

UNHCR Policy on Refugee Women
and Guidelines on Their Protection:
An Assessment of Ten Years
of Implementation

*An independent assessment
by the Women's Commission for Refugee Women and Children*

May 2002

Mission Statement

The Women's Commission for Refugee Women and Children seeks to improve the lives of refugee women, children, and adolescents through a vigorous program of public education and by acting as a technical resource. Founded in 1989 under the auspices of the International Rescue Committee, the Women's Commission conducts research on the protection of refugee and other war-affected women and children, including adolescents, and provides expert advice on program and policy to governments, the United Nations and non-governmental organizations. For example, the Women's Commission convenes the Reproductive Health for Refugees Consortium, which has sponsored a research conference on reproductive health in refugee situations and other complex humanitarian emergencies, and is engaged in a two-year global study on adolescents and armed conflict.

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Acronyms

AOR	Areas of Responsibility
ARC	Action for the Rights of Children
ARRA	Administration for Refugee and Returnee Affairs (Ethiopian government)
ASAM	Association for Solidarity with Refugees and Migrants
BPRM	Bureau for Population, Refugees and Migration
BWI	Bosnia Women's Initiative
CDA	Collaborative for Development Action
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CGT	Children and Gender Team
CIAM	Center for Investigation and Action for Latin American Women
CIDA	Canadian International Development Agency
CIREFCA	International Conference on Refugees in Central America
CIT	Crisis intervention team
COP	Country Operations Plan
CSO	Community Service Officer
DIP	Department of Internal Protection
DOS	Division of Operational Support
ECOSOC	Economic and Social Council
EPAU	Evaluation and Policy Analysis Unit (UNHCR)
FGM	Female Genital Mutilation
GCT	Gender and children's team
GIF	General Initiative Fund
GLA	General Legal Advice
GTZ	Gesellschaft für technische Zusammenarbeit (Society for technical cooperation – Germany)
IASC	Inter-agency Standing Committee (UNHCR)
IAWG	Inter-Agency Working Group on Reproductive Health in Refugee Situations
ICMC	International Catholic Migration Commission
IDP	Internally displaced person(s)
INSTRAW	UN International Research and Training Institute for the Advancement of Women
IRC	International Rescue Committee
KWI	Kosovo Women's Initiative
MSA	Multi-sectoral approach
NGO	Nongovernmental organization
NPA	Norwegian Peoples Aid
NWFP	Northwest Frontier Province (Pakistan)
OMSS	Operations Management System Section
OPS	(UN) Office of Project Services
OSCE	Organization for Security and Cooperation in Europe
POP	People-oriented Planning
PRM	(Bureau of) Population, Refugees and Migration (US)
QIP	Quick Impact Project
RH	Reproductive health
RSD	Refugee status determination
RWI	Rwanda Women's Initiative
SGBV	Sexual and gender-based violence
UNDCP	UN International Drug Control Program
UNDP	United Nations Development Program

UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNIFEM	United Nations Development Fund for Women
WVVP	Women Victims of Violence Project (UNHCR)

1. Executive Summary

1.1 Introduction

In 1991, the UN High Commissioner for Refugees (UNHCR) adopted *Guidelines on the Protection of Refugee Women*. In keeping with the 1990 UNHCR Policy on Refugee Women, the *Guidelines* called for “integrating the resources and needs of refugee women into all aspects of programming so as to assure equitable protection and assistance activities.”¹ The *Guidelines* include but go well beyond traditional notions of protection through promotion of refugee laws by emphasizing the intrinsic relationship that exists between protection and assistance. They review the range of legal *and* physical protection needs that arise for females in refugee situations, outlining those areas of protection that are in need of particular attention and response and the actions that can and should be taken when protection problems occur.

To commemorate the tenth anniversary of the adoption of the *Guidelines*, the Women’s Commission for Refugee Women and Children (Women’s Commission), with the support of UNHCR and two of its principal donors, undertook an assessment of the extent to which UNHCR has successfully implemented the principles contained in the *Guidelines*. The assessment considers the measures taken over the past decade to respond to the particular needs and risks faced by women and girls, the effectiveness of UNHCR protection activities in relation to these needs and risks, and progress with regard to the goal of establishing gender equality. The assessment explores the strong linkages between promoting protection and providing assistance, as well as between meeting immediate needs and strengthening women’s skills and capacities. It is based on a review of other assessments and reports, visits to five field sites (Eritrea, Ethiopia, Zambia, Pakistan, and Turkey), interviews with UNHCR Headquarters staff, and information and materials collected during ten years of Women’s Commission field missions and technical assistance activities.

Significance of the *Guidelines*

The *Guidelines* are the protection standard set by UNHCR for the protection of refugee women and girls. This assessment found the *Guidelines* to be important and useful in raising awareness, serving as a programming tool and prompting the development of other tools for field workers, including guidelines on reproductive health and sexual and gender-based violence (SGBV).² Although the *Guidelines* are more than a decade old, they continue to be relevant today. At the same time, UNHCR has acknowledged the need for an updated version and has started to revise the *Guidelines*. The revisions will address gaps in the current guidelines, which do not provide enough guidance on sexual exploitation, domestic violence, urban refugees and the internally displaced. The findings of this report will advise that process.

Implementation of the *Guidelines*

Perhaps the greatest success has come in raising broad awareness among UNHCR staff and partners to women’s specific needs and strategic interests. Awareness has been raised by the UNHCR’s office of the

¹ UNHCR, *Guidelines on the Protection of Refugee Women*, I.4.

² In this report we use the term “sexual and gender-based violence” because it reflects current UNHCR terminology. SGBV is sometimes referred to by other names, including gender-based violence (GBV), gender sexual violence (GSV) and gender-related violence. SGBV is an umbrella term for any harm perpetrated on a person against her/his will, that has a negative impact on the physical or psychological health, development, and identity of the person. It is the result of gendered power inequities between males and females, among males, and among females. Violence may be physical, sexual, psychological, economic or socio-cultural and is almost always and across cultures disparately impacting women and children.

Senior Coordinator for Refugee Women and Gender Equality, and by the 1990 Policy on Refugee Women and the *Guidelines* themselves. This has been informed by a decade of progress in promoting the rights of women and girls worldwide, including the adoption of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and by the Beijing Platform for Action, adopted by the Fourth World Conference on Women in 1995. Strong advocacy and support from donors (particularly Canada and the United States), non-governmental organizations (NGOs) and the commitment of key UNHCR staff members have been critical to advancing UNHCR's institutional response.

The *Guidelines* and the People-Oriented Planning (POP) training and framework have served as the two principal tools for sensitizing those responsible for protection and assistance activities. Throughout the assessment, the team found positive examples of enhanced protection activities in accordance with the *Guidelines*. Examples include:

- improved capacities for gender-sensitive refugee status determinations
- more vigorous use of national laws for enforcing protection and human rights
- improved registration mechanisms that allow each individual to obtain his or her own card

Successful assistance efforts that promote protection include:

- increased enrollment of girls in schools
- measures to organize refugee women and include them in camp management
- direct involvement of women in food distribution
- incentives to employ more female staff in health and education programs
- wider availability of reproductive health services
- safe houses and counseling services for victims of trauma or violence

As positive as these examples may be, there are a disquieting number of negative examples. Overall, implementation of the *Guidelines* was found to be uneven and incomplete, occurring on an *ad hoc* basis in certain sites rather than in a globally consistent and systematic way. Positive actions tend to be sporadic, and they are often insufficient to provide refugee women with equitable protection. For example, although food distribution techniques have improved in some places, food is a protection concern. In every site visited, women described others who exchanged sex for otherwise unavailable food and non-food items. Women also described children forced to work for the same items. Among the non-food items, the assessment found serious inadequacies in clothing, blankets, and sanitary materials among camp-based refugees that impeded their ability to participate in education, employment, and other activities. Gathering firewood continues to place refugee women at risk of physical harm. Girls still do not remain in school as long as boys, and post-secondary education is available to few children, particularly girls.

To a certain extent, the continued protection problems faced by refugee women result from the lack of access and resources that impede efforts on behalf of all refugees regardless of gender or age. UNHCR's difficult operational environment, including working in impoverished, insecure and dangerous situations, and the failure of states to fulfill their obligations under international law, makes refugee protection a daunting task. In the face of these constraints, the search continues for ways to improve programming and overcome the barriers to refugee protection. These barriers are exacerbated for women and girls because of their unequal status in society.

Barriers to Implementation

Organizational Commitment

UNHCR has made progress in creating policies, guidelines and other tools to protect refugee women but has had difficulty translating these into practical measures in the field. While some senior managers are

dedicated to the principles of the *Guidelines* and strive to implement them, the organization has yet to work them into standard operating procedures. For example, in every evaluation and assessment over the past decade, the lack of female staff has been cited as a major barrier to the protection of refugee women and girls, yet the problem persists. The relative absence of female staff is a serious obstacle both to obtaining information from refugee women and girls and to addressing the protection issues they face. For example, in Ethiopia and Zambia, some refugee women said they would not seek medical help because there was no female physician. They requested female medical staff.

Since 1996 Annual Protection reports require a chapter on refugee women, but generally reporting is unsystematic and follow-up and monitoring are weak. Similarly, Country Operations Plans require sections on refugee women: while concerns are listed in these sections, there are often no corresponding activities to improve protection for women and girls.

In addition, past evaluations have recommended that training on gender be mandatory for all staff, but the agency has chosen not to require this. Inadequate training impedes implementation of the *Guidelines*. People-Oriented Planning has been the major training tool for designing programming appropriate to different segments of the refugee population, including women. While POP has been deemed an important tool for programming, due to staff movement and turnover in UNHCR, many have not been exposed to it. Moreover, male staff members at times have pre-judged it as more relevant for female staff and have avoided the sessions.

UNHCR's progress on gender equality would benefit from the adoption of a Policy on Gender Equality to replace the decade-old Policy on Refugee Women. This would promote consistency and coherence in the agency's efforts to promote the right of women and girls to equal protection and assistance. In fact, the Senior Coordinator's office has moved in recent years to a gender equality mainstreaming approach that will help the agency move from analyzing the different experiences of refugee women and men to specific programming aimed at redressing gender-based discrimination.³ This move has been informed by the Beijing Platform for Action and the 1997 Economic and Social Council (ECOSOC) resolutions on gender equality mainstreaming within UN agencies.⁴

The Office of the Senior Coordinator for Refugee Women and Gender Equality strives to bring its expertise to field operations, and thereby to improve gender sensitivities in protection practices and training activities. But the two-person office is too small to keep up with the demands placed on it.⁵ The Senior Coordinator prepares the gender-related components of many UNHCR documents (global appeals, mid-year reports, ECOSOC preparatory materials), participates in coordination meetings throughout the system, and represents UNHCR at outside events. The office also monitors activities in the field and provides training.

Challenges for the field

Insufficient participation of refugee women in decision-making is a barrier to the full implementation of the *Guidelines*. In all the mission sites officials agreed that refugee consultations with both men and women were essential to effective camp governance and reported positive results from involving women in decision-making. But refugee women expressed frustration at their inability to act collectively to improve their living conditions. A narrow cadre of male political leaders or tribal elders dominated refugee leadership. The women with whom the team was able to meet appeared overwhelmingly to

³ UNHCR, "A Practical Guide to Empowerment: UNHCR Good Practices on Gender Equality Mainstreaming" (Geneva: UNHCR), June 2001.

⁴ United Nations Economic and Social Council, A/52/3, Chapter IV, Agreed conclusions, 1997/2.

⁵ The office uses consultants to provide additional assistance.

represent the better educated and better off members of the population, rather than the population at large. It is logical that the most articulate sectors of the female population would participate more readily in camp governance. However, the challenge remains to hear the voices of those who remain outside the planning and implementation of programs.

UNHCR's community services officers are often the best placed to identify the most isolated or at-risk members of any refugee community. But the relationship between community services officers and protection officers is a further problem in implementing the *Guidelines*. In all the sites visited protection officers considered their primary realm of action to be the legal sphere, focusing on questions of access, admission, status determination, and repatriation. Protection officers visit refugee camps and settlements, but these visits are often short and infrequent. Community services staff and field officers are more likely to identify protection problems that may otherwise not be reported. The importance of their roles appears to be under-appreciated in many countries — especially by protection officers. In UNHCR's ongoing staff reduction process, the community service posts have been disproportionately cut, diminishing the agency's capacity to protect refugees.

This assessment found that many women and girls suffer SGBV throughout their refugee experience. Such violence is prevalent during flight, in refugee settings, and upon return. However, many cases go unreported because in most refugee settings there is little awareness about the problem and few coordinated efforts to prevent abuses and respond when abuses occur. In the field, some UNHCR staff noted that they rarely received information, much less accurate information, about rape, domestic violence, or sexual exploitation.

The assessment team agrees that the *Guidelines* need to be updated. Populations still within their home countries are not covered by the *Guidelines*, which were written prior to UNHCR's more extended activities in countries of origin. The protection problems women face are not limited to the time they spend as refugees in camps but may occur at any point during the conflict, in internal displacement, or during repatriation/resettlement. Although the five sites did not present sufficient opportunities to observe UNHCR protection activities on behalf of internally displaced persons (IDPs), other studies undertaken by the Women's Commission have pointed to the serious physical protection problems and lack of access to assistance experienced by women still within conflict zones — even when UNHCR has responsibility for their protection. Also too little attention is given to the many urban-based and spontaneously settled refugee and displaced women who also often lack UNHCR protection.

Resources

Lack of resources is another serious barrier to implementation of the *Guidelines*. Repeatedly, the assessment team found the reduction or elimination of both staff and of various promising programs. Health workers complained that medicines and supplies that used to be available no longer were and that they were “cutting corners” dangerously. Combating HIV/AIDS is a challenge for UNHCR programs, but health budgets have not been increased for this purpose. Meanwhile, refugee women and girls are at tremendous risk of infection due to their limited power which makes them vulnerable to sexual violence and exploitation. HIV transmission from men to women is more likely; approximately 12 to 13 women become newly infected with HIV for every 10 men.⁶

Funding for income generation programs has been cut significantly, leaving some refugee women with no alternative source of support. As the assessment team heard during the field visits, such programs that directly and indirectly promote women's protection are often cut in a funding crisis.

⁶ Joint United Nations Program on HIV/AIDS, “Gender and HIV” Fact Sheet, (UNAIDS).

Staff reductions in the field are particularly troubling. Staff levels in field offices and sub-offices are insufficient to identify, monitor, and resolve protection problems. In the sites visited not only had UNHCR's presence in refugee areas been reduced, but so had funding for specialized NGO staff. This led to inadequate capacity to gather information about abuses and inadequate promotion of refugee capacity building. Counseling programs were eliminated for victims of trauma and survivors of gender-based violence. Again, the relative absence of female staff in field locations worsens these problems for women and girls who are less likely to report abuses to men. Finally, the rapid turnover of UNHCR staff has impeded the comprehensive planning, assessment, and confidence building central to implementation of the *Guidelines*.

At the same time, the Women's Commission found that certain program interventions are possible, even with limited resources. For example, more female staff can be hired and multi-sectoral teams (including staff from protection, community services, program, health, security and other sectors) can be put in place to advance gender equality.

Next Steps

Overall, the assessment found that significant progress has been made but much more can be done to implement the *Guidelines* and improve protection for refugee women and girls. Preventable abuses continue to occur in the field because the *Guidelines* are not implemented consistently. These abuses range from sexual and gender-based violence to deprivation of basic services, such as food, shelter and health care.⁷

While many persons and entities have responsibility for ensuring effective and sustained implementation of the Policy and *Guidelines*, it is important for the institution as a whole to strengthen its commitment. This commitment ranges from the strategic vision of the Executive Office to operational activities of all staff at all levels. The *Guidelines* need to be worked into standard operating procedures and used for planning and evaluation at each step of programming. All staff should adhere to the standards set by UNHCR and be accountable for their application.

1.2 Recommendations

The following is a summary of recommendations based on the assessment findings. The full set of recommendations can be found at the end of the report, accompanied by lessons learned and best practices, plus concrete measures to implement the recommendations.

1. Senior managers should ensure implementation of the Guidelines and gender-sensitive programming are institutional priorities. UNHCR field offices should be required to establish clearly defined and measurable objectives and indicators for meeting these priorities. In addition to the statement of gender objectives in plans of operation and other reporting mechanisms, Bureau Directors should take the initiative to establish the specific objectives met in their region, the actions they expect to be forthcoming to meet them, the indicators by which to measure achievements, and how these

⁷ In addition to the findings of this assessment, a recent report from UNHCR and Save the Children-UK on sexual violence and exploitation of children in West Africa illustrates the magnitude of the problem. "Note for Implementing and Operational Partners on Sexual Violence and Exploitation: The Experience of Refugee Children in Guinea, Liberia and Sierra Leone based on Initial Findings and Recommendations from Assessment Mission 22 October-30 November 2001," February 2002. This report describes widespread sexual and gender-based violence, particularly sexual exploitation of adolescent girls. Humanitarian aid workers were alleged to trade food, plastic sheeting, and other aid supplies for sex.

will be funded. They should include gender considerations in each staff member's professional objectives. Occasional gender audits should become routine; when lack of compliance is found, action should be taken. Senior managers should be held accountable for the actions of the staff they supervise. All staff should be required to receive training on implementation of the *Guidelines* and gender equality.⁸

2. Donors should restore refugee funding, which has now fallen below adequate levels, linking it to progress in implementation of the Policy and *Guidelines on the Protection of Refugee Women*.

Donors should continue to promote policies and programs that keep the principles of the *Guidelines* at the center of refugee protection and programming. At the same time, donors should recognize that fewer resources in the field will disproportionately impede the ability of UNHCR to provide protection to refugee women and girls.

3. Senior management should maintain the Office of the Senior Coordinator for Refugee Women and Gender Equality and support long-term strategic planning for the office and agency. This should include support for the current process to move the organization towards a gender equality approach, starting with the formulation of a High Commissioner's Policy on Gender. In addition, one technical expert (gender specialist) post should be added to this office.

4. Reinforce field staff particularly in sub-offices and refugee camps. In response to lower funding, UNHCR has undergone a reduction in staff. The reductions are most strongly evident in the field where UNHCR presence on the ground is now unacceptably thin. The assessment team found that in every country visited, staff reductions not only had reduced its ability to comply with the *Guidelines*, but they have added to risks that refugees are facing. The recruitment, hiring and retention of qualified staff who have a demonstrated commitment to refugee protection, should be a priority. In particular, UNHCR should:

- **provide incentives for the recruitment and retention of qualified female staff**
- **restore and strengthen community services functions**
- **establish Multi-Sectoral Approach teams**

5. The Department of International Protection (DIP) should enhance its physical protection and security capacity. It should:

- **Establish a focal point specifically concerned with physical protection and security.** Among the first priorities of this post should be the establishment of guidelines to address the minimization of violence through training of military, police and border guards and operational partners of UNHCR.
- **Support and encourage protection officers, especially those in the field, to be more proactive in the area of physical protection.** Protection officers in Headquarters and in the field are primarily oriented to addressing issues of legal protection and are less responsive to the needs for physical protection. Protection officers can enhance their ability to meet the challenges of physical protection by working more closely with program and community service staff.
- **Continue with the revision and update of the *Guidelines on the Protection of Refugee Women*.** Disseminate these widely and require their use by staff and partners.

6. UNHCR and its implementing partners should improve their capacity to respond to sexual and gender-based violence in all its forms. As part of UNHCR's new approach to staff training and learning, DIP has initiated a nine month protection learning program which addresses many of the concerns elaborated in this assessment and therefore its use should be expanded and its impacts evaluated.

⁸ POP or another appropriate training should be mandatory. Governments like Canada and organizations like the Organization for Security and Cooperation in Europe (OSCE) provide gender briefings in orientation sessions to newly recruited staff.

Following the recommendations detailed in the 2001 Conference on Prevention and Response to Sexual and Gender-based Violence,⁹ this should include:

- Promotion of the multi-sectoral approach so that the refugee community, community services, health, protection, program, field and security staff can work together to prevent and remedy SGBV.
- Improved documentation and sharing of lessons learned and good practices.
- Hiring of specialist staff as well as monitoring and routine program audits.
- Regular SGBV training for all UNHCR staff, both awareness-raising and sector-specific.
- Code of conduct for all staff levels, and sanctions for violations.
- Continued support for Women at Risk resettlement programs and the encouragement of local protection options such as safe houses and counseling services.

⁹ UNHCR, *Prevention and Response to Sexual and Gender-based Violence in Refugee Situations, Inter-Agency Lessons Learned Conference Proceedings* (Geneva: UNHCR), March 27-29, 2001. Hereafter referred to as the 2001 Conference on SGBV.

2. Development and Evolution

2.1 Introduction

This document represents the work of an assessment team under the auspices of the Women's Commission for Refugee Women and Children. Its purpose is to discuss the degree and means of UNHCR compliance with the standards contained in the High Commissioner's Policy on Refugee Women and the Office's *Guidelines on the Protection of Refugee Women*. The report considers the measures that UNHCR has taken over the past decade to respond to the particular needs and risks faced by women and girls, the effectiveness of this response, and progress with regard to the goal of establishing gender equality. It examines how structures of organization, channels of communication, lines of reporting and accountability, and resource constraints in Headquarters and in the field may facilitate or impede progress. The assessment explores the strong linkages between protection and assistance, as well as between meeting immediate needs and strengthening women's skills and capacities. As will be seen, meeting the challenge of protecting refugee women places demands on UNHCR performance at every level and influences virtually all of its activities. The assessment presents both general and country-specific material. Although it reviews UNHCR's progress since 1991, its focus is primarily on the present.

The frame of reference for this assessment is comprised of the Policy, submitted to the Executive Committee by the High Commissioner in 1990, and the *Guidelines*, published by the Division of International Protection in 1991. Given that the *Guidelines*' implementation has never been the sole focus of an evaluation, review or assessment, as has the Policy's, the focus of the following report will be on application of the *Guidelines* in practice.

The *Guidelines* were the culmination of a process that involved UNHCR staff, international NGOs, and concerned donors. They responded to an awareness within UNHCR and the Executive Committee that existing institutional practices were insufficient to meet women's protection needs.¹⁰ In 1989, UNHCR appointed a Senior Coordinator for Refugee Women, whose work is described below. The *Guidelines* were prepared at her request, in conjunction with the General Legal Advice Section of the Division of International Protection.

The *Guidelines* follow the general framework of the 1990 UNHCR Policy on Refugee Women that called for "integrating the resources and needs of refugee women into all aspects of programming so as to assure equitable protection and assistance activities."¹¹ Its underlying premise is that improving protection for refugee women requires a combination of programming tools and measures that strengthen safety and security — in other words, recognition of "the intrinsic relationship, which exists between protection and assistance."¹² This implies a protection approach that includes but goes well beyond traditional notions of "legal" protection. The *Guidelines* review the range of legal and physical protection needs that arise for women and girls in refugee situations; those areas of protection that are in need of particular attention and response; and the actions that can and should be taken when protection problems occur. The document has served as a principal tool, together with the People Oriented Planning and Framework, for sensitizing UNHCR and its partners to women's particular security needs and potential. Both the DIP and the Office of the Senior Coordinator for Refugee Women and Gender Equality have disseminated the *Guidelines* to

¹⁰ The background is described in Martin, Susan Forbes, *Refugee Women*, A Project of the Joint UN/NGO Group on Women in Development (London: Zed Books, Ltd), 1992.

¹¹ UNHCR, *Guidelines on the Protection of Refugee Women*, I.4.

¹² Ibid. I.10

UNHCR staff and to partner agencies. UNHCR country offices have distributed it to government and private entities in their respective areas.

2.2 Methodology and Contents

The following analysis is based on three sources of information:

1. Field visits. The Women's Commission team visited five countries for periods of one to two weeks: Eritrea, Ethiopia, Zambia, Pakistan, and Turkey. Donors and EPAU staff accompanied missions. With logistical assistance as well as substantive collaboration from UNHCR field and Headquarters staff, the team members were able to visit refugee areas and conduct interviews with country representatives, field office directors, protection officers, program officers, community services officers, field officers, and staff with gender-specific responsibilities. Additionally, the team held conversations with refugees, UNHCR partner organizations, other UN agency officials, government officials, and donors. The interviews covered overall programs in each country but paid particular attention to the issues raised in the *Guidelines*. The team sought information about ongoing activities, decision-making processes and responsibilities within the various country programs, awareness of the *Guidelines*, and problems faced in each instance related to refugee women and gender equality.
2. Headquarters. The team and/or the team leader made three visits to Geneva during which they gathered information and exchanged views on the assessment with officials from a wide range of sectors. These included regional bureaus, the Senior Coordinator for Refugee Women and Gender Equality and other units of the Division of Operational Support (DOS), DIP, EPAU, Donor Relations, Training, Resettlement, and senior management.
3. Documents. The team leader, with assistance from EPAU, reviewed a large quantity of UNHCR documents referring to past and present policies and practices. Additionally, the assessment benefited from briefing materials obtained during field missions. The team also consulted numerous reports and papers produced by academic and nongovernmental sources.

The remainder of the report is divided into four sections:

Section 3 is an overview of how the themes in the *Guidelines* have been institutionalized within UNHCR over the past decade. This includes the evolution in understanding and terminology applied to policies on behalf of women refugees, and assessments of compliance.

Section 4 synthesizes the findings from the five field visits to Eritrea, Ethiopia, Zambia, Pakistan, and Turkey, and includes information from other reports. It assesses progress related to implementation of the *Guidelines* with reference to present constraints and support, and summarizes lessons learned. The points are arranged to coincide with the *Guidelines'* organization and includes information from other reports and related documents.

Section 5 raises questions regarding the effectiveness of present organizational forms, communications patterns, and the roles of relevant staff. It also discusses conceptual debates, accountability, and difficult trade-offs among important priorities.

Section 6 contains the team's detailed recommendations and concrete suggestions for their implementation, as well as lessons learned and best practices, where relevant.

In addition to the main text, there are four annexes: **Annex I** is a summary of observations from each of the field visits. **Annex II** reviews UNHCR’s policies and practice with regard to sexual and gender-based violence. **Annex III** reviews UNHCR’s “Women’s Initiatives” in Bosnia, Rwanda, and Kosovo. **Annex IV** is an elaboration of some precedent-setting innovations related to women refugees undertaken in Central America in the early 1990s. Annexes II-IV are desk studies of undertakings that the assessment team did not directly observe, but are important for understanding the evolution and development of gender concerns in UNHCR. The annexes have influenced both the analysis and recommendations contained in this report.

3. Institutionalizing the *Guidelines*, in Headquarters and Beyond

The process of institutionalizing the *Guidelines* has had the support of some UNHCR senior management and has been essential in improving practices. Much of this progress is the result of the work of the Senior Coordinator's unit and key UNHCR staff, drawing on inter-agency efforts and global standards.¹³ This work, supported by some donors and nongovernmental organizations, has been critical to improvements in protection for refugee women and girls.

Despite these efforts, compliance with the principles of the *Guidelines* is acknowledged to be uneven and incomplete. This section focuses on efforts at Headquarters to implement the *Guidelines* and related follow-through in the field.

3.1 Relevant Precedents

The need to develop specific programs for refugee women and girls, and the potential benefits of doing so, were already apparent before the *Guidelines* were published. Early work with women from Afghanistan and Vietnam helped highlight refugee women's concerns. In 1985, UNHCR organized a Round Table on Refugee Women, and the Executive Committee, for the first time, adopted a conclusion highlighting the protection problems of refugee women.¹⁴

One particularly relevant precedent, in terms of the impact on refugee women's lives and the lessons learned for progress in gender equality, occurred in work with refugee women and girls in Central America in the 1980s. This is detailed as a regional case study in Annex IV. At field level, UNHCR staff and NGOs initiated innovative programs to enhance skills and self-confidence among women refugees from El Salvador and Guatemala, and to increase their awareness of their rights and potential contributions. The women in question came from rural backgrounds and had little or no education. Their lives prior to becoming refugees were almost entirely limited to child rearing and domestic work. During the time they spent as refugees in the 1980s, they were encouraged and supported by UNHCR and NGOs to learn a variety of non-agricultural skills, to get educated, and to organize themselves socially and politically. Many became leaders within the camp setting. Women from both countries played important roles in negotiating the terms of their repatriations.

Subsequently, in 1992, concrete steps were taken to formulate an action plan for refugee, displaced, and returnee women. In the context of a region-wide agreement on refugees, returnees, and internally displaced persons, CIREFCA,¹⁵ the UNHCR, and UNDP (UN Development Fund for Women (UNIFEM)), staff organized an event lasting several days that provided a forum for the women who were or had been uprooted. The event – *FOREFEM* – set an agenda for action on women's issues throughout Central America. The current Senior Coordinator and other UNHCR staff have said this early work laid the groundwork to develop tools and approaches for subsequent efforts to mainstream gender equality in UNHCR. (See Annex IV.)

¹³ Refer to work of Sub-Working Group on Gender and Humanitarian Assistance of the Inter-Agency Steering Committee (IASC). One-hundred and eighty governments signed the Beijing Platform for Action in 1995 and 165 countries have ratified the Convention on the Elimination of All Forms of Discrimination against Women.

¹⁴ Executive Committee Conclusion, "Refugee Women and International Protection," No. 39 (XXXVI) – 1985.

¹⁵ Conference on Refugees in Central America.

3.2 The Office of the Senior Coordinator for Refugee Women and Gender Equality

The post of Senior Coordinator for Refugee Women was created in 1989 at the urging of NGOs, UNHCR staff and donors, and with initial funding from the Canadian International Development Agency (CIDA). The first incumbent served from 1989 to 1995 and was charged with:

Elaborat[ing] proposals for a policy framework to govern UNHCR's responses to the special needs and potential of refugee women, incorporating the women-in-development concept adapted appropriately for the refugee context and UNHCR sponsored programs.¹⁶

Additionally, the Coordinator was directed to participate in the analysis and review of country programs; initiate in-depth research; collaborate with the Training Service to produce appropriate staff training materials; and review the protection situation of refugee women, assessing the effectiveness of protection measures. The Terms of Reference for the office referred to provision of expert advice to UNHCR staff, including senior management, on programs designed for refugee women. The Senior Coordinator was mandated to work closely with the Division (Department) of Protection and, thereby, to link assistance with physical and legal protection activities.

