



Dear Delegates,

It is with great privilege that I welcome you to the 20th annual Southern Regional Model United Nations (SRMUN). Having been in your same shoes as a delegate, I know the immense time and research you all have put forth preparing for this year's conference, and thank you in advance for your hard work. My name is Christina Stephens, and I will serve as the Director for the United Nations High Commission on Refugees (UNHCR). I began with MUN while in college, where I attended SRMUN, as well as Harvard's World, among others. This is my second year on staff, last year I served as the Assistant Director for the General Assembly First committee. I graduated from the University of North Carolina at Charlotte in 2003 with degrees in Communications and Political Science. I live in Charlotte, NC where I work as a sales consultant for Executive Wines in Charlotte, NC. Accompanying me is Amanda Barnes, who will serve as the Assistant Director for UNHCR. This is Amanda's second time on staff; she served as the Assistant Director for the League of Arab States at SRMUN XIX.

This year's theme, *Enhancing Global Commitments to Human Rights and Equality*, would not be complete without also simulating the work of the UNHCR. While the effects of globalization are far-reaching and uniting, the consequences associated with it is often most apparent when discussing the plight of refugees. The topics for SRMUN XX UNHCR are:

- I. Utilizing the Global Needs Assessment
- II. Return and Reintegration of Refugees

This year, UNHCR will only focus and prepare two topics. Historically speaking, large size committees, such as UNHCR, often only complete one or two topic during the conference. To allow for better research, as well as utilize all that information, SRMUN XX will run UNHCR with two topics.

A position paper is strongly encouraged for each delegation, which will summarize your Member State's views on the topics. The goal is to highlight the work your country has done towards accomplishing the objectives set out in the background guide. The paper should be persuasive and informative, allowing the Dais and fellow delegations a clear insight into your country's specific positions on the matters at hand. Papers should be no more than 2 pages in length, 10-12 font size, and single-spaced.

More detailed information, including format specifications and writing tips, can be found at (www.srmun.org). **Position papers MUST be submitted by October 23, 11:59pm EST to the SRMUN website. There will be directions about uploading the guides there. No late papers will be accepted.**

With the information and planning Amanda and I have done, as well as the research and preparation you each will do as a delegate, we know this will be an amazing committee and the best SRMUN yet. Please do not hesitate to contact either of us, should you have any questions, comments, or concerns. See you all in November!

Christina Stephens
Director
unhcr@srmun.org

Amanda Barnes
Assistant Director
unhcr@srmun.org

Charles Keller
Deputy Director-General
ddg@srmun.org

History of the Executive Committee of the United Nations High Commissioner for Refugees

The establishment of the High Commission for Refugees in 1921 by the Council of the League of Nations marked the first time that the issue of refugee rights was brought before the international community.¹ Fridtjof Nansen, who had experience overseeing the repatriation of Russian prisoners of war through the League of Nations, was asked to serve as the administrator for the Commission.² He created the Nansen Passport, the first international identification document for stateless persons, which came to be recognized by 52 states.³ Nansen also set forth many of the methods of dealing with refugees and internally displaced persons that have become standard practices for international organizations dealing with these populations - including repatriation, resettlement, integration, rehabilitation, and others.⁴ For his work with the League of Nations Commission for Refugees, he was awarded the Nobel Peace Prize in 1922.⁵

On December 3rd, 1949, at the 265th plenary meeting of the United Nations General Assembly, Resolution 319 (IV) regarding refugees and stateless persons was passed.⁶ This resolution led to the inception of the Office of the United Nations High Commissioner for Refugees (UNHCR) on December 14, 1950, along with the passage of the Statute of the UNHCR by the General Assembly.⁷ This Statute, as well as the 1951 *Convention Relating to the Status of Refugees* and the 1967 additional Protocol, guide the UNHCR in its mandate. Article I of the Convention defines “refugee” as:

“A person who is outside his/her country of nationality or habitual residence; has a well-founded fear of persecution because of his/her race, religion, nationality, membership in a particular social group or political opinion; and is unable or unwilling to avail himself/herself of the of that country, or to return there, for fear of persecution.”⁸

The Convention also outlines refugee rights and responsibilities toward the host countries that serve as their safe havens. Originally, the UNHCR was planned as a temporary body with a three-year mandate. The Protocol changed this by establishing the UNHCR as a permanent international body. As of September 1st, 2007, 75% of world governments had signed both the Convention and the Protocol.⁹

As the number of international conflicts has increased, so has the need for relief. Since its creation, the initially small UNHCR has grown to comprise a staff of roughly 6,300 people in 110 countries and is estimated to have assisted over 50 million people over the course of its existence.¹⁰ The UNHCR is considered one of the world’s principal humanitarian organizations and has been recognized for its commitment to protecting the most vulnerable of populations by receiving the Nobel Peace Prize in both 1955 and 1981.¹¹ The involvement of the organization has been an integral part of efforts to provide relief for displaced persons in almost every conflict over the past 50 years in countries around the globe such as Vietnam, the former USSR, Afghanistan, and Sudan.

Increasingly complex and prolonged conflicts leading to protracted refugee situations have presented significant challenges to the UNHCR in recent years - especially regarding repatriation of refugees. For those who do repatriate, the act of returning home is only the beginning. Often, there are resurgent conflicts and issues that make

¹ “Fridtjof Nansen – Biography.” Nobel Foundation. http://nobelprize.org/nobel_prizes/peace/laureates/1922/nansen-bio.html

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ “Resolutions Adopted by the General Assembly during its Fourth Session.” UN Documents. <http://www.un.org/documents/ga/res/4/ares4.htm>

⁷ A/RES/5/428 (V). *Statute of the Office of the United Nations High Commissioner for Refugees*. United Nations General Assembly. 14 December 1950.

⁸ *1951 Refugee Convention: Questions & Answers*. United Nations High Commissioner for Refugees. September 2007. <http://www.unhcr.org/basics/BASICS/3c0f495f4.pdf>

⁹ Ibid.

¹⁰ “UNHCR – Basic Facts.” United Nations High Commissioner for Refugees. <http://www.unhcr.org/basics.html>

¹¹ “Office of the United Nations High Commissioner for Refugees – History of Organization.” Nobel Foundation. http://nobelprize.org/nobel_prizes/peace/laureates/1981/refugees-history.html

it impossible for refugees to remain at home, and they may eventually be forced to leave again.¹² Another challenge to the UNHCR is the issue of under-registration and lack of documentation. Registration with the UNHCR is intended to facilitate travel, work, and access to services for refugees.¹³ However, many prefer to remain unregistered for fear of experiencing discrimination or persecution due to their status. Although the UNHCR provides aid to all refugees, unregistered refugees receive little or no protection or social services from their host countries and are often at risk of deportation.¹⁴

Although the complexity of refugee issues has grown, the main objective of the UNHCR has remained the same: “to safeguard the rights and well-being of refugees.”¹⁵ The organization works toward this goal not only through providing aid to displaced populations, but also through its efforts to prevent mass population movements.¹⁶ Another key aspect of the UNHCR is the constant search for stable solutions to the problem of refugees and internally displaced persons that will allow them to sustain their new lives. The three traditionally accepted solutions, referred to formally as Durable Solutions, include integration, repatriation, and resettlement.¹⁷ However, the UNHCR is consistently working to find the best possible solution for each individual refugee.

The current High Commissioner is Antonio Guterres, who began his five-year term on June 15, 2005.¹⁸ Guterres is the tenth Commissioner of the refugee agency.¹⁹ The High Commissioner answers to the UN General Assembly and Economic and Social Council, and he is advised by the Executive Committee.²⁰ The Executive Committee is currently comprised of 76 Member States who meet annually in Geneva. The 59th Meeting of the UNHCR Executive Committee was held from October 6-10, 2008.²¹ At its meetings, the Executive Committee adopts conclusions on international protection, reviews the budget of the UNHCR, and reviews the work of the Standing Committee, which is a subsidiary body that typically meets three times annually.²²

The current Member States of the UNHCR Executive Committee include:

Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Benin, Brazil, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Democratic Republic of the Congo, Denmark, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guinea, Holy See, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kenya, Lebanon, Lesotho, Luxembourg, Madagascar, Mexico, Montenegro, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Serbia, Somalia, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Yemen, Zambia²³

¹² Ibid.

¹³ “Major mass registration of refugees and asylum seekers in Sanaa, Yemen ends.” UNHCR News. <http://www.unhcr.org/cgi-bin/texis/vtx/news/opendoc.htm?tbl=NEWS&id=44081d924>

¹⁴ “Global Needs Assessment.” UNHCR. <http://www.unhcr.org/cgi-bin/texis/vtx/GNA?page=ecu&docid=48e492642>

¹⁵ “UNHCR – Basic Facts.” United Nations High Commissioner for Refugees. <http://www.unhcr.org/basics.html>

¹⁶ *Protecting Refugees & the Role of UNHCR*. United Nations High Commissioner for Refugees. 2007-2008.

