

# Sexual and gender based violence (SGBV) prevention and response

28 March 2023

## Key points

- Anyone can become a survivor of SGBV: women, men, girls, boys, of every age and background.
- Initiate SGBV prevention and response programming from the start of an emergency, whether or not cases have been reported.
- Do not forget to include men and boys when you work with communities on SGBV prevention.
- Involve staff having a variety of functions in SGBV prevention: it is a UNHCR protection priority and a responsibility of all staff.
- Put aside your cultural and other biases and assumptions with regard to SGBV (including assumptions about traditional practices).

## 1. Overview

Sexual and gender-based violence (SGBV) refers to any act that is perpetrated against a person's will and is based on gender norms and unequal power relationships. It includes physical, emotional or psychological and sexual violence, and denial of resources or access to services. Violence includes threats of violence and coercion. SGBV inflicts harm on women, girls, men and boys and is a severe violation of several human rights.

Persons of concern are often at heightened risk of SGBV during emergencies. This can be due to a number of factors, including the sudden breakdown of family and community structures after forced displacement. Certain groups in a population may be particularly at risk of SGBV: [older persons](#), [persons with disabilities](#), adolescent girls, children, LGBTI persons, and female heads of household.

SGBV may be perpetrated by anyone, including individuals from host communities, from refugee or IDP communities, and humanitarian actors. Persons in positions of authority (police, security officials, community leaders, teachers, employers, landlords, humanitarian workers) may abuse their power and commit SGBV against persons of concern. Changed social and gender roles or responsibilities, as well as the stresses of displacement, can cause or exacerbate tensions within the home, sometimes resulting in domestic violence. Some harmful customary or traditional behaviours may amount to SGBV: early marriage, female genital mutilation/cutting (FGM/C), honour killing and maiming, forced abortion. During situations of armed conflict, sexual violence may be used as a weapon of war.

Preventing and responding to SGBV is a core component of UNHCR's protection mandate. Given the multi-sectoral nature of the response it requires, UNHCR and partners should mainstream SGBV prevention throughout the emergency response and in programming across all sectors. SGBV prevention and response interventions are life-saving. Programming must begin at the very outset of an emergency, irrespective of the number of reported SGBV cases. UNHCR works together with Governments, other UN agencies, local and international NGOs and persons of concern to prevent and respond to SGBV.

## 2. Main guidance

### Protection objectives

- To protect displaced women, girls, men and boys against SGBV at all times and in all locations, including in the home, school and work, in public places, on public transport, and at aid distribution points.
- To ensure that SGBV survivors can confidentially report incidents and have timely and non-discriminatory access to services and support, including medical, psychosocial, legal and material assistance, as well as safe spaces where needed.
- To address the specific protection needs of persons at high risk of SGBV (including [older persons](#), [persons with disabilities](#), adolescent girls, children, LGBTI persons, and female heads of household) and take them into account in all programming.
- To ensure that SGBV survivors can seek a judicial remedy if they wish.
- To encourage and enable persons of concern to become actively involved in protecting women, men, girls and boys against SGBV, including through [community-based protection](#) networks and initiatives.

### Underlying principles and standards

- A survivor-centred approach:
  1. Treat every survivor with respect.
  2. The safety of survivors and their families is paramount.
  3. Respect the choices, wishes, rights and confidentiality of survivors and their families. The identity of a survivor should never be revealed without his or her prior consent.
  4. Provide services and support without discrimination on any grounds.
- A rights-based approach. Empower individuals and communities to exercise their rights,

rather than assist them as 'beneficiaries'.

- An [age, gender and diversity](#) approach. All women, men, girls and boys of all ages and diverse backgrounds should enjoy their rights on an equal footing and participate fully in decisions that affect them.
- [Community-based protection](#). Put the capacity, agency, rights and dignity of persons of concern at the centre of programming. Involve communities actively and substantively in all aspects of programmes that affect them. The community should be the driving force of change.
- Gender equality and women's empowerment. Gender norms and unequal power relations are the underlying causes of SGBV: work with women, men, girls and boys to address the root causes of SGBV and support women and girls to be leaders in their communities on an equal footing with men and boys. Please see entry on [Age, gender and diversity](#) (AGD).
- A life-saving intervention. SGBV prevention and response are life-saving interventions. Plan and implementing them from the start of an emergency, without waiting for evidence of prevalence.
- A multi-sectoral approach. Involve UNHCR personnel and partners with different functions to make sure that SGBV prevention is mainstreamed throughout the response.

## Protection Risks

- Persons of concern may be at risk of SGBV in many different settings (at home, in public places, on public transport, in the workplace, at school, at aid distribution points). Perpetrators may be from the host or refugee/IDP community, from the humanitarian community, or in an official position.
- Although there are also communalities, SGBV-related risks in camps may differ from those in out-of-camp settings. For example
  1. In camp settings, displaced people are at risk of SGBV at aid distribution points; in water, sanitation and hygiene (WASH) facilities; in unsafe shelter arrangements such as communal tents; and in areas where lighting is poor.
  2. In out of camp settings, they are at risk of SGBV in public spaces such as markets; in the workplace; at and on the way to and from school; while using public transport; and at home (where they may be abused or exploited by landlords, neighbours, or other members of the household).
- The risk of SGBV in an emergency context is exacerbated by several factors. These include: breakdown of family and community support systems; the presence of armed forces or combatants; weak legal systems and law enforcement; abuse of power by individuals in positions of authority; laws and practices that reinforce gender discrimination; inadequate access to shelter, food, water and fuel; and inadequate access to livelihood opportunities.
- Certain people are particularly at risk of SGBV during and after forced displacement, especially when they have been separated from or have otherwise lost the support of their relatives or communities. They include [older persons](#), [persons with disabilities](#), adolescent girls, children, LGBTI persons, and female heads of household.
- Girls and boys are at risk of sexual exploitation, abuse or violence by persons who care for or have unhindered access to them, including in schools. Gender-based denial of resources or access to services can also amount to SGBV; for example, girls may be denied access to school because of their gender.

- When persons of concern are dispersed in the population, in urban or rural settings, it is difficult to identify survivors and those at risk of SGBV, or ensure their access to services.
- Under-reporting of SGBV is often a serious issue. Survivors may not speak out because they are ashamed, stigmatized, blame themselves, fear reprisals or re-victimization, or mistrust the authorities. As a result, survivors may not make use of services to which they are entitled.
- The difficult social and economic conditions that people experience during displacement may drive men, women, boys or girls to adopt negative coping strategies, such as survival sex.

## **Other risks**

- UNHCR faces a reputational risk. If UNHCR and its partners do not adequately address SGBV, this may harm UNHCR's credibility and authority.
- The media may demand information on SGBV cases. If survivors come forward, it may put them at additional risk, particularly when the services in place cannot meet their immediate support needs.

## **Key decision points**

Senior management is responsible for making sure that UNHCR and partners prioritize action to prevent and respond to SGBV, as a life-saving intervention. Programming should start from the inception of an emergency, whether or not cases of SGBV have been reported.

If no staff member has a specific SGBV portfolio, management should decide which protection staff will take primary responsibility for SGBV prevention and response. As part of protection mainstreaming, managers must also ensure that colleagues with different functions within UNHCR work together on SGBV prevention, and that all programmes address it. They should also make sure that steps are taken to identify people at risk, undertake prevention activities, and disseminate information about the services that are available.

Managers should work closely with other UN agencies, Government authorities and ministries, and NGOs working on SGBV, to ensure the approach taken is collaborative. SGBV prevention and response programmes should fall broadly within protection and (in a refugee emergency) should be led by UNHCR. Services that meet the needs of survivors (health care, psychosocial support, legal aid) will ordinarily be provided by partners. Depending on capacity, UNHCR may assume a role in individual case management, alongside partners.

# Key steps

## Systems

1. Appoint at least one professional member of the protection staff to be responsible for SGBV prevention and response, under the overall supervision of the Assistant Representative Protection (or equivalent position in the operation) or the senior protection officer.
2. Identify other actors working on SGBV prevention and response (and their focal points), in Government institutions, UN agencies, and local and international NGOs, as well as service providers in the fields of health, psychosocial support, safety and security, and legal assistance.
3. Conduct individual interviews with persons of concern, and local actors, to identify their needs, solutions, and gaps in programmes and services. Complement interviews with situation analyses and focus group discussions.
4. With partners, establish (and in refugee situations lead) a coordination mechanism, such as a SGBV working group.
5. In collaboration with partners and service providers, develop clear reporting mechanisms and referral pathways for SGBV survivors, to ensure survivors are able to disclose SGBV [MV1] in a variety of points of contact and can obtain efficient and non-discriminatory access to services.
6. In collaboration with partners and service providers, prepare standard operating procedures (SOPs) on SGBV prevention and response, which describe the coordination arrangements, referral pathways, and reporting mechanisms.
7. Set up a management system for SGBV cases.
8. Put special procedures in place for working with child survivors and child perpetrators.
9. Establish an information management system for SGBV data, including an information-sharing protocol for participating organizations. (For tools go to website <http://gbvims.org>[MV2] )
10. Develop a monitoring and evaluation framework for SGBV programmes and integrate it in protection programming.
11. Review national laws and policies on SGBV protection, the rights of survivors, and gender equality, to ensure they are in line with international law and are not discriminatory.
12. In countries that are listed in the annual **Report of the Secretary-General on Conflict-related Sexual Violence**, and in operations that receive refugees from those countries, UNHCR has an obligation to help coordinate, to collect and verify information, and participate in monitoring, analysis and reporting arrangements (MARA). UNHCR usually collects data for MARA via its protection monitoring and information management systems. The information is submitted to women protection advisors (or their equivalent) in peacekeeping missions, the MARA working group, or SGBV coordination structures at country level.

## Prevention

1. Take steps to raise awareness among persons of concern of the need to prevent SGBV and promote gender equality, and about services available to survivors. Where it is relevant, include information on how survivors can access justice through formal and informal justice mechanisms. Please see entry on access to justice.
2. Identify or encourage the formation of community-based networks among persons of concern and assist them in their preventive and information work on SGBV.
3. In coordination with communities and the host Government, establish arrangements to ensure the safety and security of persons of concern.
4. Work with partner organizations to create safe spaces for women and for children in, out-of-

camp settings. Where these already exist, make the community more aware of them.

5. Ensure that teachers, other school staff, and students are trained in SGBV and that systems are in place in schools to identify and refer survivors and children who are at risk of SGBV. Ensure that all teachers sign a [code of conduct](#) that prohibits all forms of SGBV against students and are trained to implement it. Please see entry on education in emergencies.

6. In camp settings, work with UNHCR and partners from relevant sectors to ensure that camps are set up, structured and managed to promote safety, by the provision of lighting, an adequate security presence (including female security personnel), secure shelters allocated according to need and vulnerability, and WASH facilities that are safe and accessible. Please see entries on [camp coordination and camp management](#) (CCCM) cluster (IASC), [shelter solutions](#), and [WASH in camps](#).

7. In urban settings, work with shelter partners to reduce the risks of SGBV created by overcrowded or insecure housing arrangements. Ensure that programmes (such as cash assistance) target persons with specific needs, including survivors and persons at risk of SGBV.

8. Explore the provision of vocational, skills training and livelihood programmes because these can contribute to SGBV prevention by empowering women. Ensure that programmes are open to women, including survivors. Please see entry on livelihoods and self reliance.

9. Engage with persons who have power (employers, teachers, landlords), and educate them about the risks and consequences of SGBV.

10. Provide training to local authorities, law enforcement and judicial officers, including informal justice mechanisms where relevant, to ensure that they recognize, respect and protect the rights of SGBV survivors. Emphasize the principles of non-discrimination, equality before the law, and equality before courts and tribunals. Please see entry on access to justice.

11. In discussions with local authorities, and law enforcement and judicial officers, including representatives of informal justice mechanisms, emphasize the importance of bringing perpetrators to justice.

12. Provide training to all UNHCR and partner personnel on prevention of sexual exploitation and abuse of persons of concern. Disseminate UNHCR's [Code of Conduct](#) and the Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13).

13. Train and inform UNHCR and partner personnel in a range of functions (education, protection, food security, livelihoods, [camp coordination and camp management](#) (CCCM), health, shelter, fuel and energy, WASH), to ensure they understand the risks of SGBV and their responsibility to prevent and, where appropriate, respond to it in their programming.

## **Response**

1. Provide training to relevant UNHCR and partner personnel to ensure they fully understand the SGBV SOPs[MV3] . Make sure they are familiar with reporting and referral systems, and core principles that underpin work with survivors: respect, safety, confidentiality and non-discrimination. Familiarize staff with SPHERE standards, to ensure that response planning and assistance take the specific needs of women, men, girls, and boys into account.

2. Engage with service providers to make sure that services they provide to SGBV survivors are appropriate, of high quality, and comply with basic standards for survivor care. When a survivor reports a SGBV incident, always respect his or her wish to report the incident formally or not, or access particular services. Every survivor should be:

- Informed of the assistance available, including medical services, psychosocial support,

- legal assistance, and (where necessary) material assistance and access to safe shelter.
- Provided with health assistance as a priority if he or she has experienced physical or mental harm. In cases of rape, all (eligible) survivors must have access to post-exposure prophylaxis (PEP) against HIV, prophylaxis for sexually transmitted infections, and (in the case of female survivors) emergency contraception. Able, where admissible, to have forensic evidence collected by the health sector/cluster, where appropriate[MV4]
- Granted free legal aid if he or she wishes to pursue legal action. If the survivor agrees, acts of sexual violence or female genital mutilation should be reported to the police as soon as possible.
- Relocated to a safe house, shelter or an alternative location within the country, or considered for resettlement if their safety is at risk and circumstances require it.

**Note: Pay attention to the definition of 'eligibility' and 'eligible rape survivor'. Eligibility should be determined for each prescribed medical intervention, based on the medical indication of the intervention and the time that has passed between the incident and the intervention.**

## Key management considerations

To manage SGBV prevention and response programmes, at least one professional member of the protection staff should be dedicated to SGBV, in an appropriate supervisory or management structure. A monitoring and evaluation framework should be set up soon after an emergency starts, to measure the impact of interventions and identify gaps in programming. Because preventing and responding to SGBV is a multi-sectoral and inter-agency obligation, effective management, oversight and monitoring arrangements should involve relevant inter-agency mechanisms, partners and Government institutions, as well as persons of concern.

## Resources and partnerships

### Staff

- At least one member of the protection staff in each operation must have responsibility for SGBV prevention and response programming, under the overall supervision of the Assistant Representative Protection (or equivalent position in the operation).
- SGBV prevention and response activities are multi-sectoral and require coordination with UNHCR and partner organizations in a variety of sectors (including protection, WASH, livelihoods, health, shelter, CCCM, education and [child protection](#)). Ensure that protection and health staff work together to ensure that survivors are able to access health facilities as soon as possible. [MV1]

### Partners

- Partnerships outside UNHCR include local, national and international NGOs; other UN agencies; and relevant Government authorities including ministries, and law enforcement and judicial institutions.
- It is essential to work closely with women, men, girls and boys across populations of concern at every stage of programming (assessment, prioritization, design, implementation, monitoring and evaluation).

## **Resources**

Adequate financial resources are required to plan, implement and monitor SGBV prevention and response programmes and interventions. SGBV programmes should be prioritized as life-saving interventions in funding proposals.

# **3. Standards**

## **SGBV**

### Emergency Standard

- All SGBV survivors have access to the medical care they require.
- All SGBV survivors have access to psychosocial support.
- All survivors who choose[MV6] to disclose an incident should be able to access legal advice and support
- Where a survivor's safety is at risk and the circumstances require, he or she is relocated to safe house, shelter, or alternative location within the country, or considered for resettlement[MV7]
- All survivors of rape should have access to services for clinical management of rape. All health facilities should have trained staff, as well as sufficient supplies and equipment for the clinical management of rape. Indicators that will be collected using the UNHCR Health Information System are:
  - 100% of eligible rape survivors receive PEP (against HIV) within 72 hours of an incident.
  - 100% of eligible female rape survivors receive emergency contraception within 120 hours of the incident.
  - 100% of eligible rape survivors receive prophylaxis for sexually transmitted infections within 2 weeks of the incident.

### Long-term standard

The same standards apply to long-term situations and emergencies.

## **Annexes**

[UNHCR, Action Against Sexual and Gender-based Violence. An Updated Strategy, 2011](#)



[UNHCR, Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons. Guidelines for Prevention and Response, 2003](#)

[Gender-based Violence Area of Responsibility Working Group, Handbook for Coordinating Gender-based Violence Interventions in Humanitarian Settings, 2010](#)

[UNHCR Handbook for the Protection of Women and Girls](#)

[Clinical Management of Rape Survivors](#)

[Implementation of Security Council Resolution 1960 \(2010\) On Women, Peace and Security](#)

[Handbook for Coordination Gender-based Violence Interventions in Humanitarian Settings](#)

## 4. Links

[UNHCR Refworld, Special Feature Page, Gender Equality and Women UNHCR, SGBV e-learning International Rescue Committee, Women's Empowerment and Protection Global Protection Cluster, Gender-based Violence Area of Responsibility MenEngage - an alliance of NGOs working with men and boys to promote gender equ... Gender Based Violence information management system Minimum Initial Service Package for Reproductive Health in Crisis](#)

## 5. Main contacts

As first port of call, the UNHCR Dep. Representative (Protection), UNHCR Asst. Rep. (Protection), and/or Snr Protection Officer in the country; or The UNHCR Regional Asst./Dep Rep (Protection) and/or Snr. Regional Protection Officer at the regional office (if applicable); or The Snr. Regional Legal Advisor in the respective UNHCR regional bureau, covering the respective country region, who in turn will liaise as required with the parent unit at UNHCR DIP.

# Advocacy in emergencies

28 March 2023

**Key points**

- Be clear what your key messages are. Be clear about the purpose of your advocacy. What do you want to achieve?
- Incorporate advocacy in your overall protection strategy.
- Adjust your strategy to what you want to achieve. If a small (closed door) intervention suffices to reach your goal, no need to go public with an advocacy campaign ["Ladder of options" approach].
- Consult extensively and cooperate with others. Wherever possible, avoid competitive advocacy. Seek to work with others to achieve advocacy that is complementary.
- Manage risks pro-actively to avoid surprises. Consider possible unintended consequences of your advocacy, at field and global level, on the humanitarian response on the ground and on UNHCR's oversight responsibilities.
- Make sure that all advocacy products are evidence-based, fact-checked, and proofread. Make sure you are honest.
- Make sure that all your advocacy messages are consistent, internally and over time.
- Be concise. Avoid jargon wherever you can. If you have to use jargon, explain what it means.

## 1. Overview

'Advocacy' is a set of coordinated activities (ideally contributing to a broader strategy) that seeks to ensure the protection of persons who are of concern to UNHCR by promoting changes that bring policy, practice or law into line with international standards. UNHCR and its partners undertake advocacy of various kinds, including media campaigns, public speaking, commissioning and publishing research, and lobbying. In emergencies, (evidence-based) advocacy plays a vital role in efforts to influence decision makers and stakeholders to adopt practices and policies that will protect refugees, internally displaced people, stateless persons and other affected populations. It is and should remain a central element of comprehensive protection and solution strategies.

Combined strategically with other protection activities (information dissemination, monitoring, negotiation), advocacy can help to transform attitudes, systems and structures that put populations of concern at risk. Advocacy messages must have clear objectives and target audiences.

## 2. Main guidance

# Protection objectives

- To end human rights violations and encourage respect and positive observance of human rights by encouraging stakeholders to fulfil their protection responsibilities (including among others States, and peacekeeping missions).
- To ensure that stakeholders deliver humanitarian assistance to persons of concern in a safe and dignified manner, on the basis of humanitarian needs and without discrimination of any kind.
- To ensure that stakeholders make funds and resources available to meet the needs of persons of concern.
- To bring policies, practice and laws into compliance with international standards (notably refugee law, humanitarian law, human rights law, guiding principles on IDPs, international standards on prevention of statelessness and protection of stateless persons).
- To promote greater acceptance of persons of concern by host communities and to combat discrimination and xenophobia.

# Underlying principles and standards

- **'Do no harm'**. Ensure that advocacy does not negatively affect access to or protection of persons of concern, the credibility of UNHCR, access to UNHCR or partners for relevant populations, or partnerships.
- **Impartiality and neutrality**. Preserve these values of humanitarian actions, at field level and globally, in order to foster dialogue, access, and open channels of cooperation.
- **Public or restricted dissemination of advocacy messages**

Decisions on the status of advocacy messages should be determined case-by-case, weighing the risks. Will publicizing a statement disrupt an important dialogue with key stakeholders in the field? Or persuade key stakeholders to open vital areas to humanitarian access? Or heighten the risks faced by persons of concern or humanitarian staff? Decisions should always be made in the best interest of affected populations. This interest is best understood by affected populations themselves and (wherever possible and relevant) they ought to be asked whether or not advocacy messages should be made public.

# Protection Risks

## Safety of persons of concern

- Host authorities may restrict access to persons of concern if they object to advocacy messages.
- Individuals may be endangered if advocacy messages divulge confidential personal information.
- Inappropriately framed messages can stir up prejudice against vulnerable individuals or groups.
- Ill-advised advocacy can have unexpected indirect consequences. Calls to stop [sexual and gender based violence](#) which are not carefully formulated and contextualized, may, for

example, simply cause families to keep girls at home.

## Data Protection

In principle, personal information should remain confidential and should not be used for advocacy purposes. Personal data may be shared with third parties only for specific purposes; often, the person(s) concerned must grant prior consent (see [UNHCR's Data Protection Policy and Associated Guidance](#)).

## Other risks

- **Security of staff and assets.** If authorities or non-state actors take issue with advocacy messages issued by UNHCR or partner organizations, they may react negatively to or harm staff, offices, or assets in retribution or to stop further similar messages. Decisions on adjusting or mitigating agreed advocacy approaches for reason of security-related concerns will need to be taken in close coordination with HQ (Bureau, Division of International Protection, Security). A proper balance between efforts to mitigate such risks and advocacy for protection priorities must be achieved.
- **Reputational risk.** The reputation of UNHCR or partners may be harmed if they issue information that is incorrect, conflicts with operational priorities or UNHCR's global mandate, or is of poor quality.
- **External contributions and partnerships.** Relationships, cooperation and financial support may be undermined if advocacy statements antagonize partners or donors.
- **Access.** If access is denied to UNHCR or its partners as a result of advocacy, this may directly affect their capacity to work in the country and protect people of concern.

## Key decision points

Key decisions on advocacy should be based on a contextual analysis of risks and opportunities. This analysis, and the advocacy strategy as a whole, should be developed in collaboration with partners, and should consider the following questions:

- **Define your objectives. What do we want to say?** What issues require advocacy? What is the purpose of the intervention? What do we want to achieve? What are the key messages? Answers to these questions should emerge from a well-informed, evidence-based analysis. Do not build advocacy messages on rumours or unconfirmed information. In an emergency setting, nevertheless, it may sometimes be appropriate or necessary to initiate advocacy before detailed evidence has been gathered and confirmed. (For example, it might be appropriate to issue an advocacy message on SGBV, certain that incidents have taken place but before comprehensive evidence is available.) Objectives should take into account the short- and long-term impacts that are desired.
- **Select the target audience.** Your target audience may be organizations, decision-makers, individuals or allies, or actors whose actions raise protection concerns. Adopt an

approach appropriate for the actor you seek to influence.

- **How will you communicate the message? Who will say what? Where and when?** All options can be considered at this point. Messages may be public or restricted; and disseminated via meetings, reports, photos, videos, statistics, maps, infographics, case studies, or press release. Decisions should be based on the context, standard operating procedures (SOPs), and the advocacy strategy. Always consider the impact a chosen channel will have, the need for confidentiality, and the potential to harm your sources of information, persons of concern, partners or UNHCR. Think practically. Who will do what? When? What channels will be used (email, websites, social media, newspapers, posters, interviews, news media, etc.)? Establish clear responsibilities and an action plan.
- **Build links.** Advocacy activities should be joined up with other forms of influencing (information dissemination, reporting, monitoring, negotiation, conferences, etc.).
- **Monitor implementation.** Monitoring should be part of the action plan and advocacy initiatives should be reviewed, and adjusted when required, in the light of their impact and effectiveness.

## Key steps

- 1) Work with existing coordination structures to identify key problems that require advocacy. Develop an advocacy strategy and set priorities; decide how best to disseminate key messages; identify the roles and responsibilities of relevant actors. In doing so, use a "ladder of options", escalating the advocacy efforts as required from "quiet diplomacy" to a full-fledged public advocacy campaign.
- 2) Collect and validate evidence continuously. Use the means available to monitor the situation and collect information; link the information you gather to programming as well as advocacy. Take steps to fill gaps in evidence.
- 3) Involve partners, persons of concern and other sources of information in drafting advocacy messages and delivering them. Advocacy is often more effective when a variety of partners reinforce the message. Remember that persons of concern, including children and young people, are often the best advocates for their protection and concerns. In some settings, for example, it can be effective to convene meetings at which minority groups can talk directly to local authorities.
- 4) Advocacy messages normally include three elements: a brief description of context, key protection or other concerns, and recommendations or 'asks'. Consider products that will reinforce and support your message (maps, infographics, case studies and testimonials, open or private letters, statements by key actors and influential persons, etc.).
- 5) Ensure your message is formatted correctly. In addition, ensure it cleared (as appropriate) by the Country Office, Regional Bureau, Division of International Protection (DIP), Division of External Relations (DER), or inter-agency structures such as UNCT/HCT/cluster as applicable. Proofread and fact-check.
- 6) Disseminate in accordance with agreed methods (hard and soft copies, list of recipients, public

domain release or restricted circulation). Ensure that dissemination strategies consider a range of formats and media.

7) Monitor the impact and adjust strategy as required.

## Key management considerations

- Consult and clear with experts (in advocacy, PI methods and strategy, other content) at country, regional or global level (as appropriate).
- Clear draft advocacy statements and proposed initiatives with UNHCR management at field, country, regional or global level (as appropriate).
- Revise your advocacy strategy as required, taking account of feedback, impact, and changes on the ground.
- Comply with internal policies and procedure with respect to updates, research materials, and branding.

## Resources and partnerships

Advocacy budgets depend on the scale of the strategy (local press release or global campaign), the profile and size of the target audience (local partner organization, Government minister, global TV audience), and the dissemination method (social media, e-mail text, video documentary, global TV campaign).

The following resources are likely to be relevant:

- Staff time, in cooperation with partners, to collect and validate evidence-based information, prepare advocacy materials, implement initiatives, and follow up.
- Information management staff and technical resources, to produce properly designed and formatted information products.
- A budget to travel, and to organize meetings with interviewees and workshops with partners.
- Resources for printing, recording, marketing, etc.

## Annexes

[Global Protection Cluster \(GPC\), Standard Operating Procedures on Public Advocacy Messaging](#)

[IASC, The Centrality of Protection in Humanitarian Action, 2013](#)

[UNICEF, Advocacy Toolkit. A guide to influencing decisions that improve children's lives](#)

[United Nations, Due Diligence Policy on United Nations Support to non-United Nations Security](#)

[Forces](#)

[Information note - UN Human Rights Due Diligence Policy and its relevance and application in UNHCR operations](#)

### 3. Links

[UNHCR Protection Manual, Chapter on Protection in Mass Influx / Emergency Respo... Global Protection Cluster \(GPC\) UNHCR, Administrative Instructions for the Standardization of External Updates...](#) [OCHA Advocacy guidance](#) [UNHCR Guidelines on Donor Visibility](#)

### 4. Main contacts

As first port of call, the UNHCR Dep. Representative (Protection), UNHCR Asst. Rep. (Protection), and/or Snr Protection Officer in the country; or The UNHCR Regional Asst./Dep Rep (Protection) and/or Snr. Regional Protection Officer at the regional office (if applicable); or The Snr. Regional Legal Advisor in the respective UNHCR regional bureau, covering the respective country region, who in turn will liaise as required with the parent unit at UNHCR DIP.

UNHCR Division for External Relations (DER), PI service.

Global Protection Cluster (GPC) Support Cell: [gpc@unhcr.org](mailto:gpc@unhcr.org)

## UNHCR's mandate for refugees, stateless persons and IDPs

17 April 2023

### Key points

- Be clear about the nature of the population of concern. Are they refugees, asylum-seekers, stateless persons, IDPs, or none of these? This is particularly important in mixed refugee/IDP situations.
- Be clear about UNHCR's mandate responsibilities, and communicate accordingly to all relevant stakeholders. Understand the mandates of other humanitarian actors.
- Identify the most suitable and appropriate coordination arrangements in accordance with the Refugee Coordination Model.

# 1. Overview

UNHCR's mandate is the (legal) basis for UNHCR's activities and the rationale for its existence. It informs **what** UNHCR is supposed to do (material scope) and for **whom** (personal scope).

The primary source of UNHCR's mandate is the Statute adopted by the General Assembly (GA) of the United Nations in 1950 (Resolution 428 (V) of 14 December). Paragraph 1 of the Statute states that "The ... High Commissioner ..., acting under the authority of the General Assembly, shall assume the function of **providing international protection**, under the auspices of the United Nations, to **refugees** who fall within the scope of the present Statute and of **seeking permanent solutions** for the problem of refugees (...)" (emphases added).

The Statute further develops the material scope in paragraph 8. The personal scope was subsequently expanded by the GA (as foreseen in paragraph 9 of the Statute) to include **stateless persons** (clarified by the GA in 1974 and confirmed in 1976), **asylum-seekers** (clarified by the GA in 1981), and **returnees** (recognized by the GA in 1985).

UNHCR does not have a general or exclusive mandate for **internally displaced people**. The GA has authorized UNHCR's involvement in specific operations since 1972 (for example in Sudan, Angola, Colombia, and Bosnia and Herzegovina), and in 1993 clarified UNHCR's role under certain formal conditions (see below).

## 2. Relevance for emergency operations

The refugee mandate applies in both emergency and non-emergency situations, including in mixed movements situations involving asylum-seekers and refugees as well as migrants. The refugee mandate also applies both in camp and outside camp settings. In short, the High Commissioner has a mandate with respect to refugees globally, where and however they are located.

All humanitarian actors as well as States need to be aware of UNHCR's role, as defined by its mandate. This ensures a common understanding of organisational responsibilities and accountabilities. It also helps to clarify UNHCR's role, how it works in the humanitarian system, and the direct relationship it needs to maintain with Government authorities on refugee matters.

## 3. Main guidance

### Description and guidance

#### 1. Nature of the Mandate



## **Authority of the General Assembly**

It is important to recall that the mandate of the High Commissioner was established by the UN GA ("The United Nations High Commissioner for Refugees, acting under the authority of the General Assembly...") and that the GA intended to ensure that the High Commissioner, supported by his Office, would enjoy a special status within the UN, possessing the degree of independence and prestige required to perform his functions effectively and exercise moral authority.

## **Non-political, humanitarian and social character**

A general feature of UNHCR's mandate is its entirely non-political (that is, impartial), humanitarian and social character (paragraph 2 of the Statute). On these grounds, the High Commissioner and his staff should refrain from statements or any other activities that actively take or could be perceived to take political positions. (See also [UNHCR, Code of Conduct](#), commitment 3: avoid conflict of interests and preserve and enhance public confidence in UNHCR.)

## **Dual legal foundation**

UNHCR and UNHCR's refugee mandate have a dual legal foundation. While the Statute is the main source of UNHCR's mandate, it is complemented by subsequent GA Resolutions, the 1951 Refugee Convention and the 1967 Protocol, and regional refugee instruments. This two-pronged legal foundation has given the High Commissioner, and his Office, independence.

## **Exclusivity**

UNHCR's mandate concerns a legally defined group of people and covers all aspects of their well-being (the right of refugees to enjoy the widest possible range of fundamental rights and freedoms, Preamble of the 1951 Convention), including finding a solution to their problem. Since 2003, the mandate has been permanent (UN GA Res. 58/153).

Bound by legal instruments and UN resolutions, the mandate is 'non-transferable'. This means that in no stand-alone refugee or mixed situation can accountability for refugees and persons of concern be transferred or delegated to another UN entity or another actor.

Apart from UNHCR, the only other UN refugee agency is the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which has a specific mandate to provide assistance and protection to 1948 Palestine refugees, and 1967 displaced persons, and their descendants, in five areas of operation (Gaza, the West Bank including East Jerusalem, Lebanon, Jordan, and the Syrian Arab Republic). Outside these areas, UNHCR has responsibility for Palestinian refugees.

## **Coordination**

The coordination of international protection, assistance and solutions is inherent to UNHCR's refugee mandate and derives from the High Commissioner's responsibility to ensure that an individual receives international protection from the time he or she becomes a refugee until he or she finds a solution.

UNHCR's Statute places the High Commissioner and his Office at the centre of the international

refugee response system, including in respect of coordination functions. The High Commissioner is also empowered to 'invite the co-operation of the various specialized agencies' to assist his Office in the performance of his mandate.

The High Commissioner has a global mandate for refugees regardless of their location (camp, rural dispersed or urban settings), in emergency, non-emergency situations and during mixed movements. Effective exercise of this mandate both presupposes, and is underpinned by, a commitment by States to cooperate with him and his Office, and acknowledges the High Commissioner's role in the 'effective coordination of measures taken to deal with this problem' [the refugee problem].

### **UNHCR's [Refugee Coordination Model](#)**

[UNHCR's Refugee Coordination Model \(RCM\)](#), issued in December 2013, provides a framework for leading, coordinating and delivering refugee operations and consolidates coordination practices with the goal of achieving the best possible protection of and assistance to refugees. The RCM:

- Outlines UNHCR's role and responsibilities in refugee operations and mixed displacement situations.
- Provides an inclusive platform for planning and coordinating refugee operations.
- Clarifies modes of coordination in relation to broader humanitarian coordination structures, including the cluster system of the Inter-Agency Standing Committee (IASC).

Under the overall leadership of the host Government, partnership-based and inclusive coordination is a pre-condition for an effective refugee emergency response operation. Effective coordination and leadership have a direct impact on the delivery of protection and assistance to refugees. By articulating UNHCR's coordination role, the RCM reaffirms the integrity of the mandate and UNHCR's tradition of leadership on refugee protection.

## **2. Material Scope**

The activities which the High Commissioner is required to carry out for refugees are set out in the Statute and in subsequent GA and ECOSOC resolutions. UNHCR is primarily mandated to provide international protection and humanitarian assistance and to seek, together with Governments, durable solutions.

Standard functions have included registration, status determination, issuance of documents to persons under UNHCR's mandate, relief distribution, emergency preparedness, special humanitarian activities and broader development work. UNHCR also provides surrogate diplomatic and consular protection to refugees and stateless persons. The High Commissioner is entitled, and has a duty, to intercede directly on behalf of refugees and stateless persons who would otherwise not be represented legally at international level.

An integral element of the core mandate is the High Commissioner's responsibility to supervise the application of refugee protection instruments, including the 1951 Convention and its 1967 Protocol. References to UNHCR's supervisory responsibility are also found in the 1969 Organisation of African Unity (OAU) Convention, the 1984 Cartagena Declaration and several EU legislative instruments. UNHCR's Statute explicitly gives UNHCR a role in supervising the

application of international conventions for the protection of refugees. In addition, States parties to the 1951 Convention, 1967 Protocol and the 1969 OAU Convention have a duty to cooperate with UNHCR, particularly regarding its supervisory responsibility and, among other things, provide UNHCR with information and statistical data on the treatment of refugees. UNHCR fulfils this responsibility through, for example, advocacy, public information, capacity-building and technical assistance, partnerships, commentaries on national legislative and policy initiatives to assist law and policy makers, and submission of legal interventions as an *amicus curiae* ('friend of the court') to assist courts to arrive at decisions affecting the legal status, rights and solutions for refugees that are in accordance with international law.

Registration and status determination are key functions, because UNHCR is authorized to declare which individuals or groups are of concern to the Office under its core mandate. This exercise of the mandate makes clear to other external actors, including host Governments, the High Commissioner's international protection interest in and responsibilities towards such persons. UNHCR recognizes refugees in a myriad of ways, including through individual procedures but also through declaring groups to be refugees on a **prima facie** basis.

### **3. Personal Scope**

#### **Refugees and asylum-seekers**

Refugees are part of UNHCR's core mandate. Refugees are all persons who meet the eligibility criteria under an applicable [refugee definition](#), as provided for in international or regional refugee instruments, under UNHCR's mandate, or in national legislation. See [Refugee definition Entry](#). Asylum-seekers also fall within the High Commissioner's competence **ratione personae**. Asylum-seekers are persons who are seeking refugee status or a complementary international protection status and whose status has not yet been determined by UNHCR or the authorities. Not every asylum-seeker will ultimately be recognized as a refugee. However, an asylum-seeker is entitled to protection from refoulement [[/entry/55697/access-to-territory-and-nonrefoulement](#)] and certain minimum standards of treatment pending determination of their status.

#### **Returnees**

Returnees also fall within UNHCR's core mandate. These are former refugees who have returned to their country of origin spontaneously or in an organized fashion but have not yet been fully (re)integrated. UNHCR's mandate in this area has been refined and extended by the Executive Committee and the General Assembly. Initially considered to cease when a refugee crossed the border into his or her country of origin, UNHCR's mandate now extends to providing reintegration assistance and monitoring refugee treatment after return. (See [ExCom, No. 18 \(1980\)](#), [No. 40 \(1985\)](#), [No. 74 \(1994\)](#), and [No. 101 \(2004\)](#); [GA Res. 40/118 of 13 December 1985](#); and [GA Res. 49/169 of 24 February 1995](#).) UNHCR's engagement with returnees is usually time-limited; its aim is to hand responsibility over to other actors, notably development partners.

