



UNHCR

United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

**65th Session of the Executive Committee
of the High Commissioner's Programme**

Agenda item 5(a)

**Statement by Volker Türk
Director of International Protection**

Mr Chairman, distinguished delegates, ladies and gentlemen,

I am grateful for the opportunity to introduce the protection item during the annual session of the Executive Committee. Before you, to inform the debate, are the annual *Note on International Protection*,¹ various papers on specific aspects of protection² and, of course, the protection-related aspects of your own discussions during Standing Committee meetings in 2014. I would like, first, to share with you today some reflections on UNHCR's protection work. I will then provide a general overview of the state of protection in the current environment. Finally, I will highlight the importance of *prevention as a corollary to protection*, developing this theme further by looking specifically at statelessness, internal displacement, solutions and mixed movements.

Concepts of protection

There has been a welcome focus of late on protection both within and outside the UN. This renewed attention has helped to deepen our understanding, as well as highlight the many different notions of and approaches to protection, used by humanitarian, security, human rights, development and political actors.

Protection is central to any humanitarian response. The role of humanitarian actors does not diminish the fundamental responsibility of each State towards everyone subject to its jurisdiction. Yet refugee and statelessness matters are of concern to the international community as a whole, are therefore inherently international, and often call for collective responses. States long ago recognized the need for an independent entity to represent their collective interest in relation to matters of a fundamentally international character. The UN General Assembly recognized this fact in one of its first resolutions and subsequently established UNHCR as the institution guarding the collective interest around refugee and statelessness matters, including through its supervisory role regarding implementation of the relevant conventions.

Such a nuanced concept of protection applies, to some extent, also to activities for returnees, internally displaced persons and civilians affected by armed conflict, or even large-scale disasters [human-made or otherwise] classified as complex emergencies. In these circumstances, international humanitarian action takes place in support of national action. It equally seeks to reinforce local and community-based protection mechanisms and strengthen the resilience of affected populations. Whilst the responsibility for

¹ See the Note on International Protection [<http://www.unhcr.org/53aa90949.html>].

² See, for example, Progress report on resettlement [<http://www.unhcr.org/53b69fa89.html>]; Child protection, including education [<http://www.unhcr.org/53aa91099.html>]; Age, gender and diversity [<http://www.unhcr.org/53aa912c9.html>]; Update on solutions [<http://www.unhcr.org/53aa914f9.html>]; Statement of Director of International Protection at the 60th Meeting of the Standing Committee [<http://www.unhcr.org/53c8d1449.html>]; Report of the 60th Meeting of the Standing Committee [<http://www.unhcr.org/541073a49.html>].

protection lies squarely with the State and parties to a conflict, the international community promotes and assists [when appropriate] the fulfilment of these responsibilities. Promoting respect for human rights, international humanitarian law and the rule of law more generally is therefore an important component of humanitarian action.

Indeed, protection must be the primary motivation behind a humanitarian response and the end goals of its programmatic components [including through mainstreaming]. Protection must guide the manner in which the humanitarian response is organized but it must also encompass specific services and activities, such as registration, SGBV response, organised relocation or child protection. At the same time, humanitarian action, all too often the only visible demonstration of international solidarity in war-ravaged countries, cannot replace State structures, nor the political action necessary to end conflict and build peace. Whilst protection actors can reinforce community self-protection mechanisms, advocate for political solutions and galvanize global support, they cannot alone provide physical safety, even if their presence contributes to it. By asking too much of humanitarian actors in such contexts, we may blur responsibilities, instrumentalize the humanitarian response and raise undue expectations. It is therefore critical to delineate, realistically, in each context what protection in humanitarian settings can and must do, being clear about its potential, as well as its limitations.

Such limitations are determined by fundamental humanitarian principles. There are, for example, inherent limitations for humanitarian action in investigating violations of human rights or humanitarian law, notably in active conflict situations. This confirms the need for a complementarity of roles and mandates, as well as a wide range of effective partnerships. At the same time, protection can temper an otherwise politically charged humanitarian environment, notably in the absence of political solutions to crises, and it has the potential of bridging the gap between humanitarian action and longer-term issues, such as addressing underlying causes of displacement. Taken from this perspective, protection can also contribute to prevention.