¹⁷ “Durable Solutions and Resettlement.” UNHCR Budapest.

http://www.unhcr-budapest.org/index.php?option=com_content&task=view&id=181

¹⁸ “UNHCR – Administration.” United Nations High Commissioner for Refugees. <http://www.unhcr.org/admin/3bb311511a.html>

¹⁹ Ibid.

²⁰ Ibid.

²¹ “UNHCR – Executive Committee.” United Nations High Commissioner for Refugees. <http://www.unhcr.org/5excom/40111aab4.html>

²² “UNHCR – Executive Committee Structure and Meetings.” United Nations High Commissioner for Refugees. <http://www.unhcr.org/excom/40dfed254.html>

²³ “UNHCR – Executive Committee.” United Nations High Commissioner for Refugees. <http://www.unhcr.org/5excom/40111aab4.html>



Topic I: Utilizing the Global Needs Assessment

“A startling 30% of needs were unmet - a third of them in basic and essential services.”
- UNHCR Refugee Realities: Global Needs Assessment Report²⁴

Introduction

In early 2008, a pilot GNA project using a rigorous methodology drawn from UNHCR's Strengthening Protection Capacity Project was carried out in eight countries: Cameroon, Ecuador, Georgia, Rwanda, Thailand, Tanzania, Yemen and Zambia.²⁵ The GNA is an action plan for creating strategic planning, decision-making, and action with governments, regional bodies, civil society and the private sector to provide for the financial and resource shortfall that the UNHCR faces within its operations in these Member States. The pilot report in 2008, *Refugee Realities-Global Needs Assessment*, was drafted to assess and outline the total needs of the agency, determine the costs of meeting those needs, and determine what shortfalls exist between the needs of the agency and available resources.²⁶

In 2009, the United Nations High Commissioner for Refugees (UNHCR) conducted a Global Needs Assessment (GNA) to determine which parts of the global UNHCR operations were functioning effectively in order to fulfill its mandate of protecting and providing for refugees worldwide. A Global Needs Assessment is a report commissioned by the UNHCR to assess how the agency is doing in fulfilling its mandate of protecting and providing for the world's refugees. This includes providing security to refugees who need to flee dangerous situations in their home country or those who are leaving for political reasons, as well as providing for refugees in camps.²⁷ Originally, the UNHCR's mandate only dealt with people of concern and primarily focused on their safety from harmful situations, protection in refugee camps, and helping them establish a new life for themselves. Due to the greater need for peacebuilding and lack of political stability in many of the areas where the UNHCR has had long-terms operations, their role has expanded to provide developmental support for the refugees in order to ensure the refugees' ability to create a new life.

The results of the pilot GNA project were startling. Through the GNA, the UNHCR found that 30% of all its needs within its operations were not met. The needs that were not met fall in the category of basic needs such as food, shelter, safe water, education, basic health care services, and protection for women and children. The report also showed that there was a clear need to ensure access to adequate asylum systems that have better reception facilities and procedures, registration, documentation, and border monitoring in order to protect and relocate them to host countries more smoothly.²⁸ The protection of women and children within refugee camps was found to be lacking and required improved prevention and response measures for sexual abuse and violence as well as strengthened child protection programs. The report calls for US\$63.5 million from donors to fill the 2009 budget gaps for the agency.²⁹ According to the UNHCR, there are an estimated 11.4 million refugees globally, in addition to 4.2 million displaced Palestinians that fall under the UNHCR's mandate for protection.³⁰ The vast amount of refugees that result from conflicts is one of the primary reasons the GNA was conducted.

In 2009, the UNHCR will carry out its first annual GNA that will be conducted throughout its operations worldwide. The goal of the GNA is to comprehensively determine the real state of the world's refugees and other peoples of concern that the UNHCR is responsible for. The GNA will outline the total needs of the agency, the cost of meeting

²⁴ “Refugee Realities: Global Needs Assessment Report” United Nations High Commissioner for Refugees.
<http://www.un-nhcr.org/spip.php?article580>

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

those needs, and the consequences of the gaps between the two.³¹ The GNA will be a blueprint for planning, decision-making, and taking actions with governments, Non-Governmental Organizations (NGOs), civil society, and other partners, as well as involve refugees and other peoples of concern.³² It will also be used as the basis for the UNHCR's advocacy and fund-raising efforts.

To address the needs gap in the eight pilot countries, the UNHCR has included budgetary requirements totaling \$63.5 million dollars for its 2009 budget.³³ In a subsequent effort, all UNHCR field offices have provided their rough estimates of the budgetary requirements to meet the total needs of each population of concern under their respective mandates. The total needed by the UNHCR to carry out its mandate has reached US \$3.8 billion; this highlights the bleak reality that the agency only has a portion of the funding to carry out all of its responsibilities for the 31.7 million people of concern with the current budget of US \$1.8 billion.³⁴ In an address to the UNHCR's annual Executive Committee, the Assistant High Commissioner for Protection, Erika Feller, said too many refugees face intolerance and denial of their rights by the international community:

*"Intolerance is not solely linked to refugee arrivals, but it is a part of the asylum equation, in subtle and not so subtle forms. It impacts border control measures, refugee status decisions, resettlement and integration, and the sustainability of refugee and asylum policies in many countries."*³⁵

The Agenda for Protection

The Agenda for Protection, adopted by the UNHCR and Member States in 2002, outlined several goals in the program of action to improve the protection of refugees and asylum-seekers around the world.³⁶ The Agenda is not a legally binding document, but it reflects the international community's consensus on what specific actions should be implemented in order to achieve the agreed upon refugee protections.³⁷ The Agenda calls upon all partnership organizations to do their part in upholding and strengthening the international protection regime.

The Agenda consists of two sections: the Declaration of State Parties and a Program of Action. The Declaration was adopted at the conclusion of the December 2001 Ministerial Meeting of the States Parties to the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol*.³⁸ In adopting the Declaration, State Parties reaffirmed the validity of the *1951 Convention* and pledged to meet their obligations under the treaty and to uphold the values and principles embodied in the *Convention* and its *1967 Protocol*.³⁹ The Program of Action identifies specific objectives and activities grouped according to six inter-related goals: strengthening the implementation of the *1951 Convention* and its *1967 Protocol*, protecting refugees within border migration movements, sharing burdens and responsibilities more equitably and building capacities to receive and protect refugees, addressing security-related concerns more effectively, searching for more durable solutions for refugees, and meeting the protection needs of refugee women and children.⁴⁰

All of these goals are equally important, and certain themes, such as protection of refugee women and children, are central to the entire Agenda. One of the main goals of the Agenda and the Program of Action is to improve state capacities to receive and protect refugees.⁴¹ However, in many Member States, the treatment of refugees falls below internationally recognized standards.⁴² This is sometimes caused by a state's lack of sufficient capacity to provide

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid.

³⁸ "Agenda for Protection" United Nations High Commissioner for Refugees.

<http://www.unhcr.org/cgi-bin/texis/vtx/protect/opendoc.pdf?tbl=PROTECTION&id=3e637b194>

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Ibid.

protection.⁴³ The UNHCR's Strengthening Protection Capacity Project (SPCP) was created to help solve the problem.

⁴³ Ibid.

The Program of Action

The Agenda for Protection and *The Program of Action* (POA) address six main goals in order to better protect people of concern under the UNHCR's mandate. The two goals that the *Agenda* addresses are Goal 3, *Sharing burdens and responsibilities more equitably and building capacities to receive and protect refugees*, and Goal 6, *Meeting the protection needs of refugee women and refugee women and children*.⁴⁴ The primary focus of POA Goal 3 is the need for a multilateral approach to ensure that there is burden-sharing and responsibility between those who are engaged to protect refugees. POA Goal 6 is based on a framework that emphasizes the importance of upholding rights of refugees. This framework was established in order to teach refugees what constitutes as a violation of their rights.⁴⁵

Goal 3 in the POA is based upon the idea that an improvement in protection capabilities overall will not be successful unless the UNHCR's efforts are equally matched by the capabilities of the host Member State.⁴⁶ It is essential to invest in Member States' capacity-building to employ a standard operational response to any crisis involving refugees. NGOs and other partnerships play an important role in protecting and assisting refugees in conjunction with the efforts of the UNHCR and the host state. All three of these groups have agreed on six objectives within the *Agenda* to achieve these goals of protection :

- *Better responsibility-sharing arrangements to shoulder the burdens of first asylum countries.*
- *More effective cooperation to strengthen protection capacities in refugee-receiving countries.*
- *Strengthen partnerships for protection with civil society, including NGOs.*
- *Empower Refugees in order to meet their own protection needs.*
- *Refugee issues anchored within national, regional and multilateral development agendas.*
- *Resettlement used more effectively as a tool of burden-sharing.*⁴⁷

Furthermore, it is imperative that refugee women and children are fully included in the multi-stakeholder partnership to ensure that they are actively participating in the decision-making processes. This is essential so that they know what their rights are as refugees. This includes all areas of refugee life. For both groups it is imperative that Member States, the UNHCR and humanitarian partners continue to establish programs to inform vulnerable women and children of their rights and actively encourage their participation in identifying protection problems and creating solutions to these problems.

