



# REFUGEE PROTECTION AND INTERNATIONAL MIGRATION

TRENDS AUGUST 2013 - JULY 2014

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# GLOBAL OVERVIEW

## Trends August 2013 – July 2014

“ Today, more people are living this sorrow than at any other time since most of us in this room were born. At the end of 2013, over 51 million people were in displacement due to conflict and persecution. By the end of this year, I am sure they will be even more.”

Opening remarks at the 65th session of the Executive Committee of the High Commissioner's Programme.  
António Guterres, United Nations High Commissioner for Refugees, Geneva, 30 September 2014

Massive forced displacement due to armed conflict and persecution has marked 2013/14. While many of these movements have remained within national boundaries, increasingly more refugee men, women and children have fled across international borders in search of protection and solutions. Protracted refugee situations have also contributed to onward movements. Today, refugees and asylum-seekers are a prominent part of mixed migratory movements worldwide.

While international migration continues to grow in scale and complexity, those fleeing conflict and persecution are often caught in precarious situations. Deterrence and control measures adopted by States also impact refugees traveling in mixed migratory flows. The identification and protection of refugees amidst mixed movements, and their safe access to asylum, remain outstanding challenges today. While en route, heightened risks of abuse, abduction and human trafficking abound, with transnational criminal gangs preying on desperate people on the move. Criminal smuggling networks have in many instances been linked to human rights abuses, but they are often the only means for asylum-seekers and refugees to access safety and protection from war and persecution.

In order to address these challenges, UNHCR works together with States and a broad array of international and national organizations to ensure refugee protection in mixed migration situations. This update provides a short overview of trends, challenges and UNHCR responses to mixed movements globally and across regions in the period from August 2013 to July 2014. In some instances, and where updated information was available, the time frame was stretched to November 2014, the time when this update was finalized.

## CHALLENGES

- **INADEQUATE MECHANISMS** for regularized and safe access to asylum and protection
- **RISKS FROM CRIMINAL GANGS** that prey on refugees and stateless persons fleeing conflict and persecution
- **TRAFFICKING IN HUMAN BEINGS** across routes that refugees use
- **VULNERABILITY OF WOMEN AND CHILDREN IN PARTICULAR TO EXPLOITATION, ABUSE AND VIOLENCE**
- **LACK OF READILY AVAILABLE AND TIMELY INFORMATION** on shifting mixed migratory routes
- **NATIONAL BORDER DETERRENCE MEASURES** which have little overall impact on migration, as routes only shift or find other means of access
- Deterrent state policies which **RESTRICT ACCESS TO ASYLUM** and cause severe harm to asylum-seekers and refugees
- **FREQUENT OCCURRENCE OF SITUATIONS OF DISTRESS AT SEA** which is a global phenomenon of an undetermined scale
- **INADEQUATE RECEPTION CONDITIONS**, lack of speedy identification and protection response mechanisms for refugees and asylum-seekers
- **DETENTION POLICIES WHICH ARE APPLIED** to deter and dissuade irregular migration and application for asylum

# REGIONAL TRENDS

Widespread conflict, instability and unresolved refugee situations formed the backdrop for the movement of refugees and asylum-seekers, often in mixed flows. UNHCR continued its call for the resolution of conflicts, enhanced access to asylum, and for cooperative arrangements aimed to share responsibilities for the protection of refugees amongst affected States. Specific regional updates on refugee protection in the context of mixed migration are provided further in this document. Prominent developments in the update period are shared below:

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The crisis in the Central African Republic (CAR), which had triggered by mid-2014 the displacement of over 400,000 asylum-seekers, including an estimated 120,000 third country nationals, prompted massive mixed flows beyond the Central African region. Recurrent incidents in Northern Mali continued to hamper the return of Malian refugees and migrants, while insecurity in northeastern Nigeria had led to the flight of over 140,000 estimated refugees and returnees, as well as long-time residents, into the neighbouring countries by November 2014. The asylum systems in Southern Africa continued to be overstretched in the increasingly complex mixed migration context of arrivals from East and Central Africa, owing to lack of effective migration alternatives.

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Most of the mixed movements from the East and Horn of Africa consisted of persons making their way towards Yemen and the Gulf countries, resulting in over 215 reported deaths in the Gulf of Aden between January and October 2014. Reports of violence and abuse perpetrated by criminal gangs also remained high on the route to North Africa, while the deteriorating security environment in Libya compelled many refugees and asylum-seekers to flee onwards. Approximately 85 per cent of the more than 154,000 persons, who chose to cross the Mediterranean to Italy by October 2014, departed from Libya.

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The number of people seeking protection or a better life by sea in Southeast Asia between June 2013 and July 2014 increased by over 60 per cent, with over 6,500 refugees and asylum-seekers believed to be in immigration detention by end-November 2014. Informal cross border movements between Afghanistan and Pakistan, as well as movements of Afghans from the Islamic Republic of Iran, continued into Turkey, which hosted over one million Syrian refugees by November 2014.

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At the end of November 2014, the conditions in Ukraine had led almost 230,000 persons to apply for international protection in the Russian Federation, while 490,000 had been internally displaced. Protection-sensitive border management, referrals for appropriate response and reception conditions remained challenging in a number of European countries, including the trend of Syrian and Eritrean asylum-seekers' preference for particular States in which to lodge an asylum claim. Over 200,000 refugees and migrants had arrived in Europe by sea across the Mediterranean by end-November 2014, compared to 60,000 in 2013.

