



# International Cooperation

OAS: Committee on Juridical and Political Affairs  
Course on International Refugee Law

"Contemporary Challenges for international protection of refugees"

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# International Cooperation

## ▶ Content

1. What is international cooperation
2. Context in which it is recommended
3. Why it is important
4. Purpose of intern. coop
5. Intern. coop in practice
6. Forms of intern. coop
7. Examples of intern. coop
8. Conclusion

# International Cooperation

## ▶ Definition

- Not clearly defined
- The Preamble to the CR51 recalls the international scope and nature of the refugee problem and affirms that a satisfactory solution can be found through intern. coop.
- Intern. coop is referenced in a number of regional and international legal and policy instruments governing asylum and ref. protection
- The concept of international cooperation entails all cooperation activities with host and other countries, non- and inter-governmental organizations, civil society
- The international protection regime is predicated on the principle of international solidarity
- “*burden-shifting*” is contrary to intern. coop
- Not an excuse to not uphold international obligations

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## ▶ Context

### 1. Situations of mass influx

- Characteristics: considerable numbers; rapid rate of arrival; inadequate absorption or response capacity in host States; individual asylum procedures, where they exist, unable to deal with the assessment of such large numbers

### 2. Protracted refugee situations

- At least 25,000 refugees with the same profile and been refugees for at least 5 years

### 3. Irregular secondary movements

- Refugees who have found a host country but move to a third country in an irregular manner

### 4. Trafficking and smuggling

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## ▶ Why it is important

1. Refugee challenges cannot be resolved by any one country alone
2. Intern solidarity and coop underpin the international refugee regime
3. 80% of all refugees reside in the developing world, often in developing countries
4. Insufficient understanding and recognition of the impact that hosting refugees can have on States in the developing world

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## ▶ Purpose of international cooperation

1. Solve problems of a humanitarian character
2. Enhance respect by States for their protection responsibilities
3. Strengthen the protection regime
4. Resolve the plight of refugees
5. Promote peace, stability and dialogue
6. Contribute to an effective international response
7. Reduce and share the burdens of host countries, esp. developing countries
8. Find a satisfactory durable solution
9. Find more effective and predictable responses

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## ▶ Intern. Coop in practice

- ✓ Provision of emergency financial and technical assistance
- ✓ Implementation, in host countries, of coordination mechanisms involving several stakeholders
- ✓ Establishment, at the international level, of an effective multi-stakeholder consultation mechanism to develop strategies and approaches to address the situation
- ✓ Mobilisation of adequate resources to support and assist host States in maintaining the civilian and humanitarian nature of asylum
- ✓ Provision of support for the establishment of processing mechanisms
- ✓ Development of criteria and modalities for humanitarian transfer or evacuation to other countries

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- ▶ Intern. Coop. in practice...ctd
  - ✓ Provision of support to strengthen refugee registration and documentation systems
  - ✓ Provision of financial and in-kind assistance in support of refugee populations and host communities to promote refugee self-reliance
  - ✓ Provision of financial and other forms of support linked to broader economic developments and other concerns host countries may have relating to protecting large numbers
  - ✓ Encouragement of international financial institutions to consider incorporating the economic and social costs of hosting large numbers of refugees



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## ▶ Forms of Intern. Coop

Comprehensive Regional Approaches

Increased flexibility compared to global arrangements

## ▶ Examples of Intern. Coop

- 1989 Comprehensive Plan of Action for Indo-Chinese Refugees
- 1989 International Conference on Central American Refugees
- 1992 Comprehensive Response to Humanitarian Crisis in the former Yugoslavia
- 1996 – 2005 Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring Countries

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## ▶ Examples...ctd

- 2001 Development through Local Integration (Zambia)
- 2004 Mexico Plan of Action (strengthen the intern. Protection of uprooted persons in LA)

### *Most Recent Initiatives (Regional Frameworks)*

- 2002 Bali Process on Smuggling, Trafficking in Persons and Related Transnational Crimes (Asia-Pacific Region)
- 2011 Expert Meeting on International Cooperation to Share Burdens and Responsibilities (Amman, Jordan)
- 2011 Refugees and Asylum-Seekers in Distress at Sea (Djibouti)
- Purpose: explore how responses to rescue at sea situations involving refugees and asylum-seekers could be improved and made more predictable through practical cooperation to share burdens and responsibilities
- 2013 Regional Conference on Mixed Migration and Good Practices (The Bahamas)

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## Conclusion:

- ▶ States did not choose their neighbors
- ▶ Customary international law principles have to be respected
- ▶ No State can handle displacement challenges alone
- ▶ Third countries kick in and host countries pull their own weight
- ▶ Need for tools and mechanisms