



ADDRESSING ONWARD MOVEMENTS

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INTRODUCTION

Mixed movements, whether voluntary or forced, regular or irregular, may involve several countries through which persons transit or in which they stay for shorter or longer periods of time. A variety of factors determine an individual's route, including:

- The time of, and reasons for, departure;
- Entry, transit and exit requirements in the countries concerned;
- Personal circumstances;
- Material resources;
- Historical or cultural ties to specific countries;
- Family and other transnational social networks; and
- Rumours and chance.

These factors may change during the course of an individual's journey. A final destination may also be determined by human smugglers facilitating travel. Insofar as they are able, individuals will consider all factors known to them and choose the best option based on an assessment of the particular circumstances, perceived risks, costs and benefits. Refugees and asylum-seekers are no exception. Many settle in the first country in which they arrive. Others are compelled or choose to transit through several countries before gaining access to international protection.

Refugees and asylum-seekers who have fled to one country in search of protection may also subsequently move on to other countries. Such "onward movements" of asylum-seekers and refugees can be of concern, both to States and to UNHCR, if they take place without the requisite authorizing documentation or involve dangerous means of travel. Irregular onward movements generally reflect a lack of available protection for refugees and asylum-seekers, including access to timely durable solutions.

Onward movements may themselves involve additional protection challenges. Irregular travel is often dangerous and can put the individual concerned in vulnerable situations. If, following arrival in a country of "destination", asylum-seekers are denied both continued stay there and re-entry to a previous country, "orbit" situations can be created, meaning that asylum-seekers are shifted from one country to another without having their asylum claims assessed. Such situations may ultimately result in *refoulement*.

As with any irregular movement, irregular onward movements can raise legitimate security and law-enforcement concerns, particularly where they rely on transnational criminal networks. States have expressed concern that onward movements of refugees and asylum-seekers feed the human smuggling and trafficking industries, and make it more difficult for States to manage their asylum systems. Restrictive or "deterrent" mechanisms adopted by some States, such as increased border controls, visa requirements, prolonged detention, and deportation, are in part understood to be a response to such concerns. In some countries, the asylum applications of persons who have moved onward from a previous country are rejected regardless of their individual protection needs or whether they can in fact return to, and find protection in, a country which had previously provided international protection. Such decisions are typically based on an assumption that international protection had already been found elsewhere.

The issue of onward movements can also lead to tensions between countries. Diverging interests of States that consider themselves to be “transit” and “destination” countries have made it difficult to negotiate fair arrangements for international cooperation and responsibility sharing in this area.

Addressing onward movements requires a strategy based on a careful and informed analysis of root causes that takes into account the legitimate concerns of all involved States and the rights and well-being of the individuals concerned. Strengthening protection capacities in first countries of asylum, is often the best way to address the causes of onward movements. Some regions have taken measures aimed at harmonizing standards with regards to asylum procedures and protection, and at improving responsibility-sharing arrangements to reduce onward movements. While these arrangements may have shortcomings, they represent positive steps towards establishing effective responses to onward movements.

OPERATIONALIZING MECHANISMS FOR ADDRESSING ONWARD MOVEMENTS: SUGGESTIONS FOR STAKEHOLDERS AND SUPPORT UNHCR CAN PROVIDE TO PARTNERS



SUGGESTIONS FOR STAKEHOLDERS

- Analyse the scope and root causes of onward movements and the dynamics of such movements (push and pull factors).
- Enhance refugee-protection capacity in host countries where it is inadequate, and reduce disparities in the level of protection granted in different countries.
- Inform asylum-seekers and refugees of the dangers of irregular onward movement through advocacy and assistance, including information campaigns, higher education projects and income-generating activities.
- Negotiate responsibility-sharing agreements among States in line with international standards.
- Facilitate the return of refugees who have moved onward from a country in which they had received international protection (consistent with international standards), in circumstances where it can be ensured that protection safeguards, including ongoing availability of international protection and durable solutions, are in place.



SUPPORT UNHCR CAN PROVIDE TO PARTNERS

In its own operations, UNHCR is identifying and eliminating disparities in the level of assistance and protection services which it provides in different countries, particularly with regard to similar caseloads. To this end, UNHCR aims to achieve:

- Greater consistency in waiting periods to access registration and refugee status determination;
- Harmonized recognition rates for similar groups of asylum-seekers; and
- Equal access to similar durable solutions for refugees in the same or in comparable situations in different countries of first asylum.

To assist partners, UNHCR may also:

- Collect information on, and analyse root causes of, onward movements;
- Draw attention to discrepancies in asylum practices and assist in enhancing protection capacities;
- Assess protection risks in the country of first asylum and provide advice on the consistency of return with international refugee law;
- Inform asylum-seekers and refugees about the risks of irregular onward movements;
- Support governments in establishing regional and bilateral protection approaches to address onward movements in line with international standards;
- Facilitate re-admission and return between countries of first asylum and host countries, where appropriate; and
- Monitor the implementation of re-admission agreements.



