UNHCR Annual NGO Consultations

July 2010
Gender Audit

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CONTENTS

Background ........................................................................................................................................... 6

Methodology .......................................................................................................................................... 6

Key findings and themes ........................................................................................................................ 7

Plenary and Thematic Sessions ............................................................................................................. 9

Welcome and Opening Address – Plenary Session ............................................................................. 9

Discussion of gender issues by UNHCR ............................................................................................... 9
Discussion of gender issues by NGOs ................................................................................................. 9
Analysis .................................................................................................................................................. 9

Making it work: From policy to practice in urban settings – Thematic Session .................. 9

Discussion of gender issues by UNHCR ............................................................................................. 9
Discussion of gender issues by NGOs ............................................................................................... 10
Analysis .................................................................................................................................................. 10

Partnerships: Strengthening partnerships at local-national level – Thematic Session ........ 11

Discussion of gender issues by UNHCR ............................................................................................. 11
Discussion of gender issues by NGOs ............................................................................................... 11
Analysis .................................................................................................................................................. 11

Promoting the rights and protection of stateless persons: Issues, challenges and ways forward – Thematic Session ............................................................................................................. 11

Discussion of gender issues by UNHCR ............................................................................................. 11
Discussion of gender issues by NGOs ............................................................................................... 12
Analysis .................................................................................................................................................. 12

Protecting all IDPs – Thematic Session ............................................................................................. 12

Discussion of gender issues by Panels ............................................................................................... 12
Discussion of gender issues by NGOs ............................................................................................... 12
Analysis .................................................................................................................................................. 13

Working together: Strategies for protection from xenophobia, racism, intolerance and bias-motivated violence – Thematic session ......................................................................................... 13

Discussion of gender issues by UNHCR ............................................................................................. 13
Discussion of gender issues by NGOs ............................................................................................... 13
Analysis .................................................................................................................................................. 13
Regional Sessions ........................................................................................................... 14

Africa Bureau – Regional Session .................................................................................. 14
Discussion of gender issues by UNHCR ................................................................. 14
Discussion of gender issues by NGOs ........................................................................ 14
Analysis ......................................................................................................................... 14

Americas Bureau – Regional Session ........................................................................ 14
Discussion of gender issues by UNHCR ................................................................. 14
Discussion of gender issues by NGOs ........................................................................ 14
Analysis ......................................................................................................................... 15

Asia Bureau – Regional Session .................................................................................. 15
Discussion of gender issues by UNHCR ................................................................. 15
Discussion of gender issues by NGOs ........................................................................ 15
Analysis ......................................................................................................................... 15

Europe Bureau – Regional Session ........................................................................... 15
Analysis ......................................................................................................................... 15

MENA Bureau .............................................................................................................. 16
Discussion of gender issues by Panel .......................................................................... 16
Discussion of gender issues by NGOs ........................................................................ 16
Analysis ......................................................................................................................... 17

Gender specific Sessions ............................................................................................ 18

Back to basics: Listening and acting on preventing sexual exploitation and abuse together – Thematic Session (Gender specific) .......................................................... 18
Discussion of gender issues by Panel .......................................................................... 18
Analysis ......................................................................................................................... 18

A harsh life in long-term exile – partnerships for overcoming vulnerabilities and empowering women – Thematic Session (Gender specific) .............................................. 19
Discussion of gender issues by UNHCR ................................................................. 19
Discussion of gender issues by NGOs ........................................................................ 19
Analysis ......................................................................................................................... 21
Report back and closing address ................................................................. 22

Report back on the NGO Consultations- Plenary Session ............................. 22
Misikir Tilahun, Rapporteur to the 2010 Annual NGO Consultations .................. 22
Responses to the Rapporteur’s Report ............................................................ 22

Closing Address by Alexander Aleinikoff Deputy High Commissioner for Refugees –
Plenary Session ............................................................................................ 23

Side Meetings .................................................................................................. 24

From the margins to the centre: Realising the rights of Refugee Women and Girls – Side
Meeting- monitoring the implementation of the ExCom Conclusion on Women and Girls
at Risk (Gender specific) .................................................................................. 24
Discussion of gender issues by panel: ......................................................... 24
Discussion of gender issues by NGOs ........................................................... 25
Analysis ........................................................................................................... 25

From strategy to action: Next steps for supporting strong partnerships to address SGBV
in displaced settings (Gender specific) .............................................................. 26
Discussion of gender issues by panel: ......................................................... 26
Discussion of gender issues by NGOs ........................................................... 27
Analysis ........................................................................................................... 27

Alternatives to immigration detention ............................................................ 27
Discussion of gender issues by panel: ......................................................... 27
Discussion of gender issues by NGOs ........................................................... 27
Analysis ........................................................................................................... 27

The Sphere Project: Achievements and ways forward ...................................... 27
Discussion of gender issues by panel: ......................................................... 27
Discussion of gender issues by NGOs ........................................................... 28
Analysis ........................................................................................................... 28

UNHCR’s mandate status determination (RSD) procedures: Progress and current
challenges ......................................................................................................... 28
Analysis ........................................................................................................... 28

Advocacy for the Rights of Refugees through Domestic Legislation .................. 28
Discussion of gender issues by panel: ......................................................... 28
Analysis ........................................................................................................... 28
Promoting Resettlement in Europe - Partnership with NGOs ........................................ 28
Analysis ......................................................................................................................... 28

LGBTI Roundtable ........................................................................................................... 29
Discussion of gender issues by panel: .......................................................... 29
Discussion of gender issues by NGOs ............................................................... 29
Analysis ......................................................................................................................... 29

A hearing on Boat People: Different people, different needs and rights to protection .. 29
Analysis ......................................................................................................................... 29

Count me in: Birth Registration – a protection tool ................................................. 29
Discussion of gender issues by panel: .......................................................... 29
Discussion of gender issues by NGOs ............................................................... 30
Analysis ......................................................................................................................... 30

Appendix A – Chart ..................................................................................................... 31

Appendix B – Definition of indicators .................................................................. 32

Appendix C – Acronyms ............................................................................................. 33
Background

The United Nations High Commissioner for Refugee’s (UNHCR) Agenda for Protection, Conclusion on Women and Girls at Risk (No. 105 (LVII) – 2006), and the Guidelines on Gender-Related Persecution are among many examples of documents which highlight the importance of considering gender as a crosscutting issue in protection of displaced persons. Through UNHCR’s Age, Gender and Diversity Mainstreaming (AGDM) initiative, the organisation has sought to consider and incorporate the gender and diversity related elements of refugee protection across the range of its programming and functions. There are a number of guidelines on the inclusion of gender in all aspects of programs that are available to states and UNHCR offices. While recognising that the organisation has some way to go before gender and diversity considerations will be institutionalised within its culture and programming, UNHCR claims that gender issues have been significantly mainstreamed. This Gender Audit provides both qualitative and quantitative assessments of the manner in which gender issues were addressed by UNHCR, and by NGOs, at UNHCR’s 2010 Annual Consultations with NGOs in Geneva.

In this report, the term ‘gender’ is defined as including all refugee groups who face discrimination based on their gender, or based on their sexual orientation or gender identity. A particular emphasis has been placed on the risks faced by women and girls. Groups who face discrimination on the basis of their sexual orientation are collectively referred to as LGBTIs and are identified in the report as vulnerable people who require specific considerations and who have unique protection needs.

For more information, context or background on the meetings this report covers, please consult the full report of the 48th Standing Committee and Annual Consultations produced by the Australian Refugee Rights Alliance (ARRA).

Methodology

UNHCR’s 2010 Annual NGO Consultations were held in Geneva from 29 June – 1 July.

Each agenda item at the 2010 Annual NGO Consultations was documented and special note was taken of any mention of a gender-related issue. The context of the discussion was noted, including the level of detail given by both speakers and participants in each session. This report provided analysis on whether gender was mentioned cursorily, or if detailed observations or concrete suggestions were made. It was noted whether the discussion involved UNHCR staff, NGOs or both.

