

## High Commissioner's Dialogue on Protection Challenges 2020

### Theme: *Protection and Resilience during Pandemics*

Virtual event 21 October – 9 December 2020

#### Outcome Document

## Background

In 2020, the High Commissioner's Dialogue on Protection Challenges focused on the implications of the COVID-19 pandemic for the protection and resilience of people forced to flee, stateless persons, and host communities. Recognizing that the measures taken to mitigate the COVID-19 pandemic have significant consequences for protection, health, and socio-economic welfare, the participants reflected upon how to address the pressing protection and solutions questions that emerged throughout the year, building upon the international refugee protection regime and principles and arrangements set out in the Global Compact on Refugees. They also explored solutions and highlighted the actions that States and other actors are taking now that could shape how international protection will look in future global emergencies. Many States and other actors developed new and innovative approaches to ensure protection and address the impacts in both the emergency response and the medium and longer term. The Dialogue identified promising practices and lessons learned in the pandemic for promoting protection, access to services, and resilience outcomes for refugees, internally displaced persons, and stateless persons, and their host communities and set out a series of recommendations for the future.

## Overview

For the first time, the Dialogue was held entirely virtually due to the limitations posed by the pandemic and was attended by more than 1,500 participants representing States, intergovernmental organizations, civil society, NGOs, development actors, humanitarian partners, academics, and refugees in the spirit of the whole-of-society approach at the heart of the Global Compact on Refugees.

The Dialogue was comprised of five virtual sessions:

- **Opening**, featuring five refugees and a Sustainable Development Goals advocate, representing regional, gender, and other forms of diversity, who have been engaged in the response to the pandemic. Three of them also participated as speakers in the subsequent virtual sessions.
- **Protection considerations**, highlighting key protection challenges arising in the COVID-19 context and exploring constructive ways to address them, including through efforts by refugees and internally displaced persons themselves.
- **Resilience and inclusion in health**, focusing on approaches to inclusion in national health systems and ideas to strengthen health systems from national and subnational perspectives, including through dedicated financing.

- **COVID-19 and climate change, drawing upon the** first-hand experience of people affected by climate change and related displacement and protection concerns, to consider lessons learned from the COVID-19 situation that can help address the growing climate emergency and the existential threats it poses to the international community.
- **Preparing for protection and solutions in the future**, considering how the international community can better ensure protection and solutions in future global emergencies, building upon the Global Compact on Refugees and best practices that have since emerged, as well as the lessons learned, recommendations, and refugee voices from the four previous virtual sessions and the 2020 NGO annual consultations.

Detailed summaries of these virtual sessions are available on the UNHCR website at: <https://www.unhcr.org/high-commissioners-dialogue-on-protection-challenges-2020>.

## Key recommendations

The following recommendations related to participation, health, resilience, and climate change emerged from the discussions with the panellists, Q&A with the participants, and written statements submitted for the virtual sessions.

### Participation of refugees, internally displaced persons, and stateless persons

**Engage refugees, internally displaced persons, and stateless persons** by ensuring that they are included, not only as recipients, but also as providers of support in the context of the pandemic.

**Enhance engagement with refugee-led organizations** (spaces for engagement, capacity building, advice, and support), and give refugees a seat at the table.

**Support health professionals and other frontline workers**, particularly women, from affected refugee, internally displaced, stateless, and host communities who can be part of the solution in their host countries.

**Shape the narrative about people who are displaced and stateless**, providing concrete examples of how their contributions have mattered during the health crisis.

**Strengthen community-based structures** through a community-based approach and further reinforcing and investing in partnerships with community-based and refugee-based organizations. In line with UNHCR's Accountability to Affected People Framework, more investment is needed in such practices to ensure programmes are inclusive and accessible to all.

**Ensure the participation of women and girls**, a strategic priority for UNHCR, recognizing the strength and resilience of women and girls and the important protection dividends achieved through their meaningful participation, including in national pandemic response plans for health, education, and economic recovery.

**Engage youth and adolescents** to help mitigate the impact and consequences of the pandemic in the longer term, including by engaging around issues such as promoting social cohesion, countering hate speech and xenophobia, and building strong and inclusive initiatives.

**Work with communities** to counter misinformation and prevent and respond to gender-based violence and discrimination that have proliferated during lockdowns.

## Protection

**Adapt protection responses** in times of pandemic, including in registration and asylum processes, complementary protection initiatives, critical services, specialized gender-based violence responses, gender-inclusive responses, and education in emergencies.

**Ensure access to territory and protection.** States can and should ensure access to asylum, while protecting public health. While States can legitimately impose limits on border crossings, it is essential to ensure those seeking international protection have access to territory. This can be subject to reasonable public health safeguards [including quarantine, testing, or other non-discriminatory measures]. Restrictions that are in place for accessing territory, seeking asylum, or resettlement, should be necessary, temporary, and limited only for the duration of the emergency.