Initially, it was believed that a Senior Coordinator would remain in UNHCR for a few years and leave behind a self-sustaining process that would inform all UNHCR operations.¹⁷ It was not foreseen that a separate office concerned with women refugees was needed over the long term. It soon became apparent, however, that expert advice was required on a continuing basis in order to teach staff at all levels and in all sectors of the organization to identify women's practical needs and strategic interests¹⁸ – plus understand the impact of ongoing activities. After three years of CIDA funding at UNHCR's request, UNHCR regularized the post within the organizational budget. The current Senior Coordinator is the fourth to fill this position. Through the years, the Office of the Senior Coordinator for Refugee Women and Gender Equality has played a critical role in defining issues, identifying problems, coordinating studies, organizing workshops, and guiding debates concerning uprooted women, both in and outside of UNHCR. For example, in 1995 the Office of the Senior Coordinator led efforts to bring the specific concerns of refugee women to the Beijing World Conference on Women and to include them in the Platform for Action.¹⁹

The first Senior Coordinator reported directly to the Deputy High Commissioner. In 1993, however, the office was placed in the Policy Program Unit of the Division of (Program and) Operational Support, along with that of the Senior Coordinator for Refugee Children. Some advocates perceived this to be a downgrading of the position and a loss of independence. The change was nonetheless justified on grounds of coherence, *i.e.*, grouping the women's and children's posts with other cross-cutting technical support posts such as health. The same year – first on a *de facto* basis, and then formally – the post of Legal Advisor for Refugee Women and Children was created in the General Legal Advice Section of the Division of International Protection. The creation of a protection counterpart, although at a significantly lower level in UNHCR's hierarchy, was argued to balance the move of the Senior Coordinators from the centrality of the High Commissioner's Office to D(P)OS.

As the Senior Coordinator has neither formal financial leverage nor sufficient staff to monitor gender activities, its influence depends on the collaboration of staff throughout the UN system, and for the NGO

¹⁶ Coordinator for Refugee Women, Terms of Reference.

¹⁷ As described in the paper presented to the Executive Committee, "Making the Linkages: Protection and Assistance Policy and Programming to Benefit Refugee Women," May 13, 1993, para.5-6.

¹⁸ See CIDA's "Policy on Gender Equality," p. 17, for more detailed description of practical needs versus strategic interests.

¹⁹ Wiles, Ann Howarth, UNHCR's first Senior Coordinator for Refugee Women, interview, July 17 and 26, 2001.

partners and donors who are committed to the goals of gender equality. A network of gender “focal points” and regional gender advisors has been put in place to disseminate information, oversee gender issues, and bring problems to the attention of the Senior Coordinator. (These functions are discussed below.) The Senior Coordinator’s office operates by consulting and networking widely inside and outside of UNHCR, and by offering relevant materials and advice to field and Headquarters staff. An internal Reference Group of Refugee Women, set up after Beijing, was revived in September 2001 as the Working Group on Refugee Women/Gender Equality. Chaired by the Deputy High Commissioner and with representation from throughout UNHCR, it acts as an in-house constituency and advisory group on gender issues.

From Refugee Women to Gender Equality

Under the current Senior Coordinator, the words “Gender Equality” were added to the title of the post. This change reflected a shift, in both development and refugee work, from specifically targeting women to challenging the inequalities between men and women. A September 1999 Standing Committee document defines the objectives of a “gender equality” perspective as one that analyzes whether UNHCR programs are impacting equally on all groups, and whether UNHCR is taking corrective measures when they are not.²⁰

Closely related is the concept of gender equality mainstreaming, which is defined by the UNHCR Senior Coordinator for Refugee Women and Gender Equality as: “both a strategy and a process for transforming gender relations. It ensures that the different interests, needs and resources of displaced women and men, girls and boys, are taken into consideration at every step of the refugee cycle, in UNHCR protection activities, as well as in program design, planning, implementation, and monitoring and evaluation. It requires active consultation with displaced women, men and youth in all aspects of UNHCR’s work.”²¹

A 1997 Economic and Social Council resolution required all UN agencies to mainstream gender.²² The Inter-Agency Standing Committee (IASC), a coalition of NGOs and UN agencies, formed a working group on gender equality mainstreaming in humanitarian emergencies. By the end of the decade, UNHCR senior management had endorsed a strategy for such mainstreaming, with the Office of the Senior Coordinator for Refugee Women and Gender Equality an important player in this undertaking.

As development organizations elsewhere,²³ thinking and practice within UNHCR has evolved from a focus on women refugees to considering the broader concept of gender. To date there is no UNHCR policy on gender or mainstreaming of gender equality, although work is underway to elaborate such a policy.²⁴

²⁰ Executive Committee, Standing Committee (EC/49/SC/CRP/22), September 3, 1999.

²¹ UNHCR, “A Practical Guide to Empowerment”.

²² The ECOSOC resolution defines gender mainstreaming as “...the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design and implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women can benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.” (ECOSOC E/1997/L.10), para. 4.

²³ Department of International Development, “Breaking the Barriers: Women and the Elimination of World Poverty,” (United Kingdom), 24 August 2000.

²⁴ EC/51/SC/CRP.17.

3.3 Department of International Protection

By the mid-1980s, staff in DIP's General Legal Advice Section (GLA) were addressing the protection needs of refugee women and girls on an ad hoc basis. For example, between 1985 and 1990, three conclusions were adopted on the subject, alerting both Member States and UNHCR staff to the need to deal with the issue in concrete terms, and establish the political and normative basis for this action. Despite efforts by GLA staff, the Division was unable to significantly contribute to the Senior Coordinator's work, or consistently influence protection staff and their day-to-day decision-making as regards women and girls. For example, a consultant was hired to draft the *Guidelines* themselves, but little DIP staff time was available for review of the draft. This changed when the post of Legal Advisor for Refugee Women and Children was created. Recognizing the need, DIP allocated about 80 percent of the time of one GLA staff member to women and children for most of 1993. In November of that year, the post was officially created. As of March 1994, it was filled on a full-time basis. Although the Legal Advisor must divide his/her time between the issues of women and children, the formal commitment of human resources to these subjects has been an important step. Training materials and other guidance are provided by the Legal Advisor.

In recent years DIP has offered guidance to states on the adjudication of gender-related asylum claims.²⁵ This was the subject of an expert meeting of the Global Consultations on International Protection which will result in guidelines for governments, legal counsel and others. This assessment did not include an examination of gender-related persecution and refugee status determination processes, but such an examination would be important.

In addition, UNHCR has taken the special protection needs of women and girls into account in other guidance, such as the *Guidelines on Applicable Criteria and Standards Relating to the Detention of Asylum Seekers*.²⁶ An examination of gender-related protection concerns in the detention of asylum seekers would be valuable, especially given the increased use of detention by many states.

3.4 Building Capacity Through Training

In 1991, the *Guidelines* reported that women and girls were rarely taken into account during planning, although decisions had direct bearing on their welfare and despite the fact that they typically constitute at least 50 percent of the refugee population in a given location.²⁷ Previously conceived programs and projects for refugee assistance and protection would move forward, ignoring and disregarding the needs and perspectives of half or more of the adult refugee population.²⁸ Because of the kinds of protection problems that emerged and are described in the *Guidelines*, UNHCR was obliged to make costly and disruptive changes in established camps and settlements – changes, it was argued, that would result in greater efficiency over the medium and long term, in large part due to their effect on prevention of protection incidents. The validity of the latter argument was borne out within two years when, after an exhaustive review of all of UNHCR's protection strategies and guidelines until that point, the Division of

²⁵ UNHCR, "Position Paper on Gender-Related Persecution" (Geneva: UNHCR), January 2000.

²⁶ UNHCR, "Revised Guidelines on Applicable Criteria and Standards Relating to the Detention of Asylum Seekers" (Geneva: UNHCR), February 1999.

²⁷ Population Data Unit, Population and Geographic Data Section, "Women, Children and Older Refugees: The Sex and Age Distribution of Refugee Populations with a Special Emphasis on UNHCR Policy Priorities" (Geneva: UNHCR), July 19, 2001. Available at <http://www.unhcr.ch>.

²⁸ The team examined numerous memoranda and mission reports from the 1980s and early 1990s describing plans that had been made without consultation with women and had proved contrary to women's interests and wishes. For example, in Southeast Asia, many women were found to be reluctant to repatriate, although refugee men had firmly committed to doing so on their behalf.

Protection stated: “The Guidelines on Refugee Children and on the Protection of Refugee Women address the problems of two categories of persons that, together, constitute the great majority of refugees, and much of the advice they contain with respect to safety is relevant to the protection of refugees generally.”²⁹

In 1989, prior to the drafting of the *Guidelines*, the Office of the Senior Coordinator for Refugee Women began coordinating and contributing to the development of People-Oriented Planning, a framework for programming appropriate to different segments of the refugee population.³⁰ The Collaborative for Development Action (CDA), a US-based consulting firm, also created, conducted, and trained UNHCR staff to conduct POP workshops that used the case study method to demonstrate how gender, age, and other characteristics can affect impacts and outcomes. The greatest effect of POP has been to raise the gender awareness of some UNHCR staff and increase their capacity to understand the needs and capacities of refugee women and children.

The Office of the Senior Coordinator for Refugee Women and Gender Equality has coordinated POP workshops throughout the organization and beyond. Due to staff movement and turnover, however, many UNHCR staff members have not been exposed to it. Moreover, the orientation and time allotted for the workshops are reported to vary considerably. A POP training may be limited to a single video and brief interactions, or it may involve the full, two-day workshop with multiple case studies and discussions. In the late 1990s, the Coordinator’s office has sought to broaden POP in regard to women’s protection issues and to introduce the concepts of empowerment for refugee women and gender equality. There are presently too few trainers able to conduct POP training with these elements. On the other hand, gender-sensitive and protection-oriented training tools are being designed, piloted, and disseminated in the Staff Development Section of UNHCR, in DIP and, more informally, by field staff and NGO partners.

Training is one way to build the capacity of individual staff, but is not an end in itself. Moreover, POP is not the only tool for advancing refugee protection and needs to be combined with other strategies. Other methods — such as gender program audits and the hiring of gender specialists — should be employed. It was outside of the scope of this assessment to evaluate the impact of POP, but such an assessment would be important.

3.5 Sexual and Gender-Based Violence

The *Guidelines* and other UNHCR documents devote considerable space to addressing sexual and gender-based violence. SGBV plagues all societies, but refugee women and girls are particularly at risk because they are often without traditional means of protection, have little power, and are in settings where there may be little regard for human rights. Forms of SGBV include rape, domestic violence, female genital mutilation, forced marriage, abduction, and sexual coercion. Only gradually has UNHCR recognized the need to address these forms of abuse systematically. The problems of violence that were identified in the 1991 *Guidelines* were further elaborated in a 1993 DIP paper presented to the Executive Committee, entitled “Note on Certain Aspects of Sexual Violence against Refugee Women.”³¹

In 1995, UNHCR issued *Sexual Violence Against Refugees: Guidelines on Prevention and Response (Sexual Violence Guidelines)*, affirming the responsibility of staff to prevent and provide protection to,

²⁹ UNHCR, EC/1993/SCP/CRP.3, para. 29.

³⁰ See Anderson, Brazeau and Overholt, *A Framework for People-Oriented Planning in Refugee Situations, Taking Account of Women, Men and Children: A Practical Tool for Refugee Workers* (Geneva), December 1992.

The POP Framework was largely designed by gender analysts, Mary Anderson and Catherine Overholt of the Collaborative for Development Action (CDA), whom the Senior Coordinator had contracted for this purpose.

³¹ UN, A/AC.96/822, October 12, 1993.

and the obligation of governments to diligently prosecute, cases of sexual violence. The *Sexual Violence Guidelines* address these problems with specific recommendations for prevention, action, and survivor support. They offer basic, practical advice to field workers in the areas of medical treatment, psychological support, and legal intervention. The *Sexual Violence Guidelines* serve as a primer on when and how sexual violence can occur in the refugee context, and on the physical, psychological, and social effects it can have on those exposed. They also recognize that most incidents of sexual violence go unreported for reasons including shame, social stigma, and fear of reprisal. The *Sexual Violence Guidelines* underscore the need for education, training, and information campaigns among refugee and host or other local populations, and emphasize that women have a particular need for training in legal awareness, leadership, and other skills. Practical guidance for field workers in dealing with sexual violence is further supported by the final chapter, which explains how to deal with related matters such as the media, female genital mutilation, and staff trauma and burnout. These *Guidelines* are in the process of being updated.

In 2001, the DIP drafted a *Step by Step* tool that instructs protection officers how to handle SGBV, both in terms of its punishment and support to survivors. Though somewhat belated, this guide indicates the greater importance now accorded within the Protection Department to problems of personal security. Also in 2001, UNHCR co-sponsored the inter-agency conference on SGBV mentioned earlier in this report. The conference report includes a comprehensive set of recommendations based on a multi-sectoral approach.³²

Human rights advocates and UNHCR itself have documented the most egregious cases,³³ and the organization has participated in multi-agency efforts to deal with SGBV in several locations in Africa. Over the past decade, UNHCR staff attitudes about intervening in cases of SGBV have noticeably changed in three ways:

- 1) enhanced willingness to support survivors;
- 2) increased recognition of the importance of training staff to take strong positions against SGBV; and
- 3) greater awareness of the usefulness of working with men to help reduce tensions and find solutions respectful of survivors' dignity – an awareness not often translated into practice.³⁴

The 1993 UNHCR-sponsored “Review of the Implementation and Impact of UNHCR’s Policy on Refugee Women” characterized the views of several UNHCR field officials as being, in effect, that sexual violence toward women was “a regrettable but unavoidable feature of refugee life.”³⁵ Addressing domestic violence poses major challenges, and only in the last 2 to 3 years has UNHCR sent specific instructions to field offices, requiring them to respond to this crime. UNHCR offices do not respond uniformly, however. The extent to which UNHCR intervenes depends not only on the sensitivities of particular officers, but on their judgments of the effectiveness of the refugees’ own conflict resolution mechanisms.

A more detailed look at UNHCR’s response to SGBV can be found in Annex II.

³² UNHCR, *Prevention and Response*.

³³ For example, a Human Rights Watch investigation, “Seeking Protection: Addressing Sexual and Domestic Violence in Tanzania’s Refugee Camps,” led UNHCR to undertake corrective measures even before the report was published in 2000.

³⁴ UNHCR, *Prevention and Response*. This comprehensive report devotes a section to male involvement.

³⁵ Eval/Fem/13, December 1993, p. 21.

3.6 Women's Initiative Programs in Countries of Origin

The *Guidelines on the Protection of Refugee Women* are devoted primarily to the problems of women refugees located in UNHCR camps. They say little about problems that arise when refugees repatriate. In 1991, UNHCR was not as heavily involved in reintegrating repatriated refugees as it has been since. The impact of continued civil strife on the women of Rwanda, Bosnia, and Kosovo, however, could not escape attention. UNHCR was working inside countries of origin still in conflict and in which returning refugees, IDPs, and former combatants mixed with the rest of the population. Many of the women were widows. Many had survived rape and torture. Many lost homes and possessions, and had no rights to land or inheritance. NGOs and international organizations, including UNHCR, were disposed to targeting assistance to them, in the hopes of redressing abuses and involving them in reconstruction and conflict resolution efforts.

UNHCR, in cooperation with other agencies, launched programs called "women's initiatives" in Bosnia (1996), Rwanda (1997), and Kosovo (1999). These initiatives were aimed at capacity building, education, and income generation, as well as social and psychological support. They varied in terms of structure: Bosnia's was coordinated by UNHCR, but implemented through an umbrella group of international NGOs; Rwanda's was overseen by a steering committee composed of government, women's groups, and UNHCR; Kosovo's linked international NGOs with selected local women's groups. Their activities also varied: Kosovo's was broader than its predecessors, including psychosocial and capacity building projects. It was, moreover, the first to incorporate clear-cut protection components. Long-term planning also differed from one initiative to another.

Women's initiatives have the potential to play a useful role in addressing protection needs of women and their communities, and in promoting gender equality, but they must be carefully thought through and should involve significant participation of the beneficiary population in their design and implementation. There is the potential pitfall of "absolving" the rest of the UNHCR program from dealing with gender issues and referring "anything to do with women" to the "women's initiative." These types of initiatives require an investment in planning, including thorough gender analysis, before they are launched. To maximize effectiveness, greater attention must be given to the following challenges:

- 1) clearly defining objectives and indicators from the outset;
 - 2) fitting the initiative into UNHCR's overall country plans;
 - 3) defining with partners, from the start, a process supportive of the initiative's eventual handover.
- In so doing, it is critical to involve beneficiaries in the design and management of the initiative and its individual projects.

An analysis of women's initiatives is provided in Annex III.

3.7 Assessments, Evaluations, and Reviews of Progress During the 1990s

To give a sense of institutional progress since the *Guidelines* were issued, it is useful to examine UNHCR's own evaluations during the period.

1991: The *Guidelines* were presented to the Executive Committee, which, in turn, requested that they be disseminated throughout the system as an integral part of all UNHCR protection and assistance activities. The High Commissioner presented a progress report in 1992,³⁶ and has done so each of the following years. To prepare the 1992 report, Headquarters sent a wide range of questions to field offices about

³⁶ A/AC.96/738, para. 24, 1991.

protection problems, the steps taken to address such problems, how the country programs contributed to protection of refugee women, and how UNHCR was promoting the involvement of women in decisions that affected them. The replies showed that little action had been taken on these issues, thereby confirming the importance of disseminating the *Guidelines*. The responses acknowledged SGBV, frequent absence of legal status for women, difficulties in accessing goods and services, fragile health services, and the dearth of adequate protection for women living alone. The responses also revealed a serious lack of demographic information about refugee women, including how many there were in a given population. The progress report concluded that addressing the cited problems depended on UNHCR's direct involvement with the refugee population. In view of the staffing reductions of 2001, it is useful to reproduce this 1992 conclusion:

In countries where UNHCR maintains a presence in refugee camps, its staff can act as a focal point for complaints and requests for assistance and the Office can intervene directly with governmental and nongovernmental agencies, local police, and security forces. Where UNHCR is not physically present among the refugees, it relies to a large extent on implementing partners to coordinate and implement assistance programs, with its ability to influence the protection situation being thereby diminished.³⁷

1993: UNHCR submitted a general progress report on the implementation of the *Guidelines* in the progress report, "Making the Linkages: Protection and Assistance Policy and Programming to Benefit Refugee Women." "Making the Linkages" reviewed the documentation on protection problems affecting refugee women and the importance of POP training. The process of change toward a holistic approach with a gender focus, the report acknowledged, was slow. It required deep and difficult changes in attitudes of international and local staff, and partners in host countries, as well as steps that affected organization, staffing, training, and funding. The Executive Committee had recommended specific changes related to protection, which the report acknowledged to warrant further assistance from specialists and added resources for the Protection Division.³⁸

1994: In 1994, the Progress Report to the Executive Committee³⁹ covered refugee children as well as women, and systematically analyzed the follow-up needs and the costs to UNHCR of meeting several recommendations that had been presented by the Working Group on Refugee Women and Children.⁴⁰ Among the items discussed were increasing representation of female staff; mandatory extension of POP approaches to all staff; integration of POP into emergency management, protection, and programming; inclusion of gender and children expertise in emergency response teams; the experimental placement of food distribution in the hands of women; an updating of the Handbook for Emergencies, so as to incorporate tenets from the women and children policies; consultancies as needed to address particular problems affecting women and children; incorporation of references to the *Guidelines on the Protection of Refugee Women* and the *Guidelines on the Care and Protection of Refugee Children* in technical and sectional reviews and into all UNHCR budgeting and programming tools, reporting procedures, guidelines, and manuals; continued monitoring missions by the Senior Coordinator for Refugee Women and Gender Equality and the Senior Coordinator for Refugee Children; a focus on protection issues facing women and children in weekly situation reports; the sharing of UNHCR's Note on Certain Aspects of Sexual Violence against Refugee Women⁴¹ with other international bodies, and dissemination of the UNHCR *Guidelines on Sexual Violence*; modification of the Annual Protection format to insure that field

³⁷ Subcommittee of the Whole on International Protection, "Progress Report on Implementation of the UNHCR *Guidelines on the Protection of Refugee Women*" (EC/SCP/74), 43rd Session, July 22, 1992, para. 32.

³⁸ EC/1993/SC.2/CRP.16, May 13, 1993, para. 1-49.

³⁹ "Progress Report on the Situation of Refugee Women and Refugee Children and Financial Implications of the Recommendations of the Working Group on Refugee Women and Refugee Children" (EC/1994/SC.2/CRP.23/Rev.1), 31st meeting, Sept. 16, 1994.

⁴⁰ Discussion Paper, submitted to UNHCR's Executive Committee, April 15, 1994.

⁴¹ A/AC.96/822, October 12, 1993.

offices were addressing women's and children's protection needs; development of accountability such that all staff members would assume responsibility for implementing the policies on women and children; job descriptions of program officers that included monitoring of refugee conditions; more forceful interventions by senior management to governments in countries where rights of women and children are flouted; dissemination to implementing partners of training materials and policy documents related to refugee women and children, including the *Guidelines*; inclusion of gender clauses in agreements with implementing partners (and other measures aiming at closer cooperation with NGOs and international organizations); identification of gender focal points and possible lessons learned meetings among them; and maintenance of the positions of Senior Coordinator for Refugee Women and Gender Equality and the Senior Coordinator for Refugee Children, with additional resources.

The intended message here was that limited monetary resources were not insurmountable obstacles to improving performance. Although some of the items listed – especially those involving staff increases – implied significant financial commitments, a large number of steps could be taken at relatively little cost or no cost at all. UNHCR has followed up on the majority of the recommendations in this long list,⁴² but in many instances, only partially or in a *pro-forma* style, e.g., reporting obligations, dissemination of the *Guidelines*. The list itself is useful in illustrating the broad range of actions that comprise a comprehensive approach to women's and children's rights and protection.

1995-6: The Inspection and Evaluation Service conducted a review of UNHCR's Women Victims of Violence Project⁴³ (WVVP) with a view to evaluating its replicability in other situations of large-scale sexual violence. The external consultant who performed the review found, *inter alia*, that the WVVP demonstrated how well UNHCR could implement the Policy and *Guidelines* on refugee women, and POP Framework, given enough support from management, funds from donors, training for staff, government officials (police), and refugees (both men and women), and opportunity for dialogue with the refugees and partners in the field. On the basis of this project, the consultant defended the use of parallel structures (projects) for women and children until enough precedent had been set to facilitate the organization-wide paradigm shift necessary for mainstreaming. Finally, the consultant underlined the necessity to address the concerns and attitudes of men and boys as well. Many of the more general recommendations in the review bore a striking resemblance to those contained in the 1993 Review of UNHCR's Implementation of the Policy on Refugee Women, and to the recommendations in this assessment.

1999: The Evaluation and Policy Analysis Section conducted an internal review of UNHCR's compliance with its declared priority policies: refugee women, children, and the environment.⁴⁴ After interviewing a large number of staff in Headquarters and in the field, and reviewing relevant documents and reports, the evaluation team found a number of deficiencies ranging from dearth of clarity regarding UNHCR's policy to an absence of staff member understanding of how to comply with the policies. The report singled out the annual protection reports for their general lack of focus and detail on women's protection issues. In but one illustration of the need for "clearly defined and measurable objectives flowing from the Office's global and strategic policy statements...",⁴⁵ the review concluded:

It cannot be assumed that policy is implemented simply because it has been formulated and disseminated... The principles that make up the policy may have been respected and acted upon, but in the absence of precise indicators to measure compliance, and thresholds for each policy, performance cannot be adequately assessed.⁴⁶

⁴² The actual list in the document is somewhat longer.

⁴³ The review was performed and the report drafted in mid-1995, but IES did not issue the report until March 1996.

⁴⁴ Sokoloff, Constantin and Frauke Riller, with George Gordon Lennox, "A Survey of Compliance with UNHCR's Policies on Refugee Women, Children and the Environment" (EPAS/99/01), March 1999.

⁴⁵ *Ibid.*, Para. 2.

⁴⁶ *Ibid.*, Para. 28.

4. The Field: Implementation of the *Guidelines*

4.1 Overall Implementation of the *Guidelines*

The team observed efforts to remove barriers to gender equality, as well as indications of staff reluctance to be proactive in identifying and resolving problems. The team identified serious constraints to improvement, from lack of commitment to the reduction or elimination both of staff and various promising programs. The assessment also drew on other documents and reports from field missions. Among the positive developments observed in the field that have reinforced implementation of the Guidelines are the following:

- Improved capacities for gender-sensitive refugee status determination.
- More vigorous use of national laws for enforcing protection and human rights.
- Multi-unit mechanisms for gender coordination and to deal with special cases that require coordinated solutions.
- Successful efforts to persuade parties to respect girls' right to education.
- Measures to organize refugee women and include them in camp management.
- Involvement of male refugee leadership in strengthening women's protection.
- Efforts to involve women directly in food distribution.
- Incentives to employ more female staff for health and education.
- Wider availability of reproductive health services.
- Safe houses and counseling services for victims of trauma or violence.
- Training workshops focused on women's rights.
- Protection training for non-UNHCR officials, especially government and NGOs.

Most of these activities were not implemented widely or consistently across UNHCR's programs. UNHCR officials professed to be aware of shortcomings and eager to more effectively meet the needs of refugee women and of refugees in general. They blamed scarce resources and cited specific budget reductions as having impeded adequate responses to acknowledged problems and eliminated core programs where gender was being, or would have been, mainstreamed. Budget constraints have resulted in decisions to cut important programs, which have a profound impact on protection of refugee women and girls. These include:

- Reduction in UNHCR presence in the field, and lack of female staff, resulting in reduced ability to identify or address protection problems.
- Reduction in support to UNHCR partners.
- Less support to local organizations and facilities that help refugees.
- Reduction in support for income generation projects.
- Less funding to repair and replace deteriorating infrastructure.
- Less funding for non-food items and supplementary food.
- Few efforts to engage refugee communities, particularly refugee women, in program planning or implementation.

4.2 Assessment, Planning, and Staffing

The issues in this section of the Guidelines include emergency management, long-term refugees, circumstances of movement, characteristics of the refugee population, local reception and attitudes, physical organization and location of camps, social organization, physical safety, access to assistance

and services, legal status and access to legal systems, durable solutions, and evaluating and using information.

4.2.1 Refugee Registration

Despite the fact that the *Guidelines* and many other assessments and evaluations have called for improved demographic information, accurate information disaggregated by sex and age remains very limited.⁴⁷ In the majority of camps, refugee registration cards are still essentially ration cards. Thus, where there is no food assistance, refugees go unregistered, as in the case of Afghan refugees in Pakistan after food assistance was eliminated in 1995. Neither Afghans who came thereafter, nor those born in Pakistan after 1995, are likely to have any personal documentation at all, much less proof of refugee status. Refugee camps usually issue ration cards for each family, with the names and sex of children. The system is difficult to update and has too little demographic information to be especially useful for planning. The *Guidelines* note that, without individual cards, women can easily lose access to food.

In Headquarters, a new refugee registration system has been designed and was piloted in 2001. It represents an improvement over past registration techniques in that it allows each individual to obtain a personal card⁴⁸ that contains significantly more information about the refugee than previous cards. Zambia is to be one of the first countries to benefit from the new system. Among its purposes are improved programming decisions and protection measures, the capacity to target resources better to needs, enhanced mechanisms of family reunification, and easier and more frequent information updates. As is presently the case, if a woman is the single head of her family⁴⁹ upon the issuance of the card, it will be in her name. Each card will have a “vulnerability” code. The designers of the registration system proposed to include notations on vulnerabilities that might require special assistance or attention, such as for refugees with disabilities, unaccompanied minors, or single mothers with young children. This type of labeling may, in fact, place individuals at greater risk; being labeled “vulnerable” could make them targets. This coding should be reviewed to ensure it has not had a negative impact.

4.2.2 Field Presence

The assessment team found a reduction in UNHCR presence in the field that seriously reduces its ability to address the needs of women and other refugees at particular risk. The attention of the team was drawn particularly to the reduction of community services officers. They are charged with executing – though, like most refugee women, not determining – most of the projects targeted at families and the female population (e.g., income generation projects, capacity building, training in reproductive health, counseling, education, HIV/AIDS). The assessment team encountered UNHCR community services staff in branch and field offices; but NGO or government partners were serving in the camps. Their approaches are varied and the quality is reportedly uneven. Moreover, in some critical areas the linkages between community service and other field staff with UNHCR protection units were not sufficiently strong to provide the latter with essential information and understanding about conditions on the ground. UNHCR

⁴⁷ Population Data Unit, “Women, Children and Older Refugees.”

⁴⁸ According to the Registration and Statistics Unit, UNHCR first issued instructions to separately register each refugee family member in 1994.

⁴⁹ Throughout the assessment and its annexes, we have tried to refer to women who head households alone as “single heads of household” or the like, whether they have never been married or are widowed, separated or divorced. This terminology reflects our recognition that, despite the gender role accorded many women in public life, in private life, many – if not most – are indispensable to the welfare and happiness of their families. For this reason, even if they are not the chief – or an equal – decision-maker in a two-parent family, they should be treated as such under international law. See, e.g., the Convention on the Elimination of All Forms of Discrimination against Women, Arts. 15-16.

is preparing an evaluation of community service functions in UNHCR. This evaluation should seriously consider these problems.

4.2.3 Women's Participation in Planning and Organization

Women's organizations have encouraged members to express their ideas and to take actions. However, the team found the levels of organization among women to be relatively weak in the sites visited. In all the mission sites, officials agreed that refugee consultations with both men and women were essential to effective camp governance and reported positive results from involving women in decision-making. Men were learning to accept the women's participation and organization. That said, the refugee women interviewed expressed frustration at their inability to act collectively to improve the conditions under which they were living.

In the countries visited by the team, especially Pakistan and Ethiopia, women were not accustomed to participation (nor, indeed were the men outside of a narrow leadership cadre). As most of the camps visited had recently been established, the notion of female leadership was still quite new. UNHCR now aims to have women representatives constitute 50 percent of refugee governing entities. This opens an important channel for women to assume leadership roles. Although UNHCR pressure has resulted in the election of women to refugee leadership posts in several camps, the opinions of the latter are still rarely heard in settings where women and men serve together.

Women in all the countries spoke more freely in exclusively female gatherings. The team met with women's parallel organizations that serve as channels to bring issues and problems to the attention of community elders, UNHCR, operational partners, or government representatives. Women's committees also resolve disputes and solve community problems, including sensitive matters like domestic violence. In some of the camps, the women who were participating requested training to assist them in conflict resolution, political skills, and leadership.

While the team applauds the promotion of refugee organization, there is an issue of representation that applies to both the men and women. In several locations a narrow cadre of either male political leaders or tribal elders dominated refugee leadership overall. The women with whom the team was able to meet appeared overwhelmingly to represent the better-educated and socio-economically more privileged members of the population, rather than the population at large. In addition, it is often difficult for adolescent girls and younger women to express their concerns even though they may be at greatest risk of SGBV, including exploitation. It is logical that the most articulate sectors of the female population would participate more readily in camp governance. The challenge for UNHCR remains to "hear the voices" of those who remain silent when delegations such as the assessment team appear in the camp.