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The Americas continued to witness large-scale mixed movements originating from within and outside the region, with violence perpetuated by transnational organized criminal groups becoming a common cause of flight. Over 68,000 unaccompanied children crossed the southern United States border between October 2013 and September 2014. Almost 60 per cent of the children interviewed by UNHCR during and after October 2011 indicated potential or actual need for asylum and international protection.

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In the global context, UNHCR continued to advocate for asylum-seekers to have access to territory, to have their claims efficiently assessed, and to benefit from protection in the territory of the State where they arrive, or which has jurisdiction over them. UNHCR's advocacy on refugee protection in mixed migration continued to benefit from the guidance provided in the 10-Point Plan of Action.



The Central African Republic (CAR) crisis profoundly affected movement dynamics in the **Central African** region. By mid-2014, widespread violence had led to the displacement of over 400,000 refugees and 500,000 IDPs, including 120,000 third country nationals. The conflict also prompted significant mixed movements beyond the region. Recent trends indicate that some countries in the region, including Tanzania, have become both transit and destination States for irregular flows, mainly from Somalia, Ethiopia and Eritrea.

UNHCR's principal objective in addressing mixed migratory movements is to encourage and assist States to establish protection-sensitive border control and migration management systems to ensure refugee identification and protection.

↑ Significant advances have been made in the East and Southern African region on the implementation of the Action Plan developed following the 2010 *Regional Conference on Refugee Protection and International Migration*. Capacity-building efforts have included a range of activities such as team building exercises in the coastal regions of Tanzania, as well as advocacy and training for the media on refugee protection in mixed migration.

A follow-up meeting to the Regional Conference was held in November 2014.


Marking an end of five years in exile following community clashes in 2009 over traditional fishing rights, the voluntary repatriation of almost 120,000 refugees to the Democratic Republic of Congo (DRC) from the neighbouring Republic of Congo was completed in July 2014. The province of repatriation also hosts more than 64,000 refugees from CAR, with new arrivals registered every week.

Mixed movements in **West Africa** remained largely within the region, with a trickle moving to Europe and North America through smuggling networks. The conflict and insecurity in CAR and Nigeria prompted displacement of refugees and returnees, as well as long-time residents, whose nationality could not always be clearly determined. Considerable challenges including insecurity and recurrent incidents in Northern Mali continue to hamper the return of Malian refugees and migrants.

UNHCR has partnerships with National Refugee Commissions in the region for the identification of those in need of international protection and their channelling for appropriate protection responses. In addition to capacity building, UNHCR conducted sensitization on refugee protection at the borders of Senegal and in Burkina Faso, Niger, Nigeria and Sierra Leone. In Benin, UNHCR also sensitized persons of concern on risks relating to onward movements. Moreover, UNHCR plays an advocacy and advisory role for several governments that are developing new asylum and migration policies. These include Benin, Côte d'Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Nigeria, Senegal, Sierra Leone and Togo.

Inter-agency cooperation on refugee protection in mixed migration also extends to the training of border officials and other partners. Joint research on stranded migrants and the nexus between statelessness and migration in West-Africa was conducted in 2013 and 2014. Together with the Commission of Economic Community of West-African States (ECOWAS), UNHCR works to strengthen the protection of refugees and internally displaced persons (IDPs) as an integral component of regional policies.


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 In collaboration with the relevant States and ECOWAS, thousands of displaced persons have been integrated into local communities in post-conflict countries (Liberia, Guinea, Guinea-Bissau and Sierra Leone) and in countries of asylum using the ECOWAS Free Movement Protocols, Right of Residence and Establishment.

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Asylum-seekers from DRC often move towards **Southern Africa** to access protection, where UNHCR engages with partners to ensure protection-sensitive border approaches, strengthened refugee status determination procedures, and measures to combat human trafficking. Together with governments, UNHCR has developed tools and systems for the identification of refugees and asylum-seekers and their referral for appropriate responses. It also implements a region-specific mixed migration strategy and a 5-year Mixed Migration Plan of Action that includes exploration of ways to offer a new layer of protection to people on the move through labour schemes and private sector support. Together with the International Organisation for Migration (IOM), UNHCR held regional consultations ahead of the 2014 Migration Dialogue for Southern Africa (MIDSA), which the two agencies organized in Malawi in June 2014.


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 The 2015 Ministerial MIDSA conference is expected to adopt the draft regional action plan discussed in Malawi.

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The complex migration patterns in the **East and Horn of Africa** include refugees moving in search of asylum alongside migrants. Most of these movements in 2013/14 were primarily composed of Ethiopians and Somalis attempting to make their way to Yemen and the Gulf, especially to the Kingdom of Saudi Arabia (KSA). Djibouti and Yemen served as transit points for the majority of people traveling to the Arabian Peninsula by sea, which has created strong criminal smuggling networks in the Horn of Africa. While figures of fatalities during the land journey are unavailable, estimates indicate that the region accounted for some 10% of global deaths of people on the move in the first eight months of 2014.


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 UNHCR and its partners reported 215 persons who have died or gone missing on the journey across the Gulf of Aden between January and October 2014.

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While the scale is unclear, the mixed flows from the East and Horn of Africa also moved to the Southern African region in search of protection, asylum and also for labour opportunities. Another major migratory route from the East and Horn of Africa was through Libya and the Mediterranean reaching Europe in unseaworthy boats.

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 The number of people departing from Libya by sea has significantly risen in 2014, including due to the prevailing insecurity.

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Both the Mediterranean, Yemen and KSA routes traditionally record high prevalence of violence and abuse. Reports of sexual violence, both in terms of incidents of rape and sexual exploitation, also remain high.

