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MASTER GLOSSARY OF TERMS REV. 1

**STATUS DETERMINATION AND
PROTECTION INFORMATION SECTION**

**DIVISION OF INTERNATIONAL PROTECTION
SERVICES**

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INTRODUCTION¹

The present Master Glossary is a revised compilation of terms commonly used in UNHCR publications and expanded to incorporate several terms from the OCHA Glossary of Humanitarian Terms.²

The need for a uniform Glossary to be used throughout UNHCR, both at HQ and the field, has been identified upon the realisation that a number of UNHCR publications that are being issued contain a variety of different definitions and descriptions for the same concept. This creates an unclear and discordant situation which should be addressed by standardizing the usage of terminology.

To ensure a consistent use of common terms throughout UNHCR, the management of the Glossary will be assumed by the Status Determination and Protection Information Section, which will be responsible for updating, correcting and adding terms as they become relevant. The Glossary will be a living document that will be adjusted according to contemporary developments. There is flexibility in the sense that, if deemed necessary, definitions can be changed upon consensus. What is important is that changes are applied globally and consistently.

At a first instance, the Glossary will be used as a reference within DIPS only. Staffs are encouraged to use its terminology and refer to it when advice from the field is sought on terminology. At a later stage it could be envisaged to encourage other sections to adopt and use the same Master Glossary.

Status Determination and Protection
Information Section
Division of International Protection Services
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¹ This document is a compilation of terms from: “*Handbook for Repatriation and Reintegration Activities*”, “*UNHCR Gender Training Kit on Refugee Protection and Resource Handbook - Chapter 3: Women’s Human Rights*”, “*Protecting Refugees: A Field Guide for NGOs*”, “*Refugee Protection: A Guide to International Refugee Law*”, “*Registration: A Practical Guide for Field Staff*”, “*RLD2 – Determination of Refugee Status*”, “*Global Appeal 2005 (Strategies and Programs)*”, “*An Introduction to International Protection*” (2005), The first six mentioned documents are included in Refworld 2004, Issue 14, and CD2: Legal Information.

² “*OCHA Glossary of Terms 2003*”, <http://ochaonline.un.org/DocView.asp?DocID=572>



A

Accession: The act whereby a state accepts the offer or the opportunity to become a party to a treaty already negotiated and signed by other states. It has the same legal effect as ratification. Accession usually occurs after the treaty has entered into force. The conditions under which accession may occur and the procedure involved depend on the provisions of the treaty. A treaty might provide for the accession of all other states or for a limited and defined number of states. In the absence of such a provision, accession can only occur where the negotiating states were agreed or subsequently agree on it in the case of the state in question.

Agenda for Protection: A programme of action comprising six specific goals to improve the protection of refugees and asylum-seekers around the world, agreed by UNHCR and States as part of the Global Consultations process, endorsed by the Executive Committee in October 2002, and welcomed by the General Assembly.

Amnesty: A legal guarantee that exempts a person or group of persons from liability for criminal or political offenses. If respected and properly applied, an amnesty can help promote the voluntary repatriation of refugees.

Armed Conflict*: A dispute involving the use of armed force between two or more parties. International Humanitarian law distinguishes between international and non – international armed conflicts.

- **International armed Conflict:** A war involving two or more states, regardless of whether a declaration of war has been made or whether the parties recognize that there is a state of war.
- **Non – International armed conflict:** A conflict in which government forces are fighting with armed insurgents, or armed groups are fighting amongst themselves.

Assessment (and Re-Assessment): The set of activities necessary to understand a given situation, entails the collection, up-dating and analysis of data pertaining to the population of concern (needs, capacities, resources, etc.), as well as the state of infrastructure and general socio-economic conditions in a given location/area.

Assistance: Aid provided to address the physical, material and legal needs of persons of concern. This may include food items, medical supplies, clothing, shelter, seeds and tools, as well as the provision of infrastructure, such as schools and roads. “Humanitarian assistance” refers to assistance provided by humanitarian organizations for humanitarian purposes (i.e., non-political, non-commercial, and non-military purposes). In UNHCR practice, assistance supports and complements the achievement of protection objectives.

Asylum: The grant, by a State, of protection on its territory to persons from another State who are fleeing persecution or serious danger. Asylum encompasses a variety of elements, including *non-refoulement*, permission to remain on the territory of the asylum country, and humane standards of treatment.

Asylum-Seeker: An asylum-seeker is an individual who is seeking international protection. In countries with individualized procedures, an asylum-seeker is someone whose claim has not yet been finally decided on by the country in which he or she has submitted it. Not every asylum-seeker will ultimately be recognized as a refugee, but every refugee is initially an asylum-seeker.



C

Capacity Building: A process by which individuals, institutions and societies develop abilities, individually and collectively, to perform functions, solve problems and set and achieve their goals.

Cartagena Declaration on Refugees: A Declaration adopted by a colloquium of experts from the Americas in November 1984. The Declaration enlarges the 1951 Convention definition of refugee to include “...persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order”. While the Cartagena Declaration is not a treaty, its provisions are respected across Central America and have been incorporated in several national laws.

Cessation Clauses: Legal provisions that set out the conditions in which refugee status comes to an end because it is no longer needed or justified. Cessation clauses are found in Article 1(C) of the 1951 Convention, and in Article I (4) of the 1969 OAU Refugee Convention.

Citizen: *see* National.

Closed Camp: A camp, which is no longer receiving new refugees.

Code of Conduct:* A common set of principles or standards that a group of agencies or organizations have agreed to abide by while providing assistance in response to complex emergencies or natural disasters. For example, the Principles of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations in Disaster Response Programmes, and the IASC Core Principles of a Code of Conduct for Protection from Sexual Abuse and Exploitation.