4.3 Protection Needs and Responses

The issues in this section of the Guidelines include physical security, legal procedures, and criteria for the determination of refugee status; possible problems/needs/program interventions.

4.3.1 Awareness of Protection Issues

An anecdote perhaps best illustrates the institutional response to women's protection problems in refugee settings. In Zambia the associate protection officer accompanied and arranged the schedule for the assessment team. She had been assigned this task because the team had requested logistical assistance for a project related to protection. "I was afraid we had made a mistake," this officer later told the team. "Had

we realized that your concern was with women, we would have asked the gender officer to accompany you instead.” The officer clearly recognized the protection risks under which refugee women live, and considered these risks to fall well within the area of protection – but not fully within her realm of responsibility. In Zambia and other sites visited, field and community services officers rather than protection personnel are the first and often the most directly responsible for addressing women’s protection problems. In other words, the fact that the protection reports sent from the field to Headquarters note physical and social protection problems does not mean that protection officers will address them.

In all the sites visited, protection officers considered their primary realm of action to be the legal sphere and questions of access, admission, determination of status, and repatriation. Visits by protection officers to the refugee camps and settlements to deliver the workshops help them to assess the overall protection situation firsthand. But these visits are short and infrequent. Nor is it known how the refugees themselves make use of workshops on their rights.

This being the case – it is not likely to change – it is important for the “protection assistants,” community service staff, health officers, field officers, and others in the field to have input into the protection agenda. It is equally important for protection units to understand the dynamics of refugee life and to work closely with other units to resolve problems. Such collaboration has been achieved most directly in Turkey by means of an Inter-Unit Committee that meets on a regular basis to deal with special cases (in addition to the Children and Gender Team described elsewhere). The Representative in Zambia also promoted working relations among different sectors. While there are instances of cooperation among units in Ethiopia and Pakistan, several sources expressed the need for better communication between protection and the other sectors.

4.3.2 Examples of Good Practices in Protection

The assessment team observed the following worthwhile practices for addressing some of the protection problems raised in the *Guidelines*.

Protecting Women’s Health: In Pakistan, the refugee program was able to overcome partially the difficulty in recruiting women health workers for service in remote camps by finding ways to employ couples and giving jobs to each.

Drawing on national and international human rights law: In Turkey, the UNHCR protection officer systematically used national laws and human rights principles to benefit refugee cases. Laws regarding divorce and child custody as well as sanctions against rape and domestic violence proved helpful for refugee women and children.

Local Legal Assistance: In Pakistan, UNHCR was seeking funding to formalize a legal assistance service through local partners that would primarily benefit urban refugee women lacking access to UNHCR protection.

Workshops on Human Rights, including Women’s Rights: UNHCR is offering workshops devoted to rights discussions, including women’s, children’s, and refugee rights, within the framework of universal human rights. In Pakistan, workshops made use of religious law from the Koran.

Joint Training and Workshops: In Zambia, joint training by Community Services and Protection staff has been found to be beneficial. NGO staff, government officials, police officers and immigration staff among others are receiving this kind of training.

Involving Men in Women's Protection: In Zambia, both the UNHCR protection officer and a community services officer from an NGO told of positive changes as a result of having challenged the men in the camp to come up with concrete means of improving women's protection.

4.3.3 Links between Staffing Patterns and Protection

The assessment team found that staff levels in field offices and sub-offices were insufficient to permit the identification, monitoring, and resolution of protection problems. In the sites visited, not only had UNHCR presence in refugee areas been reduced, so had funding for specialized NGO staff. Among the consequences observed were insufficient capacity to gather information about problems and abuses, inadequate promotion of refugee (especially female) capacity building, and the elimination of counseling for survivors of trauma and sexual and gender-based violence. Outside of Turkey, the relative absence of female staff in field locations observed exacerbates these problems for women and girl refugees who are less likely to report certain problems to male staff members. Finally, the rapid turnover of UNHCR staff on short-term contracts in Eritrea and Zambia has impeded the comprehensive planning, assessment, and confidence building central to implementation of the *Guidelines*.

4.3.4 Sexual and Gender-Based Violence

Refugee camp life removes women, men, and children from their prior, culturally defined networks of protection, support, and social discipline, thereby magnifying previously existing social patterns of abusive behavior. Other factors producing tensions in camps are the restrictions on freedom of movement and the modified gender roles. Outside of the camps, military, police, and segments of the local population frequently treat the refugees with hostility. Sexual and gender-based violence is one result. The assessment team sought information about SGBV in all sites visited and reviewed reports and materials from a wide range of other sources, including information from the Reproductive Health for Refugees Consortium's two-year project to facilitate SGBV programming in refugee and post-conflict settings.⁵⁰

SGBV, and particularly domestic violence, was acknowledged to be under-reported in the refugee camps and clusters visited. The women, as well as field officials, reported that some of the most serious abuses, including rape, had taken place during flight. They said that alcohol was an important factor in catalyzing domestic violence within the camps. Worthy of note in this regard is the viewpoint of the UN Special Rapporteur on Violence against Women⁵¹ on the relationship between alcohol abuse and domestic violence: "While alcohol does in many cases exacerbate violence, alcohol does not itself cause violence against women. The focus on alcohol or drugs, rather than on male patriarchal ideology, which has as its ultimate expression male violence against women, undermines the anti-violence movement."

Neither women nor men received education or training to address problems of SGBV in the community. Country officials at all levels expressed awareness and understanding about women's risk as refugees and in relation to the pervasive disrespect for women's human rights. However, the same officials noted that they rarely received information, much less accurate information, about rape, domestic violence, or sexual exploitation. Acknowledging the presence of domestic violence, they attributed it to three causes: 1) the refugees' backgrounds, in which beating wives is tolerated and even expected; 2) the reluctance of women to discuss such issues with outsiders or even with members of their own communities; and 3) the small number of female staff in place.

⁵⁰ "If Not Now, When? Addressing Gender-based Violence in Refugee, Internally Displaced, and Post-conflict Settings: A Global Review," Reproductive Health for Refugees Consortium, 2002.

⁵¹ Coomaraswamy, Radhika, "Violence against women in the family," (UN doc. E/CN.4/1999/68), 10 March 1999.

The team considers the first contention, while accurate, to be dangerous, given that UNHCR staff should work to uphold human rights, and sexual and gender-based violence is a serious rights abuse. The second observation is unquestionably correct, and constitutes an argument for greater efforts to build trust between humanitarian workers and refugees. As for the third contention, the relative absence of female staff is a serious obstacle both to obtaining information and to dealing with the issues. Where there are female staff members, reporting about SGBV does occur more readily, reticence notwithstanding. It is genuinely difficult to recruit women for distant and remote posts, as both UNHCR and NGOs affirm. However, the team did identify some helpful ideas and incentives for doing so, *e.g.*, the practice in Pakistan of hiring married couples.

The assessment team heard that female genital mutilation (FGM) was a serious concern for several African refugee groups. In the camps visited in Ethiopia FGM exists among a small group of Sudanese; it is more prevalent among the Somali refugees. Girls' education helps to reduce the practice and in at least one camp refugee boys have proven to be good advocates against FGM. Prior to the team visit, UNHCR in Ethiopia had reduced the incidence of FGM by means of regular workshops and training for women. UNHCR facilitated training of the practitioners in the Dadaab complex of camps in Kenya in the mid-1990s about the deleterious health effects of FGM, which resulted in the trainees' decision to reduce the invasiveness of the procedure.

In brief, while field staff now accept the premise that they have a responsibility to address problems of SGBV that come to their attention, they may not have adequate mechanisms for obtaining such information. Alternatively, they may choose, on various grounds, not to seek information. The team found a mixture of both in the countries visited. The offices in Turkey made the strongest efforts to identify forms of gender-related protection problems, and to make it easier for refugee women to report them. This was made possible by employing women as legal officers, guards, and field staff, and by training all concerned to recognize the indicators of gender-related problems. Even in Turkey, however, there is a serious information gap regarding what occurs during the long waiting period between asylum hearings and decisions.

Reports that humanitarian aid workers were involved in the sexual abuse and exploitation of women and children (primarily adolescent girls) in West Africa, have added urgency to the imperative to strengthen prevention and response mechanisms. The 2001 Conference on SGBV produced a report which provides recommendations, including adoption of code of conduct for all staff levels, and sanctions for violations, which should be put into place immediately.

4.3.5 Training for Understanding, Empowerment, and Protection

In every site visited, UNHCR staff – especially junior level, local staff – and NGO partners requested training in gender-sensitive protection. Some had had POP training; others had not. Refugee women generally had received or hoped to receive training in refugee and women's rights, but also requested training in leadership and skills.

The team found that **UNHCR's protection role is not well understood by refugees or by some of the NGO partners.** In all five sites visited by the assessment team, only *one* refugee with whom the team met was aware that UNHCR's role was to provide protection. All the others believed its role was the same as other humanitarian agencies, *i.e.*, to provide assistance. To achieve the protection objectives foreseen in the *Guidelines*, both male and female refugees and NGOs need to understand better than is now the case the respective roles of UNHCR, the partner agencies, and the host country government. Misconceptions and misunderstandings have reduced trust and cooperation.

Refugee Status Determination: Where UNHCR has contracted consultants to improve refugee status determination, the result has been to improve gender sensitivity in these proceedings, as was made clear in Pakistan. However, as was also demonstrated in Pakistan, outside RSD trainers can neither change attitudes of staff nor assure women's access to the proceedings. There has been a positive evolution in RSD practices in Turkey, and the process warrants wide attention. It was achieved primarily due to extensive training, incentives for improvement, and support from management, in both Ankara and Geneva.

4.3.6 Durable Solutions

None of the countries visited by the team has formally accepted local integration as an option. Pakistan has allowed freedom of movement to the Afghan population, which was able to achieve a high degree of integration during the 1980s. However, Afghans enjoyed only *de facto* integration, which was already threatened by the end of the 1990s. Zambia has refugee farming settlements, reportedly approaching self-sufficiency, but still limits freedom of movement. Repatriation is the option preferred by the host countries, and UNHCR faces a challenge in defending the need for prolonged refugee protection – a challenge exacerbated by the organization's inability to adequately finance refugee needs. Where repatriation programs are underway – *e.g.*, Somalis from Ethiopia, East Timorese from West Timor – UNHCR has funding only for basic returnee needs and not, as in past repatriations during the 1990s, for infrastructure repair and community development.

Resettlement has emerged as the principal vehicle for protection of refugees at particular risk in their host countries and, in all the countries visited, women constitute a large portion of the beneficiaries of resettlement. While the “women at risk” resettlement programs fill an urgent need, they are available and appropriate only for a fraction of the women/girls – or men/boys – in need of protection services. In Eritrea, Pakistan, and Turkey, local NGOs set up safe houses and monitored problematic situations, thereby relieving the fears of the women they reached. Unfortunately, one finds very few such facilities. **When there is a need for emergency protection and resettlement is not an option, increasing such local programs fills an urgent need.**

4.4 Addressing Protection through Assistance

The issues in the Guidelines include camp design and layout, access to food and other distributed items, water and firewood, access to appropriate health care, education and skill training, economic activities.

4.4.1 Physical Layout of Camps

Although the team did not document any specific incidents in its field missions, refugee women, in other reports and contexts, report the location of housing, latrines and other facilities often put them at risk.

In a report from Pakistan, refugee women noted that they were not consulted when UNHCR's implementing partner, an NGO, built baths. After a survey of the Afghan refugee women, it was found that they would not use baths placed along the perimeter of the camp because they were afraid of attacks and harassment. The NGO (UNHCR's implementing partner) changed its plan and built the baths closer to the refugees.⁵² In Macedonia, latrines and showers were built along the perimeters of one camp and

⁵² Women's Commission for Refugee Women and Children, “We Simply Do Not Want to Die: Assessment of Protection Concerns and Case Studies of Afghan Women in New Shamshatoo Refugee Camp, Pakistan,” December 2001.

women complained that they could not use them in the evening or early morning for fear of being attacked when it was dark.

4.4.2 Food and Non-food Items

Food is a protection concern. The *Guidelines* describe how women and children are frequently deprived of the rations and assistance due them when distribution is made through male leaders and/or heads of household. While all refugees complained about the quantity and variety of food, discrimination against women in food distribution was not visible in the sites visited by the assessment team. However, refugee women participating in a dialogue with UNHCR senior managers in 2001 reported that they experienced serious difficulties because food aid was being delivered in their communities without their participation. Women and adolescent girls in West Africa have reported corruption in aid distribution systems and complained that men who are in charge of food distribution often sell or force refugees to trade sex for food.⁵³

In most of the sites visited, refugee women reported that women, girls, and boys had to exchange sex for food when they received no or inadequate food rations. Congolese women in Zambia told the team that women barter sex for food and other necessities.⁵⁴ Marie, a Congolese refugee, was living in Lusaka with her children. The head of her household, she was struggling to provide her family with food and shelter, and went to an NGO and asked for assistance. The NGO staff said she was getting pregnant often and she confessed that she had had to trade sex in order to survive. Some NGO and UNHCR staff discussed her case and determined that her problem was that she had too many children and she should stop having children. They failed to recognize her situation as a protection problem. She had requested assistance with food and shelter, and explained her circumstances were urgent and dire, yet the protection risks she faced were not considered.

The assessment team learned of many instances of women in Zambian camps exchanging sex for fish. Because the refugee diet is mainly comprised of grains and oil, fish — although scarce — is much desired. In many cases, the women complied but never received the fish. In a number of sites, women described others who contracted sexually transmitted diseases by exchanging sexual favors for otherwise unavailable food and non-food items.⁵⁵ Ongoing dialogue with women is vital to ensure that appropriate food and non-food items are distributed.

A report from Sierra Leone notes, “In Sierra Leone, women heads of household report the food assistance they receive from UNHCR is too little, consisting usually of bulgur and oil. Fuel was not included in the non-food items that the refugees received. Since it is the responsibility of these women to prepare meals — if they fail to, their husbands beat them — the women are obliged to go to the forest to cut and collect firewood to sell in order to buy one or two ingredients. They use their hands to cut and collect firewood because they do not have tools. At times, they get hurt, attacked or raped on their way to the forest. Those who cannot go to the forest send their children to panhandle. Those who have lost their children to the war panhandle themselves. Single mothers with infants and numerous children to care for beg in the streets to survive. Every month, these women are obliged to stay home and go without food for a few days when they are menstruating because they lack sanitary pads or their equivalent. They also often go

⁵³ UNHCR and Save the Children UK, “Note for Implementing and Operational Partners on Sexual Violence and Exploitation: The Experience of Refugee Children in Guinea, Liberia and Sierra Leone based on Initial Findings and Recommendations from Assessment Mission 22 October-30 November 2001,” February 2002.

⁵⁴ Assessment team visit to Zambia, August 2001.

⁵⁵ Interviews with refugee women in Eritrea, February 2001; Ethiopia, March 2001; Zambia, August 2001; and Turkey, June 2001.

without food, as they must give priority to their husbands and/or children when their food supply gets too low.”⁵⁶

Among the non-food items, this report noted serious inadequacies in clothing, blankets, and sanitary materials among camp-based refugees. Blankets are part of the ration given upon arrival, but evidently not replaced thereafter. Clothing by and large comes from donations of second-hand items and is everywhere in short supply. Since 1996, UNHCR has required all field programs to include sanitary materials in regular budgets. A recent survey of some 52 offices by the Office of the Senior Coordinator found low compliance. On October 10, 2001, the current Deputy High Commissioner sent another memorandum to field offices, referring to the survey and insisting on the importance of meeting the requirement in the 2002 budget allocations. The assessment team explored this issue in Zambia, where the lack of sanitary materials came about because of inexplicably inaccurate estimates of need. Although officials acknowledge the mistake, adequate supplies evidently will wait until the next budget cycle.

As the October 10 memorandum noted, shortages of clothing and sanitary materials are more than an inconvenience for women. In both Ethiopia and Zambia girls stayed away from school and sometimes remaining in their houses because they had nothing decent to wear during monthly menstruation. In Ethiopia, the women’s committees were put in charge of distributing sanitary materials. As for school uniforms, the Addis Ababa office reports, “...given the size of the refugee population and financial constraint, we can only provide at most one uniform to each student per year.” In Zambia, schoolgirls were given priority in the distribution of clothing and sanitary materials.

4.4.3 Firewood, Water, and Grinding Mills

Alternatives to firewood for fuel, repair or purchase of grinding mills, and improvement of water posts not only would enhance women’s quality of life, but would remove some of their protection concerns as well. One of the clearest cases of a linkage between protection and assistance was found in Ethiopia, and may soon be replicated in Zambia if not addressed. In both cases, women who gather firewood are at risk of physical harm – not primarily due to rape as in the well-documented Dadaab camp case⁵⁷ – but because of local hostility to refugees who are depleting scarce resources. Possible alternatives to firewood were considered too expensive in Ethiopia, but are being considered in a preliminary way in Zambia. Women in the latter host country expressed a strong interest in receiving alternative fuel sources and/or fuel-efficient stoves.

A less direct but still compelling link is found between malfunctioning infrastructure and protection goals. In the case of difficulties accessing water and consequences of broken grinding mills, the issue is women’s time. In both the Ethiopian and Zambian camps, grinding mills were inoperable and women have been spending the better part of a day or more grinding their maize. In Ethiopia, low water levels in parts of the camp meant far longer lines and frequent fights among the women. In both countries, women cited the time spent in these tasks as a major reason for not attending school or literacy classes, for not working to earn extra income, and for not participating in committees and other forms of camp life.

⁵⁶ Statement by Binta Mansaray, Women’s Commission for Refugee Women and Children, at the UNHCR Executive Committee, Geneva, October 3, 2000.

⁵⁷ UNHCR/EPAU commissioned two studies of the firewood problem in that camp in 1997 and 2000. The studies documented the situation at great length, and concluded definitively that the search for firewood constituted a significant protection problem for women refugees. When UNHCR supplied firewood, the instances of rape declined for a while, but later rose in other settings.

4.4.4 Education

Girls' school attendance and access has improved. The *Guidelines* note that education is a universally recognized human right often denied to refugees, and particularly to refugee girls. Ten years later, the improvement is evident. In every country visited, UNHCR and partners devoted efforts to improving access to education and to encouraging refugees to take advantage of opportunities for regular schooling and literacy classes. The most dramatic success on behalf of girls' education was achieved in Pakistan, where resistance to it from Afghan men had to be overcome, but all UNHCR offices demonstrated a commitment to educating both boys and girls. Although girls still remain in school fewer years than do boys, hostility seems to be diminishing. For a time, the UN World Food Program gave cooking oil to Afghan children attending school in Pakistan, and this incentive raised attendance. It was discontinued after a few years, however. Apart from classic schooling, most of the refugee camps visited had provisions for adult literacy, health education, especially regarding HIV/AIDS, and occasional training for human rights and refugee rights, environmental sensitivity, and assorted skills. As noted above, however, women may be unable to take advantage of educational opportunities due to time constraints and continuing opposition by men and their families.

Whether children go to school is not simply a matter of availability of facilities to educate them. As described above, some refugees told the team that girls were kept from school because their clothing was inadequate or they were menstruating. Among the girls, early marriage sometimes takes precedence over education. On the other hand, it was reported that girls with more educational opportunities were better able to resist early marriage. Unfortunately, as secondary education for adolescent girls is rarely available, early marriage may be attractive to refugee girls with no other options.

The women with whom the assessment team spoke saw education as one of their top priorities.

UNHCR does not usually make provision for secondary education or vocational training for adolescents. Zambia offers refugees greater access to secondary schools and operates a small scholarship program; but these are not equal to demand.

In most places, girls drop out of school earlier or have less access to formal education than boys. This was noted in Ethiopia, where girls said the lack of proper clothing and sanitary materials impeded their attendance. In Northern Uganda, Sudanese refugee girls are pressured to marry early and have children. Communities and parents prioritize boys' education over girls, and keep them out of school to help with household chores, leaving girls with no time, power or incentive to remain in school.⁵⁸

There is a high demand among the refugees for post-primary education, and it is doubtless a worthwhile investment. Adolescents are among the most under-served of the entire refugee population, with little to occupy their time, and few ways to prepare themselves for whatever durable solution might prove feasible. Women teachers, like health workers, are difficult to recruit for refugee service. First, the camps are located in places that are remote and seen as inappropriate places for women to live alone. Second, refugees usually are taught in their own languages, so host country nationals are of limited use. Third, teaching in refugee camps is very poorly paid. Thus, potential teachers understandably prefer other occupations. The quality of the teachers, not surprisingly, tends to be uneven. If secondary schooling were available, young people in the refugee population could develop skills, including the ability to educate those still younger. This would help fill the need for female staff.

⁵⁸ Women's Commission for Refugee Women and Children, "Against All Odds: Surviving the War on Adolescents, Promoting the Protection and Capacity of Ugandan and Sudanese Adolescents in Northern Uganda," May-July 2001.

4.4.5 Health Care and Reproductive Health Services

There were few or no women health workers in some locations. Some women expressed reluctance to seek help from male doctors. **The complete absence of women health workers in such situations should be addressed urgently by UNHCR, particularly since this has come up in evaluations over the past decade.** In many – if not most – of these situations, the presence of women health care workers would likely have resulted in thousands of lives saved.

While malaria, dysentery, and respiratory ailments are major health risks, reproductive health problems, including HIV/AIDS, are often as life-threatening. **The team would conclude that UNHCR and its partners have made important strides in providing reproductive health services.** In contrast to a decade ago, when such services were rare, they are presently an integral part of health care delivery programs in some places.

However, many challenges remain. Combating HIV/AIDS is a challenge for UNHCR programs. Health budgets have not been increased for this purpose. The emphasis, therefore, is on prevention, with large doses of HIV/AIDS awareness and education. It is important to underscore that ample supplies of free condoms are fundamental to successful prevention, but adequate numbers of condoms were not available in some sites visited. Another area that needs to be addressed is the well-proven relationship between women's and girls' rights on the one hand, and HIV/AIDS prevention on the other.⁵⁹ HIV/AIDS prevention is strongly supported by addressing the power relationships between men, women, and children, as well as the non-discriminatory protection of the rights. Refugee women and girls are at tremendous risk of infection due to their limited power which makes them vulnerable to sexual violence and exploitation. HIV transmission from men to women is more likely; approximately 12 to 13 women become newly infected with HIV for every 10 men.⁶⁰

In the area of health, the refugee population and the local population can sometimes make arrangements to mutual benefit. In Pakistan and Ethiopia, local people use the refugee health centers. In Zambia, refugees occupied half of the beds in the Mporokoso hospital. (This does not indicate poorer refugee health, but rather that refugees have daily transportation to the hospital available to them, while the impoverished local population does not.) In Zambia, UNHCR still contributes to the local hospitals. In Pakistan, however, the budget cut reduced UNHCR's donations of monetary support and equipment to clinics located near refugee camps and serving the (largely female) population therein. Children often require hospitalization, and women more often than men stay with them there.

In every camp, the team visited health clinics and generally found the health staff to be committed and apparently qualified. However, **health workers complained that medicines and supplies that used to be available no longer were and that they were "cutting corners" dangerously.** In Pakistan, budget constraints have led to some consolidation of health facilities, which reportedly diminishes access. The assessment team was not persuaded that the practice of charging small fees for health services – adopted in the Afghan camps in Pakistan as a means of generating income for the camp community – is a positive step. The refugees in that context are so poor that even a token sum discourages many from seeking medical help.

4.4.6 Income Generation Projects

As a consequence of lower donor funding, UNHCR has had to make painful choices. Funding for income generation has been reduced on the grounds that, while important to refugee well being, this type of

⁵⁹ See UNHCR, WHO, and UNAIDS, "Guidelines for HIV/AIDS Interventions in Emergency Settings," 1998.

⁶⁰ Joint United Nations Programme, "Gender and HIV."

activity is not central to UNHCR's protection mandate. It is argued that other entities can manage the projects more efficiently. For example, in Africa in 2002, only \$1.9 million in funding is available for income-generation activities among the 2.1 million refugees UNHCR assists. It is not clear how much of this funding reaches women.⁶¹

Overall, income generation projects constitute a very small portion of UNHCR programs in the countries visited, and there have been protection consequences to their reduction, for both men and women. These are best illustrated in Pakistan, where, until the mid 1990s, NGOs and UNHCR supported a very large number of income generation projects focused primarily on women, and designed to take into account the serious restrictions on their mobility imposed by their situation and culture. Once the NGO community declined along with the ample international support, the women became more isolated and at risk. The survival of camp-based Afghan women now depends essentially on the ability of male family members to find employment. In Pakistan, and likewise in Turkey, the lack of alternative sources of income has led some women to resort to prostitution in order to support their families. Inability to earn money is a major source of tension for men whose roles previously were defined by their ability to care for their families. Domestic violence, or the aggravation thereof, is a common consequence of such tensions in uprooted populations and in mainstream society. UNHCR funds some income generation activities in Zambia. In Pakistan and Ethiopia, there were small projects – funded by UNHCR and NGOs.

4.4.7 Support for Local NGOs and Partners

In all offices visited by the team, UNHCR staff, government officials, and NGOs noted the detrimental effects of UNHCR's diminishing ability to support partner agencies. In Ethiopia, the governmental Administration for Refugee and Returnee Affairs (ARRA) repeated at every opportunity that UNHCR had lost credibility because of its inability to support basic refugee needs. The latter, for its part, acknowledged that the ARRA was less amenable to following UNHCR advice or complying with its requests on protection issues. NGO morale in Ethiopia was low in large part because of the frustration of trying to help refugees on a budget that was pitifully inadequate. In Eritrea, the personally good relations between the Gender and Children Focal Point and the National Union of Eritrean Women could not be reinforced with support for concrete projects, which both parties wished. In mid-2001, growing hostility in Pakistan toward the Afghan refugees was directly related to the decline in funding for refugees. The funding had previously also aided the local economy in direct and indirect ways.

UNHCR has created NGOs to assist individual cases, including urban cases. In two of the countries visited, Pakistan and Turkey, SAVERA Counseling Service and the Association for Solidarity with Refugees and Migrants (ASAM), respectively, are UNHCR's links to urban refugees, and they provide important counseling services. SAVERA (serving non-Afghans) will soon have to operate more independently and the ASAM budget has already been cut. The year 2000 budget cuts eliminated a much needed and appreciated counseling service for urban refugees in Turkey. The office finally found funding for the year 2001 for ASAM from two governments. It did not find funding for a companion International Catholic Migration Commission (ICMC) counseling project.⁶²

In Turkey, a highly committed director of ASAM in Van mobilized local funding and drew from her own resources to rent a home in that border city for refugee women who were otherwise poor and alone. Without her efforts, the refugee residents insisted, they would have lived in fear and misery. Continuing to maintain the house depends on outside support. In Turkey and elsewhere, such safe houses can be essential, and the community service and protection officers familiar with abuses that refugee women suffer say there should be more such places.

⁶¹ "UNHCR 2002 Africa Refugees Assistance Project Budget: A Brief Overview," (Geneva), March 22, 2002.

⁶² Subsequent to the mission, UNHCR did find funding for ASAM and ICMC for the year 2001.

UNHCR has offered small amounts of assistance to NGOs who are not direct partners in order to encourage them to assist refugees, *e.g.*, human rights and humanitarian agencies engaged in complementary work. In Pakistan, UNHCR previously gave token monetary support to a local NGO network that maintained a referral mechanism of agencies able to support needy Afghan refugees in urban areas. The 2000 Protection report describes networking with local NGOs to be of “critical importance to our protection strategy.” The NGOs in question have played an important role in identifying women at risk. The team was informed that the token support had been eliminated from the 2001 budget request, to the consternation of the staff.⁶³ NGO support has been similarly cut elsewhere.

4.4.8 Urban Refugee Women

The Guidelines have very little to say about the protection concerns of women refugees who live in urban areas. The team observed a few urban projects in each country and spoke with NGO partners, but did not examine the situations comprehensively. Urban refugees comprise an important portion of the total refugee population and include female-headed households. It is either difficult or prohibited for urban refugees to work, yet assistance levels are low or non-existent. Urban refugees, male and female, are more vulnerable than camp-based refugees to detention as illegal aliens or for crimes attributed to them. As in the case of camp-based refugees, community services workers have important roles, but there are too few to cover the caseload.

A recent EPAU evaluation of UNHCR’s urban refugee policy found that women comprised up to 52 percent of the urban refugee caseload in some locations. It notes that the 1997 policy downplays protection and emphasizes cuts in assistance, in apparent contradiction with UNHCR’s policies on women and children.⁶⁴

4.4.9 Local Populations and Host Governments

Rarely does a local population welcome a large refugee presence. In Pakistan, Ethiopia, and Zambia, the local people initially were sympathetic to the refugees’ situation and helped them. But sympathy faded as refugees depleted resources or competed in local markets. **Local hostility is an important factor in refugee protection.** In order to reduce hostility, UNHCR has typically assisted local hospitals used by the refugees, given nearby communities access to some refugee facilities, used local labor, and encouraged NGOs to expand their projects beyond the refugee camps. In most of the camps visited, refugees interacted with groups in nearby communities – often through sports competitions.

In addition, UNHCR and NGOs hire local staff, from the host or refugee communities, to carry out agency activities. Local staff may resist programs to promote gender equality if they feel projects are not in keeping with traditional practices with regard to women’s roles. International organizations tend to hire men because men are more likely to have had an education and therefore speak a second or third language.

The conditions and attitudes of the host population are critical to refugee protection. Women and girls in Ethiopia feared physical attack when they collected firewood. Guinean authorities incited violence against refugees in Guinea in 2000; the local population attacked, raped and beat refugees living there.⁶⁵

⁶³ The team has since been informed that in Pakistan local NGOs are still referring vulnerable cases to UNHCR although not receiving grants from UNHCR.

⁶⁴ Obi, N. and J. Crisp, “Evaluation of the Implementation of UNHCR’s Policy on Refugees in Urban Areas” (EPAU), December 2001, p. 3.

⁶⁵ Human Rights Watch, “Refugee Women in Guinea Raped,” testimony, September 2000. Available at www.hrw.org/press/2000/09/guineatestimony.htm.

Negative attitudes toward refugee populations affect all refugees but women and men are affected differently. For example, the assessment team spoke with Hazara refugees in Quetta who said the Pakistani police randomly arrested Hazara men and boys, and placed them on trucks and deported them, depositing them at the Afghan border. As the deportations continued, the Hazara men carried extra cash to bribe the police and/or border guards. Women and children were left behind with little or no money or their traditional protection, and the women reported difficulty finding food, medicine, or other essentials.