In order for the vulnerable population of refugee women and children to be fully aware of their protection rights, the UNHCR works with other UN Agencies, such as the United Nations Children's Fund (UNICEF), the United Nations Development Fund for Women (UNIFEM) and the Commission on the Status of Women (CSW) to establish training programs.⁴⁸ The UNHCR works with these UN agencies to establish protection guidelines as well as continuous oversight. Both of these goals are inherent in *The Agenda for Protection* and *The Program of Action* as well as in the pilot GNA.⁴⁹

Origins of the Global Needs Assessment in the Strengthening Protection Capacity Project

The Strengthening Protection Capacity Project (SPCP), which started in 2005, is now active in 12 UNHCR Member State offices. In 2008, as a part of an initiative spearheaded by the Deputy High Commissioner for Refugees, the SPCP supported a pilot GNA in eight countries – Cameroon, Ecuador, Georgia, Rwanda, Thailand, Tanzania,

⁴⁴ Ibid.

⁴⁵ "UNHCR Policy on Refugee Women and Guidelines on Their Protection: An Assessment of Ten Years of Implementation" United Nations High Commissioner for Refugees May 2002. <http://www.unhcr.org/3de78c9c2.html>

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Ibid.

Yemen and the Zambia.⁵⁰ Using methodology from the SPCP, the goal of the GNA is to map out the total needs of refugees and peoples of concern under the UNHCR mandate and to determine if these needs are being met. The 2008 pilot GNA is moving from a pilot report to an annual global initiative in 2009. The GNA is a product of the UNHCR's shift towards need-based budget planning rather than on the projected levels of support the agency expects to receive from donors. The key features of the SPCP help to create a more streamlined partnership between the UNHCR and governments, international, regional and national partners, as well as persons of concern, in a collaborative effort to enhance protection capacities and improve the protection of refugees, internally displaced persons (IDPs) and stateless peoples.⁵¹

In the future the SPCP will become an integral part of the UNHCR's assessment and planning processes, and the existing SPCP projects that will be included in the annual GNA.⁵² The main focus of the SPCP is to facilitate a dialogue between Member States and the UNHCR to address protection problems through the process of protection assessment, dialogue, and joint planning.⁵³ By identifying what has worked in situations where the UNHCR has been successful in protecting refugees from violence, the agency can then use those strategies and best practices to provide the essential protection of other vulnerable populations and peoples of concern. The SPCP is using the following methodology to facilitate the national responses to protection problems:

- *A comprehensive analysis of gaps in protection and consequences of needs that is continuously unmet.*⁵⁴
- *National consultations with governments, international, regional and national partners, and persons of concern to discuss what gaps exist, identify them and recommend measures to remedy them.*⁵⁵
- *Collaborative development of a multi-year plan of action with specific projects to improve legal and administrative capacity, enhance security, ensure basic needs are met and access to essential services are assured, expand livelihoods and facilitate solutions for the coming years.*⁵⁶

The areas that were identified in the SPCP as gaps that continue to be unmet are the same gaps that the GNA has found and identified – essential basic needs and services and protection from violence, especially for women and children.⁵⁷ The Framework is intended to improve the capacity of Member States to protect refugees and asylum-seekers through a systematic analysis of gaps in protection and the identification of existing capacities to remedy those gaps.⁵⁸ An ideal protection environment is one where the UNHCR operation has the administrative capacity to oversee all affairs regarding refugees. This ideal protection environment would also ensure that all protection issues are addressed by the UNHCR and Member States and responses to protection issues are dealt with in a timely manner.⁵⁹

Global Needs Assessment

The findings in the pilot GNA have identified several areas in which the UNHCR needs to provide more for the world's refugees, these areas were also addressed in *The Agenda for Protection*, *The Program for Action* and the *Strengthening Protection Capacity Project*. The areas that were identified as lacking within the agency's operations included the agency's ability to provide basic needs, such as: food, water, shelter, basic healthcare and basic

⁵⁰ Ibid.

⁵¹ "Strengthening Protection Capacity Project" United Nations High Commissioner for Refugees.
<http://www.unhcr.org/protect/43d644142.html>

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ "Protection Gaps Framework for Analysis – Enhancing Protection of Refugees: Strengthening Protection Capacity Project (SPCP)" United Nations High Commissioner for Refugees.
<http://www.unhcr.org/protect/PROTECTION/41fe3ab92.pdf>

⁵⁹ Ibid.

education. Refugee camps are relatively easy targets for militias to terrorize. They are often attacked with the purpose of instilling a sense of fear and control within the refugee population. This has the effect of creating an environment in which the refugees become even more vulnerable and isolated than they already are. The pilot GNA found that the UNHCR needs to greatly improve its capacity to protect the refugee populations under its care. Some of the measures that the UNHCR can adopt to improve its capacity for protection are: “providing training and technical support to governments, improved and ensured access to asylum procedures, border monitoring, strengthening community service measures and supporting justice mechanisms.”⁶⁰ These measures are necessary to implement because they give the UNHCR the ability to protect refugees from harm.

In order to prevent the occurrence of sexual abuse and violence, the UNHCR has identified the following as key factors that need to be implemented to achieve this, including: “providing firewood or fuel alternatives, strengthen child protection programs, enhancing reporting and follow-up measures, establish safe houses and expand opportunities in order to provide for women’s self-reliance.”⁶¹ The majority of refugees, in conflicts situations, are women and children who are extremely vulnerable to violence. If these strategies are implemented by the UNHCR and its partner agencies, it would ensure that women and children would be less vulnerable.

Global Needs Assessment: Cameroon

Because of its geographic location and proximity to other conflicts in Central Africa, Cameroon has been experiencing a constant refugee influx along its eastern border with the Central African Republic – a country that has been plagued by constant internal conflict.⁶² The number of refugees that have been arriving in Cameroon has drastically increased in 2006 and 2007. Most of the refugees are Mbororo cattle herders who have been attacked on their settlements and thus have had no choice but to leave their land and livelihoods behind.⁶³ Like most refugees, they have experienced or witnessed traumatic events – losing their families, land, livelihood and their traditional way of life. According to the UNHCR,

“Cameroon has also hosted refugees from Chad since February 2008⁶⁴. The mass influx of refugees occurred after an assault of the Chadian capitol by rebel forces.⁶⁵ Most of the Chadian refugees have returned after the rebel attack was repelled and security restored, but about 5,000 refugees have remained and are assisted by the UNHCR in Langui.⁶⁶ “Most of the 60,000 refugees in Cameroon live in harsh conditions in more than 60 settlements over a 30,000 sq. km area.⁶⁷ Due to inadequate primary education and healthcare, the refugees in these camps suffer from an exceptionally high malnutrition and infant mortality rate.⁶⁸ Cameroon has been seen as a safe country for refugees to flee to in times of conflict because of its relative political and economic stability.”⁶⁹

Areas that require action as found by the pilot GNA in Cameroon include: “securing financial support for training and raising awareness of refugee law for administrative authorities in border zones to reduce the risk of forcible return of refugees, expansion of a program for the prevention of and response to sexual and gender based violence, strengthening of child protection activities particularly for victims of kidnapping, torture and brutality, interventions

⁶⁰ United Nations High Commissioner for Refugees, UNHCR Global Needs Assessment
<http://www.unhcr.org/pages/4a1bede134.html>

⁶¹ Ibid.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

to reduce malnutrition particularly for children and pregnant women, construction of additional school facilities and a campaign to sensitize parents to the benefits of education, improved access to primary healthcare and clean water and self-reliance activities to help former cattle breeders to learn additional agricultural techniques.”⁷⁰ The areas that are inadequate in Cameroon are the basic needs that are connected to food, health and education. “Most of the UNHCR operational sites within Cameroon do not have health centers and those that do exist are under-equipped and under-staffed”.⁷¹ According to the UNHCR protection officer Cathie Monnie, Bertoua, Cameroon, “the extra funding through the GNA would help the refugees in Cameroon by giving refugee children access to schools, finance income generation projects, give psychological support to refugees who have been traumatized, improve healthcare for refugees and build or rehabilitate wells to give access to good quality water.”⁷²