The documentation of each of the meetings’ agenda items was important in order to assess the progress of ‘gender mainstreaming’ by NGOs and UNHCR. Where a session was gender specific, that is noted next to the session name.

For reasons of accuracy, the quantitative tally of gender related mentions excludes the mentions that occurred with a gender specific session. The quantitative tally also includes mentions that occurred within the side meetings.
The documenters assessed the treatment of gender issue at the NGO Consultations using the following categories as indicators. The indicators are defined in Appendix B of this report.

1. Accountability (monitoring and accountability)
2. AGDM Framework (AGDM)
3. Education for girls (Education)
4. Gender disaggregated data and UNHCR’s data software, Focus and proGres (GDD)
5. Handbook on Women and Girls (Handbook)
6. Heightened Risk Identification Tool (HRIT)
7. LGBTI
8. Livelihoods for women (Livelihoods)
9. Sanitary Materials (Sanitary)
10. SGBV
11. Survival Sex
12. Women and Girls

Key findings and themes

The 2010 Gender Audit for the UNHCR-NGO consultations revealed a number of positive trends and emerging issues of gender importance to UNHCR and NGOs. The Gender Audit also highlights some of the shortcomings in addressing gender and where work needs to be done. Appendix A below provides a visual representation the gender mentions and omissions, documented in the non-gender specific sessions.

The Gender Audit captures a strong commitment by Senior UNHCR staff to overcome gender issues and the concerted efforts that are being made to mainstream gender. However gender disparity remains evident among refugee focussed activities. Analysis in comparison to the 2009 Gender Audit reveals a slight drop-off in the focus on gender issues, particularly with regards to women and girls at risk. While gendered rhetoric was widely used by UNHCR, such as references to ‘AGDM’, ‘women’, ‘SGBV’ and ‘vulnerable people’, there were few instances where substantial discussion followed. Outside of the two gender focused-thematic sessions and three side-meetings, there was little substantial discussion of gender issues. The Gender Audit has highlighted the sessions where it felt Gender should have been discussed in greater detail.

Despite UNHCR’s visible commitment to overcoming gender challenges and to mainstream ‘gender’ throughout the organisation, the NGO community felt that it was too soon to claim victory and that it would take much more time and effort before gender is truly institutionalised. The UNHCR also acknowledges that there is a long way to go before institutionalisation of the AGDM Framework has been achieved. Nevertheless, the Gender Audit reiterates the importance of prioritising AGDM for the organisation and need for implementation to be led from the highest echelons of management. In addition, the Gender Audit emphasises the importance ensuring on-going work to address gender issues, especially with regards to women, girls and adolescent girls at risk, within and above the AGDM framework.

As a positive trend, there was an enhanced emphasis on the protection needs of LGBTI refugees and express recognition of their specific challenges. A LGBTI roundtable was also held, demonstrating the importance of this vulnerable group to UNHCR and highlighting some of the policy work underway.
Overall, the focus on women and girls was lacking. In particular, the side-meeting on PSEA illuminated the major gaps in policy implementation, particularly with regards to reporting mechanism. Women and girls remain at high risk of SGBV and SEA. Of major concern is the budgetary shortfall for addressing SGBV and providing essentials for women and girls, such as sanitary material. In addition there was an absence of acknowledgement of survival sex as a form of SEA which is documented in refugee communities. The Gender Audit calls for non-negotiable budget items to meet 100% of gender-specific needs. SGBV must be of the highest priority as it is the greatest violation of a human being and is currently a major cause of refugees fleeing their homes.

During the NGO-UNHCR consultations there was scant attention paid to the tools that are fundamental to programming, crucial to the protection to refugee women and girls, including the Heightened Risk Identification Tool, the Handbook on the Protection of Women and Girls and the need for the collection of gender disaggregated data so that the true need of women and girls can be accurately and adequately assessed.

The greatest support for Gender came from the UNHCR Gender Unit, as well as from the Africa bureau. However in order for gender to be genuinely mainstreamed, the UNHCR needs greater leadership at all levels supported by appropriate funding and training to address the grave deficiencies in the field.

Finally, the Gender Audit would like to thank the contributions made by the refugee community representatives and NGOs from all regions of the world, whose conversations have alerted us to the many protection gaps as well as solutions. In order to protect the most vulnerable people it is vital that UNHCR continue to work closely with NGOs and refugee representatives and activate these partnerships in all areas of their work.
Plenary and Thematic Sessions

Welcome and Opening Address – Plenary Session

Discussion of gender issues by UNHCR
The opening address was presented by Alexander Aleinkoff, Deputy High Commissioner, and Erika Feller, Assistant High Commissioner for Protection. UNHCR did not specifically discuss gender issues in the opening plenary. The focus of the session was on the key protection areas, the needs-based budgeting approach and partnerships of which gender was not discussed. The AGDM Accountability Framework was mentioned as generating good practices for meeting protection needs but not specifically in the context of gender.

Discussion of gender issues by NGOs
The NGO representatives raised a number of gendered questions for the UNHCR. UNHCR was asked to describe what action they are taking to ensure girls and adolescent women do not fall through the gap in having their protection needs met. It was noted that while efforts are currently being made to ‘mainstream’ gender and to protect this vulnerable group from SGBV, many NGOs, such as the Centre for Refugee Research, University of NSW, are concerned that the AGDM framework may not sufficiently consider those adolescents who may no longer be considered ‘girls’ but are not yet ‘women’.

Erika Feller responded to the question by assuring the NGOs that UNHCR have pioneered a participatory approach to look at protection threats and needs, which is now fully embedded in all programs and that the AGDM Framework is a part of this. She acknowledged that adolescents currently receive less attention than other groups, but noted her belief that the AGDM Accountability Framework was sufficient to ensure the gender dimension is accounted for. UNHCR said that the Gender Division are currently producing a ‘good practice’ handbook for AGDM implementation, which seeks to increase the use of the AGDM Framework and the protection of women and girls.

Analysis
UNHCR did not pro-actively recognise the importance of gender during the opening plenary. It was expected that UNHCR would outline gender as a key protection issue, given their focus on the AGDM Accountability Framework. The level of acknowledgement of gender in this session was less than the previous year.

Making it work: From policy to practice in urban settings – Thematic Session

Discussion of gender issues by UNHCR
José Riera, Senior Adviser to the Director of the Division of International Protection, UNHCR noted the question of when to issue specific guidelines in response to the subject of the Urban Refugee Policy, and indeed such polices in general. For the Urban Refugee Policy, UNHCR have issued an interim Guidance Note, but implied a delay in further instruction in lieu of working with the communities and local actors who want UNHCR’s expertise and input on the ground.

A reference to gender was made during a strong statement by an NGO that we must all be cognisant that refugees are to be respected and us as workers are accountability to those we serve; that we must ensure respect and quality engagement. To this end, programs such as those that have refugee women as outreach community workers play a crucial role to
identifying the most vulnerable. The point being that when speaking about partnerships, we must not forget those we serve.

**Discussion of gender issues by NGOs**

Across the session, with all the myriad of examples provided of the issues and good practise, there was a very stark silence on specific issues relating to gender, women, girls or any items on the Gender Audit list.

With some excellent examples of engagement, livelihood and education programs there was very little hint of heightened risks and issues for women or girls.

Whilst talking about issues such as the following where there would be an expectation of a focus on gender issues to highlight the heightened risk factors, there was very little mention of gender:

- Refugees to become self sufficient.
- Refugees to gain access to networks.
- Monitoring and highlighting gaps in policy and practise.
- Livelihood support and microcredit for livelihoods projects. In one example, in a list of 8 Livelihood projects listed by an NGO, no mention of a Gender Specific program was made.
- Exploitation and discrimination with access to education. Often parents cannot afford to send children to school. No mention of Rights of the Child or the Girl child.
- A series of education programs and providing supplies for children to attend school made no mention of the additional needs of girls and young women, e.g. Sanitary materials.