#### **Stateless persons**

With respect to refugees who are stateless, UNHCR's initial mandate (set out in para. 6(A)(II) of the Statute and Art. 1(A)(2) of the 1951 Convention) has been expanded by the General Assembly over time and now also includes all non-refugee stateless persons. Significantly, activities on behalf of stateless persons are part of UNHCR's statutory function, and include

identification, prevention and reduction of statelessness, and protection of stateless persons. (See [ExCom, No. 78 \(1995\)](#), endorsed by GA Res 50/152 of 21 December 1995; and ExCom, No. 106 (2006), endorsed by GA Res. 61/137 of 19 December 2006; see also [1954 Convention on the Status of Stateless Persons](#) and the [1961 Convention on the Reduction of Statelessness](#).)

### **Internally displaced persons**

The High Commissioner does not have a general or exclusive mandate with respect to internally displaced persons (IDPs). Instead, the GA has authorized UNHCR to conduct operations under certain circumstances to protect and provide humanitarian assistance to IDPs. In the early 1990s, it clarified UNHCR's role by setting out formal criteria for the Office's involvement. Its involvement is subject to:

- A specific request or authorization from the UN Secretary General or a competent principal UN organ.
- The consent of the State or other entity concerned.
- Assurance of access to the internally displaced persons in question.
- Availability of adequate resources, and the Office's expertise and experience.
- Complementarity with other agencies.
- Adequate staff safety.

The Inter-Agency Standing Committee developed an inter-agency coordination approach (the humanitarian reform and [Transformative Agenda](#)) for responding to IDPs, under which UNHCR agreed to assume global cluster leadership in 2005 for protection and co-leadership for camp coordination/management and emergency shelter. Today, UNHCR's involvement with IDPs focuses the engagement of operations where UNHCR has a comparative advantage and cluster leadership as spelled out in the Operational Guidelines for UNHCR's Engagement in Situations of Internal Displacement (UNHCR/OG/2016/2).

### **Good offices**

UNHCR may also, and does, engage in activities to assist different groups outside its mandated functions if the GA or the Secretary-General invites UNHCR to extend its 'good offices' to such groups.

## **Annexes**

[United Nations, Statute of the Office of the United Nations High Commissioner for Refugees, Annex to General Assembly Resolution 428 \(V\) of 14 December 1950](#)

[UNHCR, Note on the Mandate of the High Commissioner for Refugees and his Office, 2013](#)

[UNHCR OG 2016 2 Operational Guidelines for UNHCR's Engagement in Situations of Internal Displacement](#)

## 4. Links

[UNHCR - Who we help UNHCR, Refugee Coordination Model, November 2013. UN General Assembly, Implementing actions proposed by the United Nations High C... UN High Commissioner for Refugees, UNHCR's mandate in relation to assistance to... UN High Commissioner for Refugees, Policy on UNHCR's role in relation to person... UNHCR, Note on the Mandate of the High Commissioner for Refugees and his Office](#)

## 5. Main contacts

As first port of call, the UNHCR Dep. Representative (Protection), UNHCR Asst. Rep. (Protection), and/or Snr Protection Officer in the country; or The UNHCR Regional Asst./Dep Rep (Protection) and/or Snr. Regional Protection Officer at the regional office (if applicable); or The Snr. Regional Legal Advisor in the respective UNHCR regional bureau, covering the respective country region, who in turn will liaise as required with the parent unit at UNHCR DIP.

# Persons with disabilities

19 September 2023

## Key points

- Do not assume that disability is visible. Seek to identify individuals with disabilities proactively, including those with psychosocial and intellectual disabilities.
- Consult persons with disabilities and their families to identify their needs and capacities and understand what barriers impede the effectiveness of protection and assistance programmes.
- Inclusive disability programming is not just about providing ramps and wheelchairs.
- Make sure the language you use to describe persons with disabilities respects their dignity and humanity. (Speak of 'persons with a disability' rather than 'the disabled' or 'handicapped people').
- Consult persons with disabilities when you decide the content of food and non-food assistance packages, to ensure that distribution arrangements are accessible.

# 1. Overview

The Convention on the Rights of Persons with Disabilities and its Optional Protocol (CRPD, 2006, [A/RES/61/106](#)) defines persons with disabilities to "include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others".

In situations of forced displacement, persons with disabilities have the same rights and basic needs as others and face the same challenges. However, they face numerous additional barriers. They face particular protection risks, including a heightened risk of violence, exploitation and abuse, and high levels of stigma. They have difficulties accessing humanitarian assistance, education, livelihoods, health care and other services. They may be denied certain legal rights, and are often excluded from decision-making processes and leadership opportunities.

Persons with disabilities are not a homogenous group. They face multiple and compounding forms of discrimination, on the basis of disability but also on other grounds, which may lead to situations of exclusion.

The World Health Organization estimates that about 15% of the world's population has a disability. In situations of forced displacement, the incidence of disability is usually higher because a larger proportion of people have injuries, lack access to medical services, and face barriers in their environment.

## 2. Main guidance

### Protection objectives

- To identify and assess the needs of persons with disabilities, from the start of an emergency and throughout.
- To provide an immediate and adequate response to specific needs and ensure that protection and assistance programmes are accessible to persons with disabilities on an equal footing with other persons of concern.
- To create conditions in which people with disabilities do not suffer discrimination, and participate in decisions that affect them.
- To ensure that all responses take account of and include persons with disabilities, by applying an [age, gender and diversity](#) lens and considering their specific needs. Persons with disabilities must be enabled to participate as actors in the protection of their families and communities.
- To ensure that appropriate systems are in place during an emergency to prevent and respond to violence against persons with disabilities and their families, or their exploitation or abuse.

# Underlying principles and standards

[UN Convention on the Rights of Persons with Disabilities](#) and its [Optional Protocol](#) (2006).

Article 11 of the CRPD refers to the safety and protection of persons with disabilities in conflict and emergency situations.

Handicap International, [Disability Checklist for Emergency Response](#), 2010. In braille and large print.

UNHCR Executive Committee, [Conclusion on refugees with disabilities and other persons with disabilities protected and assisted by UNHCR](#), 2010.

Reaffirms UNHCR's responsibility and commitment to upholding the rights of persons with disabilities in accordance with Executive Committee Conclusions, international conventions, and relevant United Nations General Assembly resolutions. Outlines recommended actions by UNHCR, its partners, and States.

UNHCR, [Need to Know Guidance: Working with Persons with Disabilities in Forced Displacement](#), 2019.

Provides practical guidance on issues that must be considered to ensure that the rights of persons with disabilities of concern to UNHCR are fulfilled without discrimination.

UNHCR, [Policy on Age, Gender and Diversity \(AGD\)](#), 2018.

The policy reinforces UNHCR's commitment to ensure that people are at the centre of all we do. It consolidates commitments to a strong AGD orientation, [accountability to affected people](#) (AAP) and commitments to women and girls. It defines six areas of engagement and ten mandatory core actions for all UNHCR operations and headquarters.

## Protection Risks

- Persons with disabilities may experience difficulty in moving, hearing, seeing, communicating or learning. Their disabilities may include injuries or chronic illnesses.
- Persons with disabilities face a variety of barriers: these may be physical and environmental; attitudinal; policy; or in communication.
- Persons with disabilities are more likely to experience violence, including: sexual and domestic abuse; exploitation by family members; discrimination; and exclusion from access to humanitarian assistance, education, livelihoods, health care, a nationality, and other services. Women, older individuals, children, and LGBTI persons who have a disability are doubly exposed to such risks.
- Persons with disabilities are likely to be more at risk in dispersed rural and urban settings and recent displacement sites, because communities in these locations are less cohesive and community protection mechanisms may be weaker.

- Adolescents and youth with disabilities are frequently excluded from peer group activities and social networks that can help to protect them from violence, including sexual and gender-based violence (SGBV).
- Children with disabilities may suffer stigma, bullying or discrimination (including harassment) at the hands of their peers or teachers, harming their educational opportunities.
- Persons with psychosocial and intellectual disabilities tend to be less identifiable than persons with physical and sensory disabilities. As a result, programmes are less likely to address their needs and registration procedures are more likely to overlook them.

## Other risks

- Persons with disabilities will be particularly at risk if UNHCR or its partners fail to protect the security of populations of concern.
- The reputation of UNHCR and its partners will be put at risk if they do not fulfil their responsibility to protect all populations of concern

## Key decision points

- At the start of an emergency, consider disability when designing shelter and settlement options, selecting sites, planning and designing infrastructure, and setting access standards. Make sure that arrangements for emergency aid distribution address the access needs of persons with disabilities.
- Take immediate steps to ensure that the response deals adequately with the specific needs of persons with disabilities.
- Ensure that persons with disabilities are identified and registered and that their needs are assessed.
- Make sure that services and infrastructures take account of and include those with physical, hearing, visual, intellectual and psychosocial disabilities
- Establish referral systems to ensure that persons with disabilities reach relevant service providers.
- Put in place systems to prevent and respond to violence, exploitation and abuse.
- Ensure that programmes include persons with disabilities, and that persons with disabilities have access to information and messaging about programmes that concern them.
- Ensure that staff, partners and local and national authorities recognize and know how to respond to the specific needs of persons with disabilities.
- Ensure persons with disabilities can participate in protecting their families and communities.
- In non-camp settings, take steps to identify potential partners and establish an outreach programme, to ensure that persons with disabilities are identified and receive information they need.



# Key steps

## 1) Identification and assessment procedures

- Assign community workers, UNHCR protection staff or [community-based protection](#) staff to (pre-)registration points or places of arrivals, to identify and register persons with disabilities.
- Integrate the Washington Group short set of disability questions or other relevant tools in data collection mechanisms to identify persons with disabilities.
- Appoint community workers or partners' staff to identify and register persons with disabilities who may not have been present at (pre-)registration. (This is often due to barriers at access registration points.) Persons with disabilities and their representative organisations may be useful sources of information.
- During rapid and participatory assessments, include specific questions about the experience of persons with disabilities. Do so to identify specific protection risks, specific needs, and barriers that prevent people from obtaining assistance,.
- Consult persons with disabilities to determine which referral mechanisms and which forms of assistance they find most appropriate and accessible.
- Train registration staff and provide guidance on how they should identify and record persons with disabilities who have not yet been registered in ProGres.
- Enter in ProGres the specific needs of persons with disabilities.

## 2) Access to services

- Identify families that include persons who have difficulty moving; in consultation with the families, locate them close to facilities and services when assigning plots and shelters.
- Train partners and local service providers in disability inclusion and build their capacity to implement it.
- In consultation with persons with disabilities, adapt medical centres, distribution sites, water sources, latrines, schools, shelters, and other infrastructure, to make them safe, accessible and appropriate for persons with disabilities. (Avoid barriers or tripping hazards, include ramp access, large doorways, handrails on stairs, space to turn a wheelchair, non-slippery floors, etc.).
- Ensure food and other distributions are accessible to persons with disabilities by establishing a distribution monitoring system. Where appropriate, consider separate queues, transport support, smaller parcels, or home delivery systems. Work with health and nutrition partners to identify specific dietary needs of persons with disabilities and people with chronic health issues.
- Consult persons with disabilities to identify what specific protection risks they face, and whether cash-based assistance programmes need to be adapted.
- Consult persons with disabilities when designing new infrastructures and deciding what items distributions should include (for example, lighter jerry cans). Consult early to avoid expensive adjustments later.

- Work with school authorities and communities to improve the inclusion of children with disabilities. Adapt education programmes where necessary. Include children and parents in consultation.
- Consult persons with disabilities to identify barriers they face in accessing health services. (Include public health, sexual and reproductive health, maternal and child health, etc.)

### **3) Support services**

- Map service providers and potential partners (at community, local and national level, and camp level if applicable) who provide specialized services, such as rehabilitation and assistive devices. Check that their services can be accessed by refugees.
- In consultation with persons with disabilities, identify service providers, agree on coordination mechanisms, and establish referral mechanisms for access to services.
- Prioritize persons with disabilities in reunification efforts. Do not separate persons with disabilities from their family members or support persons, or from their assistive devices, adaptive aids, or medication (for example, during relocation or transport).
- Consult persons with disabilities and the wider community to assess the community's capacity to support persons with disabilities who are alone and need support.
- Identify persons with disabilities who are living in institutions, and ensure that protection staff and partners follow up.

### **4) Prevention of abuse and exploitation**

- Ensure that all programmes to prevent and respond to sexual exploitation and abuse (PSEA) and sexual and gender-based violence (SGBV) include persons with disabilities.
- Through community workers and other partners, establish systems for monitoring and following up the situation of persons with disabilities who are at heightened risk of abuse or exploitation. Implement appropriate referral mechanisms.
- Train persons with disabilities, their families, SGBV prevention and response partners, and community workers, in how to recognize, prevent, and report instances of violence, exploitation and abuse.

### **5) Inclusion and information sharing**

- Prepare all key messages to displaced populations in a variety of formats (radio, word of mouth, information booklets in 'easy to read' format, texts with symbols and images, etc.).
- Make sure your methodologies for consultation include persons with disabilities and their households. Involve them in decision-making and programming, including the design, assessment, monitoring and evaluation of activities.

### **6) Awareness-raising and advocacy**

- Inform staff and partners of the rights of persons with disabilities. Emphasize that responses need to be designed in consultation with persons with disabilities to ensure they are inclusive and accessible.
- Train UNHCR and partner staff on practical steps they can take to improve accessibility and inclusion. Local organizations of persons with disabilities can be an important training resource. Encourage the authorities to include persons of concern with disabilities in

national policies and programmes, including national social protection programmes.

## 7) Participation

- Include persons with disabilities in education and livelihood activities. Identify opportunities and training for them, corresponding to their experience and abilities.
- Include persons with disabilities in community-based governance mechanisms, such as refugee committees. Ideally, persons with disabilities should have their own structures and be represented in all community-based structures as well.
- Engage persons with disabilities in leadership roles in the community, as community volunteers, facilitators, etc. To achieve this, you may need to adapt selection criteria and tasks, or provide support.

## Key management considerations

- Put in place enough staff and resources to enable the operation to address the gaps and barriers faced by persons with disabilities.
- Assess programmes regularly and ensure they are AGD-inclusive.
- Establish monitoring mechanisms for all key steps.
- Establish national partnerships to ensure that government services and other national partners are fully engaged. This is essential if programmes and support for persons with disabilities are to be sustainable.

## Resources and partnerships

### Staff

Protection; [community-based protection](#); [mental health and psychosocial support](#).

### Partners

Partners include UN entities, INGOs, national NGOs including organisations of persons with disabilities (OPDs), and government institutions and ministries that work on disability or provide services to persons with disabilities. The latter are often able to provide [mental health and psychosocial support](#) services.

### Resources

Financial resources will be required to plan and implement relevant services, interventions and programmes.

## Annexes

[Disability among refugees and conflict-affected populations](#)

[Women's Commission for Refugee Women and Children, Resource Kit for Field Workers, 2008](#)

[UNHCR, Heightened Risk Assessment Tool, 2010](#)

[UNHCR, Protection in Emergencies Toolbox. Protection Checklists, 2013](#)

[UNHCR, Need to Know Guidance - Working with Persons with Disabilities in Forced Displacement, 2019](#)

[UNHCR, Community-based Protection and Mental Health & Psychosocial Support, 2017](#)

### **3. Learning and field practices**

### **4. Links**

[Handicap International](#) [HelpAge International](#) [Source \(an International online resource centre on disability and inclusion\)](#) [UNHCR Learn & Connect](#) [Disability Rights Fund](#) [UNICEF, Guidance on Including Children with Disabilities in Humanitarian Action...](#) [Charter on Inclusion of Persons with Disabilities in Humanitarian Response \(201...](#) [Age and Disability Consortium, Humanitarian Inclusion Standards for older peopl...](#) [CBP Community of Practice](#) [IASC Guidelines, Inclusion of Persons with Disabilities in Humanitarian Action,...](#)

### **5. Main contacts**

As first port of call, contact the UNHCR Deputy Representative (Protection), the UNHCR Assistant Representative (Protection), or the Senior Protection Officer or Senior Community-based Protection Officer in the country.

Alternatively, contact the UNHCR Head of Protection, or the Deputy Director (Protection), or the senior Protection Coordinator, or the senior Protection Officer, or the senior Community-based Protection Officer in the Regional Bureau.

The person you contact will liaise as required with the relevant technical unit at UNHCR DIP.

## **Older persons**

19 September 2023

## Key points

- Do not assume older persons are visible; actively identify them.
- Consult older persons to identify their needs and capacities as well as short comings in protection and assistance programmes.
- Consult older persons to determine the content of food and CRI packages and make sure they can access distribution mechanisms.

## 1. Overview

An older person is defined by the United Nations as a person who is over 60 years of age. However, families and communities often use other socio-cultural referents to define age, including family status (grandparents), physical appearance, or age-related health conditions. The psychological and psychosocial toll of traumatic experiences, combined with poor nutrition and exposure to disease, can cause refugees and IDPs to 'age' faster than settled populations. As a consequence, many challenges associated with old age will be apparent in refugees and IDPs who are under 60.

The needs and capacities of older persons are often overlooked in an emergency response because humanitarian actors do not register their presence or because of their weak socio-economic position. An emergency response that fully includes older persons must respond to their specific needs, dedicate resources to them, and plan and implement targeted protection initiatives in close consultation with the persons concerned, their communities, and service providers.

## 2. Main guidance

### Protection objectives

- To identify older persons and assess their needs and capacities from the start of an emergency and throughout.
- To ensure that protection and assistance programmes are inclusive of older persons and that services are accessible to them on an equal footing.
- To ensure that older persons do not suffer discrimination and are able to fully participate in decisions that affect them and their communities.
- To ensure that all responses are inclusive and accessible to older persons, and consider their priorities and specific needs, by applying an age, gender, and diversity (AGD) lens.
- To ensure that appropriate systems are in place to prevent and respond to violence against older persons during an emergency and their exploitation or abuse.

- To recognize and build on the capacities, skills and resources of older persons.

## Underlying principles and standards

- UNHCR, [Policy on age, gender and diversity](#), 2018.

The policy reinforces UNHCR's commitment to ensure that people are at the centre of all that we do. It consolidates commitments to a strong AGD orientation, [accountability to affected people](#) (AAP) and to women and girls. It defines six areas of engagement and ten mandatory core actions for all UNHCR operations and headquarters

- UNHCR, [Policy on Older Refugees](#), 2000.

Older women and men have the same basic needs as others, but become increasingly vulnerable as a result of ageing. Older persons face particular challenges during the phases of displacement, but should not be seen as passive, dependent recipients of assistance. They are often community leaders and transmit knowledge, culture, skills and crafts. UNHCR and partners must ensure their rights are met without discrimination.

- UNHCR, [Need to Know Guidance: Working with Older Persons in Forced Displacement](#), 2013.

Provides practical guidance on how to protect the rights of older persons of concern, and prevent discrimination.

## Protection Risks

- Older persons are often less mobile; their sight and hearing may fail; their psychosocial capacities and muscle strength may diminish; they may have chronic health problems and specific nutritional needs.
- Forcibly displaced older persons are at heightened risk of violence, including: sexual and domestic abuse; exploitation by family members; discrimination; and exclusion from access to humanitarian assistance, education, livelihoods, health care, a nationality, and other services. These risks are compounded for women, [persons with disabilities](#), and older LGBTI persons.
- Unaccompanied older persons face particular challenges in emergency situations: to find adequate accommodation, protect their belongings, and obtain water, rations and fuel.
- In emergency refugee situations, family members may be separated or die, leaving older persons without traditional forms of family support. Older persons may also become the main caregivers for their grandchildren.
- The above risks may be heightened in non-camp settings and new displacement contexts, where the community is dispersed and community protection mechanisms may no longer function.

## Other risks

- Any failure to protect the security of persons of concern will create heightened risks for older persons.
- The reputation of UNHCR and its partners will be put at risk if they do not fulfil their responsibility to protect all persons of concern, including older persons.

## Key decision points

- At the beginning of an emergency, consider the needs of older persons when you design shelter and settlement options, select sites, and plan and design infrastructure. Ensure minimum standards of access, and ensure that emergency distributions take steps to address the barriers that older persons might face.
- Respond at once and adequately to the specific needs of older persons and make sure that they have access to day-to-day care.
- Ensure that older persons are identified, registered and their needs assessed.
- Ensure that services and infrastructure are physically accessible to older persons, in particular to those with limited mobility.
- Establish referral systems to ensure that older persons can access relevant service providers.
- Put in place appropriate systems to prevent and respond to violence, exploitation and abuse.
- Make sure that programmes include older persons, and that older persons are adequately informed about programmes they are entitled to access.
- Make sure that staff, partners and local and national authorities recognize the specific needs of older persons and know how to respond to them.
- Ensure older persons can participate in the protection of their families and communities.
- Particularly in non-camp settings, it is very important to establish an outreach programme, through selected partners, to identify older persons and keep them informed of matters that concern them.

## Key steps

### 1) Support services and care arrangements

- In camps, and at local and national level, identify service providers and potential partners who have specific expertise (medical, psychological, social support) and capacity to respond immediately.
- In consultation with older persons, and service providers and partners, agree coordination

- mechanisms and set up clear arrangements for referring older persons to support services.
- Prioritize older persons in reunification efforts. Do not separate them from family members or support persons, or their assistive devices, adaptive aids or medication (notably during relocation or transport).
  - Consult the refugee community to identify what support arrangements exist for older persons who are alone (and therefore have no support networks), care for children, or who are living in an abusive household.
  - Identify male and female volunteers in the refugee or local community (community workers) who can be trained to assist older persons and their families.
  - Conduct training and capacity building activities for partners and local service providers.

## **2) Identification and assessment procedures**

- Assign community workers, UNHCR protection staff or [community-based protection](#) staff to (pre-)registration points or arrival areas to identify and register older persons who have: disabilities; injuries; chronic illnesses; are survivors of abuse and neglect; are unaccompanied; are the sole caregivers of children.
- Appoint male and female community workers, or request partners, to screen camps and settlements for older persons with specific needs who may not have been present at (pre)registration. (Older people often face problems in accessing registration points.) Older persons who have registered may be useful sources of information.
- Include specific questions about older persons in rapid and participatory assessments. Seek to identify their priorities and any obstacles they encounter in accessing assistance. Ask older persons which forms of assistance and which referral mechanisms they find most appropriate and accessible.
- Train registration staff, and provide guidance, on how to identify and record older persons with specific needs (who have not yet registered in ProGres).
- Enter the specific needs of older persons into ProGres.

## **3) Access to services**

- Identify households with older persons who are not mobile or who cannot move easily. In consultation with them, locate them close to facilities and services when assigning plots and shelters.
- In consultation with male and female older persons, design or adapt medical centres, distribution sites, water sources, latrines, shelters and other infrastructures so that they are safe, accessible and appropriate for older persons. (They should not have barriers or tripping hazards, and should have ramp access, large doorways, hand rails on stairs, non-slippery floors, etc.).
- Ensure that older persons can access food or non-food item distributions. Monitor this issue. Take steps to facilitate their access where necessary. For example, you might create separate queues, provide transport, give out smaller parcels, or offer 'home delivery'.) Work with health and nutrition partners to identify any specific dietary needs of older persons.
- Consult older persons when deciding what items should be included in distributions (for example, smaller Jerry cans) and when designing new infrastructure. Consulting at the start can avoid expensive alterations later on.



#### **4) Prevention of abuse and exploitation**

- Include older persons in all mechanisms that prevent and respond to sexual exploitation and abuse (PSEA) and sexual and gender-based violence (SGBV).
- Through community workers and other partners, monitor and follow-up older persons who are at higher risk of abuse or exploitation. Include referral mechanisms.
- Inform and train older persons, and community workers, on how to recognize, prevent, and report instances of violence, exploitation and abuse.

#### **5) Inclusion and information sharing**

- Refugee populations should receive key messages in a range of accessible formats, including by radio, word of mouth, in information booklets, and in 'easy to read' formats (text and symbols/images).
- Involve older persons and their care-givers in decision-making and programming. Include them in the design, assessment, monitoring, and evaluation of activities.

#### **6) Awareness-raising and advocacy**

- Inform staff and partners of the rights of older persons. Emphasize that responses need to be designed in consultation with older persons so that they are inclusive and accessible.
- Train UNHCR and partner personnel on how to integrate the priorities and the specific needs of older persons in programmes and activities.
- Advocate for the inclusion of older persons in national policies and programmes, including in national social protection systems.

#### **7) Participation**

- Include older persons in livelihood activities. When identifying livelihood and training opportunities, take account of their experience, interests and abilities.
- Include older persons in community-based mechanisms, such as refugee and women's committees.
- Consult with communities to understand the leadership roles of older persons, and ensure these are strengthened and not undermined.
- Identify roles for older persons in supporting programming. Include inter-generational initiatives. (For example, older people can volunteer in child and youth programmes.)

## **Key management considerations**

- Resources and sufficient staff must be available to meet the specific needs of older persons.
- Assess programmes regularly to ensure they are AGD inclusive.
- Set up a monitoring mechanism for all key steps.
- To make this work sustainable, ensure that government services and other national partners are fully and continuously engaged in programmes and support for older persons.

# Resources and partnerships

## Staff

Key sectors include protection, [community-based protection](#), and [mental health and psychosocial support](#).

## Financial resources

Should be sufficient to plan and implement necessary services, programmes, and interventions.

## Partnerships

UN Agencies, INGOs and national NGOs, including organizations of older persons, and government institutions, including relevant ministries. Partners will often be able to provide [mental health and psychosocial support](#), where required.

## Annexes

[UNHCR, Policy on age, gender and diversity, 2018](#)

[UNHCR, Policy on Older Refugees, 2000](#)

[Working with Older Persons in Forced Displacement 2013](#)

[Protection in Emergencies Toolbox. Protection Checklists](#)

## 3. Learning and field practices

## 4. Links

[HelpAge International, Older People in Disasters and Humanitarian Crises: Guide...](#)  
[HelpAge, Practical Guidelines on Older People IASC, Humanitarian Action and Older Persons, An essential brief for humanitaria...](#) [Humanitarian Practice Network, Protecting and Assisting Older People in Emergen...](#) [WHO, Elder Abuse, Fact Sheet N°357](#) [CBP Community of Practice](#)

## 5. Main contacts

As first port of call, contact the UNHCR Deputy Representative (Protection), the UNHCR Assistant Representative (Protection), or the Senior Protection Officer or Senior Community-based Protection Officer in the country.

Alternatively, contact the UNHCR Head of Protection, or the Deputy Director (Protection), or the senior Protection Coordinator, or the senior Protection Officer, or the senior Community-based Protection Officer in the Regional Bureau.

The person you contact will liaise as required with the relevant technical unit at UNHCR DIP.

## Lesbian, gay, bisexual, transgender and intersex (LGBTI) persons

19 September 2023

### Key points

- Ensure that staff are aware of international and national guidelines for protecting LGBTI persons of concern.
- Ensure staff in direct contact with persons of concern are sensitized to LGBTI needs and risks.
- Create safe spaces and identify LGBTI persons of concern. Do so sensitively; protect their confidentiality and safety.
- Consult LGBTI persons when you assess their needs and capacities. Remember, LGBTI persons are not a homogenous group. They have different needs and capacities.
- Ensure that all processes and practices (family unity considerations, registration, etc.) are inclusive.
- Do not assume that persons of diverse sex, diverse sexual orientation and diverse gender identity are the same.
- Do not assume that persons of diverse sex, diverse sexual orientation and diverse gender identity do not exist among the populations you work with.

# 1. Overview

## **How do we define LGBTI persons?**

In many societies, lesbian, gay, bisexual, transgender, or intersex (LGBTI) individuals are subject to serious human rights abuses because they do not conform to culturally established gender norms. As a result of their real or perceived sexual orientation, gender identity, gender expression or sex characteristics, LGBTI persons are at heightened risk of violence, abuse, discrimination and exploitation - at the onset of an emergency, in transit, and when they arrive in countries of asylum. Many attempt to hide their sexual orientation, gender identity or sex characteristics in an effort to avoid danger, making it difficult for UNHCR and partners to identify them, provide humanitarian services, and ensure that asylum procedures adequately address their needs. They require specific protection responses and may also require specific forms of humanitarian assistance.

## **Note on terminology.**

A wide variety of terms are currently used to address and refer to persons of diverse sexual orientation, gender identity, gender expression or sex characteristics (see below). While acknowledging that language evolves, UNHCR uses the acronym LGBTI as an umbrella term to describe diverse groups of people who do not conform to conventional or traditional notions of male and female gender roles. Some other terms include, LGBTI+, LGBTQ, LGBTQAI, Queer, etc. In every context, make sure your staff are aware of what are the right terms to use and what terms are considered derogatory and should be avoided. Local LGBTI organizations can be a useful resource in this regard. When you are working with an LGBTI individual and do not know what term to use, ASK!

The following definitions are relevant:

**LGBTI** An acronym for 'lesbian, gay, bisexual, transgender and intersex' persons that is also used as shorthand for 'persons of diverse sexual orientation, gender identity, gender expressions or sex characteristics'.

**Lesbian** A woman whose enduring romantic, emotional and/or physical attraction is to other women.

**Gay** A man whose enduring romantic, emotional and/or physical attraction is to other men. The term can be used to describe women who are attracted to other women.

**Bisexual** An individual who has the capacity for romantic, emotional and/or physical attraction to person(s) of the same sex and/or gender, and to person(s) of a different sex and/or gender.

**Cisgender** Umbrella term used to describe persons whose gender identity corresponds to the biological sex assigned to them at birth. They can have a range of sexual orientations.

**Transgender** Umbrella term used by persons whose gender identity and, in some cases, gender expression differ from what is typically associated with the sex they were assigned at birth. They

can also have a range of sexual orientations.

**Intersex** An umbrella term describing a wide range of natural bodily variations in sex characteristics (including genitals, gonads, reproductive organs and chromosome patterns) that do not fit typical binary notions of male or female bodies. Intersex people are not necessarily people who have a different gender identity or sexual orientation to the norm. Rather, their bodies have different sex characteristics to the norm. They are not to be considered the same as transgender persons.

**Homosexual** A person whose romantic, emotional and/or physical attraction is to persons of the same sex and/or gender. In English, many consider it an outdated clinical term that should be avoided.

**Sexual orientation** Each person's enduring capacity for profound romantic, emotional and/or physical feelings for, or attraction to, person(s) of a particular sex and/or gender.

**Gender identity** Each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth or the gender attributed to them by society based on their sex assigned at birth.

**Gender expression** The external manifestation of one's gender identity expressed through one's name, pronouns, behaviour, clothing, haircut, voice or bodily characteristics.

**Sex** The classification of a person as having female, male and/or intersex bodily characteristics. Infants are usually assigned a sex at birth based on the appearance of their external anatomy. A person's sex is a combination of bodily characteristics, including their chromosomes, their reproductive organs and secondary sex characteristics. It is a biological marker.

**SOGIESC** An acronym for 'sexual orientation, gender identity expression and sex characteristics'. It is used to describe sexual orientations and gender identity expressions in their full diversity, as well as based on sex characteristics.

## 2. Main guidance

### Protection objectives

UNHCR's protection objectives with respect to lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons are:

- To sensitize UNHCR and partner personnel to the specific risks and protection needs of LGBTI persons.
- To ensure that UNHCR and partner offices, registration facilities, reception centres, service delivery points, etc. are welcoming, confidential and safe spaces for LGBTI persons of

concern.

- To consult LGBTI persons of concern and make sure that their views inform the design, implementation, and monitoring and evaluation of emergency responses.
- To ensure that LGBTI persons of concern do not suffer discrimination, are treated respectfully and fully participate in decisions that affect them.
- To ensure all responses are inclusive of LGBTI persons, and consider their specific capacities and needs in terms of age, gender, and diversity (AGD).
- To put appropriate systems in place that will prevent, mitigate and respond to violence against, or exploitation and abuse of, LGBTI persons during an emergency.

## Underlying principles and standards

- UNHCR, [Code of Conduct](#), 2004.

The [Code of Conduct](#) guides staff in making ethical decisions in their professional and also personal lives. It is a moral code; it does not have the force of law.

- UNHCR, Policy on [Age, Gender and Diversity](#), 2018.

The AGD policy reinforces UNHCR's commitment to ensure that people are at the centre of all that we do. It consolidates UNHCR's commitments to a strong AGD orientation, [accountability to affected people](#) (AAP), and commitments to women and girls. It defines six areas of engagement and ten mandatory core actions for UNHCR headquarters and all operations.

- UNHCR, Guidelines on International Protection No 9: Claims to Refugee Status based on Sexual Orientation and/or Gender Identity within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees, 2012.

Provides legal guidance for governments, legal practitioners, decision makers and the judiciary, as well as staff carrying out [refugee status determination](#) under UNHCR's mandate.

- UNHCR, Need to Know Guidance: Working with Lesbian, Gay, Bisexual, Transgender, and Intersex Persons in Forced Displacement, 2011.

Provides practical guidance on how to ensure that the rights of LGBTI persons of concern are respected, and prevent discrimination.

## Protection Risks

LGBTI persons are not a homogenous group. While they may share similar risks and concerns, each person and population has distinct concerns that derive from the intersection of their

sexual orientation, gender identity and sex characteristics with their gender, age, and other diversity characteristics (such as disability, race, and religion).

## **Protection risks**

### **Specific**

- Lesbian women may suffer persecution based on their gender and their sexual orientation and may be exposed more frequently to gender-based violence, including honour crimes and rape, at the hands of private actors, including family and community members. Because of their social and economic status, they may find it difficult to access asylum procedures, the police, or other forms of protection and support in countries of asylum. Some lesbian women will have been forced into compulsory heterosexual marriages and may also have children from these marriages.
- Gay men tend to live more public lives than lesbian women and as a result are often at more immediate risk of harm, including from state actors in countries where male same-sex conduct is a criminal offence. Gay men may be reluctant to reveal to authorities or service providers sexual abuse that they have endured.
- Bisexual persons may remain largely invisible. They are usually persecuted because they are perceived to be gay or lesbian. Their capacity to be physically, romantically or emotionally attracted to both men and women may create a misperception that their sexuality is a matter of choice, not identity. They may be stigmatized by both heterosexual and non-heterosexual communities.
- Transgender persons are often severely marginalized and subject to violence. They frequently experience abuse and discrimination by state authorities and hatred from family and community members. They are often subject to sexual abuse by state as well as non-state actors. Frequently excluded from education and access to housing and employment, they may engage in survival sex work. They often lack access to medical services that are much needed.
- Intersex individuals may endure persecution because they do not conform to mainstream gender expectations, or are viewed as having a physical disability related to their atypical sexual anatomy. They may be subject to ritualistic abuse where it is believed that bodily diversity is evil. They are often exposed to forced surgical interventions, including sterilization, without consent. Family members of intersex persons are sometimes also at risk.

### **General**

- Public locations often present risks for LGBTI persons: temporary shelters; collective shelters; sanitation facilities, such as showers and toilets; centralized aid distribution areas and queues (if they are stigmatized or excluded by those overseeing the queues); information and registration points or centres; health or counselling centres; official offices, including police stations and military posts; [detention](#) facilities. Host communities may stigmatize, harass or marginalize LGBTI persons; their own families and communities may also do so.
- Same-sex couples and their families may be separated if housing is designed to accommodate single individuals or couples of different sex. Additionally, same sex couples

may be treated without due consideration when services are delivered. Distribution criteria may not recognize same-sex couples, and as a result may exclude them from essential aid for families. Transgender and intersex individuals may be placed in accommodation that does not correspond to their preferred gender identity but rather to their sex assigned at birth.

- The content of assistance packages may not be appropriate for some LGBTI people. For instance, transgender men may need access to sanitary napkins and intersex individuals may need hormone replacement therapy.
- Coping mechanisms and infrastructures on which LGBTI persons normally rely may be incapacitated or destroyed. These include safe public spaces and facilities such as non-discriminatory health and community centres.

## Other risks

The reputation of UNHCR and its partners will be put at risk if they do not fulfill their responsibility to protect all persons of concern.

## Key decision points

- Ensure that all staff and partners understand the specific protection needs of LGBTI persons, either through training or by reviewing UNHCR's guidance on Working with Lesbian, Gay, Bisexual, Transgender & Intersex Persons in Forced Displacement.
- Ensure that all UNHCR and partner premises are welcoming and safe for LGBTI persons of concern.
- Ensure that all staff and partners, including drivers and security guards, are aware of what is and is not appropriate behaviour when working with LGBTI persons. UNHCR's [Code of Conduct](#) sets out clear norms and requires managers to take action when inappropriate behaviour is identified.
- Appropriate partners may need to be identified, in particular in the absence of (reliable) national services.
- Establish systems that will consistently refer LGBTI persons to relevant service providers and ensure all services are accessible without discrimination.

## Key steps

### 1) Identification and assessment procedures

- Identify and reach out to LGBTI persons. If possible, consult civil society actors, NGOs and other civil society organizations. Remember that LGBTI persons may deliberately seek to



remain out of sight for their own security. Your first responsibility is to protect their confidentiality and safety. Do not assume that LGBTI individuals look, act or behave in a certain way.

