

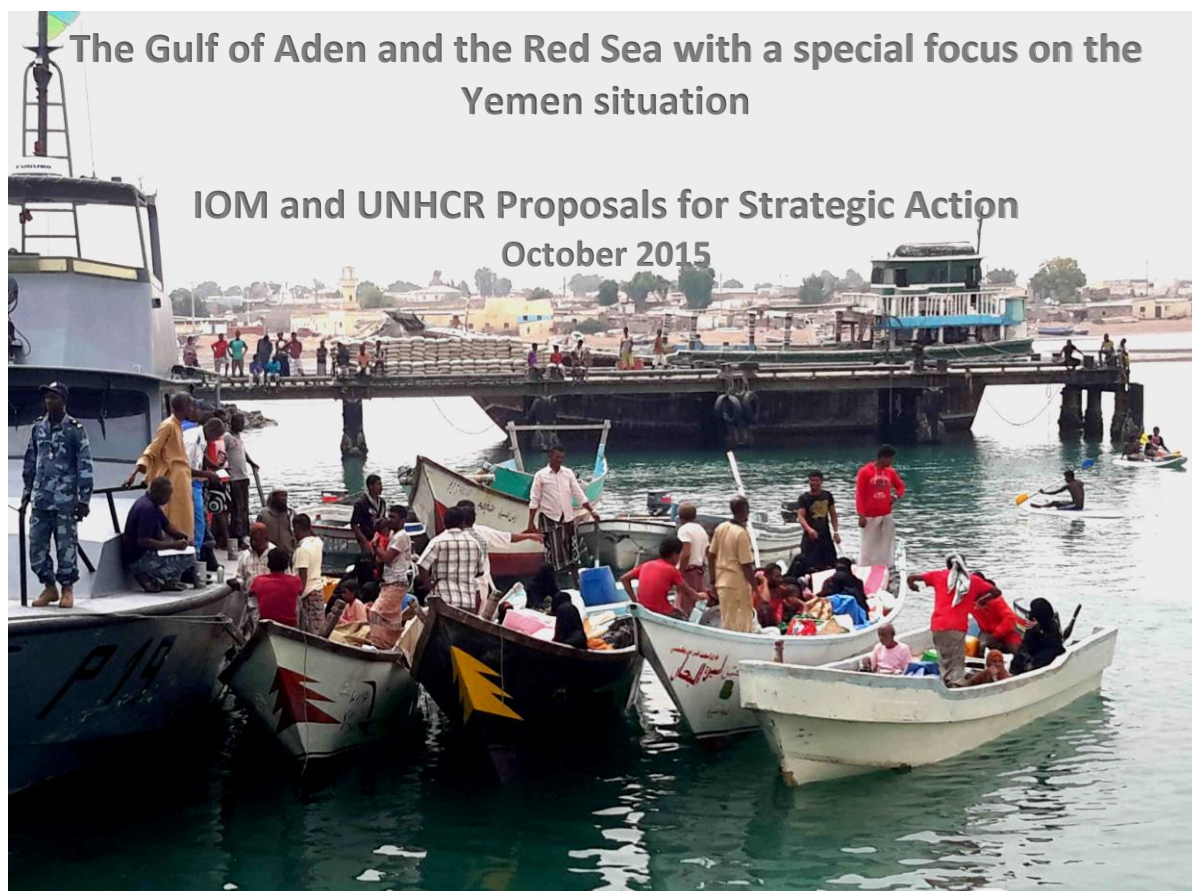


**UNHCR**

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



IOM International Organization for Migration  
OIM Organisation Internationale pour les Migrations  
OIM Organización Internacional para las Migraciones



Boats with Yemeni refugees arriving at the port of Obock, in the North of Djibouti, 3rd April 2015. Photo: JC Grahouan.

## INTRODUCTION

The recent crisis in Yemen has highlighted the need for a coordinated, strategic approach to address major gaps in search and rescue, reception and protection capacity in the countries<sup>1</sup> affected by the movement of people crossing the Gulf of Aden and the Red Sea.

Since fighting escalated dramatically in late March 2015, more than 100,000 people have fled Yemen and over 1.4 million persons are estimated to be internally displaced. While there have been some movements by air – through IOM chartered flights - to the Kingdom of Saudi Arabia, the majority of movements has taken place spontaneously by sea across the Red Sea and the Gulf of Aden to Djibouti and Somalia. Movements by sea from Yemen to Saudi Arabia and to Sudan and by land to Saudi Arabia and Oman have also been reported.