5. Operational Partners

UNHCR's operational partners in the field include international and local nongovernmental organizations, other UN agencies, and host governments. The level of expertise and commitment to gender-sensitive programming among these partners varies widely. The competency of UNHCR's partners has a direct impact on the agency's ability to protect refugees since much of the direct contact with refugees, and implementation of programs, is undertaken by these partners.

The assessment team was advised by international NGOs that gender considerations were a component of memoranda of understanding, or other agreements between them and UNHCR. However it was not clear to what extent UNHCR monitored their progress, or had the appropriate skill/knowledge to monitor their progress. The Zambia office plans to ask its implementing partners to report specifically on how they have been implementing the High Commissioner's commitments to refugee women made in June 2001.

In some cases, the implementing partner was well ahead of UNHCR in terms of identifying protection problems, and seeking solutions. For example, in Zambia, World Vision International's representative in the Kala camp vastly improved the camp organization and structure working from UNHCR's inadequate model, and was investigating SGBV and harassment of young girls. In Nangweshi camp in Zambia, representatives from another NGO described cases of domestic abuse, which required action but UNHCR field staff was not aware of these problems. This NGO and other implementing partners were working to better inform UNHCR on these and other security priorities. In Sherkole camp in Ethiopia, local staff from Save the Children Sweden highlighted the need for improved systems of reporting and identifying violence against refugee women, yet this was not mentioned by UNHCR. These NGOs and other organizations like Oxfam-UK, Kvinna till Kvinna and Medica Mondiale have proven track records in gender-sensitive programming. UNHCR should collaborate with these and other partners to improve protection efforts.⁶⁶

In other situations, UNHCR's partners have inadequate expertise in gender-sensitive programming and in understanding how to promote the protection of refugee women and girls. Host governments are severely lacking in this regard, despite the important role they can play in refugee women's protection through implementing programs or simply as a host country. Their own national policies, legislation, and justice system may reinforce gender discrimination or fail to punish acts of SGBV, even against their own female citizens.

In Ethiopia, the Government Administration for Refugee and Returnee Affairs agency is a major implementing partner, handling health care services, education and security. ARRA officials in Addis Ababa advised the assessment team that rape was not a problem in the refugee camps, and where it occurred, the act was undertaken by "mad persons," or it was "acceptable in the community."⁶⁷ In discussions with Sudanese refugee women in Sherkole camp, the assessment team was advised that rapes did occur in the camp but they were not reporting them to the government authorities or UNHCR.

In many places, refugees report that local police or military are responsible for rape, harassment and sexual exploitation, but are rarely charged with crimes or held accountable. Refugees are afraid to report offenses when the very authorities who are supposed to protect them are their abusers.

⁶⁶ Oxfam-UK produces many publications on gender and development, including training materials and a journal. The Kvinna till Kvinna Foundation supports women who have been afflicted by war and conflict throughout the Western Balkans. Medica Mondiale provides interdisciplinary help in reproductive health, psychosocial and legal assistance.

⁶⁷ The Addis Ababa office has called to the attention of the research team that there is impunity regarding the crime of rape throughout Ethiopia.

At minimum, there is a need for improved gender and protection training among UNHCR's partners. In some cases UNHCR has encouraged greater awareness with implementing partners: UNHCR Eritrea hosted a workshop on HIV/AIDS including UN peacekeepers and other agencies, and introduced their *Guidelines on Sexual Violence: Prevention and Response*; and in Turkey, the UNHCR office has been training representatives from the Turkish authorities including border guards and the Chief of Asylum Section. Improved communication and monitoring between UNHCR and its implementing partners to identify and seek remedies to protection concerns, including the substance and review of their agreements, is vital.

6. Policy-level Compliance, Organization, and Priorities

6.1 Headquarters and Senior Management

In June 2001, more than 40 refugee women from around the world traveled to Geneva for a consultation at UNHCR headquarters. Before arriving they participated in consultations with UNHCR officials in field offices and other refugee women. They brought concerns and recommendations from these meetings to Geneva, where they met for three days, the last day devoted to discussions with senior management. This event, the Refugee Women's Dialogue, marked the first time a large group of refugees had convened at UNHCR to discuss protection and assistance issues with the High Commissioner and other headquarters staff. At the conclusion of the meeting, the High Commissioner made five commitments to the participants. These were:

1. All offices will continue training and other on-going activities to encourage the active participation of women in all management and leadership committees of refugees in urban, rural and camp settings, including return areas. Where it is not already the case, the aim is to accelerate progress towards ensuring that 50 percent of representatives are women.
2. UNHCR commits to the individual registration of all refugee men and women and to provide them with relevant documentation ensuring their individual security, freedom of movement, and access to essential services. This commitment is reiterated by the conclusion on registration adopted by the 52nd Session of the Executive Committee Meeting of UNHCR.
3. Recognizing that sexual and gender based violence continues to be a severe impediment to the advancement of women and the enjoyment of their rights, UNHCR commits to developing integrated country-level strategies to address it.
4. To the extent possible, UNHCR will continue to ensure that refugee women participate directly and indirectly in the management and distribution of food and non-food items.
5. The provision of sanitary materials to all women and girls of concern will become standard practice in all UNHCR assistance programs. The Deputy High Commissioner has already instructed all offices to prioritize and recognize provision of these materials as central to women's dignity and health.⁶⁸

That these issues are still problems for the agency shows there has been limited progress in addressing them. This, combined with the reiteration of the same conclusions and recommendations from one evaluation to the next over the last ten years, points to the challenge of bringing about institutional change.

Many staff, including bureau directors, are supportive of increased efforts to enhance protection for refugee women and girls and work to implement the *Guidelines* in field programs. However, there are others who resist efforts to improve gender awareness and argue it is not as important as other organizational priorities. For example, during Actions 1, 2, and 3 Planning Process⁶⁹ some staff argued the office of the Senior Coordinator for Refugee Women and Gender Equality be eliminated because

⁶⁸ Memo of the UN High Commissioner for Refugees, December 12, 2001.

⁶⁹ For a description of Actions 1, 2, and 3, see the UNHCR Mid-Year Progress Report 2001, available at www.unhcr/pubs/fdrs/my2001/actions.

gender issues have been mainstreamed in the agency. Senior management refused to accept this recommendation.⁷⁰

6.1.1 Budgeting and Programming Cycle

As UNHCR, along with other UN agencies, moves toward grounding its programs on “results-based management,” there may be an opportunity to more clearly establish the effectiveness of gender-based planning and budgeting.⁷¹

The program cycle begins with an initially proposed budget a year in advance. That budget includes the needs of sub-offices, sectors, and operational partners within the program, and states the overall priorities. Priorities are negotiated within the country, and later within the regional bureaus in Geneva, in a lengthy process. While it is possible to change allocation lines or augment funding, there is considerable competition for available resources. When needs have been identified too late for inclusion in the approved budget, it is normally necessary to await a new budget process the following year. Projects that promote gender equality could be better funded if the country operations plans (COPs) included such efforts from the beginning of the program budgeting cycle. The Senior Coordinator has found that while programs addressing gender equality and/or women’s protection may be listed in the objectives of the COPs, there are often no corresponding activities to meet the objectives. In addition, they often lack appropriate indicators. (See following page for more information on monitoring of COPs.)

6.1.2 Other Reporting and Monitoring

Each country prepares annual protection reports and submits them to the DIP. The reporting instructions for protection officers have changed significantly since 1991. The 1991 questionnaire format asked for reports of particular problems affecting refugee women, but contained only one question directly pertaining to women and refugee status determination. Since 1996, the report requires a chapter on women refugees and specifies the issues to be covered in it.⁷² In 1998, a UNHCR consultant undertook to ascertain how protection officers in the field and Headquarters were addressing the women’s protection problems that they had identified. She concluded that follow up and monitoring were generally weak and reporting unsystematic.⁷³

Other documents containing information on refugee women and mainstreaming of gender include yearly country reports, monthly situation reports (daily in the case of emergencies), emergency updates, the annual and quarterly statistical reports, evaluation and inspection reports, sub-project monitoring reports submitted by implementing partners, reports of the several technical units, Standing Committee and Executive Committee reports, and yearly global appeals. It appears that while all of them cover gender issues to a greater extent than in the past, the information is far from detailed enough to draw conclusions about compliance with gender policies or other UNHCR priorities. The above-referenced 1999 Standing Committee report noted that basic budgetary tools defining the fund allocation do not contain categories indicating allocations for women or children.⁷⁴ These findings are particularly relevant to EPAU’s planned 2002 initiative which considers how UNHCR can obtain a better understanding of its beneficiaries. The unit has described the Office’s problem as follows:

⁷⁰ Senior Coordinator for Refugee Women and Gender Equality, interview, September 6, 2001.

⁷¹ The issues are extensively discussed and documented in the work of the UN Inter-Agency Committee for Women and Gender Equality. See Beck, Tony, “Mainstreaming Gender Equality into Budgets Processes within the UN System.”

⁷² Research on reporting was carried out by Meegan Murray, working with EPAU.

⁷³ Analysis of Field Responses to Protection Problems Faced by Refugee/Returnee Women and Children, UNHCR internal memorandum, July 28, 1998.

⁷⁴ EPAS/99/01, para. 85.

[A] number of recent evaluations have indicated that UNHCR appears to have less and less direct contact with the refugees it serves. As a consequence, program and projects tend to be designed on the basis of very limited information about refugees' needs, abilities, and aspirations.⁷⁵

6.2 Division of Operational Support (DOS)

DOS comprises six technical sections: reintegration/local settlement, health and community development, engineering and environment, field safety, operations management system, and program co-ordination. The sectors are meant to work together, advising on program design and management and policy adherence, including for women/gender equality, adolescents, and refugee children.

One obstacle to implementation of the *Guidelines* derives from the fact that the cross-cutting technical units in DOS – including the Senior Coordinators for Women/Children, health, education, community services, etc. – are all thinly staffed, rarely participate in policy determination, and deliver services only when requested. Largely for these reasons it would appear, the various units in DOS do not collaborate frequently. This is unfortunate since the synergies among the several units would facilitate the work of them all, whereas the present practice of “going it alone” tends to diminish the quality of services rendered. The research team was told of a training session on strategic planning, organized by the Operations Management System Section (OMSS) focused on management methodologies, *but* omitting concrete examples of strategic planning related to gender equality (or health, or children's issues).

Former High Commissioner Sadako Ogata designated the policy priorities of UNHCR to be women/gender equality, children and adolescents, the environment, and security. Each country office has been required to submit a yearly COP that includes the actions taken to fulfill these priorities. In DOS, the Program Coordination and Operations Support Section is charged with reviewing these plans and commenting on whether they are meeting the designated priorities. In practice, virtually every COP contains a section on the required items, but rarely is there sufficient detail to judge effectiveness. Field offices almost always indicate attention to refugee women (children, *et al.*) in planning for future operations and describe programs that targeted women. The team leader for this assessment reviewed the COP reports for the countries visited and found similar formulations that did not indicate how important any one priority was in relation to others, or what kind of impact the actions had had.

DOS should systematically monitor the programming cycle and budget process from field to headquarters with a view to promoting gender equality programming on the ground. It should require more detailed information on objectives and indicators in COPs.

6.2.1 Health and Community Development

The Health and Community Development section also provides expertise on gender issues. By the early 1990s, the lack of reproductive health care for refugees, particularly contraceptive services, began to draw international attention. Media coverage of the conflicts in Bosnia and Rwanda told of widespread sexual violence against the women in those countries. In both situations, refugee and other war-affected women and their communities demanded that the quality of, and access to, services available before the conflict continue, and that attention be given to the additional health problems brought on by war.

⁷⁵ UNHCR Evaluation and Policy Analysis Unit Provisional Work Program: January – June 2002, January 21, 2002. Posted on the Forced Migration Discussion List, (Oxford: University of Oxford Refugee Studies Centre (RSC)), January 28, 2002.

The International Conference on Population and Development (Cairo conference) in 1994 focused world attention on reproductive health issues. The Inter-Agency Working Group on Reproductive Health in Refugee Situations (IAWG) was established following an inter-agency symposium on Reproductive Health in Refugee Situations held in Geneva in 1995. Sponsored by UNHCR and the United Nations Population Fund (UNFPA), the symposium set the groundwork for a refugee specific field manual and culminated in a joint memorandum of understanding between the two agencies to collaborate further. With UNHCR in a coordinating role, IAWG's 50-plus members from UN, governmental, and nongovernmental agencies advocate for increased reproductive health care as part and parcel of the primary health care provided to refugee populations. A Reproductive Health Coordinator position was created at UNHCR to run the activities of IAWG. The position, funded by the US State Department, has helped to institutionalize reproductive health in UNHCR and other related agencies. Also in 1994, the Women's Commission, with Mellon Foundation support, undertook a global assessment of reproductive health services available for refugees and found that in almost every location they were either non-existent or severely inadequate.⁷⁶ From this report grew the Reproductive Health for Refugees Consortium, a coalition of NGOs working to increase availability of reproductive health services⁷⁷.

To further meet the reproductive health needs of women and their families, following the 1995 symposium the IAWG released a draft Inter-Agency Field Manual on Reproductive Health in Refugee Situations, and finalized it in 1999. The Field Manual supports the delivery of quality reproductive health services and serves three functions: 1) as a tool to facilitate discussion and decision-making in the planning, implementation, monitoring, and evaluation of reproductive health (RH) interventions; 2) as a guide for field staff in introducing and/or strengthening RH interventions in refugee situations, based on refugee needs and demands; and 3) as an explanation of the multi-sectoral approach to meeting the RH needs of refugees and fostering coordination among all partners.⁷⁸

UNHCR continues to play in a lead role in IAWG and is currently engaged in an evaluation of reproductive health for refugees. This section was a key organizer of the 2001 Conference on SGBV.

6.2.2 Community Services

Community services staff have been – and remain – essential for identifying protection problems that otherwise might be reported neither to UNHCR nor to traditional leadership structures.⁷⁹

Additionally, community service officers should, in principle, establish a rapport with the refugee communities, understand the dynamics of their relationships, and be able and willing to mobilize the skills of refugee men and women for purposes of community development.⁸⁰ It should be noted that there are varying levels of skills and experience among community service officers throughout the system, and differing ideas as to their primary tasks. It often proves difficult to impose UNHCR priorities and methods on NGO partner staff who increasingly have been assuming responsibilities on the ground.

⁷⁶ Women's Commission for Refugee Women and Children, *Refugee Women and Reproductive Health Care: Reassessing Priorities* (New York: Women's Commission), 1994.

⁷⁷ See the brochure *Reproductive Health for Refugees Consortium* (December 2000) or www.rhrc.org.

⁷⁸ *International Family Planning Perspectives*, Vol. 26, No. 4 (Alan Guttmacher Institute), December 2000.

⁷⁹ The team leader and UNHCR researcher consulted a large number of mission reports from different times and different regions in order to detect patterns and changes with regards to gender issues. Several mission reports dating from the 1980s and 1990s recommended that additional trained staff be deployed to camps to perform these tasks among other reasons, in order to make sure that women's voices were heard and their protection needs recognized.

⁸⁰ See "Reinforcing a Community Development Approach" (EC/51/SC/CRP.6), Executive Committee, Standing Committee, 20th meeting, February 15, 2001.

As many of the officers acknowledged to the assessment team, they need to be better trained to identify protection problems in the first place and, equally important, they must be able to liaise with protection officers on a regular basis. Additionally, they need the time and capacity to win the trust of the refugee community. Today, more than ever, community services officers are given responsibilities too numerous and diverse for the quantity and expertise of people deployed. Not only does the importance of their roles appear to be under-appreciated – especially by protection officers – but, in UNHCR’s ongoing staff reduction process, the community services posts have been disproportionately cut. As of January 1, 2001, there were 82 UNHCR community services officers serving, none of them at a P5 or D1 level;⁸¹ for the most part, they are junior in rank and/or with temporary contracts. A further complication is the lack of consistency as to where community services falls within field office structures. In some cases community services stands as a unit. In other offices, it is under program and in yet others, under protection. There is no uniform way that community services relates to the other sections at the field level.

The Evaluation and Policy Analysis Unit is conducting an evaluation of Community Services. It is expected that the issues related to Community Services raised in this assessment will be further elaborated in the forthcoming evaluation with appropriate recommendations.

6.2.3 The Senior Coordinator for Refugee Children

Among those units which have devoted the significant attention to the protection of refugee women and girls are the Office of the Senior Coordinator for Refugee Children and the Health and Community Development unit. For example, in 1998, the Senior Coordinator for Refugee Children has reported five major areas of concern: 1) unaccompanied children; 2) adolescents as a “neglected” group; 3) forced recruitment of children; 4) sexual exploitation; and, 5) the promotion of education, especially for girls. The training program developed and promoted by the Senior Coordinator for Refugee Children (together with the International Save the Children Alliance) is the Action for the Rights of Children (ARC). This training and capacity building initiative includes an age-gender perspective to ensure that male and female children benefit equally from protection and assistance efforts.

6.2.4 The Senior Coordinator for Refugee Women and Gender Equality

This assessment found agreement at the higher levels of management in Headquarters and the field on the need for institutional advocacy and expertise to support activities that affect specific segments of the refugee population. This is the role of the Office of the Senior Coordinator for Refugee Women and Gender Equality, which strives to bring its expertise to field operations and, thereby, to improve gender sensitivity in protection practices and training activities. The objective of the Office is to incorporate gender concerns and methodologies into ongoing initiatives and to achieve a positive consensus on the means to promote gender mainstreaming. Such efforts are still impeded by disinterest or indifference among some staff members.

The Senior Coordinator’s office has two full-time professional staff members to implement a wide range of demands—training in Headquarters and in field locations, preparation of the gender components of many UNHCR documents (*e.g.*, global appeals, mid-year reports, ECOSOC preparatory materials), participation in coordination meetings throughout the system, and frequent missions to represent UNHCR at outside events. The Office gathers information through the network of gender focal points and regional advisors. It also attempts to monitor activities in the field more directly, as indicated by its survey on compliance with the requirement to furnish sanitary materials. The Office has played a major role in formulating the Women’s Initiatives described in Annex III, and in public education and outreach activities.

⁸¹ Chart of Community Services Staff (draft) (EPAU), 2002.

Training, primarily through POP, absorbs a significant amount of time and resources. A POP training has been developed that incorporates women's rights and empowerment, but it has not been widely disseminated. The Office faces the problem of a lack of sufficiently prepared gender experts to conduct training for the new POP. The Coordinator and her staff have themselves agreed to conduct training sessions in the field, taking time from their other priorities to do so. It is difficult for the Office to provide POP training to all those requesting it given the lack of resources and staff.

Donors have supported the Office of the Senior Coordinator. The Office budget suffered a smaller cut than that initially proposed in 2000, thanks to donor defense. The United States and Canada have also offered special funding for field initiatives that promote mainstreaming.

7. Strategies for Implementation

7.1 Gender Focal Points

Gender Focal Points are mandated to encourage and monitor gender-sensitive programming in country programs. They are appointed by the Country Representative. In three of the five sites visited, gender focal points were not fulfilling the purposes intended because their roles were not taken seriously either by senior officials or themselves. The two exceptions were Eritrea, where nearly the whole caseload was female (but the contract for the Women and Children officer was not renewed), and Turkey, which has adopted a team approach to gender concerns. This last option appeared to be an effective means for mainstreaming gender.

In smaller offices, a gender focal point may be in daily contact with colleagues and thereby influence overall activities and methods. In the larger offices, a gender focal point, however dynamic and committed, will find it difficult to maintain contacts with protection, programming, and administrative units, all of which have roles to play in gender policy and practice. Gender focal points typically do not have easy access to higher levels of management, due to their low status and/or isolation. Some gender focal points consider their primary job to be defining projects that respond to women's needs; others see it to be gathering information and bringing it to the attention of colleagues in other sectors. Some gender focal points are principally concerned with protection, others with assistance, and still others with forms of refugee participation. The gender focal point in Zambia, the Children and Gender Team (CGT) in Turkey, and the gender teams in the Americas have clear terms of references, with objectives and indicators. Most do not.

The gender focal points that the assessment team encountered who lacked terms of reference simply added a gender component to their other assigned tasks. It appears that managers do not consider assigning staff as gender focal points to be a high priority. Finally, interviews with the Regional Gender Advisors (described below) indicate that the focal points were of only limited use to them in their work. The Senior Coordinator found some gender focal points to be extremely helpful to her, but knew of many who were ineffective. The focal points themselves did not seem particularly concerned with the lack of definition regarding their functions, however serious they may have been about assisting and protecting the refugee women in their charge.

The mechanism of gender and children teams, as in Turkey (and Central America), appears to be more effective in bringing gender concerns to program and protection decisions than is a single gender focal point. The effectiveness of the teams in these cases, however, is due in no small part to the fact that mechanisms for accountability and responsibility have been incorporated into individual terms of reference.

7.2 Regional Gender Advisors

Bureau chiefs are responsible, usually in consultation with the Senior Coordinator for Refugee Women and Gender Equality, to name the regional gender advisors. The regional gender advisors have potentially important roles to play in strengthening implementation of the *Guidelines*; some reported their contributions were being diminished by a lack of clarity regarding the chain of command under which they were supposed to operate, and their specific reporting responsibilities. In theory, the regional gender advisors are expected to offer advice to all country directors in their region, and to the country and regional management in Headquarters. They are supposed to participate in region-wide, country-specific,

and Headquarters-based activities related to gender; to liaise regularly with and generally assist the Senior Coordinator for Refugee Women and Gender Equality; and to evaluate country and regional gender policies. Despite challenges, such as having to be responsible for 26 countries, the regional gender advisors were able to bring about changes on gender within UNHCR. Some gender advisors have conducted trainings and integrated gender sensitivity into regional policy agendas. They have also promoted the development of gender teams and enhanced networking. The development of regional operational guidelines on gender in West Africa produced very practical results for refugees, such as the provision of sanitary materials for women and girls on a 10-day repatriation walk home.

The Office of the Senior Coordinator for Refugee Women and Gender Equality relies on the regional advisors for information and strategies to further gender-related goals. The Office holds periodic meetings that bring them together to discuss and review policies, methods, and approaches with each other.

8. Gender Equality Mainstreaming

Hundreds of UNHCR memoranda and meetings have defined the objectives of women's and/or gender-related advocacy: to promote the well-being and to monitor the problems of women refugees, to promote programs that "empower" women, to work toward gender equality, to sensitize and train UNHCR staff and operational partners to issues affecting women, and more. The multiple goals reflect the still unresolved problem of emphasis and terminology, and what the different terms might imply for assessing implementation of UNHCR's Policy and *Guidelines* on refugee women.

Mainstreaming and targeting: The "mainstreaming" of gender-equality programming appears in nearly all documents on the subject of women refugees, and is an important element in the *Guidelines*. For purposes of this assessment, the objective of gender equality mainstreaming is the integration of gender equality concerns into the analyses and formulation of all policies, programs, projects and budgets. This concurs with a September 1999 Standing Committee document that defines the objectives of a "gender equality" perspective as one that analyzes whether UNHCR programs are impacting equally on all groups, and whether UNHCR is taking corrective measures when they are not.⁸²

Critics of UNHCR policies told the team that the term "mainstreaming" is being used in some instances to "water down" the commitment to women refugee concerns. Some managers claim they are mainstreaming gender because their core programs affect women and women participate in them. Or, they may contend that they do not know what is expected of them beyond what they are already doing. To a certain extent, the team was able to detect such tendencies among the UNHCR directors interviewed; but, for the most part, officials maintained that they were eager to make mainstreaming a reality and were constrained by resources, not commitment.

Empowerment of women: Tools are now in place to promote the empowerment of women. They have been designed to counter the negative messages that females are likely to receive from birth, and to reinforce both the value of women's labor as well as the importance of their contributions to decision-making. The 1999 Standing Committee report cited above also discusses empowerment, and notes, "...transforming unequal power relations between women and men requires analyzing these relations and involving both women and men."⁸³

The 2001 Conference on SGBV devoted a chapter to the issue, acknowledging that involvement of men should receive more attention. It noted that, "...encouraging male involvement is a pre-requisite for the effective prevention of SGBV. There is no doubt that men are a major part of the problem; but it is important to regard them, at least potentially, as part of the solution as well."

In discussions in Headquarters and in the field, several people explained the violence towards women as due in part to the frustrations male refugees feel in camp settings. The men who once may have been farmers, craftsmen, or traders, and who established their worth to the community by their ability to support large families, can no longer engage in their traditional activities. "My wife does not need me," one man in Ethiopia said bitterly. "She is married to UNHCR."

There is some danger that men's disaffection is used as an excuse for their violence toward others, including their own families. While lack of employment and the anxiety of refugee life account for anger and depression among many refugees, this should never be an excuse for criminal behavior. The roots of

⁸² EC/49/SC/CRP/22, Executive Committee, Standing Committee, September 3, 1999.

disaffection and violence must be eradicated if refugees are to find a durable solution to their plight, and if societies are to successfully reconstruct a lasting peace after repatriation, thereby obviating renewed outflows.⁸⁴

⁸⁴ The UN Secretary-General and Canadian government appear to agree. “If war is the worst enemy of development, **healthy** and **balanced** development is the best form of **conflict prevention**.” (UN Secretary-General Kofi Annan, first of the “United Nations Lecture Series” given to the staff of the World Bank, October 19, 1999. Quoted in UNWire, October 20, 1999. *Emphasis added.*)

“Peacebuilding is a two-fold process requiring both the deconstruction of the structures of violence and the construction of the structures of peace.” (“Gender Equality and Peacebuilding: An Operational Framework,” Canadian CIDA’s Peacebuilding Unit, Multilateral Programs Branch, and CIDA’s Gender Equality Unit, Policy Branch, with the support of Beth Woroniuk, GGI, April 1999, p. 1.

9. New Trends in Training

The UNHCR Assistant Representative (Program) in Pakistan related a story that raises important questions about the gap between awareness and practice: During 2000, as some 90,000 new arrivals were crossing into Pakistan to escape both the ongoing conflict and the drought, the government allowed UNHCR to enlarge the camp at Shamshatoo to house the newcomers then crowded in a fetid border site called Jalojai.⁸⁵ As the refugees were being transferred to New Shamshatoo, UNHCR staff at the site learned that they would be receiving an insufficient number of tents for the number of families. Reportedly, when the Assistant Representative (Program) visited the site, she observed UNHCR staff members striving to accommodate several men who were aggressively demanding tents for their families. In a nearby area, she also observed a group of veiled women, sitting quietly. Nobody had asked why the women were there, and their presence had been ignored. She soon learned that these women not being included in the tent distribution were widows and were desperate. The staff members who had not noticed them at all had, nonetheless, all received some level of POP and training in handling groups at particular risk. The situation was rectified; the staff members involved were embarrassed and almost certainly will not again repeat their mistake. Yet, this kind of situation may well be repeated unless training can be better linked to ongoing practice, and good practices can be internalized. POP training, for example, was created alongside the POP Framework for planning, assessment, and evaluation of programming and operations.⁸⁶

A case like this one in Pakistan demonstrates the limitations of POP training when the framework upon which it is based is not integrated into overall work of UNHCR, including emergency assessments, project formulation, monitoring and evaluation. It should also be noted that training is voluntary. That is to say, even if the Senior Coordinator or regional gender advisers see a need, they cannot require country directors to request POP or other forms of training.

The Senior Coordinator for Women and Gender Equality, like the other service units of DOS, brings her technical and training expertise to the field (or Headquarters) staff upon request. Country officers are not obliged to request POP training, even if there appears to be a need for it. As previously noted, POP training that incorporates methods for promoting women's empowerment is now available; but there are few persons able to conduct the training. While the training staff has made efforts to ensure that POP is seen as relevant to all members of UNHCR, male staff members at times have pre-judged it as more relevant for female staff than for themselves and have avoided the sessions. Likewise, on occasion, female staff or individual trainers reportedly have exhibited attitudes that discourage male participation and thus reinforce this perception. Although the POP Framework is to be incorporated into new training modules (see below), the consensus is that POP training should continue for the present, and that it still fills a need for gender awareness.

The POP training framework is to be used in conjunction with the newer training mechanisms, *e.g.*, DIP's protection learning program and the training methodologies being developed by the Staff Development Section. The latter, which will be obligatory, is to be based on a "self-learning" approach that emphasizes interactive problem solving techniques, and culminates in learning and review workshops. Presumably in the near future, virtually all UNHCR staff – protection, operations, management, administration, public information, *et al.* – will have long-term, tailored learning programs with pedagogical objectives to fulfill, and problem-solving "tool kits." All new staff will receive a module on protection that incorporates

⁸⁵ In November 2000, the Pakistan government sealed the border and precluded any new camp construction, leaving thousands more in Jalojai.

⁸⁶ The POP Framework was used, for example, in the mid-1995 Review of UNHCR's Women Victims of Violence Project in Kenya, performed for UNHCR's Inspection and Evaluation Service, which published it in May 1996.

protection-assistance linkages. All the modules will emphasize learning based on the official priorities: gender, children, the environment, and security.

As part of UNHCR's new approach to staff training and learning, the DIP has initiated a nine-month protection learning program. The DIP program addresses many of the concerns elaborated in this assessment. The learning program contains material reinforcing other material related to prevention and response to SGBV, elaborating the incorporation of domestic violence in RSD, recommending stronger links with community service and health, and addressing concerns related to children, male and female adolescents, and males. Thus far it has reached fewer than 300 people. Resources should be made available so that this learning program reaches a far greater number, and the impacts of the program should be evaluated. This program was not known in the field locations at the time of the assessment missions.

This assessment supports mandatory training on implementation of the Guidelines and gender equality for all staff. Practitioners need to better understand methodologies of gender-sensitive programming and protection and the consequences of their decisions. The *Guidelines* document spells out the principles that should guide such decisions and emphasizes the protection linkages behind them.

10. Donor Priorities

Donor countries, especially Canada and the United States, have been key advocates for including women's needs in assistance and protection. The Office of the Senior Coordinator for Refugee Women was first created at Canada's initiative and with its full funding. The United States' Bureau for Population, Refugees and Migration (BPRM) funded the regional gender advisors during the first two years of that program, as well as a reproductive health officer. While UNHCR offices cannot seek direct funding beyond what is within the annually approved budget, donors may earmark preferences for their funding. Alternatively, a donor can assist a UNHCR-initiated project by separately funding the partner organization or government agency implementing the project (*e.g.*, the NGO-managed counseling project in Turkey). Income generation projects in a number of refugee situations operate with direct donor support to the NGOs implementing them and, to some extent, these directly funded projects compensate for declining UNHCR resources.