- Create safe spaces and ensure staff and partners are trained to work and communicate with LGBTI persons. Establish an environment where LGBTI individuals will feel safe to come forward and seek support they need.
- In your reception centres, registration facilities and service provision points, include visual material that has key messages for LGBTI persons. Ensure that confidential hotlines and other reporting channels are in place and that they are made known to people who cannot access services directly.
- During assessment, be alert to the fact that lesbian, gay, bisexual, transgender, intersex persons and others of diverse SOGI face different risks and have different needs and priorities. They are not, and should not be treated as, a homogenous group. Identify their distinct needs.
- Support services should include LGBTI persons of concern in all protection and assistance programming. Specific arrangements and adaptations may need to be made in some situations.
- Ensure that the urgent needs of LGBTI persons, including for [mental health and psychosocial support](#) (MHPSS), health, shelter, food, core relief items (CRI), are adequately addressed; take targeted actions where necessary. Include LGBTI persons in programmes that prevent and respond to sexual and gender-based violence (SGBV), working with partners where applicable.
- Design confidential, safe and effective referral systems by mapping the needs of LGBTI persons in liaison with LGBTI-sensitive NGOs and other relevant service providers.

## **2) Access to services**

- Respond promptly and adequately to the specific needs of LGBTI persons. Map partners, referral mechanisms, and the community's capacities.
- Work with partners, other actors, and the authorities where feasible, to identify appropriate and safe housing arrangements.
- Ensure that services such as counselling, health, and MHPSS are accessible to LGBTI persons without discrimination and that LGBTI persons are included in programmes that target persons of concern. Review your response programmes to identify where LGBTI persons may be at higher risk. Be mindful that it may not always be safe for LGBTI persons to access established mainstream services. For example, many public health facilities are legally required to report SGBV cases to local law enforcement, which may put LGBTI persons at additional risk.

## **3) Prevention of abuse and exploitation**

- Take steps to put appropriate systems in place to prevent and respond to violence, exploitation and abuse of LGBTI persons. Establish monitoring mechanisms for this purpose.
- Ensure feedback systems are accessible to LGBTI persons and that concerns reported through those systems are acted upon.

#### **4) Inclusion and information sharing**

- Ensure that LGBTI persons of concern are consulted and meaningfully involved in the design, implementation, monitoring and evaluation of programmes that affect them.
- Provide information, in different forms and at various locations, about how and where LGBTI persons can seek assistance.
- Ensure that documentation procedures and decisions are sensitive to, and include, persons who do not align with mainstream sex and gender expectations. Ensure that such persons are not denied access to protection and assistance programmes.
- Ensure the office reception provides a safe and welcoming environment and that registration is conducted in a non-discriminatory manner. Specific arrangements may need to be made for registration.
- Assist service providers to make their programmes inclusive and accessible to LGBTI persons of concern.

#### **5) Awareness raising and advocacy**

- Include the diverse protection issues LGBTI persons face in awareness-raising and training activities with partners.
- Provide specific training to ensure that staff, interpreters, and other relevant actors (in government and civil society) understand the particular needs and vulnerabilities of LGBTI persons in forced displacement.

## **Key management considerations**

- Enough resources and sufficient knowledgeable staff should be available to meet the specific needs of LGBTI persons of concern.
- Strengthen the capacity of protection staff and partners to respond to the protection needs of LGBTI persons. Mainstream efforts to address issues of LGBTI individuals in all relevant sectors.
- Establish mechanisms to monitor the security and level of protection of LGBTI persons.
- Press national services and partners to remain engaged in support of LGBTI persons.

## **Resources and partnerships**

### **Staff**

Staff working in protection, [community-based protection](#), health, education, livelihoods and other technical sectors are particularly relevant. Ideally, each operation should have a trained and knowledgeable LGBTI focal point.

## Financial resources

Financial resources will be required to plan and implement relevant services, interventions and programmes.

## Training

Ensure that staff, interpreters, and other relevant actors (in government and civil society) can obtain training in the particular risks and specific needs of LGBTI people. Ideally, conduct such training before an emergency occurs.

## Partnerships

- National NGOs and government institutions that are sensitive to LGBTI individuals. Well-known international NGOs with expertise include ORAM, ILGA and HIAS. Such partners are often also able to provide [mental health and psychosocial support](#), where required.
- Explore national LGBTI organisation who provide specific services to LGBTI individuals.

## Annexes

[UNHCR, Need to Know Guidance. Working with Lesbian, Gay, Bisexual, Transgender, and Intersex Persons in Forced Displacement, 2011](#)

[UNHCR, Policy on Age, Gender and Diversity, 2018](#)

[UNHCR, The Protection of Lesbian, Gay, Bisexual Transgender and Intersex Asylum-Seekers and Refugees, Discussion Paper, September 2010](#)

[UNHCR, Guidelines on International Protection No. 9. Claims to Refugee Status based on Sexual Orientation and or Gender Identity](#)

[UNHCR, Heightened Risk Identification Tool, 2010 \(second edition\)](#)

[UNHCR Division of Global Protection, Protecting Persons Of Diverse Sexual Orientations And Gender Identities,2015](#)

## 3. Learning and field practices

## 4. Links

[Refworld portal on SOGI The Yogyakarta Principles, 2006 ILGA, State-Sponsored Homophobia: A world Survey of Laws - Criminalisation, Pro... Human Rights First United Nations Free and Equal Campaign CBP Community of Practice](#)

## 5. Main contacts

As first port of call, contact the UNHCR Deputy Representative (Protection), the UNHCR Assistant Representative (Protection), or the Senior Protection Officer or Senior Community-based Protection Officer in the country.

Alternatively, contact the UNHCR Head of Protection, or the Deputy Director (Protection), or the senior Protection Coordinator, or the senior Protection Officer, or the senior Community-based Protection Officer in the Regional Bureau.

The person you contact will liaise as required with the relevant technical unit at UNHCR DIP.

# Age, gender and diversity (AGD)

24 March 2023

## Key points

- Draw on information gathered during assessments and consultation throughout the programme cycle.
- Talk to individuals and groups across the community; it is not enough to engage only with leaders.
- Do not make promises to the community that you cannot keep.
- Recognize that each community and person has capacities and engages in forms of individual or collective self-protection. Strategies may or may not be effective, but it is important to identify and map them, and support what works.
- Acknowledge that the groups and individuals who are most difficult to reach may be the groups and individuals who are most at risk and have the most significant needs.
- Be aware that many protection problems may have existed before an emergency began. Some practices in a community may be harmful.
- Be aware that, to meaningfully involve children, you need to go beyond formal dialogue and discussion. Put in place the resources and expertise required to support methods and processes that will elicit children's feedback and secure their participation in decision-making

# 1. Overview

Every individual is unique. The actual or perceived differences between us shape our opportunities, capacities, needs and vulnerability; and perceptions of difference can influence how we are treated by others.

Conflict and displacement affect individuals differently, depending on their age, gender, disability, and other diversity characteristics. [UNHCR's age, gender and diversity \(AGD\) policy](#) seeks to ensure that all persons of concern (PoC) fully participate in decisions that affect them, and enjoy their rights on an equal footing with others.

**Age** denotes the different stages in a person's life cycle. It is important to know where people are in their life cycle, because their capacities and needs change over time. Age influences and can enhance or diminish people's capacity to exercise their rights, and must be considered in all protection, assistance and solutions programmes.

**Children** and adolescents can bring unique and valuable perspectives and solutions to problems that confront them and their communities.

**Youth** are frequently overlooked as a social group, even though, when they are given the opportunity to develop their talents and skills, they have the potential to make important contributions to protection and to solutions, for themselves and for their communities.

**Older persons** may face heightened protection risks, due to the effects of ageing alone, or ageing in combination with other personal characteristics. But they can play vital roles in their households and communities.

**Gender** denotes the socially constructed roles of women and men, which are often central to the way in which people define themselves and are defined by others. Unlike sex, gender is not a biological determinant. Gender roles are learned, may change over time, and vary within and between cultures. Gender often defines the duties, responsibilities, constraints, opportunities and privileges of women, men, girls and boys in any context. The principle of gender equality affirms that women, men, girls and boys should enjoy rights, responsibilities and opportunities on equal terms. It implies respect for the interests, needs and priorities of each gender. Combating discrimination based on sexual orientation and gender identity is inextricably linked to gender equality, since it challenges negative gender stereotypes and systemic discrimination arising from prejudice.

Women and girls fill important roles in their communities and families and contribute in various ways to strengthening protection and solutions.

Men and boys can be agents of change in favour of rights, and can work to increase gender equality and prevent [SGBV](#).

Lesbian, gay, bisexual, transgender, and intersex ([LGBTI](#)) persons face complex challenges, threats, and barriers and often experience discrimination, abuse, and violence.

**Diversity** denotes the different values, attitudes, cultural perspectives, beliefs, ethnic backgrounds, nationalities, sexual orientations, gender identities, abilities, disabilities, health, social and economic status, skills and other specific personal characteristics that people possess. Diversity characteristics vary from person to person and intersect with age and gender, making each person unique. UNHCR undertakes to recognize, understand, respect and value these differences in each specific context and operation, to ensure that all persons of concern are protected appropriately. Respecting diversity means recognizing and valuing those differences and creating a protective, inclusive, and non-discriminatory environment in which every person's rights are upheld.

[Persons with disabilities](#) experience a range of barriers. As a result, they may be excluded from programmes, denied participation in decisions that affect their lives, and lack support networks.

Women, men, girls, and boys belonging to [national or ethnic, religious and linguistic minorities, or indigenous groups](#) often experience discrimination and marginalization. They are likely to be affected both by immediate events leading to their displacement and by the long-term legacy of discrimination.

In 2018, UNHCR revised its AGD policy. The updated policy consolidates and updates UNHCR's commitments to inclusive AGD programming, to [accountability to affected people \(AAP\)](#), and to women and girls. These commitments complement and build on one another. The AGD policy sets out ten minimum core actions that are mandatory for all UNHCR operations in all context.

AGD-INCLUSIVE PROGRAMMING	For purposes of analysis and programming, all data collected by UNHCR will be disaggregated, by age and sex at minimum, and by other elements of diversity where contextually appropriate and possible.
PARTICIPATION AND INCLUSION	At a minimum, country operations will employ participatory methodologies at each stage of an operation's management cycle, and will incorporate the capacities and priorities of women, men, girls, and boys of diverse backgrounds into protection, assistance, and solutions programmes.
COMMUNICATION AND TRANSPARENCY	At a minimum, all country-level protection and solutions strategies will detail the operation's approach to communicating with women, men, girls, and boys of diverse backgrounds, using means that are appropriate and accessible to all groups in a community.

FEEDBACK AND RESPONSE	At a minimum, all UNHCR operations will establish and operate feedback and response systems, including for confidential complaints.
ORGANIZATIONAL LEARNING AND ADAPTATION	At a minimum, UNHCR operations will adapt programmes and strategies in response to input from persons of concern, and document this in country operation plans and annual reporting.
ADVANCING GENDER EQUALITY	<p>a. At a minimum, UNHCR operations will ensure that 50% of those who participate in management and leadership structures under UNHCR's authority are women. UNHCR will encourage partners, including Governments, to do the same.</p> <p>b. At a minimum, UNHCR will provide women and girls of concern with individual protection documentation and will encourage partners, including Governments, to do the same.</p> <p>c. Depending on the context, UNHCR operations will increase the percentage of women who are the primary recipients of assistance in households that receive material or cash-based assistance.</p> <p>d. At a minimum, UNHCR will ensure that women and girls have equal access to livelihood, education, and health programmes it delivers, and will work to persuade partners, including Governments, to give them equal access to public services.</p> <p>e. At a minimum, UNHCR operations will adopt and apply SGBV standard operating procedures; operationalize the four main referral pathways for all survivors (safety/security, legal, medical, and psychosocial); and encourage partners, including Governments, to do the same.</p>

## 2. Main guidance

### When and for what purpose

As a foundational component of UNHCR's commitment to accountability to affected persons (AAP), the AGD policy is relevant to all persons of concern to UNHCR, to all humanitarian actors, and in all interventions in every emergency. When working with affected populations, we must first understand their diverse and particular needs as well as their capacities and skills. Communities are not homogeneous groups but are composed of individuals with diverse backgrounds and identities. Close and regular engagement with persons of concern is critical to our ability to understand and assess their situation and specific protection risks, identify appropriate responses, determine what must be done to assist and protect them, and ensure we do not inadvertently increase marginalization and vulnerability. The success of our work in emergencies depends on obtaining timely access to and engaging effectively with persons of concern through [community-based approaches](#). We cannot wait until emergency situations stabilize.

When engaging with a community, do not rely solely on contacts with individuals who are easy to reach, such as visible leaders. If information sharing and consultation are restricted to community leaders (who are often men), it can reinforce discrimination and exclusion and does not amount to consulting the community. Whenever possible, talk to people from all AGD backgrounds to gain a comprehensive understanding of their situation. Consciously reach out to groups that are marginalized and less visible, such as youth, [persons with disabilities](#), LGBTI persons. Consult them. Consider the many different ways in which the intersection of age, gender and diversity can shape human experience. Find out, for example, in which locations women can most safely collect food aid and other material assistance; ask whether those locations are accessible to women with disabilities. This is essential knowledge for programming and protection interventions. An inclusive, rights-based approach is critical to our accountability to those we serve and is at the heart of an AGD approach.

The AGD policy is therefore a vital practical instrument that should be used continuously to inform the design and implementation of strategies and programmes at all levels. Although it may not be possible to consult every group during an emergency, it is vital to include a range of representatives from across the community and make sure they can participate in the assessment, planning, implementation and monitoring of programmes. By analysing interlinked personal characteristics in terms of AGD, we can better understand the many protection risks that individuals and communities face, and their capacities to address them, and so act more effectively. By promoting respect for difference and affirming that difference enriches communities, we promote progress towards equality and enjoyment of rights. Equality implies respect for everyone; the promotion of equal opportunities for people with different needs and abilities; and targeted measurable actions to combat inequality and discrimination.

## **Summary of guidance and/or options**

### **Assessment**

Gather and systematically analyse, with the active involvement of persons of concern, AGD-disaggregated information relating to the rights, needs, risks and priorities of all persons of concern. Balance the time and effort required to run an assessment against the length of time its findings will remain valid, particularly in situations that change rapidly. Use all opportunities and encounters with persons of concern to understand how the situation is changing for them.

### **Design**

The design of programmes should be based on assessments of the protection needs of affected and host communities and their capacities. Involve persons of concern and their representatives in the design of programmes that affect them.

### **Resource allocation**

To fully implement an AGD approach, budget allocations and programme interventions must reflect the findings of assessments and community consultation, and should consider the priorities set by the community.

### **Implementation**

Decide what targeted actions are required to address the specific needs of persons of concern and remove barriers that make it difficult for persons of concern to access services they need.



Implement these actions with care, making sure that inequalities are not exacerbated and that no individuals or groups are improperly excluded. Involve persons of concern in the implementation of your programmes, including distribution of food and core relief items (CRIs).

### **Monitoring and evaluation**

Assessment and consultation provide an opportunity for populations of concern to comment on the effectiveness of interventions. Ensure feedback systems are in place early on, and that all persons of concern are aware of them and have opportunities to voice their concerns. Act on feedback received from persons of concern and report back to them.

### **Staffing**

Consider the AGD characteristics of UNHCR personnel, especially when these may affect their capacity, or the capacity of programmes, to protect persons of concern.

## **How to implement this at field level?**

The AGD policy is fundamentally linked to UNHCR's rights-based and [community-based approaches](#), which seek to facilitate the meaningful and systematic participation of people of concern in assessment, planning, implementation and monitoring processes and, thereby, decisions that affect their lives and their communities.

### **Use a participatory approach to collect and analyse information. Listen to persons of concern, identify their priorities, draw on their knowledge, and give them feedback.**

- Use a range of participatory methodologies to understand the situation of people of concern; map community structures and available services.
- Conduct regular assessments to review protection risks and the incidence of human rights violations before and during the emergency. Use an AGD perspective to analyse root causes, with the aim of taking swift remedial action and avoiding further abuses or displacement.
- When you consult community members, carefully consider their security. Individuals or groups who communicate with aid agencies may face resentment or even violence from other individuals or groups. Sources of information should therefore be kept confidential. When working with local authorities, particularly in IDP contexts, ensure that no individuals or communities face repercussions because they have discussed human rights violations.
- Make arrangements to ensure that all groups in the population of concern are aware of opportunities to participate in assessments and that any barriers to participation in these are removed.
- Assessments should draw on the expertise of all personnel (national and international), as well as partners, government officials and persons of concern. Adopt a multi-functional team (MFT) approach. Assessments are not working that only [community-based protection](#) and protection staff do.
- Disaggregate data collected on populations through needs assessment and during protection incidents. Analyse the data in terms of age, gender, and disability and, where appropriate, other diversity characteristics.
- During an emergency, the situation changes very quickly. Spend as much time as you can

in the community and use every opportunity to engage with persons of concern to understand how their situation is changing.

- Avoid talking only to leaders or people who are more vocal. Proactively seek to engage different groups in the community and take steps to consult the opinions of people who are at heightened risk or marginalized.
- Conduct assessments during times of day that are convenient for different AGD groups. Take steps to assist certain AGD groups to participate (by providing childcare, food, or a travel allowance).
- Include persons from marginalized groups in assessments of broader community issues, as well as discussions that specifically concern them.

Report back to communities on the results of assessments, validate your analysis, and highlight programme priorities that the community identified during the assessments.

### **Include persons of concern meaningfully in operational planning.**

- Run participatory planning exercises and work with communities to implement protection solutions. Failure to consult communities adequately, or to take account of their views when responses are designed, can have serious consequences. If women are not consulted, for example, sanitation facilities may be constructed near where men socialize; this may put women and girls at risk, cause them to avoid using the facilities, and so harm public health as well as their safety and dignity.
- When you plan, draw on the needs, priorities, and proposed solutions that persons of concern identified during the assessment phase. Use the information provided by feedback and response systems.
- AGD requires UNHCR staff to adopt specific and appropriate methodologies to engage meaningfully with different groups. (Develop child-friendly information materials and consultation exercises for boys and girls of different ages, for example.)

### **Identify where targeted action is needed to address specific protection gaps.**

- Design all responses to be inclusive and accessible to all groups in the community. Take specific action to target needs that are identified. It is important to involve persons of concern in this work and build their capacities.
- When taking action during an emergency, avoid establishing patterns of behaviour or relationships that might be difficult to change later on. Prefer temporary arrangements and review them regularly. Make sure that persons of concern are made aware that arrangements introduced during emergencies may change later.
- Identify and support communities' self-protection measures and avoid introducing new measures that may weaken the community's capacities. Identify negative coping mechanisms and work with the community to replace harmful practices or mitigate their effects.
- Quickly identify a diverse group in the community who are able and willing to organize community support for those at heightened risk, including temporary care arrangements for unaccompanied children.
- Identify and remove barriers that different groups face as they try to access services in an emergency. Many [persons with disabilities](#), for instance, experience social, cultural,

physical, economic, and political discrimination that impedes their efforts to participate in society on equal terms and may obstruct their access to rights and services.

- AGD requires UNHCR personnel to adopt specific and appropriate methodologies to involve all groups in a meaningful way.

### **Information sharing and communication**

- In consultation with persons of concern, establish locations where UNHCR personnel are available at regular times to meet persons of concern, gather information on specific needs, answer questions, and provide counselling in a safe and confidential environment. Inform the community about these arrangements. Be mindful that not all persons in the community may be able to access those points. Go to them instead!
- Work with community outreach volunteers to ensure information is disseminated in the community, particularly to those who are at heightened risk.
- Working with the community; take steps to ensure that individuals across all AGD profiles have access to information on assistance and other issues. Post notices in places where people are likely to meet, such as water-collection points, community centres, registration points, and wherever assistance is distributed.

### **Carefully consider the composition of staff and effects on operational effectiveness.**

- For example, it may be difficult to encourage women's active participation and leadership, or consult women and girls adequately, if all UNHCR and partner personnel are male.

## **Annexes**

[UNHCR, Policy on age, gender and diversity, 2018](#)

[UNHCR Tool for Participatory Assessment in Operations \(2006\)](#)

[Understanding Community Based Protection, Policy Paper \(2013\)](#)

[UNHCR Manual on a Community Based Approach in UNHCR Operations \(2008\)](#)

[IASC Commitments on Accountability to Affected People and Protection from Sexual Exploitation and Abuse, 2017](#)

[IASC, Policy on Gender Equality and the Empowerment of Women and Girls in Humanitarian Action, 2017](#)

[IASC, Accountability Framework for the IASC Policy on Gender Equality and the Empowerment of Women and Girls in Humanitarian Action 2018-2022, 2017](#)

[IASC, Gender Handbook for Humanitarian Action, 2018](#)

[UNHCR, Listen and Learn - Participatory assessment with children and adolescents, 2012](#)

### 3. Links

[Working with persons with disabilities in forced displacement](#) [Working with lesbian, gay, bisexual, transgender, intersex persons in forced di...](#) [Working with men and boy survivors of sexual and gender-based violence in force...](#) [Working with older persons in forced displacement](#) [Working with national or ethnic, religious and linguistic minorities and indige...](#) [CBP Community of Practice](#)

### 4. Main contacts

As first port of call, contact the UNHCR Deputy Representative (Protection), the UNHCR Assistant Representative (Protection), or the Senior Protection Officer or Senior Community-based Protection Officer in the country.

Alternatively, contact the UNHCR Head of Protection, or the Deputy Director (Protection), or the senior Protection Coordinator, or the senior Protection Officer, or the senior Community-based Protection Officer in the Regional Bureau.

The person you contact will liaise as required with the relevant technical unit at UNHCR DIP.

## IDP definition

09 March 2023

### Key points

- National laws, policies and strategies (or regional instrument, when applicable) on internal displacement need to be consistent with the UN Guiding Principles on Internal Displacement.
- The IDP definition adopted locally, nationally and regionally must be consistent with, and should not be narrower than, what is provided for in the UN Guiding Principles on Internal Displacement.
- Being an IDP is not a legal status that may be granted, refused or ceased.
- IDPs may include individuals who are citizens or habitual residents.

---

# 1. Overview

Internally displaced persons (IDPs), according to the **United Nations Guiding Principles on Internal Displacement**, are "persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border." This, however, is a descriptive definition, which does not confer a special legal status because IDPs, being inside their country, remain entitled to all the rights and guarantees as citizens and other habitual residents of their country. As such, national authorities have the primary responsibility to prevent forced displacement and to protect IDPs.

While the **UN Guiding Principles on Internal Displacement** are not legally binding, their authority has been recognized globally, particularly as they draw from international humanitarian and human rights law. The Africa Union in particular has codified the **UN Guiding Principles on Internal Displacement** with the 2009 **Convention for the Protection and Assistance of Internally Displaced Persons in Africa** (the so-called "Kampala Convention," preceded by the 2006 **Great Lakes Protocol on the Protection and Assistance to Internally Displaced Persons**).

## 2. Relevance for emergency operations

IDPs, due to their forced displacement, are inherently vulnerable to deprivation, further displacement and other protection risks, such as lack of access to basic services, family separation, [sexual and gender based violence](#), trafficking, discrimination and harassment. In view of such vulnerabilities and special needs, the **UN Guiding Principles on Internal Displacement** seek to guarantee that IDPs, as citizens or habitual residents of their country, enjoy equally and without discrimination the same rights and freedoms under international and national law as do other persons in their country. This includes freedom of movement and the right to choose their place of residence. At the same time, IDPs retain the right, at all times, to seek safety in another part of their country; to seek asylum; and to be protected against forcible return to or resettlement in "any place where their life, safety, liberty and/or health would be at risk."

## 3. Main guidance

### Description and guidance

There are two important elements in the IDP definition: the movement is involuntary and takes place within national borders. IDPs are thus distinct from individuals who can remain safely in

their place of residence but have opted to depart on their own free will, without coercion. IDPs are also distinct from refugees because they have not crossed an internationally recognized territorial border, and thus do not require a special legal status as a result of being outside their country and without its protection. As already explained above, IDPs are entitled to all the rights and guarantees as citizens and other habitual residents of their country.

The IDP definition references the triggers for internal displacement, such as an armed conflict, generalized violence, human rights violations, and natural or human-made disasters. This is, however, not an exhaustive list, as indicated by the words "in particular". The phrase "as a result of or in order to avoid the effect of" also recognizes that persons may be internally displaced after suffering the effects of coercion or in anticipation of such effects.

In accordance with the IDP definition, specific groups, such as indigenous communities or pastoralists displaced because their routes of migration have been blocked by conflict, landmines or insecurity, may be considered IDPs. The homeless and poor urban communities, however, are not automatically considered to be IDPs even though they often suffer marginalization, impoverishment and human rights violations in their areas of residence. In the same vein, the IDP definition does not cover persons who move for economic reasons.

Irregular migrants or [third country nationals](#) who find themselves in situations similar to that of IDPs are entitled to protection and assistance under international humanitarian and human rights law. Refugees, as already explained, have a special legal status owing to their being outside their country of origin and thus without their country's protection.

Absence of a legal status notwithstanding, an individual can be considered an IDP until s/he has achieved a durable solution, which occurs when her/his assistance and protection needs are no longer directly associated with her/his displacement and human rights are enjoyed by the individual without discrimination on account of her/his displacement. National authorities have the primary responsibility to provide durable solutions to IDPs, with international humanitarian and development actors playing a complementary role. A durable solution is furthermore achieved when an individual is sustainably (re)integrated in:

- an area where s/he has taken refuge (local settlement);
- another area of her/his country (settlement elsewhere in the country); or
- her/his place of origin (sustainable return).

## **Annexes**

[UN, Guiding Principles on Internal Displacement, 1998](#)

[Global Protection Cluster, Handbook for the Protection of Internally Displaced Persons, 2010](#)

## **4. Links**

[Guiding Principles on Internal Displacement African Union, Convention for the Protection and Assistance of Internally Displ...](#) [The Great Lakes Protocol on the Protection and Assistance to Internally Displac...](#)

## 5. Main contacts

As first port of call, the UNHCR Dep. Representative (Protection), UNHCR Asst. Rep. (Protection), and/or Snr Protection Officer in the country; or The UNHCR Regional Asst./Dep Rep (Protection) and/or Snr. Regional Protection Officer at the regional office (if applicable); or The Snr. Regional Legal Advisor in the respective UNHCR regional bureau, covering the respective country region, who in turn will liaise as required with the parent unit at UNHCR DIP.

## Stateless person definition

14 April 2023

### Key points

- Always bear in mind that some asylum-seekers, refugees, IDPs and migrants may also be stateless. In addition, there are stateless persons, who have never crossed borders and find themselves in their "own country". Their predicament exists in situ, that is in the country of their long-term residence, in many cases the country of their birth. For these individuals, statelessness is often the result of problems in the framing and implementation of nationality laws.
- UNHCR can provide technical assistance to States to identify individuals of undetermined nationality and establish statelessness determination procedures. Where appropriate, UNHCR may also examine a persons' nationality claims and present them to the appropriate State authority, while advocating for their naturalisation.
- Take steps to identify asylum seekers who are stateless at the registration stage; flag also cases of possible statelessness.
- Remember that it is important to identify stateless refugees in order to protect and defend their rights, as a priority, under the 1951 Convention that as it is explained above generally entitles individuals to more rights than the 1954 Convention including protection against refoulement). Other human rights instruments to which the State is party, may be relevant.
- Always bear in mind that cross border flows may include nationals of the receiving country. Where such individuals are not able to confirm and document their nationality, facilitate their timely identification and assist them to be recognized and documented as nationals by the relevant authorities.

# 1. Overview

Article 1 (1) of the 1954 Convention relating to the Status of Stateless Persons defines a stateless person as 'a person who is not considered as a national by any State under the operation of its law'.

This definition is binding on all States parties to the Convention and applies to other States because the International Law Commission has concluded that it is part of international customary law. (Please see page 49 of [the International Law Commission, Articles on Diplomatic Protection with commentaries, 2006](#), which states that the Article 1 definition can "no doubt be considered as having acquired a customary nature". The text of Article 1(1) of the 1954 Convention is used in the Articles on Diplomatic Protection to provide a definition of stateless person.) With the exception of persons who are excluded (under Paragraph 7 of UNHCR's Statute and Article 1(2) of the 1954 Convention), persons who meet this definition are of concern to UNHCR under its mandate.

To establish whether a person is stateless under the definition, it is necessary to analyse how a State applies its nationality law in practice to individual cases and to any review/appeal decisions that may be relevant to the individual's case. The reference to 'law' in the definition should be read broadly to encompass legislation, but also ministerial decrees, regulations, orders, case law (in countries with tradition of precedent), and, where appropriate, customary practice.

## 2. Relevance for emergency operations

Statelessness is often combined with other forms of discrimination and human rights violations, and is a cause of displacement. Though most stateless people remain in the country of their birth, some leave and become migrants or refugees. Stateless persons who are refugees under the 1951 Convention relating to the Status of Refugees are entitled to protection under that instrument. When an individual is both a refugee and stateless, both types of status should be explicitly recognized. Similarly, where standards of treatment are provided for a complementary form of protection, including protection against **refoulement**, States must apply these standards to stateless individuals who qualify for that protection. Though the 1951 Convention generally entitles individuals to more rights than the 1954 Convention (including protection against **refoulement**), a person whose refugee status ceases may not always have acquired a nationality and may continue to require international protection under the 1954 Convention. Recognition as a stateless person by the State authorities can also facilitate exercise of other rights. For example, the children of refugees born in a country (i.e. country of asylum) who do not acquire any nationality are entitled to the nationality of the country in which they are born, under the 1961 Convention on Reduction of Statelessness and regional human rights instruments, in countries which are party to them.

In emergency contexts, population movements from one country to another may include people who are nationals of the receiving country, such as returning refugees and migrants, some of whom may have been abroad for a prolonged period or even born abroad. When displacement is due to armed conflict and other situations of violence, the situation of such individuals may



resemble that of refugees, because their nationality may not be documented and they may lack a social support network to assist them on arrival. It is therefore essential to identify nationals of a receiving country when they arrive and assist them to acquire documentary proof of their nationality under UNHCR's mandate to prevent statelessness.

### 3. Main guidance

#### Description and guidance

To this end, steps should be taken (whenever possible) to facilitate the identification of stateless persons in emergencies by ensuring that country of origin is captured at registration (REG) and nationality is recorded as 'none/stateless'. It is possible to identify stateless persons or persons at risk of statelessness on a **prima facie** group determination basis. This could be appropriate where there is readily apparent, objective information about the lack of nationality of members of a group such that they would **prima facie** meet the stateless person definition in Article 1(1) of the 1954 Convention on the Status of Stateless Persons. Where there are reasonable grounds for believing that a person is **prima facie** stateless (for example, because he or she belongs to a stateless minority population), the person's nationality is to be recorded as 'none/stateless'. Where a person's nationality is unclear, this should be flagged to facilitate follow-up.

With respect to individual determinations of whether a person is stateless under the definition in Article 1(1) of the 1954 Convention on the Status of Stateless Persons, UNHCR's primary role is to provide technical assistance to States in establishing statelessness determination procedures (SDPs). UNHCR can advise on both the development of new SDPs to be conducted by States and contribute to the enhancement of existing ones. UNHCR can facilitate enquiries made by statelessness determination authorities with authorities of other States and can act as an information resource on nationality laws and practices. Under Article 11 of the 1961 Convention on the Reduction of Statelessness, UNHCR can play a role in examining a person's nationality claims and presenting them to the appropriate State authority.

During the first phases of an emergency, it will usually not be feasible for States to conduct SDPs. However, when implementation of an individual [refugee status determination](#) (RSD) procedure is considered necessary and feasible, procedures for identifying stateless persons or persons at risk of statelessness should also be considered, including procedures for flagging such cases during the first stage of registration. Further investigation of whether an individual is stateless or at risk of statelessness may be conducted during RSD or, for individuals who are found not to be refugees, subsequent to RSD. Where it is feasible for SDPs to be implemented by the State, UNHCR should provide all necessary technical assistance in this regard.

It is important to identify individuals who may be nationals of a receiving country as early as possible and, when required, to assist them to be recognized and documented as nationals by the relevant authorities. Incorrect registration of these individuals as refugees may in some situations be detrimental to their recognition as nationals of the receiving country, and, unless they possess the nationality of another State, this may leave them stateless.

## Annexes

[UNHCR, Handbook on Protection of Stateless Persons, 2014](#)

[UNHCR, Guidelines on Statelessness No. 4. Ensuring Every Child's Right to Acquire a Nationality through Articles 1-4 of the 1961 Convention on the Reduction of Statelessness, 2012](#)

[UNHCR, Global Action Plan to End Statelessness in 10 Years, 2014 \(in particular Actions 2 and 6\)](#)

[UNHCR, Statelessness determination procedures. Identifying and protecting stateless persons, 2014](#)

[UNHCR, Good Practices Paper - Establishing Statelessness Determination Procedures to Protect Stateless Persons, 11 July 2016](#)

## 4. Links

[UNHCR, Good Practices Paper – Action 6: Establishing Statelessness Determinatio... Resources on Statelessness](#)

## 5. Main contacts

The first port of call is the UNHCR Deputy Representative (Protection), or UNHCR Assistant Representative (Protection), or the Senior Protection Officer in the country. Contact may also be made with the UNHCR Regional Assistant or Deputy Representative (Protection), with regional statelessness officers, or with the Senior Regional Legal Advisor in the respective UNHCR Regional Bureau, covering the respective country region. He or she will liaise as required with the parent unit at UNHCR DIP: UNHCR DIP Statelessness Section, HQ, Geneva, at [statelessness@unhcr.org](mailto:statelessness@unhcr.org).

# Civilian and humanitarian character of asylum

24 March 2023

## Key points

- Asylum has an inherently peaceful, civilian and humanitarian character. Military activity is incompatible with the institution of asylum. Persons who pursue military activities in a country of asylum cannot be asylum-seekers or refugees, may not stay in or enter refugee camps, and may not benefit from humanitarian assistance provided by UNHCR under its international refugee mandate.
- The civilian and humanitarian character of asylum is an established and respected international refugee standard and a principle of international protection. It derives from rules in international refugee law, human rights law, international humanitarian law, national law, UNHCR's Statutes and the UN Charter.
- Prepare as much as possible in advance for the possibility that fighters or combatants may be present or may mix with refugees and displaced people. Analyse the conflict, activate early warning arrangements, and react promptly, because the best outcomes are achieved when a State identifies, disarms and separates combatants at entry, before they are in camps or settlements. In UNHCR's experience, it is more effective to prevent refugee camps from being infiltrated or militarized than to repair a situation in which their civilian and humanitarian character has already been jeopardised.
- Consider children who are associated with armed forces and armed groups primarily as victims, regardless of how they were recruited. They should benefit from special protection and assistance measures, notably to demobilize and rehabilitate them. They should have priority in identification and in principle should not be interned.
- If you need advice on the status and treatment of fighters or combatants in a specific context, in order to advise the authorities and other relevant actors appropriately, ask UNHCR's regional legal adviser in the bureau or regional representation, or DIP's Field Protection Support Service, Geneva.
- Acknowledge the State's genuine security concerns and capacities but ensure that States uphold their obligations. Refoulement, discrimination and arbitrary detention are prohibited; States should grant refugees access to their territories, provide international protection, and ensure the civilian and humanitarian character of asylum.
- Discuss confidentially with relevant authorities. Participate in and promote inter-agency dialogue with other relevant actors (UN Country Team, ICRC, OHCHR, UNDP, UNICEF, UN/regional peace operations).
- The civilian and humanitarian character of asylum is an established and respected international refugee standard and a principle of international protection. It derives from rules in international refugee law, human rights law, international humanitarian law, national law, UNHCR's Statutes and the UN Charter.
- Prepare as much as possible in advance for the possibility that fighters or combatants may be present or may mix with refugees and displaced people. Analyse the conflict, activate early warning arrangements, and react promptly, because the best outcomes are achieved when a State identifies, disarms and separates combatants at entry, before they are in camps or settlements. In UNHCR's experience, it is more effective to prevent refugee camps from being infiltrated or militarized than to repair a situation in which their civilian and humanitarian character has already been jeopardised.

- Consider children who are associated with armed forces and armed groups primarily as victims, regardless of how they were recruited. They should benefit from special protection and assistance measures, notably to demobilize and rehabilitate them. They should have priority in identification and in principle should not be interned.
- If you need advice on the status and treatment of fighters or combatants in a specific context, in order to advise the authorities and other relevant actors appropriately, ask UNHCR's regional legal adviser in the bureau or regional representation, or DIP's Field Protection Support Service, Geneva.
- Acknowledge the State's genuine security concerns and capacities but ensure that States uphold their obligations. Refoulement, discrimination and arbitrary detention are prohibited; States should grant refugees access to their territories, provide international protection, and ensure the civilian and humanitarian character of asylum.
- Discuss confidentially with relevant authorities. Participate in and promote inter-agency dialogue with other relevant actors (UN Country Team, ICRC, OHCHR, UNDP, UNICEF, UN/regional peace operations).

## 1. Overview

Asylum is granted when a State offers protection on its territory to an individual who has fled another country in response to persecution, serious harm, armed conflict or other situations of violence. Asylum therefore has an inherently peaceful, civilian and humanitarian character. Military activity is incompatible with it, and persons who pursue military activities in a country of asylum cannot be asylum-seekers or refugees. In consequence, **only civilians** may benefit from asylum or from the humanitarian assistance provided by UNHCR and its partners under its international refugee mandate.