Co-Existence: A situation of general tolerance between communities after the cessation of hostilities and before reconciliation. Initiatives related to the co-existence approach include peace education, sustainable community development, the socio-economic empowerment of refugees, the reintegration of child soldiers and partnership development.

Combatant:* A person who takes an active part in hostilities, who can kill, and who, in turn, is a lawful military target. S/he can be a member of the armed forces, other than medical personnel and chaplains, or of an organized group. Under international humanitarian law, armed forces are subject to an internal disciplinary system, which, inter alia, must enforce compliance with the rules of international law applicable to armed conflict.

Common Country Assessment (CCA): The common instrument of the United Nations to analyze the development situation in a certain country and identify key national development issues in the context of both the Millennium Development Goals and other commitments, goals and targets of the Millennium Declaration, international conferences, summits, conventions and human rights instruments.

Community Development: A process to improve the economic, social and cultural conditions of communities. Community development aims to integrate refugees into their host countries or to reintegrate them upon return to their country of origin, while improving the living standards of the whole community.



Complementary Food: Food items provided by UNHCR in addition to the basic food ration provided by WFP.

Complementary Protection: Formal permission, under national law or practice, to reside in a country extended by that country to persons who are in need of international protection even though they do not qualify for 1951 Convention refugee status.

Complex Emergency:* A multifaceted humanitarian crisis in a country, region or society where there is a total or considerable breakdown of authority resulting from internal or external conflict and which requires a multi-sectoral, international response that goes beyond the mandate or capacity of any single agency and/or the ongoing UN country programme. Such emergencies have, in particular, a devastating effect on children and women, and call for a complex range of responses.

Consolidated Appeals Process (CAP): A programming process through which national, regional and international relief systems are able to mobilize and respond to selected major and/or complex emergencies that require a system-wide response to humanitarian crisis.

Control Sheet: Standard UNHCR registration form with only very basic data, used to list people to whom a Border Card or fixing token has been given, or issued a Passenger Manifest.

Conventions: Formal international agreements among nations (to which states become party), which create binding legal obligations. Such agreements may have different names: treaty, convention, covenant, or pact. Conventions are one of two main types of UN human rights instruments, the other being UN standards.

Convention Grounds: The refugee definition in the 1951 Convention requires that the fear of persecution be linked to one or more of the following five grounds: race, religion, nationality, membership of a particular social group, or political opinion.

Convention on the Reduction of Statelessness: A Convention that provides for the acquisition of nationality by those who would otherwise be stateless and who have an appropriate link with the State through birth on the territory or through descent from a national. The Convention also provides for the retention of nationality by those who would become stateless if they were to lose the State's nationality. The Convention was adopted in August 1961 and came into force in December 1975. UNHCR has been mandated with specific functions under Article 11 of the 1961 Convention on the Reduction of Statelessness.

Convention on the Rights of the Child (CRC): Adopted in 1989, this treaty sets comprehensive standards for the protection of the rights of children. It is underpinned by four guiding principles, one of which is non-discrimination in the application of its standards to all children. Therefore, refugee children come fully within its scope. The other guiding principles are the "best interest" of the child, the right to life, survival and development, and the right to participation.



Convention Plus: An initiative launched by the High Commissioner during the fifty-third session of ExCom in October 2002 to improve refugee protection worldwide and to facilitate the resolution of refugee problems by responsibility and burden sharing through the implementation of multilateral special agreements on such issues as secondary movement, resettlement, and the link between assistance and development.

Convention Relating to the Status of Refugees: A Convention that establishes the most widely applicable framework for the protection of refugees. The Convention was adopted in July 1951 and entered into force in April 1954. Article 1 of the 1951 Convention limits its scope to “events occurring before 1 January 1951”. This restriction is removed by the 1967 Protocol relating to the Status of Refugees. As of 1 July 2005, there are 145 States who are parties to the 1951 Convention and/or the 1967 Protocol.

Convention Relating to the Status of Stateless Persons: A Convention that provides the definition of a stateless person and establishes a framework by which a stateless person who is lawfully resident in a State can have legal status. The Convention was adopted in September 1954 and entered into force in June 1960.

Convention Refugee: Persons recognized as refugees by States under the criteria in Article 1 A of the 1951 Convention, and entitled to the enjoyment of a variety of rights under that Convention.

Country of First Asylum: The first country in which an asylum-seeker has been granted an effective hearing of his/her application for asylum.

Customary International Law: International laws that derive their authority from the constant and consistent practice of States, rather than from formal expression in a treaty or legal text. In order for State practice to contribute to the formation of customary international law, that practice should be conducted with a sense of legal obligation. Several of the provisions in the Universal Declaration of Human Rights, including the prohibition against slavery, torture, prolonged arbitrary detention and extra-judicial killings, are generally recognized to have become part of customary international law.

D

Decentralization: The establishment of institutional and legal frameworks for decision making and the empowerment of sub-national institutions at the provincial, district, city, town and village levels in terms of fiscal, administrative, political and legal processes.

Derivative Status: *See* Family Unity Principle.

Detention: Restriction on freedom of movement, usually through enforced confinement. Article 31 of the 1951 Convention provides certain safeguards in relation to the restriction of freedom of movement for refugees who enter or reside in the country illegally.

Derogation: International human rights law allows states to derogate from their obligations and restrict the enjoyment of human rights, but only under exceptional circumstances and strict conditions, as follows:



- if there is a “*public emergency which threatens the life of the nation*”. The threat must be to the existence of the state itself, not the government currently in power. This usually refers to an armed conflict that puts the whole population, territorial integrity or the fundamental institutions of the state at risk, and where the threat is actual or imminent;
- the normal limitations that apply to the enjoyment of rights (e.g., public order, public health) must be shown to be insufficient to deal with the situation;
- the derogation must be temporary;
- the measure must be “*officially proclaimed*”, i.e., the legal procedure set out in the constitution or other law allowing for the derogation must be followed;
- the (extent and type of) limitations on the enjoyment of human rights must be “*strictly required by the exigencies of the situation*”;
- the measures taken must not discriminate on the basis of race, color, sex, language, religion or social origin.