In order to achieve the goals outlined in the pilot GNA, the UNHCR has to prioritize the areas in which it needs to provide for those under its mandate. In Cameroon as well as in many refugee host nations, “refugees severely outnumber the available resources that the UNHCR has to provide for them.”⁷³ “One of the ways in which this can be resolved, as identified by the UNHCR is to open more field offices in areas in which the concentration of refugees is high.”⁷⁴ “To address this, the UNHCR has recently opened a new field office in the eastern part of the country.”⁷⁵ While the UNHCR is actively working to address shortfalls of its operations in Cameroon, it is still unable to meet all the needs of the refugees. To provide more protection for refugees, UNHCR is working closely with the government of Cameroon as well as the governments of the refugees countries of origin to provide greater protection. This includes protection of the refugee camps themselves as well as protection of refugees who are returning to their countries of origin.”⁷⁶

Global Needs Assessment: Yemen

Yemen is located in a strategically important area because of its proximity to the oil-rich nations in the Middle East, but it has also been politically plagued by its proximity to the conflicts that have left Ethiopia, Eritrea, Djibouti and Somalia unstable or on the verge of becoming unstable.⁷⁷ As a consequence of this, Yemen faces unique challenges in regard to refugees. The UNHCR has recognized that, “with the help of smuggling networks, thousands of people cross the Gulf of Aden each year fleeing conflict and poverty.”⁷⁸ According to the agency, “this trend has been constant for nearly two decades, and in the first nine months of 2008, almost 30,000 people had arrived in Yemen, while several hundred died or went missing during the voyage across the Gulf.”⁷⁹ The people crossing from Somalia and Djibouti include Somali and Ethiopian refugees. Within its national legislation, “Yemen has a very generous open-door policy for Somalis and often grants Somalis refugee status, but many Ethiopians are arrested and either detained or deported.”⁸⁰ Because of this known hostility and ill-treatment of refugees, “Some arrivals are afraid of security forces and immediately go underground as soon as they reach Yemen, depriving themselves of assistance and advice that is available at UNHCR reception centers.”⁸¹

Yemen’s limited economic and social structure limits the country’s ability to continue to allow large numbers of refugees to enter the country. Yemen faces the same challenges that most host Member States face in allowing refugees to cross their borders – the economic strain that develops on the nation and its ability to provide for its own population. Because of this economic displacement a social stigma is created in which the refugees become even more isolated and sometimes feel the same way as they did in their native country. In Yemen,

⁷⁰ “GNA Cameroon: Overview” United Nations High Commissioner for Refugee GNA Cameroon: Overview <http://www.unhcr.org/cgi-bin/texis/vtx/GNA?page=cmr>

⁷¹ “GNA Cameroon: Q&A with Cathie Monnie, UNHCR protection officer, Bertoua, Cameroon” United Nations High Commissioner for Refugees <http://www.unhcr.org/cgi-bin/texis/vtx/GNA?page=cmr&docid=48e5e5512>

⁷² Ibid.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ “Cameroon: New Office Opens to Protect and Care for Mbororo Central Africans” United Nations High Commissioner for Refugees. <http://www.unhcr.org/cgi-bin/texis/vtx/GNA?page=cmr&newsid=4608f5e45>

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Ibid.

“According to some estimates, as many as 150,000 Somalis currently live in Yemen – not all of them refugees.”⁸² Most refugees reside in urban areas, but more than 10,000 are accommodated in the isolated Kharaz refugee camp.⁸³ With the situation in Somalia showing no signs of recovery in the near future, it is unlikely that Somali refugees will return home anytime soon.”⁸⁴

The GNA in 2008 identified several areas that were lacking in the ability of its operations in Yemen to provide for the refugee population, these included, “limited access to hospitals, insufficient food rations in the Kharaz camp, limited opportunities to improve livelihoods and become self-reliant, and the lack of programs to address sexual abuse and violence.”⁸⁵ The Yemeni government has also identified that it is lacking in its capacity to protect refugees and has acknowledged that funding under the GNA could help address these issues.⁸⁶

Refugees need legal protection to ensure that their basic human rights are honored. The UNHCR can help the Yemeni government develop national refugee legislation that will improve the government’s capacity to protect refugees.⁸⁷ The agency must continue to develop programs to ensure that the basic needs are met and to work more cohesively with its partners to empower refugees. The UNHCR also needs to continue to enhance the partnership between it and the Yemeni government in order to build their capacity to address the protection needs of refugees, as well as having the continued support of the international support to help relieve the burden of supporting such a large refugee population.

Global Needs Assessment: Thailand

Political instability and conflict have forced refugees to cross Myanmar’s (Burma) eastern border into Thailand for over the last 25 years.⁸⁸ Once safely inside the Thai border, refugees find shelter in nine government-run camps. Thailand is not a party to the *1951 Refugee Convention*; however the UNHCR has noted that the, “Thai government has given asylum to 1.2 million refugees over the last 33 years.”⁸⁹ With the help of the Thai government and the UNHCR, “today some 140,000 Myanmar refugees have received basic food, shelter, medical care and schooling.”⁹⁰ The agency has identified that, “although their basic needs are met, refugees do not have the freedom to leave the camps. Some of the refugees who were born in the camps are now raising their own children there and some of the problems that they are facing inside of the camps are rape, domestic violence, and substance abuse.”⁹¹ Because of their isolation, many refugees are solely dependent on humanitarian assistance. The agency has identified some of the consequences that refugees face if they seek work outside the camps, including, “arrest, detention, deportation, and, in some cases, sexual exploitation and trafficking.”⁹²

“Since 2005, 30,000 Myanmar refugees have left Thailand for resettlement in the United States, Australia, Canada and other Member States.”⁹³ For the refugees who are left behind, “the Thai government has expressed willingness to allow expanded vocational training and the possibility of increased self-reliance within the camps.”⁹⁴ In order to ensure that the refugees can gain more self-reliance, it is imperative that the UNHCR continues to work with the Thai government to implement legislation that protects refugee rights outside of the camps.

⁸² “GNA Yemen: Overview”United Nations High Commissioner for Refugees.
<http://www.unhcr.org/cgi-bin/texis/vtx/GNA?page=yem>

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Ibid.

Global Needs Assessment: Georgia

Since its independence from the former Soviet Union, Georgia and Russia have had a history of conflicts. These have been primarily concerning territory that Russia feels should be a part of its immediate sphere of influence. In August 2008, conflict broke out between Georgia and Russia, “forcing some 127,000 people from their homes throughout Georgia. This new refugee population added to an already displaced population of some 223,000 people uprooted by conflicts in South Ossetia and Abkhazia in the early 1990s”.⁹⁵ Unfortunately, the UNHCR, “estimates that as many as 54,000 of those people displaced in August may remain displaced indefinitely. This increasing population of internally displaced people adds more pressure to an already difficult situation in which the UNHCR is struggling to keep up with.”⁹⁶

A pre-conflict pilot GNA in early 2008 highlighted needs for displaced people in which greater resources were needed to address: “improving registration, upgrading the shelter and basic services such as water supply and sanitation as well as rehabilitation of schools and teacher training.”⁹⁷ Georgia also, “hosts some 1,000 refugees from the Chechen Republic in the Russian Federation, who fled to Georgia in 1999 during the second Chechen war and who have little prospect of repatriation or resettlement.”⁹⁸ These Chechen refugees suffer from food insecurity, horrific living conditions, lack of access to social services, and as a result of this there is a record low school attendance rate for children.

The agency has, “a proposed GNA budget of 12.5 million to address the unmet needs of IDPs in early 2009.”⁹⁹ In response to the August humanitarian crisis, the UNHCR increased the GNA budget to 28.8 million.¹⁰⁰ Despite this significant increase in funding, the needs of IDPs in Georgia continues to grow. After the crisis in August 2008, the World Bank and the UN mission conducted a Joint Needs Assessment.¹⁰¹ The mission concluded that 500 million dollars was needed to address the entire displaced population within Georgia.”¹⁰²

The UHNCR does not have the necessary support, resources and funding to meet the needs of the displaced population in Georgia with its ever increasing refugee and IDP population due to continuous conflicts with Russia.¹⁰³ The agency has used the findings of the pilot GNA to appeal to donors to provide the essential humanitarian needs in Georgia. It has used the pilot GNA to prioritize these needs and funding to provide food, water, housing and basic healthcare to the displaced population. It has also used the findings in the pilot GNA to identify and separate the displaced populations into those that can return home and those who cannot.¹⁰⁴ By doing this the agency can provide essential services to the displaced population that needs them the most. The UNHCR has and continues to work closely with the International Community and the Georgian government to create and implement strategies to provide essential services to the displaced and refugee populations.