Refugee camps, sites and settlements must also be protected from militarization and the presence of combatants or fighters (defined below). This means that combatants or fighters may not enter or stay in such camps, sites and settlements, even for short periods of time.

Maintaining the civilian and humanitarian character of asylum is of crucial importance, notably during emergency preparedness and at the start of an emergency situation.

During emergency situations, particularly when people are fleeing armed conflict, combatants or fighters may cross a border at the same time as refugees, or with them. They may also seek to take advantage of refugee camps, and humanitarian assistance and services, to recruit or train, regroup, plan military attacks, or for '[rest and recuperation](#)'.

To maintain the civilian and humanitarian character of asylum, six key measures are recommended in all refugee operations:

(1) Preparedness planning.

- (2) Effective security management.
- (3) Disarmament of armed elements.
- (4) Identification of fighters and combatants.
- (5) Separation and control measures (including internment).
- (6) Verification that fighters or combatants who seek international protection have renounced military activities, enabling a determination of refugee status to be made.

In the context of the civilian and humanitarian character of asylum, the terms 'combatant' and 'fighter' refer to "any man, woman or child who is either a member of State armed forces (other than medical personnel and religious personnel) or a member of the fighting forces of a non-State armed group, and who has entered a country of asylum". Please see [UNHCR Guidance Note on Maintaining the Civilian and Humanitarian Character of Asylum, December 2018](#).

Host Governments are primarily responsible for maintaining the civilian and humanitarian character of asylum. However, a multi-stakeholder approach is often required in practice. When appropriate, all three pillars of the UN (human rights, development, and peace and security), other international and regional organisations, and other States may be involved. In particularly complex situations, which implicate international peace and security (due to the presence of a large number of active fighters or combatants, for example), interventions may require a collective engagement by the UN Country Team or Humanitarian Country Team as a whole, rather than by individual UN entities.

Although promoting the civilian and humanitarian character of asylum falls squarely within UNHCR's mandate, humanitarian organisations such as UNHCR have neither the mandate nor the means to assume the security functions of a State (such as disarmament, or separation and control measures for fighters and combatants). For this reason, UNHCR and other humanitarian organizations should not take individual decisions related to identification or verification of renunciation.

UNHCR may provide technical advice and guidance to the relevant authorities and assist them in determining appropriate procedures and measures. It may also, where deemed appropriate, choose to participate or support a task force that deals with these processes, or provide financial and other support to relevant host State authorities, in particular when they act to ensure that refugee sites and hosting areas are secure.

This section sets out what actions UNHCR and its partners can take to advise and assist the authorities and other relevant stakeholders to ensure that the civilian and humanitarian character of asylum is respected.

## **2. Main guidance**

### **Protection objectives**

The ultimate aim and objective of measures to maintain the civilian and humanitarian character of asylum are:

- To protect refugees from violence or insecurity related to the presence, proximity or actions of armed elements and fighters or combatants.
- To enable humanitarian access for the purposes of providing international protection and delivering humanitarian assistance and services.
- To safeguard the integrity of institutions of asylum by ensuring that fighters or combatants do not benefit from asylum, and that the arrival and presence of fighters or combatants in a host State is managed appropriately, in accordance with relevant provisions of international and national law, in a manner that prevents adverse consequences to the asylum and protection space in the host State.

## Underlying principles and standards

The civilian and humanitarian character of asylum is a fundamental principle of international refugee protection. This principle itself gives rise to several standards, namely:

- Camps and settlements should not contain fighters/combatants (see textbox below).
- Fighters or combatants should not be registered as refugees or asylum seekers.
- Fighters or combatants should not benefit from humanitarian assistance provided by UNHCR and its partners under UNHCR's international refugee mandate.

Host States are primarily responsible for upholding the civilian and humanitarian character of asylum. They should disarm all persons carrying weapons on their territory, identify fighters and combatants, and separate them from civilian arrivals (including refugees). They should also take other measures to ensure the safety and security of refugees on their territory, whether they are hosted in camps or not. These may include measures to prevent military recruitment, including of refugee children.

If individuals permanently and genuinely renounce military activity, they may have their claims to international protection assessed (as former fighters or combatants). Such claims must be assessed on an individual basis (not *prima facie*) and must consider any exclusion concerns.

Any measures taken by a host State to maintain the civilian and humanitarian character of asylum must respect the State's legal obligations under international human rights law, international humanitarian law, neutrality law (where applicable), refugee law, and domestic law. In particular, they must:

- Uphold the principle of non-refoulement and allow access to their territory. State action to ensure security must not prevent a person from being able to seek international protection, nor lead to refoulement. No person seeking international protection should be rejected at the border, or returned to his or her country of origin, on the mere suspicion that he or she is a fighter or combatant; nor should borders be closed because fighters or combatants may be present among asylum-seekers.
- Respect the right to liberty and security of the person, and the prohibition of arbitrary [detention](#). State action to ensure security must not lead to arbitrary [detention](#). [Detention](#) and internment may only be undertaken in compliance with national law and international law. During [detention](#) or internment, States must respect minimum procedural safeguards,

- the right of detainees to humane and dignified conditions of [detention](#), and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, including SGBV.
- Protect children. Children associated with armed forces or groups should benefit from special protection and assistance measures. They should be regarded as victims, regardless of how they were recruited. Children must be treated as a priority during identification, demobilization and rehabilitation, when verifying renunciation and when assessing asylum claims. At all times their best interests must be a primary consideration. They should benefit from specialist expertise and age-appropriate procedures, taking into account their vulnerabilities and protection needs. [Child protection](#) agencies should be called upon to advise and assist the host State, and particular attention should be given to both girls and boys who are survivors of SGBV. Children should in principle not be interned or otherwise deprived of their liberty. For children aged 15 years and older, internment may be used as a last resort, for the shortest possible period of time, taking into account their best interests. If interned, children should be separated from adults, and accommodated at a distance from them, unless they are with a parent.
  - Address protection considerations for women. The specific protection and assistance needs of women recruited by armed forces or groups must be addressed, notably if women have been subject to SGBV. If a woman decides to renounce military activity, evaluation of her renunciation and asylum claim should be prioritized where this is appropriate (for example, because she has particular vulnerabilities or is accompanied by children). If women are interned, they should be interned in separate facilities from men; as far as possible, their supervisors should be women.

## Protection Risks

Where the civilian and humanitarian character of asylum is compromised, the following problems are more likely to occur:

- Direct military attacks on camps or settlements.
- Forced adult recruitment and child recruitment.
- Physical violence, including sexual violence, harassment and execution.
- Movement of arms into camps or settlements.
- A general breakdown of law and order and high levels of criminality.
- Tension between refugees and host communities.
- Diversion of humanitarian aid, and challenges to humanitarian access.

In certain situations, the host State's security interventions may impact negatively on access to asylum or its peaceful enjoyment. Border closures based on national security concerns may prevent individuals from obtaining international protection, or lead to the refoulement or arbitrary [detention](#) of asylum-seekers and refugees. [See the Entries on [Access to territory and non-refoulement](#), and [Freedom of movement and detention](#).]

# Other risks

## Security risks

The presence of fighters or combatants in refugee camps or settlements can:

- Generate serious security concerns for refugees and humanitarian personnel, and undermine humanitarian access.
- Worsen the security situation in hosting areas around refugee camps and settlements, increasing tension in host communities.
- Jeopardize national or regional stability, and threaten inter-State relations.

## Key decision points

- **Based on available information, is the civilian and humanitarian character of asylum compromised, or likely to be compromised, requiring action by UNHCR?**

It is crucial to understand and analyse the composition of groups of arriving or arrived refugees and asylum-seekers, and notably whether fighters or combatants (including women or children associated with armed forces or groups) are among them. Ongoing conflict analysis should consider **inter alia**: the parties to an armed conflict; their structures; the fragmentation and allegiances of armed non-State actors; past or current violations of international human rights law or international humanitarian law (IHL); and the reasons for flight.

- **What situations or issues may compromise the civilian and humanitarian character of asylum?**

Depending on the circumstances, key issues for advocacy might include: the location of camps and settlements; the need for disarmament at border points or in-country; the identification of and separation of fighters and combatants; and the overall safety and security of refugee camps or other refugee-hosting areas, including urban centres.

- **Are host State authorities willing and able to take the required action? What activities might UNHCR undertake?**

UNHCR should always act on the basis that the host State is primarily responsible for ensuring the civilian and humanitarian character of asylum. Advocacy in favour of relevant Government action needs to start at an early stage, and should be coordinated with other stakeholders.

First and foremost, the host State needs to ensure that sufficient security resources, personnel, and training are made available, permitting key measures to be undertaken as early as possible. During emergency preparedness, these include: to identify the relevant authorities responsible for security, disarmament, identification and separation measures; and, where necessary, to enact national legislation and procedures for such measures, in conformity with the State's international legal obligations. A wide range of government entities may need to be involved, including foreign affairs, refugee and humanitarian agencies, border security, police,



immigration, the armed forces (if required), and regional and local authorities. To manage the response, existing structures may be used or a specific coordination mechanism may be created, such as an interagency taskforce. Where possible and where required, the creation of a taskforce is recommended. It should be led by the host State, supported by UNHCR and other relevant partners.

Second, the authorities of the host State, advised as required by UNHCR and other relevant partners, should assess whether it needs additional support, including technical guidance, advice or capacity building. These services may be provided by other States, UNHCR or other UN entities, regional or international peace operations, or other regional or international organisations, such as the International Committee of the Red Cross (ICRC).

- **What other actors may need to be mobilized?**

Depending on the ability and willingness of host country authorities to protect the civilian and humanitarian character of asylum, UNHCR should understand the mandates of other organizations, decide its own level of involvement, and request other actors to support its advocacy efforts or activities. Particularly complex situations (for example, the presence of active fighters or combatants in a host State) will require a collective engagement by the UN Country Team or Humanitarian Country Team as a whole, rather than by individual UN entities. In such situations, UNHCR is expected to be a catalyst and should mobilize relevant stakeholders, including regional or international peace operations, and keep the UN Country Team or Humanitarian Country Team informed and up to date on situations of concern.

UNHCR should usually coordinate with the ICRC, given its mandate, notably with respect to detained fighters and combatants. Several UN entities can also make significant contributions in accordance with their mandates and in the light of their specific expertise and capacities. For example:

- To advise on and strengthen local capacities for preparedness, early warning and early analysis: DPA, OHCHR, UNOCC, UN OCT, UNDP, UNICEF.
- To advise on and ensure the rule of law, and to strengthen the capacities of border security personnel, police, immigration and other law enforcement authorities, and community-based and local governance mechanisms, as well as, where required, armed forces: UN Global Focal Point on Police, Justice and Corrections co-chaired by DPKO and UNDP; and UNDP, UNODC, or DPKO where they are present and mandated.
- To advise on and support disarmament, identification, separation and reintegration measures: UNDP and UN peace operations where they are present and mandated. To support the establishment of disarmament, demobilisation and reintegration (DDR) and similar programmes: operational members of the Inter-Agency Working Group on DDR, such as UNDP, DPKO/peace operations where they are present and mandated, IOM, and others.
- To advise on humanitarian civil-military coordination, as a component of any interaction, and coordination and advocacy with regard to the military (including State armed forces, UN or regional forces, armed non-State actors): OCHA.
- To advise on and strengthen national capacity to support children associated with (or formerly associated with) armed forces and groups: UNICEF.
- To advise on and strengthen national capacity to protect women and girls and address

[sexual and gender based violence](#): UN Women, OMEN, UNFPA).

Note that key activities, such as disarmament, identification, separation or internment, normally involve law enforcement or defence agencies. In certain contexts, it may be appropriate to secure the assistance of foreign military or police forces, invited by the host government or mandated by the UN Security Council or a competent regional organization. In the last two decades, for example, UN peace operations have increasingly been mandated to offer protection to civilians, including to refugees and asylum-seekers. Depending on their mandate, UN missions can:

- Support and promote understanding among armed forces and groups of the civilian character of asylum, and the civilian character of refugee sites (including their protection under IHL from military attack).
- Protect security in and around refugee sites and other refugee-hosting areas; or assume specific functions with regard to the disarmament of armed elements, or identification, screening or separation measures.
- Offer DDR, 'pre-DDR' or community violence reduction training to fighters or combatants, including fighters or combatants who have renounced military activity and have sought asylum in the host State.

## Key steps

### 1. Pre-planning analysis and collection of information

- Monitor the situation and the operational environment, using early warning mechanisms. Analyse the conflict (its nature, participating groups, the composition of groups who flee, the potential presence of fighters and combatants among them).
- Decide which concerns and issues most directly compromise the civilian and humanitarian character of asylum (disarmament, identification and separation, safety of camps, etc.).
- Assess the authorities' political will, capacity and resources, and whether national laws provide authority to undertake the security measures that may be required (forcible disarmament, physical separation and internment, etc.).
- Analyse the presence, capacity and mandates of other actors that may play a role, especially the ICRC, UNDP, UNICEF, and UN peace operations or regional missions.

### 2. Advocacy (in emergencies)

- Discuss with relevant authorities the civilian and humanitarian character of asylum, and its relevance to refugees and host communities. Explain the limits of UNHCR's role and mandate.
- Ensure that advocacy uses common sense arguments on security and protection, and draws on international law and [humanitarian principles](#). Where national laws support UNHCR's positions, refer to them.
- Where relevant, argue that camps should be placed at a reasonable distance from borders,

and that borders should remain open, in accordance with the Executive Committee's Conclusion on the Civilian and Humanitarian Character of Asylum (2002), and Articles II(2) and (6) of the OAU Convention governing the Specific Aspects of Refugee Problems in Africa (1969). No one seeking international protection should be rejected at the border merely because it is suspected that he or she is a combatant. See the Entry on [access to territory and non-refoulement](#).

- Express regret or protest if the authorities are unwilling to take required actions, or do so inappropriately. Stress the potential consequences for persons of concern. Consider issuing public statements if it is appropriate.
- Explain the civilian and humanitarian character of asylum to all relevant stakeholders. Keep the Humanitarian Country Team or Country Team informed about situations of concern (for example, the presence of fighters or combatants on the host State's territory), and act as a catalyst for a multi-stakeholder approach, when needed.

### **3. Disarmament**

- Where disarmament becomes a priority (for example, because weapons are brought into camps or settlements), press the host State to make appropriate and effective arrangements to protect camp security, ensure disarmament, search for weapons, etc.
- Explain that, because of its mandate, UNHCR cannot undertake disarmament or other security measures, although it may be present at entry points. Relevant State authorities (police and military, possibly with the assistance of peacekeepers) should screen and disarm; other actors including UN agencies may have an advisory role. Persons found with weapons in the camp should be referred to police or other authorities responsible for security.

### **4. Identification of fighters or combatants**

- Where fighters or combatants seek to mix with refugees and pretend to be civilians, encourage the host State to agree transparent criteria and operating procedures to identify and separate them, including specific age-appropriate procedures for identifying and screening children who are associated with armed forces or armed groups. If required, mobilize other actors, such as the UN Country Team, UNICEF, or a Peacekeeping Mission (if present). Always keep ICRC informed and explore its potential role.
- Although UNHCR cannot accept responsibility for identifying fighters or combatants, where security conditions permit, it may provide technical support. Consult HQ (Bureau/DIP) if invited to join such activities.
- Advocate for combatants to be identified and separated as early as possible, preferably at the point of entry, at reception, or at transit centres for new arrivals (before relocation).
- If a person being screened is sick or wounded, their medical treatment takes priority over their registration or other procedures. Screening can continue once the person is in a stable condition.
- If a screened person claims to have deserted from military service, or to have fled service in an armed group, he or she may qualify (depending on circumstances) to be treated as a civilian asylum-seeker. Credible claims of renunciation should be verified by the authorities of the host State. Once within the asylum process, such claims need to be evaluated on an individual (not prima facie) basis. The procedure should assess potential exclusion

concerns. (See UNHCR, Guidelines on Claims to Refugee Status related to Military Service.) Children should have priority in such processing.

## 5. Separation of combatants and control measures

- Once fighters or combatants have been identified, disarmed and separated from the civilian population, the authorities may take certain control measures to protect the security of refugees and the host population. Depending on the circumstances, fighters or combatants may be interned, required to stay in a separate camp or facility, or obliged to report to the authorities daily or periodically.
- Where internment is imposed and UNHCR has concerns about their treatment or conditions, or the legal justification for internment, call the host State's attention to applicable principles and safeguards. These include:
  - Fighters and combatants must be interned at a safe location away from the border, and housed separately from civilians. Since internment is a non-punitive form of [detention](#), they should not be held in a prison.
  - Internment must be necessary in each individual case, and must be reasonable and proportionate. Certain principles and procedural safeguards must be respected to ensure that internment does not become arbitrary (ICCPR, Article 9).
  - Children associated with armed forces should be considered to be primarily victims, regardless of how they were recruited. They should benefit from special protection and assistance measures, notably with respect to their demobilization and rehabilitation. Children should in principle not be interned or otherwise deprived of their liberty. For children 15 years and above, internment may be used as a last resort, for the shortest possible period of time. In all respects, their best interests must be a primary consideration. If interned, children should be separated from adults, and located at a distance from them, unless they are with a parent.
- The specific protection and assistance needs of female fighters or combatants must be taken into account, including whether they may have been subject to SGBV. If a woman or girl decides to renounce military activity, her renunciation and asylum claim should be prioritized where appropriate (for example, if she has particular vulnerabilities or is accompanied by children). If women are interned, they should be interned in separate facilities from men, and, as far as possible, their supervisors should be women.
- Civilian family members of identified fighters or combatants should be treated as asylum-seekers or refugees and should not be interned.

## 6. Renunciation of military activity and eventual RSD or DDR

- Fighters or combatants who have been identified and separated should not be considered asylum-seekers until it has been established by the relevant host State authorities that they have genuinely and permanently renounced military activities. (A State's ruling should be made reasonably promptly, commonly within one to six months.) The ruling may consider subjective factors (such as an individual's intentions and plans) as well as objective factors (such as age, disability, changes in situation and context, etc.).
- When a ruling establishes that an individual has permanently renounced military activity, his or her case should be referred to the State's individual [refugee status determination](#) (RSD) procedures. These should pay particular attention to the [exclusion clauses](#). (See

UNHCR, Guidelines on Claims to Refugee Status related to Military Service. See also the Entries on Deserters, Conscientious objectors, [Refugee status determination](#), and the Exclusion clause.) If the State does not have RSD procedures in place or is not a party to the 1951 Refugee Convention, other assessment procedures may be used; these should pay particular attention to grounds for exclusion.

- Deserters and former fighters or combatants who have renounced military activities should not be granted refugee status on a prima facie basis.
- Combatants who do not renounce military activities are not eligible for asylum but may eventually benefit from disarmament, demobilisation and reintegration (DDR) programmes in the host State or country of origin.
- Fighters who renounce, but do not seek international protection, as well as prisoners of war who are not interned or are released on parole, are in principle subject to regular immigration and residency laws as a foreigner in the host State. They do not fall within UNHCR's international refugee mandate.

## Key management considerations

- Where a host state does not show commitment to the civilian and humanitarian character of asylum, UNHCR may be required to intervene at high level. Interventions may be made by the Bureau, the DIP Director, one or both of the Assistant High Commissioners for Protection and for Operations, or the High Commissioner.
- In certain circumstances, situations in which the civilian and humanitarian character of asylum has been compromised may constitute a threat to international peace and security. In such cases, the High Commissioner has a responsibility to keep the UN Secretary-General informed. It is therefore important to keep relevant Headquarters colleagues (listed above) properly informed.
- Particularly complex situations (for example, in which active fighters or combatants are present in a host State) will require action by the UN Country Team or Humanitarian Country team as a whole, rather than by individual UN entities. In such situations, UNHCR is expected to act as a catalyst and mobilize relevant stakeholders, including regional or international peace operations, and keep the UN Country Team or Humanitarian Country Team informed and up to date.
- To manage such inter-agency involvement, some issues may have to be addressed by Headquarters, including with the ICRC in Geneva and with DPO in New York. At its own initiative, for instance, UNHCR may call for specific provisions to be included in the mandate of UN peace operations, to assist the host State to ensure the security of refugees in accordance with Security Council Resolution 1674 (2006).
- The State may require additional resources to ensure the civilian and humanitarian character of asylum. In such cases, funds will need to be budgeted or mobilized through other States or agencies. Any support that UNHCR or its implementing partners provide to (non UN) security forces must comply with the UN's Due Diligence Policy on United Nations support to non-United Nations Security Forces (A/67/775-S/2013/110).

# Resources and partnerships

## Partnerships

- The Government is primarily responsible for taking the security measures required to ensure the civilian and humanitarian character of asylum.
- A multi-stakeholder approach will be required to lobby States that fail adequately to ensure the civilian and humanitarian character of asylum. Such initiatives may be coordinated through the UN Country Team or Humanitarian Country Team, and supported, where appropriate, by other States or regional organisations.
- Where their mandates permit, other UN entities may also contribute their expertise and capacity. Examples include UN DPO, UNDP, OCHA, and UNICEF.
- UN peace operations have a specific mandate to offer protection to civilians, including refugees and asylum-seekers. Where they are present, UNHCR should work in cooperation with UN peace operations to promote the civilian and humanitarian character of asylum.

## Resources

- Where the authorities wish to uphold the civilian and humanitarian character of asylum but need support, UNHCR can provide financial or technical assistance. Any support to non-UN security forces must comply with the UN's Due Diligence Policy on United Nations support to non-United Nations Security Forces (A/67/775-S/2013/110).

## Annexes

[UN General Assembly, Resolution 68-141](#)

[UNHCR Handbook for the Protection of Women and Girls, 2008](#)

[Guidance Note on Maintaining the Civilian and Humanitarian Character of Asylum](#)

[Guidelines on International Protection No. 10](#)

## 3. Links

[UNHCR Guidance Note on Maintaining the Civilian and Humanitarian Character of A... Norwegian Refugee Council, Camp Management Toolkit, Militarization of Camps](#)

## 4. Main contacts

- The first port of call is the UNHCR Deputy Representative (Protection), or the UNHCR Assistant Representative (Protection), or the Senior Protection Officer in the country; alternatively, contact the UNHCR Regional Assistant or Deputy Representative (Protection) or the Senior Regional Protection Officer at the regional office (if applicable); or contact the Senior Regional Legal Advisor in the respective UNHCR regional bureau, covering the respective country region, who will liaise as required with the parent unit at UNHCR DIP.

# Humanitarian principles

13 April 2023

## Key points

- Work with partners (including in the Humanitarian Country Team, where it exists) to identify risks to humanitarian action and perceptions of humanitarian action that may limit acceptance and impede access. Develop strategies to mitigate or remove these risks and perceptions.
- Communicate consistent and transparent messages, including to affected communities and persons of concern to UNHCR about the humanitarian nature of UNHCR's work and that of its partners.
- Adhering to a community-based approach that is sensitive to differences in age, gender and diversity, engage and empower affected populations to participate in needs assessments as well as in the design and implementation of the humanitarian response.
- Ensure that any support provided by UNHCR to non-UN security forces (including police and border officials) complies with UNHCR and inter-agency principles and standards.
- In UNHCR, and among key partners engaged in the response, develop a basic understanding of and appreciation for humanitarian principles. Where appropriate, promote familiarity with the international normative legal framework as it relates to humanitarian action.

## 1. Overview

Underlining all humanitarian action are the principles of humanity, impartiality, neutrality and independence. These principles, derived from international humanitarian law, have been taken up by the United Nations in General Assembly Resolutions 46/182 and 58/114. Their global recognition and relevance is further underscored by the [Code of Conduct](#) for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief and the Core Humanitarian Standard on Quality and Accountability.

Because UNHCR's mandate is non-political, humanitarian and social, the organization is guided by humanitarian principles in its response to all humanitarian crises, whether caused by conflict, violence or natural disasters. UNHCR also adheres to other internationally recognized principles that complement "principled humanitarianism." The principle of "do no harm," for instance, obliges UNHCR to prevent and mitigate any negative impact of its actions on affected populations. Equally important is UNHCR's commitment to rights-based and community-based approaches that include efforts to engage and empower persons of concern in decisions that affect their lives.

Ultimately, States have the primary responsibility to protect and assist persons in their territories who are affected by disasters, armed conflicts or violence. Humanitarian action is designed to complement and support States in fulfilling those responsibilities; it should neither undermine nor supplement state responsibility.

## 2. Relevance for emergency operations

Humanitarian principles have practical operational relevance, especially in situations of open armed conflict and hostility that characterizes many emergencies. Consistent adherence to humanitarian principles can enable organizations like UNHCR to distinguish themselves from other actors and potentially:

- Gain and maintain access and proximity to affected populations, including persons of concern to UNHCR
- Mitigate risks to affected populations, staff, partners and assets;
- Promote the rights and dignity of affected populations;
- Establish a principled engagement with authorities and also, where appropriate, with non-State parties to a conflict.

## 3. Main guidance

### Description and guidance

The principal motivation of humanitarian action is to save lives and alleviate suffering in a manner that respects and restores personal dignity. Accordingly, **humanity** is the principal driver for any response to a crisis, whether caused by conflict, violence or natural or man-made disaster.

At the same time, humanitarian actors distinguish themselves from other actors responding to a crisis by their **impartiality**. This means that humanitarian action is based solely on need, with priority given to the most urgent cases irrespective of race, nationality, gender, religious belief, political opinion or class.

The **neutrality** of humanitarian action is further upheld when humanitarian actors refrain from taking sides in hostilities or engaging in political, racial, religious or ideological controversies. At



the same time, **independence** requires humanitarian actors to be autonomous. They are not to be subject to control or subordination by political, economic, military or other non-humanitarian objectives.

'Principled humanitarianism' is a commitment to meet the assistance and protection needs of affected populations in a way that is distinct and separate from political and other motivations. Humanitarian actors therefore need to be familiar with and apply the above principles, in particular in situations of armed conflict.

During an armed conflict, when multiple actors are involved, adherence to humanitarian principles requires a clear division of labour between humanitarian and other actors, notably those in the political and military realms. Military actors can include the armed forces of the host State, but also international and regional forces, armed non-State actors, and UN peace operations. By affirming complementary roles, humanitarian actors can maximise the protection of civilians. By way of example, most UN peace operations have a mandate to protect civilians. This role can lead them to patrol high risk areas, provide security to refugee or IDP camps, clear areas of mines or unexploded remnants of war, or facilitate voluntary return. UNHCR or the [Protection Cluster](#) should work to complement such efforts, for example by providing updated protection analysis. Further guidance on coordination between humanitarian and military actors can be found in the Entry on [civil-military coordination](#). For guidance on UNHCR's work in and near armed conflict situations, which can involve dealing with a UN presence that has a protection of civilians mandate, please see [Protection of Civilians – UNHCR's role](#) in the [Tool Kit on Protection in Armed Conflict](#).

## Annexes

[Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations in Disaster Relief \(ICRC and IFRC\)](#)

[The Sphere Handbook. Humanitarian Charter and Minimum Standards in Humanitarian Response \(The Sphere Project\)](#)

[The Core Humanitarian Standard on Quality and Accountability \(HAP International, People In Aid and the Sphere Project\)](#)

[General Assembly Resolution 58-114](#)

## 4. Links

[OCHA, Humanitarian Principles](#) [The SPHERE Project](#) [Humanitarian Accountability Partnership](#) [Core Humanitarian Standard](#) [General Assembly Resolution 46/182](#) [IFRC Principles](#) [Code of Conduct for the IFRC and Red Crescent Movement](#)

## 5. Main contacts

The first port of call is the UNHCR Dep. Representative (Protection) or the UNHCR Asst. Rep. (Protection), and/or Snr Protection Officer in the country; alternatively contact the UNHCR Regional Asst./Dep Rep (Protection) and/or Snr. Regional Protection Officer at the regional office (if applicable). You may also contact the Snr.Regional Legal Advisor in the respective UNHCR regional bureau, covering the respective country region, who will liaise as required with the parent unit at UNHCR DIP.

UNHCR Division of Emergency, Security, and Supply (DESS, at [hqemhand@unhcr.org](mailto:hqemhand@unhcr.org)), and the Division of External Relations for inter-agency processes relating to humanitarian principles, including UNHCR's work within an integrated mission setting

UNHCR Field Safety Service, DESS (at [FS00@unhcr.org](mailto:FS00@unhcr.org)) is responsible for the security of persons of concern, and the security of UNHCR's workforce

## Refugee definition

18 September 2023

### Key points

- The primary and universal definition of a refugee is contained in the 1951 Refugee Convention. Extended definitions are contained in regional instruments in Africa and Latin America. Clarify which refugee definition applies in your host country taking into account national and international law.
- The refugee definitions are declaratory, i.e. people are to be regarded as refugees until it is determined otherwise, and apply in all situations including emergencies.
- Ensure that refugee protection is afforded to all refugees and asylum-seekers, i.e. those who have been determined as refugees and those who await determination of their refugee status.

## 1. Overview

The refugee definition answers the question "who is a refugee" and is the basis for determining refugee status. The definition applies to individuals as well as groups of persons.

Being a refugee entitles the person to a number of (refugee) rights, including the right not to be sent back to the country of origin (principle of **non-refoulement**). See also the [entry on Access to territory and non-refoulement](#).

The refugee definition is declaratory, i.e. a person is a refugee as soon as s/he fulfils the criteria contained in the definition. This would necessarily occur prior to a formal determination of her/his refugee status. Until such determination is made it must be assumed that those who have crossed an international border to escape a risk of serious harm in their country of origin are refugees and should be treated as such.

## 2. Relevance for emergency operations

The refugee definition applies both in emergency and non-emergency situations and can under no circumstances be changed, restricted or suspended.

Emergency situations, however, typically do not allow for time and resource intensive individual status determination. Group determination on the basis of a **prima facie** recognition of refugee status may be more suitable in emergency situations. See also the entry on [Refugee status determination](#).

When refugee status is not immediately determined, either on an individual or group basis, it is important to recall the declaratory character of the refugee definition and to operate on the assumption that all those fleeing a situation of serious harm in their country of origin are refugees, even if this is not always formally stated.

As such, they all enjoy protection from **refoulement** as well as protection derived from human rights law and - if applicable - international humanitarian law.

## 3. Main guidance

The 1951 Convention Relating to the Status of Refugees provides the universal definition of a refugee. This definition is extended by criteria contained in regional instruments and in national law, as applicable. Where UNHCR conducts RSD under its mandate, the authority to do so derives from its mandate under UNHCR's [1950 Statute](#). However, UNHCR applies the eligibility criteria as set out in the 1951 Convention, which constitutes the later, more specific and authoritative expression of the refugee definition, supplemented by definitions in regional instruments (see below).

### **The 1951 Convention and its 1967 Protocol**

The primary and **universal** definition of a refugee that applies to States is contained in Article 1(A)(2) of the 1951 Convention, as amended by its 1967 Protocol, defining a refugee as someone who:

**"owing to well-founded fear of being persecuted for reasons of race, religion,**

**nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it.**

**In the case of a person who has more than one nationality, the term "the country of his nationality" shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national."**

The inclusion criteria in Article 1A is complemented by clauses contained in Articles 1D to 1F of the 1951 Convention. Together, they form the refugee definition in the 1951 Convention, but consideration of these aspects of the definition will generally not be a priority in emergency situations. For completeness they are listed below:

- Article 1 D on its face excludes those presently receiving protection or assistance from another organ of the United Nations (essentially Palestinian refugees), but also explicitly includes these same people when that assistance or protection has ceased.
- Article 1 E excludes those presently enjoying rights normally accorded to nationals in a country where they have taken residence.
- Article 1 F excludes persons who would otherwise qualify for refugee status on account of having committed, or participated in the commission of, certain serious crimes or heinous acts. See also the entry on [Exclusion clauses \(article 1F\)](#).

Finally, Article 1 C describes the circumstances in which a refugee ceases to be a refugee. Cessation considerations are normally not relevant to emergency situations. However, in the event that an emergency causes refugees to return to their country of origin prematurely, they will remain of concern to UNHCR and will retain their status as refugees. Any return undertaken where there is effectively no other alternative, or where the alternative offers no more protection than does the country of origin, cannot be considered voluntary repatriation and does not change or cease the refugee character of the individuals concerned.

The above-mentioned core definition in Article 1 of the 1951 Convention is supplemented by regional instruments in Africa and Latin America.

In **Africa**, Article I (2) of the 1969 OAU Convention governing specific aspects of refugee problems in Africa, a binding legal instrument open to all Member States of the African Union, extends the refugee definition to:

**"every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality."**

In **Latin America**, Conclusion III of the 1984 Cartagena Declaration, a non-binding instrument that nonetheless is incorporated in the domestic legal framework of many countries in Central and South America, extends the refugee definition to:

**"persons who have fled their country because their lives, safety or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order."**

### **UNHCR's mandate**

Based on UNHCR's Statute and successive UN General Assembly and ECOSOC resolutions UNHCR's competence to provide international protection to refugees encompasses individuals who meet the criteria for refugee status contained in Article 1 of the 1951 Convention and its 1967 Protocol and is extended to individuals who are outside their country of origin and who are unable or unwilling to return there owing to serious threats to life, physical integrity or freedom resulting from generalized violence or events seriously disturbing public order. See also the Entry on [UNHCR's mandate for refugees, stateless persons and IDPs](#).

### **National law**

In any operational context, the national legal framework is also important because it is usually the primary source of law for national authorities and as such generally serves as their first point of reference. The definitions contained in international and regional instruments will generally have been incorporated into the national legal frameworks of the States parties to them. It is therefore critical to be aware of and understand the refugee definition provided under the relevant national legal framework.

## **Annexes**

[Convention and Protocol relating to the Status of Refugees, 1951](#)

[OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, Sept 1969](#)

[Cartagena Declaration on Refugees, Colloquium on the International Protection of Refugees in Central America, Nov 1984](#)

## **4. Links**

[Handbook on Procedures and Criteria for Determining Refugee Status under the 19...](#)

## 5. Main contacts

UNHCR Dep. Representative (Protection), UNHCR Asst. Rep. (Protection), and/or Snr Protection Officer in the country

The UNHCR Regional Asst./Dep Rep (Protection) and/or Snr. Regional Protection Officer at the regional office (if applicable)

The Snr. Regional Legal Advisor in the respective UNHCR regional bureau, covering the respective country region, who in turn will liaise as required with the parent unit at UNHCR DIP.

## Migrant definition

18 September 2023

### Key points

- Do not ignore mixed movements or migration. Mixed movements may include asylum-seekers and refugees. Movements that are characterised as 'migration' may in reality be refugee or mixed movements.
- Implement and support protection-sensitive entry systems that refer those who arrive in mixed movements to processes, procedures and services that respond appropriately to their needs.
- Do not forget that mixed and migratory movements involve countries of origin, countries of 'transit' and countries of 'destination', each in different ways. Response strategies must take all three into account.
- Collaborate with State authorities, IOM, and other partners on responses mixed movements, including in some appropriate cases on the evacuation of non-nationals and safeguards for those who may be in need of international protection.
- Ensure that refugee protection principles are respected in all inter-agency and State responses to migration and mixed movements.

## 1. Overview

There are important differences between the terms 'migrant' and 'refugee', which cannot be used interchangeably. Refugees are outside their own country because of a threat to their lives

or freedom. They are defined and protected by a specific international legal framework.

The term 'migrant', on the other hand, is not defined under international law, and is sometimes used differently by different stakeholders. Traditionally, the word 'migrant' has been used to designate people who move by choice rather than to escape conflict or persecution, usually across an international border ('international migrants'), for instance to join family members already abroad, to search for a livelihood, or for a range of other purposes. The term is increasingly used as an umbrella term to refer to any person who moves away from their usual place of residence, whether internally or across a border, and regardless of whether the movement is 'forced' or voluntary.

UNHCR recommends that people who are likely to be asylum-seekers or refugees are referred to as such, and that the word 'migrant' should not be used as a catchall term to refer to refugees or to people who are likely to need international protection. Doing so can risk undermining access to the specific legal protections that states are obliged to provide to refugees.

UNHCR supports rights-based approaches to all people on the move, both because all people are entitled to protection of their human rights, and because improved human rights protection for migrants will have a positive effect on refugees. Refugees and migrants often employ the same routes, modes of transport, and networks. Cross-border movements involving both refugees and migrants are referred to as 'mixed movements'. Distinguishing appropriately between different categories of person in mixed movements is not an aim in itself, but should assist in bringing to bear the appropriate framework of rights, responsibilities and protection. When the movement is composed of refugees, it shouldn't be characterised as a 'mixed movement'.

UNHCR's underlying mandate interest in engaging with mixed movements and international migration is to ensure that protection is available to persons who are moving for reasons that are relevant to refugee status, who may be stateless or at risk of statelessness. To do this, UNHCR needs to remain abreast of broader migration dynamics in the region, and to work closely with a wide range of partners.

## 2. Main guidance

### Protection objectives

- Effective entry systems need to include mechanisms to identify, among arrivals, persons who may wish to seek or be in need of international protection, such as refugees and asylum-seekers, as well as others who may require protection or assistance, such as stateless persons, victims of trafficking, or vulnerable children.
- Access to asylum procedures or other forms of international protection must be available for refugees, asylum-seekers and stateless persons.
- Effective safeguards are required to ensure that border-control measures are not applied arbitrarily and do not lead to refoulement (or frustrate access to asylum).
- Where cross-border displacement situations or other population movements, such as mixed flows, are complex and traditional approaches are not suitable, [Temporary Protection](#) or Stay Arrangements (TPSA) may be a useful tool for ensuring access to

international protection.