Canada, the USA, the Netherlands, Germany, and a few other donors have earmarked funding for gender mainstreaming. The support is welcome; but UNHCR officials from different departments assert that earmarking contradicts the goals of establishing a unified budget, *i.e.*, obliging the "house" to decide where its priorities really lie. The officials taking this position insist that gender mainstreaming is a UNHCR priority that has been incorporated into the core programs for which UNHCR seeks donor funding. The assessment findings do not support this claim. A range of protection problems, from lack of women staff, to inadequate food and lack of sanitary materials, continue to threaten the safety and security of refugee women and girls.

11. Recommendations: Using Lessons Learned, Best Practices, and Concrete Measures

An effort has been made to order the following recommendations according to organization and organizational unit. Yet, many persons and entities share responsibility for ensuring effective and sustained implementation of the Policy on Refugee Women and the *Guidelines on the Protection of Refugee Women*. **Staff members from every sector of UNHCR and its implementing partners should, therefore, review all recommendations in order to grasp both the overlap and context in which they are made.**

Staff members should be aware of the UNHCR commitments to refugee women of December 2001, which call for all UNHCR offices to reflect the commitments in their program submissions.⁸⁷ However, they should understand that these commitments are only part of the measures that need to be taken to protect refugee women and girls.

Accompanying many of the recommendations are “lessons learned” and “best practices” in side boxes, most of which originate in the UNHCR context. Some, however, spring from the related experience of other organizations. The assessment team hopes that the organization will view diligent and *bona fide* implementation of these recommendations as an opportunity to move forward.

11.1 Donors

- **Restore refugee funding, which has now fallen below adequate levels, to ensure progress in implementation of the Policy and *Guidelines on Protection of Refugee Women*.** In its Res. 1325 (2000), the Security Council “[u]rged Member States to increase their voluntary financial, technical, and logistical support for gender-sensitive training efforts, including those undertaken by ... the Office of the United Nations High Commissioner for Refugees....”⁸⁸

Far from removing “fat” from the programs, the present round of cuts includes items of fundamental importance to women’s protection, such as field staff, support for partner agencies, preventive health measures, and assistance to urban refugees.

- **Make mandatory training for all UNHCR staff one focus of such funding.** This training should provide tools for staff to apply the *Guidelines*, including gender analysis and methodologies to promote gender equality.
- **Give more attention to the linkages between assistance and protection for refugee women in anticipating the impacts of funding decisions.**
- **Continue to advocate and promote policies and efforts to ensure protection for refugee women and improved gender programming within UNHCR.**

11.2 UNHCR Headquarters/Senior Management

- **Senior managers should ensure implementation of the *Guidelines* and gender-sensitive programming are institutional priorities. UNHCR field offices should be required to establish**

⁸⁷ See page 36 for details of five commitments.

⁸⁸ Para. 7.

clearly defined and measurable objectives, as well as indicators, for meeting these priorities. In addition to including gender equality objectives in plans of operation and other reporting mechanisms,

- Bureau Directors should take the initiative to establish plans of action with the specific objectives and indicators. Every COP should include a set of activities to match the objectives and indicators by which to measure their efforts.⁸⁹ They should also indicate how the activities will be funded.
- Request that the Division of Operational design and implement strategies to support gender equality mainstreaming and monitor programming to ensure resources are devoted to this.
- Update the *Guidelines* and make dissemination and implementation of them a priority for UNHCR and its partners.
- Conduct periodic and regular gender audits.

The Latin America Bureau and field offices set a target date for gender mainstreaming, evaluated the level of gender understanding and mainstreaming to date through a questionnaire to be filled out by staff, created a gender guide for country operational plans, offer guidelines on how to evaluate the gender awareness of staff members' work, required managers to assess the gender impact of projects' and staff's implementation thereof, and did all of the preceding with the understanding that gender is about women *and* men.

➤ **Require multi-level action to prevent and respond to SGBV. Begin by implementing the High Commissioner's five commitments as well as the recommendations of 2001 Conference on SGBV.**

- Ensure the presence of community services and/or trained field officers able to detect problems and promote solutions.
- Involve men in prevention and protection activities.
- Support activities that bring women together and enhance their human rights literacy and explain options for assistance when problems arise.

UNHCR-Turkey includes gender related objectives in annual performance appraisals for key staff members, including the Country Representative.

- **Work systematically with refugee leadership groups – such as community elders and political leaders – to enlist them and the cultural or political mechanisms available to them in to combat sexual and gender-based violence.**
- **Establish mechanisms for accountability and incorporate these into individual terms of reference for all staff.**
- **Require a comprehensive demographic profile of UNHCR's beneficiary populations, with each field office providing sex- and age-disaggregated data.** Collect information on individual households, *e.g.*, those which are headed by women, children, or single men, those which are polygamous. Develop tools so this data can be analyzed and applied in program design and implementation.
- **Ensure any new registration system provides** women, girls, and others who traditionally are not allowed direct access to goods and services, such access.
- **Maintain and strengthen the office of the Senior Coordinator for Refugee Women and Gender Equality** to continue its work as catalyst, expert resource, and technical advisor. In particular:

⁸⁹ See "Overview: Gender Equality and Emergency Assistance/Conflict Resolution," Swedish International Development Cooperation Agency (SIDA) and "Gender Equality and Peacebuilding: An Operational Framework," Canadian International Development Agency (CIDA), for additional information.

- **Support the office in developing a UNHCR policy on mainstreaming gender equality.**⁹⁰ This policy should complement the 1990 Policy on Refugee Women, as well as the organization’s action on the relationship between gender roles and the following: well-founded fear of persecution, armed conflict, massive human rights violations, camp security, effective protection and assistance, the cycle of decision-making and violence, refugee children’s and adolescents’ protection and welfare,⁹¹ the durability of solutions, the success of post-conflict reconstruction, and the related prevention of [renewed] refugee flows.
- Add one technical expert (gender specialist post) to support the work of the Senior Coordinator’s office in promoting UNHCR’s capacity to promote gender equality and improved protection for refugee women and girls.
- Ensure the Regional Gender Advisor’s involvement in regional program priority-setting and decision-making, and the inclusion of the Office of the Senior Coordinator in related decision-making processes at headquarters.

In many sites, communications among staff members working in different sectors was poor. This is especially a problem in the larger offices. Given the multifaceted requirements for affording protection to refugees and especially for refugee women and children, regular communication and jointly planned activities are essential.

➤ **Increase number of trained and qualified field staff, especially female, particularly in sub-offices and refugee camps.**

- Restore and strengthen community services functions.
- Increase the number of protection officers and ensure that they travel to the field and work closely on broader protection issues and with refugees directly.

Persons trained in community service or related fields have been vitally important as bridges between the refugee community and UNHCR. UNHCR is losing essential information gathering capacity regarding sexual and gender-based violence and other social problems that arise in refugee camps. Without the assistance of community service officers, it is also more difficult to promote women’s organization and participation.

➤ **Establish multi-sectoral approach (MSA) teams in all country programs.**

- Hold workshops with senior staff; each senior staff member should at some point chair MSA teams.
- Formally commit staff time to gender issues. Document this commitment.
- Ensure all Gender Advisors’ input with the key senior managers and most central program decisions.

The multi-sectoral approach brings protection, program, community services, and other sectors in a given field office together for a more comprehensive understanding of gender issues that arise. Documented accountability of individual team members is key to MSA success.

⁹⁰ See Annex III (Women’s Initiatives) regarding the KWI lesson learned regarding the importance of ensuring “the involvement of men in projects, both as participants and as individuals with their own gender identities and roles. The BWI states that there is a need to develop strategies to overcome resentment and possibl[y] sabotage by men in projects targeted to women.”

⁹¹ This issue should be addressed in concert with the Senior Coordinator for Refugee Children.

- **Clarify the role of Regional Gender Advisors in terms of affiliation, channels of reporting, responsibilities, and range of tasks.** Ensure regional staff cooperation with the Senior Coordinator’s content-oriented supervision of Gender Advisors, and with Gender Advisors’ support for MSA teams.
- **Consider incorporating women’s initiatives into future reintegration and reconstruction efforts,** after thorough analysis and assessment in the proposed setting(s).
- **Consider conducting a strategic planning exercise aimed at facilitating, expediting, and ensuring implementation of the recommendations resulting from this assessment.**

Gender Advisors in Latin America and Europe have direct access to their bureau directors and are involved in planning exercises and evaluations.

“All [three women’s] initiatives spoke of the need to strengthen monitoring and evaluation, which can help publicize the accomplishments of the initiatives, and document the improvements in women’s lives.... The initiatives emphasized the need to... collect baseline data at the start of the initiative or conduct a situation analysis.”⁹²

11.3 Department of International Protection

- **In revising the *Guidelines on the Protection of Refugee Women*, consider how to ensure that POP and other training materials are reflected in the *Guidelines*, and how both tools reinforce each other. (For example, consider developing *Guidelines for Gender-Aware or People-Oriented Protection*.)**
 - Also, give greater attention therein to urban refugees, voluntary repatriation, protection upon return,⁹⁴ human rights abuses during flight, internal displacement, protracted refugee caseloads, refugee status determination criteria, as well as the reciprocal roles that men⁹⁵ and women play in each other’s protection⁹⁶ and the protection roles both men and women can and should play for children and adolescents.⁹⁷ Include more guidance on all forms of SGBV, including exploitation and domestic violence.⁹⁸

“The Guidelines on Refugee Children and on the Protection of Refugee Women address the problems of two categories of persons that, together, constitute the great majority of refugees, and **much of the advice they contain with respect to safety is relevant to the protection of refugees generally.**”
Division of International Protection⁹³

⁹² “Monitoring and Evaluation,” Annex III (Women’s Initiatives), p. 73.

⁹³ EC/1993/SCP/CRP.3, para. 29. *Emphasis added.* The Note on the Personal Security of Refugees was based on DIP’s exhaustive review of all of UNHCR’s protection strategies and guidelines until that point.

⁹⁴ The UN Security Council “[c]all[ed] on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, *inter alia*: (a) The special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration, and post-conflict reconstruction....” Res. 1325 (2000), para. 8(a).

⁹⁵ See Annex III (Women’s Initiatives), p. 69, on lessons learned (recommendations) for strengthening gender work.

⁹⁶ See, e.g., Annex II (Sexual and Gender-based Violence), p. 81, about the benefits of involving men and women in projects aimed at preventing and remedying SGBV, under “Ngara”.

⁹⁷ See Annex III (Women’s Initiatives) regarding the need for clarity when addressing gender relations and women’s empowerment in the field. See also UNESCO and OSCE positions on this issue, *viz.* “In situations of sustained armed conflict, in situations where ethnic nationalism is being mobilized, and in violent racist movements, polarized models of manhood and womanhood are typical, with men encouraged to show dominance and aggression. It is common in military training all around the world to link manliness with brutality, and to discredit fear and sensitivity as unmanly.... Boys’ peer group life, military training, and mass media often promote a direct link between being a ‘real man’ and the practice of dominance and violence....” (UNESCO Sept 24-28, 1997 Expert Group Meeting on “Male Roles and Masculinities in the Perspective of a Culture of Peace,” Oslo, Norway (Male Roles and Peace). Available

- **Require protection officers to be more proactive in the area of physical protection** – especially in the field – in part by working more closely with program and community service staff.

- Consider establishing a focal point in the Department specifically concerned with physical protection and security.

- Her/his first priority should be to develop strategies to implement existing recommendations on prevention and response to SGBV. This should include increased training of military, police, and border guards; diplomatic demarches; strengthening UNHCR border presence and monitoring; and regular communication with NGOs and others.

“UNHCR should consider conducting a review of the causes, dynamics, and effects of refugee men’s inactivity with a view to establishing a strategy which both reduces male-perpetrated violence in situations of uprootedness and complements the Office’s support for women’s empowerment. Such a strategy might include components like men’s and boy’s training in new skills more appropriate to the most likely durable solution, thereby providing not only activity but a sense of purpose where none existed before. It could also involve income generation and a new division of labor which might relieve some of the added burden often borne by women and girls in refugee situations.”

WVVP Review Recommendation⁹⁹

- **Increase training for relevant staff and NGOs, with a focus on SGBV¹⁰¹ and gender-awareness.**

- Make such training routine to ensure coverage of all relevant staff, new and old.
 - **All** field staff should be trained in the identification and communication – to UNHCR counterparts – of protection problems.
 - Improve reporting mechanisms so that annual protection reports are more detailed and focused.

UNHCR has made major strides in its attention and ability to respond to SGBV, as demonstrated by a number of projects primarily in Africa. Nevertheless, UNHCR now takes action only when SGBV is brought to its attention as a serious problem in a particular situation. Responses vary in form and content.¹⁰⁰ The Office’s experience and documentation on the issue provide an excellent basis for the development of training materials on the subject.

- **Continue to support emergency protection measures, including resettlement, while encouraging local options, such as safe houses, local support groups, family counseling, conflict resolution, capacity-building, income generation, and consciousness-raising.**

Safe houses and local support groups are often effective, less costly and frequently less traumatic alternatives to resettlement in reinforcing women’s protection. Finding local options for women in need of urgent protection can have important benefits as it allows people to remain in familiar environments where they might be able to use their skills.

- **Explore ways to enhance UNHCR’s protection of internally displaced women in locations**

at www.unesco.org. Rapporteur’s Summary of Issues and Themes, pp. 1-2, reproduced in Gender Aspects in Post-Conflict Situations: A Guide for OSCE Staff (December 2001), Ch. 2, The Public-Private Continuum of Violence, pp. 4-5.).

⁹⁸ See, e.g., Report of the Sixteenth Meeting of the Standing Committee, 28-29 September 1999 (A/AC.96/927), October 5, 1999, para. 24. “Several delegations... expressed support for revising the *Guidelines on the Protection of Refugee Women* to more adequately address domestic violence against refugee women. Guidance on gender-based persecution as a basis for claiming asylum was also requested by several delegations.”

⁹⁹ No. 2.2, p. 23.

¹⁰⁰ See Annex II on SGBV.

¹⁰¹ The bases for an effective approach can be found in UNHCR/Inter-Agency Conference Report, Prevention and Response to Sexual and Gender-Based Violence, March 2001.

where UNHCR has been authorized to assist IDPs.

- Promote more proactively the *Guidelines on the Protection of Refugee Women* and POP with governments, armed opposition factions, and other UN agencies and operational partners.
- Enhance UNHCR staff's knowledge and understanding of the *Guiding Principles on Internal Displacement*, in particular those sections dealing with internally displaced women and girls.
- Ensure that every UNHCR staff member to serve in the newly established UN Secretariat Unit on Internal Displacement is, at a minimum, fully trained and briefed on gender issues on an ongoing basis.

11.4 Division of Operational Support

- **Require greater collaboration among the various parts of the Division of Operational Support** to take full advantage of the clear synergies among several of the sectors within DOS, including the Senior Coordinators for Refugee Women and Gender Equality, the Senior Coordinator for Refugee Children, and Health and Community Development. Collaboration should extend to all parts of DOS, namely Program Coordination and Operations Support, Engineering and Environmental Services, Reintegration and Local Settlement, and Population and Geographic Data.
 - Give priority to adolescents' needs, particularly adolescent girls. Enhance protection through education, income generation activities, and reproductive health services, recognizing the special risks adolescent girls face as well as the relationship between level of education and reductions in population growth, early pregnancy, infant mortality, and the like.¹⁰²
- **Systematically monitor the programming cycle and budget process from field to headquarters** with a view to promoting gender equality programming on the ground, as well as to track and analyze the relationship between expenditure and actual beneficiary recipient.
 - Encourage field offices to advise the Regional Gender Advisor – and, thereby, the Senior Coordinator – of such proposals.
 - Re-establish the General Initiative Fund (GIF) so that longer-term programs can be supported.

¹⁰² As the UN Secretary-General has stated, "[E]ducation empowers girls by building up their confidence and enabling them to make informed decisions about their lives. For most of the world's girls, that means not being forced into a marriage while in your teens because you have no other choice; managing pregnancies so that they do not threaten your health, your life, or your livelihood; seeking and obtaining medical care for your children and yourself when you need it; child care and nutrition; ensuring that your children attend at least primary school. It is about being able to earn an income when women before you earned none; knowing and enjoying rights which women before you never knew they had; educating your children to do the same, and their children after them. It is about bringing to a close a previously never-ending spiral of poverty and powerlessness. It is, in short, about ensuring a decent life for an entire generation and succeeding generations." (Kofi Annan, "Why does Shalina wish she was a boy?" *The Guardian*, February 29, 2000. Available at <http://www.newsunlimited.co.uk/international/story/0,3604,141601,00.html>).

11.5 Office of the Senior Coordinator for Refugee Women and Gender Equality

- **Maintain the priority given to training in the work of the Senior Coordinator’s Office.**
 - Continue POP training for UNHCR staff; building on multi-sectoral approach. (For example, encouraging protection, community services and program staff to work together on case studies that illustrate the links between their jobs.)
 - Expand training of trainers with the goal of POP reaching more staff.
 - **Support an outside, expert assessment of POP training effectiveness, comparing the utility of POP’s various versions. Review trainee reactions.**

“The information gathered through the WVV Project has demonstrated once again the importance of examining not only how the roles of women and girls alter in situations of uprootedness, but how the roles of men and boys change as well... Just as special measures must be taken to support women and girls whose already heavy responsibility for the family is further augmented by flight and refuge, special measures must be taken to restore or increase the tangible responsibilities of men within the family following displacement.”

WVVP Lessons Learned ¹⁰³

11.6 Field Offices

- **Provide incentives for the recruitment and retention of female staff** to facilitate refugee women’s access to services and reporting of human rights abuses. Incentives could include provision of safe and decent housing for female employees, provisions for children, and better pay.
- **Appoint more senior-level staff as gender focal points and ensure they have terms of reference.**
- **Begin introducing a system of multi-sectoral teams modeled on UNHCR efforts in Latin America and Turkey.**
- **Ensure the consultation of refugee women, men and children and adolescents outside the community elite in project design, monitoring, and evaluation.**
- **Mix male and female field staff across all levels and sectors of employment – especially in ultra-traditionalist societies –** to ensure requisite male accompaniment of female staff critical to addressing women’s and, thereby, entire families’ needs.
- **Be more proactive in the prevention and remedy (including prosecution) of sexual and gender-based violence.**
 - Strengthen organizations within refugee settings that can legitimately address social, political, economic and cultural factors that foster sexual and gender-based violence.

Women who have returned from Guinea to Sierra Leone accuse the men who are responsible for food distribution of stealing and selling some of the rations that were meant for them. **They said that the only time food distribution went smoothly was when a woman from UNHCR came to monitor the process.**¹⁰⁴

UNHCR Pakistan has provided benefits to married couples willing to work in remote camps.

¹⁰³ Lessons Learned no. vii, Review p. 22.

¹⁰⁴ Mansaray, Binta, Unpublished report (New York: Women’s Commission for Refugee Women and Children), September 2001.

- Commit significant investment in training of UNHCR and/or partner staff to meet the challenge effectively and equitably.
 - Recognize that, as in any protection situation, internationals may run fewer risks than do the refugees themselves when intervening in sexual and gender-based violence cases. Consult with refugee and local community and allocate responsibilities accordingly.
- **Increase training on gender-aware protection.**
- In addition to staff training, ensure regular training for others who work with refugees, including government officials, police, and border guards.¹⁰⁵
 - Strengthen refugee organization and female participation by promoting leadership and human rights training, perhaps in collaboration with other UN agencies with experience in this area, such as UNICEF, INSTRAW, UNIFEM, and UNESCO.
- **Enhance refugees’ and NGOs’ understanding of UNHCR’s mandate, range of activities, and constraints in protecting refugee women and girls.** This would make refugees aware that UNHCR’s mandate is protection.
- **Strengthen links between UNHCR and local entities providing assistance to asylum-seekers to facilitate UNHCR’s response to protection incidents that arise during the often long waiting period between asylum hearings and decisions.**
- Indigenous survivors of the conflict, human rights workers, and mental health professionals working to forge reconciliation during Guatemala’s reconstruction found that men – in particular returnees from Mexico – who had received human rights training were more likely to free their women to contribute to their communities’ reconstruction – including in a leadership capacity – thereby enhancing the speed and quality of local development.¹⁰⁶ Do not give priority to financial economy over women’s and girls’ urgent personal security requirements.¹⁰⁷
- **Ensure that when women and girls are intended beneficiaries of programs and activities, they are able to participate.** This may mean flexible scheduling of activities or provision of child care, as well as infrastructure that works, *e.g.*, grinding mills, so that women do not have to wait hours or days in lines. The absence of sanitary materials also prevents participation.
- **Align budgetary priorities with human rights standards that UNHCR – as a UN body – is obliged to implement.**
- Comply with the now repeated requirement that sanitary materials for women be provided within regular program budgets. Do not condition distribution on special budgeting. Consult women as to their preferences and initiate the manufacture of sanitary materials in camps.

¹⁰⁵ See, *e.g.*, WVP Review, para. 26. “Given the daily immediacy of the issue of sexual violence in Dadaab, training of the police dealing directly with the survivors has focused on UNHCR’s mandate and the tenets of international human rights, refugee, and Kenyan law relevant to day-to-day camp realities, as well as the role of UNHCR, its implementing partners and the responsibilities of the Government of Kenya. **This approach has served to create a sense of team spirit between UNHCR and the local police where serious mistrust formerly reigned, as well as to inspire confidence between the police and the refugees, who previously saw each other as adversaries.** In some individual cases, law enforcement officers are reported as having developed a personal sense of responsibility to prevent and redress sexual assault against the refugees.” *Emphasis added.*

¹⁰⁶ January 24, 2002 interview with Courtney Mireille O’Connor, regarding the reconciliation and violence prevention work of the Human Rights Office of the Archdiocese of Guatemala.

¹⁰⁷ “Every effort should be made to reduce immediately the need for refugee women and girls to be subjected to the daily threat to their personal security represented by the routine, subsistence activities of fuel-gathering and goat-herding, by finding alternative strategies to satisfy these basic family and community needs.” 1995-6 WVP Review, Recommendation 3.2, p. 25.

- Provide adequate and reliable distribution of condoms for men and women. Distribution of these items should not depend on special budgeting.
- **Maintain the practice of separating combatants and former combatants from the civilian refugee population**, as is now being done in Zambia.
- **Implement the recommendation in the 2001 report on *Prevention and Response to Sexual and Gender-Based Violence in Refugee Situations* for stronger efforts to involve male refugees and traditional refugee leaders in protection of refugee women.**
 - Take this recommendation one step further by sharing experiences and good practice from other agencies that are addressing these issues in policy and programs, including UNIFEM,¹⁰⁸ UNESCO,¹⁰⁹ UNDP,¹¹⁰ INSTRAW,¹¹¹ the UN Special Rapporteur on Violence against Women, and the Organization for Security and Cooperation in Europe.¹¹²
 - Collaborate with these organizations, where appropriate, to ensure gender-aware protection and assistance of refugees, without unnecessary increases in UNHCR's budget.
- **Document and share lessons learned and best practices internationally**, if possible on a web page accessible to all staff.

11.7 Evaluation and Policy Analysis Unit

- **Consider studying donor priorities and funding strategies and their relationship to UNHCR's organizational priorities and programs, with refugee women and gender equality as key issues under review.**
- **Consider studying at a later date the multi-sectoral team approach and whether it is a successful model for addressing gender and protection concerns (if the approach becomes widely used).**
- **Consider an expert evaluation of the gender content and effectiveness of UNHCR's "self-learning" materials and of POP's [potential] relation to them.**

11.8 Donor Relations

- **Join forces with the Office of the Senior Coordinator to help educate donors regarding the added risks to women's and girls' protection and self-reliance resulting from overall reductions in staff and core programs.**

¹⁰⁸ For example, some of the projects funded by UNIFEM's Trust Fund in Support of Actions to Eliminate Violence Against Women address the relationship between unhealthy attitudes toward masculinity and some men's need to dominate women. (See <http://www.undp.org/unifem/trustfund>). UNIFEM also runs an on-line End-Violence Working Group with thousands of members internationally in the context of which it has fostered dialogue and debate in early 2002 on "changing male behavior as a strategy for ending violence against women." (See <http://www.edc.org/GLG/end-violence/hypermail/>).

¹⁰⁹ Consider, for example, UNESCO's work on "Male Roles and Masculinities in the Perspective of a Culture of Peace." (Available at <http://www.unesco.org/cpp/uk/declarations/oslotoc.htm>).

¹¹⁰ Review UNDP's work on "Gender in Development" (Available at <http://www.undp.org/gender>), and the Program's position on gender as set out in its 1997 Human Development Report, above n. 4.

¹¹¹ INSTRAW runs a program on "Men's Roles and Responsibilities in Ending Gender Based-Violence." (Description available at <http://www.un-instraw.org/mensroles>).

¹¹² In late 2001, the OSCE published "Gender Aspects in Post-Conflict Situations: A Guide for OSCE Staff," on the basis of which it has provided both recruitment and remedial training to staff.

11.9 Implementing Partners and Host Governments

- **Cooperate with UNHCR in implementing the *Guidelines*, including sharing lessons learned and good practices from NGO experiences.**
- **Develop and implement programs to promote gender equality and enhanced protection.** Pay particular attention to organizational capacity: ensure training and monitoring, hiring of more female staff and hiring of specialist staff.
- **Encourage the growing interest in “physical protection” on the part of NGOs working with refugees, including through training.**
- **Establish and enhance regular channels of consultation and communication between UNHCR protection staff and government and NGO field staff, in part through regular training workshops.**
- **For those implementing partners and host governments that have not addressed protection or human rights concerns in their refugee programming (through staff training, codes of conduct, etc.), take immediate steps to do so, including a gender component.**
- **Ensure accountability measures in programs, tying performance to whether staff have incorporated gender equality into programming.** Any staff who use their positions to abuse or take advantage of beneficiaries should be dismissed immediately.

World Vision in Zambia conducted a sensitization exercise with refugee men. They interviewed men, asking them to describe concerns facing refugee women and how they (the men) could help improve the situation of women. They encouraged the men to develop a plan of action to assist women and lighten their workload.

In one site in Pakistan, refugee women noted that they were not consulted when the UNHCR operational partner, an NGO, built baths. Afghan refugee women said they would not use baths placed along the perimeter of the camp because they feared attacks.

Summary of Observations From Field Visits

Eritrea – February 2001

The war that raged on the Eritrean/Ethiopian border from 1998 to 2000 caused the deaths of tens of thousands of soldiers on both sides.¹¹³ For most of its duration, the war was geographically limited to a fairly narrow area on the border between the two countries. Despite the ongoing war, therefore, in April 2000 the UNHCR office was preparing to assist with the repatriation of an estimated 160,000 Eritreans who had found refuge in camps in Sudan, Djibouti, and Yemen during Eritrea's 30-year war of independence from Ethiopia that ended formally in 1993. The repatriation exercise was suspended abruptly in May-June, 2000 when the Ethiopian army attacked and occupied the areas to which many of the repatriates would have returned.

All told, the new war caused the displacement of as much as one-third of the country's population, as well as the flight into Sudan of about 95,000 people, most of whom were fleeing the May-June 2000 Ethiopian occupation of Eritrea's agricultural heartland. When the occupation ended in the region and the Ethiopian troops withdrew, the Eritrean government asked UNHCR to attend to the reintegration of the refugees returning from Sudan, as well as to assist and eventually to return and reintegrate the internally displaced population. This newly war-affected population was estimated to be 90 percent female, with 70 percent female-headed households.

The assessment team visited Eritrea in February 2001. At that time, Eritrea had some 350,000 internally displaced persons, plus 60-70,000 Eritreans who had been expelled from their long-term homes in Ethiopia,¹¹⁴ and over 30,000 Eritreans who had fled to Sudan in May 2000 upon the renewal of fighting, and returned later that year (leaving an estimated 60,000 in Sudan). Additionally, there was a refugee population of slightly over 2,000 from Somalia and Sudan. Eritrea has not signed the refugee conventions. The Eritrean government refugee agency fully managed the camps.

The team conducted interviews in the capital, Asmara, with UNHCR, other UN agencies, and local and international NGOs. Most time was spent in the Gash Barka region, which had been the scene of recent conflict. In Gash Barka, the team visited Ade Keshi, the major IDP camp housing people unable to return to homes located in what was still a security zone, the Elit Sudanese refugee camp, and a camp for Eritrean nationals who had been expelled from Ethiopia. The team also observed several projects established for the Eritreans who recently had reclaimed their homes in the formerly occupied region of Gash Barka and were re-establishing their communities.

The UNHCR Eritrea program was seriously under-funded at the time of the visit, having received only about one-third of the funds it requested. Several staff members, including the protection officer and women and children's officer were on short-term contracts, and consequently were not engaged in medium- or long-term planning. The latter devoted a large portion of her time to finding alternative sources of support from other agencies, NGOs, and embassies for a number of small projects, including contributions to a community health clinic, support for the youth center, HIV/AIDS awareness, and

¹¹³ Eritrean family members were informed of family deaths only months after the peace had been signed.

¹¹⁴ At this writing, a large portion of the IDP population visited by the team has been able to return to their land, and the suspended repatriation of the old Eritrean caseload from Sudan was underway.

reproductive health training. The women and children's officer was also the gender focal point, but had not received terms of reference for her responsibilities. UNHCR is no longer involved in the IDP program.

Gender-related Protection Concerns

Women at risk during flight: The overwhelmingly female IDPs and expelled population did not report protection problems in the camps, but did recount a range of serious abuses that had occurred in flight. So did the refugees who had fled to Sudan in May 2000. In the latter case, the timely arrival of UNHCR to the Sudanese site where they had gone proved a life-saving event. Upon their return, the women and children's officer was able to access a small amount of outside funding for counseling services to help several women who had been raped during the flight to Sudan and during the occupation.

Domestic Violence: The female refugees in the 750-person Sudanese camp, Elit, were frequently exposed to domestic violence. The women had been persuaded to produce and sell beer for the camp population, although domestic violence increased due to alcohol consumption. The women were reluctant to give up the beer production because they had no other options for gaining income.

Military Recruitment of Children: Elit camp in the recent past had experienced periodic recruitment of young boys by the Sudan People's Liberation Army. At the time of the mission, the Eritrean government had taken steps to deny access to the Liberation Army forces.

Ethiopia – March 2001

Ethiopia has been a refugee receiving country for decades. Camps for Sudanese have been in place since the 1970s and for Somalis since the 1980s. The Somali camps are gradually being emptied as refugees repatriate to the more tranquil areas of northern Somalia.¹¹⁵ The Ethiopian government has tightened its admission standards for Somalis, and now requires new arrivals to undergo refugee status determination.