These movements are not a new phenomenon. The region has historically witnessed large-scale mixed flows by sea of migrants, asylum-seekers and refugees from the Horn of Africa to Yemen and, in many cases, by land to Gulf countries. Between January 2006 and July 2015, at least 650,000 persons reportedly crossed from the Horn of Africa to Yemen with a view either to staying in the country or moving onwards to Gulf countries. Somalis and Ethiopians continue to account for the main nationalities, with Yemenis also participating in flows to Saudi Arabia and other destinations in the Persian Gulf region. Despite the ongoing armed conflict in Yemen, the deteriorating security situation, and border security and enforcement measures put in place by some States, mixed migration movements by sea to the shores of Yemen and then

<sup>1</sup> Yemen, Djibouti, Somalia, Ethiopia, Sudan, the Kingdom of Saudi Arabia and Oman.

onward movement to the Gulf have continued in 2015. As of August 2015, UNHCR, IOM and partners recorded the arrival to Yemeni shores of over 42,000 persons who crossed the Red Sea or the Gulf of Aden in 2015, including 15,500 new arrivals since the escalation of the conflict in March.

Refugees and migrants moving through the region are vulnerable to exploitation and abuse *en route* and at destination. Incidents of abduction and, in some cases, trafficking of vulnerable persons are often reported. The region has also seen a sharp increase in the number of deaths or persons reported missing at sea. A total of 246 persons were reported dead or missing in 2014, as compared to 179 people for the period from 2011 to 2013 (UNHCR and IOM figures). In 2015, 88 deaths at sea have been reported. Many deaths go unreported in the absence of coordinated and reliable Search and Rescue (SAR) arrangements in the region and the breakdown of limited coastal monitoring capacity in Yemen. Moreover, first reception capacity remains inadequate.

The present *IOM and UNHCR Proposals for Strategic Action* build upon a series of regional initiatives including a *Workshop on Protection at Sea: Promoting Cooperation and Identification of Good Practices* (Sana'a, Yemen, November 2014), the *Sana'a Declaration of the Expert Meeting and Ministerial Conference on Asylum and Migration* (Sana'a, Yemen, November 2013), a *Regional Conference on Refugee Protection and International Migration in the Gulf of Aden* (Sana'a, Yemen, May 2008), and on-going consultations within the framework of the *Regional Mixed Migration Committee* and national-level Mixed Migration Task Forces.<sup>2</sup> The *Proposals for Strategic Action* describe the elements of a comprehensive regional approach for engaging the authorities in countries of origin, transit, and destination, international organizations and civil society actors in joint efforts to ensure the protection of people moving as part of mixed population flows from, to or through Yemen.

The *IOM and UNHCR Proposals for Strategic Action* pursue four priorities, building upon the objectives of the Regional Response Plan for countries affected by the Yemen situation:

- Facilitating **safe, legal and orderly movements**, in humane and dignified conditions, of those fleeing from Yemen or moving to/through Yemen;
- Promoting **protection at sea** through timely search and rescue interventions and disembarkation to a place of safety;
- Strengthening **humanitarian action**, including through identification, registration and referral to appropriate services and procedures on the basis of identified protection needs and vulnerabilities (stranded migrants, refugees, victims of trafficking, or other forms of abuse or exploitation, SGBV survivors and unaccompanied and separated children);
- Facilitating **access to solutions**, including regularization of stay, voluntary return and reintegration, local integration and labour mobility schemes;

**Partnership and coordination** at regional, national and local levels is a cross-cutting theme underpinning all proposed measures with the aim of enhancing complementarity of action between different actors and ensuring consistency and predictability in operationalizing responses against agreed milestones.