- Alternative mechanisms must be available for those who are not refugees or asylum-seekers or stateless but who need protection, including victims of trafficking and unaccompanied and separated children (UASC). It should always be recalled that people with other needs—such as victims of trafficking, stateless people, or unaccompanied children—may also require international protection as refugees. Cross-referral pathways between different services and procedures are important.

## **Protection Risks**

- When refugees and asylum-seekers move in mixed flows, their international protection needs may not be identified.
- When refugees and asylum-seekers move in mixed flows, they may be at higher risk of refoulement.
- Mixed flows may include asylum-seekers, refugees, stateless persons, trafficked persons, unaccompanied/separated children (UASC), smuggled migrants, and migrants in an irregular situation. Each group has different protection needs and entitlements (though some overlap); different responses to their situations are appropriate.
- Individuals who travel in mixed flows may, at different points on their journey, fall into more than one category. (A child may simultaneously be a UASC and a victim of trafficking; an adult woman may at different times be a smuggled person or a victim of trafficking; a stateless person outside their country of habitual residence may also be a refugee.) Categories exist to ensure appropriate protection responses, and are not always mutually exclusive.
- Persons travelling in mixed flows will often be vulnerable. However they are classified, they may need immediate physical and psycho-social attention to meet their basic needs. This does not mean that all qualify for the specific form of ongoing protection and rights ("international protection") to which refugees and asylum-seekers are entitled. Some people—such as victims of trafficking—are nonetheless recognized under international law as being in need of particular forms of protection and assistance, whether or not they are additionally entitled to international protection as refugees.

## **Other risks**

- When the presence of refugees and asylum-seekers in mixed flows is not effectively detected, States cannot meet their refugee-protection obligations, and UNHCR may not be able to fulfil its protection mandate.
- If UNHCR fails to identify and draw attention to the presence and needs of refugees in mixed movements, the tendency of some Governments, other agencies and publics to conflate all those who move across international borders as 'migrants'—even when large numbers may be refugees, asylum-seekers or stateless persons—can undermine access to international protection.
- Everyone has the right to seek and enjoy asylum if they need it, and to procedural safeguards if they do apply for asylum. However, failing to differentiate effectively between the different needs and situations of people who arrive in mixed flows can overburden asylum systems with asylum claims by people whose situation means that they are unlikely to have grounds for claiming the specific protections afforded to refugees and



asylum-seekers, and whose needs may be best met in some other way. This can also strain public support for asylum systems.

### **Key decision points**

- Address the basic physical and psycho-social needs of all persons at reception.
- Put in place border entry systems to identify new arrivals who may seek or require international protection, or have other specific needs.
- Establish different approaches for individuals who qualify for international protection as asylum-seekers or refugees and individuals who do not; apply appropriate processes and procedures.
- Set up simple systems for data collection and analysis.
- Ensure that the protection profiles of new arrivals are soundly defined, and that arrivals are classified correctly. Make sure that needs-based referrals, to partner organisations such as IOM and State agencies among others, are appropriate and consistent.
- Develop information strategies with partners (NGOs, international organizations, States) that will effectively reach persons of concern who are likely to travel in mixed flows.

### **Key steps**

#### **Protection-sensitive entry systems**

The objective is to ensure that legitimate measures to control movement across borders are not applied arbitrarily, and that border entry procedures identify refugees, asylum-seekers and other groups who are entitled to specific forms of protection, grant them access to the territory in question, and make sure that their needs are properly assessed and addressed.

- Communicate protection obligations to border and other entry officials. Assist them to establish processes for identifying potential refugees and asylum-seekers in mixed flows.
- Assist entry officials to identify and refer potential asylum-seekers and other persons who may be entitled to specific protection to the responsible authorities.
- Build dialogue and cooperation between entry officials and humanitarian actors. Help them work together to identify and address shortcomings in procedures for identifying persons entitled to international protection. This may be especially relevant where referral mechanisms for persons not claiming asylum are weak.
- Set up independent monitoring mechanisms that can help to identify problems, gaps and training needs with respect to protection.

#### **Appropriate mechanisms for screening and referral**

The objectives are to ensure that specific protection needs are quickly identified and promptly addressed, and also to reduce the number of individuals who are channeled into the wrong procedures.

- Set up mechanisms to separate new arrivals into appropriate categories according to likely needs and profiles. Establishing these mechanisms will require collaboration with a range of stakeholders, and should result in a flexible, non-binding and provisional process which will happen before any formal status determination. Such a process:
  - provides information to new arrivals;

- gathers information through questionnaires and informal interviews;
- establishes a preliminary profile of each person;
- offers counselling; and
- refers individuals to the procedure(s) that corresponds to their profile.
- Placing individuals in categories is a particularly challenging task because all individuals will have many needs, which may or may not be met under the status they are allocated. Because so much is at stake, individuals may withhold information, proffer incorrect information, or self-identify with a particular category. Above all, the categories themselves are not mutually exclusive. (A UASC who is an asylum-seeker may also be a victim of trafficking; a woman who is a victim of trafficking may or may not also be an asylum seeker.)
- Screening or profiling at arrival may categorise individuals incorrectly, or fail to identify all their needs. Therefore there must be a degree of flexibility to ensure that persons can be referred to appropriate procedures at any stage of their processing.

### **Differentiated processes and procedures**

The objective is to provide tailored and appropriate responses to the needs and profiles of people involved in mixed flows.

- Procedures address: asylum; trafficked persons; [child protection](#); family tracing; women and girls at heightened risk; support for individuals who have experienced torture or trauma; regularization in the host country or migration options, or assisted voluntary return for people who do not seek or are found not to be in need of international protection.
- Mixed movements may include refugees who have moved onwards from another country other than their country of origin. Individuals may have transited through several countries for varying lengths of time, possibly without having access to international protection (or without seeking it in those countries for a range of reasons). Addressing onward movements requires a strategy based on careful and informed analysis of causes, which takes into account the legitimate concerns of relevant States and the well-being and protection needs of asylum-seekers and refugees.
- To maintain credible asylum systems and address irregular migration, it is vital to deal fairly and efficiently with persons who are not refugees. This requires collaboration with IOM, States and other stakeholders. Many people travelling in a mixed flow will not be classified in a category that meets their needs or expectations. Alternative procedures (including voluntary return for those entitled to refugee protection) may assist authorities to manage mixed movements fairly, address the immediate needs of arrivals, and facilitate longer-term solutions.

### **Data and information collection**

The objective is to make sound use of data and information to understand, categorize and meet the needs of persons involved in mixed movements.

- Having access to accurate, up to date information on mixed movements makes it possible to assess their scale and trends, to establish a basic profile of arrivals including likely international protection needs, identify routes and means of transport, and to design, implement and evaluate policy responses and pragmatic interventions.
- Both qualitative and quantitative data and information should be collected.

- National and regional strategies and policies – which need also to take account of and prioritize protection issues - should be developed to address the various dimensions of mixed movements.
- The different actors involved in responding to mixed movements should agree what data and information they collect, and standards, so that information can be collated and compared.

### **Information strategies**

Effective and well designed information strategies may help to limit irregular movements and associated harms, in some circumstances. If potential travelers are informed about the risks, they may not be entirely reliant on rumours or the advice of smugglers or traffickers. Information can also inform host communities about the causes and nature of mixed movements.

- Information alone is very unlikely to prevent irregular movements, if "push" or "pull factors" are powerful. However, it may enable individuals to take more informed decisions (when they have a choice).
- Messages should not inadvertently discourage persons who are affected by conflict or persecution from seeking asylum abroad. They should provide information about legal migration opportunities if available.
- Information strategies should raise awareness of human trafficking and the risks associated with human smuggling.
- It is useful to produce information leaflets that explain the obligations and basic rights of persons who arrive in a host country. These should include information about the different procedures available to new arrivals (notably asylum procedures), including when and where they can be accessed.

### **Key management considerations**

- Collaborate appropriately with key stakeholders, including relevant State authorities, IOM, and relevant international organizations and NGOs.
- Advocate for sufficient staff and resources (for all concerned agencies) to process and meet the needs of persons travelling in mixed flows, and ensure needs of asylum-seekers, refugees and people who may be stateless or at risk of statelessness in mixed flows are addressed.

### **Partners**

- International organizations such as IOM, NGOs, community-based organizations (CBOs), other implementing partners.
- Government officials and border management authorities.

## **3. Policies and guidelines**

[Convention and Protocol relating to the Status of Refugees, 1951](#)

[UNHCR, Guidance on Responding to Irregular Onward Movement of Refugees and Asylum-seekers, Sept 2019](#)

[UNHCR, Persons in need of international protection, June 2017](#)

[UNHCR, 'Migrants in vulnerable situations' UNHCR's perspective, June 2017](#)

[UNHCR, Refugees and Migrants - Frequently Asked Questions, Aug 2018](#)

## **Annexes**

[SAR leaflet - - UNHCR, IMO, ICS, Rescue at sea - A guide to principles and practice as applied to refugees and migrants, January 2015](#)

[UNHCR, Rescue at Sea, Stowaways and Maritime Interception- Selected Reference Materials, December 2011, 2nd Edition](#)

[UNHCR, Global Initiative on Protection at Sea, 2014](#)

[UNHCR, Refugee Protection and Human Trafficking, Selected Legal Reference Materials, 2008](#)

[UNHCR, Guidelines on Temporary Protection or Stay Arrangements, 2014](#)

## **4. Links**

[UNHCR, Asylum and migration webpage](#) [UNHCR, Trafficking in persons webpage](#) [UNHCR, Refugees and Asylum-Seekers in Distress at Sea – how best to respond? Su...](#) [UNHCR, Maritime interception operations and the processing of international pro...](#) [UNHCR, The 10-point plan in action: refugee protection and mixed migration – 20...](#) [UNHCR, Advisory Opinion on the Extraterritorial Application of Non-Refoulement ...](#)

## **5. Main contacts**

UNHCR Dep. Representative (Protection), UNHCR Asst. Rep. (Protection), and/or Snr Protection Officer in the country

The UNHCR Regional Asst./Dep Rep (Protection) and/or Snr. Regional Protection Officer at the regional office (if applicable)

The Snr. Regional Legal Advisor in the respective UNHCR regional bureau, covering the

respective country region, who in turn will liaise as required with the parent unit at UNHCR DIP. Contact the Asylum and Migration Unit, Service 1, DIP, HQ, Geneva.

# Third country nationals definition

09 March 2023

## Key points

- Third country nationals (TCNs) are individuals who are generally not refugees and who are stranded in a country that is not their own.
- Some third country nationals may require refugee protection, where they are not able to return to their country of origin, which is unable or unwilling to protect them from persecution or other serious harm.
- UNHCR should participate in inter-agency mechanisms to ensure the protection needs of persons of concern to UNHCR are met.
- In mixed migration flows, distinguish other TCNs from asylum-seekers, refugees and stateless persons.

## 1. Overview

For the purposes of this Entry, a 'third country national' (TCN) is a person who is stranded in a country that is not his or her own. This may occur as a result of conflict or natural disaster, or deportation from another state. This Entry aims to address specifically the situation of third country nationals who are not refugees, but who may travel in mixed movements with refugees and asylum-seekers. To ensure respect for refugee protection principles as well as the human rights that apply to all, it is important to understand the distinctions between these categories.

In times of sudden emergency (conflict, natural disaster), third country nationals in a country may face particular difficulties. They may be unable or unwilling to leave a crisis area, or unable to access humanitarian assistance, or may seek safety in adjacent countries. Such persons have recently been described as 'migrants in countries in crisis' (MICIC).

In other circumstances (distinct from the situation of MICICs), migrants who cross international borders irregularly, for work or other purposes, may become stranded for various reasons. They may lose their documents, be deported to a third country, lack the resources to return home, or face other problems. (See also the [entry on Migrants](#)).

Such persons are not ordinarily of concern to UNHCR, unless the migrant in question wishes to seek asylum due to a well-founded fear of persecution in his or her country of origin. However, refugees who have fled persecution may also be caught up in crisis situations in countries to which they have fled, and may face similar problems and risks to those of migrants. At the 2013 second High Level Dialogue on Migration and Development, the Secretary General asked the UN to develop a framework on MICIC, and UNHCR was assigned to participate in this task, given its expertise in crisis situations and the potential implications for refugees, alongside IOM and other stakeholders.

## 2. Main guidance

### Protection objectives

- To ensure that refugees and asylum-seekers continue to enjoy the rights attached to their legal status, even when a crisis (such as conflict or natural disaster) causes cross-border displacement.
- To ensure that refugees and asylum-seekers are identified in mixed flows and that their protection and assistance needs are assessed and addressed.
- To ensure that the access to asylum procedures of persons in need of international protection is not obstructed or hindered when third country nationals seek relief and aid.
- To differentiate third country nationals, and ensure they are referred for consular protection and assistance, including evacuation to their countries of origin.

### Underlying principles and standards

- [UNHCR, Refugee Protection and Mixed Migration: A 10-Point Plan of Action, 2007](#)
- [IOM, Migrants in Countries in Crisis, \(MICIC\)](#)  
[IOM, Migration Crisis Operational Framework, 2012](#)  
[UNHCR, The return of persons found not to be in need of international protection to their countries of origin: UNHCR's role, 2010](#)  
[UN General Assembly, International Convention on the Protection of the Rights of All Migrant Workers and Members of their families](#)  
[UNHCR, Summary Conclusions on International Protection of Persons Fleeing Armed Conflict and other Situations of Violence](#)

### Protection Risks

- In large-scale crises, the protection needs of asylum-seekers and refugees may receive insufficient attention, especially when large numbers of third country nationals also need assistance.
- Refugees and asylum-seekers who flee their host country following a crisis may be mislabelled as third country nationals and repatriated (refouled) to their country of origin.
- Asylum procedures may be overloaded by requests for relief and aid by third country nationals who do not qualify for refugee status. Such pressure on fledgling or emergency

asylum systems can jeopardise access to asylum for those who need it.

- There may be a heightened risk of statelessness – especially where people lacking ties to their country of origin flee after a long presence in the country in crisis.

## Other risks

- Refugees, asylum-seekers, third country nationals (and others) who flee crises will often need immediate physical and psycho-social attention to meet their basic needs. This assistance should be distinguished from the long-term protection to which refugees, asylum-seekers and stateless individuals are entitled.
- When mass crises displace many third country nationals, UNHCR may not fulfil its protection mandate if it cannot detect refugees and asylum-seekers in large mixed flows.
- In the absence of established mechanisms (until a MICIC concept and framework are in place), UNHCR may need to develop emergency responses that include third country nationals.
- Inaccurate profiling of third country nationals can cause them to be evacuated to countries with which they have no ties.

## Key decision points

- Establish effective systems to identify those with protection needs; such systems need to distinguish third country nationals from asylum-seekers, refugees, and stateless persons.
- Make sure that partners who have responsibility for third country nationals ascertain their ties to countries of origin. Be attentive to the risk that individuals may become stateless.
- Ensure that profiling and categorization lead to a needs-based referral; this may result in referring individuals to partner organisations such as IOM or relevant consulates.
- In collaboration with partner organisations, meet the basic physical and psycho-social needs of all persons at reception.

## Key steps

### **Identification and profiling in a country in crisis.**

Specific and separate approaches are required to assess and address the needs and entitlements of different categories of persons. The entitlements of other third country nationals are distinct from those of refugees, asylum-seekers and stateless persons.

**Refugees and asylum-seekers who flee a country in crisis that hosted them** do not lose their entitlement to international protection. Evacuations must be monitored to ensure that no refugees are involuntarily returned to their countries of origin, because this will amount to **refoulement**.

**Refugees and asylum-seekers who wish to return to their country of origin** must be granted access to voluntary repatriation procedures, including a determination of the 'voluntariness' of their return.

**Third country nationals.** The majority of third country nationals are ordinarily able to demonstrate their nationality. Their identity and profile should nevertheless be assessed with care, to ensure that any protection issues are addressed, and that they are evacuated to the correct country. Some TCNs will have weak links to their country of nationality; some may not possess proof of their nationality and will require further assistance to evacuate. When collecting information on TCNs, consider the risk of statelessness. Processing will largely be undertaken by IOM, other international organizations and NGOs; however, UNHCR will need to remain informed to make sure that persons of concern to UNHCR are not considered and processed as TCNs.

### **Protection in receiving countries**

**Persons of concern** may be caught during evacuation, and their protection needs may not be assessed. Entry systems must be monitored to ensure that persons of concern to UNHCR are correctly identified and evaluated.

**Individuals who are not nationals of the receiving country may seek international protection.** Such individuals must be identified and referred to national asylum procedures or UNHCR's [refugee status determination](#) (RSD) procedures (as appropriate). Monitoring and advocacy may be necessary to ensure that individuals can access national asylum procedures promptly and effectively.

**Refugees and asylum-seekers who have fled a country in crisis that hosted them** should not lose their entitlement to international protection. Their profile and individual circumstances must be verified and they must be offered appropriate solutions, and protected from return to their countries of origin.

Most **third country nationals** do not claim to be refugees. However, they may need immediate assistance and assistance to repatriate to their country of origin. They should be referred to IOM for assistance to return to their country of origin.

### **Assistance**

**All civilians fleeing conflict**, regardless of their nationality, status, or background, should be provided with assistance that gives them immediate physical protection and access to essential services (food, shelter, water & sanitation, health & nutrition, education).

**UNHCR's contribution**, as part of a joint humanitarian response to a crisis, may be to provide evacuees with NFIs or temporary shelter.

**Other specific needs of TCNs** that relevant stakeholders (such as IOM, ICRC, and WFP) may need to address could include: family tracing; psycho-social needs; protection of unaccompanied and separated children; and protection of other persons with specific vulnerabilities.

## **Key management considerations**

- At all stages, including when a response to TCNs is prepared, UNHCR should collaborate with key stakeholders, including relevant State authorities, IOM, other relevant international organizations, NGOs, and the UN country team or Humanitarian country team



(UNCT/HCT).

- Sufficient staffing and resources should be in place to fulfil this task and accurately distinguish categories of arrivals.
- Entry systems and referral procedures must be monitored and evaluated to ensure that refugees and asylum-seekers are not considered, or processed as, other TCNs.

## Resources and partnerships

Inter-agency cooperation is required to ensure that the assistance and response needs of third country nationals are met. UNHCR should participate in inter-agency mechanisms wherever relevant to ensure that the protection needs of persons of concern to UNHCR are met, and UNHCR's leading mandate role for refugees is recognised. UNHCR works in UNCT with other agencies to provide support to Governments that must assist and protect mixed population groups. Where third country nationals are evacuated to countries of origin, a joint humanitarian response will be required.

Evacuation of third country nationals is primarily a State responsibility, which in some instances is facilitated by IOM. UNHCR may support the process exceptionally as a life-saving measure. A decision to do so requires prior consultation and approval by the concerned bureau, in consultation with the Assistant High Commissioner (Operations).

## Annexes

[UNHCR, Refugee Protection and Mixed Migration. A ten-point plan in action](#)

[IOM, Migrants in Countries in Crisis](#)

## 3. Links

[UNHCR, Mixed migration webpage](#) [IOM, Humanitarian Evacuation on the Libyan Border](#) [IOM, Migrants caught in Crisis: the IOM experience in Libya](#) [UNHCR, Beyond the nexus: UNHCR's evolving perspective on refugee protection and...](#)

## 4. Main contacts

As first port of call, the UNHCR Dep. Representative (Protection), UNHCR Asst. Rep. (Protection), and/or Snr Protection Officer in the country; or The UNHCR Regional Asst./Dep Rep (Protection) and/or Snr. Regional Protection Officer at the regional office (if applicable); or The Snr. Regional Legal Advisor in the respective UNHCR regional bureau, covering the respective country region, who in turn will liaise as required with the parent unit at UNHCR DIP.

# Overview Persons at Risk

07 September 2023

## Key points

- Do not assume that persons with specific needs are visible; actively identify them.
- Consult persons with specific needs to assess their needs and capacities and identify shortcomings in protection and assistance programmes.
- Consult persons with specific needs in order to decide what their food and non-food assistance packages should contain, and to make sure they can access distribution mechanisms.
- Keep in mind that individuals and groups with specific needs are often the least likely to come forward to make their needs known.

## 1. Overview

In every emergency, some refugee or IDP groups or individuals face heightened protection risks because of their circumstances or the context. Those at higher risk include persons commonly known as 'persons with specific needs' who face specific barriers due to discrimination, their identity, or other factors that prevent them from fully enjoying their rights or accessing services they need. (See [UNHCR, Guidance on the Use of Standardized Specific Needs Codes](#).)

The term 'person with specific needs' is often used in UNHCR, but should be avoided to the extent that it has a disempowering connotation. It is important to note that not all persons categorized as having specific needs require specialized assistance. For example, [persons with disabilities](#) experience obstacles when they try to access their rights, but in many cases the challenges they face are primarily due to social, cultural, physical, economic, or political discrimination.

In non-emergency situations, social services and community structures meet most of the needs of those at risk. In an emergency, however, many of these safety and support networks break down or even become a source of new risk. An emergency response can also overlook or fail to identify groups or individuals who need specific forms of protection. It is therefore vital to take steps to promptly identify all groups and individuals at heightened risk, and provide them appropriate protection and assistance.

Individuals in the following categories are generally considered to be at heightened risk: [girls and](#)

[boys](#), including unaccompanied and separated children; persons with serious health conditions; persons with special legal or physical protection needs; single women; women-headed households; [older persons](#); [persons with disabilities](#); and persons of diverse sex, sexual orientation or gender identity ([LGBTI individuals](#)).

It is important to remember that not every individual in the above categories has specific needs. Moreover, their needs may alter over time and will be influenced by the environment they are in. Rather than target 'labelled' groups with a standard package of assistance, it is essential to understand how [age, gender and diversity](#) characteristics intersect in shaping individuals who are unique in their capacities, risks and needs. UNHCR staff should therefore analyse the protection and assistance risks that individuals and groups face and assess their needs by means of a targeted protection assessment, a needs assessment, or both.

It is also important not to limit the scope of protection and assistance to the above-mentioned groups. All persons should receive appropriate protection and assistance according to their needs, in consultation with the individuals and communities in question.

## 2. Main guidance

### Protection objectives

- To identify systematically individuals and groups at heightened risk at the start of an emergency and ensure their needs are regularly assessed using participatory approaches.
- To set up mechanisms that quickly identify and refer persons at heightened risk, particularly those who are less visible to humanitarian actors, in cooperation with communities and their structures.
- To design and implement protection responses and assistance programmes jointly with persons at heightened risk and their communities.
- To prioritize individuals and groups at heightened risk, with the urgency required, in all protection and assistance responses (including reception, registration, [refugee status determination](#), and resettlement).
- To develop partnerships and referral mechanisms with other protection and assistance actors (including national partners) who have relevant expertise and adequate capacity to support groups and individuals at heightened risk.
- To establish and maintain a confidential individual case management system (using the proGres database) to register and track persons at heightened risk, and record the protection and assistance they require and receive. For more information on recording specific needs in proGres 4, please see [Baseline SOP for the Registration Module](#).

**Note.** Operations should decide which specific needs they want to track, and how to record them most efficiently and safely in proGres. If an individual's specific needs are not recorded in the Specific Needs (SPN) entity of the Registration Module, or if a user does not have access to SPNs, he or she will not be able to consider these needs or prioritize individuals in SPNs.

For persons with specific needs who require individual case management, protection incidents

and interventions can be recorded in the proGreslegal and physical protection module, the [child protection](#) module, or the SGBV module. Bear in mind that information recorded in the SGBV and [child protection](#) modules is not accessible to Registration, RSD, Resettlement or any other programmes that do not work on [child protection](#) or SGBV.

When deciding on access levels or where to record what, the operation should take into account, adopt the security design related to CP/SGBV and SPNs.

Aggregated information can be accessed on all individuals whose specific needs have been recorded via reports generated from the database.

## Underlying principles and standards

- UNHCR, [Policy on age, gender and diversity \(AGD\)](#), 2018.

The policy reinforces UNHCR's commitment to ensure that people are at the centre of all what we do. It consolidates commitments to a strong AGD orientation, [accountability to affected people](#) (AAP) and to women and girls. It defines six areas of engagement and ten mandatory core actions for all UNHCR operations and headquarters.

- UNHCR, [Understanding community based protection](#), Policy Paper, 2013.

Sets out key lessons learned from implementing [community-based protection](#) programmes. Advises UNHCR personnel and partners how to integrate community-based approaches to protection in their humanitarian work.

- UNHCR, [Manual on a community based approach in UNHCR operations](#), 2008.

This manual argues that, if people of concern are put at the centre of operational decision-making and protection strategies are built in partnership with them, they will be better protected, and in a better position to identify, develop and sustain solutions, and resources will be used more effectively.

## Protection Risks

- If groups or individuals with specific needs are not identified early in an emergency, they may face heightened protection risks including discrimination, abuse, violence or stigma.
- If mechanisms to identify persons at heightened risk are not effective, some individuals in need of specific protection may not be identified, particularly if their specific needs are not visible.
- If protection and assistance gaps for groups or individuals with specific needs are not addressed early on, they may become more severe over time.

- Communities play an essential role in identifying and supporting persons at heightened risk, including those with specific needs; they help to design and implement protection and assistance programmes. However, they can also sometimes be a negative force and the source of harm. Harmful traditional practices may (re-)emerge during displacement; marginalized and vulnerable groups may face more extreme exclusion or exploitation; power imbalances can be exacerbated, etc.
- Systems that simplistically favour persons with specific needs may generate needs artificially and may create tensions in the community. For this reason, regularly review specific needs and their prioritization as the emergency context evolves.

## Other risks

- If specific needs are not identified and addressed promptly, the situation of persons of concern may deteriorate, causing further harm, loss of life, etc.
- Late or ineffective responses may create security risks.
- If UNHCR does not fulfil its protection responsibilities to particular groups, its credibility and authority may be damaged, and its mandate undermined.

## Key decision points

- Respond at once and adequately when specific needs are identified, and ensure day-to-day support is made available as required, including through community-based support mechanisms.
- Make sure that persons with specific needs are identified and registered as early as possible.
- Take steps to ensure that services and infrastructure are physically accessible to those with limited mobility.
- Establish confidential referral systems to ensure that persons with specific needs have access to relevant service providers.
- Put in place appropriate systems to prevent, mitigate and respond to violence (including SGBV), as well as exploitation and abuse.
- Make sure that programmes include persons with specific needs. Ensure that persons with specific needs receive information about programmes that concern them through a variety of accessible communication channels.
- Ensure that staff, partners and public authorities recognize and know how to respond to specific needs.
- Particularly in non-camp settings, identify partners and establish an outreach programme to ensure that individuals with specific needs are identified and informed of their entitlements.
- Ensure feedback and response systems are in place and that persons with specific needs can access them, and act on feedback received.

## Key steps

- Take steps to ensure that groups with specific needs are fully informed of protection and assistance measures that they are entitled to access, notably distribution systems.
- Identify groups or individuals with specific needs who require immediate attention. Prioritize unaccompanied and separated children, the sick and malnourished, and unaccompanied [persons with disabilities](#). Also identify those whose needs require medium-term follow up.
- [Involve the community](#). Communities play a critical role in identifying and responding to the protection needs of persons with specific needs. This is especially so in areas that humanitarian workers cannot access.
- Identify active community structures and community self-protection mechanisms and take steps to address negative coping mechanisms.
- Identify and work with organizations of [persons with disabilities](#), and other structures of groups with specific needs. Ensure they are included in broader community leadership structures.
- Ensure that persons with urgent medical needs and chronic medical conditions are referred to health care providers for immediate treatment.
- Take account of specific needs when you craft your communication messages. Children, and people who are sick, elderly, or have disabilities, will not necessarily obtain the information they need through everyday channels. Adapt your communication strategy to meet such needs.
- Provide a 'fast-track' queuing system for groups or individuals with specific needs, so that they can register and receive assistance and protection promptly. Prioritize them according to the gravity and urgency of their needs. In larger operations, you might ask a member of the reception team to monitor the reception area (and outside it) with the aim of pre-identifying and giving priority to persons with specific needs,.
- Groups or individuals with specific needs should receive prompt protection and assistance: they should be prioritized at reception, registration, [refugee status determination](#), and resettlement, and in other response mechanisms and processes. See chapter 5.1 of UNHCR's Guidance on Registration and Identity Management on [prioritization of persons with specific needs at registration](#).
- Train reception and registration staff to identify and refer persons with specific needs as appropriate. For more information on identifying specific needs codes and making referrals, see UNHCR's Guidance on Registration and Identity Management, specifically chapter 5.2 on Registration as an Identity Management Process, and section 4 on [identifying specific needs and referring concerned individuals according to SOPs](#).
- It is a good idea to create a curated, shorter list of key specific needs codes that are most relevant and applicable to the situation, and to train staff to identify and record these codes rather than the whole list. Screening questions can also be provided to help staff with identification.
- Enter details of persons with specific needs into proGres. (If pre-registration is paper-based, flag specific needs in the physical record.)

- Ensure that UNHCR personnel who work in protection, [child protection](#) and community-based protection are present at reception/registration facilities to assess immediately persons with specific needs who are referred by registration staff.
- Establish and maintain up-to-date records in the proGres database. Establish a simple periodic reporting system (by generating reports from proGres). Focus on the needs identified, the services provided, and statistical data.
- Jointly with affected groups or individuals, as well as communities, establish mechanisms or processes to provide basic services, monitor their delivery, and implement follow-up actions.
- Ensure that groups or individuals with specific needs are able to access assistance distribution points and are not neglected in the delivery of goods and services.
- If necessary, arrange separate queuing systems or deliver goods to persons who cannot attend distributions. Monitor the distribution of goods to groups or individuals with specific needs to ensure they do not suffer discrimination and are not exploited.
- Remember that some groups may be subject to violence and abuse by other members of their community. If necessary, arrange for separate distribution and counselling hours.
- If individuals are unable to collect assistance on their own, designate and record an alternative collector. Monitor such cases to make sure the assistance reaches the individuals for whom it is intended. Consider community-based approaches.
- Monitor the construction of shelter, water and sanitation facilities to ensure that these are adapted to the needs of individuals with specific needs. When designing facilities, involve individuals with special needs.
- Provide transport for individuals with physical [disabilities](#), frail [older persons](#), women in late pregnancy, and persons in severe [psychologic](#) distress who need transport to access medical and other services. Ensure that those who travel are accompanied by a responsible attendant (usually a relative) and that clear meeting points are identified to prevent separation from family members.
- Take steps to make sure that interviews are not repeated unnecessarily. This can jeopardize confidentiality as well as increase the stress of those interviewed. To this end, ensure that case records are transferred whenever individuals with specific needs are moved.
- Identify and strengthen local institutions that have facilities for care and treatment (clinics, schools, hospitals, recreational facilities, etc.).
- Undertake participatory assessments with groups or individuals with specific needs and take account of their opinions in operational planning. Make sure they can attend meetings, or conduct home visits to gather their views. Diversify your participatory methods and adapt them to the needs of the different groups you target.
- Where possible, provide vocational training and livelihood opportunities for those with specific needs, or their families, to help them to support themselves and find longer term solutions.

# Key management considerations

- Resources and sufficient staff need to be in place to meet specific needs.
- Assess programmes regularly to ensure that [age, gender and diversity](#) (AGD) policies are implemented and that programmes are inclusive of all.
- Establish a monitoring mechanism and monitor all key steps.
- Establish a confidential feedback and response system and ensure it is accessible to persons with specific needs. The system should enable them to report protection concerns, including about sexual exploitation and abuse.
- Establish national partnerships to ensure that programmes and support for persons and groups with specific needs can be sustained.
- Implement [community-based protection](#) and work with communities (including host communities) to identify and respond to the needs of persons with specific needs.

## Resources and partnerships

### Staff

Key sectors include protection, [community-based protection](#), and [mental health and psychosocial support](#).

### Financial resources

Should be sufficient to plan and implement necessary services, programmes, and interventions.

### Partners

National NGOs and government institutions, including relevant ministries.

## Annexes

[UNHCR, Guidance on the Use of Standardized Specific Needs Codes, Annex 1 and Annex 2, IOM 030-FOM 030-2009](#)

[UNHCR, Guidance on the Use of Standardized Specific Needs Codes Annex 2 IOM 030-FOM 030-2009](#)

[Standardized Specific Needs Codes - French](#)



[Mental Health and Psychosocial Support Programming for Refugee Operations, 2013](#)

[UNHCR, The Heightened Risk Identification Tool, 2010](#)

[UNHCR, Tool for Participatory Assessment in Operations, 2006](#)

[Guidance on the Use of Standardized Specific Needs Codes \(English\)](#)

### **3. Learning and field practices**

### **4. Links**

[UNHCR's online community-based protection practitioners community](#) [UNHCR, Guidance on Registration and Identity Management](#) [UNHCR, PRIMES Support Community centres](#) [Effective and respectful communications in forced displacement](#). [Community-based protection and mental health and psychosocial support](#). [Working with persons with disabilities in forced displacement](#) [Working with lesbian, gay, bisexual, transgender, intersex persons in forced di...](#) [Working with national or ethnic, religious and linguistic minorities and indige...](#) [Working with older persons in forced displacement](#) [Working with men and boys survivors of SGBV IOM/030-FOM/030/2009 - Guidance on the Use of Standardized Special Needs Codes](#) [UNHCR, UNDERSTANDING COMMUNITY-BASED PROTECTION, 2013](#) [UNHCR, COMMUNITY-BASED OUTREACH OUTSIDE OF CAMPS](#)

### **5. Main contacts**

As first port of call, contact the UNHCR Deputy Representative (Protection), the UNHCR Assistant Representative (Protection), or the Senior Protection Officer or Senior Community-based Protection Officer in the country.

Alternatively, contact the UNHCR Head of Protection, or the Deputy Director (Protection), or the senior Protection Coordinator, or the senior Protection Officer, or the senior Community-based Protection Officer in the Regional Bureau.

The person you contact will liaise as required with the relevant technical unit at UNHCR DIP.

# National, ethnic, religious and linguistic minorities and indigenous peoples

19 September 2023

## Key points

- Actively but responsibly identify persons of concern who belong to minority and indigenous groups.
- Consult minorities and indigenous peoples on the risks they face and the best way to meet their needs and build their capacities.
- Do not say that a person belongs to a minority or indigenous group until he or she has said so.
- Do not design programmes or carry out protection activities that might have the effect of further isolating minorities or indigenous peoples or might cause tensions between them and other refugees or host communities.
- Familiarise yourself with the socio-economic situation of each minority or indigenous community represented in the population you work with.

## 1. Overview

Due to the variety of situations in which they exist, no definition has been agreed internationally on what constitutes a **minority**. For UNHCR the term refers to an ethnic, religious and linguistic group, fewer in number than the rest of the population, whose members share a common identity. Members of minorities commonly share ethnic, religious, linguistic and/or cultural characteristics that differentiate them from the majority, and generally seek to maintain these distinguishing identities. At the same time, the characteristics that define minorities vary widely from one context to another.

Similarly, no single definition of 'indigenous people' has been agreed. Generally, **indigenous peoples** occupied land in a territory before it was invaded or colonized by currently dominant cultures. Indigenous peoples can generally demonstrate a historical continuity with pre-invasion or pre-colonial societies, in terms, for example, of occupation of ancestral land, ancestry, language, or cultural beliefs and practices. The term 'first peoples' reflects this claim. Like minorities, indigenous communities tend not to be dominant. In some countries, they enjoy specific rights, including the rights to practise customary law and protect their traditional knowledge, intellectual property and cultural heritage. The term 'peoples' generally denotes

communities whose identity connects them to their ancestors.

### **Why do we need to pay specific attention to minorities and indigenous peoples?**

Minorities and indigenous peoples are often discriminated against and in some societies are marginalized socially, economically, politically and culturally. Persons of concern who are members of minorities or indigenous peoples are therefore likely to be affected both by events before and during their displacement and by their legacy of discrimination. They may be victims of severe human rights violations, violence, conflict, ethnic and/or religious persecution, and in extreme cases, genocide. They often depend on natural resources that they have used sustainably for generations. Climate change, and programmes of conservation and development, are particularly likely to affect them and have forced some groups to leave their ancestral lands. For all these reasons, minorities and indigenous people may represent a high proportion of those seeking international protection.

In addition to the human rights principles that prohibit discrimination and assert the equality of all persons, minorities and indigenous peoples have specific rights under the international human rights framework and also under some regional and national laws. These affirm their rights to participate, to be included, enjoy their own culture, profess and practice their own religion, and use their own language.

An emergency response should fully include minorities and indigenous peoples. To address their protection concerns, the response should dedicate resources to their protection and support, and plan and implement specific activities in close consultation with the persons concerned and service providers. These activities should ensure that:

- Minorities and indigenous peoples do not suffer discrimination and participate fully in decisions that affect them.
- All aspects of a response take into consideration the specific needs and capacities of minorities and indigenous peoples.
- Minorities and indigenous people have safe spaces to practice their religion and traditions, and receive information in their own language.