UNHCR activities have been focused on strengthening the capacity of key State and local partners to enable refugee protection and solutions through practical approaches. Capacity building and information campaigns continue to address the overwhelming challenges of the impact of trafficking in human beings (THB) on refugees and asylum-seekers. Where possible, UNHCR facilitated provision of direct psychosocial support and legal assistance to victims of trafficking, as well as third country resettlement, family reunion and voluntary return.

Onward movement of Somali and Eritrean refugees in Ethiopia continues to be of particular concern. UNHCR has been engaging in conducting sensitization activities on the dangers of irregular travel. UNHCR and IOM have also supported the African Union (AU) in organizing regional consultations on trafficking in human beings, including a *Ministerial Conference on Human Trafficking and Smuggling in the East and Horn of Africa* held in Khartoum in October 2014.

Joint efforts with the Government of Sudan have already demonstrated improved security in refugee camps in Eastern Sudan with some reduction of risks from trafficking and smuggling gangs.

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↑ UNHCR operates two reception centres to ensure safe transportation of asylum-seekers to Shagarab refugee camp. A safe house has also been created for the extremely vulnerable individuals, including victims of trafficking in need of witness protection. A similar reception centre is in place in Ethiopia.

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In Somalia, UNHCR and its local partners engaged in mapping service providers to which migrants and other persons not of concern to UNHCR may be referred. The strategy developed by the Mixed Migration Task Force (MMTF) in Somalia also foresees engagement with, and capacity building of, national and regional authorities to address the causes and consequences of mixed migratory flows.

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↑ In countries where arrests and detention of asylum-seekers are not uncommon, UNHCR has set up a network of detention monitors and community protection committees to address the protection needs of asylum-seekers and refugees. Initiatives in Kenya and Sudan have been particularly successful.

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### ADDRESSING THE INFORMATION GAP ON SHIFTING MIXED MIGRATION TRENDS

UNHCR works closely with the Mixed Migration Task Forces in East and Horn of Africa, which coordinate information sharing and enable analysis of rapidly shifting trends in mixed migration. These Task Forces are managed by the Regional Mixed Migration Secretariat (RMMS), and are supported by the Danish Refugee Council, UNHCR and IOM. The MMTFs play a key role in keeping stakeholders abreast of this complex cross-regional challenge and facilitate speedy operational responses. UNHCR in consultation with partners is seeking to replicate the RMMS information co-ordination model in other regions with complex mixed migratory movements.



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### STRATEGY AND REGIONAL PLAN OF ACTION AGAINST SMUGGLING AND TRAFFICKING FROM THE EAST AND HORN OF AFRICA

Every year, thousands of refugees and migrants become victims of criminal smuggling and trafficking networks operating across the East and Horn of Africa to the Middle East, North Africa and Europe. A significant number of the victims are persons of concern to UNHCR, who report abuse suffered from traffickers as well as exploitation by smugglers. To document movement trends and to coordinate timely responses amongst its country offices, UNHCR developed its 2012 **Strategy and Regional Plan of Action: Smuggling and Trafficking from the East and Horn of Africa**<sup>1</sup> targeting country and cross-country approaches in Sudan, Ethiopia, Israel, Djibouti, Yemen and Egypt. UNHCR has released a Progress Report for 2013-2014 relating to the implementation of the Strategy.<sup>2</sup>



### LIVE, LEARN AND PLAY SAFE

Children are an important and vulnerable demographic to be taken into account in mixed migratory movements. The protection of Unaccompanied and Separated Children (UASC) at risk of being caught up in dangerous onward movements requires specifically tailored interventions in the areas of child protection, education, skills development and solutions. In 2013, UNHCR launched the regional *Live, Learn and Play Safe*<sup>3</sup> multi-year project that aims to reduce protection risks for children on the move in Egypt, Ethiopia, Sudan and Yemen, and to prevent their onward movement. The initiative had, until October 2014, enabled over 4,500 children to enjoy improved protection.

<sup>1</sup> *Smuggling and Trafficking from the Horn and East Africa: Executive Summary*, <http://www.refworld.org/docid/51d175314.html>.

<sup>2</sup> *Smuggling and Trafficking from the East of Africa: Progress Report*, October 2014, <http://www.refworld.org/docid/5437a14d4.html>.

<sup>3</sup> *Child Protection Regional Initiative – Live, Learn & Play Safe 2014-2016*, <http://www.refworld.org/docid/53bbc6314.html>.





# MIDDLE EAST AND NORTH AFRICA

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The mixed flows in the Middle East and North Africa include an increasing number of asylum-seekers and refugees, stranded migrants, people displaced by slow-onset natural disasters, and persons moving for other reasons.

↑ A study commissioned by UNHCR in 2013 indicated that many of the people who arrived in Libya after escaping persecution or insecurity in their home countries did not intend to move any further.

Only some had left their countries with the specific intention of reaching Europe. However, as the security environment in Libya deteriorated, many refugees and asylum-seekers present in the country were compelled to flee onwards. The situation in Libya, characterized also by the absence of effective border control and breakdown in law and order, resulted in a significant increase in irregular departures by sea: by July 2014, over 83,000 persons risked their lives travelling from Libya to Italy in dangerous, unseaworthy boats.<sup>4</sup>

Movements to Israel halted through the Sinai route after the completion of a 242-kilometre fence on the Israeli border with Egypt and the Israeli adoption of strict legislative measures aimed at deterring new entries. Restoring family unity for separated children has remained challenging under these restrictions. An increasing trend has also been observed of Syrian refugees moving from Lebanon, Jordan and Egypt to Benghazi and making their way towards Tripoli as a departure point towards Europe in search of asylum and protection.