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<sup>2</sup> The Strategy also draws from UNHCR and IOM strategic documents including UNHCR's *Global Initiative on Protection at Sea* (2014); UNHCR's *Strategy and Regional Plan of Action on Smuggling and Trafficking from the East and Horn of Africa* (2012); UNHCR's *10-Point Plan on Refugee Protection and International Migration* (2006); IOM *Policy on Protection* (as approved by the 5th Policy Coordinating Committee on 14 April 2015) (forthcoming); IOM, *Traffickers and trafficking: Challenges in researching human traffickers and trafficking operations*, (2014); IOM, *Fatal Journeys: Tracking Lives Lost during Migration* (2014); IOM, *Migration Policy Practice*, Vol. IV, Number 3 "Mixed migration: Assessing the issues and implementing an effective humanitarian response" (2014); *Rescue at Sea: IOM's Approach* (2011); IOM, "Irregular Migration and Mixed Flows: Background Paper for the World Migration Report 2010" (2010); MC/2355 "IOM Migration Crisis Operational Framework"; MC/INF/297 "Irregular Migration and Mixed Flows: IOM's Approach" (2009).

**PRIORITY ONE: Safe, legal and orderly movements**

***PATHWAY I: Access to territory***

Many countries in the region have allowed conflict-affected populations fleeing Yemen, regardless of their nationality, to access their territory. In some countries, however, access has been restricted to those meeting certain nationality or other criteria linked to pre-entry authorization or the existence of local sponsorship and visa arrangements.

All countries bordering the Gulf of Aden and the Red Sea are urged to:

- ✓ Provide conflict-affected populations with an effective opportunity to enter or transit through their territory to seek protection, assistance or for the purpose of onward travel.
- ✓ Remove any administrative and legal obstacles to entry based on nationality criteria or linked to requirements for pre-entry authorization or the existence of local sponsorship and visa arrangements.
- ✓ Disembark persons in need of international protection to a place of safety, give access to a fair and effective asylum procedure, and to a durable solution.
- ✓ Disembark returnees, in particular spontaneous Somali returns, to a place of safety, facilitate onward travel to places of origin or other intended destinations, and provide basic reintegration assistance including for vulnerable groups.
- ✓ For stranded migrants, the country of origin or IOM to engage with national authorities on measures to facilitate access to the territory by third country nationals for the purpose of transit and onward travel to places of origin.

UNHCR and IOM stand ready to assist national authorities through capacity building and practical support in terms of first reception, profiling, identification and referral to appropriate procedures as per the identified needs of specific groups, such as asylum-seekers, refugees, stranded migrants, returnees and victims of trafficking.

***PATHWAY II: Orderly Evacuation of Migrants and Resettlement of Refugees from Yemen***

Increasing access to legal and orderly pathways to safety and protection would provide an alternative to irregular movement by sea or land and reduce the incentives for people to embark on dangerous journeys.

Since the onset of the conflict in March 2015, IOM has evacuated 2,040 migrants by air from Sana'a and 1,915 by sea (using the Hodeidah-Djibouti route). A further 16,930 people were provided with onward transportation assistance from transit points in Somalia, Ethiopia and Djibouti. The organization of air evacuations took place in the face of significant logistical and other challenges at points of departure and arrival, with groups in transit having at times faced delays or administrative hurdles, or in the case of some Yemenis, having been turned away.

In parallel, since the beginning of the conflict, UNHCR, with IOM's logistical support, has been able to facilitate the resettlement of 86 refugees from Yemen to Sweden and France. An additional 70 refugees are awaiting clearance for evacuation to an Emergency Transit Facility and onward resettlement.

Countries in the region and beyond are encouraged to:

- ✓ Establish sustainable and predictable mechanisms to ensure the timely protection of their nationals stranded in situations of conflict or violence. Measures could include the issuance of emergency travel documentation or the use of mechanisms to screen for vulnerability among stranded migrants and ensure appropriate responses (targeting *inter alia* unaccompanied and separated children, victims of trafficking or torture, etc.).

- ✓ Increase the availability of legal and orderly pathways to migration for those fleeing conflict in Yemen. In addition to enhanced resettlement for refugees meeting relevant protection criteria, such pathways would include labour mobility schemes, humanitarian admission visas, family reunification procedures and access to education sponsorship programs.
- ✓ Facilitate the safe passage of populations transiting through their territory for the purpose of onward travel to countries of origin or third countries – as would be the case for stranded migrants travelling under the auspices of IOM or refugees assisted by UNHCR with resettlement or humanitarian admission to a third country.
- ✓ Enhance and/or develop regional strategies and enact national level laws and policies to combat trafficking, including through enacting national laws and creating government committees, eliminating corruption, collecting data and monitoring new arrivals, setting up telephone hotlines and ensuring the provision of adequate rehabilitation services for victims.