Sudanese are still considered to be *prima facie* refugees, and significant numbers are still entering the country. As in Eritrea, during the war, Ethiopian nationals were expelled from Eritrea; they are considered nationals by the Ethiopian authorities and receive assistance from the government. One group, the Kunama, has been recognized as and is receiving assistance as refugees.

The Ethiopian government firmly opposes local integration on grounds of national poverty levels and security. Thus, the refugee camp population can neither leave to find work nor does it have adequate land for agriculture. A relatively small number of refugees, including single female-headed households, are living in urban areas. As they are not permitted to seek employment, they depend entirely on UNHCR assistance and support activities of a few local NGOs.

The assessment team visited Sherkole, one of the five Sudanese camps, established in 1997 under the Assosa field office. At the time of the field visit, the team found one locally hired UNHCR female Senior Protection Assistant in charge of about 15,000 refugees in Sherkole camp. The government's ARRA, handles health care services, education, and security. Save the Children-Sweden provides pre-school

¹¹⁵ This trend may not prove durable. Both UNHCR staff and Ethiopian government officials expressed their dismay that repatriates are receiving very little assistance which, combined with the fact that the receiving areas in Somalia have attracted minimal relief or development aid, raises prospects of repeat migration, as well as renewed tensions in that country.

education and teacher training; other NGOs (Zoa, Natural Resource Development and Environmental Protection) have small income generating and environmental projects.

Ethiopia's COP for 2002 cited a number of objectives for Sudanese women refugees: higher attendance in school and literacy programs; workshops and training in gender equality issues, reproductive health, HIV/AIDS prevention; higher levels of community participation and leadership; and improvement of the physical conditions so as to lighten women's exhausting work load.¹¹⁶ The observations of the assessment team, however, indicate that it will be difficult to meet most of these objectives.¹¹⁷

By all accounts, the conditions have worsened for the refugee population in Sherkole. Food aid, income generation, non-food assistance and infrastructure improvement have all been cut. Grinding machines are broken, wells need to be deepened, and firewood is increasingly scarce. Staffing has been reduced in both the field and the Addis Ababa office. Families sell rations for firewood, grinding services, and non-food items. The women complained of malnutrition, inadequate clothing for themselves and their children, and the allocation of only one blanket per family. Given the very low probability of a significant Sudanese repatriation in the short term, refugee morale is low. Because UNHCR has been reducing the funding for refugee programs, the Ethiopian government and its refugee agency accuse UNHCR of having broken its promises.

Apart from the UNHCR Senior Protection Assistant, there were no female staff in Sherkole. ARRA claimed that it was impossible to find qualified women teachers or nurses to work in Assosa. The field representatives lamented the absence of a community services officer who could have helped to identify and assess the capacities of the refugees, and who would have monitored problems. Previously, the camp had had a community services officer, but the post had been eliminated.¹¹⁸

Women's committees were in place. They described their activities as resolving arguments among families, preparing for vaccination and other such campaigns in the camp, and distributing sanitary napkins. Acknowledging the weaknesses of the committee, the women pleaded for leadership and skills training.

Two individuals identified themselves as gender focal points, but neither had terms of reference as such. The regional UNHCR office in Nairobi had launched an initiative to create senior-level, gender teams in each of the countries under its jurisdiction. The Addis Ababa office characterized this proposal as adding an unnecessary layer of bureaucracy.¹¹⁹

Gender-related Protection Concerns

Very few reports of SGBV or domestic violence in the Sherkole camp. However, the Annual Protection Report for 2000¹²⁰ and the briefings given to the assessment team in early 2001 acknowledged that it would not be at all surprising if instances of sexual assault had occurred and gone unreported to either ARRA or UNHCR, due to the dearth of female and UNHCR staff in the camps.

¹¹⁶ Ethiopia Country Operations Plan 2002, Branch Office Ethiopia, first submission: April 2001, pp. 30-31.

¹¹⁷ Moreover, the assessment team was subsequently advised that funding for Ethiopia's programs would again be reduced. The programs had been significantly cut in 1998 and 1999.

¹¹⁸ Subsequent to the field mission, UNHCR Addis Ababa is urgently requesting ARRA to authorize an NGO to provide community services to the refugees.

¹¹⁹ After the field visit, UNHCR Branch Office Ethiopia established a cross-sector gender team including staff from program, protection, environment and health.

¹²⁰ Annual Protection Report, p. 61.

Risks of gathering firewood: Firewood was scarce and jealously guarded by the local population. Women experienced accidents that caused injuries. They were sometimes attacked, though not usually sexually. Women reported they were pressured to exchange sex with the host population for the needed wood. While UNHCR acknowledged that the assaults against women who gather firewood constituted a protection issue, possible solutions were dismissed as too costly.¹²¹

Zambia – August 2001

Zambia's "neighborhood" has long been a zone of conflict and Zambia has been receiving refugees for over 30 years. While a large number of refugees from Zimbabwe, Namibia, Mozambique, and South Africa have gone home, the total number seeking refuge in Zambia has been rising due to the continuing conflict in Angola and the newer outbreak of violence in the Democratic Republic of Congo. The majority refugee population is Angolan, close to 200,000, and it has grown by more than 50,000 since 1999. Of the approximately 60,000 Congolese refugees, 40,000 arrived since 1998. Refugees from several countries are living in four different kinds of situations:

- refugee camps, where they still depend largely on external assistance;
- refugee settlements, where they are supposed to be approaching self-sufficiency;
- urban areas, if they can establish to the satisfaction of the government that they have employment and have received a government work permit; and
- spontaneously along the borders in transit settlements, where many prefer to remain as long as possible in a sort of limbo between refugee and IDP status.

Both Angolans and Congolese are considered *prima facie* refugees. Like Ethiopia, Zambia strictly regulates refugee movement and limits local integration.

The assessment team visited three refugee camps: two for Congolese and one for Angolans. The team saw only refugees who had been in Zambia a relatively short time, and whose camps were still in the process of completing infrastructure and establishing programs supported by UNHCR implementing partners. The camps were all quite recently built. In addition to the camp visits, the team observed a few urban refugees involved in projects supported by Africare, and spoke with staff of a YMCA refugee project that helped new arrivals to urban areas secure permits, receive education and training, and start small businesses. In Lusaka, the team interviewed staff members from the Lutheran Refugee Service, which had been operating for several years in the largest settlement, Maheba.

The NGO workers in the camps visited were largely new to their post at the time of the assessment visit. CARE International, World Vision, the Zambian Red Cross/IFRC, Jesuit Refugee Service, Christian Outreach Relief Development, and Médecins Sans Frontières (MSF) in the above-mentioned camps. The NGO program capacity was still untested and several of the agencies had been encouraged to take on program tasks beyond their major strengths. The NGOs are in charge of the full range of camp operations, including health, education, income generation, community services, water, and sanitation. Both the UNHCR Lusaka-based program and community services officers complained of the difficulties in monitoring projects operated by NGOs for compliance with UNHCR gender and other priorities, given the continuing, high turnover in NGO personnel, and small UNHCR field presence.

The UNHCR community services officer is the gender focal point in Zambia. Contrary to other sites visited, he has written terms of reference for his position, which have been reviewed by the Senior

¹²¹ Since the field visit, UNHCR Addis reports that refugee men are being encouraged to help protect women by escorting them when collecting firewood. Also, the plans of action for 2002 and 2003 include greater distribution of energy-saving stoves.

Coordinator for Refugee Women and Gender Equality in Geneva. The gender focal point is responsible for five areas of activity (women and gender, children, HIV/AIDS, environmental education, and education) and oversees activities in all camps, settlements, and urban projects. By his own description, he is over-extended and unable to adequately keep track of issues that arise in individual camps and settlements. To assist, there will soon be another regional officer, based in Lusaka and covering projects in Zambia, as well as in Zimbabwe and Malawi.¹²²

The camps are poorly supplied and refugees complained of their inability to replace clothing, blankets, and cooking utensils. More seriously, there was inadequate medicine for malaria and other common diseases, an inadequate supply of condoms (in a country plagued by an extremely high level of HIV/AIDS), a lack of sanitary materials for women, and a paucity of means to earn extra money to supplement basic food rations. The Zambian government encourages income generation projects among the refugees, but few exist. The major concern among female and male refugees in both camps was the need to expand forms of employment or income generation.

Gender-based Protection Concerns

Women at risk during flight: The worst abuses against refugee women occurred during flight. Both Angolan and Congolese refugees arrive in refugee camps after having spent considerable time living as IDPs. Both groups include people who have arrived in the camps in dismal physical condition and, at times, suffering from sexually transmitted diseases. The high incidence of complications during pregnancy among the refugees who have been IDPs was attributed to the malnutrition, stress, and the very poor conditions most have endured in flight. One doctor told the team that it could be due to spontaneous abortions, but more research is needed.

Separation of former combatants seen as helpful: Among those seeking refuge in Zambia were a significant number of former combatants, although all had renounced military activities. UNHCR has been rigorous in separating former combatants from the civilian population, bringing the former to a separate location.

Potential risks of firewood gathering: There is still sufficient firewood and grass (for dwellings) in the vicinity of the Zambian camps, so women have not yet experienced open hostility or physical assaults while out gathering. Nevertheless, both UNHCR and NGO sources predicted that scarcity of these resources would soon cause friction with the local population and would become a protection issue for the women. The women who spoke with the team were aware of the problem and emphasized their eagerness for fuel-saving stoves and/or alternative sources of fuel. As yet, there are only very preliminary plans for stove manufacture in the camps.

Alcohol and violence: When Nangweshi camp (for Angolans) was first established, women refugees brewed and sold alcohol in the camp. Because of violence, alcohol distillation was made illegal. Far from resolving the problems, however, the refugee men took on the brewing, joining forces with men in the local community, and today they produce it together. The majority of incidents of domestic violence are associated with alcohol consumption. Local police and guards also drink.

¹²² Subsequent to the field visit, the Senior Regional Community Services Officer has arrived and reportedly has initiated a number of beneficial programs. The Lusaka office is requesting an additional national staff officer for Community Services for 2003.

Pakistan – April 2001

Pakistan is not a signatory to the Refugee Convention or Protocol. There is minimal information available on the Afghan refugee population in Pakistan, for several reasons:

- They have been arriving since the end of the 1970s and were counted only insofar as they received assistance in official UNHCR camps and settlements.
- Until the late 1990s the Pakistan government viewed all Afghans who arrived as *prima facie* refugees and allowed them freedom of movement throughout the country. The government nonetheless viewed the Afghans as temporary residents, rather than potential Pakistani citizens.
- The government did not put in place an official registration process for births, deaths, or marriage. UNHCR did not keep track of Afghan refugees living outside of the camps.
- Until 1995, each family in the camps and refugee villages had a ration card – the only form of registration in place – with all its members listed. From 1995 on, food assistance was gradually cut, and no more ration cards were issued.
- Large numbers of Afghans left the camps to search for work. Nearly two million repatriated in 1992, but new waves of refugees followed.

Today, all that is known is that the majority of the Afghan population lives in urban areas. Estimates of the number of Afghans in urban areas in early 2001 ranged from several hundred thousand to 2 million. Approximately 2,000 non-Afghan refugees – mainly from Iran, Iraq, and Somalia, the majority of whom are single males – receive UNHCR assistance. The government requires that these refugees be resettled. As resettlement for these nationalities is not easily arranged, many have been receiving assistance for more than a decade.

The previously extensive NGO-operated programs of income generation and training have been severely reduced by lack of funding and the departure or reduction of many NGOs. UNHCR's presence in refugee camps and villages also has steadily diminished. Its role is now limited to providing protection and overseeing NGO and government projects on education and health care. NGOs are UNHCR's implementing agencies for education (Save the Children-Balochistan, IRC, and the German Society for Technical Cooperation (GTZ-NWFP), health education and counseling (Mercy Corps International-Balochistan), and a few income-generating projects. Pakistani regional governments run camp-based health programs. The Pakistan Commissioner for Refugees in Northwest Frontier Province (NWFP) operates a Social Welfare Cell that provides social services in the camps. UNHCR funds these government organizations. Protection officers visit camps only occasionally. In the NWFP, UNHCR maintains its presence through field officers, each of whom is responsible for several camps. The field officers are male, because only men can travel easily. It is difficult for them to gain access to the female refugee population.

The assessment mission visited three refugee camps in Balochistan and the NWFP, and saw refugee clusters in urban areas under the jurisdiction of the Quetta and Peshawar offices. In Islamabad, the team visited the NGO serving non-Afghan refugees, other humanitarian agencies in Pakistan, and donors. The team held discussions with UNHCR-Afghanistan as well.

UNHCR was proud of the progress achieved in increasing the numbers of girls in school by one-third, to 50 percent. Initially, the conservative Afghan society strongly opposed education for girls. Only after more than a decade of patient but persistent effort were UNHCR and various NGOs able to reverse the resistance. The team spoke with refugee men, women, and girls whose major complaint was that no secondary education was being made available for Afghan youth.

UNHCR has made some strides in health care as well. The Office has contracted female health professionals, increased receptivity toward reproductive health services and training, and improved habits of nutrition and hygiene among the primarily female refugee population. Among the benefits of these achievements has been a noticeable decrease in early marriages cited in one of the camps and better birth spacing. Because of their extreme poverty, the camp population of mainly women and children often cannot afford even the token charges leveled for medical care. Malnutrition and depression are reportedly common.

There were UNHCR gender focal points in Quetta, Peshawar, and Islamabad, but none of them had specific terms of reference or a clear idea of what a gender focal point was supposed to do. One of them was designated the day before the team arrived.

Gender-based Protection Concerns

Hostility from government and denial of access: The most urgent problem facing UNHCR in Pakistan has been the dramatic shift in the policy of the Pakistan government toward Afghan refugees. Far from being welcome, at the time of the visit they were being turned away at the border, sporadically deported, and frequently mistreated. Those most at risk were:

- recently arrived refugees from the Northern Afghan tribes fighting the Taliban, especially Hazara and Tajik tribe members whose numbers in Balochistan had grown;
- men looking for employment who were being deported in increasing numbers;
- educated women working with NGOs or engaged in other activities negatively viewed by Taliban representatives based in Pakistan; and
- women who lacked male protection and support.

The last two groups comprise a large proportion of the “Women at Risk” resettlement program. Resettlement requests quadrupled in 2000.

Prostitution and drugs: Several individuals affirmed that local Pakistanis viewed the urban Afghan women as a corrupting influence on local society. Sadly, this perception has come about not only because of xenophobia, but also because the large numbers of Afghan women who fled Kabul and other cities to escape Taliban domination have fallen on extremely hard times. Rejected by the conservative Afghan leadership in Pakistan and lacking access to self-sustaining employment, a number of these women find no alternative to prostitution, and fight depression with drugs. Drug use, in fact, is reportedly prevalent among women both in camps and in cities, as a means to combat extreme depression.¹²³

Refugee status determination: Not until 1999-2000 did UNHCR embark seriously on a program of refugee status determination (RSD) for Afghan refugees. An RSD training team contracted by UNHCR Headquarters went to Quetta, Peshawar, and Islamabad¹²⁴ to clear the backlog of RSD cases in order to meet the growing demand for resettlement. Finding serious gender biases in previous decisions, they helped staff to develop a new protocol of criteria for RSD and trained staff in the methodology. The training in RSD brought a significant improvement to the operation of the resettlement program.

Risks associated with seeking resettlement: The U.S.-supported “Women at Risk Program” offered more resettlement slots than UNHCR (and the International Rescue Committee (IRC), an implementing agency) were able to fill. The program gave preference to widows, and a number of married women apparently separated – or pretended to separate – from their spouses in order to qualify. This has not only

¹²³ The problem is noted in the *2000 Annual Protection Report*, which cites a UN Drug Control Program (UNDCP) study report of drug use and drug addiction among Afghan refugee women.

¹²⁴ Similar teams went to other countries as well, to help with resettlement backlogs.

created serious family problems, but has also exposed the women to risks in the period between their application, approval, and departure. Even the application process entailed risks: the Quetta office could complete only 12 interviews a day, and resettlement applicants had to line up the night before to be included in the following day's slots. Guards at a nearby building frequently harassed and beat those in line, both men and women.

Unprotected urban refugees, especially women: The Islamabad-based protection officer proposed establishing legal clinics in urban areas. If funding is found, it will constitute the first time that UNHCR has supported any form of protection for this large group. It is contemplated that local NGOs would run the clinics in all the major cities, but would pass cases on to UNHCR, as needed. Undoubtedly, women will constitute a large portion of the caseload in these clinics, if they are created.

Unidentified potential refugees in major cities: In Karachi, Lahore, and other locations where there is no UNHCR presence, there are reported to be Afghans and large populations of desperate people from other countries, some of whom are from refugee-producing countries such as Sri Lanka. (See the Women Commission's December 2001 report, *Rights, Reconstruction and Enduring Peace: Afghan Women and Children after the Taliban*, for an assessment of the challenges facing uprooted Afghan women and recommendations for the international community's attempts to meet these challenges.)¹²⁵

Turkey – June 2001

Turkey has signed the 1951 Refugee Convention and the 1967 Protocol but continues to limit its obligations to persons affected by "events occurring in Europe." The European refugees who theoretically should have formal refugee status are instead denominated as "guests." Some live in camps, most do not. In Istanbul, there are numerous illegal entrants from all parts of the world trying to reach the Western Europe, North America or Australia. There are also legitimate asylum seekers, who are either unwilling or unable to wait out the extremely lengthy asylum decision process, and the aforementioned Europeans, who have not acquired legal status. In the eastern part of the country, which the team visited in connection with the asylum seekers, rural Turkish Kurds have suffered internal displacement due to the longstanding conflict. They have migrated to the towns, where they live in great poverty and in close proximity to the points of entry for asylum seekers, further complicating assistance strategies.

The assessment team visited Ankara, Kayseri, Van, and Istanbul. The refugee caseload to which the assessment team devoted most of its attention is comprised of asylum seekers, most of whom arrive from Iran and Iraq. This non-European caseload cannot remain in Turkey as refugees. But, if they are recognized as legitimate asylum seekers, they are (in theory) protected from deportation until their refugee status has been determined.¹²⁶ The initial determination takes about seven months. The approximately 50 percent who are rejected often appeal and therefore may be awaiting decisions for well over a year. While waiting, they are likely to be reduced to dire poverty as they are not able to work and normally do not receive assistance during the asylum procedure. UNHCR provides small grants that last a few months to persons in acute need. Although entitled in principle to education and health care, in practice many refugees do not take advantage of either. Many asylum seekers do not understand that they have a right to education or for other reasons choose not to enroll their children in school. In some satellite cities, Turkish authorities do not recognize that asylum seekers have rights to education and health care. UNHCR has been working to increase access to these services, with some success.

¹²⁵ Available at <http://www.womenscommission.org>.

¹²⁶ The delegation was told of persons arbitrarily deported during the appeal process.

UNHCR-Turkey works with a local NGO, ASAM, which has proved to be a major asset. Once fully supported by UNHCR, ASAM now seeks additional funding from other donors in order to continue its refugee support work. The head of the agency in the city of Van, near the border with Iran, established a much-appreciated shelter or “safe house” for single refugee women, by raising money for it herself. ASAM’s meager funding makes it difficult to help the large number of refugees seeking advice or material assistance.

There is no UNHCR gender focal point in Turkey. Instead, in June 2000, the office established a Gender and Children Team, which fosters collaboration on gender among all units in UNHCR-Turkey. Its charge is to “mainstream gender and child rights’ concerns into all activities of UNHCR...”¹²⁷ The GCT mechanism has the advantage of bringing questions about women and broader gender issues to the attention of the entire staff: protection, assistance/program, administration, public information, and directors of field offices. The Senior Regional Advisor for Refugee Women and Gender Equality, based in Ankara, also participates. The Deputy Representative chairs the GCT. The committee structure allows greater coherence in programming and protection policies than would a single gender focal point. Each staff member has gender among his/her individual professional objectives and thereby is individually accountable.

Additionally, the office created an Inter-unit Committee for Special Cases to address those cases that require comprehensive responses and the involvement of more than one area. Generally, women at risk cases come under the jurisdiction of this special committee.

The Turkey office emphasizes training, which encompasses all UNHCR staff – including guards and secretaries – and personnel in all government offices who have regular contact with the asylum seekers. The training has had an impact on Turkish officials who now seem to be developing gender sensitivity. The Director of the Field Office in Van told the team that he now receives calls from Turkish border guards when they believe the persons crossing the border are asylum seekers. Thanks to the recruitment of female lawyers, women are more comfortable in the asylum process.

Gender-based Protection Concerns

Discrimination against asylum seekers: The office in Turkey has designed innovative practices that significantly improve the access to asylum and refugee status determination for women and children. However, during the year or more that the applicants await a final decision, they face exclusion from education and health care and have no opportunity to work legally. Turkish officials in Ankara, however well trained they now are in asylum law and gender sensitivity, have done little to open the health care system or assure that refugee children receive schooling.

Exploitation and harassment: Lacking income, and unable to care adequately for their children, refugee women run the risk of sexual exploitation. Likewise, because family life is strained by the difficult conditions, domestic violence is more frequent. Finally, refugees awaiting decisions are obliged to sign in with authorities on a daily or weekly basis, and women who wait in lines may be harassed.

Absence of counseling services and safe houses for unaccompanied women: With the important exception of the safe house operated by the Turkish NGO, ASAM, there are no secure shelters for the many unaccompanied women living in Turkish towns and villages. Additionally, UNHCR cut funding for a much-appreciated counseling service.

¹²⁷ *Report of the Work of the Gender and Children Team, Turkey: UNHCR, June 1, 2000 –May 31, 2001.*

Overview of UNHCR’s Approach to Sexual and Gender-based Violence

This annex will present an overview of UNHCR’s approach to SGBV.¹²⁸ The first section offers a definition of SGBV and explores the factors and forces that helped highlight SGBV as an issue for refugee women. The second section describes some of the programs and their approaches in different sites, both in camps and with returning populations.

Definition

The term sexual and gender-based violence signifies any harm perpetrated on a person against her/his will, the origins of which are based on power relationships determined by socially ascribed roles of gender. Violence may be physical, sexual, psychological, economic, or socio-cultural. Although most documentation on SGBV refers to different forms of violence against women and female children, men and boys may also be targeted for SGBV acts. In incidents of SGBV, a person has no choice to refuse or pursue other options without severe consequences to their security or to their social, physical, and/or psychological well-being.

Violence Against Women

“Physical, sexual, and psychological violence occurring in the family and in the community, including battering, sexual abuse of female children, dowry-related violence, marital rape, female genital mutilation, and other traditional practices harmful to women, non-spousal violence, violence related to exploitation, sexual harassment and intimidation at work, in educational institutions, and elsewhere, trafficking in women, forced prostitution, and violence perpetrated or condoned by the state.”
(Articles 1 and 2 of the UN Declaration on Violence Against Women, 1993.)

SGBV can include various forms of sexual violence, domestic violence, early or forced marriage, female genital mutilation, sex-selective abortion, and female infanticide. In a conflict situation, specific forms of SGBV can include the forced impregnation of women, the use of women as sex or domestic slaves, and the torture of pregnant women. Even in peaceful times and places, the prevalence of SGBV makes the “protection” of women and their safety from acts of violence a concern.

Sexual violence is a form of gender-based violence that has received particular attention with respect to refugee women. Sexual violence refers to any act, attempted or threatened, that is sexual in nature and perpetrated against the victim without his/her consent, with or without the use of force. This includes using physical violence, threats, deception, cultural pressure, or economic coercion. Forms of sexual violence include rape, attempted rape, sexual abuse and mutilation, sexual harassment, sodomy, incest, forced prostitution, and sexual slavery.

¹²⁸ In this report we use the term “sexual and gender-based violence” because it reflects current UNHCR terminology. SGBV is sometimes referred to by other names, including gender-based violence (GBV), gender sexual violence (GSV) and gender-related violence. SGBV is an umbrella term for any harm perpetrated on a person against her/his will, that has a negative impact on the physical or psychological health, development, and identity of the person. It is the result of gendered power inequities between males and females, among males, and among females. Violence may be physical, sexual, psychological, economic or socio-cultural and is almost always and across cultures disparately impacting women and children. Although most documentation on SGBV refers to different forms of violence against women and female children, men and boys may also be targeted for SGBV acts. In incidents of SGBV, a person has no choice to refuse or pursue other options without severe consequences to their security, or to their social, physical and psychological well-being.

A growing body of literature reveals the extent of SGBV in conflict situations around the globe. While sexual and gender-based violence is a violation of basic human rights, countries vary widely in their legal response to its commission. Some forms are considered criminal acts, while others are not.

Background

In the 1990s, SGBV was recognized as a priority public health and human rights issue around the globe. While SGBV is a relatively new field for UNHCR, the centrality of human rights for refugees and the need to ensure their protection goes back decades. Both the 1951 Convention relating to the Status of Refugees and 1967 Protocol detail refugees' rights against the background of the 1948 Universal Declaration of Human Rights. These and other human rights conventions and documents are endorsed by UNHCR and provide the legal basis for the Office's "international protection" work. Included are declarations and conventions that condemn violence against women, including the Elimination of All Forms of Discrimination Against Women (CEDAW). Furthermore, the Declaration on Violence Against Women adopted by the General Assembly in 1993 and the Global Platform for Action adopted in Beijing in 1995 expand the definition of violence against women and reiterate the state's responsibility to protect women. In 1985, UNHCR's Executive Committee adopted its first Conclusion on Refugee Women and International Protection; additional conclusions on sexual violence and the general protection of refugee women were adopted in 1993. UNHCR has issued directives specifically aimed at refugee women, including *Sexual Violence Against Refugees: Guidelines on Prevention and Response*.

SGBV against refugees was also highlighted in UNHCR within the field of reproductive health (RH). The Program of Action of the 1994 International (Cairo) Conference on Population and Development defined a wide range of reproductive health care issues, principles, and services, putting RH on the humanitarian agenda for the first time. In 1995, at an inter-agency symposium on reproductive health in Geneva, UN agencies, NGOs, and governments committed themselves to strengthening RH services to refugees and developed an inter-agency field manual, *Reproductive Health in Refugee Situations*, which focuses mainly on sexual violence. The recognition of reproductive health as a right, combined with awareness of the need for services for refugees and displaced persons, resulted in the delivery of services and the creation of RH programs at the field level. Health workers were often the first to be aware of the problem of SGBV, as refugee women sought assistance from them for the health impacts of violence. These included injuries, unwanted pregnancy, and sexually transmitted infections. Some RH programs offered only medical treatment for survivors, while a few others – often on an *ad hoc* basis – touched on prevention by including awareness-raising about SGBV as part of a larger package of RH services.

Other key events influenced the understanding within UNHCR about SGBV. First, the disclosure of mass rapes of women during the conflict in former Yugoslavia, and later Rwanda, drew world attention to the issue of violence against women during conflict. Second, UNHCR created the post of Senior Coordinator for Refugee Women in 1989 and Legal Advisor for Women and Children in 1993. A few years later the post of Reproductive Health Coordinator was created, with support from the United States. These steps allowed UNHCR to draft background papers, train staff, and actively lobby about issues facing refugee women during the Beijing World Conference on Women in 1995.¹²⁹ Violence against women during armed conflict became recognized as an international human rights issue and part of UNHCR's "critical response" to protection problems.

¹²⁹ Author's conversations with former Senior Coordinator for Refugee Women Ann Howarth Wiles, July 17 and 26, 2001.

On a global scale, women challenged the traditional interpretation of human rights, citing a male bias and tendency to overlook the experiences of women.¹³⁰ While women also suffered human rights violations from state agents, many were not reported on the presumption that they were too delicate or shame-inducing to detail. Women also tended to have their rights abused in the private sphere, frequently within the family and at the hands of people they knew, with the excuse that such abuse was part of “culture” or a “private matter.” Human rights activists challenged this public-private divide in 1993 at the Vienna World Conference on Human Rights, that established once and for all that women’s rights were human rights.¹³¹

One important evolution regarding application of the 1951 Convention on Refugees occurred in the 1990s, when sex was recognized by some states as an immutable characteristic under membership of a particular social group, and forms of SGBV and other forms of sex/gender discrimination were recognized as rising to the level of persecution. Starting with Canada in 1993, and followed by the United States, Australia, and the United Kingdom, countries issued guidelines on women refugee claimants who feared gender-based persecution. On an international level, crimes against women in conflict gained recognition with the adoption in 1998 by the International Criminal Court of a statute recognizing a wide range of gender-related acts, including rape, sexual slavery, and enforced prostitution. In February 2001, the International Criminal Court for former Yugoslavia convicted two Bosnian Serb officers for rape as a crime against humanity.

Institutionalization

In 1993, UNHCR established office policy on sexual violence with the note for its Executive Committee, *Certain Aspects of Sexual Violence Against Refugee Women*.¹³² In 1995, UNHCR published *Sexual Violence Against Refugees: Guidelines on Prevention and Response*. This document covered a wide range of issues and provided solid practical advice on response and prevention for UNHCR, implementing partners, and others. These guidelines did not promote the development of specific SGBV programs, on the assumption that staff would take on response and prevention activities on top of existing duties. They focused mainly on rape, with short sections on female genital mutilation (FGM) and domestic violence, particularly rape in marriage.

¹³⁰ In the late 1980s, many writers began to point out the gender differences in the understanding and experiences of human rights violations. The traditional view of human rights did not recognize women’s experiences – rape, domestic violence, widow burning, sexual mutilation, lack of access to health care and education, lack of legal rights and the right to own property – nor did they call them human rights abuses. (Kerr, J., *Ours by Right: Women’s Rights as Human Rights* (London: Zed Books), 1993.; Peters, J. and A. Wolper, *Women’s Rights, Human Rights: International Feminist Perspectives* (London: Routledge), 1995.; Peterson, V. S., “Whose Rights? A Critique of the ‘Givens’ in Human Rights Discourse,” *Alternatives*, 15, 1990: 303-344.; Tomasevski, K., *Women and Human Rights* (London: Zed Books), 1993.; and others.)

¹³¹ Some other issues in protection doctrine and human rights law begin to look different when examined through a gender-sensitive lens. First, a key tenet of protection doctrine is the responsibility of states to protect their citizens. Frequently, however, states do not protect the human rights of their female citizens because of discriminatory laws and legal judgments, non-action on domestic violence, and the denial of full legal status or the right to vote. This is true both for the national government and the host government (and of course, in other human rights areas apart from SGBV). Second, the premise of non-refoulement is a cornerstone of international protection: States cannot forcibly return a refugee to an area from which she has fled if her life or freedom would be threatened for one of the reasons enumerated in the 1951 Convention. One can draw comparisons with a refugee woman’s experience of refoulement on a household level: What if she experiences domestic violence and flees her home in the camp? If there are no services or safe place for her to go, she can be forced back into the violent home. These are only two examples; a more detailed gender analysis of international protection is beyond the scope of this annex.