The Gulf Countries continue to adopt particularly restrictive immigration policies, but yet remain an attractive destination for millions of migrants seeking employment. UNHCR works with the governments in the region to identify and intervene in cases of persons of its concern in detention and those stranded at airports. Yemen has remained an important destination, as well as transit country for asylum-seekers and migrants for access to the Gulf States.

<sup>4</sup> Approximately 85 per cent of the total number of arrivals to Italy by the end of October 2014 are believed to have departed from Libya.

UNHCR activities in the region have aimed at supporting preventive and response strategies. Through 2013 to mid-2014, UNHCR carried out advocacy for the imperative of upholding the principle of *non-refoulement*, and provided training on mixed migration and sexual and gender-based violence. In Israel, UNHCR initiated together with the Government a psychosocial support pilot project. In North Africa, UNHCR works to build the capacity of migration-management officials on protection-sensitive entry systems and to combat trafficking in human beings. It also collaborates with IOM on the assisted voluntary return of migrants and rejected asylum-seekers. Joint approaches have also been adopted for the identification of victims of human trafficking for response referrals. In Egypt, a project is in place to assist victims of human trafficking in need of resettlement, including survivors of torture, women and girls at risk, adolescents at risk and individuals with legal and physical protection needs.



Since early 2013, UNHCR has conducted monitoring missions in the eastern region of Morocco through which more than 90 per cent of irregular mixed movements occur. In Libya, in response to what it sees as a growing emergency, UNHCR had started the *Know before You Go* information campaign before it was put on hold due to the security situation. The awareness raising campaign, organized in partnership with the Coast Guard, NGOs, UN partners and asylum-seekers, aimed at providing accurate information about the potential risks of irregular sea travel.

In Yemen, UNHCR works to build the capacity of its government counterparts and advocates for the adoption of new legislation on asylum, trafficking in human beings and smuggling. In November 2013, supported by UNHCR and IOM, the Government of Yemen hosted a second **Regional Conference on Asylum and Migration**.

↑ A direct outcome of the conference was the Sana'a Declaration, which is an important step in the process of addressing issues related to asylum and migration in the wider region.

The Declaration aims to address the root causes of mixed migration as well as improve law enforcement, search-and-rescue capacity, support for voluntary return programs and enhance employment opportunities. The Declaration also seeks to raise awareness in countries of origin, increase regional and international cooperation, and, crucially, strengthen refugee protection.

## MIXED MIGRATION: LIBYA AT THE CROSSROADS

*Mixed Migration: Libya at the Crossroads Mapping of Migration Routes from Africa to Europe and Drivers of Migration in Post-revolution Libya*<sup>5</sup> is a study carried out by Altai Consulting in 2013, planned and commissioned by UNHCR. Its main objective was to gain insight into the mixed migration dynamics on the route from the East and Horn of Africa to Libya in the post-Gaddafi era, based on extensive field work in Libya, Niger, Sudan, Ethiopia, Somaliland, Malta and Italy. The study provides vital information on travel routes, cost, entry points and conditions of the journey, as well as on the dynamics and economics of the smuggling business, and the various protection problems refugees and asylum-seekers face during their journey.

<sup>5</sup> *Mixed Migration: Libya at the Crossroads – Mapping of Migration Routes from Africa to Europe and Drivers of Migration in Post-revolution Libya*, <http://www.refworld.org/docid/52b43f594.html>.



# EUROPE

Countries in **South-Eastern Europe** continue to cope with the consequences of large-scale displacement from the 1991-1995 conflicts, but have increasingly become a destination for refugees and migrants from outside the region. Turkey on its part hosted over one million Syrian refugees in and outside refugee camps as of end-November 2014. Latest estimations indicate that approximately 60 per cent of Syrian refugees crossing into Turkey are children. The refugee influx from Syria and Iraq continues as tens of thousands of people continue to cross into Turkey.

The situation in Ukraine presented specific challenges to neighbouring countries. Most Ukrainian citizens leaving their country due to violence have chosen not to seek asylum, but have sought a different legal status, such as residence or work permits. From January to end-November 2014, over 490,000 persons had been displaced throughout Ukraine, and another 230,000 Ukrainians had applied for asylum elsewhere in Europe, the majority in the Russian Federation.

Challenges in the region include ensuring access to territory and asylum procedures, as well as the prevention of *refoulement*, including by way of deportation or extradition. Limited access to protection for some nationalities and meagre integration opportunities lead many to attempt to seek asylum in other European countries. Referral mechanisms for protection responses are often not fully operational, but the existing systems constitute a solid basis on which responses can be built at the regional level. UNHCR works towards strengthening State and local partner capacity to address the mixed migration movements in a more predictable, efficient and protection-sensitive manner.

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↑ To address the protection gaps in 2013, UNHCR launched the **Quality Initiative in Eastern Europe and the Southern Caucasus**, which seeks to ensure quality refugee status determination, access to asylum and enhanced screening through training in six countries.

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UNHCR and IOM have additionally launched a **Western Balkans regional asylum and migration initiative** in July 2013, to assist States in the region to develop comprehensive and protection-sensitive refugee protection and migration management systems.