Mr Chairman,

Against this background, and before turning to the prevention theme of this year's statement, please allow me to provide you with a quick overview of major protection-related developments, including some of the progress and challenges we have experienced in relation to several recurring issues. Other developments are reported in the *Note on International Protection* and in my remarks to the Standing Committee in July.

General overview

At last year's Executive Committee, I began my presentation by drawing attention to the dramatic displacement situation we were facing globally. Looking back over the past year, it is sobering that today's crises have reached even greater proportions, with displacements characterised by an unprecedented degree of complexity. This year has seen a seemingly continuous stream of new outflows, crises and, inevitably, a myriad of protection challenges. It has to be applauded that, by and large, first countries of asylum have kept their borders open and communities the world-over have continued to show remarkable generosity and solidarity. Despite difficult public debates ahead of elections, a number of politicians have demonstrated admirable leadership defending the refugee cause. Host countries have spent billions of dollars on health care, education, water and sewage systems, and housing to cope with these sudden surges in population. Equally, most donor countries have made extraordinary efforts to mobilize additional resources in response. This being said, the needs are tremendous and growing.

Against this backdrop, some of the more notable protection challenges included a number of egregious cases of *refoulement*; an increase in the abduction and unlawful removal of asylum-seekers and refugees from their countries of asylum; instances of arbitrary detention; toxic and polarised domestic debates on asylum issues in several countries; as well as States entering into bilateral arrangements for the transfer or relocation of asylum-seekers and refugees that shifted burdens, at variance with international standards.

UNHCR has continued to provide guidance, including before courts.³ We have also launched our Global Strategy – *Beyond Detention* – at the July Standing Committee, promoting, *inter alia*, national action plans to end the detention of children and, more generally, to find appropriate alternatives to detention. UNHCR, together with its NGO partners, also released a manual on monitoring places of immigration detention.

I would like to recognise the positive steps undertaken in many countries in Europe and select countries in the Americas, as well as Turkey and Morocco, in improving their asylum systems. Moreover, some 50 States are currently in a process of revising their legislation, including in follow-up to pledges made at the Ministerial Meeting in December 2011. UNHCR is also supporting EU Member States in the transposition process of the recast directives.

By contrast, a further dramatic increase in individual refugee status determination [RSD] applications registered by UNHCR obliges me to draw your urgent attention again to the increasingly untenable situation facing our mandate RSD operations. In 2013, UNHCR registered 194,600 new individual RSD applications compared to 110,700 in 2012. Initial statistics from 2014 confirm a further increase. While we have made considerable progress in enhancing the efficiency and quality of our mandate RSD operations, these measures alone will not suffice at a time of unprecedented simultaneous emergencies. We are therefore in the process of reviewing our largest mandate RSD operations to explore alternatives to individual RSD as well as institute further streamlined case processing, whilst simultaneously enhancing our efforts to strengthen Government RSD systems. Let me take this opportunity to renew my call on Governments to assume greater responsibility for RSD and, in particular, to embrace group-based protection mechanisms, including where appropriate temporary protection.⁴

The testimonies of refugees and the internally displaced make it clear that the reasons compelling them to flee their homes are manifold and multi-faceted. Underlying today's armed conflicts are grabs for power and resources, pitting one group against another, social exclusion, all too often deeply intertwined with inadequate legal systems and the absence of law and order. Certain forms of persecution and oppression carried out in peacetime have not subsided, and experience has shown us that they are often precursors to wholesale armed violence. Most violent conflicts today are characterized by an utter disregard for civilian life. The way in which today's conflicts play out on the battlefield, the use of barrel bombs, for example, or indiscriminate mortar attacks in densely populated civilian areas, or the deliberate destruction of vital infrastructure, including health facilities and schools, all result in rendering civilians the primary victims of conflict. Gross and systematic violations of human rights and international humanitarian law are widespread, including, in the context of humanitarian action, through the obstruction of humanitarian access or the deliberate targeting of humanitarian workers.

