

Protection in the Region



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Background

Armed conflicts and human rights violations are leading to massive refugee movements throughout the world. Most affected are the developing countries in Africa as well as those in Asia and the Middle East. Roughly three quarters of the 10 million refugees in the world live in these regions. The admission and protection capacities of these countries are too weak to absorb large refugee populations and to provide them with effective protection. This problem is further exacerbated by the presence of internally displaced persons (IDPs). For these reasons, many refugees and other persons requiring protection are forced to migrate to other countries and regions.

One of the central objectives of Switzerland's humanitarian commitment is to find lasting solutions to improve the situation of refugees and others requiring protection in their regions of origin, and to support the host countries in the region in question. Programmes in the area of "Protection in the Region" give Switzerland the possibility of carrying out coordinated measures to help persons in need of protection.

The target group of Swiss commitment in the area of "Protection in the Region" should be "persons in need of protection", in particular refugees as defined in the Geneva Refugee Convention of 1951. It should also include persons who in their countries of origin are at risk of becoming victims of serious human rights violations, as well as asylum seekers who have not (yet) sought recognition as refugees. Other categories of persons may also qualify for Swiss assistance through these programmes, depending on the circumstances.



Overview of existing initiatives and activities

There has been a lively debate on migration and refugee policy in the European Union in recent years, particularly with regard to the possibilities of support in the regions of origin of refugees. In 2004 and 2005, the European Commission created the basis for strengthening the protection of refugees in their regions of origin and for a resettlement policy based on sharing the burden with these regions. Pilot projects are already under way in Tanzania, Ukraine, Moldavia and Belarus.

Denmark's "Regions of Origin Initiative" aims to make a general improvement to the protection of refugees and internally displaced persons and their living conditions, and also seeks sustainable solutions. There has been direct collaboration with a number of States and regions including Afghanistan, Kenya, Sudan and Uganda, with emphasis on the development of appropriate asylum and refugee institutions and structures.

Objectives

Switzerland's commitment to "Protection in the Region" programmes will help to ensure that:

- persons in need will receive effective protection in their countries of origin as soon as possible;
- concerned host countries are able to fulfil their international obligations to protect refugees;
- irregular secondary movements from the regions of origin is reduced, thus reducing at the same time the number of requests for asylum in Switzerland;
- bilateral dialogue is encouraged with the host countries concerned.



Measures for strengthening protection capacity

Measures for strengthening protection capacity can take the form of financial, technical or material support to national authorities and civil society actors. These should be tailored to the local requirements and to shortcomings that exist in the area of protection. Switzerland's commitment will focus on the following:

- development and improvement of national legislation and policies on refugees and asylum seekers in accordance with international refugee and human rights standards, and their effective implementation by the national authorities;
- support for the introduction and development of a fair and efficient asylum procedure;
- early registration and documentation of refugees and asylum seekers;
- improvement of the reception conditions and structures, in particular taking the (protection) requirements of exceptionally vulnerable groups into account;
- development of effective strategies to improve security and prevent gender specific and other forms of violence; treatment for the victims of violence, particularly in refugee camps;
- improvement of refugees' living conditions and the promotion of self-reliance in the interest of sustainable solutions, notably through access to gainful employment, education and vocational training as well as healthcare, taking into account the requirements of the local population.





Measures for the development of sustainable solutions

Voluntary return to the home country is the best possible solution for most persons in need of protection, on condition that this can take place in safety and dignity. To facilitate voluntary return instruments that take into account development policy aspects as well as peace policy considerations (e.g. dealing with the past) and promotion of human rights are needed. Here Switzerland can benefit from many years of experience with voluntary return projects.

When return in the country of origin is no longer possible, efforts should concentrate on permanent local integration – with the consent of those concerned whenever possible – with a view to giving persons in need of protection the prospect of a long-term future in the host country. This means a change of emphasis from humanitarian assistance to longer-term efforts in the area of development cooperation.

For exceptionally vulnerable persons, for whom neither return nor local integration offer a lasting solution from the point of view of protection, efforts should focus on accepting a quota of refugees for resettlement in Switzerland, as well as on facilitation of resettlement in third countries. Resettlement has an important role to play as a strategic instrument for strengthening local protection capacities and for the creation of sustainable solutions for persons in need of protection. It would also strengthen the partnership aspect of Switzerland's commitment.

“Whole of government approach”

Implementation of the “Protection in the Region” concept depends on a comprehensive procedure based on interdepartmental (ministerial) coordination and cooperation (“whole of government approach”). Efforts will also have to be made to achieve close cooperation with external partners, both state and non-state.

Partners

The primary partners for implementation of this concept are the governments in the regions concerned. Switzerland’s commitment to the “Protection in the Region” concept should indeed be based on mutual understanding and partnership, in a way that makes it clear that strengthening protection in a given region is in the interest of all concerned.

The Office of the United Nations High Commissioner for Refugees (UNHCR) is a key partner for the implementation of this concept. Other possible partners include further UN organisations, such as the Population Fund (UNFPA), the International Children’s Emergency Fund (UNICEF), the UN Development Programme (UNDP) and the World Food Programme (WFP), but also the International Organization for Migration (IOM).

Additional useful partners might be Swiss and international relief organisations, the various diaspora, refugee communities and local civil society.



Criteria for selection

The choice of a country or region in which to implement this concept should be based on the following criteria:

- Willingness to cooperate: The government concerned must show an interest in cooperating with Switzerland with a view to strengthening its protection capacity and improving the living conditions of all persons in need of protection;
- Potential for improvement: Analysis of the protection capacity and local requirements should indicate that the host country has a potential for achieving meaningful improvement of the situation of persons needing protection;
- Asylum statistics: The region in question should be the source of significant numbers of persons seeking asylum in Switzerland or a likely source in the medium to long term of significantly increasing numbers of asylum seekers;
- Potential partners: It is essential before launching a project that Switzerland be able to rely on existing actors in the region as potential partners. Equally important is the possibility of bilateral cooperation with a third country;
- Coherence: Projects approved for implementation must be coherent with the existing instruments of Switzerland's migration policy.





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