2013 witnessed a significant increase in mixed migration into the **European Union** (EU), in particular from North and East Africa. The record numbers of arrivals through the Mediterranean is felt across the region as many seek to make their way to Northern Europe. Over 165,000 people arrived irregularly by sea to Europe by the end of the third quarter of 2014.<sup>6</sup> Two months later, the number of arrivals had risen to over 200,000. In Greece, where UNHCR is providing operational support to authorities dealing with initial reception, the numbers of estimated arrivals increased by almost 300 per cent in 2014 and were outpaced only in Italy where a staggering 160,000 persons have been disembarked by end of November 2014. Eritrean and Syrian refugees notably represent some 50% of the arrivals. Most of them prefer to move onwards to claim asylum in other European States, as opposed to Italy where they first arrived.

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↓ 2013 was also a record year of asylum claims lodged in the EU with a 30 per cent increase compared to 2012. Syria became the main country of origin for people seeking asylum in the European Union. More than half of the Syrians in the EU applied for asylum in Germany or Sweden.

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Increased measures to curb irregular border crossing in Bulgaria, and a lack of legal alternatives left many with no option than to rely on smugglers. In January 2014, UNHCR called for the temporary suspension of all asylum-seeker transfers to Bulgaria due to systemic deficiencies in reception conditions and asylum procedures until the reception conditions were improved. The Government of Malta recently revised its policy of detaining all irregular arrivals to allow unaccompanied minors to stay in open accommodation.

UNHCR offices are progressively engaging in promoting better coordination between national authorities and introducing/ enhancing mechanisms to identify vulnerabilities. The European Commission-funded project *Responding to Vulnerability in Asylum* (RVA) concluded in 2013. The project aimed to improve responses to vulnerable applicants in the asylum systems of Bulgaria, Hungary, Poland, Romania and Slovakia. UNHCR is working with several Governments to put in place an enhanced framework for joint monitoring procedures at the borders, to ensure access to territory for refugees and asylum-seekers, and to build capacity to promote protection-sensitive border policy.



#### SAFE AND SOUND

Together with UNICEF, UNHCR published *Safe and Sound: What States can do to ensure respect for the best interests of unaccompanied and separated children in Europe*<sup>7</sup> in November 2014, designed to support States in the EU and EFTA countries seeking to establish or improve arrangements for identifying unaccompanied and separated children.

#### CENTRAL MEDITERRANEAN SEA INITIATIVE

Despite over 150,000 people being rescued by Italy's extraordinary *Mare Nostrum* operation from October 2013 to November 2014, over 3,400 people are estimated to have lost their lives at sea in the Mediterranean in the first eleven months of 2014. **The Central Mediterranean Sea Initiative** proposes 12 concrete steps aimed at saving lives. Proposed steps within the European Union involve strengthened cooperation in search and rescue, predictable disembarkation, enhanced capacity of reception centres, establishing profiling and referral mechanisms, access to durable solutions, and support for timely return of refugees.

<sup>6</sup> *So Close Yet So Far From Safety*, October 2014, <http://www.unhcr.org/542c07e39.html>.

<sup>7</sup> *Safe and Sound: what States can do to ensure respect for the best interests of unaccompanied and separated children in Europe*, October 2014, <http://www.refworld.org/docid/5423da264.html>.



# ASIA

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The **Asia-Pacific** region has traditionally been characterized by large-scale migratory movements including stateless persons, refugees and asylum-seekers – often by sea. Most of the current movement takes place within the region, but smugglers facilitate increasing flows from Africa and the Middle East. The movement of Syrian and Somali refugees has seen a significant increase in the region.

Over 6,500 persons of concern to UNHCR who travelled by sea remained in immigration detention facilities in November 2014, including over 4,600 who are either in Australia or its offshore processing centers in Nauru and Papua New Guinea. Serious concerns have been expressed at Australia's deterrence policies and its interception of ten boats with more than 400 people on board.

UNHCR continues to cooperate with States in the region to strengthen refugee protection in mixed migratory movements. In 2014, UNHCR and the Government of Indonesia co-chaired two workshops. The workshop on *Mapping Disembarkation Options: Towards Strengthening Cooperation in Managing Irregular Movements by Sea*, organized in March under the auspices of the Bali Process Regional Support Office (RSO), was aimed at establishing a consultative and collaborative process to map disembarkation options in selected countries. The second workshop on *Protection of Irregular Movements of Persons at Sea* held in April 2014 discussed practical ways to implement a protection-sensitive migration management system that strikes a balance between States' control of their borders and their obligations to ensure the protection of the rights of refugees moving by sea. It followed up on the planned implementation of the **Jakarta Declaration**, which was adopted by the *Special Conference of Irregular Movements of Persons by Sea* in August 2013.

UNHCR is also engaged in addressing issues of trafficking in human beings through regional and inter-agency arrangements. UNHCR collaboration with Singapore Management University (SMU) has resulted in the compilation of international, regional and national frameworks to address trafficking in seven countries of the region.

The number of persons resorting to irregular movement by sea in South-East Asia has been growing, in particular due to the outbreak of violence in Myanmar in 2012. In the 12 months ending June 2014, the number of people departing irregularly by sea from the Bangladesh-Myanmar border area increased by 61% compared to the previous 12 months. Approximately 54,000 people were reported to have embarked on irregular sea journeys passing through South-East Asia between January and November 2014. In order to address the gaps in information, UNHCR has established a dedicated *Maritime Movements Monitoring Unit* (MMMU) in Bangkok to collate information on maritime movements in the region and to record abuses that asylum-seekers and migrants face on their journeys. A report on irregular maritime movements in South-East Asia between January and June 2014 is available at: <http://www.refworld.org/docid/53f74c194.html>.

