly displaced and stateless persons in national plans and services.

3. Links

[UNHCR, Global Compact on Refugees. 2018 IASC Cluster approach OECD's DAC recommendation on the HDP nexus](#)

4. Main contacts

Contact UNHCR's Division for Emergency, Security and Supply (DESS): hqemhand@unhcr.org.

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