**Ensure restrictions on freedom of movement are non-discriminatory.** States can legitimately restrict freedom of movement during a pandemic, but detention and other restrictions of movement, where they need to be imposed, must not be arbitrary or discriminatory. Restrictions on the exercise of rights should be non-discriminatory, necessary, proportionate, and reasonable to address the aim of public health; they should also be maintained no longer than is necessary.

**Adapt asylum and statelessness determination processes.** It is important to adapt asylum systems so that refugees and asylum seekers can continue to access international protection. The continuation of processes to identify and provide stateless persons with a status and documentation is likewise important. The introduction of adaptive measures in the asylum procedure does not necessarily require major financial or technological investments, especially if planned in advance. Unless asylum systems are properly adapted, there is a real risk of significant backlogs being created, which could significantly impact on the protection of individuals, going forward.

**Continue to use UNHCR's COVID-19 Platform on Temporary Measures and Impact on Protection** as a protection monitoring tool during the pandemic.

**Address the effects of pandemic on refugees, internally displaced persons, and stateless persons,** including the most vulnerable and those in “high risk” locations, by ensuring that they are protected and included in response plans and national services during the crisis.

**Address the impact of the pandemic on refugee women and girls,** including the increase in gender-based violence during the pandemic (such as increases in child marriage or intimate partner violence). UNHCR's recently issued Prevention of Risk, Mitigation, and Response to Gender-Based Violence Policy aims at strengthening standards, including its commitment to strengthening collaboration with

local and women-led organizations. Refugee-led organizations play a key role within the emergency response and beyond.

**Address heightened child protection risks** by ensuring children's rights are a priority and that children have safe and adequate access to education, protection, asylum, and sustainable solutions, including the right to a nationality. UNHCR and partners are working hard to deliver protection and education to 31 million forcibly displaced children in line with the key interagency guidance, the “Minimum Standards for Child Protection in Humanitarian Action”, which provides the multisectoral framework and standards for all humanitarian actors to protect all children.

**Invest in mental health and psychosocial support:** For many refugees, internally displaced persons, and stateless persons who are already living on the margins of society, the additional stress factors related to the pandemic can become a tipping point for developing or exacerbating mental health conditions. UNHCR is stepping up efforts to equip first responders, including refugees, internally displaced persons, and protection staff, to respond to emotional distress.

**Continue resettlement and other solutions initiatives**, as arrangements for burden and responsibility sharing. During the pandemic, third country solutions can particularly serve as a protection tool for women and girls and others at heightened risk.

**Counter racism and xenophobia.** Strong leadership and positive, principled messages around the need for tolerance and inclusion are needed to ensure that displaced and stateless persons do not become scapegoats for a problem that is far larger than any of us. We need to be united, not divided, to address the challenges in the longer term.

**Strengthen communication infrastructures in affected communities** and ensure access to clear information, a good practice undertaken for example by the Swiss Association Linking Migrants with Activity.

**Counter misinformation** by listening to the concerned communities, being creative, and adapting existing tools to their specific needs, sharing accurate information widely and efficiently, and building solid and robust partnerships.

## Health

**Provide inclusive access to services and national responses.** Refugees, internally displaced persons, and stateless persons are at higher risk of being exposed to protection concerns during a pandemic. Inclusive approaches that protect every individual's right to life and access to adequate health and other services are critical. Including them in national responses is critical not only for the current situation, but also for any plans to address the medium and longer-term socio-economic impacts of the crisis (including those that may relate to loss of livelihoods and the current recession).

**Include refugees, internally displaced persons, and stateless persons in health responses**, working with authorities and sharing information to ensure specialized screening and quarantine procedures, registration, and documentation to access health services (including mental health), and vaccination programmes.

**Include refugee children** in national systems, policies, and plans to ensure they receive the specific health, education, protection, WASH, and other services they need.

**Continue inclusion measures when a vaccine is available.** To mitigate the economic and social impacts of the pandemic on people forced to flee and stateless persons, they and their host communities need to be included in the safety nets being planned all over the world.

**Ensure that health systems in refugee hosting countries get adequate financial and technical support** to advance on inclusion equitably, especially in the most vulnerable regions and communities where local actors can be a particular asset. States need support to achieve the SDGs for all populations living on their territory. Host countries can benefit from inclusive approaches that bring humanitarian and development funds, multi-year planning, and strategies in support of short, medium- and long-term goals.

**Concentrate aid within the most vulnerable regions and communities** and support local actors - public, private, and civil society.

**Coordinate actions that use and support domestic systems** where possible, or otherwise mirror critical public health functions, to strengthen health system resilience, such as pooled health funds.