In such situations the most vulnerable are also the most affected, including in particular children who often outnumber adults in the displacement context. This Committee is well aware of the destructive effects of displacement on children, particularly when induced by conflict. Having lost their homes, possessions and often their families, displaced children are particularly at risk of sexual exploitation, abuse, lasting psychological trauma and recruitment by militants or criminal gangs. In cities, children face other risks, such as xenophobia, early marriage, exploitation in informal labour markets and detention. Smuggling and trafficking are becoming an ever greater threat to refugee children, and especially to adolescent boys and girls. Many children who seek asylum today travel alongside migrants and use the same clandestine channels. Not all of them reach their destinations in safety – or at all.

Children who are not in school are significantly more vulnerable to these risks. But access to education remains challenging both in protracted and more recent displacement contexts. Ensuring access to education therefore needs to be an integral part of the emergency response. Estimates indicate that in some contexts over 50% of refugee children remain out of school. Yet, significant progress has been

³ See *Guidance Note on safeguards against unlawful or irregular removal of refugees and asylum-seekers* [<http://www.refworld.org/docid/530afbd84.html>] or *Guidelines on International Protection No.10: Claims to Refugee Status related to Military Service within the context of Article 1A (2) of the 1951 Convention and/or the 1967 Protocol relating to the Status of Refugees* [<http://www.unhcr.org/529efd2e9.html>]. In the future, calls for contributions to Guidelines will be made via UNHCR's website.

⁴ See *Guidelines on Temporary Protection or Stay Arrangements* [<http://www.unhcr.org/53aa90949.html>].

made, for example, in Rwanda, Uganda, Niger, Burkina Faso, Cameroon, Republic of Congo, Jordan and Lebanon, where refugee children are now allowed to attend local schools. UNHCR is also taking steps to increase girls' enrolment and retention in school by implementing good practices such as providing take-home food rations for girls; literacy courses for adults and in particular for parents; and flexible schooling, including home-based schooling.

Our ability to ensure protection in such contexts is often highly dependent on seamless cooperation between relevant national actors, such as, social welfare authorities, immigration and asylum authorities, border control, as well as civil society actors. It is, for example, with the cooperation of national civil registration authorities that refugee children will be registered at birth, and by engaging with national ministries of education that refugee children can be included in local schools. We are charting the way forward by expanding partnerships between UNHCR, different government bodies and civil society.

Another priority area for UNHCR is addressing sexual and gender-based violence [SGBV] which remains one of the top protection risks faced by persons of concern. SGBV prevention and response must therefore be considered life-saving interventions. Our *Safe from the Start* initiative aims to improve protection responses from the outset of an emergency. It seeks to ensure that SGBV prevention and responses are prioritized, along with basic humanitarian assistance. More than 22 countries in Africa, the Americas, Asia and the Middle East have developed multi-year country-level strategies. We will need to pay more attention to addressing survival sex and protecting people with disabilities against SGBV. In the months to come, solar lanterns will be included as part of our core relief items and a mandatory SGBV learning programme will be rolled out to all staff.

Mr Chairman,

As you will appreciate, the challenges are manifold. In addressing them, it is vital that we, as the humanitarian community, keep our focus on effective delivery and be nimble, inclusive and transparent in our approach, including on coordination.

Allow me now to turn to the theme that I'd like to develop further: prevention.

Displacement is one of the most visible manifestations of today's violent conflicts and disturbances of public order. Uprooting people's lives, often from one moment to the next, causes unspeakable human suffering, stunts development and hinders peace. Yet rarely today, do we witness reactions of shame and remorse by those who cause the situations that compel people to flee. It is time for this to change.