### ***PATHWAY III: Informed Decision-Making***

Information campaigns remain an important element of a comprehensive response to irregular movements by sea or land to, from or through Yemen. These are currently taking place in some areas of origin, transit and disembarkation for arrivals to or from Yemen.

Strengthened measures to support informed decision-making can include:

- ✓ Informing migrants, refugees and asylum-seekers along main migration/transit routes about the risks associated with irregular movements by sea or land, including risks of trafficking, on legal channels for migration as well as on the security and protection environment and available services *en route* to, in Yemen, and/or in countries of destination or return (in the case of Somali and Ethiopian returnees).
- ✓ Coordinated messaging in the context of campaigns by UNHCR, IOM and other actors to enhance complementarity and coherence.
- ✓ Engagement with community leaders in Yemen, places of origin in the Horn of Africa, asylum, transit and destination, as well as use of social media to ensure maximum outreach.
- ✓ Increased awareness of and funding for livelihood support to communities of origin and transit, to increase the availability of livelihood opportunities where people are.
- ✓ Measures upstream to raise awareness of the situation in Yemen in countries of origin, for example in Ethiopia, through strengthening the outreach activities of Migrant Resource Centres or through the network of village-level Conversation Committees (e.g. to collect data, disseminate information, monitor trends and support those wishing to halt their journey and return to areas of origin).
- ✓ Measures to inform refugees and migrants in Yemen of conditions in countries/locations of origin to empower them to take informed decisions on their possible return, including on security risks in Yemen when attempting to access available transportation options to points of disembarkation in the Horn of Africa.

## **PRIORITY TWO: Protection at Sea**

### ***PATHWAY I: Search and Rescue***

International law requires coastal States to maintain search and rescue services, including plans of operation and co-ordination, in order to respond to all types of search and rescue situations. Search-and-rescue capacity and resources in the region remain very limited despite these obligations and the large number of mixed migratory movements by sea to Yemen during the last decade. Significant naval assets are present but dedicated to joint anti-piracy operations in the Gulf of Aden and the Red Sea.

UNHCR and IOM, in coordination with mandated international organizations and States, promote the interventions that prioritize the mobilization of available search and rescue equipment and resources, as well as strengthened coordination and cooperation among relevant maritime agencies and naval actors. A multi-pronged approach is recommended, building upon existing communication and coordination channels between UNHCR, IOM and naval actors with a focus on saving lives at sea through:

- ✓ Strengthened arrangements between State actors, international organizations and civil society for the collection and analysis of data on the profiles and needs of sea and land arrivals, including analysis of emerging trends.
- ✓ The establishment of early warning systems/multiple language hotline(s) to facilitate the timely deployment of available naval assets and mobilization of funds to that end.
- ✓ The establishment or strengthening of regional rescue coordination centre(s) and the development of regional/sub-regional information-sharing platform(s), standardized reporting and monitoring mechanisms and related tools. Until these are established and/or functioning, States in cooperation with naval actors present in the region are encouraged to find alternative ways to ensure search and rescue and disembarkation to places of safety.
- ✓ Ongoing dialogue on search and rescue between UNHCR, IOM and naval actors present in the region such as the Combined Maritime Forces, EUNAVFOR-Atalanta and EUCAP-Nestor.
- ✓ Enhancing capacity building for Coast Guards and other relevant actors through training, including on needs and risk assessment, and provision of equipment and technical assistance, building upon existing arrangements such as EUCAP Nestor.
- ✓ Development and operationalization of Standard Operating Procedures (SOP) for search and rescue and disembarkation by coastal States and other actors with naval assets and case management and family tracing in the case of deaths/missing persons.

#### ***PATHWAY II: Disembarkation to a place of safety***

Search and rescue operations conclude with the disembarkation of rescued survivors to a place of safety. When asylum-seekers and refugees are rescued at sea, the requirement to avoid disembarkation in territories where their lives and freedoms would be threatened is relevant to determine what constitutes a place of safety.