**Address the health needs of both the host communities and refugees**, which also helps to promote harmonious co-existence.

**Improve monitoring of refugee populations' actual access to good quality health services** and associated costs.

**Encourage the Country Coordinating Mechanisms of the Global Fund** to increase their engagement with humanitarian actors and with refugee populations who are best placed to articulate their needs.

**Advance self-reliance for refugees.** The direct and indirect costs of accessing and utilizing health services mean that the sustainable and effective integration of refugees in national services will not happen without advancing self-reliance for refugees.

## Resilience

**Address the immediate and long-term health and socioeconomic effects** of COVID-19 for refugees, internally displaced persons, stateless persons, and host communities.

**Adapt humanitarian and development programmes** to the COVID-19 context.

**Strengthen coordination between humanitarian and development actors** in the response to the pandemic.

**Promote the GCR principles of solidarity and inclusion** and implement the GCR and Global Refugee Forum commitments to support the response to the pandemic.

**Invest in the infrastructure of countries with less economic prosperity** based on direct conversations with host communities to understand their needs, improve the services (health, education, social coverage, inter alia), and invest in the power of the communities to support the response.

**Mobilize a whole-of-society approach** in which each actor – from governments to cities, parliaments, faith actors, NGOs, International Organizations (including the UN delivering as one), international financial institutions, the private sector, academics, and refugees – has an essential role to play in ensuring that responses are people-centred, focus on both emergencies and the longer term, are complementary, and are inclusive.

**Build resilience and take preventive action** to ensure a better response to pandemics in the future.

**Maintain inclusive efforts** related to empowerment and self-reliance of refugees through education, employment.

**Provide remote education and connected learning opportunities.**

**Support the self-reliance of refugees as well as their host communities.**

**Promote the right of refugees to work** and facilitate their inclusion in the labour market.

**Support entrepreneurship**, which will help young people and displaced communities increase their self-reliance.

**Support innovations** displayed during the crisis, including digital technologies for protection, education, and access to services, which are solutions that should not be lost post-crisis.

**Include women and girls**, especially at risk, at the centre of the response.

**Ensure availability of better socio-economic data** on forcibly displaced persons to inform action during a pandemic.

### Climate change

**Learn from the COVID-19 pandemic** and act with urgency to prepare and respond to the climate emergency. Existing measures must be scaled up and ambitions enhanced to allow for a sustainable recovery from the pandemic and an adequate response to the climate emergency.

**Invest in and take anticipatory action** to mitigate, and where possible, prevent displacement before it occurs. Reactive action is not sufficient. We must be better prepared to provide protection in the future.

**Facilitate empowerment through training and education**, so that affected communities are supported to protect, preserve, and rehabilitate their environment.

**Give sufficient attention to both mitigation and systemic adaptation** to build resilience. To create truly resilient systems, there must be strong community engagement in the planning processes, with a specific focus on the most vulnerable.

**Include affected populations.** Enable transformative change, placing affected populations at the centre. The voices of women, girls, and marginalized groups must be heard.

**Engage women as leaders** in climate action through a gender-transformative approach.

**Support and protect children and their families** living through conflict, disaster, and displacement.

**Ensure evidence-based decision-making** that builds on both science and traditional knowledge.

**Include indigenous knowledge.** Indigenous people safeguard 80 per cent of the world's biodiversity. The inclusion of indigenous knowledge in climate action and adaptation strategies is essential. Simultaneously, the rights of indigenous communities must be protected.

**Strengthen collaboration.** Collaborative efforts, multilateralism, and whole-of-society approaches involving public and private sectors and civil society are essential. It is necessary to act globally, as only joint responses are truly effective.

**Protect the environment and protect people.** Refugees and internally displaced persons often live in the most fragile places where they are particularly exposed to the impacts of climate change. The protection of the environment allows for the protection of the most vulnerable communities and supports peaceful co-existence between displaced people and their host communities.

**Fund affected communities** to fight against climate change in the same way States are mobilizing to overcome the impact of COVID and rebuild economies. Affected communities should not only be seen as beneficiaries but also as partners. National efforts to build resilient infrastructures and systems, business environments, and communities should be supported.

**Ensure that support for response to the pandemic is in addition to the support for the response to displacement related to climate change.**

**Recognize UNHCR's role** in helping to support or expand protection, assistance, and solutions to those displaced by climate change and disaster.

**Partner with government officials, legal practitioners, and civil society to advance case law** relevant to UNHCR's recent "Legal considerations regarding claims for international protection made in the context of the adverse effects of climate change and disaster".

*Please find the additional content, articles, and information on the UNHCR webpage at <https://www.unhcr.org/high-commissioners-dialogue-on-protection-challenges-2020>.*