Unaccompanied minors from Afghanistan in Malmö, Sweden on their way to the immigration office where they can apply for asylum. © UNHCR / J. Bävman / February 2012

8.1

Assessing the scope and root causes of onward movements

The importance of data collection and analysis on mixed movements was discussed in Chapter 2. Gathering information specifically on onward movements, in order to develop an understanding of the scope and root causes of such movements, can help to identify gaps and provide a solid basis for developing appropriate policy responses.



Sweden: Profiling study of unaccompanied or separated Afghan children

A Background and rationale

In 2015, Sweden received a record number of asylum-seekers, with a total of 162,877 applications for asylum registered throughout the year. Out of these, 35,369 applications – close to 22 per cent of all applications – were lodged by unaccompanied or separated children. Overall, Afghans constituted the second largest group of asylum applicants in Sweden, with a total of 41,564 applications.

Given their large numbers, UNHCR decided to conduct a profiling survey of the population of Afghan unaccompanied or separated children applying for asylum in Sweden to obtain a greater understanding of the factors that led these children to leave Afghanistan, to move onward from a previous country (notably the Islamic Republic of Iran, Pakistan or Turkey), and to seek asylum in Sweden.

The overall objective of the survey was to develop a better understanding of the profile and background of the Afghan children arriving in Sweden without a parent or an adult caretaker, in order to improve UNHCR's work to protect and assist asylum-seeking children in Sweden, in country of origin and during the journey.

B Actors

- UNHCR

C Actions

-
- The profiling exercise involved two data-collection methods. First, quantitative individual surveys were conducted by three teams of Farsi- and Dari-speaking interviewers with 240 Afghan children in Stockholm, Gothenburg and Malmö between March and May 2016. Second, four qualitative focus group discussions, involving a total of 34 Afghan children, were held in Uppsala and Stockholm.
-
- UNHCR protection specialists from Afghanistan facilitated the focus group discussions. They conducted an interactive exercise with the Afghan children to identify the main protection issues faced en route to Sweden. The children placed red dots on a map indicating points along the route from Afghanistan to Sweden where they had faced problems during their journey.

D Review

The profiling study provides insight on a variety of factors that had an impact on children's decisions to leave their country and move onward. While 84 per cent of the unaccompanied or separated children interviewed were born in Afghanistan, only 58 per cent identified Afghanistan as their previous main place of residence. Thirty seven per cent identified Iran as their main place of residence. The study distinguishes between unaccompanied or separated Afghan children who left directly from Afghanistan and those who departed from Iran.

The study's findings suggest a number of possible drivers of onward movement in this context. Notably, 81 per cent of surveyed children living outside of Afghanistan had no documentation prior to their arrival in Sweden. Fifty-three per cent of children identifying Iran as their previous main place of residence indicated that they had left Iran because of discrimination, and 41 per cent, because of a lack of documentation. This points to the close link between onward movement and limited access to durable solutions. The study's findings also shed light on the role of access to information. Only one respondent had heard about relocation programmes, and none had heard about the possibility of admission on family reunification grounds. Sixty-three per cent said that their main source of information during their journey was other people travelling with them.

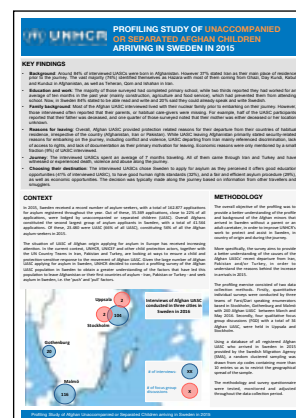
Collaboration between UNHCR staff from offices in both Afghanistan and Sweden was instrumental in the profiling exercise. The involvement of protection staff from UNHCR Afghanistan allowed for discussions to be held in Farsi and ensured a sound understanding of the references made by children.

The combination of qualitative and quantitative methodologies proved necessary to gain a comprehensive understanding of the unaccompanied or separated children's experiences during their journey. The focus group discussions were a suitable forum to discuss sensitive protection-related information. Open discussions allowed the participating children to recount protection concerns that people in the group they travelled with had encountered, rather than focusing on individual experiences. Interactive exercises, such as the mapping exercise described above, also helped to foster an atmosphere in which children felt comfortable to participate.

Profiling exercises of this kind are likely to be most effective if they are conducted without direct involvement of local authorities, including notably those responsible for asylum procedures. Children may be less forthcoming about their experiences and decision making if, for instance, they feel uncertain about the impact their participation could have on their asylum claim.

E Further information

A fact sheet with a summary of key findings, methodology and limitations of the study is available at: <http://www.refworld.org/docid/582c789f4.html>.