¹³² (A/AC.96/822), October 12, 1993.

What remained undefined were the tools field workers might use in prevention activities and how they would be held accountable for responding to the issue or following the guidelines. A broader issue, though equally vague, was who was to take the lead within UNHCR at the field level for these activities, and how other sectors would fit in. UNHCR and its implementing partners had differing views on where sexual violence should sit within UNHCR, depending on how people defined the issue. Was it protection, health, or community services? Some saw sexual violence as a reproductive health concern to be based in health services, while others considered it a human rights issue, to be handled by protection. Still others advocated that sexual violence touched sensitive social and cultural issues and was best dealt with by community services, particularly refugee social workers.

UNHCR's integration of SGBV into general protection statements and documents appears patchy at best.¹³³ The agency seems to be further ahead in producing practical guidelines and protocols on SGBV – including a number of how-to guides and an updated version of the sexual violence guidelines – to reflect a broader understanding of SGBV. One excellent initiative is a UNHCR step-by-step guide for protection officers on SGBV. In its draft stage, it provides protection officers with legal background on SGBV and recommends specific action when dealing with reported cases. Naming and explicitly addressing SGBV in policies and guidelines is an important step in giving the issue visibility and strengthening efforts to address it.

Throughout the 1990s, UNHCR made progress in supporting activities that addressed sexual and gender-based violence. For example, between 1993 and 1995, UNHCR Protection handled about 40 cases of SGBV reported each year by Guatemalan refugee women in Mexico.¹³⁴ Although there was no specific program, legal and counseling services were offered to women, awareness-raising workshops were held, and an SGBV committee was set up.¹³⁵ Elsewhere, NGOs such as the International Rescue Committee and others took the lead in developing SGBV programs for refugees, sometimes challenging UNHCR to examine its own policies and response to the issue. Other organizations have funded research and literature reviews, adding to the body of data on the forms and the prevalence of SGBV against refugee women, from various field sites around the world. However, detailed information on SGBV experienced by refugee men and boys still remains scant.

In 1998, UNHCR received \$1.65 million in funding from the UN Foundation (Ted Turner) in an effort to strengthen the ability of UNHCR and implementing partners to prevent and respond to sexual violence against refugee women and girls in five African countries. UNHCR's Review of the Women Victims of Violence Project in Kenya¹³⁶ and planning workshops in Kenya and West Africa highlighted the need to expand programming from sexual violence to the broader concept of sexual and gender-based violence, and standardize reporting of specific incidents and program activities.¹³⁷ A key finding was the need to avoid vertical programming by involving all sectors of UNHCR, particularly protection, community services, and health, in efforts to address SGBV.

¹³³ In many general UNHCR protection documents, SGBV receives growing though somewhat marginal attention. In a recent address by the Director of International Protection, SGBV is referred to only once.

¹³³ In *Protecting Refugees: A Field Guide for NGOs (1999)*, SGBV is not mentioned in the introductory section, "What is International Protection?", or in the list of UNHCR protection activities. Nor is it discussed in any detail until two-thirds of the way into the field guide, where it is labeled a special protection issue.

¹³⁴ Reddy, R., UNHCR Senior Coordinator for Refugee Women, "Mission Report: Mexico," December 1-8, 1997.

¹³⁵ Lozano, I., "Reference Document for UNHCR's Work with Refugee Women: A Case Study of Chiapas" (Comitan, Chiapas), January 1996.

¹³⁶ Inspection and Evaluation Service, March 1996, para. 29. Although the review was performed – and the report drafted – in mid-1995, IES did not release it until 1996.

¹³⁷ UNHCR, *Refugee Communities Against Sexual and Gender-Based Violence: Participatory Design Workshop Report, Kenya and Tanzania Teams* (Nairobi), March 1999, and UNHCR, *Refugee Communities Against Sexual and Gender Violence: Mission Report to Guinea, Liberia, and Sierra Leone* (Geneva), June 1999.

In early 2002, UNHCR and Save the Children/UK issued a report on sexual exploitation in West Africa, describing egregious gender violence against children, particularly adolescent girls.¹³⁸ The abuses included aid workers trading food, materials, and services for sex. Implicated in the report were humanitarian assistance workers from NGOs and UN agencies, peacekeepers, other refugees, and host country staff. The report noted a crisis in the humanitarian assistance structures, with food, shelter material, and services being in short supply. Media coverage and donor outrage has pushed UNHCR and the United Nations as a whole to respond, but many critics feel the response has been inadequate. New policies and procedures are being developed by UNHCR, other UN agencies, and the NGO community. The challenge will be to implement these policies in the field, not just in West Africa, but around the world.

Today, UNHCR is updating its sexual violence guidelines to reflect a broader understanding of SGBV. It is also promoting the use of a coordinated and integrated approach to SGBV programming initiatives. Known as the multi-sectoral approach (MSA), this methodology aims to bring about change through the involvement of all the relevant sectors, systems, structures, and communities that are involved in the provision of services to survivors of sexual and gender-based violence at host, national, UNHCR, and refugee community level.¹³⁹ This approach recognizes that survivors of violence may need the support and services of a number of sectors, including medical, community services, protection, legal, and security, as well as national governments. While international protection is the foundation for programs and activities to address SGBV, all sectors are seen to have a role to play in SGBV prevention and response, as well as a responsibility to coordinate and collaborate with each other to build the most effective programming possible. In each refugee situation, a lead agency – not necessarily UNHCR – is responsible for facilitating the participation of all actors in SGBV-related coordination activities.

Lessons Learned Conference

In March 2001, UNHCR brought together 157 people from around the world – ranging from refugees and field workers to UN staff – for a lessons learned conference in Geneva. Having so many people together to share indicates how much work has been done in the last decade and how much the understanding about SGBV has deepened. From being an issue usually taken up at field level by a few individuals – women mostly – SGBV prevention and response is now being promoted through UNHCR’s multi-sectoral approach in five sectors: the refugee community, community services; health; protection and security.¹⁴⁰ These divisions largely reflect UNHCR’s own sectors, which may be different from what is on the ground in any given refugee situation or within the refugee community itself. UNHCR’s work in SGBV is solidifying and clear programming principles are emerging, as reflected by the main conference recommendations:

- Strengthen institutional commitment to the MSA within UNHCR, other UN organizations, governments, and NGOs. This includes recognition of the need to develop a code of conduct for all staff, integrate gender equity policies, and provide adequate funding for staff and programs.
- Revise the 1995 UNHCR *Sexual Violence Against Refugees: Guidelines on Prevention and Response*.
- Develop SGBV sensitization programs for all actors and sectors. This includes sector-specific training, as well as awareness raising on gender issues and SGBV.
- Strengthen monitoring and evaluation of SGBV programs.

¹³⁸ UNHCR and Save the Children-UK, “Note for Implementing and Operational Partners on Sexual Violence and Exploitation: The Experience of Refugee Children in Guinea, Liberia and Sierra Leone Based on Initial Findings and Recommendations from Assessment Mission 22 October-30 November 2001,” February 2002.

¹³⁹ Nduna, S., *How-To Guide: Sexual and Gender-based Violence Programme in Liberia*, (Geneva: UNHCR), 2001.

¹⁴⁰ UNHCR, *Prevention and Response*.

- Strengthen inter-agency cooperation and partnerships with national organizations, particularly women’s groups and legal associations.
- Engage and include the refugee community in program design, implementation, and evaluation.

The conference report outlines roles and responsibilities for each sector and discusses some key programming issues, such as staff security and burnout, working with men, and the balance between sharing information and ensuring survivor confidentiality. It also highlights some considerable challenges, such as the need to standardize reporting, develop consistent standards and protocols, and maintain effective programming despite severe financial restraint.

Selected program examples from the field

Following is an overview drawn from information available on different UNHCR programs and initiatives on SGBV. Some of these efforts pre-date the UN Foundation funding.

Dadaab, Kenya

Three Dadaab camps were created in northeast Kenya in 1991 for refugees fleeing from Somalia. The total population of the camps, 120,000, also includes refugees from Sudan, Ethiopia, and Uganda. Banditry and acts of sexual violence, especially rape, were known to occur frequently in the camps. Considerable publicity highlighted the rape of women while collecting firewood outside the camps. In 1993, the UNHCR began the first-ever Women Victims of Violence Project (WVVP), with the objectives of coordinating anti-violence activities, decreasing the incidence of rape, and assisting survivors.¹⁴¹ In 1995, UNHCR passed this project to CARE-Kenya. The program has steadily expanded since that time, following a 1998 needs assessment. Two other NGOs, MSF-Belgium and the National Council of Churches of Kenya, have joined in to develop a more structured, multi-agency approach, with one NGO responsible for health services, social services, and community sensitization and mobilization. Greater collaboration is planned with other camp-based agencies, the Ministry of Home Affairs, and the police. Following are some observations:

- An early focus on rape expanded quickly to address early, forced marriage and female genital mutilation,¹⁴² and now addresses sexual coercion as well.
- Drop-in centers will be piloted to give women a place to report in the three camps.
- The program has put demands on protection. UNHCR has hired two protection assistants and a SGBV legal consultant.
- A mobile court has handed out some convictions for SGBV offenses.
- The multi-agency approach highlights particular challenges regarding coordination, monitoring and evaluation, confidentiality, and ensuring a shared understanding of SGBV and project goals among the various partners.

Dadaab Firewood Project: When this was initiated, the CARE program already existed. Following UNHCR’s March 1996 publication of a 1995 evaluation of the WVVP,¹⁴³ and a visit by two U.S. Congress staffers, the U.S. government provided \$1.5 million in 1997 for firewood distribution in three camps. Implemented by GTZ, the project included objectives of environmental rehabilitation and reducing resource-based conflicts between refugees and local communities. Some observations:

¹⁴¹ Care International Kenya, *Beyond Rape and Violent Assault: A Multi-Agency Effort to Expand SGBV Programming in the Dadaab Refugee Camps of Northeast Kenya*, 2001.

¹⁴² See, e.g., UNHCR’s WVVP Review, para. 29.

¹⁴³ See Lozano, “A Case Study of Chiapas.”

- The project tended to view firewood collection as a “cause” of rape, rather than a convenient context. As a “technical fix,” the project failed to deal with sexual violence in any other location.¹⁴⁴
- The project has been criticized for dampening community responsibility for dealing with sexual violence by enforcing the notion that UNHCR could solve the problem.
- The project was expensive and brought mixed results. While rapes outside the camp appear to have decreased after a wood distribution, the number of rapes reported in other locations increased.¹⁴⁵

Western Tanzania

An area along the Burundi border, running from Lake Tanganyika in the south to the border of Rwanda in the north, is home to 11 camps with a total population of approximately 460,000 refugees. The majority is Burundian, followed by Congolese. The remainder included Rwandans and mixed nationalities/ethnicity. The following discussion is divided into the geographical areas of Ngara, Kasulu, and Kibondo.

Ngara: Conflict in Burundi in 1993 and in Rwanda in 1994 forced 485,000 people to flee into western Tanzania. Seven camps were established, with an estimated 200,000 women and 120,000 children between seven and 14 years of age. The Rwandans were repatriated in December 1996, leaving about 80,000 Burundians. A 1994 report by an outside agency suggested a high incidence of sexual violence, a finding that UNHCR verified in discussions with the Rwandan refugee community. The majority of attacks occurred when women ventured out of the camps to gather firewood and when queuing for water, often in the darkness of evening or early morning. Community services and protection staff, together with NGOs and representatives from women’s groups, decided to form crisis intervention teams (CITs). These teams, comprised of refugee men and women already working as NGO staff, became volunteer CIT members who would respond to reports of SGBV.

After initial training, the CITs ceased to exist. Some weaknesses were apparent:

- The approach of crisis intervention was purely responsive and imposed from the outside. Refugee women did not have a say in setting up the CITs or in who became a CIT member.
- While providing needed support to survivors, there was no ongoing and consistent program of awareness-raising and no dedicated budget.
- A team approach posed problems to confidentiality. CIT members identified as such in their communities might face security problems.
- CIT members lacked time to deal with cases or raise awareness. Many had no expertise in dealing with sexual violence.
- CITs seemed to take over the role of protection in sexual violence cases, which could prove difficult for refugees living in the same camp as alleged perpetrators.

An SGBV program established by Norwegian Peoples Aid (NPA) three years ago has focused mainly on domestic violence.¹⁴⁶

Kibondo: Five camps in the Kibondo area house Burundians who arrived in 1993 and 1996. One camp includes a few mixed marriages and special protection cases. The International Rescue Committee

¹⁴⁴ UNHCR, “Evaluation of the Dadaab Firewood Project, Kenya” (Montreal: CASA Consulting), June 2001, p. 7.

¹⁴⁵ Ibid, p. 4.

¹⁴⁶ An overview of the program and the problem of domestic violence among Burundian refugees is available at <http://www.irinnews.org>.

initiated the SGBV program here. A 1996 needs assessment in Kanembwa camp found 27 percent of refugee women had experienced at least one incident of sexual violence since the conflict began in Burundi, during the flight into exile, or in the camps. Perpetrators were reported as fellow refugees, soldiers, and Tanzanian nationals. Initially, a focus on rape was expanded to include other forms of gender-based violence, including forced or early marriage and domestic violence.

A participatory methodology, the Learning Design Lab Cycle, helped build awareness and critical analysis of SGBV and ensured that refugee women and men owned the program and advised on each step of development. Confidential “drop-in centers” were established near the maternity unit of medical facilities. Extensive work was done with community services and medical staff to minimize the risk that the program, which existed independently, would become isolated. UNHCR posted a protection officer there to join the existing community services officer. Some observations:

- At the urging of women leaders, the program worked extensively with male block leaders to raise their awareness about SGBV and include them in program design. Male counselors were hired.
- The program highlights the problem of security for SGBV staff, some of whom experienced violence or threats from perpetrators because of the work.
- In some camps, the program was handed over to a local NGO, a welcome step that raises issues of sustainability and continued funding.

Kasulu: There are four camps around the Tanzanian town of Kasulu, one for Congolese from 1996 and three hosting Burundians from the 1993 and 1996 influxes. In these camps, the focus is on sexual violence and activities are run as part of the community services and health programs of four NGOs. A 1998 UNCHR report¹⁴⁷ noted a number of difficulties with program. There was no common goal, no independent budget, and no lead UNHCR staff to direct activities. Survivors did not have a specific place to seek assistance; they went to the hospital or community services compound, but found staff had other duties and lacked training in SGBV. Few women in the Kasulu camps reported sexual violence cases.¹⁴⁸

Guinea

Guinea has hosted over a half million refugees since the outbreak of civil conflicts in Liberia and Sierra Leone in 1989. Large numbers have repatriated, only to return due to continuing political instability and violence. There are approximately 100 camps in Guinea, housing mostly Sierra Leoneans, and some urban refugees as well.

With backing from the UN Foundation and other donors, IRC started a SGBV program in Guinea in mid-1999, working in four field sites. Staff changes and instability in the country disrupted work several times, most recently in September 2000. Initial focus groups were held with women to assess the typology and magnitude of the issue. Women identified SGBV issues as rape during conflict or in flight, sexual bartering for food and other items, domestic violence, and forced marriage. The program adopted a coordinated approach by working with UNHCR, NGOs, the Guinean government, and health authorities. Refugee community workers were hired, two per camp, and worked alongside community trainers, who focused on sensitization and education. An initial participatory meeting of different actors was followed up a year later with a second meeting to review achievements and revisit objectives.

¹⁴⁷ Jago, L., “How-to Guide: Building a Team Approach to the Prevention and Response to Sexual Violence” (Geneva: UNHCR), September 1998.

¹⁴⁸ Ibid.

Issues raised by this program include:

- Community participation – how to ensure that refugees keep control of major programming decisions. The risk of working early on with other actors – UN and NGOs – is that they can make decisions and offer solutions not sanctioned by refugee women.
- Plotting what each sector can do is difficult unless awareness levels in the community are high enough that survivors come forward to report incidents.
- Coordination remained problematic. After a year, “a system of functional protocols through formal and professional coordination that transcended personalities was not evident.”¹⁴⁹

Kosovo

The Kosovo Women’s Initiative, launched in 1999 with \$10 million in funding, included SGBV as a specific programming area for project funding. However, a UNIFEM study from February 2000 found only 50 of 200 NGOs in Kosovo reported working on gender or women’s issues, and only two had SGBV programs, though it was not clear if these were KWI-funded projects.

IRC implemented a SGBV project in Kosovo in 1999, targeting the female population among the 200,000 residents of the Pec/Peja region. The program is funded by UNHCR as part of a larger RH program. A needs assessment identified rape and sexual violence, domestic violence, and sex trafficking as SGBV issues. The program operated a Women’s Wellness Center that offered counseling and referrals, as well as classes in language, art, and various skills. Mixed-sex teams conducted education work on SGBV in the region’s towns and villages. The Women’s Wellness Center, now an independent NGO, also participated in two domestic violence task forces at the regional and central level that included other UN agencies, NGOs, and police. Training about SGBV targeted a wide range of sectors, including health, police, social workers, teachers, legal staff, and local NGOs. A high-profile public campaign raised awareness of SGBV.

Conclusion

Addressing SGBV has proven a challenge for UNHCR, though considerable progress has been made on an issue that was largely shrouded in silence until less than a decade ago. In any situation, be it peaceful or war-torn, it is difficult to create space where women feel safe enough to speak of their experiences and seek help. The test for the future will be to put existing policies into practice with commitment and resources, by continuing to build programming expertise in SGBV and ensuring adequate funding is available to address sexual and gender-based violence.

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Women's Initiatives in UNHCR

A central component of UNHCR's gender programming during the 1990s was the development and implementation of initiatives focused on women in the post-conflict settings of Bosnia, Kosovo, and Rwanda. As a new approach within UNHCR, women's initiatives have evolved into a strategy to address women's protection concerns that can be replicated in future refugee situations. For the first time, the specific needs of women were recognized in the broader context of international efforts aimed at the social and economic reconstruction of their war-torn countries. Against the backdrop of gender relations altered by years of conflict, these initiatives tackled the challenge of empowering women to provide for themselves and their families, heal from the devastation of war, and rebuild their lives and their communities.

This annex is based on evaluations, reviews and reports of the Bosnia Women's Initiative (BWI), Kosovo Women's Initiative (KWI), and Rwanda Women's Initiative (RWI). Besides promoting UNHCR's commitment to gender equality, these initiatives proved an effective approach in assisting thousands of women and their families. The evaluations/reports highlighted issues that should be considered in any future initiatives, including the need to:

- Clarify how the initiative fits into UNHCR's overall country plans and reconciles with UNHCR's commitment to gender mainstreaming.
- Maximize the involvement of women beneficiaries in the design and management of the initiative and individual projects.
- Build the capacity of both government ministries and local women's organizations in gender equality policy and programming.
- Define with partners, from the start, a process to support the eventual hand-over of the initiative.
- Establish performance indicators for project monitoring and evaluation from a gender perspective. These include clear criteria for selecting which women's groups to work with and indicators to measure progress in capacity building.
- Publicize the initiative – through stickers, posters, and radio broadcasts – to inform women about the funding components and raise awareness about gender issues.
- Ensure that the initiative is the responsibility of all UNHCR staff. A framework or other tool can help ensure that UNHCR staff is accountable for supporting the initiative and adhering to the UNHCR Policy on Refugee Women.

The first section of this annex describes objectives, activities, and the implementation of each initiative, while the second section discusses key findings and lessons learned by UNHCR. Some differences between the documents should be noted: The KWI report, based on a joint UNHCR-U.S. government effort, is shorter and focuses on project descriptions. The RWI and BWI documents are more analytical, particularly about gender analysis and gender mainstreaming, and include specific recommendations. The Women's Commission for Refugee Women and Children compiled the RWI review, while UNHCR produced the BWI evaluation.

UNHCR established all three funds as part of a wider strategy to improve the self-reliance and participation of women in post-conflict situations, with the "empowerment of women" as their central goal.

The Bosnia Women's Initiative

Under the leadership of UNHCR, the BWI was announced in Sarajevo in 1996 at the first national Bosnian Women's Conference, entitled "Women Transform Themselves and Society." With a budget of \$5 million, the BWI sought:

*"The empowerment of Bosnian women through their reintegration into social and economic activities."*¹⁵⁰

The BWI supported activities in four areas: psychological support; community services; education; and, in particular, income generating projects. An early "situation analysis" of the needs and resources of Bosnian women was undertaken, but pressure from women's associations to speed up project approval and implementation resulted in a focus on women's basic needs in subsequent project activities. Based on the premise that putting money into the hands of women facilitates their empowerment, the size of grants per project was limited to a \$1,000 per beneficiary. Most projects ran between three and six months. The creation of new NGOs was actively encouraged, particularly in areas of minority return and rural areas with little available assistance. By the end of 2000, a total of 618 projects had accessed funds, targeting women at particular risk – war survivors, single female heads of household, and the disabled – in both urban and rural areas. The total number of direct beneficiaries of BWI was 63,400. The majority of approved projects were income generation activities (73 percent), while 16 percent were related to community services and 11 percent involved educational/vocational training. There were four inter-entity cooperation projects (involving women of different ethnic groups and nationalities) and one countrywide project to publish a women's magazine.

Projects were implemented under the direction of four umbrella agencies, one for each of the four geographic UNHCR areas of responsibility (AORs). A national coordinator and a project selection committee were formed in early 1997, supported by a program officer and focal points in each AOR. A planned advisory board of Bosnian women's associations did not materialize and the originally conceived involvement of women's associations in the development of the fund diminished over the years.¹⁵¹ A process of decentralization began in 1999, and the AORs began to differ in their approaches. Some adopted a "community empowerment perspective," including men as beneficiaries and specifically targeting women in areas of minority return.

UNHCR Bosnia and its partners are restructuring the implementation of the BWI and will develop a phase-over strategy to be implemented in 2002. An assessment has been commissioned to identify partners' capabilities and local women's networks to develop a plan of action to ensure continuity and sustainability of the program.

¹⁵⁰ UNHCR Senior Coordinator for Refugee Women and Gender Equality Unit, *Women Transforming Themselves and Society: Empowerment through the Bosnian Women's Initiative* (Geneva), October 1999, p. 1.

¹⁵¹ UNHCR, *Women Transforming Themselves and Society*, p. v.

The Rwanda Women's Initiative

Former High Commissioner Sadako Ogata launched the RWI in 1997 during a visit to Rwanda. With a pledge of \$7 million in UNHCR funding, this initiative focused on:

*“The empowerment of women in economic, social, and political life.”*¹⁵²

The conflict in Rwanda seriously impacted sex ratios. Fifty-four percent of the population was female, with 34 percent of households headed by single women. Sixty percent of these were widows.¹⁵³ The initiative, which benefited over 50,000 Rwandan women and girls,¹⁵⁴ targeted widows, women heads of household, genocide survivors, children born of rape, unaccompanied minors, and foster families. The RWI supported local women's projects in literacy and education, income generation and skills training, and psychosocial support in women's centers. It also built the capacity of women's associations and the Rwandan government in gender analysis and gender mainstreaming. However, UNHCR funding for the RWI fluctuated widely. The annual budget peaked at \$2.6 million in 1997, only to drop to \$300,000 in 2000 and \$300,000 in 2001. Of the \$7 million committed to the RWI, only \$4.8 million was received.

This initiative was overseen by a Steering Committee of the Ministry for Gender and Women's Promotion, UNHCR, and the Rwandan umbrella organization for women, ProFemmes. Implementing partners consisted mainly of Kigali-based national women's organizations. Mixed working groups, made up of a variety of stakeholders, were later dissolved as funding shrank. The initiative lacked a senior-level UNHCR staff person, and depended on an RWI focal point in Kigali and focal points in each field office. Although UNHCR field staff were active in the RWI initially, especially in protection, their involvement gradually decreased. As funding shrank, so did their role and they were no longer encouraged to develop proposals with rural women's associations. The post of Senior Regional Advisor on Refugee Women, created in October 1997 partly to support the RWI, was eliminated in 1998, leaving one focal point for the entire country. The fluctuating funding forced the RWI into a holding pattern in 1997 and again in 2000, with work largely limited to capacity building and maintaining existing projects.

The national government became an active partner, first through the Ministry of Health and then MIGEFASO (Ministry of Gender, Family, and Social Affairs). MIGEFASO encouraged the creation of 1,400 women's councils and committees. Later, national legislation on gender mainstreaming led to the identification of gender focal points in each ministry. The Rwandan government, funded by sources apart from the RWI, developed a gender policy and a five-year plan of action on gender.

In 2002 the RWI will cease to exist in its current form. Tight funding forced cuts to UNHCR programs not considered core, including the RWI, with its focus on reintegration and rehabilitation. However, the 2002 Country Operations Plan for Rwanda states that UNHCR will take into account the “needs of refugee/returnee women and children.” An “Imagine Coexistence Program,” aimed at ethnic reconciliation, is to include some aspects of the RWI. Nevertheless, there does not appear to be a mainstreaming, phase-out, or hand-over strategy in place for the RWI.

¹⁵² Women's Commission for Refugee Women and Children, *You Cannot Dance if You Cannot Stand: A Review of the Rwanda Women's Initiative and the United Nations High Commissioner for Refugees' Commitment to Gender Equality in Post-conflict Societies* (New York: Women's Commission), April 2001, p. 1.

¹⁵³ Newbury, C. and H. Baldwin, “Aftermath: Women in Post-genocide Rwanda. Working Paper No. 303,” (Washington, D.C.: USAID Center for Development Information and Evaluation), July 2000, p. 6.

¹⁵⁴ UNHCR Rwanda, “Refugee and Returnee Women in Rwanda” (Kigali, Rwanda), October 1999.

The Kosovo Women's Initiative

The Kosovo Women's Initiative was started in mid-1999 with the goal of:

"Empowering women and contributing to fill the opportunity gaps between men and women and providing gender awareness to reduce gender-based discrimination within the Kosovo society."¹⁵⁵

Between August 1999 and December 2000, the U.S. Department of State provided \$10 million for the KWI. Drawing on lessons learned from the earlier initiatives, the KWI focused more broadly, including attention to clear-cut protection concerns for the first time. This fund backed activities in psychological and social support, clinic-based and community reproductive health education, SGBV, micro-credit and income generation, skills training/capacity building of women's groups, and legal assistance. The KWI directly benefited 27,000 women in 219 projects and another 80,000 people benefited directly or indirectly. The project targeted women in all ethnic groups, with a later inclusion of elderly women and women from minority groups.

The KWI was delivered by four international NGOs acting as umbrella agencies and working with four local NGOs which became UNHCR implementing partners, working with local women's groups. The umbrella agency system was set up to channel funds to local women's groups and build their capacity. International NGOs were chosen based on geographical region, rather than for their area of expertise, as was the case in Bosnia. Following a reorganization of the program in late 1999, the UNHCR community services officer, who coordinated the KWI, appointed KWI focal points in each UNHCR field office. A KWI interagency working group brought together focal points, umbrella agencies, implementing partners and local NGOs for monthly meetings. Later, the KWI staff expanded to include a field co-coordinator, a field officer, and a reporting officer. An initial project advisory board, formed at the start of the initiative with UNHCR representatives, donors, and international NGOs with gender expertise, was expanded to include representatives of local women's groups. Later, UNHCR field offices formed local project review boards to decentralize the KWI and speed project approval.

KWI was the first of the three women's initiatives to develop an early phase-over plan to transfer UNHCR's management responsibility to local women's structures. In 2001, the IRC became the lead agency for the KWI. Six regional, multi-ethnic women's councils were established as the primary operational body of the KWI, with responsibility for project approval, monitoring, and evaluation. The focus of the KWI has broadened to include women in minority areas and returnee communities, and to promote ethnic reconciliation. IRC's role as lead agency will gradually decrease, with the women's councils encouraged to seek and manage funds from other sources.

Recommendations

Although the documents varied widely in the types and detail of recommendations, a synthesis of the main lessons learned is offered below.

Objectives

The documents suggest a number of recommendations regarding the objectives of the initiatives. A clearer set of objectives, together with measurable indicators for tracking results, was cited in the RWI

¹⁵⁵ UNHCR-U.S. Government, *Kosovo Women's Initiative Final Report: August 1999 – December 2000*, p. 2.

report, along with the need to revisit those objectives annually.¹⁵⁶ The BWI stressed the need for a shared vision, with the development of strategy to reconcile any tension between UNHCR's mission priorities and the objectives of the women's initiatives. Some UNHCR staff – particularly senior management – felt that promoting gender equality was beyond the scope of UNHCR's work.¹⁵⁷

As noted, the “empowerment of women” appeared as a central objective. Precisely what this meant was not always clear. The confusion around the concept of “empowerment” is best expressed in the BWI evaluation:

“The notion of empowerment has been used in a bewildering variety of ways, from the mundane to the profound, from the particular to the very general. Empowerment is seen to occur at a number of different levels, to cover a range of different dimensions and to materialize through a variety of different processes. However, central to the idea of empowerment is ‘power.’ This is the starting point for clarifying the notion of empowerment. One way of thinking about power is in the terms of the ability to make choices: to be disempowered, therefore, implies to be denied choice. The notion of empowerment is thus inescapably bound up with ‘disempowerment’ and refers to the processes by which those who have been denied the ability to make choices acquire such ability. In other words, empowerment entails a process of change.”¹⁵⁸

According to the BWI, “empowerment is equated with increased access over material resources, in turn assumed to increase choices.”¹⁵⁹ The concept of empowerment, with power a central theme in gender analysis, suggests that projects and activities will deal with gender relations and tackle women's lower status, lack of power relative to men, and limited choices. Sometimes the key objective clashed with wider goals cited later in the documents. For example, references were frequently made to projects that would support women to work for their families, rebuild the country or economy, build peace or promote minority return.¹⁶⁰ Although these activities can lead to empowerment for women by transforming them into leaders within their communities, the danger is when these activities either try to do too much or become a way to support other, equally important, but different, objectives. For example, in Kosovo, minority groups increasingly became important, to the point where projects for women were turned down if they did not involve marginalized minority groups.¹⁶¹ In Rwanda, discussions are underway to fold the RWI into the Imagine Coexistence program,¹⁶² aimed at ethnic reconciliation. Clarity about the objectives in regard to women and gender relations is important in a context where there are other needs and expectations in the transition from relief to reconstruction.

Gender analysis and practical/strategic needs

All initiatives spoke of the need to combine the practical and the strategic – to meet women's basic needs in food, water, shelter, and income while tackling the more institutionalized forms of gender-based discrimination. The most effective projects address both at the same time, *e.g.*, an income-generation

¹⁵⁶ *You Cannot Dance if You Cannot Stand*, p. 12.