Development Assistance for Refugees (DAR): A programming approach which aims to promote the inclusion of refugees and host communities in development agendas through additional development assistance to improve burden-sharing with countries hosting a large number of refugees and to promote a better quality of life and self-reliance for refugees pending durable solutions and an improved standard of living for refugee-hosting communities.

Development Through Local Integration (DLI): a programming approach applied in protracted refugee situations where the state opts to provide opportunities for the gradual integration of refugees. It is based on the understanding that those refugees who are unable to repatriate and are willing to integrate locally will find a solution to their plight in their country of asylum. DLI is achieved through the inclusion of refugees in development plans.

Durable Solutions: Any means by which the situation of refugees can be satisfactorily and permanently resolved to enable them to live normal lives. UNHCR traditionally pursues the durable solutions of voluntary repatriation, local integration and resettlement.

Duties of Refugees: The obligations refugees must meet in the country of asylum. Under Article 2 of the 1951 Convention, refugees must conform to the laws and regulations of any country in which they find themselves. In particular, refugees must refrain from any acts that jeopardize the safety, security or public order of communities or countries of asylum.

E

Emergency Relief: The immediate survival assistance to the victims of crisis and violent conflict. Most relief operations are initiated on short notice and have a short implementation period (project objectives are generally completed within a year). The main purpose of emergency relief is to save lives.

Emergency Relief Coordinator (ERC):* The Under-Secretary-General for Humanitarian Affairs also carries the title of Emergency Relief Coordinator. In this role, the ERC coordinates the international response to humanitarian emergencies and disasters.

Empowerment: A process/phenomenon that allows people to take greater control over the decisions, assets, policies, processes and institutions that affect their lives.

Enclosed Camp: A refugee camp, which is physically surrounded by a fence.



Enforcement and Implementation (Control) Mechanisms: the system for monitoring implementation and enforcing international human rights law is very different from how states enforce their domestic laws. The former relies heavily on political pressure, and it is the state, not individuals, which are responsible for human rights violations. The two principle ways to treat human rights violations within the UN system are on the one hand the enforcement and complaint procedures established by each convention, and on the other by approaching some of the other UN agencies and offices that focus on human rights. Complaint mechanisms exist independent from whether a country has ratified a human rights convention.

Entry into Force: When the treaty or convention becomes a functioning and enforceable legal document. A convention only “enters into force” after the required number of ratifications (by states) have been received.

Evaluation: A systematic and objective analysis and assessment of the organization’s policies, programmes, practices, partnerships and procedures, focused on planning, design, implementation and impacts.

Exclusion Clauses: Legal provisions that deny the benefits of international protection to persons who would otherwise satisfy the criteria for refugee status. In the 1951 Convention, the exclusion clauses are found in Articles 1D, 1E and 1F. These clauses apply to the following categories: persons who are receiving protection or assistance from UN agencies other than UNHCR; persons who are recognized by the authorities of the country as having the rights and obligations attached to the possession of nationality of their country of residence; and persons in respect of whom there are serious reasons for considering that they have committed a crime against peace, a war crime, a crime against humanity, a serious non-political crime, or acts contrary to the purposes and principles of the United Nations.

Executive Committee of the High Commissioner’s Programme (ExCom): A Committee charged with advising the High Commissioner on the exercise of her/his functions. ExCom is currently (July 2005) composed of representatives of 68 States with a demonstrated interest in refugee issues, and 23 States with observer status. NGOs have observer status in the Executive Committee.

Executive Committee Conclusions on International Protection: Formal texts that embody the results of ExCom’s annual deliberations on questions of refugee protection. Although not legally binding, ExCom conclusions contribute to the elaboration of principles and standards for the protection of refugees and other persons of concern to UNHCR.

Expulsion: Removal of a lawful resident from the territory of a State by government authorities. Under Article 32 of the 1951 Convention, national security and public order are the only permissible grounds for the expulsion of a refugee. The procedures by which a decision for expulsion is reached should be fair and just, and the refugee should be allowed a reasonable time to seek admission into another country.



F

Family Unity Principle: A principle that gives effect to the protection of the family as the natural and fundamental group unit of society, as described in Art 16 of the Universal Declaration of Human Rights. Under this principle, refugee status may be granted to the spouse and dependents of a person who meets the refugee criteria. When spouses and dependents acquire refugee status by application of the family unity principle, they are said to enjoy “derivative status”.

Family Reunification:* The process of bringing together families, particularly children and elderly dependents with previous care-providers for the purpose of establishing or re-establishing long-term care. Separation of families occurs most often during armed conflicts or massive displacements of people.

Fixing: A rapid and approximate means of defining and limiting a target population so that persons of concern can be more readily identified for further registration, using fixing tokens, wristbands or ink marking.

Fixing Token: A pre-printed card, issued to individual refugees, in order to define their entitlement to registration. No information is collected during a distribution of fixing tokens.

Focus Group Discussion: A method to collect qualitative data/information from a group of persons pre-selected according to specific criteria.

G

Gender-Related Persecution: Persecution that targets or disproportionately affects a particular gender. Under certain factual circumstances, gender-related persecution may come within the refugee definition.

Global Consultations on International Protection: A process launched by UNHCR in late 2000 to reinvigorate the refugee protection framework by reaffirming its fundamental components, clarifying disputed notions, and developing further operational approaches to address contemporary challenges. UNHCR, States, international organizations, NGOs and refugees were all involved. Outcomes have included the 2001 Ministerial Declaration and the Agenda for Protection.

Good Practice: An innovative, interesting and inspiring practice that has the potential to be transferred in whole or in part to other national contexts.