An intervention by the Centre for Refugee Research, UNSW highlighted the distress of not having heard the heightened risks for women and girls in the session at all. Points highlighted included the providers of first resort are often refugees themselves. Examples highlighted the multi dimensional provision of support and included the women’s groups working along the Thai Burma border who provide training and access to livelihoods; who provide psycho social support; legal support; safe spaces.

Subsequent discussion highlighted two examples of good programs:

In Ecuador an NGO has extended beyond RSD in legal aid. A mobile clinic program has been established that moves around country and strengthening local protection networks; finding local actors together with a program of legal community advisors, particularly women who can give a degree of legal advice.

In Jordan a program involving better parenting (targeted at parents and carers to provide better parenting for children) including conflict resolution has been implemented. The program trained 60 Iraqi mothers and of these, chose 20 to go and facilitate training inside people’s homes (for both Iraqi and Jordanian families). Each program consisted of a 5 day training session x 10 women each time.

**Analysis**

Despite a comprehensive understanding of the gender issues by UNHCR there was little specific mention to highlight these issues under the AGDM lens that was referred to in the Plenary Session.

Of the NGOs, there were summary mentions at the group level, and then what appeared to be two distinct camps when seeking an understanding and in depth focus on gender. The first are NGOs working from a rights based, participatory approach, with their programs
based on needs assessments and who are cognisant of differing interests and differing needs within the local contexts. Examples were shared of excellent projects that show elements of sustainability, namely a South American example where the NGOs bow out leaving the programs to be managed by the people e.g. Banking facilities for displaced people; school entry and participation. This is in contrast to the second group of NGOs that view AGDM as a completely separate issue. It is seen as a separate and additional phase, that requires separate funding and delivery, not as an overarching/intersecting impetus. It is viewed as a silo under a project model of service delivery.

**Partnerships: Strengthening partnerships at local-national level – Thematic Session**

**Discussion of gender issues by UNHCR**
Inter-Agency Unit, UNHCR noted a major finding from UNHCR’s recent survey on how it can better work with its partners. One of the main needs identified by NGOs was the need for UNHCR to facilitate more training of local organisations, including on the issue of SGBV.

**Discussion of gender issues by NGOs**
A Presenter from this session noted that their program focused particularly on issues of education of women and girls and sexual violence, particularly (SGBV and FGM). She noted that every program should incorporate a capacity-building component to empower local NGOs, and identified the need for a decrease in bureaucracy in order to streamline procedures and empower local staff and authorities. A Middle Eastern NGO noted that the organisation has had a positive experience of being able to engage in a program where there was a sense of equal partnership, and thought it would be useful if other people could learn from this experience.

**Analysis**
Both UNHCR and NGOs identified the need for more capacity building to take place with local partners, with UNHCR noting that local partners have expressly requested training on SGBV issues. However, UNHCR failed to elaborate on whether, when or how this training will take place. There was no discussion by UNHCR on meaningful partnerships with women from refugee communities.

**Promoting the rights and protection of stateless persons: Issues, challenges and ways forward – Thematic Session**

**Discussion of gender issues by UNHCR**
The session on statelessness did not address gender issues specifically. The discussion focused on the legal difficulties associated with stateless persons and acknowledged the effect on children of being born stateless. An officer from the Statelessness Unit, UNHCR, noted the importance of registering births in order to for children to gain citizenship, and the responsibility of States to naturalise refugees of long-standing status in the host country. NGOs including, Education and Research Association for Consumers discussed the issue of statelessness within the context of Malaysia and the Hungarian Helsinki Committee, brought the Hungarian perspective.
Discussion of gender issues by NGOs
The NGO community did not expressly identify the different needs of stateless women and girls. However, the National Human Rights Society, reminded us of the importance of being born in the right place and how difficult it is for some parents to secure citizenship for their families.

Analysis
We are aware that the challenges of stateless are heightened by discriminatory national legislation, which in many contexts prevents women from passing on nationality to their children. It should also be noted that partnerships with refugee women is essential to increasing rates of birth registration and subsequently reducing statelessness.

Protecting all IDPs – Thematic Session

Discussion of gender issues by Panels
The session focused on urban Internally Displaced Persons (IDPs). The Forced Migration Studies Programme, University of Witwatersrand, emphasised the need for disaggregated data in order to identify IDPs and their specific needs, as well as the need for local partnerships. While it is clear that women should be key partners, there was no mention of gender as a factor in the identification of IDPs.

An NGO discussed the lack of a legal framework for the protection of IDPs in Kenya, and the efforts of UNHCR and NGOs to protect the rights of and to resettle Kenyan IDPs. The Danish Refugee Council presented on the challenges and lessons learn on profiling IDPs outside of camps, from their experiences in Chechnya, Georgia and Somalia. A lack of community coherence was cited as one of the challenges to identifying IDPs, which has a strong gender element, as women are often very active in and important to the functioning of the community. In order to gain information about IDPs the researchers set up kitchens where women and children would collect meat. This has led to developing livelihood opportunities for women, especially of IDPs in Mogadishu, Somalia. This strategy recognises the benefits of partnering with local women in order to gain an understanding of that community and to directly benefit that community.

The Division of International Protection, UNHCR, discussed the challenges of protecting IDPs from the perspective of UNHCR. The DIPS officer identified the fact that local partnerships with IDPs are crucial for understanding the needs of IDPs. He emphasised the ethics of promoting social participation and explained the importance of ensuring that community leaders, using the example of a woman, are involved in all levels of planning. He explained that there should also be an understanding that there may be barriers to the participation of that woman, such as the costs of travel, child-care, knowledge of the issues and fear of working with UNHCR.

Discussion of gender issues by NGOs
The protection of IDPs is more difficult than providing for refugees generally, due to access and identification challenges. A NGO representative suggested that the best approach is to work with local partners, particularly in conflict areas. Livelihoods and the empowerment of women were highlighted as crucial to alleviating the problems of IDPs. The rapporteurs from the break out-groups recommended working closely with women’s groups, community groups and schools to better understand and provide services to IDPs.
Analysis
It appears that a discussion around gender would be useful in the context of identifying IDPs outside camps and partnering with women, as they are often the decision makers in households, have primary care responsibilities for children and are well connected within the community. Women and their children make up the majority of people who leave their homes to seek refuge and are community movers and carers. UNHCR should prioritise livelihoods and other programs working closely with women to feed their families and to gain a deeper understanding of their needs.

Working together: Strategies for protection from xenophobia, racism, intolerance and bias-motivated violence – Thematic session

Discussion of gender issues by UNHCR
This session opened discussions with a genuine inclusion and understanding of gender issues, specifically with regards to LGBTI in relation to hate crimes and intolerance.

Division of International Protection, UNHCR highlighted some of the key groups at risk of xenophobia attitudes, and the consequences, emphasised the problem of gender-motivated violence, such as rape. The officer specified that he saw rape as a major global security concern and cited it as the reason for the majority of why women, children and girls are fleeing Kyrgyzstan. He also explained that gender inequality is the root of statelessness and a barrier for returns for many refugees. He noted that he sees xenophobia as a political problem, in that society has not learnt from historical lessons to effect a change in attitudes, hence the continuing existence of the ‘ugly face of xenophobic attitudes’ and the non-recognition of certain groups. The example provided in this context was of LGBTI and the non-recognition of the politics behind gender related persecution.

Discussion of gender issues by NGOs
The session provided rich discussions by the NGO sector covering a number of areas, including education; political engagement; policy development and implementation. There were varying degrees of acknowledgement of gender issues by the NGO representatives.

One particular NGO delegation highlighted the significance of xenophobic attitudes against women of a particular race and the layered issues associated with their displacement. The delegation noted that ‘this triple layer produces violations that result in indignities for this group’. The NGO also illuminated the effect on the children of this group, who face daily discrimination by the state and people of that state. Another NGO spoke of the responsibility of public officials and the media in language as well action. By way of example, it was mentioned that this organisation works specifically with LGBTI communities to provide information and expert advise on hate crimes to the media. The moderator also highlighted examples of gender issues, particularly against LGBTI, in places such as Turkey where such groups face multiple forms of discrimination.