Refocusing on prevention that is do-able

The 1990s was a time when talk of prevention was in vogue. At the time, it appeared obvious that the causes of displacement should be addressed at their roots. Given the magnitude of displacement two decades later, the imperative to address the causes of displacement is more urgent than ever. "The need for early action, and the crucial role of responding early to human rights violations, is at the heart of the UN Secretary-General's 'Rights up Front' initiative."⁵ And indeed, prevention is linked to protection, as recognized in paragraph 139 of the 2005 World Summit Outcome.⁶

Displacement is often a preventive self-protection mechanism exercised by the individual or community. In crises triggered by conflict, violence, public disorder or natural disasters, displacement may be the only viable option for survival, including if this means crossing international borders. The role of humanitarian action is, of course, not to promote or enable restrictions on these coping mechanisms, but instead to

⁵ See UN Rights up Front, [<http://www.un.org/sg/rightsupfront/>].

⁶ See General Assembly Resolution 60/1 of 24 October 2005, para. 139: *'We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.'*

advocate with others to address the root causes of displacement, which include violations of human rights, threats to life, social inequality and injustice.

It is evident that prevention is not the sole remit of any one actor. It requires joint strategies and initiatives that contribute to social cohesion and empowerment, alongside the promotion and defense of human rights. A division of labour in respect of mandates, expertise and comparative advantage enhances complementarity and maximizes impact in addressing the root causes of displacement. There are a number of entry points for UNHCR to support and contribute to prevention. Some are well understood and long-standing, and include promoting gender equality specifically and the rule of law and human rights more broadly, while also investing in education and alternative livelihoods. Engaging with affected communities and individuals themselves must be at the very centre of UNHCR's programmes. The Age, Gender, Diversity [AGD] policy promotes a community-based approach and is meant to enable the participation of the displaced and the stateless themselves in decisions that affect their lives. In addition to ensuring that the voices of displaced communities, and women in particular, are heard in peace negotiations, there are other essential elements in promoting sustainable voluntary return in post-conflict contexts, such as securing access to justice and supporting the reintegration of demobilized armed elements, which later help to bridge the gap towards peace. Many situations of displacement could furthermore be avoided or minimized if compliance with international human rights and humanitarian law were to be assured. UNHCR's engagement with human rights mechanisms, treaty bodies, and the Universal Period Review therefore remains crucial.

The causes of displacement are often more complex than they appear, more intertwined and closer to home than our comfort level would allow. Countries with the lowest development indicators and struggling with perennial violent conflicts that trigger displacement often have huge untapped natural resources, although the majority of the population lives without clean water, electricity, education or health services. In consultations this year marking the 30th anniversary of the 1984 Cartagena Declaration on Refugees, civil society has been especially vocal in pointing to the displacement caused by large-scale agricultural and mining projects, especially of indigenous and other vulnerable populations. We must acknowledge that trade in small arms, diamonds, gold and precious metals [needed for our cell phones, for example] have global and tangible repercussions – including in affluent parts of the world. UNHCR therefore welcomes the UN General Assembly's approval of a global arms trade treaty, and hopes that the effective implementation of this treaty will reduce the availability and misuse of arms, leading to a reduction in the number of people displaced as a result of violence.

Another important aspect of prevention is the *rule of law*. To break cycles of violence and criminality, national institutions need to be bolstered in order to provide citizens with security, justice and jobs. It is important to underscore the centrality of the rule of law, functioning justice systems and government effectiveness. Time has come, perhaps, to reframe prevention as a broader governance issue. In our work we are continuously confronted with the impact of the absence of the rule of law, which permits, for example, armed elements to thrive with impunity. Ensuring accountability for human rights abuses is another core element of prevention. National judicial bodies, human rights commissions and traditional justice mechanisms have an important role to play here. Efforts to promote access to justice through mobile courts, community information campaigns and reconstruction of the justice sector need support. Work with affected communities is fostered by building an understanding of rights, including the possibility of accessing judicial or investigative mechanisms.

Against this background, it is interesting to note that a study⁷ found that an increased focus on long-term development problems, such as State policies that encourage social exclusion, weak legal systems and poor security services, will help shift protection work upstream – addressing some of the causes of harmful behaviour. Equally important, in this sense, are measures to counter extremism, extremist rhetoric and sectarian divides.

⁷ See, Global Protection Cluster, *Placing protection at the centre of humanitarian action: A Study on Protection Funding in Complex Humanitarian Emergencies*, 2013, p.8
http://www.globalprotectioncluster.org/assets/files/news_and_publications/GPC_funding_study_online_EN.pdf.