Group-Based Protection Responses: Approaches whereby the protection and assistance needs of refugees are addressed without previously determining their status on an individual basis. Appropriate where asylum-seekers arrive *en masse* and individualized procedures are neither feasible nor necessary (the cause of flight often being self-evident). The two main approaches are recognition of refugee status on a *prima facie* basis and the provision of temporary protection.

Group Determination of Refugee Status: A practice by which all persons forming part of a large-scale influx are regarded as refugees on a *prima facie* basis. Group determination ensures that protection and assistance needs are met without prior individual status determination.



Guiding Principles on Internal Displacement: A series of principles that articulate standards for protection, assistance and solutions for internally displaced persons. The Guiding Principles were presented to the Commission on Human Rights by the Representative of the Secretary General for Internally Displaced Persons in April 1998. They reflect and are consistent with human rights law, humanitarian law and refugee law, and provide guidance to States, other authorities, intergovernmental, and non-governmental organizations faced with issues of internal displacement.

H

Host Communities:* Communities that host large populations of refugees or internally displaced persons, typically in camps or integrated into households directly.

Household: A group of persons who share accommodation.

Humanitarian Assistance (Relief): Aid that addresses the immediate needs of individuals affected by crises and is provided mainly by non-governmental and international organizations.

Human Capital: A person's skills and abilities.

Humanitarian Coordination:* An approach based on the belief that a coherent response to an emergency will maximize its benefits and minimize potential pitfalls. In each country, the coordination of UN humanitarian assistance is entrusted to the UN Resident and Humanitarian Coordinator. OCHA, under the direction of the Emergency Relief Coordinator, is responsible for the coordination of a humanitarian response in the event of a crisis and carries out this role according to approved policies and structures set by the IASC. This coordination involves developing common strategies with partners both within and outside the UN system, identifying overall humanitarian needs, developing a realistic plan of action, monitoring progress and adjusting programmes as necessary, convening coordination forums, mobilizing resources, addressing common problems to humanitarian actors, and administering coordination mechanisms and tools. It does not involve OCHA in the administration of humanitarian assistance.

Human Development Index (HDI): a measure of a country or region's progress in terms of life expectancy, level of education and adjusted real income.

Humanitarian Principles:* As per UN General Assembly Resolution 46/182 (19 December 1991), humanitarian assistance must be provided in accordance with the principles of humanity, neutrality and impartiality. Adherence to these principles reflects a measure of accountability of the humanitarian community.

Human Rights: Agreed international standards that recognize and protect the dignity and integrity of every individual, without any distinction. Human rights form part of customary international law and are stipulated in a variety of national, regional and international legal documents generally referred to as human rights instruments. The most prominent of these are the United Nations Charter, and the UN Bill of Rights, made up of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic and Social Rights.



Human Rights Law: The body of customary international law, human rights instruments and national law that recognizes and protects human rights. Refugee law and human rights law complement each other.

Humanitarian (Status) Cases: Persons who are formally permitted, under national law, to reside in a country on humanitarian grounds. These may include persons who do not qualify for refugee status.

Humanitarian Worker:* Includes all workers engaged by humanitarian agencies, whether internationally or nationally recruited, or formally or informally retained from the beneficiary community, to conduct the activities of that agency.

I

Implementing Partners: Partners, who sign an implementing agreement with and receive funding from UNHCR.

Income-Generating Projects: Projects designed to create income for persons of concern to UNHCR, and thus help them become self-supporting.

Inclusion Clauses: Clauses in the 1951 Convention that define the criteria that a person must satisfy in order to be recognized as a refugee.

Institutions: a) organizations or agencies that operate within the public and private sector, and b) the mechanisms, rules and customs by which people and organizations interact with each other.

Integrated Approach: A planning approach that brings together issues from across sectors, institutions on national and local levels, and different population groups.

Intergovernmental Organization (IGO): An organization made up of State members. Examples include the United Nations Organization (UN), the Organization of African Unity (OAU), the Organization of American States (OAS), the European Union (EU), and the Commonwealth of Independent States (CIS).

Internal Displacement: Involuntary movement of people inside their own country. This movement may be due to a variety of causes, including natural or human-made disasters, armed conflict, or situations of generalized violence.

Internally Displaced Persons (IDPs): Those persons forced or obliged to flee from their homes, "...in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border".

Internal Disturbance: A situation characterized by acts of violence and disorder, but that falls short of armed conflict.



Internal Flight Alternative (or “**Relocation Principle**”): A factual determination that an asylum-seeker could have avoided persecution in his country of origin by relocating to another part of the same country. This term is not favoured by UNHCR as it is often used to limit access to status determination procedures or to deny refugee status. UNHCR’s position is that the possibility of internal relocation is relevant to status determination only in certain limited cases. Even when it is relevant, its application will depend on a full consideration of all aspects of the refugee claim.

International Humanitarian Law (or **Law of Armed Conflict**): The body of law, regulations and principles that governs situations of international or non-international armed conflict. The core instruments of international humanitarian law are the four Geneva Conventions of 12 August 1949 and their two Additional Protocols of 8 June 1977. Virtually every State is a party to the Geneva Conventions of 1949.

International Protection: The actions by the international community on the basis of international law, aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the national protection of their own countries.

Protection:* A concept that encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of human rights, refugee and international humanitarian law. Protection involves creating an environment conducive to respect for human beings, preventing and/or alleviating the immediate effects of a specific pattern of abuse, and restoring dignified conditions of life through reparation, restitution and rehabilitation.

Protection of Civilians in Armed Conflict:* Structures and policies developed by the UN, States and other humanitarian actors, and based in international humanitarian law, human rights and refugee law, to protect vulnerable populations from the effects of armed conflict, ranging from the most immediate priorities of minimizing civilian casualties to more long-term priorities of promoting the rule of law and security, law and order within a State.