## **2. Main guidance**

### **Underlying principles and standards**

- [UNHCR, Policy on Age, Gender and Diversity \(2018\)](#).

Explains the objective, rationale, and core commitments of an age, gender, and diversity (AGD) approach. Defines areas of engagement and core actions for mainstreaming AGD.

- UNHCR, [Working with National or Ethnic, Religious and Linguistic Minorities and Indigenous Peoples in Forced Displacement \(Need to Know Guidance, 2011\)](#).

Practical guidance for staff and partners on how to ensure that the rights of minorities and

indigenous peoples who are of concern to UNHCR are respected, and prevent discrimination.

- UNHCR, [Understanding Community-Based Protection \(Protection Policy Paper, 2013\)](#).

Sets out key lessons of [community-based protection](#) and advises UNHCR staff and partners how to integrate community-based approaches to protection in their humanitarian work.

## Protection Risks

- Minorities and indigenous peoples are among the most marginalized communities in many societies. They are often excluded from participation in social, cultural and economic affairs, may not have access to political power, and are frequently prevented from expressing their identity. These obstacles are exacerbated during displacement, increasing the protection risks they face.
- Due to discrimination and marginalization they usually have limited access to education, health and documentation. These issues may require special attention in situations of displacement.
- Members of minority and indigenous groups can be at risk of harm from the surrounding or host population, or from their own family or community.
- If they were displaced because they were targets of violence, minority or indigenous communities may also face violence in their countries of asylum. Children and women are particularly vulnerable to attack; community leaders, and men and youth who are perceived to be potential combatants, are also at risk.
- Because minorities and indigenous peoples often experience chronic poverty, they may be more at risk of becoming victims of trafficking, including sexual exploitation. This risk increases in situations of displacement and is particularly acute for minority and indigenous children, young adults, and women.
- Minority and indigenous people may be at high risk of sexual violence, and may experience weaker community protection than more dominant social groups.
- Minorities and indigenous peoples may lose important elements of their individual and collective identity through displacement, especially if they have strong cultural ties to territory. The effect can be particularly harmful for people who have experienced distressing events or must adjust to new surroundings.
- Minorities and indigenous peoples may not speak frankly if interpreters are from a different community in the country of origin or country of asylum. In addition, members of minorities and indigenous peoples may only speak a minority or indigenous language.
- Individuals may not feel that it is safe to identify themselves as members of minorities or indigenous peoples. Culturally appropriate outreach measures will be required if they fear discrimination and prefer to stay hidden.
- Minorities and indigenous peoples are often disproportionately affected by statelessness. This is sometimes due to discriminatory nationality and citizenship legislation, sometimes because the various States to which minorities and indigenous peoples have ties apply different nationality laws, and frequently because of misconceptions about what

constitutes legal status.

- Minorities and indigenous peoples often have rights to land and territories that do not coincide with political borders; as a result, they often cross borders fluidly. In conflicts or crises, this may put them at risk of being caught up in violent situations or separated from the groups to which they belong.
- Some minorities and indigenous groups practice harmful traditional practices that may negatively affect certain age and gender groups, particularly girls and women.

## Other risks

UNHCR runs a reputational risk. If it fails to protect minorities and indigenous persons of concern, this will harm its credibility and authority and undermine its mandate.

## Key decision points

- Make sure that minority and indigenous persons are identified and registered. Always uphold the principle of self-declaration and ensure that self-declaration or recording of minority status, ethnicity or religion does not put those who self-declare at risk.
- Identify the decision-making structures, cultural practices, and customary laws of minority and indigenous peoples, to ensure they are properly included in decision-making and can participate in determining the appropriateness and acceptability of services and other protection measures, and in relevant activities.
- Put in place appropriate systems to prevent and respond to violence, exploitation, or abuse of minorities and indigenous peoples.
- Ensure that all programmes include minorities and indigenous peoples. Make sure they receive information and messaging about the programmes they are entitled to access.
- Involve relevant national services, where these exist. Consider providing support to strengthen the capacity of national services if these do not adequately meet the needs of persons of concern from minority and indigenous groups.
- Identify suitable partners qualified to work with indigenous and minority communities and work with them. This is especially relevant if reliable national services are not available.

## Key steps

### Support services and care arrangements

- Map partners as well as local organisations led by indigenous or minority groups. Set up referral mechanisms. Assess the community's capacities.
- Take appropriate measures to ensure that, if they wish, displaced minority and indigenous

communities can remain together to maintain their cultural heritage and identity.

- Be mindful of the traditions, practices and customary laws of minorities and indigenous peoples.
- Involve persons of concern from minority and indigenous groups in decision-making processes.

### **Identification and assessment procedures**

- Apply an [age, gender and diversity](#) (AGD) perspective to assess the situation of minority and indigenous groups.
- Ensure that security is such that persons of concern feel comfortable about identifying themselves as members of a minority or indigenous group. Make sure that data protection measures are in place and that persons who do not wish to self-identify are not forced to do so, especially if they may be at risk. Where persons were displaced because of their minority or indigenous status, ensure that adequate measures are in place for their security.
- Enter the specific needs of minority and indigenous persons in ProGres.

### **Access to services**

- Be prepared to intervene on behalf of persons of concern who are exposed to risk because they lack identity documents, could be stateless, face discrimination, or cannot access services and assistance on the same basis as others.
- Ensure that all information about services is easily comprehensible and accessible to persons from minority and indigenous groups. The presence of a translator or interpreter may be necessary to enable minority and indigenous people to access relevant services
- In consultation with them, make sure that minority and indigenous persons have space to practise their cultural traditions.
- Take steps to understand the specific rights of minorities and indigenous peoples. Rights may be conferred by international human rights law, and also regional or national laws. A range of actors, including government authorities, may be responsible for protecting the rights of minorities and indigenous persons and for providing specific services to them.

### **Prevention of abuse and exploitation**

- Monitor the occurrence of harmful traditional practices and seek opportunities to address them in close consultation with the affected community. Work with the community to identify alternative practices that uphold its values without violating rights.
- Ensure that appropriate systems are in place to prevent and respond to violence, exploitation and abuse of minority or indigenous groups. Establish monitoring mechanisms to this end.
- Every effort must be made to protect minority and indigenous persons of concern from cross-border attacks or attacks by other persons of concern or members of host communities. Be prepared to provide safe accommodation or to offer evacuation in extreme circumstances.

### **Inclusion and information sharing**

- Make sure that all programmes include minorities and indigenous peoples.
- Make sure that information and messaging about programmes are provided in accessible formats and languages.
- Encourage the involvement and meaningful representation of minority and indigenous women, LGBTI persons, [persons with disabilities](#), [older persons](#), and other groups at risk, provided this can be done safely.

### **Awareness raising and advocacy**

Make sure that staff, partners, and local and national authorities understand and know how to respond to the specific needs of minorities and indigenous peoples. This requires sensitization and training.

Encourage and assist communities to learn about and share their cultures. Involve the host community, persons of concern from majority communities, and minority and indigenous persons of concern.

## **Key management considerations**

- Make sure that sufficient staff and resources are available to enable UNHCR to understand the communities it seeks to protect, and to address the specific needs of minorities and indigenous peoples. This might require research or advice by anthropologists.
- Assess programmes regularly; ensure that all analysis is AGD-sensitive.
- Establish protection monitoring mechanisms and monitor the level of protection enjoyed by indigenous and minority persons of concern.
- Encourage national services and partners to continue to support programmes that protect and assist minority and indigenous persons of concern.
- Ensure that the needs of minorities and indigenous peoples are included in all relevant programmes and services.

## **Resources and partnerships**

### **Staff**

Protection; health; [mental health and psychosocial support](#); [community-based protection](#); interpreters.

### **Financial resources**

Sufficient resources should be available to meet the needs of minorities and indigenous peoples.

### **Partners**

These include, in particular, national NGOs, government institutions, and national human rights institutions that work with minorities and indigenous peoples. Minority Rights Group International

(MRG International) is the best-known international NGO working for minorities and indigenous peoples. (At <https://minorityrights.org/> ).

## **Annexes**

[UNHCR, Policy on Age, Gender and Diversity \(2018\)](#)

[Working with National or Ethnic, Religious, and Linguistic Minorities and Indigenous Peoples in Forced Displacement](#)

[MRG International, Minority and Indigenous Trends \(2019\)](#)

[Pew Research Center, The Pew Forum on Religion and Public Life, The Global Religious Landscape](#)

[UNDP, Marginalised Minorities in Development Programming a Resource Guide and Toolkit](#)

[UN Development Group, Guidelines on Indigenous Peoples' Issues](#)

## **3. Learning and field practices**

## **4. Links**

[Office of the High Commissioner for Human Rights \(OHCHR\), Minorities United Nations Permanent Forum on Indigenous Issues \(UNPFII\) MRG International, World Directory of Minorities and Indigenous Peoples Center for International Development and Conflict Management, Minorities at Ris... CBP Community of Practice](#)

## **5. Main contacts**

As first port of call, contact the UNHCR Deputy Representative (Protection), the UNHCR Assistant Representative (Protection), or the Senior Protection Officer in the country.

Alternatively, contact the UNHCR Head of Protection, or the Deputy Director (Protection) or the Regional Assistant/Deputy Representative (Protection); or the Senior Protection Officer or the Senior Community-based Protection Officer in the regional bureau.

The person you contact will liaise as required with the relevant technical unit at UNHCR DIP



# Accountability to affected people (AAP)

07 September 2023

## Key points

- All responders working in an emergency response are accountable to persons of concern (PoC).
- AAP is not new or additional work: it is at the centre of UNHCR's protection mandate, as set out in its age, gender and diversity (AGD) policy, and implemented through community-based, participatory approaches that are already well-established.
- Ensure that participation, feedback and complaint mechanisms are integrated in all strategies, plans and programmes from the start of an emergency.
- Provide a range of accessible and rapid channels of communication with affected populations, and use them to inform affected populations about procedures, structures and processes that affect them, so that they are able to make informed decisions and choices.
- Programming decisions and actions should be responsive to the expressed priorities, needs, capacities and views of all persons of concern.

## 1. Overview

The phrase 'accountability to affected people' (AAP) is widely used in the humanitarian community to refer to the commitments and mechanisms that humanitarian agencies have put in place to ensure that communities are meaningfully and continuously involved in decisions that directly impact their lives.

Accountability refers to the responsible use of power (resources, decision making) by humanitarian actors, combined with effective and quality programming that recognizes a community of concern's dignity, capacity, and ability to be independent. As an international humanitarian organization, with a protection function at its core, UNHCR is committed to 'putting people first' and drawing on the rich range of experiences, capacities, and aspirations of refugee, displaced, and stateless women, men, girls and boys. In addition, it is committed to being accountable to the people it serves by listening and responding to their needs, perspectives, and priorities.

UNHCR's AAP framework and these values are outlined in UNHCR's **Policy on [Age, Gender and Diversity](#)** (AGD, 2018), specifically core actions 2-5:

- Participation and inclusion (Core Action 2).
- Communication and transparency (Core Action 3).
- Feedback and response (Core Action 4).
- Organizational learning and adaptation (Core Action 5).[1]

UNHCR is a member of the Inter-Agency Standing Committee (IASC) Task Team on accountability to affected people, which includes the task team on [protection from sexual Exploitation and abuse](#) (PSEA). Its goal is to create a system-wide culture of accountability by institutionalizing AAP, including PSEA, in the functions and resourcing of each humanitarian organization, alongside system-level cohesion, coordination, and learning.

UNHCR accountability to persons of concern has a history of continuous innovation and improvement, beginning in the early 1990s with the adoption of people oriented planning. Subsequent AAP-related policies and guidance include UNHCR's [Code of Conduct](#) (2004), its **Tool for Participatory Assessments in Operations** (2006), its **Accountability Framework for [Age, Gender and Diversity Mainstreaming](#)** (2007), and the manual **A Community-based Approach in UNHCR Operations** (2008). AAP is also reflected in UNHCR's **AGD Policy** (2018), which aims to ensure that all sections of populations of concern have equitable and non-discriminatory access to protection and assistance programmes, and a say in decisions that affect their lives.

[1] [UNHCR, \*\*Age, Gender and Diversity Policy\*\* \(2018\)](#)

## 2. Main guidance

### When and for what purpose

UNHCR is accountable to persons of concern from the outset of an emergency until durable solutions are achieved. This requires direct and continuous work with communities of concern for the duration of their displacement, to make sure that they are able to participate meaningfully in decisions that affect them. UNHCR systematically involves persons of concern in participatory assessments. The outcomes of assessments are reflected in the annual and emergency response plans of country operations, as well as their priorities, programme designs, and monitoring and reporting.

Strong accountability mechanisms lead to more effective and efficient programming. Accountability is not a vague or moralistic concept: it is rooted in programming, which it should contribute to and improve. AAP is therefore an essential element of quality assurance across an operation's activities (in programming, monitoring and evaluation, reviews, and organizational learning), alongside AGD and protection. The humanitarian system as a whole has made itself accountable to affected people.

### **UNHCR's AAP policy.**

The AAP policy defines key elements of accountability to which UNHCR is committed. They include: communication and transparency; feedback and response; participation and inclusion; and learning and adaptation. The policy also standardizes the language used in reporting; informs priorities; supports assessments of the extent to which UNHCR achieves its AAP commitments; and provides criteria for evaluating learning and improvements.

## **How to implement this at field level?**

The following key components of accountability to affected people are intrinsically linked and build on each other and other community-based participatory approaches. They are applicable in all UNHCR operations and provide a framework for the practical integration of accountability into protection and assistance programming.

### **Participation and inclusion.**

Women, men, boys and girls of diverse backgrounds are able to engage meaningfully and are consulted on protection, assistance, and solutions.

- Establish arrangements that permit meaningful participation at all stages of the operation's management cycle (assessment, planning, design, implementation, monitoring and evaluation). The arrangements should be accessible to all groups in a community. In particular, ensure that potentially marginalized groups are included, such as minorities, people with disabilities, and people with diverse sexual orientations and gender identities.
- Ensure that all persons of concern have equal and non-discriminatory access to protection, assistance and solutions. Act in a manner that enables forcibly displaced and stateless women, men, girls and boys to be resilient and achieve self-reliance.
- Identify the capacities and priorities of all persons of concern and develop protection, assistance and solutions programmes that accord with them.

### **Communication and transparency.**

Women, men, boys and girls of diverse backgrounds in all operations have access to timely, accurate, and relevant information on (i) their rights and entitlements, and (ii) the programmes of UNHCR and its partners.

- Facilitate communication and dialogue between UNHCR, its partners, and persons of concern at key stages throughout the operation's management cycle.
- Share information and communicate in languages, formats, and media that are culturally appropriate for, and accessible to, all groups in a community.

### **Feedback and response.**

Formal and informal feedback from persons of concern is systematically received and responded to, and corrective action taken when appropriate.

- Establish and maintain effective feedback systems (including comments, suggestions, and complaints), using a variety of communication channels that are accessible to all persons of concern and that are appropriate for both sensitive and non-sensitive feedback.

- Allocate human and financial resources to ensure that feedback from persons of concern is systematically collected, acknowledged, assessed, referred, and responded to in a timely, confidential, and effective manner.
- Collaborate with partners in feedback referral and response processes (wherever appropriate).

### **Organizational learning and adaptation.**

Interventions, planning, priority setting, course corrections, and evaluation are informed on an ongoing basis by the views of persons of concern.

- Learn from continuous engagement with communities of concern and adapt interventions and programmes in response to new knowledge gained through community participation and feedback, both in the short and long-term.
- Measure and improve accountability to all persons of concern through assessments of organizational performance on accountability.
- Include persons of concern as partners throughout the operation's management cycle, inter alia by reporting the results of assessments and follow up actions to them.

### **Good practices when communicating with communities**

Listening and talking to communities is a fundamental part of a humanitarian response, for UNHCR and its partners, and is vital to ensure we remain accountable to persons of concern. Accordingly, **involving communities through effective, inclusive and consistent communication** is central to the AAP framework (reflected in the [AGD Policy](#)).

It is important for emergency responders to understand the information needs, preferred channels and trusted sources of different groups and individuals. It is equally important to ensure that communities' voices inform humanitarian decision-making. Emergency responders should therefore show that they have listened and should explain the decisions they make, including why certain actions cannot be taken.

Emergency responders are encouraged to be open to adopting new channels of communication. They should be aware that, while communication should not be driven by technology, in certain contexts and with certain populations new technologies can facilitate communication. Before choosing a particular form of communication, focus on the **purpose** of your communication, the **target population**, and **content**.

### **Understand your context by running an [information and communications needs assessment](#).**

Emergency responders should consult communities to determine what channels of communication they currently use, what sources they trust, and how they would like to talk to humanitarian agencies. Assessments should describe the local communication and media landscape; how the community shares information; leadership structures; levels of literacy; what languages are spoken; the community's [age, gender and diversity](#) (AGD) profile; and other relevant cultural practices. The information habits of target audiences, and the level of access of different AGD groups, are key factors when determining which channels to adopt and how to share information. This assessment process can be led by UNHCR or undertaken jointly with other humanitarian or other actors. UNHCR's general participatory assessments can include specific sections on information and communication needs.

**Coordination of communication initiatives is critical**, both in organizations and at interagency level. Coordination minimizes the risk of circulating contradictory or duplicated information, encourages joint messaging, and allows organizations to pool, co-resource and share information channels. To manage and respond to community feedback effectively, it is particularly important to define and agree roles and responsibilities, internally and at inter-agency level. Responders should draft standard operating procedures (SOPs) that set out agreed commitments, time frames for follow-up, and agency and individual roles. Coordination mechanisms for communication may already exist; for example a working group for communicating with communities may have been activated as part of protection. If so, additional actors may need to be invited to join (for example, from the local media or telecommunications companies) to ensure it is representative.

**Ensure you provide factual, objective and actionable information that enables people to make informed decisions.** Work with team members and partners across sectors to define what information needs to be shared, and ideally what response/information is expected in return. Be sure to address information gaps highlighted by the information and communications needs assessment. Agreeing with stakeholders procedures and protocols for generating and signing off new messages is a key step - particularly for sensitive information.

**Adopt a variety of communications channels to promote inclusivity and accessibility.** The more channels you establish, the less likely it is that you will not reach a community because a channel has failed. Situations evolve: be aware of new communications opportunities; that existing channels can be disrupted; that information needs will change over time; and that different groups may be affected in a variety of ways by information gaps. Consider how different technologies affect information ecosystems, and how hi-tech tools integrate with more traditional tools. (For example, information from Facebook may be transferred onward by word of mouth.) Non-traditional actors, such as media and media development agencies, telecommunications organizations, and software developers, can provide expertise and support on such matters.

**Don't assume that communication is 'one-way'.** Communities want the opportunity to question and respond to the information they receive. For example, a common mistake is to broadcast 'bulk' SMS without planning to receive messages from the community in return; as a result, a large number of enquiries, and potentially protection concerns, can go unanswered. It is important to establish a forum or platform for discussion to generate new ideas and enable people to challenge and contextualize the information being shared. These can be high-tech, low-tech or no-tech. Examples include refugee-led Facebook groups, call-in radio shows, or 'town hall' meetings.

**Manage expectations, counter misinformation and address rumours.** In all communities, expectations and rumours are normal. Both love information vacuums; neither can be ignored. However, rumours only have value when they are the sole source of information. Responders can help to devalue them by listening to a community's concerns, [monitoring 'misinformation'](#), and proactively providing factual and verifiable information through trusted channels.

**Don't duplicate efforts. To make communication initiatives sustainable, build on staff capacities and work with services that are already active.** Work out what activities are

already underway and build on these. Identify which community members, partners and staff you can work with. For example, if people are regularly attending schools, medical centres or distribution points, you can integrate your communication activities into these services, working with teachers, parents, medical staff, distribution volunteers, etc.

**Identify the resources you need, to ensure you have the capacity to implement, receive and react.** Depending on your communications planning, and the arrangements you make, emergency operations will need staff and materials, including tools, expertise, budgets, and possibly additional technology. It is critical to include resources for 'listening and responding' in your planning, so that the operation can receive and respond to information that communities share. Consider the sustainability of activities, and find effective response strategies. For example, if feedback boxes are introduced, ensure they are accessible (location, language, access to writing materials) and that suggestions and complaints are regularly reviewed and followed up.

**Test and refine your communications activities.** Consult communities that do not engage to understand why. Work with specific groups in the community – young adults, disabled groups, women's associations, adolescents. Brainstorm solutions that will overcome challenges.

### **Considerations for practical implementation Keep up to date with technology but do so with your eyes open**

Technology can facilitate community engagement by opening up new communication channels; people are becoming more and more connected. Technology can help reach remote populations, help to scale up certain interventions, increase efficiency. At the same time, technology is not always neutral and it is important to manage data, especially sensitive data, ethically and appropriately.

Don't be led by technology. To ensure you 'do no (digital) harm', address the following:

- Ownership of technology. Is the channel owner associated with an interest, or with one side in a conflict?
- Neutrality. Is the content that is normally shared through this channel biased against one group of people?
- Data protection. How secure is the information that is shared through this channel?
- Digital divide. Does this channel marginalize certain groups without access?
- Appropriate. Is this channel preferred and trusted by communities?

### **No community is homogenous - be inclusive**

Everyone accesses and consumes information but we each do so in a personal way. It is therefore vital to use a variety of communication channels. The fewer channels you use, the more you are likely to exclude some groups and individuals. 'Invisible' (marginalized) groups will need to be identified and reached using specific information and channels. The information and communications ecosystem should be an enabling environment for everyone. Draw on the expertise of other organisations or colleagues to help you reach out more effectively to the diversity of your audiences.

### **Physical impairments**

- Where carers or advocacy groups for physically impaired people are active, work through them and use their communications channels.
- Include disability information (for example, about wheelchair access) in your communications.
- Some people with a disability have carers: include carers in discussions too.
- When you print messages, use a large font and prepare audio versions if you can.

### **Cognitive and learning difficulties**

- Consider reaching out to social networks, family and carers.
- You may need to provide information verbally. It will need to be clear and simple, using short sentences.
- Do not provide too much information because this may cause confusion and stress.
- Use pictures or colours to help communicate (primary on a white background).
- Make sure your messages are consistent.

### **Communicating with children**

- Start by connecting with what they are doing.
- Tell them your name and who you are.
- Create an environment that is not distracting.
- Ask their name(s) and age(s).
- Take your time.
- Watch, wait and listen.
- Play a game to build trust – have fun.
- Confidentiality is important.
- Avoid jargon.
- Always have a non-judgmental attitude.

### **How to use pictures**

- Use one central image to avoid confusion about how to read the images on the page.
- Don't use symbols that require prior understanding.
- Avoid using comparison images to demonstrate differences in sizes, processes or numbers.

### **Make information easy to read**

- Use words that communities use all the time.
- Use active verbs.
- Use full stops.
- Try not to use other punctuation.
- Use bullet points for examples and instructions.
- Do not split words over 2 lines.
- It is easier to read straight across the page.
- It often helps people to have a box to write in rather than lines to write on.
- Words in white (reversed-out text) on a coloured background can be harder to read.
- Use bold to highlight important words.

## **Resources and partnerships**

Collaborative initiatives, such as the [Communicating with Disaster-Affected Communities \(CDAC\) Network](#) (of which UNHCR is an active member), help bring together collective expertise in communicating with communities (CwC). CDAC brings together over 30 technology providers, UN agencies, INGOs and the ICRC. Their field presence varies but the international secretariat (based in London) can help partners to link up where needed.

Consider partnering with:

- Local media (TV, radio, newspapers, social networks).
- Mobile network operators (MNOs).
- Government agencies, for example communications commissions or licensing agencies.
- Technology providers and software developers.
- Art and theatre groups.

## **Annexes**

[UNHCR, Age, Gender and Diversity Policy \(2018\)](#)

[UNHCR, Tool for Participatory Assessment in Operations, 2006](#)

[UNHCR, Understanding Community-Based Protection, Policy Paper, 2013](#)

[UNHCR, Manual on a Community-Based Approach in UNHCR Operations, 2008](#)

[UNHCR, The Heightened Risk Identification Tool, 2010](#)

[UNHCR, Manual on Security of Persons of Concern, 2011](#)

[IASC, Humanitarian Programme Cycle, Reference Module, 2013](#)

[IASC Emergency Directors' Group, Protection and Accountability to Affected Populations in the Humanitarian Programme Cycle \(2016\)](#)

[Leslie Groves, Working Together to End Discrimination and Ensure Equality Outcomes for All \(UNHCR\)](#)

[COMPACT GUIDANCE FOR SENIOR MANAGERS ACCOUNTABILITY TO AFFECTED PEOPLE \(AAP\)](#)



[\(2020\)](#)

[OPERATIONAL GUIDANCE ON ACCOUNTABILITY TO AFFECTED PEOPLE \(AAP\) \(2020\)](#)

### 3. Learning and field practices

### 4. Links

[UNHCR Policy on Age, Gender and Diversity Information and Communication Needs Assessment Tool](#) [How to control the 'CTRL+P' urge: embracing audio](#) [10 things to consider before rolling out two-way SMS](#) [Set up a system to manage two-way SMS in two minutes](#) [Radio for Communicating with Communities](#) [IASC Revised AAP Commitments, 2017](#) [Revised CAAP Guidance note and resources list 2018](#) [IASC AAP/PSEA Task Team](#) [PSEA Task force](#) [Core Humanitarian Standard on Quality and Accountability](#) [Impact Measurement and Accountability in Emergencies: The Good Enough Guide](#) [OCHA on Message: Communications with Communities](#) [CDAC Tools and Resources](#) [Assessing Information and Communication Needs](#) [CDAC Message Library](#)

### 5. Main contacts

As first port of call, contact the UNHCR Deputy Representative (Protection), the UNHCR Assistant Representative (Protection), or the Senior Protection Officer or Senior Community-based Protection Officer in the country.

Alternatively, contact the UNHCR Head of Protection, or the Deputy Director (Protection), or the senior Protection Coordinator, or the senior Protection Officer, or the senior Community-based Protection Officer in the Regional Bureau.

The person you contact will liaise as required with the relevant technical unit at UNHCR DIP.

## Community-based protection

19 September 2023

### Key points

- Involve all relevant actors in CBP activities: local institutions, State agencies, civil society and community-based organisations, and persons of concern, including persons with specific needs. Coordinate with other national and international actors and avoid over-assessment.

- Identify community structures; build on the community's existing capacities; make use of community members' sense of volunteerism. Avoid creating parallel structures.
- Every community that faces threats finds ways to protect its members. These may or may not be effective, but it is important to identify and map them.
- Do not assume that all protection problems are due to displacement. Some, including domestic violence and ethnic and religious discrimination, are likely to have a longer history.
- Do not rush the process of building trust and engagement. It requires regular and consistent involvement and communication with the community.
- Do not make any promises to the community that you may not be able to keep.

## 1. Overview

Displaced and stateless communities are in the best position to know the threats they face; they are equally familiar with the causes and effects of those threats, and can help to address them. Humanitarian actors therefore need to understand and listen to the communities they serve, to ensure that their programmes do not inadvertently leave people and communities worse off.

Protection concerns often pre-date and are exacerbated by humanitarian emergencies. Relevant problems include: harmful practices, domestic violence, public violence and criminal behaviour, neglect of persons with specific needs, and exclusion or discrimination on the basis of gender, ethnicity and other grounds. While it is important to understand, it is therefore also vital to examine critically the life of communities, recognizing that they are sources of support and assistance but potentially also of threats and harm.

Further, humanitarian organizations need to learn how communities protect their members. Protection may involve sophisticated responses, for example negotiation with armed groups, or simple and pragmatic actions, such as collecting firewood in groups. A community's strategies may or may not be effective; but we must understand them before introducing new protection measures that might undermine their usefulness.

UNHCR endeavours to harness the knowledge and resources of communities and to strengthen their capacities. If communities affected by crises are empowered, they are in a stronger position to protect and support their families, promote social cohesion and peaceful coexistence with host communities, respond to the aspirations of young people, and rebuild their lives.

**Community-based protection (CBP) puts the capacities, agency, rights and dignity of persons of concern at the centre of programming.** It generates more effective and sustainable protection outcomes by strengthening local resources and capacity and identifying protection gaps through consultation.

UNCHR takes a community-based approach in all its work with the people it serves. Through consultation and participation, communities engage meaningfully and substantively in all

programmes that affect them, and play a leading role in change. UNHCR recognizes that, without the engagement of persons of concern, external intervention alone cannot achieve sustained improvement in their lives.

CBP is therefore more than a matter of consulting communities, or their participation in rapid assessment or information-gathering. It is a systematic and continuous process of engaging communities as analysts, evaluators and implementers in their own protection.

## 2. Main guidance

### When and for what purpose

Accordingly, CBP should be integrated in all phases of humanitarian response programmes, across all sectors and in all humanitarian contexts. It is relevant to all humanitarian actors, including those working in the delivery of WASH, shelter, health, as well as core protection activities such as registration, SGBV prevention and response, and [child protection](#).

When you come to decide what community-based protection strategies are most effective, consider the context. Try to understand how the character of the emergency in which you are working influences the ability and willingness of communities to participate meaningfully.

Whatever the context, a significant level of community participation is possible and highly desirable.

CBP aims to ensure that all persons of concern enjoy their rights on an equal footing and can participate fully in decisions that affect them.

A CBP approach promotes community involvement in each of the following programme elements:

- Preparing situation analyses (both the initial analysis and subsequent analyses).
- Setting priorities.
- Designing and implementing responses and interventions.
- Monitoring implementation and adjusting interventions as needed.
- Evaluating and reporting results.

In life-threatening emergencies, quick action is needed and little time is available to consult and negotiate. Because conditions are always changing and assessments must be updated frequently, it is important to balance the time spent on situation analyses (including participatory assessments and community mobilization) against their useful lifespan. Spend as much time as possible in the community; take every opportunity to meet persons of concern. Use a range of participatory methodologies to reach members of the community who are less visible. Though you will not have time to meet every group, make sure that your assessments include representatives from across the community. Do not rely solely on respondents who are easy to reach and more vocal, such as leaders, or young men, or individuals who can speak languages familiar to humanitarian workers. Talk as often as you can with women, girls, boys and men of

different ages and diverse backgrounds to gain a fuller understanding of their situation.

## Summary of guidance and/or options

Twelve principles underpin community-based protection.

1. **CBP is a process, not a project.** It cannot be accomplished through brief meetings with community groups. It requires a systematic approach that is sustainable and makes communities the drivers of change. Take the time required to build trust with the community.
2. **Select community counterparts with care.** Practicality requires us to work with a small group of community members. Ensure that the views of marginalized groups are represented. A poorly designed process is likely to increase inequality and insecurity.
3. **Communities are well placed to identify their protection challenges, but external partners also have an important role.** Acknowledge that the community may not recognize some threats that external professionals consider to be urgent. The community's priorities must be balanced against the judgements of protection professionals.
4. **Effective protection interventions require accurate diagnosis.** Do not assume that all problems are due to displacement. Work with the community to decide which approaches fit the context best.
5. **Communities already have ways to protect their members.** Do not adopt new measures that displace existing practices which work well. Address negative coping strategies.
6. **Community work requires expertise and training.** Staff need to be skilled in protection, and able to work sensitively and respectfully with people from very different societies.
7. **Supportive supervision is essential.** If they are not familiar with community-based approaches, supervisors may need to be made aware of their value.
8. **Focus on protection.** The community may prioritize concerns that do not involve protection. Explain UNHCR's mandate. Work with the community to identify and address its protection needs.
9. **Promote sustainability from the start.** A strong sense of community ownership will improve the sustainability and effectiveness of protection programmes.
10. **Support and work with community and national structures.** It is almost always better to work through existing institutions and programmes than to establish new or parallel systems.
11. **Develop an advocacy strategy to achieve sustainable change.** Assist communities to develop their own advocacy plans. Play an accompanying role.
12. **Give attention to evaluation and reporting.** Sound measurement of progress depends on analysing challenges and outcomes from the start of a programme in close consultation with communities.

# How to implement this at field level?

## Assessing community protection risks

- In the course of field assessments with persons of concern, map agencies, services, and community structures. Include persons of concern in the multi-functional team (MFT) that plans assessments and analyses their results.
- Conduct short early assessments to review protection risks and the incidence of human rights violations before the emergency and since it started. Analyse root causes, applying an [age, gender and diversity](#) lens; take prompt remedial action to avoid further abuses or displacement.
- Take the time necessary to map the diversity of the community and understand its power dynamics, hierarchies and other factors that influence decision-making. Identify ways in which the community protects its members, including negative coping strategies.
- Carefully consider the security of community members whom you consult. Individuals or groups communicating with aid agencies can become targets of resentment or even violence by other individuals or groups. Sources of information should therefore be kept confidential. When you work with local authorities in IDP contexts, take particular care to ensure that individuals or communities do not face repercussions because they discuss human rights violations.
- Share the results of your assessments with the community and ensure that the community is involved in defining its priorities.
- Be alert to signs of potential tension in the community and between displaced and host communities, and seek out the root causes of such tensions.

## Community-based support and response

- Take immediate action to prevent family separation. Reunite families wherever possible, using family-reunification procedures when necessary.
- Identify and support communities' self-protection measures; do not introduce new measures that might weaken the community's own protection capacity. Identify harmful practices and coping mechanisms and work with the community to replace these or mitigate their effects.
- Work with community leaders and other community structures. Support structures that are already in place; avoid creating parallel systems. Ensure that the structures in place are fair, inclusive and reflect the community's diversity.
- Quickly identify a diverse group of community members who are able and willing to organize community support for those at heightened risk, including temporary care arrangements for unaccompanied children.
- Involve groups and individuals at heightened risk, and those with specific needs, in decision making processes. Give particular attention to unaccompanied and separated children, [persons with disabilities](#), elderly persons without family, and other persons and groups who are marginalized or easily exploited.
- Set up community-based systems that uphold respect for individual rights and provide protection and care for groups with specific needs (see previous bullet point).
- Promote community ownership from the start. Create and strengthen links between

displaced and host communities wherever possible.

- Prioritize and promote actions that reinforce social cohesion. Strengthen and support the provision of local services and work to give displaced communities access to them.
- Support communities' efforts to protect their members and meet their needs. Where necessary provide resources to facilitate such efforts.
- Establish specific emergency response plans with partners and the community.

## **Outreach and information sharing**

- Regularly visit people in their shelters and homes. Make time to listen to people and communicate important information to them directly.
- In consultation with persons of concern, arrange for staff to be available at regular times to gather and exchange information. These exchanges should give attention to groups at heightened risk and with specific needs, answer questions, and offer counselling in a safe and confidential environment.
- Working with the community, put in place a two-way communication mechanism that ensures that everyone, including [older persons](#), [persons with disabilities](#), and other potentially marginalized groups, have access to relevant information on assistance and other issues. Use communication channels that members of the community prefer. Post notices in places where people are likely to meet, such as water-collection points, community centres, registration points, or where assistance is distributed.
- Work with community outreach volunteers to ensure that information is widely disseminated and reaches those at heightened risk.
- Set up mechanisms at community level to report protection incidents. Establish effective feedback and response systems at an early date. These should be able to receive and promptly address issues that persons of concern raise, notably allegations of sexual exploitation and abuse (SEA).

## **Participation**

- Ensure persons of concern of all ages and genders and from all diversity groups are able to participate in decision-making. Identify and address barriers to participation, particularly for persons with specific needs.
- Respect community leadership structures, while ensuring that these are inclusive and representative of the wider community. Ensure that your interventions do not undermine the community's support for those structures, while proactively identifying and involving persons who are marginalized. Where necessary, establish quotas for representation in leadership structures (for example, of [persons with disabilities](#), youth, [older persons](#)).
- Adopt a range of participatory methodologies to ensure that all members of the community are aware of and have opportunities to participate in decision-making.
- Introduce participatory monitoring methodologies and ensure that communities play a role in monitoring the delivery of programmes and the response.
- Train partners and service providers in CBP and ensure that project partnership agreements (PPAs) include activities that promote community participation in all programmes.
- When you run participatory assessments, visit members of different ages and gender and from different diversity groups at times in the day when they are most available. Where

necessary, assist certain groups to participate (by providing child care, food, travel allowances, etc.). Report to communities on the results of assessments you conduct; validate with them the results of your analysis; and highlight programme priorities that the community identified.

### **Prevention of abuse and exploitation**

- Working with the community, take steps at once to identify and analyse the protection risks that face women, men, girls and boys. Agree ways to prevent and respond to sexual and gender-based violence (SGBV). (Add hyperlink to SGBV prevention and response page.)
- Working with the community, set up a mechanism for identifying groups and individuals who are at heightened risk of SGBV.

### **Awareness raising and advocacy**

- Create community systems that uphold respect for individual rights, that identify groups with specific needs, and provide protection and care for them (see above).
- Do not form patterns of behaviour or relationships during the emergency that might be difficult to change later on. For example, do not communicate only with traditionally accepted community leaders, or exclude women, [older persons](#), and youth. Review your consultation arrangements regularly. Make sure that persons of concern as well as staff are aware that arrangements made in an emergency situation may change.