¹⁵⁷ UNHCR, *Women Transforming Themselves and Society*, p. 21.

¹⁵⁸ Kabeer, Naila, “The Conditions and Consequences of Choice: Reflections on the Measurement of Empowerment” (Geneva: UNRISD), 1999, p. 2.

¹⁵⁹ UNHCR, *Women Transforming Themselves and Society*, p. 10

¹⁶⁰ Women's Commission, *You Cannot Dance if You Cannot Stand*, p. 2.

¹⁶¹ *KWI Final Report*, p. 20.

¹⁶² Women's Commission, *You Cannot Dance if You Cannot Stand*, p. 26.

project that combines awareness-raising and advocacy,¹⁶³ or psychosocial projects that support survivors of violence, while challenging gender relations that increase women's risk of violence.¹⁶⁴

Working with women to meet their basic needs alone does not necessarily mean gender issues are being tackled or that women's choices are increasing, particularly if traditional skills and roles are emphasized in projects. Earlier approaches to working with women focused on income generation as the cure for women's secondary status and did not question existing social relations between men and women.¹⁶⁵ As the BWI evaluation states:

“To understand women's empowerment then, it is crucial to understand gender relations reproduced in the family, community and society institutions – including international institutions – which may disempower women. If this analysis is not applied, we may meet the basic needs of women, but not necessarily increase their choices.”¹⁶⁶

The RWI review emphasizes the importance of analyzing the gendered impact of RWI projects,¹⁶⁷ and applying gender analysis during the formulation of projects.

- The documents suggest a series of recommendations to strengthen emphasis on gender, gender issues, and gender relations: The recognition of differences between women and the need to be aware of the needs of different groups: adolescents, elderly, and different ethnic and minority groups.
- The involvement of men in projects, both as participants and as individuals with their own gender identities and roles. The BWI states there is a need to develop strategies to overcome resentment and possible sabotage by men in projects targeted to women.
- An understanding that projects may impact on a woman's time and increase her burdens by requiring her to take on more unpaid work.

Women's involvement

A key finding in each initiative was the need to increase the involvement of women and give them a voice at the national and project level. The BWI evaluation stressed involving women's associations at the earliest possible stage of developing strategy.¹⁶⁸ The KWI's plan for 2001 emphasized the establishment of six local women's councils, which would eventually review, fund, and monitor KWI projects, thus placing the project directly into the hands of Kosovar women.¹⁶⁹

The initiatives varied in how much women beneficiaries were part of the process of owning and planning projects, both in initial consultations and advisory structures. There is heavy top-down involvement at times, with local women added to committees or project review boards seemingly as an afterthought. This is reflected in language sometimes, which hints at women as passive, simply recipients or beneficiaries of projects, or sometimes “the target group.”

¹⁶³ UNHCR, *Women Transforming Themselves and Society*, p. 14.

¹⁶⁴ Women's Commission, *You Cannot Dance if You Cannot Stand*, p. 12.

¹⁶⁵ Boserup, E., *Women's Role in Economic Development* (New York: St. Martin's Press), 1970; Rathgaber, E. M., “WID, WAD, GAD: Trends in research and practice,” *Journal of Developing Areas*, No. 24, 1990: 489-502; Elson, D., “Male bias in the development process: An overview,” in D. Elson (Ed.) *Male Bias in the Development Process* (Manchester: Manchester University Press), 1991.

¹⁶⁶ UNHCR, *Women Transforming Themselves and Society*, p. 11.

¹⁶⁷ Women's Commission, *You Cannot Dance if You Cannot Stand*, p. 21.

¹⁶⁸ UNHCR, *Women Transforming Themselves and Society*, p. 15.

¹⁶⁹ *KWI Final Report*, p. 21.

The initiatives varied in how they involved women. In Kosovo, a women's NGO forum meeting raised many issues and led to the creation of a local women's network, which met regularly. Early on, KWI/UNHCR organized a strategic planning retreat, which produced a KWI operational manual. A KWI needs and resource assessment was also undertaken, facilitated by an international and a local consultant. In Bosnia, the issue of women's involvement ran into snags with tension between UNHCR and the women's associations over the slow dispersal of funds and possible conflict of interest for women who sat on the proposed advisory board and were members of receiving associations. However, the BWI evaluation notes that income-generation projects that consulted and involved the beneficiaries proved to be the strongest.¹⁷⁰ The RWI seems to have lacked this consultative process early on. It appears also to have lacked regular strategy reviews, a problem undoubtedly influenced by the funding shortfall. In addition, the initiative was criticized for almost exclusively involving Kigali-based women's associations.

The issue deserves attention for two reasons. First, initiatives to empower war-affected women must include them from the beginning. Women who are sidelined in initiatives meant to "empower" them will face a difficult task striving for empowerment in their own societies. Second, in the instability of most post-conflict settings, how far can work on women's strategic needs move without compromising their practical interests? Local women can best decide the room to maneuver in their societies, provided they have a regular voice in the planning strategy and initiatives are adequately supported with funds and staff.

Working with local partners

A strength of the RWI was that it aimed to build the capacity of both government ministries and local women's associations. The BWI notes that the initiative made a tremendous contribution to assisting women's organizations. All the documents noted a number of lessons learned regarding improving the work undertaken with local partners.

First, women needed to know about the fund and how to access it. The RWI review suggests visibility campaigns, including stickers and posters, to ensure beneficiaries and their communities know the fund is for them. It advocates an increased role for UNHCR field offices in identifying grassroots women's associations in rural areas and making information available to women about the initiative.¹⁷¹ The KWI's public information plan funded a radio station that broadcast 30-minute programs about the initiative and women's projects and distributed calendars, folders, and T-shirts.

Building the capacity of women's associations is part of supporting a fledging civil society and remains an important objective of women's initiatives. All of the documents spoke of establishing clear criteria to select which women's groups to work with and what activities to support. For example, the KWI has established an institutional assessment tool to help determine the strengths of various organizations. It also spoke of choosing umbrella agencies for their expertise in capacity building, gender analysis, and project development and implementation.

Sustaining women's organizations is critical to the long-term impact of the initiatives because they represent an important foundation for the future development of the country.¹⁷² The KWI notes that few groups demonstrated the ability to sustain their activities in terms of having the required skills, well-defined structures, roles and responsibilities, basic equipment, and the ability to access resources from other sources, yet were expected to implement a wide range of activities.¹⁷³ The BWI evaluation found

¹⁷⁰ UNHCR, *Women Transforming Themselves and Society*, p. 15.

¹⁷¹ Women's Commission, *You Cannot Dance if You Cannot Stand*, p. 20.

¹⁷² *Ibid.*, p. 2.

¹⁷³ *KWI Final Report*, p. 9

that income-generation projects required expertise in finance, management, and marketing, but the three- to six-month project lifespan made project capacity building extremely difficult to plan and work towards.¹⁷⁴ It notes that the quick impact approach to projects must be accompanied by a series of interventions, such as skills building, provision of equipment, and promotion of activities to influence decision-makers. Other suggestions are the establishment of capacity building as a medium- to long-term planned process, the development of indicators to measure progress in capacity building, and the need to define a process to discuss and plan with partners regarding handover of the initiative.

UNHCR structure

The documents stressed that women's initiatives must be a shared responsibility of all UNHCR staff connected to the broader UNHCR objectives and work plans in the country of operation. Committees or advisory boards with local women's organizations must include UNHCR staff in programs and protection, from both national and field level. The KWI stated that five UNHCR field offices took the responsibility to form local project review boards. In contrast, the budget cuts and uncertainty in Rwanda resulted in decreasing participation by field staff in the initiative.

Ownership and support of the initiatives by all UNHCR staff need to be backed up with specifically tasked staff. The RWI emphasized the need for a UNHCR a coordinator and an assistant dedicated solely to the initiative.¹⁷⁵ An overall coordinator is required to advocate, articulate a strategy, develop performance indicators, oversee monitoring, and measure progress, according to the BWI evaluation.¹⁷⁶ The lack of staff had a particular impact in Rwanda, as cuts to RWI positions resulted in a loss of resources to the overall initiative and devastated rural women's groups whose proposals were never funded. The question of ownership of initiatives extends to regional and Headquarters levels as well. The RWI suggests an accountability framework to ensure that senior management is held accountable where spending decisions result in funding cutbacks or other obstacles in UNHCR block the work of the initiatives.¹⁷⁷

Monitoring and evaluation

All of the initiatives spoke of the need to strengthen monitoring and evaluation, which can help publicize the accomplishments of the initiatives, and document the improvements in women's lives. Three issues are apparent: the need to gather baseline data, include measurable indicators in projects, and plan and conduct monitoring and evaluation from a gender perspective.

In all three contexts, the lack of initial baseline data available in the post-conflict setting made measuring qualitative changes problematic. The initiatives emphasized the need to collect baseline data at the start of the initiative or conduct a situation analysis. However, the pressure on initiatives to quickly disperse funds or meet the immediate and pressing needs of women can clash with the goal of gathering information.

Second, as the RWI review notes, monitoring and evaluation tended to be process-oriented (focusing on activities, expended resources, or products delivered by the projects, such as training or booklets) and

¹⁷⁴ UNHCR, *Women Transforming Themselves and Their Society*, p. vi.

¹⁷⁵ *ibid.*, p. 20.

¹⁷⁶ *ibid.*, p. 15.

¹⁷⁷ Women's Commission, *You Cannot Dance if You Cannot Stand*, p. 19.

rarely incorporated a gendered impact assessment.¹⁷⁸ Including a gender perspective would mean asking how projects met women's basic needs and how gender relations were impacted at a personal and institutional level. The KWI notes that women did not simply join in projects, but learned about their rights as women and increased their participation in society, significant gains that need to be assessed and documented.

Several suggestions were offered. One is the establishment of performance indicators, both for the initiative itself and individual projects, to permit ongoing monitoring and evaluation in meeting women's basic needs and promoting gender equality. The second is the setting up of a system to collect disaggregated data on gender and age. In addition, the RWI recommended that good practices in approach, design, and implementation of women's projects be documented and shared.

Gender mainstreaming

All initiatives spoke to the debate in strategy over targeted programs and gender mainstreaming. Targeted programs channel resources to women's projects and create space to work on gender equality. On the down side, they can isolate women, prompt accusations of special treatment for women, or risk marginalization, an issue that becomes pressing in times of tight funding. Mainstreaming gender – bringing the gender perspective into all aspects of programming and organizational structure – can result in gender issues being watered down significantly or the focus on women being lost. Successful mainstreaming, with the changes in gender relations that this implies, is ultimately a political transformation rather than a technical exercise. Staff in the organization may be expected to play a role in gender-sensitive programming, but they bring their own attitudes about gender relations to the task and may possess only patchy expertise in this area.

Both the RWI and BWI spoke of the lack of planning about how women's initiatives fit into UNHCR's overall country plans and how the initiatives would reconcile with UNHCR's commitment to mainstream a gender perspective into standard programming. A strong lesson learned is the need to include a clearly articulated gender mainstreaming strategy as part of the initiative, so that mainstreaming does not become an option only because funding has run dry or priorities have changed. This would include objectives regarding gender mainstreaming and indicators to measure progress in mainstreaming. The strategy could be reviewed regularly and would require close coordination and cooperation between UNHCR program and protection staff and other partners on gender mainstreaming.

Finally, it is important to consider how the goal of gender mainstreaming fits with plans to handover the initiative to local women's associations. The KWI appears to have taken a longer-term approach, setting up regional women's councils, building their capacity through a mentoring approach, and gradually allowing them to assume responsibility for the fund as the lead agency, IRC, phases out.¹⁷⁹ It is clear from all three initiatives that work on a possible phase-over needs to start at the establishment of the fund, with capacity building activities for local partners continuing side by side with project implementation.

¹⁷⁸ Ibid., p. 16.

¹⁷⁹ UNHCR, *KWI: Kosovo Women's Initiative Brochure*, 2001.

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UNHCR's Approach to Gender Programming in Central America: A Case Study

The assessment team visited all regions of UNHCR operations except Central America. Since the 1980s, the Central American region has seen groundbreaking innovations with regard to protection and programming for women. As this annex describes, UNHCR and its NGO partners adopted new approaches, which were supported by donors and even by the usually more conservative officials of the respective national governments. While the driving force seems to have been the women themselves, the Central American experience of the 1980s brings some positive examples of how women's potential can be unleashed and mobilized. These events took place prior to issuance of the *Guidelines on the Protection of Refugee Women* and should not be forgotten as examples on how innovation and partnership at local, national, and regional levels among state, non-state, and refugee actors can effect change. The Senior Coordinator for Refugee Women and Gender Equality and other UNHCR staff have noted that the work in Central America set a precedent: it laid the groundwork for staff working to mainstream gender equality in other UNHCR country and regional operations.

After years of political and social turmoil, the late 1980s marked the start of reconciliation and the peace process in Central America. An estimated 2 million people had fled their homes due to conflicts in El Salvador, Guatemala, and Nicaragua. Of these, 130,000 were maintained in refugee camps; the rest were internally displaced in their countries of origin. Many of the women refugees came from rural backgrounds and had little or no education. Some, particularly the Guatemalans, were indigenous, largely illiterate, and unable to speak Spanish. During the 1980s, UNHCR staff and NGOs in Central America initiated innovative programs to enhance skills and self-confidence among women refugees from El Salvador and Guatemala, and to increase their awareness of their rights and potential contributions.

This annex will review the progress made in the region to institutionalize and strategically place gender on the policy and programming agenda of both UNHCR and governments. Some notable successes included:

- a regional blueprint for gender,
- innovative programs that met women's practical needs and challenged gender inequality, and
- tools to involve women in quick-impact projects (QIPs) as well as hold staff accountable for adhering to gender policies.

While the Central America experience allowed UNHCR to break new ground in gender, it also raised larger questions about how conflict, exile, and repatriation can alter gender relations. Refugee women who were previously confined to the home became literate, took paid jobs, organized themselves politically, and challenged gender bias in land ownership. After repatriating, however, they struggled to maintain the gains they had achieved. Without the support of UNHCR, the space for female political organization shrank as male family members expected them to revert to their domestic roles. The women faced heavy workloads in trying to rebuild life in their war-torn countries, and found that national governments did not necessarily support advances in gender issues.

The consolidation of the peace process between five Central American governments – Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua – emerged in 1987 in the “Esquipulas” or Arias Peace Plans. With the view that the refugee problem had to be an integral part of lasting peace in the region, the “International Conference on Refugees in Central America” (CIREFCA) evolved as a five-year process

out of a conference sponsored by the UN Secretary-General in 1989. Added to these five countries were Belize and Mexico, owing to their role as refugee-hosting countries.

CIREFCA, co-sponsored by UNHCR and the United Nations Development Program, devised innovative inter-agency mechanisms of coordination from 1989 to 1994. A framework for creating partnerships among donors, UN agencies, governments, NGOs, and the refugees themselves, CIREFCA was seen as a regional effort to move from relief to development, for both returnees and local populations.

In 1991, recognizing that this process had not included the concerns of uprooted women, CIREFCA initiated a regional forum on “A Gender Approach to the Work with Refugee, Returnee, and Displaced Women” (FoReFem). Growing into a permanent working forum, FoReFem set an agenda related to women’s issues throughout Central America. The FoReFem Conference, hosted by Guatemala in February 1992, produced a declaration of principles regarding gender and created a blueprint for future action. FoReFem aimed to address human rights protection, legislation, assistance, and development issues related to women at project, program, and policy levels. The FoReFem process, however, stalled shortly after the initial forum. There was a lack of follow-up in creating national and regional committees and some national governments considered FoReFem’s stand on family planning and sexual and gender-based violence to be anti-family.

Following are some of the lessons learned from the FoReFem process:

- The forum placed the concerns of refugee women on the regional agenda and highlighted the catalytic role that UNHCR can play regarding refugee women.
- FoReFem increased the visibility of refugee women by obliging actors working with uprooted populations to consider the gender implications of their work.
- The role of such a forum and how to move it forward needed to be clear. Was FoReFem a “think tank,” an advisory group on gender work, or a coordinating body for national plans? How could the work progress without creating alternative structures that might further sideline gender in the CIREFCA process?
- There was a need to keep national governments involved in drafting the gender blueprint for action, to encourage their support for the Forum and its activities.

UNHCR’s work in gender programming in the region built up a body of experience and raised many issues, at project and policy level, and in UNHCR’s relationship with governments, NGOs, and donors. By the mid-1990s, UNHCR-Central America began to move beyond working with refugee women to systematically mainstreaming gender within its operations.

Mexico and Guatemala

Thirty years of internal armed conflict in Guatemala displaced 150,000 people internally and resulted in large refugee flows in the region, including 46,000 into the Chiapas region of southern Mexico. The Guatemalan women who fled to Mexico were Ladinan and indigenous Mayans from four main linguistic groups. An early survey found that 90 percent of refugee women were illiterate; the average age of first pregnancy was 15 years; marriage practices were similar to purchase transactions; and women suffered a high incidence of domestic violence.¹⁸⁰ Women’s roles confined them largely to the home and they suffered from low levels of self-esteem.¹⁸¹ Early projects focused on gender awareness and women’s rights, literacy, reproductive health, childcare, workload alleviation, radio broadcasting, and leadership

¹⁸⁰ Lozano, “A Case Study of Chiapas.”

¹⁸¹ 92/TF/MEX/CM/452, 10/2/1992.

training for women. Considerable effort was made to raise gender awareness with Mexican government officials, implementing partners, and male refugees, and to deepen understanding of gender issues in protection.

UNHCR's professional women, in particular, mentored and guided the women, and worked with a number of strong and well-established women's organizations, including the Center for Investigation and Action for Latin American Women (CIAM) and Mama Maquin, described as "the spark that lit the candle."¹⁸² In the camps in Mexico, they promoted social change for women both in their families and societies by training refugee women in their rights and addressing gender discrimination in women's everyday lives. Mama Maquin, together with two other women's NGOs, Madre Tierra and Ixmucane, gradually shifted their work from gender awareness to mobilizing women on behalf of the return movement. These NGOs continued to work with refugee women after they repatriated to Guatemala.

This work began to transform gender relations for women who had previously been confined to the home. They learned to read and write, mastered Spanish, and were able to bond with one another. They organized to assert their rights, question gender roles, and challenge contentious issues such as women's right to land. Many found paid employment outside the home for the first time, and learned that they had options apart from being wives and mothers.¹⁸³ They also played key roles in negotiating the terms of their repatriations.

For UNHCR, the key lessons learned in Mexico¹⁸⁴ were the importance of:

- Recognizing the space that exists for effective work in gender among uprooted women. Efforts in this direction should stem from institutional policy rather than the dedication of some committed individuals.¹⁸⁵
- Building and maintaining close relationships with refugee populations and local NGOs, particularly when working in potentially divisive gender issues.
- Recognizing refugee women's capacity to organize themselves and actively direct programming.
- Strengthening women's organizations and building their capacity to design, implement, and manage effective programs.
- Investing in gender awareness and human rights training for both refugee women and men, which builds understanding, commitment, and solidarity.
- Addressing practical barriers – women's illiteracy, domestic workload, and responsibility for childcare – which gives women time and space to tackle strategic gender issues, such as land rights and violence.
- Formally assigning a staff member – in this case, an Officer for Women's and Children's Issues – who can promote the inclusion of a gender perspective by UNHCR, implementing partners, and other actors.

A lessons learned workshop by Office of the Chargé de Mission (OCM) Guatemala on returnee women attracted three times the number of expected participants. They were determined to preserve the gains made by Guatemalan refugee women in Mexico, given UNHCR's mandate with returnees was limited to a one-month period. The key areas of focus were women's access to property and ownership of land, their participation in community and national decision-making, and reflection of women's concerns in peace agreements.

¹⁸² Dickson, K., "With a View to Continuity: A Survey of UNHCR's Approach to Refugee Women's Development in Mexico" (Guatemala), May 27, 1993.

¹⁸³ Weiss Fagen, P. and S. W. Yudelman, "Refugee Camp Experience and Reintegration of Salvadoran and Guatemalan Women," 1999.

¹⁸⁴ Lozano, "A Case Study of Chiapas."

¹⁸⁵ Weiss Fagen, "Refugee Camp Experience."

However, after repatriation, some impetus was lost, as women and women leaders who had previously worked together in the Chiapas camps were scattered throughout Guatemala. Struggling to survive in their war-torn country, they faced heavy workloads and criticism for their work in gender and human rights. The space for female political organization was drastically diminished and many of the men in their lives expected them to revert to their previous domestic roles.¹⁸⁶ They lost the direct support of UNHCR, which had financed their work and strengthened their organizations. Given the focus on survival and reconstruction in Guatemala, there were few services to meet women's basic needs. The minimal health, education, and economic development programs that existed often lacked a gender approach. The returnee women nonetheless continued to push for women's rights in land tenure, gender-sensitive changes to national legislation, and recognition for women's work. UNHCR examined the viability of replicating QIPs – developed for returnees in Nicaragua – to provide income-generating activities and other projects for Guatemalan women.

The experience with Guatemalan refugee women indicated that support to women's organizations and an active approach to gender can effect considerable social change, particularly within the closed environment of a refugee camp. Repatriation, however, may disrupt the progress made in mobilizing uprooted women and challenging unequal gender relations. A key lesson learned is the importance of sharing the experience and strategizing, as far as possible, for continuing gender work with returnee women and their communities. Governments, NGOs, and international organizations can support training programs and poverty alleviation schemes to help ensure that ground is not lost. Despite the obstacles, however, the women have not reverted to their former attitudes of subordination and submission.¹⁸⁷ Instead, they returned to their country with a heightened awareness of their rights, stronger organizational skills, and a clear vision of the changes they sought in their communities.

Nicaragua

By 1991, the war in Nicaragua had affected an estimated 605,000 people.¹⁸⁸ Of an estimated 62,000 returnees, 47 percent were women, and 30 percent of these were single heads of household.¹⁸⁹ UNHCR initiated the QIPs (or QIPFEMS, as projects for women were called). These micro-projects in basic services and production aimed at “jump-starting” the reintegration process. In a dramatic change of policy, they were aimed at entire communities, including people who had never left. QIPs included built-in, phasing-out mechanisms and were implemented through a wide variety of partners – including NGOs, churches, and local governments – working at the grassroots level. UNHCR also implemented guidelines for integrating women's issues into QIPs. These guidelines specified clauses to be included in agreements with implementing partners aimed at ensuring women's consultation in project design, access to equal opportunities in training and paid labor, and role as recognized project beneficiaries. Some of the QIPs targeted women's needs in health and housing, but many were geared to income generation activities.

The QIPFEM approach, applied in 29 micro-projects, was promoted for replication in Mexico and Guatemala, drawing on the lessons learned in Nicaragua. A 1993 assessment stressed the need for UNHCR strategies aimed at implementing micro-projects; conducting viability studies for income

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

¹⁸⁸ UNHCR/UNDP/CIREFCA Joint Support Unit, “Synthesis of the Advances, Strategies and Proposals” (San Jose, Costa Rica), February 1992, p. 42.

¹⁸⁹ Dickson, K., “With a View to Continuity, Part II: A Survey of UNHCR's Approach to Refugee Women's Development in Nicaragua” (Guatemala), June 1993.

generation activities; training in group management and decision-making for women's groups; and ensuring project sustainability after UNHCR withdrawal.¹⁹⁰

Honduras and El Salvador

More than a decade of brutal civil war in El Salvador displaced 20,000 Salvadorans into camps in Honduras. Almost all the women refugees came from villages, where their roles were limited to domestic work and gardening. Few attended school or participated publicly in their communities. Within these closed camps, women were a large majority. In training programs, they worked alongside women NGO staff, learned non-traditional skills, and built their organizational capacity. They accessed basic health care and family planning, and learned to read. Some became leaders and positive role models within the camp setting.¹⁹¹ As with the Guatemalans in Mexico, exile opened doors for these women.

But, like the Guatemalans, the Salvadoran women returned to a devastated landscape and severe poverty. Although foreign donors supported projects with the returnee communities, women reported that their income-generation enterprises failed due to inadequate markets and competing demands on their time.¹⁹² Along with economic frustration, they faced resistance from men, many of whom expected the women to revert back to their pre-exile domestic roles, severely limiting their organizing and political participation. Some changes lasted, however: several women continued to lead their communities upon return. Family planning is more prevalent in Salvadoran rural areas now and girls' education is more favored than before. Young women who grew up in the camps are more literate and skilled than their mothers and show a tendency to migrate to cities, in search of better prospects.¹⁹³

Costa Rica

Until the closure of all refugee camps in 1991, Costa Rica hosted 37,000 refugees from Nicaragua and El Salvador. About 40 percent of these were women.¹⁹⁴ Projects were implemented for refugees who chose to integrate locally, including many abandoned women who lived in difficult conditions after their husbands had repatriated to Nicaragua. They struggled with illiteracy and low education levels, violence, a lack of childcare facilities, difficulties in obtaining work permits, and exploitative work situations. UNHCR addressed their problems by hiring a consultant to follow up on the FoReFem recommendations, appointing female staff in all offices, and disseminating the *Guidelines on the Protection of Refugee Women*. They also hosted workshops on national legislation, human rights, and gender issues for refugee women and implementing partners, and coordinated with the Ministry of Justice to deal with women's reports of abuse. One of the more successful initiatives was a UNHCR-funded literacy project designed from a gender perspective. It included flexible hours, childcare provision, resource material relevant to women, and training for refugee women to become literacy instructors.¹⁹⁵

¹⁹⁰ Ibid.

¹⁹¹ Although not all, some took on active roles in insurgent groups, and some formed a female battalion.

¹⁹² Weiss Fagen, "Refugee Camp Experience."

¹⁹³ Ibid.

¹⁹⁴ UNHCR San Jose, "Progress in the Implementation of the Guidelines on the Protection of Refugee Women in Central America and Costa Rica," July 3, 1992.

¹⁹⁵ Howarth-Wiles, A., Senior Coordinator for Refugee Women, "Mission Report: Costa Rica, October 24-27, 1992."

Belize

By 1987, as many as 40,000 uprooted persons resided in Belize, a small country of just 200,000 people. Only a fraction of these people, mainly from Guatemala and El Salvador, were registered as refugees. UNHCR supported efforts by the government of Belize to quantify the number of actual refugees and register them, an important prerequisite to effective work with women. Twenty percent of the refugees lived in single female-headed households – including women widowed by conflicts in their homeland – and struggled in acute poverty. They suffered from low levels of education, lack of access to resources and jobs, and a tendency to be seen as economic migrants, resulting in rejection of their asylum claims. The NGO community addressed their needs through activities in reproductive health, nutrition, and low-interest credit loans.¹⁹⁶ As follow-up to FoReFem, UNHCR and the government of Belize hosted a workshop to discuss the protection of refugee women and recommend action in areas of education, cultural integration, employment, and health.

Lessons learned in Belize highlighted the importance of:

- Training/support to government and local NGOs to strengthen work with refugees and create linkages between government, UN agencies, donors, and NGOs.
- A “community-based” protection strategy that included local populations in program activities to reduce the hostility directed at uprooted persons in the country.
- Bringing together government ministries, NGOs, and others to raise awareness about the problems faced by refugee women and draw up an action plan.

UNHCR Structures

In 1996, the regional meeting on gender in UNHCR’s protection mandate noted that, despite a gender policy, UNHCR staff continued to experience difficulties integrating a gender perspective on a daily basis. Participants drew up regional proposals to initiate a more proactive implementation of UNHCR’s mandate with a gender perspective. The resulting plan of action outlined specific activities in training on gender awareness for UNHCR staff, partners, and beneficiaries; national legislation; reformulating programs to guarantee a gender perspective; supporting voluntary repatriation and integration with a gender focus; and ensuring a gender perspective in regional protection and prevention mechanisms within the institutional capacity-building framework.

In 1996, UNHCR created four positions of Regional Advisor on Women, including one in the Americas, based in Costa Rica. Building on the work that had already taken place in Central America, the Advisor in the Americas was to “consolidate protection experiences and institutional capacity building to ensure effective protection and prevention structures.”¹⁹⁷ A wide range of job objectives included:

- Build gender awareness within UNHCR offices, in keeping with policies and the Beijing Platform of Action.
- Support gender focal points and other UNHCR staff and implementing partners to propose initiatives, based on consultations with beneficiaries.
- In all UNHCR offices in the region, establish working strategies with the help of small teams of UNHCR staff, which complement country operational plans.

¹⁹⁶ Berry-Koch, A. and C. Koch, “International Protection for Refugees and Displaced People in Belize; UNHCR Strategies and Activities 1991-1994,” February 13, 1995.

¹⁹⁷ Morel, T., Regional Advisor on Refugee Women, Memo to UNHCR Headquarters and Regional Representative to Central America, March 20, 1996.

- Strategize for working with partners and implementing the Beijing and Regional Platforms of Action for Women in their work.
- Identify gender gaps in programming and develop evaluation mechanisms to measure gendered impact on refugee populations.
- Establish a “lessons learned” mechanism to share experiences within UNHCR and with partners.

Discussions continued about what gender implied, in theory and in practice, within UNHCR. In February 1998, at the Cuernavaca II Regional Meeting, a target was set to achieve gender mainstreaming in UNHCR in the Americas by the year 2000. An evaluation of gender mainstreaming was conducted, in the form of a five-page questionnaire, to be filled out by each UNHCR staff member, to determine knowledge of and attitudes toward gender awareness and supports to gender-sensitive work in UNHCR offices.

A number of additional tools were developed to promote accountability in gender programming and gender mainstreaming. These included a gender guide for country operational plans and guidelines for evaluating how staff applied a gender perspective in their work. In 1998, a regional workshop helped define the role of UNHCR management in mainstreaming gender. Managers were required to assess projects for their gendered impact on both refugee women and men and to evaluate staff on whether they applied a gender perspective in their work. The workshop also presented specific case studies on gender issues arising in everyday situations involving staff, partners, and beneficiaries.

Conclusion

A number of factors converged to support the progress made by uprooted women in the 1990s in Central America. As in other conflict situations, the disruption to societies and experience of exile provided an opening to reexamine gender roles and question longstanding inequalities. UNHCR’s work with women started primarily at camp level, influenced by the presence of strong local women’s organizations that had earlier participated in liberation movements in the region, but found their issues ignored. The presence of a feminist discourse and dedicated female professional staff also supported the process. Within UNHCR, efforts to address gender issues were already progressing at headquarters in Geneva, driven by the Senior Coordinator for Refugee Women and others. As illustrated in Central America, transforming unequal gender relations is a back-and-forth process, rather than a linear one. UNHCR’s role as a catalyst in this process required effort and reflection, as well as organizational commitment, resources, and staff.

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