Complementary to measures recommended under *Pathway I: Search and Rescue*, including the proposed SOPs on Search and Rescue and Disembarkation, UNHCR and IOM encourage countries in the region to:

- ✓ Allow for timely and safe disembarkation of rescue survivors on their territories when called upon.
- ✓ Put in place and/or strengthen national coordination mechanisms that engage stakeholders at central and local level, including relevant ministries, local authorities, international organizations, civil society and the private sector actors in post-disembarkation responses.
- ✓ In cooperation with international organizations and civil society actors, map informal disembarkation points, ports and local coastal/fishing communities engaged on an ad hoc basis in rescue or reception of people in distress at sea, and channel investment to coastal communities to prevent engagement with smuggling and trafficking networks and strengthen the capacity of the private fishing sector to engage in rescue.
- ✓ Work jointly towards the establishment of regional coordination mechanisms to ensure clarity in roles, maximization of resources and clear and equitable arrangements for rescue and disembarkation, in line with principles of burden and responsibility sharing.

UNHCR and IOM stand ready to share with naval actors or commercial ships involved in rescue operations, their assessment of conditions in specific locations and whether they constitute a “place of safety” for the

purpose of disembarkation under international maritime law. Safety in this context is defined in terms of the availability of protection for people in need of international protection or other specific needs, such as victims of trafficking or torture, unaccompanied and separated children, SGBV survivors, capacity and willingness to receive and assist those rescued, as well as maritime safety and convenience. Moreover, UNHCR and IOM are available to provide direct humanitarian assistance upon disembarkation, including specialized support to the most vulnerable.

**PRIORITY THREE: Humanitarian Action**

***PATHWAY I: Counselling, identification, registration and referral***

The capacity for counselling, identification, registration and referral remains limited across the region. Difficulties have been reported in terms of availability of and access to services, livelihood opportunities and assistance for vulnerable refugees and migrants arriving or transiting through countries bordering the Gulf of Aden and the Red Sea. The challenges stem from lack of funding and other resources. Compounding this, is the precarious security situation in Yemen and other parts of the region, the highly volatile and unpredictable nature of population movements, as well as the difficulties of responding to people with a mixed profile and multiple needs.

An enhanced humanitarian response is required to meet immediate and longer term needs through:

- ✓ Strengthened arrangements for the screening, identification, registration and referral of new arrivals to relevant procedures and services in accordance with identified protection and other needs and vulnerabilities, including those based on gender and age. Among those specifically targeted would be: asylum- seekers and refugees, victims of trafficking, unaccompanied and separated children, victims of exploitation and abuse and persons with medical and other specific needs. Counselling would also be provided on the security situation in areas of origin for those spontaneously returning.
- ✓ Full implementation of available tools such as the *IOM/UNHCR Guidance on Developing SOPs to Facilitate the Protection and Assistance of Trafficked Persons* and development of new tools, including region-wide SOPs or protocols for information exchange; identification and referral of unaccompanied and separated children and screening for specific medical and other needs; or for accelerated family tracing and reunification services.
- ✓ Enhanced cooperation and dialogue at regional/sub-regional level to ensure consistency in approaches by UNHCR, IOM and partners to counselling, identification and referral mechanisms throughout the region through the development of joint SOPs based on minimum standards.
- ✓ Action targeting States in the region to strengthen their capacity to respond to mixed population flows through the establishment of effective asylum and migration management systems, building upon the work of the Regional Mixed Migration Committee.

***PATHWAY II: First Assistance and Reception Arrangements***

Enhancing the capacity to receive and assist arrivals from or to Yemen will build on existing protection and assistance work undertaken by UNHCR, IOM and civil society in partnership with government authorities. This can include:

- ✓ Planning and allocating necessary resources for reception in humane and dignified conditions of persons arriving by sea or land, including those rescued at sea as well as spontaneous arrivals

consistent with identified protection and other needs and vulnerabilities. Among those specifically targeted would be: asylum-seekers and refugees, victims of trafficking, unaccompanied and separated children, victims of exploitation and abuse, and persons with medical and other specific needs.

- ✓ Investing in temporary/transit shelters that provide food and other services and provide legal and psycho-social counselling at Migrant Resource Centres for returnees wishing to return to areas of origin.
- ✓ Enhancing inter-agency coordination in camp and urban settings, including for the purpose of joint advocacy to ensure freedom of movement for new arrivals and access to basic services and rights throughout their stay.

Governments are encouraged to refrain from detaining conflict-affected populations arriving to or transiting through their territory and to enact relevant legislation in line with applicable international standards and principles including with respect to protection from *refoulement*.