## **3. Learning and field practices**

## **4. Links**

[UNHCR, Understanding Community Based Protection \(Policy Paper, 2013\). Presents ... UNHCR, Policy on Age, Gender and Diversity \(2018\). Reinforces UNHCR's commitmen... UNHCR, Manual on a Community Based Approach in UNHCR Operations \(2008\) UNHCR, Tool for Participatory Assessment in Operations \(2006\) UNHCR, Tool for Participatory Assessment in Operations - Step 3: Methods of enq... UNHCR, Operational Guidance: Mental Health & Psychosocial Support Programming f... UNHCR, Heightened Risk Identification Tool \(2010\) Action Aid, Safety with Dignity - a field-based manual for integrating communit... IASC, Guidelines on Mental Health and Psycho-social Support in Emergency Settin... UNHCR, Community-Based Protection in Action - Community-Based Protection and Me... UNHCR, Community-Based Protection in Action - Community Centres \(2016\) UNHCR, Community-Based Protection in Action - Community-Based Outreach Outside ... UNHCR, Community-Based Protection in Action - Effective and Respectful Communic... CBP Intranet page CBP Community of Practice](#)

## **5. Main contacts**

As first port of call, contact the UNHCR Deputy Representative (Protection), the UNHCR Assistant Representative (Protection), or the Senior Protection Officer in the country.

Alternatively, contact the UNHCR Head of Protection, or the Deputy Director (Protection), or the Senior Protection Coordinator or the Senior Protection Coordinator, or the Senior Protection Officer, or the Senior Community-based Protection Officer, in the regional bureau.

The person you contact will liaise as required with the relevant technical unit at UNHCR DIP.

# Child protection

14 September 2023

## Key points

- Link identification, screening and prioritisation of children at risk to registration processes, so that children who are most in need are identified quickly and efficiently.
- Set up a simple, easy to manage Best Interests Procedure procedures early on, and ensure that they link to referral mechanisms for assistance and support. Consider linking these procedures to registration.
- Make sure that child protection programmes engage actively with the community, to identify excluded children who may be in need of assistance.
- Involve adolescents and young people in the design and delivery of child protection services.
- Design child protection services to be as decentralised as possible. This approach should be taken to community activities at neighbourhood level, centre-based programmes, and activities that link with services in other sectors such as education, nutrition and health.
- Consider developing protection activities in urban contexts, using sport and recreation or child friendly spaces as entry points, for example.

## 1. Overview

UNHCR acts to protect children (persons who are under 18 years of age) by responding to their specific needs and the risks they face. It protects, and campaigns, against all forms of discrimination; prevents and responds to abuse, neglect, violence and exploitation; ensures immediate access to appropriate services; and provides durable solutions in the child's best interest. Situations of forced displacement and emergency have devastating effects on children's lives, and boys and girls are uniquely vulnerable due to their age and social status.



The international humanitarian system recognizes child protection is a life-saving priority. Child protection prevention and response mechanisms responses must be established from the start of an emergency, or children's lives and well-being will be put at risk. The most important outcomes of child protection are to prevent violence, abuse and exploitation, and to ensure displaced children access to protection services, by establishing or supporting national and community-level child protection systems.

## 2. Main guidance

### Protection objectives

Priority objectives during the first phase of an emergency:

- To ensure that girls and boys are safe where they live, learn and play.
- To strengthen the capacity of children to participate in their own protection.
- To give girls and boys child-friendly access to asylum, refugee and other legal procedures, and to essential documents.
- To ensure that girls and boys with specific needs receive targeted support.

### Underlying principles and standards

- The UN Convention on the Rights of the Child.

Core principles include: the child's survival and development, best interests of the child, non-discrimination, children's participation.

- Sphere, [Minimum Standards for Child Protection in Humanitarian Action](#), and its core principles and standards for child protection work (see the diagram below).
- Rights-based approaches, including age, gender, and diversity mainstreaming (AGD).

UNHCR seeks to empower individuals and communities to exercise their rights, rather than solely viewing them as 'beneficiaries' of assistance. It works to ensure that women, men, girls and boys of all ages and diverse backgrounds enjoy their rights on an equal basis and are able to participate fully in decisions that affect their lives.

- Full integration of child protection.

UNHCR engages with partner organizations across all functions to ensure that child protection is integrated in all programming as part of the humanitarian response.

- [The InterAgency Guiding Principles on Unaccompanied and Separated Children](#)

These principles provide definitions and key standards and principles for preventing and

responding to family separation, and on working with unaccompanied and separated children.

## Protection Risks

- Lack of access to asylum procedures or procedures that are child-friendly. If asylum processes are not child sensitive, children may not be able to exercise their right to seek asylum, or may be put in a position where they are easily exploited by adults.
- Separation from parents and caregivers. Children can become separated from their parents and caregivers before or during flight or while in displacement. They can be sent away, abandoned, or encouraged to live alone (because, for example, their carers believe they will receive more support). UASC are often particularly at risk of violence, exploitation, abuse or neglect.
- Sexual violence and sexual exploitation. Displaced children are particularly at risk of sexual violence and exploitation. A high proportion of survivors of sexual violence are girls, but boys are also affected.
- Mental disorders and psychosocial distress. In contexts of forced displacement, children are exposed to traumatic events as well as high levels of daily stress. Without adequate support, many are likely to develop health issues.
- Children associated with armed forces and armed groups. Refugee and displaced children, especially adolescents who are not in school, may be recruited by armed forces and armed groups. Such children are often exposed to extreme violence and may be abused, exploited, injured or killed.
- Trafficking, smuggling, sale and illegal adoption, inappropriate adoption. Displaced children may be targeted for trafficking, smuggling, sale and illegal adoption. UASC are particularly at risk.
- Physical violence and harmful practices. In displacement, children are at increased risk of domestic violence, abuse and corporal punishment, because their families are under acute strain and community protection mechanisms are disrupted. In their efforts to cope, families may adopt harmful practices, and children may adopt negative coping mechanisms, including substance abuse.
- Child labour. When families lose their income and assets, children are more likely to become involved in the worst forms of child labour (WFCL), such as forced or bonded labour. Children may be used in armed conflicts, trafficked for exploitative work or sexual exploitation, engaged in illicit work, or forced to do work that is likely to harm their health, safety or morals.
- Dangers and injuries. Children living in insecure or unsafe conditions are at greater risk of injury and disability. When they are in, or travel through, conflict zones, for example, they risk injury from unexploded ordnance and landmines.
- [Detention](#). Particularly in the context of political conflicts, children who participate in political activities (or are perceived to have participated in them) are commonly detained. Children seeking asylum may also be detained. Especially when they are held in facilities alongside adults, children in [detention](#) are at risk of psychological, physical and sexual abuse and other harms to their development.

## Other risks

- Reputational risks. Should UNHCR fail to protect children adequately, this will harm its credibility and moral authority.
- Should UNHCR staff or the staff of partner organizations exploit or abuse children, it will also jeopardise the organisation's credibility with communities, governments and the media, and harm its ability to operate. (See the Entry on [prevention of sexual exploitation and abuse](#): PSEA).

## Key decision points

It is vital that protection of children is prioritised. These should determine programme design, alongside factors such as the number of children at risk, and assistance and protection services that are already operational. It is important to continuously monitor and analyse the nature and scale of risks to children, the capacity of populations of concern and the child protection system to address those risks.

## Key steps

### 1. Analyse child protection needs and capacities and plan the response

- Assess child protection needs and risks and prioritise them in terms of severity and scale. Base initial assessments on pre-crisis and secondary data, and that risks for children are prevalent even if there is no data to substantiate this.
- Consider what further information is needed. This can be collected by including child protection questions and issues in initial rapid needs assessments (within 1 – 3 weeks), or specifically assessing child protection concerns (within 4-6 weeks, ongoing as required).
- Assess the capacity of the child protection system, of UNHCR, partners, and other key actors. Look for ways to connect with and build on existing capacity.
- Monitor and report on child protection issues and violations. There is a specific obligation to monitor and report on grave violations against children in countries where the Monitoring and Reporting Mechanism (MRM) operates under Security Council Resolution 1612.
- Identify gaps in UNHCR capacity and the need for dedicated child protection staff. Review the percentage of children in the population and the severity of the child protection risks. Consider asking UNHCR HQ to deploy additional child protection personnel and provide expert guidance.
- Establish or strengthen coordination mechanisms for child protection. To start with, focus on technical and strategic guidance, identifying gaps, and ensuring that services are not duplicated.

- Develop a capacity building strategy for volunteers, partners, Government and different categories of UNHCR staff. UNICEF is often able to support capacity building technically. Consider coaching, mentoring, self-learning, and other methods in addition to training, and tie training to performance outcomes.

## **2. Establish mechanisms to identify, prioritise, assess and refer children at risk**

### **At registration**

- Include clear guidelines and screening questions in Level 1 and 2 registration procedures that will identify vulnerable children.
- Assign child protection staff to registration points and establish a child protection desk.
- Establish referral pathways and criteria for prioritizing identified children at risk. Prioritization should be based on an evaluation of exposure to risk, and referral pathways should be part of the operation's [best interests procedure](#) for children at risk.
- As soon as possible, train registration and other key staff to identify and refer children at risk, and in how to communicate with children.
- Ensure registration environment and process are child-friendly, including providing communication material and information that are accessible to children of different ages and abilities.

### **At camp / site / city level**

- Set up a functioning [best interests procedure](#) (BIP) and ensure that enough UNHCR and partner staff are available for implementation.
- Agree on prioritisation criteria, referral pathways, and BIP Standard Operating Procedures (i.e. SOPs for case management) of children at risk.
- As part of the BIP, establish clear roles, responsibilities and mechanisms to ensure that Best Interest Assessments (BIAs) are systematically conducted for UASC and other children at risk.
- Information recorded in relation to cases of individual children at risk should be stored securely and confidentially using the Child Protection Module in proGres V4 wherever this is in use. The Child Protection Information Management System or other systems may be used by some partners, in which case UNHCR will need to find ways to share information appropriately.
- Ensure that asylum and assistance procedures are child-friendly, for example by consulting children on UNHCR and partner procedures and integrating their feedback, and providing information to children in a format that they can understand.
- Coordinate with health centres to ensure that birth notifications are issued for new-borns and that steps are taken register births properly through civil registration authorities.

## **3. Prevent, and respond to, separation of children from parents and caregivers**

- Put in place measures to prevent separation during arrival, relocation and evacuations. (Ensure families are kept together, do not transfer children alone without screening first, etc.)
- Ensure that assistance procedures do not encourage deliberate separation (for example by targeting UASC, or encouraging families to split in order to receive additional assistance).

- Ensure that mechanisms are in place to identify, refer, document, trace and reunify children. Coordinate with ICRC and national Red Cross/Crescent Societies.
- Support or establish tracing activities (community-based tracing mechanisms, listening posts, children's desks, phone calls, progress searches, etc.), as necessary.
- Ensure that [Best Interests Procedure](#) is in place for all children who require tracing and reunification. (See the Entry on [Best Interests Procedures](#).)

#### **4. Ensure adequate alternative care services**

- Seek to understand traditional care strategies for UASC (including potential protection risks linked to these). Assess the capacity of the community to absorb children that need care, and the complementary support that is potentially required. Complementary support be based on the family's vulnerability rather than the fact that the family is caring for UASC, so as to prevent deliberate separation in the hope of assistance.
- Conduct BIA for all children are considered for, or who are in, alternative care. If numbers are high, prioritize younger children and unaccompanied children.
- Identify a range of alternative care options for children in different situations. Prioritize younger children for family-based care, and keep siblings together. Options are likely to include foster care, and supported/supervised independent living for older children or child-headed households, for whom family-based care has been explored and proven to be unfeasible. Residential care arrangements in family-like settings may be considered if the community's foster-care capacity is overwhelmed. Institutional care should be a last resort and for the shortest possible time.
- Mobilize community leaders and community-based organizations (such as foster parents' associations) to support alternative care.

#### **5. Provide psychosocial support for children, parents and caregivers**

- Provide parents and caregivers with information on child psychosocial distress, and on how they can support their children to recover, as well as access services.
- Establish regular structured recreational activities, led by community volunteers, and coordinate these with education activities. This may include child friendly spaces, ensuring that age and gender-sensitive activities are developed and implemented for teenagers.
- Ensure that psychosocial support activities link to and support safe emergency education of good quality.
- Work with other sectors to ensure that they consider the protection and wellbeing of children. Assist them to make their services child-friendly and accessible.

#### **6. Prevent and respond to sexual violence and exploitation**

- Ensure that measures to prevent sexual violence and sexual exploitation include children (for example, by identifying risk factors specific to children).
- Ensure that response and referral mechanisms are adapted to the needs of children and link to [Best Interests Procedure](#) (including, but not limited to, alternative care, BIP) where necessary.
- Provide information on access to services and child protection. Make information child-friendly. Access to information helps to prevent sexual exploitation.

- Put in place immediate safety and security measures. These include policing and emergency lighting at displacement sites, and screening procedures at points of entry to and departure from affected areas, to prevent abductions, trafficking and violence, and accommodating child-headed households close to vetted community households.

## **7. Strengthen community-based child protection mechanisms and national child protection system**

- Identify community-based mechanisms, traditions and practices that contribute to the protection of children. Identify, train and mobilise resource people who can identify and refer protection risks and children at risk.
- Promote community-led initiatives to strengthen the protective environment (awareness-raising, referrals, follow-up of children at risk, etc.).
- Map the structure, capacity and procedures of the national child protection system, degree to which children of concern to UNHCR have access to these, and support needs.
- Work with national authorities and UNICEF at the national level and the field to strengthen capacity, quality and responsiveness of the national system, and advocate to ensure children of concern have non-discriminatory access.

## **8. Prevent recruitment and support the release and reintegration of children associated with armed forces and armed groups (CAAFAG)**

- Ensure screening and identification procedures are in place for CAAFAG and that procedures for ex-combatants are child-sensitive.
- Do not detain children unless absolutely necessary. If [detention](#) is unavoidable, detain children separately, and avoid separating siblings.
- As a prevention and response strategy in all contexts, ensure that children have access to psychosocial, educational, livelihood and recreational activities that are not stigmatizing.

## **Key management considerations**

- Legal and policy framework. Do you need to advocate in support of strengthening and/or implementing policies? Do any legal barriers prevent children from accessing the protection system or protective measures?
- Knowledge and data. Is information available on children at risk? Is it disaggregated by sex and age? Is child protection reflected in situation reports? Is the planned response evidence-based? Are adequate information management systems for child protection budgeted and in place? Are child protection programmes systematically monitored? How are the programmes monitored? Has a monitoring and evaluation framework for child protection programmes been developed? Is it integrated with other programmes?
- Coordination. Are mechanisms in place to coordinate child protection responses? Do they consider child protection effectively? Are a child protection strategy and plan of action in place? Have partners been consulted in their development? Are there gaps or duplications in the response? Are child protection, SGBV, and education programmes linked? Are child protection concerns mainstreamed in other sectors?

- Human and financial capacity. Is the budget for child protection adequate and linked to the protection of children of concern? Is child protection adequately reflected in appeals and strategic plans? Are more dedicated UNHCR child protection staff needed? Have managers trained on child protection? Emergency partners, including Government agencies, may require UNHCR leadership to help them to develop sustainable programmes while funding is available.
- Prevention and response. Have preventive child protection programmes been established promptly and effectively? Are they appropriate and adequate? Do they build on existing systems and capacities? Do SGBV and education programmes consider the needs of child survivors? Is the child protection programme focusing narrowly on UASC at the cost of other protection issues or other children at risk? Are specific programmes for adolescents in place?
- Advocacy and awareness. What is the advocacy strategy? Are child protection issues that require advocacy regularly raised at management meetings and meetings with key partners?

## **Resources and partnerships**

### **Staff**

At the start of an emergency, it is recommended that UNHCR should deploy specialist expertise in child protection (at P3 level) to help assess risks, set up systems, and build capacity. Additional specialist national and international staff should be hired or deployed as required (taking account of the number of children in need, the capacity and availability of child protection partners, and the risks to children). Information on staffing norms (in particular the number of staff per child for case management and activities involving children) may be found in Child Protection Minimum Standards and associated resources.

### **Partnerships**

Key partners for child protection usually include relevant Government department(s), UNICEF, the UN Mission (where present), international NGOs, national NGOs, and local and community-based organizations.

### **Financial requirements**

Ensure that the budgets for programming, technical support and supervision, and ongoing capacity building are sufficient. Recognise that case management requires sufficient staffing and allocate resources accordingly (see UNHCR BIP Guidelines). Child protection budgets should include staff, infrastructure, equipment, material assistance, and capacity building. Child protection budgets should include staff, infrastructure, equipment, material assistance, and capacity building.

## **Materials**

Kits are normally required for case management, tracing, and child friendly spaces. (UNICEF is often able to provide the latter.) Tents may be required in the short term.

## **Annexes**

[UNHCR, Child Protection Framework, 2012](#)

[UNHCR, Executive Committee Conclusion on Children at Risk, no. 107, 2007](#)

[UNHCR, Guidelines on Assessing and Determining the Best Interests of the Child, 2018](#)

[UNHCR, Field Manual for the Implementation of the Guidelines on Determining the Best Interests of the Child, 2011](#)

[UNHCR, Heightened Risk Identification Tool and Guide, version 2, 2010](#)

[UNHCR, Handbook for the Protection of Women and Girls, January 2008](#)

[Alliance for Child Protection in Humanitarian Action, Minimum Standards for Child Protection in Humanitarian Action, 2019](#)

[Guiding Principles on Unaccompanied and Separated Children, 2004](#)

[CPWG, Alternative Care in Emergencies Toolkit, 2013](#)

[IRC and UNICEF, Caring for Child Survivors of Sexual Abuse](#)

## **3. Links**

[Unaccompanied and Separated Children Handbook and Toolkit Refworld Children and Youth page](#)  
[UNHCR, Engagement in Situations of Internal Displacement, Provisional Guidance,... Alliance for](#)  
[Child Protection in Humanitarian Action Save the Children Resource Centre UNHCR Child](#)



## 4. Main contacts

As a first port of call, the UNHCR Dep. Representative (Protection), UNHCR Asst. Rep. (Protection), and/or Snr Protection Officer in the country; or the UNHCR Snr. Regional Protection Officer (SGBV/Child or Community-based). The Child Protection and Youth Unit in DIP can also be contacted for technical support.

# Emergency registration in refugee operations

28 March 2023

## Key points

- UNHCR should develop a registration strategy, deploy qualified registration staff as soon as possible to assist assessment, and support the operational response.
- Registration is costly. Make sure that adequate human and financial resources are allocated for registration activities.
- Identify and prioritize persons with specific needs at all stages of registration.
- Set the objectives of registration and develop plans to achieve them and to meet operational requirements.
- Involve and coordinate with Government, UN sister agencies (WFP, UNICEF, etc.), NGOs and the refugee community.
- Inform persons of concern about registration procedures, using a variety of formats and channels.

## 1. Overview

The purpose of this Entry is to provide a practical overview of methodologies, practices and tools relevant to the registration of asylum-seekers and refugees in an emergency context.

Registration of refugees and asylum-seekers is one of UNHCR's primary activities at the onset of an emergency. It includes the identification and referral of persons with specific needs who require targeted interventions.

An emergency is a situation in which the lives, rights and well-being of refugees and other persons of concern are or will be threatened unless immediate and appropriate action is taken on a scale that UNHCR's existing capacity at country and regional level cannot provide.

Emergency registration may differ from non-emergency registration in the amount of data collected and because the initial response is conditioned by the need for speed, the infrastructure available, and capacity on the ground. Regardless of the operational context, individual registration is recommended in emergencies, as described below. Minimum data should be collected on each individual and each household.

While most of the approaches to registration described in this Entry are cross-cutting, actions and activities are likely to vary in most operational contexts. Registration programmes need to take into account the objectives of the operation and where and how refugees arrive and reside in the country of asylum. More detailed information on how to conduct registration activities, and on helpful tools, can be found in the Emergency module of [UNHCR's Guidance on Registration and Identity Management](#) and the **Registration Checklist in Refugee Emergencies**, referenced at the end of this Entry.

## 2. Main guidance

### Protection objectives

Registration in emergencies helps to ensure that:

- Persons of concern receive initial basic protection against arbitrary arrest, forcible recruitment, [detention](#), and refoulement.
- Persons at risk and with specific needs are identified and referred to appropriate protection services.
- Protection, assistance interventions, and programmes to provide durable and effective solutions are planned, coordinated and implemented.
- Ensure that persons of concern to UNHCR, and/or to the Government of the territory of asylum, are individually known and that men and women are issued documentation on equal terms.

### Underlying principles and standards

While States are primarily responsible for registration, UNHCR may help to plan or carry out registration, jointly with the Government or on its behalf. UNHCR may also conduct registration independently in accordance with its mandate.

In emergency situations, UNHCR Registration Standards should be used to identify gaps in registration systems, plan emergency registration processes, assess the protection implications of decisions, and prioritize registration resources appropriately.

Persons of concern do not need to be registered before they can receive food or other forms of assistance. This is also the case in situations where the MoU between UNHCR and WFP applies.

However, early registration strengthens accountability and facilitates implementation of protection and assistance activities.

## Protection Risks

Emergency registration activities that are initiated without adequate planning, resources or expertise on the ground may result in under-registration or multiple registrations. This may cause outcomes that fail to assist or that hinder population planning and management and effective protection responses.

Protection risks associated with non-registration:

- Persons of concern who are not registered may be unable to access services or assistance effectively.
- Persons of concern may be arrested and detained or face **refoulement**.

Protection risks associated with registration:

- Visibility. Asylum-seekers and refugees may not wish to register because they are afraid they will be identified by a government or local communities.
- Security. Registration programmes that are poorly planned and implemented may put refugees, asylum-seekers and staff at physical risk. For example, if registration is organized too close to a border, armed elements may be present or may interfere.
- Prioritization. Registration should never be prioritized over saving life; lack of registration should never prevent the provision of life-saving assistance. When urgent activities are required, registration activities may need to be delayed.
- Flight. If refugees have not yet reached a final destination, registration formalities may compromise their journey to safety. Refugees may also be obliged to register multiple times.
- Inclusion and exclusion errors. Exclusion errors occur when persons of concern, who should be registered, are not able to register or are unwilling to do so. Inclusion errors occur when programmes register individuals, such as nationals or combatants, who should not be registered.

## Other risks

Poorly conducted emergency registration will establish an inaccurate population baseline. This may harm:

- The effectiveness and timeliness of the protection and assistance response of UNHCR, the government or partners.

- The operation's credibility, which in turn may jeopardize advocacy efforts with governments and donors.

To mitigate the risks described above, please refer to the 'Key steps' section below.

## Key decision points

Why is registration being conducted? Set emergency registration objectives in conjunction with protection objectives, in consultation with other protection colleagues and senior managers responsible for the emergency response phase. The crucial questions to ask are: What is the purpose of the registration? Who is being registered? How will the information be used? What data do I have and what information is needed? These questions will help you: to decide what data need to be collected; to focus data collection on the most important elements; and to design a solid registration methodology. When you set emergency registration objectives, keep in mind that registration activities conducted during emergencies will build the foundation for subsequent registration activities. The objectives should foresee possible longer-term needs.

Who will participate in registration? Many stakeholders are involved in registration activities, including governments, operational partners, and the displaced community. For successful registration, it is essential to identify key stakeholders and ensure that their roles and responsibilities during registration are understood and articulated. At minimum, the roles of national authorities and those who are to be registered must be entirely clear; they should participate fully in both the design and delivery of registration activities. Registration activities serve the needs of many assistance and service providers. Arrangements for data sharing will determine what information needs to be collected and how it will be protected and managed. Partners can also bring valuable resources and expertise to registration activities.

How will the registration be done? Determining the right registration methodology and associated resources (sites, interview methods, timing, equipment, staffing, equipment, training, information requirements, complaint procedures, data capture, documentation issuance, budgets) requires time and understanding of protection, programming, administration, information technology, and registration. It takes a team to design and deliver a successful registration result.

## Key steps

**1) Registration should begin as soon as possible after the population in question has stopped moving.** In an emergency, efforts should be made to commence registration, or at least pre-registration, activities, **within seven days** of an initial influx.

Registration is costly in terms of material and human resources and requires good planning by well trained professionals. Registration activities should be conducted by qualified Registration Officers.

## **2) Conduct an initial assessment. What is the current state of population data management?**

Registration is part of an overall approach to population data management in an operation, and closely associated with other types of population data management. It includes estimation, needs assessment, movement tracking, and statistical reporting. Registration exercises cannot be planned without core information on the approximate size of the affected population, the dynamics of population movement, and contextual information on where and how refugees have settled and are accommodated in the country of asylum.

It is essential to consolidate and assess existing baseline data. Triangulation of available data, and proper border monitoring activities, help to identify and assess possible gaps. Create lists of formal and informal entry points, estimate the number of arrivals per day at each entry point, confirm patterns and means of arrival, identify likely destinations, and anticipate the profile of persons of concern.

The size and profile of a population may need to be estimated if no other records or sources of information are available. See the Entry on [population estimation techniques](#).

Registration strategies should be designed to register persons of concern wherever they live in the country of asylum. New arrivals may settle in rural villages, in camp-based settlements, or in urban areas. When persons of concern are living in camps or camp-like settlements, registration is normally conducted on site. When refugees are dispersed in rural or urban areas, it is essential to map the locations or villages where refugees have settled. Identify central locations that can support registration activities and assign roving mobile registration teams to visit local villages. There are limits to mobile registration. It is impossible to conduct door-to-door or village-to-village registration when locations are unknown, resources are limited, or a rapid response is required.

## **3) Develop a registration strategy. Why is registration being undertaken?**

Registration is a complex multi-disciplinary activity. From the start, prepare and implement registration activities in collaboration with protection and programme colleagues and with administration and supply colleagues.

A registration response may be initiated before a fully-fledged, detailed and complete registration strategy has been finalized. **A strategy is nonetheless necessary.** For guidance, please refer to **Module 6** of the [Guidance on Registration and Identity Management](#).

In consultation with other protection colleagues, set criteria for determining which individuals are eligible to be registered, and establish mechanisms for referring ineligible persons to an appropriate body. Agree what data should be collected in consultation with [refugee status determination](#) staff. Make sure these criteria and decisions are communicated in an information campaign (see below) and documented in Standard Operating Procedures (SOPs). Contact the Senior Regional Registration officer or the Identity Management and Registration Section (IMRS) for advice.

Analyse and confirm the data needs of key partners, including WFP, implementing partners and other relevant actors in the response, to ensure that necessary protection and assistance interventions can be undertaken without duplicating data collection. In addition, consult

nutrition, health, [child protection](#) and other specialized partners; ensure they can be present at registration activities when appropriate. Adopting an inclusive approach will make the humanitarian response more effective, use resources more efficiently, and help to avoid duplication of effort.

The **Registration Officer** is responsible for the design and delivery of an emergency registration strategy, which should build on emergency contingency planning (where available). The registration strategy is a document (or group of documents) that: sets out the objectives of registration from a protection and an operational perspective; analyses the risks faced by persons of concern and staff (see above); describes the data to be collected, the registration methods to be used, and the locations where registration will take place; and lists staffing and technical support needs, stakeholder roles and responsibilities, and financial and equipment requirements. The Registration Officer should consult and cooperate closely with members of the refugee community, and with Protection, Community Services, Field, Programme and Supply colleagues. Initial emergency registration activities should reflect the priorities and needs of the operation.

#### **4) Select sites and prepare registration facilities. Where will registration take place?**

Registration should not take place at border crossings. Registration sites should be located away from areas affected by armed conflict, insecurity and violence (see protection risks above). Registration usually occurs at sites or in initial reception facilities established a short distance from the border, or at final destinations in the country of asylum. Issuing tokens to families at the border may help refugees to access transportation and other assistance and reach their destinations safely. If possible, registration should take place after refugees have arrived at their destination.

Reception facilities must always protect the safety and dignity of persons of concern and the safety and security of staff.

When selecting a reception or registration location, keep the following in mind:

- Their accessibility for both refugees and personnel.
- Options for immediate medical referral needs.
- Their distance from the border and from UNHCR offices.
- Security requirements (liaise with Administration and Field Safety Advisors).
- Environmental conditions (risk of floods, storms, etc.).

Assign registration team members to conduct home visits to ensure that individuals who cannot access the registration site will be included.

Ensure the site has sufficient space to accommodate the number of persons who need to be registered. Allocate waiting areas between the different processing zones. Allow for the possibility that demand for registration may increase.

Design the site layout so that people can move rapidly through the registration process.

Ensure that the registration site includes:

- Separate queues for different processing requirements (one queue for individuals who are called back, one for those scheduled that day, etc.).
- Security screening to ensure that reception and registration areas are weapon-free.
- Proper space for dedicated staff to identify and prioritize persons with specific needs (for example, a protection desk permanently staffed by qualified protection staff).

- Separate entrances and exits to ensure a one-way process flow.
- Shade or heating, protection from the elements, and waiting areas with sufficient seating.
- Separate sanitation facilities for men and women, and adequate supply of water, electricity and lighting.
- A private space for lactating mothers, and a monitored child-friendly space (if possible).
- Interview spaces that provide confidentiality.
- Secure storage areas for registration equipment and files.
- A separate area for medical screening and vaccinations, in association with health partners, as appropriate.
- Well planned crowd control, using hired security companies, host country security personnel, or the help of community leaders or NGOs.
- Simple fencing or barriers to reduce crowd pressure.
- Adequate communication systems, such as megaphones or loudspeakers at large sites.

### **5) Determine household and individual data needs. What information needs to be verified or collected?**

Group pre-registration is the collection of core data on a group. Group pre-registration is primarily used to organize movements of population, facilitate initial assistance distribution, and schedule individual registration. It is **not accepted as formal registration** because information collected at group level does not show whether an individual is inadmissible for registration. A group pre-registration interview with a family of five is estimated to take approximately 3 minutes.

**Group information** that should be collected (on households, families or cases)

- The group's size.
- Its age and sex breakdown.
- The name of the group's focal point.
- The country of origin of the group's focal point.
- Specific needs within the group.
- A unique group identifier.
- Pre-registration date.

Recording of GPS coordinates is optional and only occurs where pre-registration is mobile and not in a registration centre

At the final destination, **register all persons of concern individually** if this has not been possible before.

For **Individual Emergency Registration (IER)** The minimum data set is:

**Data taken from registration of the group focal point:**

- Date of arrival.
- Registration date.
- Group unique identifier.
- Legal status.
- Current Country of Asylum address (if available).
- Phone number (if available).
- Consent/prohibition to share information.

## **Data taken from every individual in the group:**

- Full name.
- Sex.
- Date of birth.
- Relationship to group focal point.
- Marital status.
- Country of origin.
- Specific needs.
- Photo.
- Biometrics.

IER enables UNHCR and partners to create distribution lists, identify and refer persons with specific needs, and issue individual identity documents as well as ration cards, enabling refugees to access assistance and services. IER should be conducted using RApp or progress. On average it takes 15 minutes to register a family of five. Collection of biometrics (irises only) for a family of five takes an additional 4 minutes, while collection of both irises and fingerprints takes an additional 10 minutes. Additional data elements may be built into the standard data set depending on the data needs of the emergency operation. The Registration Officer should define the IER data set with protection colleagues, considering:

- Context specific data requirements. These include data on specific needs, to enable assessment and referral to available or planned services.
- Individual admissibility criteria. These are necessary for emergency registration and generate the data required to identify persons who are not covered by the exercise or are not eligible.

It is important to bear in mind that, if additional data fields are added to the minimum IER dataset, they will increase the time and resources required for registration. Additional data should be determined by the purposes of the registration, how programmes will use the data to provide services and protection, and the availability of human and other resources. Individual Basic Registration (IBR, formerly known as Level 2) and Individual Comprehensive Registration (ICR, formerly Level 3) should take place, where appropriate, in the course of verification or registration activities after the emergency phase. See [UNHCR Guidance on Registration](#) and identity management for further guidance on data sets for registration. The registration form template should be adapted as required, and forms should be tested before using them on a large scale. This will save time during registration by ensuring that forms, questions, code tables and interviewer aids are appropriate and can be used effectively. Once the dataset is established, adopt standard UNHCR codes to create a reference document for use by registration and interview staff. Make sure that information on both country of asylum and country of origin locations is consistent and at the right level of disaggregation. A basic camp address system may need to be established if none exists.

## **6) Prepare Standard Operating Procedures (SOPs) to document how things will be done**

SOPs describe each step of the registration process and the actions that need be completed at



each step before moving to the next. They serve as a 'user guide' for staff and ensure that processes are comprehensive, predictable and less prone to error.

SOPs should:

- Set out briefly the objectives of registration.
- Exhaustively define admissibility criteria for registration.
- Clearly describe the key steps of the registration process from reception (access) to exit. Include a process flow chart to visualise the registration process.
- Describe the roles, authorities, responsibilities and accountabilities of each actor involved in registration. Include a staff organigram if available.
- Describe the scheduling procedure for registration, including the methodology that should be used to prioritize individuals with specific needs.
- Describe the steps of a registration interview, including counselling, grouping, data collection; referral and documentation.
- List the data elements to be recorded during registration (such as biodata, and protection-related specific needs). The SOP should describe each data element and indicate how to enter data in proGres correctly.
- State which biometrics are to be enrolled. Related tasks should be described, including how to explain or counsel individuals on the purpose of biometric enrolment.
- Describe referral mechanisms in the registration process, including the presence of protection and litigation desks.
- Describe arrangements for continuous registration.
- Describe the arrangements for issuing each type of documentation.
- Annex relevant standard forms, documents and templates.

## **7) Establish fraud management and complaint mechanisms**

Registration planning should include procedures to prevent fraud. Responsibilities should be separated clearly in the SOPs. Strong supervision and an effective complaint mechanism are also important components of procedures to identify and prevent fraud.

- Inventory registration materials and keep them securely locked.
- Strictly control materials and processes for issuing and renewing documents.
- Use biometrics to anchor and verify identity.
- Ensure that interview techniques and data collection standards are consistent.
- Establish a well-staffed litigation desk, with the capacity to investigate inconsistencies or fraud allegations.
- Install audit checks and establish clear lines of staff accountability and oversight.
- Train staff.
- Run information campaigns to make it known that UNHCR does not tolerate fraud or corruption.

Create confidential complaint mechanisms to enable people to file complaints, identify individuals who claim to have missed registration, and report misconduct by registration staff. Complaint mechanisms must incorporate appropriate procedures for effective follow-up.

Procedures should:

- Include a standard complaint form.

- Ensure that every complaint received, in whatever form, is reviewed and followed up appropriately.
- Give persons who submit a complaint an opportunity to identify themselves to management (if they choose), while respecting their right to anonymity, should they fear retaliation.
- Entitle a complainant to submit his or her complaint through a member of staff who is not the subject of the complaint.
- Encourage everyone to report misconduct that occurs during registration-related activities.

## **8) Prepare data sharing agreements and define the conditions and terms of data sharing**

Host governments and partners often need access to certain registration data for planning purposes and to implement their activities. Before concluding a data sharing agreement (DSA), UNHCR must assess the level of data protection afforded by the government or other third party concerned. It may do this by means of a data protection impact assessment (DPIA), to ensure that the systems and tools of the government or other third party provide a level of data protection that is comparable to that provided by UNHCR's Data Protection Policy. [Part 6 of the Data Protection Policy](#) and [Part 9 of the Data Protection Guidance](#) provide specific guidance on the requirements of a DSA, and the key provisions it must contain. **Sample data sharing agreements** have been developed at headquarters and are available in the [Data Protection Toolkit](#). Headquarters will share DSA templates with operations on request, and will provide guidance and support. The Data Protection Officer and LAS are required to review and clear all DSAs before they are finalized.

It should be recalled that:

- DSAs are normally not necessary for implementing partners because Project Partnership Agreements (PPAs) cover data sharing and transfer issues. However, for joint use of the Population Registration and Identity Management EcoSystem (PRIMES), an Addendum to the PPA template is available in the Data Protection toolkit.
- The September 2018 WFP-UNHCR Global Data Sharing Addendum to the 2011 Memorandum of Understanding (MoU) aims to simplify data sharing between the two agencies at operation level. Where more than the standard data covered by the addendum is requested, staff should refer to the general principles for data sharing in UNHCR's Data Protection Policy and Guidance.

Data sharing arrangements with partners and other offices must:

- Avoid duplication, contradiction and confusion.
- Reduce risk of fraud.
- Reflect the purpose-specific objectives of data collection.
- Be necessary and proportionate in relation to the specified purpose.
- Be proportionate in relation to expected benefits.
- Maximize the respective strengths and opportunities of each party.
- Comply with international principles of data protection.

All data processing, including data sharing with partners, should follow the principles set out in 2.1 of UNHCR's policy on data protection. Data sharing should have a legitimate basis and a

specified and legitimate purpose, be necessary and proportional, and should abide by the principles of accuracy, confidentiality and respect for the rights of individuals about whom information is shared. See part 2 of UNHCR's [Data Protection Policy](#) for interpretation of these principles, and the related [Guidance on data protection](#) for further explanation and discussion.

During registration, it is important that all persons of concern are made aware of their rights with respect to collection, access, and transfer of their personal data, and about relevant data sharing agreements with partners. Individuals should provide free and informed consent to UNHCR before UNHCR shares their data with partners. In an emergency, circumstances may arise in which it is not feasible to seek advance consent; when this is so, an alternative legitimate basis is required. UNHCR may argue that it is in the 'vital or best interests' of persons of concern to share data (for example, in order to distribute life-saving assistance using pre-registration data) or that certain data must be shared 'to enable UNHCR to carry out its mandate' (for example, if a host government requires UNHCR to provide basic biodata).