Analysis
With the focus of the discussions on politics, the role of media, social movements, and the examples of LGBTI, there appears to be an implicit acknowledgement of LGBTI and accompanying diversity items in relation to impacts of intolerance. The discussions did not explicitly cover the issues for women and girls, however the open discussion appeared to hold an implicit inclusion of these items.
Regional Sessions

Africa Bureau – Regional Session

Discussion of gender issues by UNHCR
Issues of gender were mentioned explicitly by the panel. In particular, Director, UNHCR Africa Bureau, discussed many gender issues during his presentation. The Director noted that the Africa Bureau has committed to a number of gender-related programming areas which it has deemed ‘non-negotiable priorities’. These include the following:

- Sanitary towels – The Africa Bureau has committed to meeting 100% of women’s needs in relation to sanitary materials.
- SGBV – it was noted that while more remains to be done in relation to SGBV, UNHCR will continue to address this issue, seeking to meet all management elements with specific standard operational procedures and reporting.
- ADGM – it was noted that the bureau would work to meet ADGM principles.
- Domestic fuel – The Africa Bureau will work to supply domestic fuel to women. This is due to the high number of cases whereby women are raped whilst foraging for firewood.

Discussion of gender issues by NGOs
One particular NGO discussed the fact that SGBV is often associated with women and girls, and highlighted that this ‘narrowness’ must be addressed as there are increasing reports of men becoming victims of SGBV. Similar to women and girls, the delegate noted that such violence causes great psychological trauma for men. The concern was raised that the stigma surrounding this issue is also causing much pain for men. The Africa Bureau responded to this intervention by stating that SGBV is a real issue which must be addressed, and in order to do so will consider this issue of SGBV in relation to men.

A second NGO mentioned violence against women and girls, asking how the NGO sector could assist in ensuring a firewall budget for the prevention of SGBV. ADGM was also mentioned in the context of asking whether there is a methodology available to ensure AGDM it is successful. The Director responded by stating that unless UNHCR receives the necessary funds, the issue cannot be fully addressed.

Analysis
Gender was mentioned explicitly throughout the session, particularly by the Director, Africa Bureau during his presentation. In relation to the issues of SGBV against men, it is noted that while women and girls are particularly impacted by SGBV, there have been reports of men who are survivors of SGBV - particularly in certain African regions. This is acknowledged as an important and concerning issue which must be addressed. However, this should not occur at the expense of measures to address SGBV against women and girls. It must continue to be acknowledged that women and girls are the primary targets of SGBV, but that action against SGBV should seek to protect both women and men.

Americas Bureau – Regional Session

Discussion of gender issues by UNHCR
There was no direct mention of gender issues in the Americas bureau.

Discussion of gender issues by NGOs
One NGO identified a range of needs specific to the Americas, with gender highlighted as one area of concern. Another NGO brought up the need to look into the special needs for age,
gender and diversity and to focus efforts on protecting groups at high risk, such as women, vulnerable children, and the elderly.

Analysis
The session attempted to cover a broad range of issues and therefore there was not sufficient time to discuss any issues in depth. Refugee women and girls are of high risk in the Americas and a gender-centred approach may have been useful in dealing with some of the protection challenges.

Asia Bureau – Regional Session

Discussion of gender issues by UNHCR
There was no discussion of gender by UNHCR in this session.

Discussion of gender issues by NGOs
Although Malaysia is not a signatory to the 1951 Refugee Convention, it is a signatory to both the Convention on the Elimination of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC). Because of this, it was posited by an NGO that the Malaysian Government has an awareness of its responsibilities to protect refugee women and children more so than other groups.

It was acknowledged that family planning, sexual reproductive health and rights are sensitive issues in Islamic Republic of Iran. An Iranian delegate floated the possibility of exporting their experiences to share learnings with other Islamic countries, such as Malaysia and Indonesia, where there are significant populations of Afghan and Iranian refugees. UNCHR responded by acknowledging that this would be a very good idea and offered to share the organisation’s contact details with the person in charge of HIV and sexual health issues, based in Bangkok.

A delegate noted that within the wide range of programs for refugees in Kazakhstan, NGOs are collaborating with other partners including UNHCR to deliver a wide range of programs, including training on GBV.

Analysis
Given the fact that the protection space globally is shrinking, including within Asia, it was disappointing that the Asia Pacific Bureau Session failed to substantively address any gender related elements of refugee protection within the region. No mention of gender was made by UNHCR and the mentions made by NGOs were brief and narrow in focus. This is in stark contrast to the strong emphasis placed on gender issues within the Africa Bureau Session. As also mentioned in the Europe Bureau Analysis, this striking difference in the emphasis placed on age, gender and diversity suggests that there is a significant way to go before gender is fully mainstreamed within UNHCR. Senior staff must lead the process, and it must not be assumed that the gender dimension is implicit within discussions about refugee protection.

Europe Bureau – Regional Session

Analysis
There was no mention of gender in this session. Two cursory mentions of unaccompanied children were the only references to the protection of particularly vulnerable groups. These mentions were made in the context of reports released by Human Rights Watch and UNHCR. This treatment of gender is in stark contrast to the strong emphasis placed on gender issues within the Africa Bureau Session. As also mentioned in the Asia Bureau Analysis this striking
difference in the emphasis placed on age, gender and diversity between the various bureaux suggests that there is a significant way to go before gender is fully mainstreamed within UNHCR. Senior staff must lead the process, and it must not be assumed that the gender dimension is implicit within discussions about refugee protection.

**MENA Bureau**

**Discussion of gender issues by Panel**
The Kuwaiti Red Crescent Society noted that vehicles have been provided to cater for the needs of vulnerable groups such as women and children. They also noted that the consequences of pregnancy are grave for many women in the MENA region. Vehicles and cars have been provided to serve as ambulances in places such as mountainous areas to ensure women don’t die due to lack of access to services. He noted that if a “beautiful future” is to be seen for women and children, then services must be provided.

UNHCR MENA, thanked the Syrian Women’s Red Crescent Society for support they have provided to protection of women in Syria, particularly within the Iraqi program. The Director also noted that UNHCR has a workforce of 130 women in Syria in Jordan working to identify and register the most vulnerable refugees in those countries.

**Discussion of gender issues by NGOs**
A women’s organisation from the Middle East was particularly strong on gender during this session. They noted that the greatest impact of conflict is on women and children, including children being deprived of education. The group noted that children are not responsible for war, and should be protected from its impacts. They also noted that they have statistics on the number of violations that have occurred against vulnerable groups such as women and children in Yemen. For example, 187 children have been killed due to war and conflict situations in Yemen, primarily because they couldn’t reach medical care in a timely manner.

Sexual violations and abuse of children and women is rife in Yemen. The NGO states that reports show that 99,000 children, both girls and boys, have been sexually abused in Yemen. Young girls below the age of 18 are the most susceptible to sexually abuse. In 2007 there were reports of large number of murders of girls, particularly in the age group 5-12. Many of those killed were handicapped and reports show that many of these were sexually abused.

Almost 50% of 241,709 displaced people over 5 governorates in Yemen are women with 33% being children. The NGO noted that the most vulnerable groups such as children, women and the elderly are those who pay the greatest price of displacement.

The delegate also noted that there must be cooperation and coordination on the part of a number of actors to prevent SGBV and to assist survivors. They stated that such attempts must be the outcome of coordinated activities between constituent communities, health and social services, police and security forces and legal and justice systems. Further, they noted that national government bodies should be responsible for overseeing this coordination, and must require and monitor GBV data collection across sectors.