**Central Asia** is one of the main transit corridors used by migrants, and to some extent refugees. Informal cross-border movements between Afghanistan and Pakistan, as well as movement of Afghans crossing from the Islamic Republic of Iran into Turkey continued through 2013 and into 2014. Due to increased extradition of Uzbek nationals, the number of asylum-seekers from Uzbekistan in Kazakhstan has significantly decreased since 2010.

UNHCR assists governments in the region with the implementation of the **10-Point Plan of Action on Refugee Protection and Mixed Migration**, focusing on data collection and analysis, protection-sensitive entry systems, reception arrangements, mechanisms for profiling and referral, and differentiated processes and procedures. Efforts have been made to put asylum and refugee protection issues on the agenda as part of the wider migration perspective, especially through the regional cooperation frameworks. A Regional Consultative Process (RCP) on Refugee Protection and International Migration, the **Almaty Process**, was established to address the challenges resulting from mixed migratory movements jointly.

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↑ In July 2013, a Ministerial meeting of the Almaty Process formally endorsed the operating modalities of the process and suggested that the *Regional Cooperation Framework to Address Mixed Movements in Central Asia* could be used as a basis for developing a broader regional cooperation framework.

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↑ Upon request from the Government of Turkmenistan, UNHCR supported the organization of a regional conference on Migration and Statelessness in June 2014.

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This conference aimed to identify best practices for addressing situations of statelessness and for improving migration management regionally and globally. The first Senior Officials Meeting of the Almaty Process during the chairmanship of the Kazakh Government was held in Almaty, Kazakhstan, in November 2014.

**Statelessness** remained an underlying cause of migration for a number of people on the move. Only a minority of countries have procedures in place for the identification, registration, and documentation of stateless persons, which often left stateless migrants at risk of being unrecognized and unable to benefit from the rights that States who are party to the *1954 Convention relating to the Status of Stateless Persons* are bound to provide to them. Many stateless persons in a migratory context faced acute challenges in obtaining travel, civil and nationality documentation, and were therefore left particularly vulnerable to detention, discrimination and exploitation. Furthermore, in many cases, undocumented migrants and refugees fleeing violence were confronted with the risk of being rendered stateless as the State of assumed nationality failed to confirm them as nationals. In November 2014, UNHCR launched a **Campaign to End Statelessness** in a decade aiming to increase the number of States who grant protection status to stateless migrants and to facilitate their naturalisation.

Limited progress was made during the update period to reduce the number of stateless persons through the acquisition or confirmation of nationality. According to the available information, less than 50,000 stateless persons in 19 countries acquired nationality during 2013, far less than in previous years.



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# AMERICAS

The Americas region continues to witness large-scale mixed movements originating from within and outside the region by land and sea, and also experiences trafficking in human beings. In addition to the movement of Cubans and Haitians, in Central America – in particular El Salvador, Guatemala and Honduras, as well as Mexico – a multiplicity of causes lead to movements both internally and across borders. Drivers include economic, political and social constraints, the potential for family reunification, the role of smugglers and, increasingly, violence and insecurity caused by transnational organized criminal groups.

Asylum claims by Central American nationals increased mainly in the United States of America (U.S.), Mexico, but also in Costa Rica, Nicaragua and other neighbouring countries. Children and adolescents, as well as women and LGBTI<sup>8</sup> individuals, were particularly affected as shown by the spike of arrivals in the United States and Mexico. According to statistics of the U.S. Customs and Border Protection, between October 2013 and September 2014, a total of 68,541 unaccompanied children and an additional 68,445 family units were apprehended at the Southern border of the United States alone.

↓ UNHCR's 2014 *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the need for International Protection* report indicates that 58 per cent of the children interviewed during and after October 2011 were forcibly displaced because they suffered or faced harms that indicate a potential or actual need for international protection.

Mixed migratory movements in the Caribbean region rose significantly resulting in frequent incidents at sea, rescue-at-sea operations, disembarkation and return procedures, often implemented without the necessary safeguards for persons with specific protection needs, especially those in need of asylum. While many incidents go unreported in the absence of a comprehensive data collection system, between January and June 2014, UNHCR recorded that incidents had increased by 15% in comparison to the same period in 2013. By end of November, UNHCR was aware of 25 deaths in maritime incidents that had involved over 4,700 persons in 2014.

<sup>8</sup> Lesbian, Gay, Bisexual, Transgender and Intersex.

UNHCR addresses the challenges posed by mixed migration in the region through partnerships with regional organizations. UNHCR also participated in the two Regional Conferences on Migration (RCM-Puebla Process and SCM-Lima Process) with IOM to support Governments to build up and strengthen their asylum systems and to ensure identification and referrals of persons in need of international protection. This support includes capacity building on the application of the *10-Point Plan of Action*, establishment of protection-sensitive entry systems, child protection, as well as responses to gender-based persecution. The **Quality Assurance Initiative** (QAI), which aims to establish continued quality control and management of refugee status determination procedures, was extended in 2014 to include Brazil and Argentina.

The greatest challenge in the region remains the implementation of effective identification and referral mechanisms for vulnerable migrants and refugees both at the borders and inside national territory. To this effect, UNHCR and IOM encouraged States to implement the regional guidelines adopted in June 2013 by the RCM-Puebla Process. In June 2014, the RCM adopted the *Managua Extraordinary Declaration* creating an Ad Hoc Group on Migrant Children, based on a UNHCR/IOM proposal, to promote immediate actions to provide effective protection to UASC.