As we have heard so clearly during this year's Executive Committee, there needs to be a renewed focus on preventive action that goes to the heart of displacement, building on some of the successes we have seen, for instance, in relation to the prevention of statelessness. The adoption of the post-2015 sustainable development agenda and the 2016 World Humanitarian Summit are also important opportunities to infuse both the development and humanitarian agendas with a prevention perspective.

Ending statelessness

Ending statelessness is an effective means of addressing one particular root cause of conflict and forced displacement. This year we mark the 60th anniversary of the 1954 Convention relating to the Status of Stateless Persons. We have just convened the first ever Global Forum on Statelessness in The Hague, attended by 300 people. I was impressed to witness first-hand the growing number and range of governments, NGOs, international organizations, and academics that are now actively working to address statelessness. There are other indicators of positive momentum, including reforms of nationality laws to prevent or reduce statelessness in Côte d'Ivoire, Georgia and Suriname, as well as a further 13 accessions to the statelessness conventions over the past 12 months. The latest being Mozambique only this week. There have been 42 accessions to the two conventions since we launched our accessions campaign in 2011. Birth registration procedures have been strengthened in target operations, drawing on the Executive Committee Conclusion on Civil Registration [No. 111 (LXIV)]. We will continue to advocate with national authorities on the importance of access to birth registration without discrimination. In the Syria situation we have found that audio-visual material and pamphlets have been helpful in disseminating information on birth registration procedures in countries of asylum and on the importance of birth registration across the board.

We have a lot more momentum towards preventing and resolving statelessness today than ever before. Yet much work is ahead of us. The anniversary year is an opportunity for States to ensure that all statelessness-related pledges made during the 2011 Ministerial Meeting are fully implemented. Only a third of statelessness pledges have been implemented thus far. And while there has been impressive progress towards resolving situations of statelessness in the past decade, the pace has diminished in the past year. States reported granting nationality to less than 1% of the world's stateless persons in 2013. We need breakthroughs in the handful of countries which host large stateless populations, and we are of course ready to provide any assistance or expertise in this respect. On 4 November 2014, High Commissioner Guterres will publicly launch the *Global Campaign to End Statelessness*, which will include our strategy for achieving this ambitious objective within the next decade. A report and multi-media tools that spotlight the human face of statelessness and document the devastating impacts on stateless people and their communities will accompany the strategy. Only with increased visibility and understanding can we generate the political will to resolve the many remaining situations of protracted statelessness that persist around the globe.

Working with internally displaced persons [IDPs]

Looking at internal displacement from a prevention perspective can be a tool to respond to displacement early in the cycle so that the upheaval and impoverishment inherent in displacement can be mitigated from the outset. Last year's High Commissioner's Dialogue on Protection Challenges generated fresh thinking and practical recommendations on IDP protection, especially in relation to partnerships, out of camp and urban settings, protection-based solutions and legal and institutional frameworks. By way of follow-up, we have issued provisional guidance on our engagement with IDPs that reaffirms our policy and describes the framework and priorities for UNHCR's engagement in situations of displacement, primarily within the 'cluster system'. Whilst largely intended to strengthen programming, UNHCR's IDP guidance also outlines a number of areas where we can contribute to preventing arbitrary displacement. These include, for example, promoting state responsibility; supporting the development of law and policy on internal displacement; and training and capacity building projects relating to child protection and prevention of gender-based violence.

Within the UN system, UNHCR is working to ensure that humanitarian action is informed across the board by protection priorities. We hope that last year's adoption by the IASC Principals of a statement on the '*Centrality of Protection*' will bolster the critical relationship between protection clusters and Humanitarian Coordinators at country level, so that the latter draw more systematically on the expertise and knowledge of protection actors. At the global level, several recent high-level initiatives aim to deliver on the UN's core commitment to promote and defend human rights. The IASC has made protection a high priority, as evidenced by the request to the Global Protection Cluster to commission an independent whole-of-system review of protection in humanitarian crises.