⁹⁵GNA Yemen: Overview United Nations High Commissioner for Refugees.
<http://www.unhcr.org/cgi-bin/texis/vtx/GNA?page=geo>

⁹⁶Ibid.

⁹⁷Ibid.

⁹⁸Ibid.

⁹⁹ “GNA Georgia: Q&A with UNHCR’s representative in Georgia, Peter Nicolaus” United Nations High Commissioner for Refugees. <http://www.unhcr.org/cgi-bin/texis/vtx/GNA?page=geo&docid=48e9d71e2>

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² Ibid.

¹⁰³ Ibid.

¹⁰⁴ Ibid.

Conclusion

The findings of the GNA are startling. Despite the best efforts of the UNHCR, the number of people of concern under its mandate continues to grow. The GNA has been used to determine the amount of funding that the UNHCR requires to provide for those under its mandate. To reconcile this, the UNHCR has used the GNA findings to appeal to donors in order to specifically address the shortfalls in each of its operations worldwide. Despite the efforts of the agency, it still needs to prioritize the areas in which it is going to use its funding. The UNHCR continues to work closely with the international community, regional bodies, NGOs and the private sector to support host Member States to help alleviate the burden of hosting large populations of people of concern.

Committee Directive

The GNA has been used to determine the shortfalls of the UNHCR's operations worldwide. In order to adequately reconcile these shortfalls, the UNHCR needs significantly more funding in order address all of the shortfalls within its operations. How can the UNHCR use the findings in order to appeal to donors in order to get more funding? If the agency is not able to secure more funding, how does the agency prioritize the funding to best serve the people that it is responsible for? How can the UNHCR also use the findings within the GNA to more effectively use the funding it has to provide essential services and provide resources to all the people of concern under its mandate? The other areas the GNA found to be lacking in the UNHCR's operations was the protection of people of concern. How can the UNHCR use the findings within the GNA to decrease protection of people of concern within its operations? Also, how can the UNHCR use the findings of the GNA to ensure that the rights of people of concern's rights are upheld within its operations? How can the UNHCR streamline the GNAs so that they conduct them in a more effective manner? Is it better to conduct one GNA that includes all of the agency's operations worldwide or is it better to conduct them in each operation?

Topic II: Return and Reintegration of Refugees

“In countries where people have to flee their homes because of persecution and violence, political solutions must be found, peace and tolerance restored, so that refugees can return home. In my experience, going home is the deepest wish of most refugees.”

-Angelina Jolie, UNHCR Goodwill Ambassador¹⁰⁵

Introduction

The definition of “refugee,” found in Article I of the *1951 Convention Relating to the Status of Refugees*, refers to a person who has left their country and is unwilling or unable to return to his or her home country.¹⁰⁶ This definition alone should indicate the challenge presented by the goal of returning, or repatriating, refugees back to a place they initially were forced to leave due to well-founded fears for their safety. It is the goal of the United Nations High Commissioner on Refugees (UNHCR) to help refugees voluntarily repatriate and become reintegrated back into their life at home.

In 2007, the UNHCR helped the first two Sudanese refugees in Cuba return home to Southern Sudan.¹⁰⁷ One of the refugees commented, “After I secure a job, I will then go to trace my family members whom I have not heard from for the last 23 years.”¹⁰⁸ After two decades living in a foreign country, he had earned a doctorate in veterinary medicine, and his companion was trained in agronomy.¹⁰⁹ Although the conditions in the host country and home country are drastically different, this story is indicative of a highly positive return situation. Not all refugees are so fortunate, which is why the UNHCR is working to improve conditions for refugees so that when they are ready to repatriate, they will be able to do so successfully.

The “4 Rs” Solution

In the *Framework for Durable Solutions for Refugees and Persons of Concern*, the Core Group on Durable Solutions proposed a coordinated effort across the four areas of repatriation, reintegration, rehabilitation, and reconstruction known as the “4 Rs” Solution.¹¹⁰ This integrated approach involves not only tripartite talks with the UNHCR, home country, and host country, but also includes collaboration with other UN agencies like the United Nations International Children’s Fund (UNICEF), United Nations Development Programme (UNDP), World Food Programme (WFP), and other organizations such as the World Bank.¹¹¹ These organizations form a “UN Country Team” which then develops needs assessments and action plans for the target country in order to prepare for the return of refugees.¹¹² They also engage in joint fundraising, or “resource mobilization,” and joint implementation.¹¹³

For the first stage of the process, repatriation, the UNHCR is the lead organization charged with implementation.¹¹⁴ The UNHCR and UNDP together lead the reintegration process, but they rely on outside organizations and local partners to assist in their operations. At this stage, the role of the UNDP becomes greater than the role of the UNHCR.¹¹⁵ The last two stages, rehabilitation and reconstruction, occur with less assistance from the UNHCR and more focus on multilateral donors and development projects.¹¹⁶ This division of phases of the 4 Rs process serves to more efficiently capitalize on the UNHCR’s specialty, which is direct humanitarian assistance to refugees and

¹⁰⁵ “Refugees in Tanzania.” The UN Works, For People and the Planet. <http://www.un.org/works/sub3.asp?lang=en&id=103>

¹⁰⁶ *Convention and Protocol Relating to the Status of Refugees*, 1951.

¹⁰⁷ “Two of Sudan’s ‘Lost Boys’ Return Home from Cuba.” UNHCR News.

<http://www.unhcr.org/cgi-bin/texis/vtx/news/opendoc.htm?tbl=NEWS&id=474ec530c>.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ *Framework for Durable Solutions for Refugees and Persons of Concern*. United Nations High Commissioner for Refugees – Geneva. 2003.

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ *Handbook for Repatriation and Reintegration Activities*. United Nations High Commissioner for Refugees, 2004.

¹¹⁵ *Framework for Durable Solutions for Refugees and Persons of Concern*. United Nations High Commissioner for Refugees – Geneva. 2003.

¹¹⁶ Ibid.

internally displaced persons, as well as the specialties of the other involved agencies.¹¹⁷ The end goal is to ensure that the solution is a lasting one.

Voluntary Repatriation

A major component of the UNHCR's mandate, as has been continuously reaffirmed by UN General Assembly resolutions, is the voluntary repatriation of refugees and internally displaced persons (IDPs), or "Persons of Concern".¹¹⁸ Article 33 of the 1951 Convention further defines this mandate: "No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."¹¹⁹ Article 33 establishes the principle of non-refoulement, which means that all repatriation must be explicitly voluntary, except in cases where, "there are reasonable grounds for regarding [the refugee] as a danger to the security of the [host] country..."¹²⁰ It is the job of the UNHCR, therefore, not only to repatriate refugees, but to make sure that they are not repatriated against their will.

Host governments agree to the principle of non-refoulement when they first contract with the UNHCR to accept refugees. If the government does not uphold this commitment not to return any recognized refugee against his or her will, the UNHCR may issue a statement, as was the case with Turkey in 2007 when the UNHCR learned that an Iraqi refugee had been deported from the country.¹²¹

*"On February 20, upon learning that a deportation order had been given to the refugee, UNHCR wrote to the Turkish authorities, reiterating UNHCR's position as reflected in its advisory to governments that Iraqis from southern and central Iraq 'should be favorably considered as refugees under the 1951 Convention, given the high prevalence of serious human rights violations related to the grounds of the 1951 Convention.' In that advisory, UNHCR calls upon states not to forcibly return any Iraqi from southern and central Iraq."*¹²²

When instances of refoulement occur on a continuing basis, the UNHCR will likely request an intervention, such as the intervention requested with the government of Kenya regarding Somali refugees in early 2009.¹²³ The UNHCR reported, "When we requested intervention, we were informed that the police and military continue to return asylum seekers to Somalia acting on instructions from the authorities in the Provincial Headquarters in Garissa."¹²⁴ The UNHCR also sent a formal complaint to the Minister of Immigration and Registration of Persons, but the UNHCR was unable to carry out direct action to respond to the situation. This example shows the limitations of the UNHCR and illustrates the fact that the organization relies heavily on good faith efforts to uphold international agreements.

Once it is confirmed that a group of refugees have a desire to voluntarily repatriate, the UNHCR begins negotiations with both the country of origin and the country of asylum known as tripartite agreements.¹²⁵ This dialogue sets legal standards in place for returnees and includes contracts on repatriation conditions and programs.¹²⁶ Once the agreements are formalized, the three actors (UNHCR, home country, and host country) become known as the Tripartite Commission for that particular refugee case.¹²⁷ Because the specific legal agreements signed by the

¹¹⁷ Ibid.

¹¹⁸ *Handbook for Repatriation and Reintegration Activities*. United Nations High Commissioner for Refugees, 2004.

¹¹⁹ *Convention and Protocol Relating to the Status of Refugees*, 1951.