International Refugee Law: The body of customary international law and international instruments that establishes standards for refugee protection. The cornerstone of refugee law is the 1951 Convention and its 1967 Protocol relating to the Status of Refugees.

Involuntarily Relocated Persons (IRPs): Persons, who are forced to relocate to the country of their citizenship as a result of circumstances threatening their lives such as armed conflict, internal disorder, inter-ethnic tension or systematic violations of human rights and who are in need of assistance to resettle in their countries of citizenship.

Irregular Movement of Refugees: The phenomenon of refugees or asylum-seekers moving illegally from a first country of asylum, in order to seek asylum or permanent settlement in another country.

Interactive Process: The continual refinement of objectives as new knowledge and questions generated by investigation and analysis feed back into the investigative cycle.



J

Joint Programming: The process through which the UN country team and national partners work together to prepare, implement, monitor and evaluate the UN's contribution to most effectively and efficiently achieve the Millennium Development Goals and other international commitments related to the government's national development targets.

K

Key Informants: Individuals of a particular background (e.g. nurses, teachers and poor farmers) who provide their views on various issues.

L

Livelihoods: A combination of the resources used and the activities undertaken in order to live. Resources include individual skills (human capital), land (natural capital), savings (financial capital), equipment (physical capital), as well as formal support groups and informal networks (social capital).

Limitations of Human Rights: Many human rights are not absolute. Human rights instruments themselves often contain provisions (of a general as well as a specific nature) limiting these. At the national level, Constitutions often contain similar limitations or have been interpreted as such through judicial interpretation. *In all cases* however, limitations on civil rights *may only* be imposed if the following conditions are satisfied:

- the limitation must be prescribed by (i.e. provided for or in conformity with) the law;
- it must be "necessary" for achieving one of the listed purposes (such as protection of public health). The burden lies with the government to prove that the limitation is both required and proportional to the specific purpose it aims to achieve;
- the limitation may not be so severe as to totally suppress the exercise of the right.

Local Integration: A durable solution to the problem of refugees that involves their permanent settlement in a country of first asylum, and eventually being granted nationality of that country.

M

Mandate Refugees: Persons who are recognized as refugees by UNHCR acting under the authority of its Statute and relevant UN General Assembly resolutions. Mandate status is especially significant in States that are not parties to the 1951 Convention or its 1967 Protocol.

Migrants (Economic): Persons who leave their countries of origin purely for economic reasons not in any way related to the refugee definition, or in order to seek material improvements in their livelihood. Economic migrants do not fall within the criteria for refugee status and are therefore not entitled to benefit from international protection as refugees.

Millennium Development Goals (MDGs): A summary of development goals set at international conferences and world summits during the 1990s.



Minors: Persons who are below the legal age of majority and are therefore not legally independent. This term includes adolescents. Under the Convention on the Rights of the Child (CRC), a “child” is a person who is below the age of eighteen, unless the applicable law sets a lower age. The CRC equates “child” with “minor”.

Monitoring: An ongoing review and control of the implementation of a project to ensure that inputs, work schedules and agreed activities proceed according to plans and budgetary requirements.

N

National: A person recognized to have the status of a legal bond with a State as provided for under law. Some States use the word “nationality” to refer to this legal bond, while other States use the word “citizenship”.

Nationality: The status of being a citizen of a particular nation or country.

Non-Derogable Rights: While most human rights are not absolute and can be limited in their application, some rights are *not derogable* i.e. know no limitations or exceptions under any conditions, including the following: the right to life; the right not to be subjected to torture, or to cruel, inhuman or degrading treatment or punishment; freedom from slavery and servitude; freedom of thought, conscience and religion.

Non-Governmental Organization (NGO): An organized entity that is functionally independent of, and does not represent, a government or State. This term is normally applied to organizations devoted to humanitarian and human rights causes, many of which implement their refugee-related programmes in partnership with UNHCR and other agencies.

Non-Refoulement: A core principle of international refugee law that prohibits States from returning refugees in any manner whatsoever to countries or territories in which their lives or freedom may be threatened. The principle of *non-refoulement* is a part of customary international law and is therefore binding on all States, whether or not they are parties to the 1951 Convention.

Non-State Agents of Persecution: People or entities responsible for acts or threats of persecution, which are not under the control of the government, and which may give rise to refugee status if they are facilitated, encouraged, or tolerated by the government, or if the government is unable or unwilling to provide effective protection against them.

O

Operational Partners: Governmental, inter-governmental and non-governmental organizations and UN agencies that work with UNHCR to protect and assist refugees/returnees and to achieve durable solutions.

OAU (Organization of African Unity) Convention Governing the Specific Aspects of Refugee Problems in Africa: The regional complement to the 1951 Convention whose refugee definition is broader than that provided in the 1951 Convention. Adopted in 1969, the OAU Convention provides that “the term ‘refugee’ applies to those fleeing from external aggression, occupation, foreign domination or events seriously disturbing public order in either part or whole of the country of origin”. The OAU is now called the African Union.



P

Participatory Approach: An approach to development and/or government in which key stakeholders (and especially the proposed beneficiaries) of a policy or intervention are closely involved in the process of identifying problems and priorities and have considerable control over analysis and the planning, implementation and monitoring of solutions.

Participatory Rural Appraisal: A growing family of approaches, methods and behaviours to enable people to share, enhance and analyze their knowledge of life and conditions and to plan, act, monitor and evaluate.

Particular Social Group (Membership of a): One of five possible grounds on the basis of which persecution may be established under the 1951 Convention. A particular social group is a group of persons who either share a common characteristic (other than the risk of persecution) or who are perceived as a group by society. The characteristic will often be one which is innate, unchangeable, or which is otherwise fundamental to identity, conscience, or the exercise of fundamental rights.

