

TERMS OF REFERENCE

ASYLUM AND REFUGEES WORKING GROUP

BACKGROUND

Issues concerning asylum and refugees have been a core focus of IGC discussions since its inception in 1985. The Working Group was formally established in 2003.

In 2005, the mandate of the group was expanded to include all aspects of domestic and international refugee protection. A review of the portfolio undertaken in 2019 confirmed a continued interest in having discussions on overall policy, legal and operational global protection issues, as well as specific caseloads. The review also showed a potential for covering policy issues related to resettlement and international protection issues as long as discussions are relevant and adds value.

OBJECTIVES

The overall objective of the IGC Working Group on Asylum and Refugees is to provide a forum for multilateral discussion and information exchange on international protection obligations in relation to asylum-seeker and refugee caseloads. Meetings are planned around the following overarching topics:

- Understanding and comparing perspectives, policies, procedures and interpretation of refugee and asylum law across IGC States;
- Advancing asylum and refugee policies and operational issues throughout the continuum from pre-arrival to post-arrival by discussing common priorities, concerns and challenges;
- Analysing the global context and emerging trends affecting domestic and international protection regimes, and sharing common solutions and best practices; and
- Advancing international cooperation and information exchange opportunities on protection e.g. through capacity building, technical assistance and burden sharing.
- Reactively address emerging issues or crisis by providing an ad-hoc dialog platform, and creating spaces for follow up discussions, such as community fora of experts.

ISSUES AND TOPICS

The working group could, inter alia, discuss the following issues in its meetings:

- All aspects of national asylum systems e.g., exclusion, cessation, gender-related protection, grant of temporary and permanent protection, complementary protection, accelerated processing procedures, access to benefits and reception conditions, integrity and abuse of determination systems, identity fraud, specific asylum caseloads (e.g. specific countries of origin, unauthorized maritime arrivals, and minors);
- Protection issues related to treaty obligations and international customary law and standards relevant to the implementation of the obligations, e.g. EU legislation and ExCom Conclusions;
- International cooperation on asylum through bi- or multilateral agreements, information exchange, capacity-building (development of asylum systems in third countries); and burden-sharing on asylum decision-making; and
- Protection in the region and the whole of route approach, including access to durable solutions, repatriation, integration in country of first asylum and resettlement in a third country, resettlement (design of national programs and furthering of strategic approaches and partnerships).

The Chair and IGC Secretariat will ensure that discussions within IGC will create synergies and be complementary to discussions and activities carried out within the European Union at the EUAA, UNHCR and other relevant organisations.

MEETING FORMAT AND PARTICIPATION

Meetings are usually two days in duration, with one taking place in the first half of the year (semester 1) and the other taking place in the latter half (semester 2). Meeting participants are policy makers, analysts and programme experts in IGC States and participating organisations.

At each meeting recent developments and planned changes in IGC States (Tour de Table) are discussed in addition to discussions on a particular theme or topic chosen on the basis of IGC States' interests, including the overall IGC Chair's theme for the year. Discussions and mutual learning are supported by presentations from IGC States, participating organisations, academics and other external experts, as well as through background documents and breakout discussions.

The IGC has the capability to deliver high quality virtual and hybrid meetings.

REPORTING, OUTPUTS AND GOVERNANCE

After each meeting, a Chair's summary will be produced to provide a concise overview of the meeting's discussions and conclusions. This document is distributed to meeting participants and made available on the IGC website.

Each meeting is evaluated (through an online survey) to allow the Secretariat and the working group chair to assess whether meeting objectives have been met, identify meeting outcomes, target areas for improvement and topics for future discussion.

When necessary, the Asylum and Refugees Working Group engages with other IGC working groups to hold joint meetings or to provide or seek updates on topics of mutual interest. The Asylum and Refugees Working Group may also be asked to provide input or support to other IGC activities, such as senior officials' discussions, multidisciplinary workshops and other projects (e.g. request for information, comparative reports and matrices).