Conflict-induced crises, such as that witnessed in the Central African Republic [CAR], underscore the vital importance of early action emphasised in *Human Rights Up Front*, which UNHCR has fully embraced. If implemented consistently and with vigilance, such an approach can contribute to mitigating humanitarian crises or, at a minimum, to detecting and acting upon early warning signs of a potential conflict, such as those which preceded the killings and human rights abuses committed over the last year. While not at its core religious or ethnic, the CAR conflict acquired this dimension when panic and fear spread from village to village, pitting neighbour against neighbour. Among other factors, the failure to bring perpetrators to justice for atrocities committed in 2013 gave rise to the formation of armed groups, who took justice into their own hands with murderous intent. A climate of impunity provided an environment in which entire communities were encircled, attacked and forced to flee.

The response needed to prevent the violence occurring in CAR went well beyond the capacity of humanitarian actors like UNHCR. Driven by the protection cluster, however, humanitarian actors developed a strategy aimed at saving lives in communities-at-risk. Mapping such communities allowed for the inter-positioning of international troops in 'hot spots'. Mediation efforts and working with community and religious leaders did in some instances have a preventative effect and reduced tensions. As a measure of last resort, the relocation of communities at extreme risk to areas with a reduced threat was a feature of this strategy.

In other contexts, a greater insistence on the principles of international humanitarian and human rights law is necessary to improve the environment for humanitarian action. In March 2014, for example, building on the experience in Homs [Syria], UNHCR developed minimum standards for participation in humanitarian inter-agency evacuations. These minimum standards are meant to commit all relevant actors to a principled engagement.

UNHCR is likewise giving priority to the promotion of a legal framework for IDPs in CAR and, more recently, in Ukraine. At the same time, UNHCR continues to provide technical support and advice to the DRC, Georgia, Yemen and Somalia to enable these countries to put in place a strong national legal framework that can contribute to preventing causes leading to displacement, enhancing early warning systems and providing the necessary assistance and protection to IDPs.

This brings me to two other areas relating to prevention, which is our work on solutions followed by mixed movements.

Promoting solutions

The most obvious inter-linkage between prevention and solutions is the fact that voluntary repatriation possibilities are dependent upon changed and favourable conditions in areas of origin. Therefore investments in development programmes which lead to lasting change have also advanced solutions. International law requires return to be voluntary, that is, based on a free and informed choice. The year 2013 was marked by a particularly low number of returns, with 414,600 refugees repatriating, and some 1.4 million IDPs returning to their homes. The numbers are, unfortunately, not improving this year – a clear signal that in most displacement situations, sadly, serious obstacles remain to effecting the solution of return, which is often the most fervent wish of the displaced.

Many refugees and IDPs will take the skills and experiences gained in displacement and use them to rebuild their homes and communities. Others will find that they have become contributing members of

societies they fled to when looking for safety and will settle permanently where they were offered refuge. Information available to UNHCR shows that during the past decade at least 716,000 refugees have been granted citizenship by their asylum countries. We have seen some other excellent examples of governments not just making pledges for local solutions but also implementing them. By way of example, the Malian Government is working with Mauritanian refugees towards local integration in communities that have hosted them since their arrival. UNHCR is particularly appreciative of Pakistan for having extended Proof of Registration [POR] cards for Afghan refugees, the Islamic Republic of Iran for facilitating employment possibilities for refugees, and of Tanzania for its recent announcement to issue citizenship certificates to some 200,000 former Burundian refugees.

Resettlement, straddling protection and solutions, continues to create protection space, including in emergency contexts, and has great potential to unlock other solutions.⁸ However, where this is not an option, and if refugees or the internally displaced are not able to go home after years in exile, we need to maintain an emphasis on solutions that is broader than voluntary repatriation and other traditional solutions. Internally, our vehicle to move beyond the 'business as usual' approach has been the interdivisional solutions group, which has given new momentum to planning for solutions.