A delegate noted reports of sexual violence against refugees from sub-Saharan Africa within mixed migration flows and asked UNHCR to explain what it is doing to protect refugees in mixed migration flows. UNHCR responded by saying that the 10-point plan is in place to provide protection-sensitive approach to mixed migration flows - not only in Middle East but also elsewhere.
Analysis
With the exception of a substantial and meaningful intervention by one women’s organisation from the Middle East, there was very little discussion of gender in this session. This was particularly noticeable given the prevalence of SEA and SGBV in the Middle East. UNHCR MENA Bureau, referenced efforts to assist and protect women, when congratulating the Syrian Women’s Red Crescent Society for their work to protect Iraqi women in Syria. There was no mention of the issue of survival sex or sexual exploitation, or of the heightened risks single women face in MENA. The acute need for the collection of meaningful data about women and the risks and abuses they face was noted in this session, one of very few mentions across the range of sessions at the NGO consultations.
Gender specific Sessions

Back to basics: Listening and acting on preventing sexual exploitation and abuse together – Thematic Session (Gender specific session)

Discussion of gender issues by Panel
The session presented the recommendations of a study on the prevention of sexual exploitation and abuse against (PSEA) women and girls, conducted by an Independent Consultant engaged by the Inter-Agency Coordinating Committee. The IASC Review of Protection from Sexual Exploitation and Abuse by UN, NGO, IOM and IFRC Personnel and describes ‘good practice’ for policies that aim to prevent SEA, as well as identifying short-falls. Visible senior leadership was seen as crucial in PSEA implementation. Liberia was identified as an example of ‘good practice’ where leaders were willing to enforce PSEA polices. However, within 8 of 16 agencies involved in the study, leadership has been patchy and PSEA has not been implemented with success. The biggest barriers to PSEA in these countries were seen to the unconsciousness of management and staff of PSEA and of a lack of consistent acceptance or understanding of the reach of the PSEA polices.

One major finding for PSEA is that that field-reporting and complaint mechanisms are necessary and often lacking. One speaker noted that ‘if there are no complaint mechanisms in place, there will be no complaints’. It was recommended by an Independent Consultant that policies on PSEA should be re-launched with high visibility, complaint mechanisms, and ambiguity removed. PSEA should be seen as both a corporate and program issue and should be routinely monitored. Finally, it was recommended that PSEA should be mainstreamed.

UNHCR reiterated the need for induction and training materials for staff to assist in identifying SEA and implementing reporting mechanisms to provide survivors with an avenue to seek justice. UNHCR have carried out a number of initiatives such as attempting to integrate SEA into the Global Learning Centre resources and the development of tools and guidelines by the Division of International Protection. UNHCR has a mandatory code of conduct annual refresher training session, which every staff member must participate in, and which managers much show compliance with. In addition, the Office of the Inspector General, can receive complaints directly from beneficiaries in the field.

FilmAid, Kenya, provided an overview of the Kenya camp project. This project produced a series of films in camps on the implementation of the Kenya Code of Conduct to support the implementation of PSEA. FilmAid have encouraged staff in refugee camps to sign the Kenya Code and have shown films in camps in Kenya which promote the rights and empowerment of the refugee community.

Analysis
The session was insightful and provided an indication of the importance placed by UNHCR on the prevention of SEA of women and girls in refugee communities. However, there appears to be a gap between UNHCR policy and implementation in the field. Developing guidelines in setting up community reporting lines in the field is crucial to PSEA and has not yet be fully implemented. It was also highlighted that PSEA takes more than a Code of Conduct, as women must feel comfortable and safe in accessing reporting mechanisms. In order to encourage women and girls to report instances of SEA, there must be open and frank discussion of SEA in the refugee communities and among agency staff. There is also a need
to create a new wave of momentum within UN agencies to implement PSEA and for sustainable action. PSEA must be seen as a non-negotiable budget item, which, as humanitarian providers, must be the prime responsibility of UNHCR and NGOs working with refugees.

A harsh life in long-term exile – partnerships for overcoming vulnerabilities and empowering women – Thematic Session (Gender specific)

Discussion of gender issues by UNHCR
With regards to protracted refugee situations (PRS), and the need to ensure protection, especially for women, the discussion invited participants to decide how to effect the changes that the action plans endeavour to cover. In particular the discussion focused on the economic empowerment of women through capitalising on resources and the surrounding environments.

Partnership was a common theme, but the emphasis was on ensuring that partnerships are not based on artificial connections but on real relationships with refugee women. The key question was whether UNHCR and NGOs working in camps are making the most of their presence and empowering women in a sustainable way, so that as time passes by in camps, women are able to normalise their lives as much as possible, despite the uncertainties of their situation.

While it was acknowledged that livelihoods for women is crucial, it is also important that women in PRS have the freedom of movement and opportunity to contribute to their host community, by way of access to the host market for goods, jobs and services. This requires some level of economic integration between the refugee community and the host community, which, it was noted, can be problematic for a number of reasons.

Discussion of gender issues by NGOs
The discussion focused on some of the challenges to the successful and sustainable implementation of livelihoods programs, including access to the local economy; long term opportunities to practise acquired skills; sustainability of establishing programs and the sustainability of skills in new environments once refugees have left camps. Changing dynamics in family homes, such as women increasingly becoming breadwinners, has prompted NGOs to be cognisant of potential domestic violence issues and the necessity of including men in programs.

The group emphasised the importance of freedom of movement - which generally is “confiscated from refugees” - and self-reliance as essential and basic elements of human dignity and empowerment. NGOs shared examples of a variety of different livelihood programs, including self-help groups for women, skills training, tertiary education and micro-finance initiatives.

Breakout session two was a small group discussion comprised of NGO representatives specifically focussed on the causes of, and possible ways to address, SGBV, including domestic violence. It was noted that SGBV is not only perpetrated by refugee men, but also by police, authorities, security staff in camps, and by humanitarian workers. A delegate highlighted the compounded risks faced by victims of SGBV, citing examples of cases in Kenya where women have gone to a police station to report a rape, and have subsequently been raped by police officers. The need for a functioning complaints mechanism was
identified. It was also noted that in many places laws do not protect women from violence, and that even where legal frameworks to address gender-based violence do exist, there is often a distinct lack of effective implementation.

A major factor that was identified was that in many settings even basic day-to-day living exposes women to extreme risks of SGBV. For example, having to collect firewood outside a camp setting, or go to the bathroom at night in overcrowded camps, results in many women being raped and otherwise abused.

The group noted than in some instances violence against women is culturally acceptable, leading to domestic violence. One African delegate noted that in some places in Africa, violence against women is so entrenched that if a woman’s husband does not beat or otherwise physically abuse her, she thinks that he does not care about her. In other instances it was noted that men can become violent when they are stripped of their function as major breadwinner. For many men, the experience of women becoming the primary breadwinner is emasculating, so violence is used as a means to assert power and exert control.

A number of strategies were identified to minimise the risk of, and address the consequences resulting from SGBV, including the fact that the participation of refugee women should be considered central to finding solutions to SGBV within their communities. A key point to come out of this session was that there are some areas that put women at risk should be non-negotiable. For example, women must be able to safely access firewood and toilets.

The issue of how to keep women safe and still make services known was identified as a major challenge. It was noted that women should be able to access a central referral service, whether in person at a clinic or by telephone, and that clinics need to diversify their services so that women are not stigmatised for attending a clinic that deals specifically with rape victims. In the clinical setting, it is important that women have the opportunity to safely and openly discuss their needs without their husbands or relatives present. One delegate mentioned that it is useful for clinics to designate one day per week as ‘women only day’, in order to facilitate a safe environment within which women can speak honestly about their needs. The suggestion was made by several NGO delegates that service providers must collect data and provide this to UNHCR in order to collect meaningful statistics regarding GBV.

Education was seen as a key element of tackling the SGBV epidemic. Not only must refugee women and other women at risk be educated about their rights, men must also be educated. It was identified that education must extend beyond refugee communities, and in many contexts must apply to authorities, including police, court officers and judges. The media was mentioned as a possible vehicle for raising awareness about GBV, and changing public attitudes. However, it was noted that caution should be exercised when dealing with the media in order not to further traumatise victims in individual cases, or demonise refugee populations when speaking about the issue more broadly.

One delegate noted that in Kenya, refugees have been trained as community-based counsellors to identify and assist victims of rape and abuse. This was a good example of the ways in which refugee women can be involved in addressing SGBV.