Partnership in Action (PARinAC): A framework intended to enhance partnership between NGOs and UNHCR and to improve protection and solutions for refugees and others of concern to UNHCR.

Peace Building: Efforts aimed at preventing the outbreak, recurrence or continuation of armed conflict and therefore encompassing a wide range of political, developmental, humanitarian and human rights programmes and mechanisms.

People-Oriented Planning in Refugee Situations (POP): A training tool designed to assist refugee workers to ensure that all UNHCR programmes meet the needs of persons of concern, particularly women, by increasing their participation in and access to decision making.

Persecution: The core concept of persecution was deliberately not defined in the 1951 Convention, suggesting that the drafters intended it to be interpreted in a sufficiently flexible manner so as to encompass ever-changing forms of persecution. It is understood to comprise human rights abuses or other serious harm, often, but not always, with a systematic or repetitive element.

Persons of Concern to UNHCR: A generic term used to describe all persons whose protection and assistance needs are of interest to UNHCR. These include refugees under the 1951 Convention, persons who have been forced to leave their countries as a result of conflict or events seriously disturbing public order, asylum seekers, returnees, stateless persons, and, in some situations, internally displaced persons. UNHCR's authority to act on behalf of persons of concern other than refugees is based on General Assembly and ECOSOC resolutions.

Poverty Reduction Strategy Paper (PRSP): A country's macro-economic, structural and social policies and programmes to promote growth and reduce poverty.

Prima Facie Determination of Refugee Status: *see* Group Determination of Refugee Status.



Prima Facie Refugees: Persons recognized as refugees, by a State or UNHCR, on the basis of objective criteria related to the circumstances in their country of origin, which justify a presumption that they meet the criteria of the applicable refugee definition. *See also* Group-Based Protection Responses.

Protection: *see* International Protection.

Protocol: An addition to the original text of a convention. It may include further agreements or involve amendments to the original text due to new circumstances. It can be procedural or substantive in nature.

Q

Quick Impact Projects (QIPs): Small scaled, rapidly implemented projects intended to help create conditions for durable solutions through rapid interventions. They can, for example, provide for initial rehabilitation and enable communities to take advantage of development opportunities.

R

Ratification: defines the international act whereby a state indicates its consent to be bound to a treaty if the parties intended to show their consent by such an act. In the case of bilateral treaties, ratification is usually accomplished by exchanging the requisite instruments, while in the case of multilateral treaties the usual procedure is for the depositary to collect the ratifications of all states, keeping all parties informed of the situation. The institution of ratification grants states the necessary time-frame to seek the required approval for the treaty on the domestic level and to enact the necessary legislation to give domestic effect to that treaty.

Reception Centre: A location with facilities for receiving, processing and attending to the immediate needs of refugees or asylum-seekers as they arrive in a country of asylum.

Reconciliation: *see* Co-Existence.

Reconstruction: Developmental interventions which not only seek to build, repair damage or return to the status quo ante, but also address medium- and long-term needs and the need for improvements in policies, programmes, systems and capacities to avert the recurrence of crisis and to reach higher levels of employment and standards of living.

Recovery: A focus on how best to restore the capacity of the government and communities to rebuild and recover from crisis and to prevent relapses into conflict. In so doing, recovery seeks not only to catalyze sustainable development activities, but also to build upon earlier humanitarian programmes to ensure that their inputs become assets for development.

Refoulement: *see* Non-Refoulement.

Refugee: A person who meets the eligibility criteria under the applicable refugee definition, as provided for in international or regional refugee instruments, under UNHCR's mandate, and/or in national legislation.



Refugee Camp: A plot of land temporarily made available to host refugees fleeing from an armed conflict in temporary homes. UN Agencies, particularly UNHCR, and other humanitarian organizations provide essential services in refugee camps including food, sanitation, health, medicine and education. These camps are ideally located at least 50 km away from the nearest international border to deter camp raids and other attacks on its civilian occupants.

Refugee Centres: Locations where refugees reside or may gather to receive information, counselling, material assistance or other services.

Refugee Law: *see* International Refugee Law.

Refugee Status Determination Procedures: Legal and administrative procedures undertaken by UNHCR and/or States to determine whether an individual should be recognized as a refugee in accordance with national and international law.

Refugees *Sur Place*: Persons who were not refugees when they left their countries of origin, but who become refugees at a later date, owing to intervening events. Refugees *sur place* may owe their fear of persecution to a change in the country of origin, such as through a *coup d'état*, or to political activities undertaken in the country of refuge.

Regional Refugee Instruments: International legal documents relating to refugees that are adopted by States or intergovernmental organizations within a geographical region or sub-region. Such instruments normally complement the 1951 Convention and reflect the peculiar character of refugee issues within the particular geographical area. Notable examples of regional instruments are the OAU Convention of 1969 and the Cartagena Declaration of 1984.

Registration: The process of identifying and documenting individuals and families of concern to UNHCR by which systematic information is obtained to facilitate protection, programme planning and verification.

Registration Card: Card issued to a refugee Head of Household giving individual identification number, indicating number of persons in family and also used as a beneficiary card for ration and other distribution. The identification number is linked to a registration form, which contains fuller information on the household.

Registration Form: The form completed prior to distribution of a registration card. Information on the Form may be computerized at a later stage.

Rehabilitation: Actions which enable the affected population to resume more or less “normal” patterns of life. These actions constitute a transitional phase and can [occur] simultaneously with relief activities, as well as further recovery and reconstruction activities.

Reintegration: A process which enables returnees to regain their physical, social, legal and material security needed to maintain life, livelihood and dignity and which eventually leads to the disappearance of any observable distinctions vis-à-vis their compatriots.



Rejection at the Border: In the refugee context, the refusal to allow an asylum-seeker entry into a prospective country of asylum. Rejection at the border may result in a violation of the principle of *non-refoulement*.