As a result, we have seen a much stronger emphasis on solutions in 2015 planning. Nineteen operations are being supported by the *Seeds for Solutions* initiative. This entails help in devising multi-year solutions objectives and linking up the different components of their comprehensive solutions strategies. For example, UNHCR is actively exploring the legal right to work as part of livelihoods initiatives in Chad, Costa Rica, Egypt, Ghana, Lebanon, Mauritania, and a number of other operations. Empowering refugees to become self-sufficient, through the full exercise of rights, enables them to contribute to the economic and social development of their host countries. We are working closely with the Government of Ecuador on implementation of a multi-partner solutions approach and we encourage other governments to adopt and support such comprehensive approaches.

Externally we are forging closer relations with development actors and others able to support solutions for persons of concern in the longer-term through the *Solutions Alliance*, launched in April 2014, and which brings together host and donor countries, academics and civil society, UN humanitarian and development organisations. The Solutions Alliance is committed to finding solutions to protracted displacement situations and to start working, through a preventative approach, towards solutions from the beginning of emergencies. It is essential for us to tap into the expertise of the development world, to bring longer-term thinking and a stronger development perspective into the humanitarian and protection response phase which, for instance, in the case of Syria, Iraq, South Sudan, Afghanistan, has become drawn out.

In recognition of advances made to date in the durable solutions process in the Western Balkans, UNHCR has advised countries of asylum to initiate the cessation of status for refugees from Croatia by December of this year, with the possibility to extend this deadline to 2017 in order to allow for the completion of local integration or repatriation processes. We call on all Governments who have made naturalization and residency pledges to fulfil them. We need to revitalize local solutions and continue to encourage States to facilitate this process or alternative legal status where feasible. There is promise in protection-based labour mobility schemes as pathways towards potential solutions. We are working with Brazil and Argentina on the development of a pilot labour mobility scheme that should see Colombian refugees exercising labour mobility rights to take up employment opportunities in the future while benefiting from robust protection safeguards.

Given the fact that the vast majority of refugees live outside camps, UNHCR has made an institutional commitment, through the *Alternatives to Camps* policy, to pursue alternatives to camps, whenever possible. Where camps must be established and where they already exist, they should be phased out at the earliest possible stage or transformed into sustainable settlements. Camps are a microcosm of many things, including of course a reflection of war-shattered societies and broken communities. But they could also

⁸ For more information, see in particular Progress Report on Resettlement, Standing Committee 60th Meeting [<http://www.unhcr.org/53aa90bf9.html>].

be turned into a force of stability, investment and development in parts of a country where such investment would otherwise not have occurred. Yet camps, if not recognized as what they are, namely urban settlements, have an artificial feel to them, as if people's lives had been put on hold.

Ensuring protection in mixed and maritime movements

Tomorrow marks a year since the tragic incident in which 600 people lost their lives in two shipwrecks off the Italian island of Lampedusa, and sadly to say, this trend has continued ever since. Three weeks ago saw the deadliest weekend in the Mediterranean, with at least 500 dead or gone missing in three days. In many countries, mixed and irregular movements, including across seas, pose particular challenges. The movement of people is a global reality, includes increasingly many unaccompanied and separated children and extends from Central America to Mexico and the USA, from sub-Saharan Africa and the Middle East to Europe or from countries within Asia to Australia.

Since the beginning of the year, over 165,000 people crossed the Mediterranean, not least as a result of the precarious situation in Libya and some 3,000 persons are believed to have perished while attempting to cross the Mediterranean. Significant numbers among these are refugees from Syria and Eritrea. Over 20,000 departed from the Bangladesh/Myanmar border, with some 200 possible deaths, and hundreds have attempted the boat journey to Australia. From the Horn of Africa towards Yemen the numbers of those who drowned in the first half of 2014 alone have increased forty-fold from the same period in 2013, numbering some 149 persons at present, this is the highest number since 2010. In the Caribbean, we witnessed 47 maritime incidents involving 1,527 people of varying nationalities, with 14 deaths reported and 14 persons gone missing in the first three months of 2014 alone. The scale of the problem may vary from region to region, but the challenges are similar and addressing them needs to go higher on national, regional and international agendas.