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↑ In 2014 the Cartagena+30 process provided an opportunity for Latin American and Caribbean States to strengthen the regional protection framework and respond to current protection challenges, also in the context of mixed migration.

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States have adopted a new Declaration and Plan of Action for the protection of displaced and stateless persons, which sets out the regional protection strategy for the next decade.

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#### PROTECTION-SENSITIVE LABOUR MIGRATION

Recent developments have been positive. In the MERCOSUR (Mercado Común del Sur) context, refugees may soon move temporarily from their country of asylum to a third country in order to pursue employment and educational opportunities. The scheme reflects a solidarity programme launched as part of regional cooperation amongst MERCOSUR Member States.

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#### CHILDREN ON THE RUN

As crime and violence have increased in Mexico and Central America, a troubling trend has emerged among those seeking asylum: the number of children making the treacherous journey to safety alone and unaccompanied, particularly from El Salvador, Honduras, and Guatemala, has doubled each year since 2010. UNHCR's 2014 report *Children on the Run*<sup>9</sup> contextualizes the state of citizen security in the region and analyzes the root causes behind the growing movement based on interviews with more than 400 unaccompanied and separated children.

<sup>9</sup> *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the need for International Protection*, <http://www.refworld.org/docid/532180c24.html>.



# UNHCR AND GLOBAL DEVELOPMENTS ON REFUGEE PROTECTION IN MIXED MIGRATION

“By creating an environment in which migrants’ rights are respected, we will also be creating an environment in which UNHCR can more effectively exercise its mandate for refugee protection and solutions.”

United Nations High Commissioner for Refugees, Mr. António Guterres

**PARTNERSHIPS IN THE GLOBAL ARENA** – UNHCR engages in a myriad of global and regional multilateral partnerships related to migration. The relevance of this engagement and its advantages for refugee protection are clear, as the interconnections have exponentially increased with mobility becoming more widespread and complex. It is essential that UNHCR remains part of these discussions to situate and safeguard refugee protection within broader migration strategies and frameworks to respond to forced displacement. Such global settings notably include the 2013 UN High Level Dialogue on International Migration and Development (HLD), the Global Migration Group (GMG) and the Global Forum for Migration and Development (GFMD), as well as regional consultative processes.

As an outcome of the 2013 HLD, UNHCR has been involved in a State-led initiative to develop a framework on Migrants in Countries in Crisis. This initiative addresses operational field responses to emergency situations involving third country nationals and stranded migrants.

UNHCR also continues to collaborate bilaterally and through regional and national initiatives with States, UN agencies, IOM, NGOs and local communities.

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**DETENTION** – Some governments have increasingly chosen to detain those arriving in an irregular manner as one way to deter potential future irregular migration. UNHCR has identified the detention of asylum-seekers, including children, as one of its corporate priorities. The five-year **Global Strategy Beyond Detention 2014-2019**<sup>10</sup> was launched in July 2014 to address the range of practices not in conformity with international human rights standards. Guidance issued by UNHCR includes *Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention*,<sup>11</sup> revised in 2012, and a *Monitoring Immigration Detention: Practical Manual*,<sup>12</sup> developed jointly with the Association for the Prevention of Torture (APT) and the International Detention Coalition (IDC) and issued in 2014. Both guides draw on international human rights law standards and apply them in the context of asylum-seekers, refugees and stateless persons.



<sup>10</sup> *Beyond Detention: A Global Strategy to support governments to end the detention of asylum-seeker and refugees 2014-2018*, <http://www.refworld.org/docid/536b564d4.html>.

<sup>11</sup> *Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention*, 2012, <http://www.refworld.org/docid/503489533b8.html>.

<sup>12</sup> *Monitoring Immigration Detention: Practical Manual*, 2014, <http://www.refworld.org/docid/53706e354.html>.

UNHCR continued to strengthen its partnership to reduce detention. In 2013, UNHCR and IDC signed an MoU to join efforts towards working on alternatives to detention through advocacy and campaigns to improve detention standards, technical cooperation and capacity building, research and monitoring, and information sharing. UNHCR also continues to support the work of the Working Group on Arbitrary Detention (WGAD).

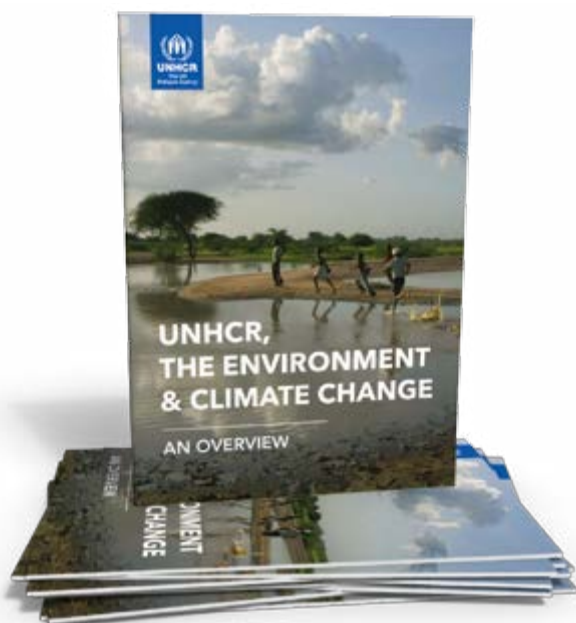
“*We came looking for peace and stability, but instead we are in prison. This is not protection.*”

Graffiti on the wall at Lyster Barracks Detention Centre, Malta

EFFORTS TO ADDRESS A NUMBER OF CHALLENGES CONTINUE, SPECIFICALLY WITH REGARD TO:

- Accessing and monitoring places of immigration detention to ensure that minimum international standards are met
- Ensuring that detained persons in need of international protection have access to information on their rights to seek asylum and can access fair and efficient asylum and other protection procedures
- Improving information and statistics on global detention policies and practices
- Ending child detention for immigration related reasons

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#### UNHCR'S ROLE IN MIGRATION AND CLIMATE CHANGE<sup>14</sup>

Of some 51.2 million persons of concern to UNHCR, the vast majority are concentrated in 'climate change hotspots' around the world.