Reservations: A formal note or declaration made by a state when becoming a party to an international treaty, clarifying the manner in which the state will interpret a particular provision of the treaty, or indicating that the state will not be bound by a particular provision. Some treaties expressly indicate that certain provisions *may not* be subject to reservations, and it is also generally accepted that no reservation is permitted if it defeats the object and purpose of the treaty.

Resettlement: The transfer of refugees from the country in which they have sought refuge to another State that has agreed to admit them. The refugees will usually be granted asylum or some other form of long-term resident rights and, in many cases, will have the opportunity to become naturalized citizens. For this reason, resettlement is a durable solution as well as a tool for the protection of refugees. It is also a practical example of international burden- and responsibility-sharing.

Resettlement Country: A country that offers opportunities for the permanent settlement of refugees. This would be a country other than the country of origin or the country in which refugee status was first recognized.

Resettlement Selection Criteria: Criteria by which UNHCR and resettlement countries select candidates for resettlement. Resettlement under the auspices of UNHCR is strictly limited to mandate refugees who have a continued need for international protection and who meet the criteria of the UNHCR Resettlement Handbook. Individual countries use a wide range of resettlement criteria.

Returnees: Refugees who have returned to their country or community of origin.

Rule of Non-Discrimination: Is a basic concept underlining international human rights law. The prohibition of discrimination means that, as a general rule, the rights and freedoms recognized by international human rights law apply to everyone and states may not make distinctions (for example, on the basis of race) between different individuals in protecting these rights.

S

Safe Areas/Safety Zones: Areas, zones, or locations established to protect civilians during a time of conflict. The terms and conditions of establishing safety zones are governed by the law of armed conflict.

Safe Third Country: A country in which an asylum-seeker could have had access to an effective asylum regime, and in which he/she has been physically present prior to arriving in the country in which she/he is applying for asylum.

Sector-Wide Approach (SWAP): The prioritization of sector programming as a key intervention used by development agencies.

Self-Help Organizations and Projects: Organizations and projects initiated, created and managed by refugees and other persons of concern for their own benefit.



Self-Reliance: The ability of an individual, household or community to depend (rely) on their own resources (physical, social and natural capital or assets), judgement and capabilities with minimal external assistance in meeting basic needs, and without resorting to activities that irreversibly deplete the household or community resource base.

Separated Children: Children being looked after by adults in the absence of their parents or usual adult care-taker.

Sexual and Gender-Based Violence (SGBV): Acts that inflict physical, mental or sexual harm or suffering, threat of such acts, coercion and other deprivations of liberty, that target individuals or groups of individuals on the basis of their gender.

Shepherd/Usher: A refugee, respected within the community, who is responsible for ensuring that refugees know what to do during a registration exercise.

Signatory to a Convention: A country supporting the purposes of the convention, but not legally committed to comply with the provisions until the country's legislature officially ratifies it. Where the signature is subject to ratification, acceptance or approval, the signature does not establish the consent to be bound. However, it is a means of authentication and expresses the willingness of the signatory state to continue the treaty-making process. The signature qualifies the signatory state to proceed to ratification, acceptance or approval. It also creates an obligation to refrain, in good faith, from acts that would defeat the object and the purpose of the treaty.

Social Group: *see* Particular Social Group.

Standards of Treatment: Standards derived from the 1951 Refugee Convention and other international instruments that set the parameters for the treatment of refugees. The 1951 Convention provides for various standards of treatment, depending on the particular rights in question. These are: treatment not less favourable than that generally accorded to aliens in similar circumstances; the most favourable treatment accorded to nationals of a foreign country in the same circumstances; the same treatment as is granted to nationals; and treatment as favourable as possible.

Stateless Person: A person who, under national laws, does not have the legal bond of nationality with any State. Article 1 of the 1954 Convention relating to the Status of Stateless Persons indicates that a person not considered a national (or citizen) automatically under the laws of any State, is stateless.

Statelessness: The condition of not being considered as a national by any State under the operation of its law.

States Parties: The term used to refer to countries which have ratified or acceded to a convention. Conventions are binding only upon states parties.

Statute of the Office of the United Nations High Commissioner for Refugees (UNHCR Statute): The document, adopted by the General Assembly in 1950, that established UNHCR's mandate functions and structure and provides the criteria by which persons may come within the competence of UNHCR. Such persons may be recognized as "mandate refugees" by UNHCR acting under the authority of its Statute.



Statutory Refugees: Persons considered to be refugees under the provisions of the international instruments that were in force before the 1951 Refugee Convention.

T

Temporary Card: Card issued to a Head of Family at a Border Reception Area or Transit Camp, which will later be exchanged for a Registration Card.

Temporary Protection: An arrangement developed by States to offer protection of a temporary nature to persons arriving *en masse* from situations of conflict or generalized violence, without prior individual status determination.

Tracing: In the refugee context, efforts to ascertain the whereabouts of family members or close associates of persons of concern to UNHCR. Tracing may be conducted for the purposes of family re-unification, in the context of durable solutions, or simply to facilitate contacts between family members. The International Committee of the Red Cross (ICRC) runs a Central Tracing Agency that has special competence in this area.

Transition (for the UN): The period in a crisis when external assistance is most critical to support or underpin still fragile cease-fires or peace processes by helping to create the conditions for political stability, security, justice and social equity.

Transit Camp: An area, with at least overnight facilities, where refugees are gathered prior to moving on to a more permanent settlement.

Treaty: see also Convention. A formal agreement, principally between States, that creates binding legal obligations between its parties. Treaties are one source of international law.