Whether in the context of combating crime or in the context of addressing irregular migration, deterrence is not the solution. This approach may be politically popular, but it disrespects the rights of the majority of people on the move and disregards the facts. Embracing human mobility, demonstrating to the public the evidence-base regarding the advantages of migration, moving away from its criminalization, and working towards legalisation and regularization, would have a range of benefits, not the least of which would be the prevention of further loss of life and prevention of human suffering. We understand that many of you are already pursuing these objectives through different fora, including the Global Forum on Migration and Development.

Experience also shows that unilateral action by individual States does not work. If States repel people, then this simply deflects the burden to other States or, as we have seen – with rising numbers of applications directly filed with us – to UNHCR [placing further strain on the RSD process I mentioned earlier]. At the same time, it places already vulnerable people at even greater risk. Focusing only on law enforcement, border control, combatting trafficking and smuggling, and punishing victims does not stem or halt these movements. Unless States work together to address the humanitarian and protection dimensions of irregular movement – by tackling root causes, improving protection conditions where people are and creating safer and more orderly ways of securing long-term solutions – people will continue to move.

UNHCR applauds search and rescue operations by governments, notably Italy's *Mare Nostrum* initiative which has rescued over 140,000 people this year, and hopes that these systems can be further strengthened around the world - particularly in areas with high concentrations of boat crossings. We have welcomed the EU action plan, in particular its linkages with activities in countries of origin, transit and destination and the operations of the Task Force Mediterranean. We continue to promote worldwide legal alternatives to dangerous sea journeys – such as increased family reunification, speedy resettlement and humanitarian admissions. We have strengthened our own response, presented a new initiative for the Mediterranean and recently established an irregular maritime movements monitoring unit for South East Asia.

In addition, we have, with partners, held two inter-governmental consultations among Caribbean States within the past 18 months to discuss ways that States and partner organizations can, together, address the challenges in the region. In a September meeting in the Cayman Islands - in preparation for the Ministerial Meeting in December to commemorate the 30th anniversary of the Cartagena Declaration - Caribbean countries discussed how they could better gather, analyse and share data, plan for contingencies and deal with unexpected arrivals in differentiated ways.

Our on-going work to address abuses, smuggling and trafficking in the Horn and East Africa, which affects disproportionately persons of concern to UNHCR, has moved beyond national interventions to more harmonized inter-agency responses at the regional level. More specifically, the risks related to secondary movements of children in Egypt, Yemen, Sudan and Ethiopia called for a unique response. The 'Live, Learn, Play Safe' initiative has improved care and protection for thousands of children in these countries. Operations will continue working to limit children's exposure to such risks. With the engagement of the African Union, holding a Regional Conference on this topic next month, the region is planning to address the whole range of response measures, including tackling root causes. We hope this event will enhance our partnerships, between States and with relevant organizations such as the UN Office on Drugs and Crime, the International Labour Office and the International Organization for Migration, and that the meeting will agree on a regional plan of action.

In summary, actions to address such movements are best guided by principles and considerations underpinning international cooperation and aimed at ensuring that: i) people in need of international protection receive it through a set of harmonized arrangements, including possibly regional assessment arrangements; ii) those not in need of international protection are assisted to return home; and iii) refugees are provided with a solution, including in-country solutions, in addition to resettlement. We look forward to your creative ideas and support for the High Commissioner's Dialogue on Protection at Sea which will be held on 10-11 December 2014 in Geneva.

Conclusion

Mr Chairman,

Allow me to conclude by saying that there is a clear recognition of the unprecedented magnitude and complexity of forced displacement today and the important protection dimension within it. It is a sobering state of affairs with huge impact on individual girls and boys, women and men as well as host communities. If there is one common thread that emerges, it is the need for increased emphasis on the full assumption of State responsibility; sustained international solidarity; as well as for multilateral approaches to address root causes of displacement. Let us also not forget that the principle of international cooperation to share burden and responsibilities in the displacement context is not merely an issue of charity or a moral imperative but one that is underpinned by law. There is no dearth of profound questions emerging from this realization, which I hope we can examine further with you in the future.

Thank you.