Together with the Norwegian Refugee Council and IDMC, UNHCR is implementing a project on climate change and displacement which aims to build an evidence base and equip States with tools and guidance for action. Through this project UNHCR is supporting the State-led Nansen Initiative on Disasters and Cross-border Displacement that conducted a series of Regional Consultations in the Pacific, Central America, the Greater Horn of Africa and South-East Asia to develop a 'protection agenda' addressing the needs of people displaced across international borders in the context of disasters and the effects of climate change. In March 2014, UNHCR co-organized with the Brookings Institution and Georgetown University an expert consultation

that brought together 43 experts in a range of disciplines from 21 countries to develop guidance together with governments and international actors on planning for relocations of populations exposed to foreseeable hazards.

UNHCR is also working alongside IOM, UN agencies, academics and non-governmental organisations in an Advisory Group on Climate Change and Human Mobility with the aim of leveraging evidence and enhancing knowledge and understanding of human mobility prompted by climate change in several major interrelated policy processes such as the Climate Change Negotiations (UNFCCC process), the Post-2015 development agenda and the disaster risk reduction conference.

<sup>13</sup> *Global Initiative on Protection at Sea*, <http://www.refworld.org/docid/53abd14d4.html>.

<sup>14</sup> *UNHCR, the Environment and Climate Change*, <http://www.unhcr.org/540854f49.html>.



“ In the sea people do not only die from drowning. They die of heat, of thirst and from fear.”

Asylum-seeker who crossed the Mediterranean Sea

### GLOBAL INITIATIVE ON PROTECTION AT SEA

Loss of life at sea continues to grow with tragedies in the Mediterranean, Gulf of Aden, Caribbean and the Asia-Pacific. This is an ongoing challenge as more and more refugees take to the sea, often in unseaworthy boats, risking their lives in desperate attempts to access asylum. This global phenomenon highlights gaps in search, rescue, disembarkation and responsibility sharing, which are often challenged due to lack of political

will of affected States. UNHCR’s **Global Initiative on Protection at Sea**<sup>13</sup> was launched in 2014 and aims to support action by States and regions to prevent loss of life at sea while ensuring that asylum-seekers and refugees can find protection. **The High Commissioner’s Dialogue on Protection at Sea**, to be held on 10-11 December 2014, seeks to develop a broad consensus on rescue-at-sea issues, safe and predictable disembarkation and responsibility sharing, as well as the need for comprehensive approaches to protection at sea.

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### UNHCR FIELD CONSULTATIONS ON REFUGEE PROTECTION AND INTERNATIONAL MIGRATION

UNHCR’s Asylum and Migration Unit in the Division of International Protection organized **Field Consultations on Refugee Protection and International Migration** in Geneva in November 2013. The Consultations were considered essential to bring together experienced field staff working on the issue to brainstorm on challenges arising from the intersection between international migration and protection of refugees. The principal aim was to cross-fertilize ideas by drawing upon the experiences of field offices and Bureaux, in order to identify institutional approaches to refugee protection in international migration contexts.

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### UPDATE ON 10-POINT PLAN

**10-Point Plan of Action on Refugee Protection and Mixed Migration**<sup>15</sup> was developed by UNHCR in 2006 to harmonize the approaches for the management of refugee protection amidst migratory movements. A compilation of 200 examples of positive experiences was published in 2011 in the **10-Point Plan in Action**<sup>16</sup> to permit further cross-fertilization of ideas in view of better assisting governments and stakeholders to facilitate the incorporation of refugee protection considerations into migration policies. The examples have benefitted the development and implementation of comprehensive and protection-sensitive responses to address mixed migration. UNHCR continues to cross-fertilize experiences from the implementation of the 10-Point Plan.

### UNHCR GUIDELINES ON TEMPORARY PROTECTION OR STAY ARRANGEMENTS

The UNHCR **Guidelines on Temporary Protection or Stay Arrangements**<sup>17</sup> (TPSA) were issued in 2014 and are intended to be a useful tool for States at times of crises, to fill gaps in the protection regime and national response systems. The Guidelines build on international consultations and draw from lessons learned from existing regional protection instruments and arrangements. They are directly relevant to mixed migration scenarios calling for immediate assistance and responses to protection needs. The TPSAs are especially appropriate for regions where there are few States parties to the 1951 Refugee Convention relating to the Status of Refugees and/or the 1967 Protocol, regional refugee or other protection instruments, or where these instruments are difficult to, or do not apply because of the character of the movements.

<sup>15</sup> The 10-Point Plan of Action, <http://www.refworld.org/docid/45b0c09b2.html>.

<sup>16</sup> Refugee Protection and Mixed Migration: The 10-Point Plan in action, <http://www.refworld.org/docid/4d9430ea2.html>.

<sup>17</sup> Guidelines on Temporary Protection or Stay Arrangements, <http://www.refworld.org/docid/52fba2404.html>.