¹²⁰ Ibid.

¹²¹ "UNHCR protests Turkish refoulement of recognised Iraqi refugee," ReliefWeb, <http://www.reliefweb.int/rw/rwb.nsf/db900sid/EVOD-6Z9GPM?OpenDocument>.

¹²² Ibid.

¹²³ "Kenya: Refoulement of Somali Asylum Seekers," UNHCR News, <http://www.unhcr.org/cgi-bin/texis/vtx/news/openssl.htm?tbl=NEWS&id=49d5d8552>.

¹²⁴ Ibid.

¹²⁵ *Handbook for Repatriation and Reintegration Activities*. United Nations High Commissioner for Refugees, 2004.

¹²⁶ Ibid.

¹²⁷ Ibid.

Tripartite Commission often do not encompass more than the most basic of return and reintegration logistics, it has become standard procedure for the UNHCR to initiate parallel dialogues involving all of the 4 Rs, introducing reconstruction and rehabilitation concerns into the dialogue.¹²⁸

The first challenge of repatriation begins with the willingness of refugees to return. Some refugees and IDPs, especially those who have lived in protracted refugee situations or in refugee camps, would prefer local integration in their host country or resettlement to a third country rather than return home.¹²⁹ This unwillingness to voluntarily repatriate is understandable, but often serves to perpetuate protracted refugee situations and hinders successful negotiations. Once it becomes clear that returning to the home country may be their best option, most refugees choose to do so.¹³⁰ Most of the repatriations that have occurred recently are “spontaneous,” or self-organized, repatriations where refugees decide for themselves to repatriate without the assistance of the UNHCR.¹³¹ The other type of repatriations, referred to as “organized repatriations,” which are actively supported by the UNHCR and international funding, are less common.¹³² One major example of spontaneous repatriations is the current situation in Afghanistan.

Case Study: Afghanistan

The exodus of Afghanis from their homes began in 1979 with the invasion of the Soviet Union.¹³³ Over three million Afghanis were already living in exile in neighboring Iran and Pakistan within two years of the invasion.¹³⁴ Shortly after the UNHCR organized a repatriation effort after the withdrawal of the Soviet Union in 1988, a new wave of refugees and IDPs was forced to seek safe havens as a violent struggle for power took over the country.¹³⁵ When the Taliban took control of Kabul in 1996, Afghanis fled the country once again.¹³⁶

Afghanis make up the majority of the world's refugee population, and the recent UNHCR-assisted repatriation of Afghani refugees marks the largest repatriation effort in history.¹³⁷ Despite the fact that the Afghani refugee situation involves a number of complex challenges, the UNHCR has been able to successfully repatriate some 3.69 million refugees since 2002.¹³⁸ However, spontaneous repatriations have proven even more successful.¹³⁹ In 1996, a report on the return of over three million refugees in the three years since 1993 noted, “This movement was achieved without the aid of an organized cross-border logistics operation, without comprehensive repatriation and reintegration assistance from UNHCR, and without the presence in areas of return of major rehabilitation and reconstruction efforts by UN development agencies.”¹⁴⁰ Many of the refugees who have returned to Afghanistan were in exile for over 20 years, and some were born in refugee camps in Pakistan and other host countries.¹⁴¹ In fact, a 2002 UNHCR survey of refugees living in Pakistan revealed that about 45% of Afghani refugees were actually born within Pakistani borders.¹⁴²

This initiative on the part of refugees in the face of difficult odds shows the overwhelming desire by most to return to their country of origin - even under problematic circumstances. The hardship faced by refugees once they return, however, is another challenge to overcome. Some evidence, such as significant two-way traffic observed between Afghanistan and Pakistan, suggests that many Afghanis who repatriate do not remain in Afghanistan.¹⁴³ Unfortunately, the lack of security on the Pakistani border and the fluctuation of migratory patterns between the two

¹²⁸ Ibid.

¹²⁹ G. Loescher, J. Milner, E. Newman, G. Troeller. *Protracted Refugee Situations: Political, Human Rights, and Security Implications*. United Nations University Press. New York. 2008.

¹³⁰ Ibid.

¹³¹ *The State of the World's Refugees*, United Nations High Commissioner for Refugees, 1997.

¹³² Ibid.

¹³³ *Return to Afghanistan*, United Nations High Commissioner for Refugees, 2002.

¹³⁴ *Afghan Refugees: Current Status and Future Prospects*, CRS Report for Congress, 2007.

¹³⁵ Ibid.

¹³⁶ Ibid.

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ “Mid-term review of UNHCR programme for reintegration assistance in Afghanistan,” UNHCR, June 1996.

¹⁴⁰ Ibid.

¹⁴¹ *Return to Afghanistan*, United Nations High Commissioner for Refugees, 2002.

¹⁴² *Afghan Refugees: Current Status and Future Prospects*, CRS Report for Congress, 2007.

¹⁴³ Ibid.

countries make it difficult to assess the success rate of reintegration efforts.¹⁴⁴ Another complication is that of refugees in camps in the host countries: it has been noted by the UNHCR that over 80% of those who are repatriating are coming from cities in host countries.¹⁴⁵ This statistic is not surprising when considering Afghani refugees living in Iran, where only 3% of Afghani refugees are housed in camps, and the rest are locally integrated in mostly urban areas.¹⁴⁶ The number does represent a problem in the country of Pakistan, however, where the majority of refugees are housed in some 200 camps and settlements.¹⁴⁷ These statistics raise questions about the long-term impacts that refugee housing situations have on the ability of refugees to repatriate successfully. Long-term solutions for stability and reconstruction in Afghanistan are necessary to be able to achieve an end to the Afghani refugee crisis.

Reintegration: A Lasting Solution for Sustainable Peace

The changing role of the UNHCR has required that it take on a more active role in the reintegration of returnees. In 2003, the agency published the *Framework for Durable Solutions for Refugees and Persons of Concern*, which outlines the 4 Rs as well as Development Assistance for Refugees (DAR). DAR is critical to the success of returnee reintegration because it promotes an integrated approach between host communities, home communities, and refugees themselves to promote self-reliance.¹⁴⁸ The importance of self-reliance for refugees cannot be overstated, as it allows a more seamless transition back into home life. A study on Chadian refugees observed, “For the refugees who had received assistance in exile, the return could be more difficult than the experience of exile itself. In place of the semblance of stability and physical security established in camps, where the major problems of survival were adequately met, a host of problems, uncertainties and dangers awaited the refugees on their return to their home country.”¹⁴⁹ This is not to suggest that the UNHCR should not provide assistance to refugees in exile, but to emphasize the importance of consistency.

In order for consistency of aid and promotion of self-reliance to be possible, it is important that the UNHCR and other partner organizations encourage implementation of community-based development projects.¹⁵⁰ Community-based reintegration projects (CBRPs) provide services and resources to an entire community, such as development projects to improve access to water sources in South Sudan, where a high number of refugees and IDPs have resettled.¹⁵¹ These types of targeted activities benefit the entire community, including the “Persons of Concern” to the UNHCR, who often work or volunteer in the projects. This approach complements income-generating activities and capacity-building of local organizations, therefore contributing to the self-reliance of refugees and the entire community.¹⁵² CBRPs are typically much more successful than beneficiary-based assistance, which restricts services to refugees and IDPs only as opposed to providing for the whole community.¹⁵³ An example of a beneficiary-based program is the UNHCR’s partnership with the World Food Program (WFP) in Guinea, where food and other assistance is directly rationed to refugees.¹⁵⁴ The paradox of beneficiary-based assistance is that, by providing assistance only to “Persons of Concern,” the agencies involved may very likely be undermining the success of the community as a whole, which is vital for the individual success of the very people they are trying to aid.¹⁵⁵ Imbalances in community situations may serve only to exacerbate existing tensions in the post-conflict areas where returnees are trying to re-establish themselves.¹⁵⁶

¹⁴⁴ Ibid.

¹⁴⁵ *Return to Afghanistan*, United Nations High Commissioner for Refugees, 2002.

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

¹⁴⁸ *Framework for Durable Solutions for Refugees and Persons of Concern*. United Nations High Commissioner for Refugees – Geneva. 2003.

¹⁴⁹ C. Watson, *The Flight, Exile and Return of Chadian Refugees*, United Nations Research Institute for Social Development, Geneva, 1996.

¹⁵⁰ *Handbook for Repatriation and Reintegration Activities*. United Nations High Commissioner for Refugees, 2004.

¹⁵¹ *Return and Reintegration of Sudanese Refugees to Southern Sudan*. UNHCR Revised Supplementary Appeal, 2005.

¹⁵² Ibid.

¹⁵³ *Handbook for Repatriation and Reintegration Activities*. United Nations High Commissioner for Refugees, 2004.