### **9) Design and conduct an information campaign to explain the benefits and risks of registration**

Registration may be the first official procedure that new arrivals experience in the country of asylum. Many people may be unfamiliar with UNHCR and its mandate, and the reasons for registration may not be well understood. To provide this information, organize an information campaign. Adopt a participatory approach in order to reach everyone, including marginalized groups and individuals at risk. Asking different groups about their information needs and how they receive information will make the campaign more effective, and will increase participation in and acceptance of registration. Information products should be tested before they are deployed, to make sure that messages are easily understood and do not require clarification or extra knowledge. The information campaign should be responsive to the diversity of information needs identified by different groups, while ensuring that everyone has access to the same essential information about the registration procedure and its implications. Accurate information improves access to registration, reduces anxiety, avoids misunderstanding, and promotes voluntary participation. Ensure language and formats are culturally appropriate, take account of overall literacy levels and the diversity of languages spoken, and use images that portray underlying messages accurately. Ensure that translations are precise and reflect the information needs of different communities. The information channels selected in a given emergency context must:

- Be acceptable to the target population.
- Use multiple formats, including written, oral and pictorial forms.
- Meet different information needs.
- Communicate credible messages.
- Take steps to ensure that information is not manipulated.

If possible, the majority of the target audience should receive the same (or similar) information through at least two sources (for example, focus group discussions, UNHCR noticeboards, UNHCR social media pages, public announcements). This reduces the risk that messages will be unheard or misunderstood. Information may be disseminated via radio, meetings, leaflets or posters, at mass gatherings, at entry points, etc., and by partners, health, social and community workers, and local, religious or traditional leaders, etc.

Information to the community should always make clear:

- Why registration is taking place.
- With whom the information gathered will be shared, for what purposes.
- What general conditions and criteria will be used to determine who can be registered.
- That registration is open to all who meet the criteria, regardless of gender, ethnicity, age, religion and other characteristics.
- That registration is free of charge.
- That (unless stated otherwise) registration does not imply entitlement to material assistance.
- That information provided during registration interviews should be truthful.
- The specific procedures are available for persons with specific needs.
- The time, venue and process of registration. This information should cover methods and materials, opening hours, procedures for requesting a registration appointment, and interview schedules.
- The link between registration and protection, in order to address fears and concerns.
- How complaint procedures work. This information should cover procedures for reporting misconduct by staff and any difficulties in accessing UNHCR or registration premises.
- UNHCR's commitment to prevent and address fraud.

See [module 4](#) of the Guidance on Registration and Identity Management for more information on planning and implementing information campaigns.

**Train registration staff. Provide guidance on protection principles and registration procedures**

In emergency situations, it may be difficult to set time aside to train registration staff adequately. Nevertheless, good training is an essential precondition of effective registration and protection. Formal training should be followed by on-the-job coaching when registration activities commence.

The following trainings should be organised jointly with protection and [community-based protection](#) colleagues, and offered to all staff and partners:

- The overall emergency operational response; planned registration activities; the links between different registration-related activities (border monitoring, organized movement and pre-registration, reception and individual emergency registration, etc.); subsequent protection and assistance activities.
- UNHCR's [Code of Conduct](#).
- Roles and responsibilities.
- Process flow.
- Referral mechanisms.
- Complaints procedures.
- Protection induction programme (if available and if time allows).

Training by specialized protection staff may be necessary (in [child protection](#), for example) to enable registration staff to identify and interview individuals at risk. Engage partners with expertise to help train staff and support the registration process in such areas, if appropriate.

Before undertaking a registration activity, all staff, partner staff and security personnel must receive training in the UNHCR [Code of Conduct](#) and the Prevention of Sexual Exploitation and Abuse Policy and must sign the [Code of Conduct](#). Security personnel hired by UNHCR should also receive appropriate sensitization training.

See:

[https://intranet.unhcr.org/intranet/unhcr/en/home/staff\\_resources/Code\\_of\\_conduct\\_ethics/Standards\\_of\\_Conduct](https://intranet.unhcr.org/intranet/unhcr/en/home/staff_resources/Code_of_conduct_ethics/Standards_of_Conduct).

[https://intranet.unhcr.org/intranet/unhcr/en/home/staff\\_resources/administrative\\_forms/code\\_of\\_conduct.html](https://intranet.unhcr.org/intranet/unhcr/en/home/staff_resources/administrative_forms/code_of_conduct.html).

## **10) Undertake registration interviews and meet every individual**

Together with protection colleagues, specify the content of registration interviews. Include appropriate guidance on questioning. Guidance must be specific to the operational context of the emergency operation.

Interviewers and registration staff should:

- Introduce themselves and briefly explain the purpose of the interview.
- Check whether interviewees have been registered before (for example, by searching the database in advance).
- Seek the interviewee's consent to share his or her data with other humanitarian actors (for example, by means of disclaimers), and inform interviewees that their biodata will be shared with the host government.
- Apply the SOPs to flag suspected combatants, members of the local population, and other persons who are not eligible. Refer ineligible persons to the appropriate desk or focal point.
- Where possible, interview teams should include people who can identify interviewees' countries or areas of origin by language.
- Include questions designed to verify interviewees' knowledge of their stated area of origin. Resource persons with knowledge of those areas should be consulted. To facilitate cross-checking, registration teams should assemble maps and lists of events in coordination with other protection colleagues.
- Consult populations of concern, who will often help to identify techniques for verifying origin (based on knowledge of areas or languages).
- Refer individuals with specific needs who are identified during the registration interview to appropriately qualified staff or partners.

## **11) Ensure data quality**

Data quality must be monitored throughout the registration process. Data capture should be reviewed by dedicated staff. Daily quality control checks should be made, both when hardcopy data is collected and after data has been entered into the database.

### **Include referral mechanisms. Identify and prioritize persons with specific needs**

Emergency registration processes should always include procedures for recording, referring and tracking persons with specific needs. This is a key protection objective of registration.

Individuals with specific needs should be prioritized. Teams should physically invite them to come to the front of registration queues, and should collect additional information from them (for

example, on the urgency and character of their medical needs) to ensure that they are able to receive targeted assistance.

Persons who must be prioritized for emergency registration include:

- Unaccompanied and separated children.
- Child-headed households.
- [Older persons](#), particularly if they are unaccompanied.
- [Persons with disabilities](#) and their families.
- Persons with specific protection concerns and their families.
- Single women in certain circumstances.
- Persons with specific medical needs.

Where time or staff capacity is limited, data collection during an emergency registration may be restricted to certain specific needs, based on agreements reached internally in the office.

### **Unaccompanied and separated children**

Unaccompanied and separated children (UASC) are particularly vulnerable. They must be registered as soon as they are identified, and cases should be reported immediately to the UNHCR Protection Officer.

### **12) Provide documentation. Fulfil both identity and entitlement documentation needs**

Depending on the circumstances, documentation may take the form of an entitlement card (such as a ration card) or a proof of registration card. Agree with other protection colleagues and senior management what type of documentation will be issued and by whom. Determine the period of validity of documents taking into account the operation's capacity to process document renewals (ration cards for assistance purposes, proof of registration, certificates, attestations with or without government logo, and other documents).

In the first few months of an emergency, it is generally not feasible to issue refugee identity (ID) cards, since it is time-consuming to issue individual documentation; extensive discussions with national authorities are usually required, and multiple meetings with persons of concern. After registration, however, the head(s) of household should be issued proof of registration containing information on all members of the group, and, if feasible, proof of registration should be issued to each individual. UNHCR or partners can subsequently use this documentation to identify households and individuals. ID cards should be issued during verification or continuous registration where it is feasible and appropriate to do so.

If tokens or wristbands were issued before registration, exchange them for ration cards (for assistance distribution) and/or a proof of registration certificate or attestation. Always record the unique identifier (ration card number, attestation serial number, etc.) in the database.

Whenever possible, issue entitlement documents, especially ration cards, to female heads of household. In situations where it is culturally not acceptable to issue entitlement documents to women, ration cards should indicate the names of both a female and male head of household.

Documents should bear only the information required to meet their specified purpose and should

not indicate any information that could result in discrimination, such as an individual's ethnicity or other sensitive data.

For more guidance please see the follow Entries:

- Identifying persons with specific needs (PWSN).
- [Nutrition in camps](#).
- Commodity distribution.
- [Population estimation techniques](#).
- [Refugee status determination](#) (RSD).

## Key management considerations

Managers of field operations, including Representatives and Heads of Office, are responsible for ensuring that registration and population data management activities are undertaken, that the highest possible standards are maintained, and that operational requirements are respected and continue to be met.

Registration activities directly affect the overall protection response as well as population planning and management. Technical registration expertise is required from the start of an emergency to provide appropriate oversight.

Given that it has overall accountability for the international protection of refugees, UNHCR should deploy qualified registration staff as soon as possible to support assessment, develop a registration strategy, and support the operational response.

## Resources and partnerships

### External Partners

Key stakeholders include the host government, the population of concern, other UN agencies, and NGOs, whether or not they are implementing activities or contributing resources. From the outset of the emergency response, UNHCR should **engage all relevant stakeholders** and strive to build and sustain **collaboration** and a **sense of ownership of shared goals**. In that spirit, UNHCR and its partners should cooperate to reduce duplication and increase transparency and communication. Relevant coordination forums include the Protection Working Group and the Refugee Information Management Working Group. **UNHCR also needs to support its implementing partners under project partnership agreements (PPAs)**, through training and performance management, for example. For more information, refer to the Entry on [working with partners](#).

### Internal resources

Registration staff may need to **coordinate with many** internal partners **in UNHCR**, including PI/Communications, Information Management and ICT colleagues, Field Protection, SGBV and other specific protection work units, Supply/logistics, and Administration. They may also need to obtain support and advice from the regional office or headquarters. The Identity Management and Registration Officer may establish coordination and communication mechanisms to ensure registration activities achieve their purpose and have their intended impact on protection and assistance.

### **Budgets**

Prepare a detailed budget. A sample budget template is attached. Liaise with programme colleagues to confirm that funds are available.

The budget should cover (as applicable):

- All the equipment required to support registration activities.
- Personnel, staff meals, DSA, and incentives for government and security personnel.
- Personnel accommodation and infrastructure.
- Rental fees for registration locations (community halls, schools, other premises).
- Staff transport, including vehicle rental and fuel.

### **Database**

In emergencies, staff are advised to use [RApp](#) to gather reception and registration data, which should be synchronized to **proGres**. Use of biometrics (**BIMS**) is recommended. Where registration must be rapid, the operation may collect one indicator (instead of 10 fingers and 2 irises). In doing so, it should continue to ensure accountability.

### **Standard forms and material**

Use standard forms as much as possible. When an operation needs to collect household level data (for example, to manage organized movements), use the standard control sheet or RApp, which allows this information to be collected and analysed. Tokens may be used as transport tickets. If necessary, wristbands may be used to identify a targeted population.

### **Registration supplies**

Prepare a list of all the items required (including specifications). IMRS maintains a stockpile of registration materials for rapid deployment to the field. Requests to IMRS for registration materials should be limited to materials that cannot be purchased locally (for example, standard ration cards, other documents with a centralized serial number, and certain IT equipment that must comply with UNHCR standards). Requests should be copied to regional registration support staff.

### **Staffing**

If expertise is not available locally, experienced and qualified staff should be requested to join the operation on mission or short assignments. Contact DESS for requests to deploy registration officers to plan and oversee registration staff. Always assess your existing staff capacities first.

[Staffing requirements may be calculated](#) by estimating the size of the population concerned, the planned throughput at each registration site, and the anticipated registration approach, including



datasets, tools and process. Take account of the scale and type of the emergency response. In large operations, for instance, team leaders should be assigned to each step in the registration process to coordinate staff; mobile or shelter-to-shelter registration may require more staffing than registration at a fixed location. Where the host government leads emergency registration, UNHCR may need to allocate fewer and different staff. It may need to focus more on training, for example.

To determine what additional skills and staff are required, assess the capacity of the staff in place. The roles and responsibilities of additional staff, and urgency, determine what type of contractual arrangement is suitable:

- o **International staff** to meet needs that cannot be met by the country operation or region should initially be sourced from the **Emergency Response Team (ERT)** roster. ERT deployments have a maximum duration of three months. Plans should be made to replace ERT employees at the end of this period (unless their replacement is unnecessary). International staff may also be recruited via **missions** (from regional offices, other operations, or IMRS), via **temporary assignments, or via appointments and affiliate workforce** contracts (including UNOPS, IUNV and standby partner schemes).

- o Depending on the magnitude of the emergency, registration and operation data management staff will often be needed for a prolonged period. Where this is the case, operations are advised to create and advertise post through **Fast Track procedures** (instead of, or to succeed emergency deployment).

- o **Local staff** can be recruited initially on **individual contractor agreements**. All staffing arrangements will need to be regularly reassessed as the emergency evolves. Longer term contracts include **TA, UNOPS, and UNV contracts as well as contracts for new or upgraded local staff positions. Implementing partners** can also conduct registration, if they are appropriately trained, provided experienced UNHCR staff are available to provide oversight.

Determine total staffing needs before compiling a final budget. Put in place sufficient human resources to handle the volume of arrivals and collect the required registration information. Reassess staffing needs regularly.

Calculate the functions, number and grades of staff that must be recruited, taking account of the following roles:

- o Entry and security.
- o Reception and admission.
- o Data collection and interview.
- o Assessment by protection or community services staff.
- o Data entry and data quality control (if a database is used and data entry is separate from interview).
- o Photo/biometrics' capture, if applicable.
- o Document issuance.
- o Supervisory (Registration Officer, operations data management, team lead).
- o Refugee helpers, crowd control personnel, interpreters, administrative and filing clerks,

drivers.

Consider staff numbers at each step of registration, to ensure that refugees can move through the process smoothly. Be prepared to reassign staff to new roles and take steps to resolve bottlenecks. Identify and recruit registration staff who can communicate in a language the refugees understand and who speak the official UN language of the country operation.

Hire male and female staff in equal numbers, where feasible. Ensure that registration and data entry assistants are computer-literate. Additional staff may be needed to conduct mobile emergency registration in informal settlements.

Consider provision for staff welfare. Foresee a variety of scenarios for working conditions (from poor to good) and plan shifts, breaks, staff areas, accommodation and food accordingly. Hold regular staff meetings and establish mechanisms for feedback and complaints; listen to your staff's suggestions.

## **Annexes**

[Checklist for Registration in Emergencies \(updated 2017\)](#)

[Registration Stockpile Procedures 2019](#)

[Registration Material Order Form 2019](#)

[Registration Form for Individual Registration](#)

[Control Sheet for Household Level Registration](#)

[Budget Template 2018](#)

[UNHCR, Guidance on the Use of Standardized Specific Needs Codes, IOM FOM 030 2009](#)

[Standardized Specific Needs Codes June 2009](#)

[Standardized Specific Needs Codes - French](#)

[Data Protection Policy](#)

[Other registration related documents and templates](#)

[Registration Form for Individuals \(French\)](#)

[Risk Management Tool \\_ Fraud Prevention](#)

### 3. Links

[UNHCR Guidance on Registration and Identity Management Fraud Prevention](#) [UNHCR Guidance on the Protection of Personal Data of Persons of Concern](#)

### 4. Main contacts

Contact DPSM/IMRS. At: [HQIMRS@unhcr.org](mailto:HQIMRS@unhcr.org).

# Policy on UNHCR's Engagement in Situations of Internal Displacement ('IDP Policy')

24 March 2023

## Key points

- UNHCR must be proactive in preparing for and acting to address emergencies that result in situations of internal displacement.
- Our engagement is grounded in the UN Guiding Principles on Internal Displacement.
- The commitment to the 'centrality of protection' means that protection is the goal of humanitarian action and requires a collective effort from all humanitarian actors.

## 1. Overview

UNHCR's IDP policy covers all aspects of UNHCR's engagement in situations of internal displacement, including when preparing for and delivering protection and solutions as part of a

collective response in support of States and affected populations. It applies to the work of all UNHCR personnel at field, country, regional and headquarters level. Compliance is mandatory.

## 2. Main guidance

### When and for what purpose

The IDP policy reaffirms UNHCR's commitment to engaging decisively and predictably in situations of internal displacement. This commitment is an integral element of our operations worldwide and our protection leadership role in humanitarian crises. The policy requires country, regional and global operations to mobilize and deploy their resources and capacities to support UNHCR's longstanding pledge to work in partnership with others to strengthen protection and secure solutions for internally displaced people (IDPs). The policy empowers and requires Representatives to be proactive in preparing for and taking action to address emergencies that result in significant internal displacement. They act as part of a humanitarian response under the UN country leadership, based on a sound protection and context analysis. Representatives will be supported to: implement inter-agency commitments; place protection at the centre of humanitarian action; and design, implement and sustain a meaningful, solutions-oriented operational response to internal displacement that is backed up by global advocacy and resource mobilization.

### Summary of guidance and/or options

The IDP policy provides guidance in situations where UNHCR engages with IDPs and wider displacement-affected communities. It covers: State responsibility; respect for human rights and international law; putting protection and solutions at the centre of humanitarian action; upholding [humanitarian principles](#); safeguards and accountability; and contributing to a multi-stakeholder whole-of-society approach through partnerships.

The policy equally provides guidance on operationalizing UNHCR's commitments at country and global level, with respect to leadership, advocacy and coordination, and operations. The guidance covers the different phases of an IDP emergency, from preparedness, through delivery of a protection and solutions response, to responsible disengagement.

To make the implementation of UNHCR's engagement effective, the guidance also addresses: integrated programming and area-based approaches; data and information management; identity management; resource mobilization and funding; and workforce management.

### How to implement this at field level?

The IDP policy is accompanied by a **Guidance Package for UNHCR's Engagement in Situations of Internal Displacement**. The guidance package includes a checklist for UNHCR Representatives, provides an IDP footprint tool for UNHCR interventions in situations of internal

displacement, and discusses: inter-agency coordination arrangements; programming; resource mobilization; communications; and considerations for responsible disengagement.

## **Annexes**

[UNHCR HCP 2019 1 Policy on UNHCR's Engagement in Situations of Internal Displacement](#)

[Guidance Package for UNHCR's Engagement in Situations of Internal Displacement](#)

[Risk Management – Internal Displacement Situations toolkit](#)

## **3. Links**

[Guidance Package for UNHCR's Engagement in Situations of Internal Displacement Risk Management – Internal Displacement Situations](#) [Guiding Principles on Internal Displacement](#)

## **4. Main contacts**

For advice or support on the policy, contact the Chief of Section (Internally Displaced Persons) in the Division of International Protection.

# **Protection from Sexual Exploitation and Abuse (PSEA)**

25 September 2023

## **Key points**

- Never engage in sexual exploitation and abuse and report any suspicion of sexual exploitation or abuse of forcibly displaced and stateless persons immediately to the IGO.
- Ensure that forcibly displaced and stateless persons are aware of their rights, services and where / how to access them, that sexual exploitation is not tolerated, and how they can report any concerns related to SEA.
- Ensure that effective, safe, and accessible feedback and response systems are in place to report any suspicions of SEA of forcibly displaced and stateless persons.

- Systematically integrate PSEA in information campaigns, awareness-raising, trainings and meetings with forcibly displaced and stateless persons.
- Ensure that victims of SEA have access without delay to the assistance and support that they require in line with a victim-centred approach.

## 1. Overview

Sexual Exploitation and Abuse (SEA) represent grave breaches of the right to safety, security and dignity of forcibly displaced and stateless persons . UNHCR is committed to taking all necessary action to prevent, mitigate the risks of and respond to sexual misconduct and to put the protection, rights and dignity of victims at the forefront, in line with our [policy on a Victim-Centred Approach in UNHCR's response to sexual misconduct](#) (hereafter referred to as “Victim-Centred Approach Policy”).

**Sexual exploitation** is defined as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

**Sexual abuse** means the actual or threatened physical intrusion of a sexual nature, whether by force, or under unequal or coercive conditions. It includes sexual slavery, pornography, child abuse and sexual assault. All UN personnel and partners have **an obligation to report** whenever they have concerns or suspicions that SEA has occurred by a fellow worker, whether in the same agency or not and whether or not within the United Nations system, and including potential misconduct by government, NGO partners and other actors involved in delivery of assistance.

PSEA policies and practices aim to reduce the risk of, prevent and respond to SEA by UN personnel, NGO partners, or other entities and persons involved in providing humanitarian or development assistance, including government staff, contractors, and community volunteers and workers, to ensure that allegations of SEA are reported and responded to in a timely and appropriate manner, and that victims of SEA are referred to support and assistance needed in line with a victim centred approach.

## 2. Relevance for emergency operations

Protection from sexual exploitation and abuse and sexual harassment is a key principle in [UNHCR’s Policy on Emergency Preparedness and Response](#), and PSEA must be systematically integrated into emergency preparedness and throughout all stages of the response. SEA can happen anywhere and at any time. UNHCR emergency operations take place in fragile environments with particularly high risks of abuse and exploitation of people affected by displacement and thereby exposed to heightened protection risks. For example, in an emergency

displacement context, there is often a breakdown of the usual protective institutions such as the family, community, government and law enforcement structures, etc. Means of livelihood are severely affected, and there are usually considerable practical and psychosocial implications on the lives of those affected. The impacts of forced displacement are often particularly severe for affected women and children. Lack of awareness by forcibly displaced persons about their rights and entitlements in an unfamiliar environment also increase risks of exploitation and abuse. Furthermore, emergencies bring a rapid increase in the number of partners for the humanitarian response, rapid recruitments and staff turnover, high work pressures, and challenges to ensuring effective coordination and oversight, thereby increasing the risks of all forms of misconduct, including SEA.

It is therefore critical for staff in emergency operations to be mindful of these elevated risks of SEA and take measures from the outset of the emergency response to prevent and respond to SEA and mitigate risks thereof, and ensure that victims of SEA are provided with support and assistance in line with [UNHCR's Victim-Centred Approach Policy](#). Managers have a particular responsibility to ensure that the UNHCR Code of Conduct is upheld, and to create and sustain a respectful and inclusive environment that prevents sexual exploitation and abuse. Since the relationship between humanitarian personnel and those receiving assistance is inherently unequal in terms of power and authority, staff and partners must avoid any action that could suggest, imply or create the perception that engaging in sexual activity with humanitarian personnel might be expected in return for assistance or other services of any kind. PSEA Coordination structures need to be established if not already in place and PSEA must be treated as a priority in the operational strategy for the emergency response.

### 3. Main guidance

From the outset of the emergency, UNHCR and its partners must establish mechanisms that prevent and respond to sexual exploitation or abuse and mitigate risks thereof. Any act of SEA constitutes serious misconduct and allegations must be reported immediately to the Inspector General's Office (IGO). UNHCR personnel are encouraged to report suspected SEA directly to the IGO, which can be reached directly at [inspector@unhcr.org](mailto:inspector@unhcr.org), or via the IGO [online complaint form](#). Additionally, reports can also be made through the PSEA focal point, the Representative / Head of Office, or the [SpeakUp! Helpline](#) (accessible to UNHCR staff only), all of whom have the duty to report it to the IGO For more information on reporting complaints of SEA, refer to *Reporting Misconduct* ([here](#)). Support and assistance must be provided to victims of SEA, in line with a victim-centred approach as outlined in UNHCR's [Victim-Centred Approach Policy](#).

In an emergency context, systems and structures (such as an interagency PSEA taskforce or network, or safe and accessible feedback and response systems through which SEA can be reported) may not be present and may need to be established. New staff and partners recruited for the emergency may not possess the knowledge or skills to handle SEA issues, and may lack dedicated policies and training on PSEA. In the context of cross-border and onward movements by refugees, specific measures to respond and prevent SEA may need to be supported at the regional level.

It is critical that all related actions, processes and procedures adopt a victim-centred approach, which is defined in [UNHCR's Victim-Centred Approach](#) Policy as "a way of engaging with victim(s) that prioritizes listening to the victim(s), avoids re-traumatization, and systematically focuses on their safety, rights, well-being, expressed needs and choices, thereby giving back as much control to victim(s) as feasible and ensuring the empathetic and sensitive delivery of services and accompaniment in a non-judgmental manner". The afore-mentioned Policy outlines key principles that should guide all aspects of UNHCR's approach to SEA prevention, risk mitigation and response.

## **Steps to be taken**

From the moment of arrival, and throughout their work at a duty station, senior managers and other staff must take action to ensure that SEA does not take place, if it does occur, provide victims with support and assistance and eliminate the risk of its recurrence. The following are key steps that must be followed in an emergency response:

- **Recruitment:** Ensure that all newly recruited local staff and members of the affiliate workforce are cleared by the [UN Clear Check database](#) before they are issued a contract or letter of offer, in accordance with the [High Commissioner's all staff message of 5 August 2019](#) (accessible to UNHCR staff only). Make sure that all staff have signed the Code of Conduct declaration and have completed the mandatory e-learning course on PSEA available on [Learn and Connect](#). Non-UN partners can make use of the [Misconduct Disclosure Scheme](#) for vetting to prevent perpetrators of sexual misconduct from moving between organisations.
- **Capacity-building and Awareness-raising:** Train and equip all staff, partners and other stakeholders in PSEA and take specific steps to prevent it. For example, discuss PSEA action plans in office meetings, meet with government officials to discuss prevention, organize capacity-building sessions with staff, partners, authorities, contractors, and other actors involved in the delivery of humanitarian assistance, etc. Ensure that all people involved in project activities (e.g. warehouse & distribution workers, cash assistance, enumerators, community mobilisers, incentive workers), etc., in particular those who come into contact with forcibly displaced persons, have received PSEA training, signed the Code of Conduct declaration (see, for example, [Code of Conduct used for service providers involved in the delivery of cash assistance](#), accessible to UNHCR staff only), and understand what SEA is and how to report it. Please refer to "[Learning and Resources](#)" [under the PSEA/SH Intranet page](#) (accessible to UNHCR staff only) to access learning tools and materials for use by UNHCR personnel as well as partners, as well as the section "Learning and Resources" below.
- **Focal points:** Ensure a PSEA focal point and an alternate are appointed. For large operations, focal points and alternates may be appointed at the national level and in each office.



- **Coordination:** Establish an inter-agency PSEA network (where one does not already exist) to ensure effective coordination on PSEA amongst partners for prevention, risk mitigation and response. In a refugee response, UNHCR should take the lead in establishing and coordinating the PSEA network in close collaboration with partners, local authorities and affected communities. In IDP situations, UNHCR should jointly work with other agencies for the establishment and operationalization of a PSEA Network if one does not exist already, and actively participate in or co-lead the Network as appropriate. See also entry on [Coordination on Protection from Sexual Exploitation and Abuse \(PSEA\)](#), [UNHCR's Policy on Emergency Preparedness and Response](#), and [PSEA: A Collective Responsibility](#).
  
- **Assessment and Mitigation of Risks:** In collaboration with stakeholders, including affected people, assess and map potential risk areas by sector and discuss actions that can prevent and reduce the risks of SEA. Integrate SEA prevention, risk mitigation and response into protection analysis and multi-sectoral programming. A tool to assist field operations in ensuring that possible SEA risks are adequately identified and analysed and relevant treatments are thoroughly considered is available [here](#) (accessible to UNHCR staff only).
  
- **Community Engagement and Awareness-raising:** Strengthen community engagement and awareness-raising. Critical activities include systematically integrating PSEA messages in information campaigns and disseminating information related to PSEA through diverse channels that are adapted to the local context and are accessible to women, men, girls and boys of diverse backgrounds. These may include distribution of posters and leaflets, dissemination of audio-visual materials, social media, awareness-raising sessions and community meetings, focus group discussions, public address systems, mass media, dissemination at service delivery points, etc. To prevent SEA effectively, UNHCR has the responsibility to ensure that forcibly displaced persons know their rights and entitlements, including that all humanitarian assistance and services are free, that they should never be expected to provide any form of sexual favor, and that demands for such favors are strictly prohibited. Likewise, information should be provided to clarify that sexual relationships between beneficiaries of assistance and humanitarian personnel are generally prohibited. UNHCR should also ensure affected people know how and where to report SEA incidents safely and confidentially when they occur, and how and where they can access multi-sectoral support and assistance.
  
- **Feedback and response mechanisms:** Collaborate with [Accountability to Affected People \(AAP\)](#) working group / actors on the ground to map existing feedback and response mechanisms that can safely and confidentially receive complaints related to SEA from communities and partners and design and establish feedback mechanisms to fill gaps if required. In particular, identify and support feedback channels that are preferred by

communities and ensure that the design of any new mechanisms are informed by community feedback. Ensure that feedback mechanisms are sensitive to [age, gender and diversity](#) (AGD) and accessible to women, children, [persons with disabilities](#), [older persons](#), minority groups, and others at heightened risk. Steps must also be taken to ensure that all personnel staffing feedback mechanisms fully understand the definition of SEA (as forcibly displaced persons may not explicitly use the terms "sexual exploitation" or "sexual abuse"), and be trained to appropriately refer individuals to support services and report SEA allegations, in line with the obligation of all aid workers to report any concerns or suspicions regarding SEA through established reporting mechanisms. (See: [Secretary-General's Bulletin: Special Measures for Protection from Sexual Exploitation and Sexual Abuse, 9 October 2003 \(ST/SGB/2003/13\)](#), Section 3.2(e); [IASC Six Core Principles regarding PSEA](#) (2019), Principle 5.) To enhance accessibility and uptake, collaborate with [AAP](#) working group / actors to promote multiple mechanisms rather than relying on a single channel, in order to address the diverse preferences, needs and capacities of persons within the community. Clarify complaint collection procedures and responses with partners and establish clear tasks and duties (who will do what, where, and how). It is critical to put in place an effective interagency complaints referral mechanism that permits and encourages individuals to report instances of SEA easily, confidentially, and safely, even if they do not know the organization the alleged perpetrator is affiliated with. An effective interagency complaints referral mechanism aims to ensure that a complaint can be made (by a member of the affected community or by humanitarian personnel) to any existing complaints and feedback mechanism or organization involved in the response, and that the complaint will be promptly and reliably referred for assistance based on the victim/survivor's consent and to the appropriate entity whose personnel is implicated as the potential perpetrator.

- **Survivor / Victim Assistance:** Work with the GBV and child protection sub-sector / cluster to ensure that existing response services have been mapped and that survivors of SEA can access the multi-sectoral support that they require through existing [GBV](#) and [child protection](#) referral pathways, in line with a survivor/ victim-centred approach, [GBV Guiding Principles](#), and the best interests principle in the case of children. Support available includes GBV case management / child protection case management / Best Interests Procedure and other psychosocial services, medical assistance (including clinical management of rape), safety services (including police, safe shelters as well as appropriate alternative care for child survivor) and legal services. Support can also include cash or in-kind assistance as well as economic empowerment interventions. Ensure collaboration with relevant coordination structures and actors, including [GBV](#) and [child protection](#), which are to take the lead in mapping services under their respective areas of responsibility and liaising with PSEA Focal Points to ensure SEA considerations and specificities are duly incorporated into their SOPs and ways of working. PSEA focal points must be trained on GBV safe disclosure (GBV coordinators / focal points to support).
- **Partner Capacity Assessment and capacity-strengthening implementation plan:**

Assess PSEA capacity of prospective implementing partners that are engaged in the emergency response, in accordance with the [UN Protocol on Allegations of Sexual Exploitation and Abuse involving Implementing Partners](#) (UN Protocol, April 2018) and the [Administrative Instruction on Procedures on Partnership Management](#) (accessible to UNHCR staff only). All assessments are carried out using the PSEA Module on the [UN Partner Portal \(UNPP\)](#). Under the [UNHCR Policy on Emergency Preparedness and Response](#) paragraph 8.17, when an emergency has been declared, the PSEA capacity assessment for new partners should be completed as soon as possible and no later than three months after signing the partnership agreement. If a UNHCR Office finds that a prospective partner lacks satisfactory PSEA capacity (with low or medium capacity), it must justify the decision to select that partner and establish, together with the partner, a capacity strengthening implementation plan (CSIP) that builds the partner's capacity appropriately, monitor its performance in the course of programme activities, and manage associated risks. The implementation of the plan must be continuously monitored, and the capacity of partners with CSIP in place are eventually re-assessed. Irrespective of their level of capacity, partners are monitored regularly for measures they take to mitigate risks of and respond to sexual exploitation and abuse. Please refer to the [Procedures](#) and the [Programme Handbook](#) (PLAN – Section 9, and GET – Sections 2 and 4), as well the relevant repository items for further details about the partners' PSEA capacity assessment process and useful resources (accessible to UNHCR staff only). In addition, the UNPP ([IP Protocol for PSEA Resources](#)) has useful resources that can be helpful for partners as well as the UN staff when conducting the assessment.

- **Reporting:** Report allegations of SEA without delay. Personnel who have concerns or suspicions that SEA is occurring or who are aware of SEA allegations have an obligation to bring such information immediately to the attention of the IGO. IGO reporting channels may be used by forcibly displaced persons or anyone else who is aware of SEA allegations. Staff should not investigate SEA allegations themselves, because to do so might compromise confidentiality, put victims and witnesses at risk, disrupt due process and negatively impact the integrity of the investigation process. Personnel who report a complaint to the IGO or who cooperate in an IGO investigation are protected from any form of retaliation by [UNHCR's Administrative Instruction on Protection against Retaliation \(UNHCR/AI/2018/10/Rev.1\)](#) (accessible to UNHCR staff only).

### **Learning and resources**

It is mandatory for all staff to complete the updated on-line UN PSEA training module every three years. The e-learning on Workday can be accessed at this [link](#). Partners can access this e-learning in various languages after registration [here](#). A short introductory learning module on addressing sexual misconduct in emergencies, is also available [here](#).

In 2021, UNHCR launched the [internal PSEA/SH Learning Package](#) (accessible to UNHCR staff only), an interactive and innovative programme that aims to develop the skills, knowledge and behaviour of all members of UNHCR personnel (staff, affiliate workforce and interns) to define, detect, prevent and respond to sexual misconduct. The package contains two face-to-face courses, as well as an adapted version for virtual delivery, which have been developed specifically for UNHCR internal use. For training partners and external audiences, the [IASC](#)

[Saying No to Sexual Misconduct package](#) the [e-learning on Investigating Allegations of SEA](#) and accompanying [resource toolkit](#), and the [Gouta Case Conference](#) (a case study tool to facilitate peer-to-peer exchange among PSEA Focal Points) are also available as resources. A full list of learning resources are available on the PSEA/SH UNHCR Intranet [here](#) (accessible to UNHCR staff only), including short videos for facilitating staff dialogues, and the [Gouta Case Conference](#) (UNHCR version [here](#), version for partners [here](#)) .

UNHCR PSEA Focal Points and other colleagues involved in PSEA work participate in a community of practice forum called the PSEA Community Network. This community is a space to exchange, access resources, learn about UNHCR's commitment to PSEA, and get inspired by good practices and examples. It includes a discussion board, and a resource library where you can search by language, category (e.g., outreach materials, ToRs) and other criteria. You can request access to the group [here](#) (accessible to UNHCR staff only). Additional resources are included in the sections below.

### **Related UNHCR management system(s)**

In March 2018, the High Commissioner appointed a Senior Coordinator to lead and coordinate UNHCR's work on SEA and SH. A UNHCR Working Group on SEA and SH was also formalized in May 2018 with multifunctional representation. Currently the Working Group is comprised of representatives from the Ethics Office, the Legal Affairs Service (LAS), the Inspector General's Office (IGO), the Division of External Relations (DER), the Division of Human Resources (DHR) including the Staff Health and Wellbeing Services (SHWS), the Ombudsman's Office, the Division of Emergency, Security and Supply (DESS), the Division of International Protection (DIP), the Innovation Service, the Division of Strategic Planning and Results (DSPR) and Enterprise Risk Management.

## **Annexes**

[Secretary-General's Bulletin. Special Measures for Protection from Sexual Exploitation and Sexual Abuse](#)

[Tackling sexual misconduct - 2020-2022 Strategy and Action Plan](#)

[Policy on a Victim-Centred Approach in UNHCR's response to Sexual Misconduct](#)

[UN Protocol on SEA allegations involving implementing partners](#)

[UNHCR Risk Management Tool: Tackling Sexual Exploitation and Abuse](#)

## 4. Links

[UNHCR, Dedicated intranet page \(covering SEA and sexual harassment - accessible...](#) [UNHCR, intranet page covering SEA and SH - resources \(accessible to UNHCR staf...](#) [Generic Terms of Reference templates for PSEA in Refugee Emergencies \(accessibl...](#) [Resources and Tools to support UNHCR Bureaux and Country Operations \(accessible...](#) [PSEA Community Network - Home \(sharepoint.com - accessible to UNHCR staff only\)](#) [UNHCR/AI/2021/06 Administrative Instruction on Implementing Partner PSEA Capaci...](#) [Visualizing our journey to tackle sexual misconduct \(accessible to UNHCR staff ...](#) [UNHCR website: Tackling sexual exploitation, abuse and harassment](#) [IASC PSEA website and resource library](#) [UN website: preventing sexual exploitation and abuse](#) [Interagency PSEA Community Outreach and Communication Fund](#)

## 5. Main contacts

- Office of the Senior Coordinator for Prevention of and Response to SEA / SH, [hqpseash@unhcr.org](mailto:hqpseash@unhcr.org)
- Inspector General's Office (IGO). At: [inspector@unhcr.org](mailto:inspector@unhcr.org). Fax: 0041 22 7397380. Telephone: 004122 739 8844.