The Heightened Risk Identification Tool (HRIT) was mentioned as an important tool in identifying and caring for women who have experienced SGBV. It was also noted that the HRIT is an important way of identifying what services are needed in a given community. One participant noted that during a recent mission to Dadaab Camp over 65% of 300 women interviewed using the tool said that they had been raped.

20
**Analysis**

While focussed specifically on gender, this breakout session was one of the few items on the agenda of the NGO consultations in which the needs and vulnerabilities of women were substantively addressed. Many of the recommendations given during this session were concrete and practical, and had a strong community-based approach. This demonstrates the value of having specialised and focussed sessions, during which NGOs working in the area of SGBV can share experiences and strategies. This was the only session throughout the NGO consultations in which the HRIT was mentioned.

The Moderator introduced a strong gender focussed framework for the session, covering layered issues for refugee women of being female refugees and in vulnerable situations suffering human rights abuses and further listing some conditions endured, including poor living conditions; insecure and remote conditions; livelihoods for protection; access to participation in decision making; restricted access to land/education/vocational training; and generally lower income. The audience was extremely well versed in the gender issues, with the presentations focussed on the specific issues of livelihoods and SGBV.

It was recommended by the NGO community that the lead coordination agency in the camps should have a clear coordinating mechanism and communicated mandate to avoid duplication of efforts. Partnerships between UNHCR and local NGOs and refugee communities should be enhanced, with an emphasis on education and training with partners on how to respond to SGBV. The training should also extend to men in the host refugee community and government and non-government agencies, such the police. It should be noted that there are many NGOs who have significant experience training civil society and police in SGBV and UNHCR should work closely with these organisations to incorporate their learning into UNCHR polices.
Report back and closing address

Report back on the NGO Consultations- Plenary Session

Rapporteur to the 2010 Annual NGO Consultations

With regards to the thematic session ‘Back to basics: Listening and acting on preventing sexual exploitation and abuse together’, the Rapporteur noted the West Africa Scandal, 8 years ago, during which to incidences of sexual abuse and exploitation (SEA) were committed by humanitarian workers. The Rapporteur noted that the scandal altered UNHCR and the humanitarian community. The Rapporteur highlighted the 2008 review by IAEC on the progress to prevent SEA, which looked at how humanitarian organisations can assist in preventing SEA, and urged UNHCR and NGOs to continue to train staff to PSEA and to monitor cases of SEA. A number of recommendations came out of the session:

- SEA was identified as the most grievous failure of accountability. UNHCR must revitalise their commitment to combat SEA and other forms of SGBV.
- The senior management leadership needs to be more visible in the area of PSEA.
- PSEA must be linked to programming, but is also a human resources issue.
- UNHCR must ensure that they develop community-based complaint systems and response mechanisms to create an environment that prevents SEA.

With regards to the thematic session, ‘A harsh life in long-term exile – partnerships for overcoming vulnerabilities and empowering women’ a number of recommendations were made to combat SGBV in camps, and to empower women. The Rapporteur stated that it is accepted that the security of women and girls in camps is a non-negotiable priority. Recommendations included the following:

- Standards should be developed in camps to prevent SGBV.
- The invisibility of violence against women should be addressed through camp education campaigns.
- Refugee community workers should be increasingly employed.
- Humanitarian workers must receive training and education on preventing SGBV.
- Men must be involved in education campaigns to combat SGBV and should be included in livelihood programs.

Responses to the Rapporteur’s Report

Permanent Mission of the United States of America and Rapporteur of the Executive Committee highlighted in her reflections the importance of the recommendations on PSEA, and the role of ExCom in holding UNCHR accountable to maintain certain non-negotiable standards of protection.

Several NGOs made gender related interventions. One such NGO asked us not to forget that sexual violence against men is also a concern that requires attention.

Centre for Refugee Research, UNSW, emphasised the central importance of engaging with refugees, using a rights-based approach, and the importance of PSEA. She posed the question to the panel of what role States and UNHCR can play to ensure PSEA is
institutionalised and that NGO and other partners working with refugees are properly trained in the PSEA.

External Relations, UNHCR, responded stating that the AGDM framework has been applied throughout the world and the 60th Anniversary Commemorations will have a focus on raising awareness and dealing with SGBV. However, it was noted that while UNHCR now possesses a range of gendered tools, it is not a given that the tools and the Code of Conduct will be applied consistently in the field. ICVA also noted that the responsibility to prevent SGBV and eliminate SEA is shared between UNHCR and NGOs, as well as States.

Closing Address by Alexander Aleinikoff Deputy High Commissioner for Refugees – Plenary Session

The Deputy High Commissioner closed the session by reminding us that UNHCR are accountable to beneficiaries and especially to the most vulnerable beneficiaries. It was noted that UNHCR are pleased with the progress on AGDM and the significant work done on SGBV. However, he noted that there is still a long way to go and that AGDM mainstreaming must be led from the top if it is to be fully instituted within UNHCR’s culture at all levels. To this end, he noted that the High Commissioner, Antonio Guterres, has recently reaffirmed his commitment to his five promises to women and girls. The Deputy High Commissioner acknowledged the importance of combating SGBV and assured the meeting that UNHCR will do whatever else is needed. He welcomed feedback from the field on where UNHCR should focus its efforts. Finally, the Deputy High Commissioner noted: ‘UNHCR is not a charity, it’s about human rights... and giving people tools to put their lives back together and to raise their children with dignity.’
Side Meetings

From the margins to the centre: Realising the rights of Refugee Women and Girls – Side Meeting- monitoring the implementation of the ExCom Conclusion on Women and Girls at Risk (Gender specific)

Discussion of gender issues by panel:

The panel discussed some recent efforts to bring the concerns of refugee women and girls to the centre of protection work, and to recognise refugee women and girls as key agents of social change within their communities. Representatives of the refugee communities in Australia shared personal stories of some of the challenges faced by women and girls on their journey as refugees.

The Senior Coordinator Women and Gender, UNHCR, presented a new tool to raise awareness on the rights of displaced women, and to facilitate the understanding of women’s rights and how to work them into the field level. The tool is composed of four short movies and a companion guide that helps to identify the rights of women and the corresponding actions taken by UNHCR to protect them. The UNHCR Film Series for the Protection of Women and Girls (June 2010) is intended to be used in conjunction with the UNHCR Handbook for the Protection of Women and Girls and to be accessible by NGOs and UNCHR staff at both international and field levels.

Women’s Refugee Commission (WRC) provided an overview of their work with regards to livelihoods for women. The WRC has carried out research on how livelihood programs could be improved. It was highlighted that livelihood programs should include built-in protection mechanisms to prevent domestic violence.

The session then turned to the Refugee Community Representatives, and their personal statements on the experiences of women refugees. A woman representing Iraqi refugees, spoke of the women and girl refugees, “whose pleas for help have been forgotten, and left them suffering in silence and living in despair.” She highlighted some of the barriers faced by refugee women and girls, such as the pre-arrival barriers of family separation, torture and trauma, rape, survival sex, health, anxiety, survival guilt, uncertainty and fear. She also mentioned post-arrival barriers facing women, such as language barriers, lack of knowledge of host-country, lack of information and access to services, lack of access to employment, recognition of qualifications and previous experiences, resulting isolation, teen pregnancies, lack of culturally appropriate child care service, housing and homelessness problems, family role changes, intergenerational conflict, stereotyping and discrimination and domestic violence.