¹⁵⁴ *A beneficiary-based evaluation of UNHCR’s programme in Guinea, West Africa*. UNHCR Evaluation and Policy Analysis Unit, 2001.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

An additional key to lasting peace in post-conflict situations is truth and reconciliation. Peacebuilding operations must take place for the recovery phase of the 4Rs to be successful.¹⁵⁷ Peacebuilding is defined by the UN Security Council as “aimed at preventing the outbreak, recurrence or continuation of armed conflict and, therefore, encompass[ing] a wide range of political, developmental, humanitarian and human rights programmes and mechanisms.”¹⁵⁸ Transition and recovery involving peacebuilding and reconciliation is a long-term process that requires ongoing conflict analysis and prevention through confidence-building measures, network strengthening, community coexistence projects, and other methods.¹⁵⁹ Without these efforts, reintegration will not lead to a sustainable existence for refugees. Refugees may be able to return, but their return would most likely lead to them becoming IDPs because certain areas of the country are not safe, or lead to the refugees again being forced into exile in another country.¹⁶⁰

Case Study: Southern Sudan

Another of the most critical humanitarian crises in recent years is the civil war of Sudan. Since independence in 1956, Sudan has been in a state of nearly constant conflict.¹⁶¹ The most recent civil war began in 1983 and claimed the lives of over two million people within two decades.¹⁶² There are currently 420,000 registered refugees from South Sudan. Since 2005, over 300,000 have returned home.¹⁶³ 145,000 of these refugees, (including the so-called “Lost Boys,” the moniker given to the generation of Sudanese children orphaned or displaced by the war), were directly assisted by the UNHCR in organized repatriations, and the rest repatriated spontaneously.¹⁶⁴ Around two million of the estimated four million IDPs have also returned home to South Sudan, some with the help of the UNHCR.¹⁶⁵

It has been a long and difficult road for the UNHCR to reach the current point of return and reintegration in South Sudan, with a number of complicating factors to consider. One problem is that governance of Sudan under the Comprehensive Peace Agreement (CPA), which was signed to end the civil war, has two separate systems of governance: one for the North and one for the South. This split governance system affects the way aid is distributed. The North has a more structured and stable distribution system, while the South has less developed regulations and depends heavily on NGOs and IGOs to provide some basic services.¹⁶⁶ Peace is still fragile in Sudan, and the UNHCR must also cooperate with the two missions in the country: the UN Mission in Sudan (UNMIS) and the African Union/UN Hybrid Operation in Darfur (UNAMID).¹⁶⁷ Additionally, with the upcoming 2011 elections, political controversy over which voting precincts these refugees are entitled to vote in has further hampered the reintegration process.¹⁶⁸

Peacebuilding activities are of extreme importance to maintain the stability that has been achieved thus far. The two missions in Sudan remain, and these missions share the greatest part of the burden in that particular aspect. It is crucial to reexamine regional reintegration efforts as national elections near in 2011, but the UNHCR remains cautiously optimistic about the outcome of South Sudan.¹⁶⁹

The UNHCR in the South Sudan has followed the 4 Rs model with some notable success, but a lack of infrastructure and capable NGOs and IGOs “on the ground” in the most southern regions of Sudan has made meaningful

¹⁵⁷ Ibid.

¹⁵⁸ “Glossary.” United Nations High Commissioner for Refugees. <http://www.unhcr.org/publ/PUBL/44bf3fc52.pdf>.

¹⁵⁹ *Handbook for Repatriation and Reintegration Activities*. United Nations High Commissioner for Refugees, 2004.

¹⁶⁰ Ibid.

¹⁶¹ *Evaluation of UNHCR’s returnee reintegration program in Southern Sudan*. UNHCR Evaluation and Policy Analysis Unit, 2008.

¹⁶² “Introduction.” UNHCR South Sudan Operation. <http://www.unhcr.org/cgi-bin/texis/vtx/southsudan?page=intro>

¹⁶³ Ibid.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

¹⁶⁶ *Evaluation of UNHCR’s returnee reintegration program in Southern Sudan*. UNHCR Evaluation and Policy Analysis Unit, 2008.

¹⁶⁷ Ibid.

¹⁶⁸ Ibid.

¹⁶⁹ *Return and Reintegration of Sudanese Refugees to Southern Sudan*. UNHCR Revised Supplementary Appeal, 2005.

partnerships extremely scarce, thereby placing a large burden on the UNHCR.¹⁷⁰ One area where the UNHCR takes the lead of reintegration efforts is in the protection of refugees and IDPs. The UNHCR chairs the Protection Working Group in Sudan, which monitors treatment of returned refugees and IDPs by organizing “go and see” and “come and tell” visits to gather information from the refugees and IDPs themselves.¹⁷¹ The program in South Sudan also relies heavily on CBRPs to provide assistance, which has been extremely effective in helping entire communities to reintegrate.¹⁷² The UNHCR claims that it is important to view South Sudan not as a reconstruction effort, since so much has changed for both those returning and those that stayed throughout the conflict, but rather an effort to empower the population as a whole to adapt to a new and entirely different way of life.¹⁷³

The UNHCR began its engagement in South Sudan in 2003 after a decade of absence from the region.¹⁷⁴ Activities to assist repatriation of refugees first began in countries of asylum, including the Central African Republic, Kenya, the Democratic Republic of Congo, and Uganda.¹⁷⁵ These activities include registration and profiling of refugees, targeted mass education campaigns on topics that will help refugees to transition to life in Southern Sudan, vaccinations and medical campaigns, and travel preparations.¹⁷⁶ Tripartite agreements were also signed with the Sudanese National Unity Government and the governments of respective host countries, which guarantee refugee rights and ensure that the decision to repatriate was voluntarily made.¹⁷⁷ Repatriation began with the most basic of steps, including procurement of vehicles for transportation of refugees, stocking of food and essential necessities, and other logistical concerns that ensure a safe and dignified return for refugees and IDPs.¹⁷⁸ In March 2008, the UNHCR reached a milestone with over 100,000 Sudanese successfully assisted in repatriation since 2005, along with the more than 200,000 who have spontaneously repatriated. There are still approximately 260,000 refugees who have yet to return home to Sudan.¹⁷⁹

Conclusion

In recent years, the UNHCR has made great efforts to improve the sustainability of repatriation and reintegration efforts. The *Framework for Durable Solutions* and subsequent *Handbook for Repatriation and Reintegration Activities* contain ambitious solutions to complex refugee problems. The agency has had success in the numbers of returnees, but the long-term results of these new approaches are yet to be seen. It is impossible to overstate the importance of peacebuilding in the sustainability of the UNHCR’s efforts. As a previous UNHCR publication described,

“the transition from war to peace may be disrupted, and public confidence in the peacebuilding process undermined, if formerly displaced people are unable to reintegrate successfully into their own society. When returnees find it impossible to establish new livelihoods and are obliged to depend on humanitarian assistance; when they are unable to gain access to agricultural land and have to move into an urban squatter settlement in order to eke out a living; when they experience harassment from the authorities and discrimination from their compatriots; and when they resort to violent protest in order to make their voice heard, then the prospects for a sustainable peace are inevitably weakened.”¹⁸⁰

¹⁷⁰ *Evaluation of UNHCR’s returnee reintegration program in Southern Sudan*. UNHCR Evaluation and Policy Analysis Unit, 2008.

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

¹⁷⁴ *Ibid.*

¹⁷⁵ *Return and Reintegration of Sudanese Refugees to Southern Sudan*. UNHCR Revised Supplementary Appeal, 2005.

¹⁷⁶ *Ibid.*

¹⁷⁷ *Ibid.*

¹⁷⁸ *Ibid.*

¹⁷⁹ “South Sudan: Refugee Repatriation tops 100,000,” UNHCR. March 2008.

<http://www.unhcr.org/cgi-bin/texis/vtx/news/opendoc.htm?tbl=NEWS&id=47ecd8bb2>.

¹⁸⁰ *The State of the World’s Refugees*, United Nations High Commissioner for Refugees, 1997.

It is now, therefore, the UNHCR's responsibility not only to ensure that refugees and IDPs are able to repatriate to their places of origin, but that transgressions against their humanity do not result in further refugee crises. Despite the UNHCR's constant efforts to improve aid to vulnerable populations, the global problems continue to mount. For the second year in a row, the number of refugees worldwide is on the rise, and upward trends show no sign of change soon.¹⁸¹ As it stands, the UNHCR is currently working to assist close to 34 million people.¹⁸² New crises such as the situation in Pakistan put a strain on emergency funds, with the Agency already underfunded as it is. The cost to handle each problem the most effectively and completely stands at \$1,867,351,491.¹⁸³ Unfortunately for the populations in need, it is very unlikely that the UNHCR will see that amount before the end of 2009. The Agency has already streamlined operational costs in order to divert much-needed dollars to field work. The number of personnel based in Geneva has been slashed from 1,047 to only 747.¹⁸⁴ That reality makes efficient solutions even more critical to the success of the UNHCR.