Treaty Bodies: Expert bodies established by the UN human rights treaties, responsible for reviewing the implementation of the treaty. Generally, this is done by reviewing reports submitted by states party to the treaty, and raising questions or concerns about the reports. Some may also be competent to receive petitions from individuals on alleged violations of their rights within that treaty. Treaty bodies are ‘implementation control mechanisms’ with a quasi-judicial function, which derived from the fact that the reports they publish contain authoritative views on the scope as well as the content of rights guaranteed by the relevant treaty. The main treaty bodies and the conventions they monitor are:

- Committee Against Torture (CAT)
- Human Rights Committee (CCPR) (not to be confused with the Commission on Human Rights)
- Committee on the Elimination of Discrimination against Women (CEDAW)
- Committee on the Elimination of Racial Discrimination (CERD)
- Committee on Economic, Social and Cultural Rights (CESCR)
- Committee on the Rights of the Child (CRC)

U

Unaccompanied Minors: Persons below the legal age of majority who are not in the company of an adult who, by law or custom, is responsible to do so, such as parents, guardians or primary care-givers.



UNHCR Mandate: The role and functions of UNHCR as set forth in the UNHCR Statute and as elaborated in resolutions of the United Nations General Assembly. UNHCR's mandate as declared in its Statute is to provide international protection and seek permanent solutions for refugees. UNHCR has an additional mandate concerning issues of statelessness, as it is given a designated role under Article 11 of the 1961 Convention on the Reduction of Statelessness. The Office has also been requested by the General Assembly to promote the 1954 and 1961 statelessness Conventions, and to help prevent statelessness by providing to States technical and advisory services on nationality legislation and practice.

United Nations Commission on Human Rights: The UN human rights monitoring body established under the International Covenant on Civil and Political Rights. An intergovernmental body composed of 53 state representatives, with the office of the High Commissioner for Human Rights functioning as its secretariat. The Commission is responsible for co-ordinating the human rights activities of the UN and is the main forum for dealing with human rights violations. Since the Commission generally meets only once a year, most of its work is conducted through 'mechanisms' (either an individual, called a rapporteur, or a working group) which deal with a specific theme or country.

United Nations Commission on the Status of Women (CSW): Commission consisting of 45 members, with the broad mandate of promoting the advancement of women and gender equality. The UN Division for the Advancement of Women (DAW) functions as its secretariat. It meets annually for two weeks, and works on reports, studies, and recommendations on a diverse range of women's human rights issues. A special Communications Working Group of the Commission also reviews, in confidence, accusations relating to violation of women's rights.

United Nations Development Assistance Framework (UNDAF): The common strategic framework for UN operational activities at the country level that provides a collective, coherent and integrated response to national priorities and needs.

United Nations High Commissioner for Human Rights: Established in 1993, this appointed official (by the General Assembly) is responsible for co-ordinating human rights activities throughout the entire UN system, and has overall responsibility for the activities of the UN Centre for Human Rights. This broad mandate enables the Commissioner to be actively engaged in addressing almost any human rights issue/ violation around the globe. S/he has the role of promoting respect for human rights, co-ordinating and rationalising the UN human rights programme, rendering UN human rights machinery more effective and preventing human rights violations.

United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA): A relief and human development agency, providing education, healthcare, social services and emergency aid to over four million refugees living in the Gaza Strip, the West Bank, Jordan, Lebanon and the Syrian Arab republic.

United Nations Security Phases: The five security phases, taking into consideration the particular political, geographical and other relevant circumstances of the duty station concerned, are as follows:



- *Phase one – Precautionary*: Warn staff that the security situation in the country or a portion of the country is such that caution should be exercised. Travel to the duty station requires advance clearance from the Designated Official.
- *Phase two – Restricted movement*: All staff members and their families will be required to remain at home, unless otherwise instructed. No travel, incoming within the country, will occur unless specifically authorized by the Designated Official as essential travel.
- *Phase three – Relocation*: Indicates a substantial deterioration in the security situation, which may result in the relocation of staff members or their eligible dependants.
- *Phase four – Programme suspension*: Apart from staff directly concerned with emergency or humanitarian relief operations or security matters, other internationally recruited staff members who heretofore were considered essential to maintain programme activities will be evacuated.
- *Phase five – Evacuation*: The decision to initiate Phase Five, declared following approval by the Secretary-General, signifies that the situation has deteriorated to such a point that all remaining internationally recruited staff members are required to leave.

United Nations Standards (also called principles, declarations, or rules): These are passed by resolutions of a UN body, usually the General Assembly. States cannot become party to them since they are not treaties, and they do not create binding legal obligations. However, they are authoritative standards which States are expected to respect.

United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities: A subsidiary group of the UN Commission on Human Rights, to which it also reports. It is composed of 26 members who are experts in various fields of human rights. Its role has been interpreted broadly and includes tasks such as: initiating studies on a whole range of human rights questions (not limited to discrimination or minority issues); adopting resolutions on particular topics or countries; and making recommendations to the Commission on Human Rights. The Sub-Commission has several working groups and special rapporteurs that each work on specific human rights issues.

V

Voluntary Repatriation: Return to the country of origin based on the refugees' free and informed decision. Voluntary repatriation may be *organized*, (i.e., when it takes place under the auspices of the concerned governments and UNHCR), or *spontaneous* (i.e., the refugees return by their own means with UNHCR and governments having little or no direct involvement in the process of return).

Vulnerable: Physically, mentally or socially disadvantaged persons who may be unable to meet their basic needs and may therefore require specific assistance.

W

Well-Founded Fear of Persecution: *see also* Persecution. A key element of the 1951 Convention's definition of a refugee. Well-foundedness of fear contains both a subjective element (fear of persecution) and an objective element (the fear must have an objectively justifiable basis). According to the 1951 Convention, persecution must be linked to any one of the five specified grounds: race, religion, nationality, membership of a particular social group and political opinion.



Women-At-Risk: Female refugees with special protection needs, including those who require resettlement in accordance with the UNHCR Resettlement Handbook.