A community refugee representative of the Africa region, assured the refugee women around the world that “they are not alone; that there are many genuine people working hard and fighting on their behalf to create a caring and compassionate world.” She stated that the “risk for refugee women is not a word, it is not a concept but it is an everyday reality, the impact of which lingers with them for a life time.” As a woman of refugee background and one who has seen and felt those suffering first hand, she shared the stories of some of the women whose lives were cut short as a result of risks that include rape, unwanted pregnancies, survival sex, women being used as bargaining tools, alienation by family and whole society, losing identity and respect as a human being.
The panel of refugee representatives made a number of pleas:

- We would like to say that the women at risk program should be urgently and properly funded in order to be effectively implemented.
- We believe that empowering those women and protecting them is a basic human right.
- We believe finding practical solutions to barriers encountered in obtaining a safe environment is crucial for survival and successful resettlement or repatriation.
- We believe developing good capacity building initiatives for those women will give them confidence and strength.
- We believe family reunion is crucial for successful resettlement.
- We believe that it is very important to provide timely and relevant support for victims of rape and survival sex through intensive and culturally appropriate counselling.
- We believe that information provision of raising awareness of the legal system in resettlement countries and human rights framework are essential for better access to appropriate services if needed.
- We believe that a mentoring program needs to be developed to link refugee women to mainstream communities.
- We believe that women have to be included and consulted on issues concerning their future before making decisions for them.

The refugee panel noted “we do not have all the answers. The challenge is for the UNHCR, NGOs and partner bodies to continue to develop programs that are innovative and responsive to the changing needs of refugee women in general and women at risk in particular.”

Male refugee community representatives shared their experiences as refugees in Bhutan and in Kakuma, where they witness the daily risks for women and girls. They spoke of refugee women being forced to marry for protection and having no choice but to enter into survival sex - the effects of which include early pregnancy, HIV/AIDS and family sham and breakdown. They called for more men to engage with women to prevent SGBV and to promote the rights and dignity of women.

**Discussion of gender issues by NGOs**

The NGO community also highlighted that although less common, SGBV also occurs against men and boys. The panel acknowledged that there is little documentation of SGBV against men and boys and it is even more taboo and less visible. In addition, impunity for SGBV was highlighted as a barrier to victims' access to legal justice.

**Analysis**

The session was gender focused and highlighted the passion of a number of UNHCR staff and NGOs working hard to combat SGBV and empower refugee women. It was incredibly powerful to hear from former refugee women and men, including their very personal experiences. The session also highlighted the need for further action, and strengthened future partnerships between the refugee community and UNHCR, in efforts to eliminate SGBV.
From strategy to action: Next steps for supporting strong partnerships to address SGBV in displaced settings (Gender specific)

Discussion of gender issues by panel:

The panel presented and discussed the results of the 2010-2015 Draft SGBV Strategy. Director, Division of International Protection, UNHCR, opened the session with a powerful statement when he said “SGBV is actually a global security crisis...there is not enough emphasis and accountability of both state and non-state actors”. He further noted that there are still too many women and men who flee armed conflict because of SGBV, and stated: “Sexual violence is persecution... and it should be recognised under the 1951 guidelines.” He also suggested that it would be useful and necessary to gain a Security Council Resolution, recognising SGBV as persecution and grounds for refugee status.

It was acknowledged that while the international community has come a long way in relation to SGBV, efforts for its elimination must be sustained. Progress on SGBV was highlighted, such the increase in support to survivors of SGVB.

Of the 16 countries using UNHCR health services, services to survivors of rape rose from 53% 2008 to 88% in 2009. It was noted that these rates of SGBV is an indicator of the effectiveness of the AGDM framework. Rates of prosecution have risen, but most cases go undocumented and unprosecuted. UNHCR has made efforts to carry out more research around the root causes of SGBV. For example, in Nepal participatory assessments, interviews and analysis have revealed that the SGBV is closely related to drug and alcohol abuse, which requires specific solutions. Research has also shown a correlation between poverty and SGBV. The empowerment of women through certain livelihood programs has been shown to reduce the risk of SGBV to women and girls. The collection of data on SGBV remains a challenge and UNHCR needs to ensure that they are able to capture in their RSD procedures the number of cases where the root causes of women and girls exiting home-countries are SGBV related. Such statistics would be incredibly powerful and would assist UNHCR in indentifying specific problems of SGBV in particular countries.

UNHCR, outlined UNHCR’s vision for their 2010-2015 Draft SGBV Strategy. The Strategy hopes to strengthen partnerships to prevent SGBV and support survivors. It was noted that protection needs to be strengthened in the areas of health, legal justice, psycho-social and safety and security, through engagement with UN agencies, NGOs, government authorities and local/host communities. The Strategy is driven by a community-based, multi-sectoral and victim-centric approach. The purpose of the Strategy is to highlight, within a five-year period, priority areas and to address identified challenges and gaps in SGBV policies, priorities and programming. It also aims to provide guidance to UNHCR, partners and donors to direct and re-direct activities and resources. Some of the main challenges are urbanisation, continued war and conflict and a lack of data. There is also a need to address specific forms of violence and groups at particular risk such as, people with a disability.

It was noted that while the Draft Strategy refocuses UNHCR’s work in the area of SGBV, it does not in any way replace any of the existing policies, guidelines or strategies. It is designed to assist UNHCR in institutionalising SGBV as a core protection concern, to enhance partnerships and coordination, strengthen knowledge management and building and to enhance data collection to improve programming. UNHCR are currently in the process of designing and implementing training programs for staff to prevent and address issues of SGBV. There are seven programmatic focus areas: engaging men and boys, addressing survival sex as a coping mechanism, safe access to firewood/alternative fuels, working with
refugee women in urban areas, working with people with disabilities, LGBTI groups, and children.

International Red Cross Inter-agency GBV Working Group, emphasised the need for UNHCR and NGOs to have very frank and realistic conversations about SGBV. For example, SGBV is on the increase in the Democratic Republic of Congo (DRC), Haiti and we also know that women are currently being raped in Kyrgyzstan.

Discussion of gender issues by NGOs
The NGO community was asked to identify priority areas of SGBV. The NGO community identified the AGDM framework as an important tool to address the gap in gender parity and gender-based discrimination. It was stated that there is need to put more emphasis on the prevention of SGBV, such as through access to safe cooking fuel and by working with local communities. Research done by Colombia University in DRC, has found that there are also high levels of rape and other forms of SGBV occurring at the household level that is not documented.

The NGO community expressed support for the proposal for a Security Council Resolution, identifying rape as persecution. However, there is also a need to address reconciliation issues in communities in order to heal the trauma and to open dialogue by, for example, talking with men and boys about rape as a form of torture. It was also noted that the community consultation process used in developing the Draft Strategy should be held up as a model process. Another member of the NGO community asked the UNHCR to explain the funding allocation to SGBV, as it has become mainstreamed. UNHCR responded, explaining that the AGDM Framework and a needs-based budgeting approach should ensure adequate resource allocation.

Analysis
There is a need by NGOs and UNHCR to continue to advocate on SGBV, particularly around areas which are currently not being addressed, such as domestic violence. There is also a need to assess the impact of SGBV related trauma that is then carried from a conflict situation to non-conflict contexts, such as resettlement.

Alternatives to immigration detention

Discussion of gender issues by panel:
The International Detention Coalition (IDC) mentioned the need to consider age, gender and diversity aspects relevant to different alternatives to detention.

Discussion of gender issues by NGOs
There was no specific discussion of gender by NGOs.

Analysis
No significant gender aspects were addressed during this session, although IDC did identify the need to take age, gender and diversity elements into consideration to ensure alternatives to detention are appropriate.

The Sphere Project: Achievements and ways forward

Discussion of gender issues by panel:
Gender and LGBTI were not been mentioned by the panel during this session.
Discussion of gender issues by NGOs
The International Committee of the Red Cross expressed their concern for the projects’ inability to meet the specific protection needs of vulnerable groups, including women.

Analysis
The panel responded to this concern by stating that the Secretariat is not responsible for the monitoring of the use of the Handbook on women and girls, however it does use Handbook in its training. Thus, NGOs are responsible for how the needs of vulnerable groups are addressed through the implementation of the project.

UNHCR’s mandate status determination (RSD) procedures: Progress and current challenges

Analysis
There were no mentions of gender in relation to RSD by either UNHCR or the NGOs present at this session. Despite significant changes over recent years in the way UNHCR conducts RSD, many of the vulnerabilities faced by women are not adequately considered in the RSD process. For example, when considered alone, SGBV, including rape, is not considered persecution or sufficient basis for the granting of refugee status. Given this, it would have been relevant for the session to note and discuss the Heightened Risk Identification Tool (HRIT), and the manner in which this tool should be incorporated into the RSD process.