Committee Directive

Delegates should research and understand the role of their country in return and reintegration efforts conducted by the UNHCR. Given that each refugee situation is unique, it is expected that delegates may have differing views regarding best practices in individual scenarios. However, cooperation will be key in making any progress on the issues at hand. Source, host, and donor countries all have an important part to play in solving refugee crises. Delegates must know under which, if any, category their country falls, and be prepared to explain their position regarding refugee repatriation. While it is extremely important to be knowledgeable about each country's role, it will be most advantageous to delegates to complement that knowledge by maintaining a holistic view of the topic at hand.

Constant evaluation is also critical to improving efficiency of new approaches. What aspects of these innovations are most helpful and what improvements, if any, can be made? Are there any further investments that could be made by host countries? Delegates should be prepared to discuss specific examples; for instance, the 4Rs and the DAR approaches. Any critique should be precise, and delegates should thoroughly research past actions in order to avoid recreation of already existing programs. It is key that delegates keep in mind the current capacities of the UNHCR. Funding is a major concern, and must be addressed along with any sort of suggestion for programs or policies.

As seen with the Afghani refugee crisis, resurgent conflicts are a continual threat to the sustainability of reintegration. Delegates should research preventive measures that have been successful in the past. Could they be added to the current repatriation process in order to strengthen the end goal of full reintegration? Finally, despite tripartite agreements, many refugees face persecution and discrimination upon returning to their home countries. How can the UNHCR work with governments as well as non-governmental organizations, community-based organizations, and civil society to ensure that refugees are treated equally and fairly? Delegates should be familiar with their own country's history regarding discrimination and protection as well as the policies of the UNHCR.

¹⁸¹ *Foreword by the High Commissioner*. UNHCR Global Appeal Update, 2009.

¹⁸² "UNHCR—About Us," United Nations High Commissioner for Refugees, <http://www.unhcr.org/pages/49c3646c2.html>.

¹⁸³ *Identifying needs and funding requirements*. UNHCR Global Appeal Update, 2009.

¹⁸⁴ *Foreword by the High Commissioner*. UNHCR Global Appeal Update, 2009.

I. Utilizing the Global Needs Assessment

“UNHCR'S Global Needs Assessment pilot shows substantial gaps” Reuters Alert News

<http://www.alertnet.org/thenews/newsdesk/UNHCR/142480540bcc0f6f07d15e6be5d6a1c0.htm>

This article provides an overview of the substantial gaps that were found in the pilot Global Needs Assessment. This assessment has been used to prioritize areas of needs as well as restructuring the UNHCR's annual budget to fulfill those needs. It has also been used as tool to overhaul the agency in order for it to become more efficient and eliminate administrative waste.

“NGO statement on Global Needs Assessment - UNHCR's 45th Standing Committee, Jun 2009” ReliefWeb

<http://www.reliefweb.int/rw/rwb.nsf/db900SID/SNAA-7TH56L?OpenDocument>

This is a statement was provided to the UNHCR executive committee to provide the views of a wide range of NGOs regarding the Global Needs Assessment. It provides a different perspective on how the Global Needs Assessment should be used in the future to address the needs of the people of concern to the UNHCR throughout the world. It also provides some concerns that the NGO community has in regards to the implementation of the GNA by the UNHCR and how NGOs and other partners can help in that regard.

“Policy Strategies” European Commission on Humanitarian Aid http://ec.europa.eu/echo/policies/strategy_en.htm

The European Commission for Humanitarian Aid bases its decisions on the giving of aid solely on the criteria of need. The Commission views the Global Needs Assessment as a tool in order to establish consistency in the allocation of resources to different countries based on their respective needs. It also views the GNA as a tool in that guarantees the credibility of the Commission with regard to humanitarian aid – guaranteeing transparency.

“UNHCR (Geneva) – Africa: UNHCR's Global Needs Assessment Shows Gap” All Africa

<http://allafrica.com/stories/200810090266.html>

This advocacy group for Africa, reports the gap that were found within the UNHCR's operations in 8 Member States in 2008. The UNHCR regularly carries out assessment, but the GNA used more rigorous methodology to identify where the gaps are in their operations and how to best bridge these gaps. The GNA covers many different areas that have been found to be lacking while addressing all of the people of concern under its mandate.

“UNHCR: Refugee Realities – Global Needs Assessment” United Nations Non-Governmental Liaison Office

http://www.un-gls.org/spip.php?page=article_s&id_article=580

This office of the UN provides access to the Refugee Reality Report, which is the Global Needs Assessment. It provides a brief introduction to the report as well as the findings of the Global Needs Assessment. It also gives a brief overview of what the UNHCR is doing to close the gaps with the GNA – through increased funding as well as more streamlined prioritizing.

“UNHCR – Global Needs Assessment” UNHCR <http://www.unhcr.org/pages/4a1bede134.html>

In 2009 the UNHCR conducted a worldwide Global Needs Assessment (GNA), based on the findings of the pilot GNA in 8 of its operations. This was aimed at finding what was lacking in all of the UNHCR's operations worldwide and how the agency could best close the gaps that were found. The results included streamlining fundraising efforts and prioritizing areas in which needed the most attention.

II. Return and Reintegration of Refugees

“Refugee Return and Reintegration” Americas Development Foundation

<http://www.adfusa.org/section/programs/refugee>

The Americas Development Foundation (ADF) has been supporting the development of local NGOs ability and capacity to assist the sustainable return and reintegration of refugees and other people of concern in Bosnia-Herzegovina, Croatia and Serbia since 1994. ADF uses a direct regional approach in order to ensure the sustainably and successfulness of cross-border refugee return and reintegration between the 3 Member States. The approach used by ADF focuses on enhancing sustainable local NGO services and support for return, cross border collaboration and support, grass-roots information dissemination and legal assistance, focus on sustainability of return and special outreach to vulnerable populations.

“The Return and Resettlement of Iraqis” Refugees International

<http://www.refugeesinternational.org/policy/testimony/return-and-resettlement-displaced-iraqis>

This is testimony from the Senate Foreign Relations Committee on the status of Iraqi refugees who were displaced as a consequence of the Iraqi War. This hearing addresses the legislation “Support for Vulnerable Iraqis Act.” This piece of legislation plays an important role in addressing the security and stability challenges presented by Iraqi displacement and their desire to return.

“Iraqi Refugees: Women Rights and Security Critical to Returns” Refugees International

<http://www.refugeesinternational.org/policy/field-report/iraqi-refugees-womens-rights-and-security-critical-returns>

This field report by Refugees International address issues that are key to ensure the safety of the displaced Iraqi population that wish to return. Refugees International views violence against women as one of the key areas that are critical to ensuring the safe return of Iraqi refugees. The NGO outlines policy recommendations that it views as essential in order to achieve this.

“Afghanistan: Open Eyes to Humanitarian Needs” Refugees International

<http://www.refugeesinternational.org/policy/field-report/afghanistan-open-eyes-humanitarian-needs>

Refugees International is a NGO that has provided policy recommendations on different refugee “hot spots.” RI gives several policy recommendations regarding the growing humanitarian crisis in Afghanistan, especially the refugee situation. The recommendations that RI provides encompass a multilateral approach to the crisis in Afghanistan.

“Iraq: Preventing the Point of No Return” Refugees International <http://www.refugeesinternational.org/policy/field-report/iraq-preventing-point-no-return>

This field report by the NGO Refugees International provides multilateral policy recommendations in regards to the ever growing displaced Iraqi population. The number of displaced Iraqis continues to remain high, both inside the country and in neighboring Member States. The displaced population remains reluctant to go back due to lack of security, the creation of ethnically cleansed neighborhoods and poor government services.

“Voluntary Return and Reintegration” International Catholic Migration Commission

<http://www.icmc.net/type/voluntary-return-and-reintegration>

ICMC has been facilitating the safe voluntary return and reintegration of refugees and IDPs to their homelands for over 50 years. In addition to providing return assistance, ICMC provides legal aid and psychological support to returnees. ICMC activities regarding refugees are all encompassing in order to ensure the safe return of refugees.

“Timor-Leste: Return and Reintegration Strategy Insufficient” East Timor Justice Bulletin

<http://easttimorlegal.blogspot.com/2009/07/timor-leste-return-and-reintegration.html>

This bulletin follows the return and reintegration of refugees in Timor-Leste. It has found that the return and reintegration strategy has been insufficient. Even though the reintegration of internally displaced persons (IDPs) in Timor-Leste in 2008, and approximately 3,000 people still live in transitional housing.