**PRIORITY FOUR: Access to Solutions**

***PATHWAY I: Regularization of stay, Self-Reliance and Livelihoods***

States, in partnership with UNHCR, IOM and civil society organizations, are encouraged to undertake:

- ✓ The issuance of documentation that confirms legal status based on profiles and identified protection needs.
- ✓ An assessment of the locations of refugee communities to target resources for self-reliance, livelihoods development and assistance.
- ✓ Early engagement of development actors to support the development of resilience programs and actions targeting refugee and returnee populations and local communities.
- ✓ Sensitization of host communities in order to increase their capacity to receive new arrivals through the development of programs that also address community needs.
- ✓ Development of livelihoods programs, such as income generating activities, skills training and provision of cash grants, to boost self-reliance of refugees and host communities and development of local conflict mitigation strategies to curb resource-based conflicts.

***PATHWAY II: Voluntary Return and Reintegration***

UNHCR and IOM acknowledge the complexities of addressing Somali spontaneous arrivals to Somaliland, Puntland and South-Central Somalia, given the challenges of return in adverse conditions. As a result, it is assumed that some returns might be temporary and individuals may move back to Yemen or elsewhere in the region. In order to ensure such persons are identified and given the best possible assistance to return in safety and in dignity, States in the region in partnership with UNHCR and IOM should ensure:

- ✓ Expedited verification of IDs and issuance of travel documents for refugees and migrants wishing to return to areas of origin.
- ✓ Assessment of conditions in locations of return to plan for appropriate provision of re-integration services and assistance.
- ✓ Provision of information on reintegration procedures for returnees and host communities, selection/priority criteria for reintegration assistance, content of reintegration programs, available socio-economic opportunities (tailored job opportunities, suitable job types, business plans and job placement of returnees to businesses upon counselling) and vocational training.
- ✓ Sensitization in locations of origin and areas of planned settlement for selected returnees, and awareness-raising on what both returnees and host-community members can expect.

- ✓ Assistance to host communities in areas of return to increase their capacity to assist with accommodating returnee populations by helping to address their needs and those of the newly settled populations.
- ✓ Provision of alternative sources of livelihoods, such as income-generating activities, vocational and skills training and provision of cash grants, small business start-ups or micro-finance services to boost self-reliance of returnees and host communities.
- ✓ Local conflict mitigation strategies to curb resource-based conflicts and promote social cohesion.

## **THE WAY FORWARD THROUGH PARTNERSHIP**

The IOM-UNHCR *Proposals for Strategic Action: The Gulf of Aden and the Red Sea with a special focus on the Yemen situation* will be operationalized through existing inter-governmental and inter-agency partnerships and coordination mechanisms at regional and national levels.

The Proposals are intended to serve as a guiding tool and reference for Governments, international organizations, civil society and other stakeholders engaged in the region when developing policies and making decisions that impact upon the way refugees and migrants across the region are treated and cared for at different points of their journey. Working in tandem with the Regional Refugee Coordinator's office in Djibouti, identified priorities and pathways will provide a framework for the operationalization of responses in a way that:

- ✓ Supports engagement by and builds the capacity of States in the region to assume responsibility for the protection of people moving from, to or through Yemen, including by sea.
- ✓ Builds upon regional initiatives and actions, including those relating to the implementation of the 2013 Sana'a Declaration, the recommendations of the Regional Committee on Mixed Migration and available research on trends as carried out by the Regional Mixed Migration Secretariat based in Nairobi.
- ✓ Promotes continuous dialogue between States, naval actors, UNHCR and IOM on improving search and rescue and ensuring disembarkation to a place of safety.
- ✓ Enhances coordination and cooperation at a regional level through inter-governmental fora such as i) the Intergovernmental Authority on Development (IGAD); ii) the AU-Horn of Africa Initiative on Human Trafficking and Smuggling of Migrants; iii) the EU Regional Development and Protection Program for the Horn of Africa; and iv) the EU-Horn of Africa Migration Routes Initiative.

A regional meeting organized by the Regional Refugee Coordinator's Office in November 2015 jointly with the Regional Office of IOM in Nairobi will provide the forum for the development of a road map by relevant actors with concrete milestones for the operationalization of the UNHCR – IOM *Proposals for Strategic Action*.

*UNHCR-IOM  
October 2015*