Advocacy for the Rights of Refugees through Domestic Legislation

Discussion of gender issues by panel:
This session was focused on the legal developments and advocacy efforts of NGOs and did not specifically discuss gender issues.

Analysis
When developing national legislation to protect refugees and asylum seekers, it is important to acknowledge women as in need of special legal protection. International human rights instruments that seek to protect women and girls, such as the Convention on the Rights of the Child (CRoC) and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), can be useful tools to lobby for national legislation protecting refugee women.

Promoting Resettlement in Europe - Partnership with NGOs

Analysis
There was no mention of gender in this session. Two cursory mentions of unaccompanied children were the only references to the protection of particularly vulnerable groups. These mentions were made in the context of reports released by Human Rights Watch and UNHCR. This treatment of gender is in stark contrast to the strong emphasis placed on gender issues within the Africa Bureau Session. This striking difference in the emphasis placed on age, gender and diversity between the various bureaux suggests that there is a significant way to go before gender is fully mainstreamed within UNHCR. Senior staff must lead the process, and it must not be assumed that the gender dimension is implicit within discussions about refugee protection.
LGBTI Roundtable

Discussion of gender issues by panel:
The UNHCR are active in developing a full-circle approach to preventing SGBV to LGBTI people and ensuring services are delivered to protect LGBTI groups and individuals. UNHCR are working to identify specific attitudes to LGBTI within UNHCR and NGOs at all levels, and are developing a tool-box to assist partners in identifying LGBTI individuals and raising staff awareness regarding their protection needs.

Discussion of gender issues by NGOs
There are a variety of different NGOs working specifically on the protection of LGBTI, groups particularly from Uganda and the US. Dialogue between theses NGOs and UNHCR is critical to develop joint strategies and polices.

Analysis
The importance of working with local NGOs with area specific knowledge and experience in working with LGBTI groups cannot be overemphasised. The UNHCR needs to engage these networks, rather than working independently. Caution should also be given in ensuring LGBTI groups are involved in the development of UNHCR policies and tools, and that such tools protect their privacy and are not used in any way that could identify them without their permission.

A hearing on Boat People: Different people, different needs and rights to protection

Analysis
In this session, which focused on the differing needs of people who move on boats, it was noted that maritime migration flows often contain groups with differing protection needs. These may consist of asylum seekers, refugees recognised by UNHCR, women at risk and other groups, including people who may not be seeking protection. The panel highlighted that tools need to be available to quickly and adequately distinguish between these groups, and that work has been done by UNHCR, International Organisation for Migration (IOM) and International Catholic Migration Commission (ICMC) to develop a framework and standards for the way boat arrivals should be treated when they arrive onshore, which takes into consideration their specific and differing needs. The moderator, from the ICMC, identified the fact that even if they don’t fall under the definition of a refugee, women at risk also have human rights under other legal instruments and must be considered as having a right to international humanitarian protection.

Count me in: Birth Registration – a protection tool

Discussion of gender issues by panel:
Plan International stated that 51 million children fall through the gap each year due to the failure to create any documentation of their existence. She explained that children that have the least access to birth registration are the most at risk, as without proper documentation children cannot be given lineage, age, protection, access to social services and infrastructure. Furthermore, without birth certificates children and adults risk not having a legal identity, and risk being stateless. Proof of age is needed for protection of minors against child labour and SEA. She acknowledged that registration rates are higher in urban areas, as rural communities are often unable to transport themselves to the registration offices, which
often becomes a cause for not registering children. The cost of registering children is also a factor that prevents many from receiving birth certificates.

Division of International Protection, UNHCR, reiterated the fact that birth registration affects all people – refugees, asylum seekers, IDPs and returnees and that it has become an acute protection concern. He stated that there is a myriad of protection concerns for those who remain undocumented, such as the risk of gender based violence and trafficking as a result of the poor situations individuals are forced into from having no documentation. He noted “The right to registration is that of all nationals and non-nationals and there needs to be a global advocacy around birth registration particularly for vulnerable groups.” and explained the challenges of advocating for states to ensure birth registration, stressing that it is not a “name and shame” program - UNHCR is aware that some states have a very difficult task in registering their population, and are willing to help.

Discussion of gender issues by NGOs

NGOs from a range of nations, such as Thailand, Malaysia and Lebanon discussed birth registration and the legal challenges and progress. It was agreed that a strong research and policy agenda is crucial in order to identify gaps and opportunities for progress in implementing birth registration legislation at a state level. Innovative strategies are needed to address this issue, such as linking health initiatives to birth registration. One example provided was an initiative through which free malaria net distribution and birth registration could occur at the same time.

Gender was noted as a key barrier to birth registration as many women are not able to register children without the presence of father. There is a need for more disaggregated data in order to address issues of age, gender and diversity to enable equal access to birth registration and equal rights for women to pass on their nationality.

Analysis

While there has been some progress on birth registration in some countries, such as Thailand, there is still a long way to go. The ExCom must ensure that a Conclusion on birth registration is passed this year in order to encourage states to legislate domestically for non gender discriminatory birth registration system. The session identified some concrete recommendations, such as creating a mobile civil birth registry in refugee camps and urban areas, and general education around gender disparity in relation to nationality rights.
Appendix A – Chart

GENDER MENTIONS BY INDICATOR

ACCOUNTABILITY
AGDM
EDUCATION
GDD
HANDBOOK
HRIT
LGBTI
LIVELIHOODS
SANITARY
SGBV
SURVIVAL SEX
WOMEN & GIRLS

NB: The indicators HRIT, Handbook and Survival Sex were not mentioned.
Appendix B – Definition of indicators

**AGDM Framework** – Specific reference to UNHCR’s efforts to ‘mainstream’ gender and diversity considerations across their programming

**Education of girls** – Any specific reference to the education of girls and young women, including challenges that may prevent them from accessing education

**Gender disaggregated data and UNHCR software programs Focus and progress** – Specific mention of the collection of specific data related to gender and the capacity for disaggregation of this data. Includes any specific reference to the inclusion of gender indicators within UNHCR’s Focus or proGres software

**Handbook on Women and Girls** - Any specific reference to the Handbook on Women and Girls

**HRIT** – Any specific reference to the Heightened Risk Identification Tool

**LGBTI** – Any mention to the need of refugees who identify as lesbian, gay, bisexual transgender or intersex.

**Livelihoods** – Any specific mentions of livelihood programs for women

**Monitoring and accountability** – Any mention of efforts, by UNHCR or NGOs, to monitor and hold themselves accountable for the consideration of gender and diversity considerations, and particularly any mention by UNHCR of their AGDM Monitoring and Accountability Framework

**Sanitary materials** – Any reference to women’s sanitary materials, including challenges faced by women who do not have sufficient access to sanitary materials, and the challenges faced by UNHCR or NGOs in providing sanitary materials to refugee women

**SGBV** - Any reference to sexual and gender-based violence, including rape and domestic abuse

**Survival sex** – Any mention of women or girls being forced, by necessity, to engage in sex as a means of providing for their own basic needs, or the basic needs of their families

**Women and Girls** – Any mention of women or girls
Appendix C – Acronyms

**AGDM** – Age, gender and diversity mainstreaming

**DRC** – Democratic Republic of Congo

**GBV** - Gender-based violence

**HRIT** – Heightened Risk Identification Tool

**IASC** – Inter-agency standing committee

**IDP** – Internally displaced person/peoples

**IFRC** – International Federation of the Red Cross

**IOM** – International Organisation for Migration

**LGBTI** – Lesbian, gay, bisexual, transgender, intersex

**MENA** – Middle East/North Africa

**NGOs** – Non government organisations

**PRS** – Protracted refugee situations

**PSEA** – Prevention of sexual exploitation and abuse

**RSD** - Refugee status determination

**SEA** – Sexual exploitation and abuse

**SGBV** – Sexual and gender-based violence

**UN** – United Nations

**UNHCR** – United Nations High Commissioner for Refugees