SEPTEMBER 2015-PRESENT

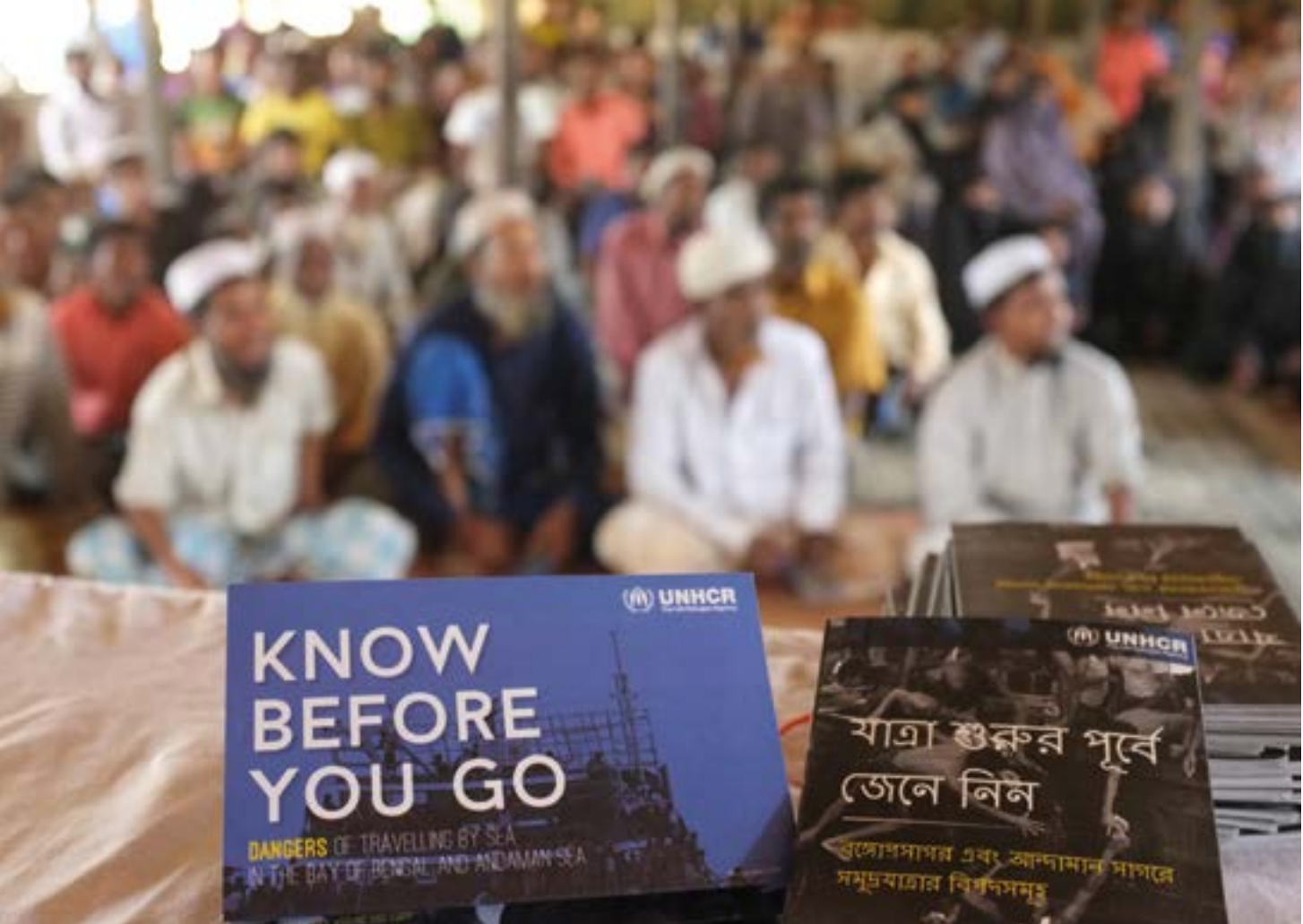


UNHCR: Data collection to track daily arrivals and onward movements in Europe

“Refugees/migrants emergency response – Mediterranean”, a UNHCR web portal, provides a regional overview with an interactive map indicating different sea and land routes that refugees and migrants take to reach Europe. Figures on the map are estimates from UNHCR on daily arrivals to each country from one or more borders. Individual countries can be selected and the evolution of the number of daily arrivals from September 2015 until the present can be viewed by moving a cursor on a timeline.



“Refugees/migrants emergency response – Mediterranean” is available at: <http://data.unhcr.org/mediterranean/regional.php>.



Information sessions on the risks of undertaking the maritime journeys across the Bay of Bengal and Andaman Sea held in the context of the Know Before You Go campaign in Bangladesh. © UNHCR / K. Shum/ March 2016

8.2

Strengthening protection capacities in countries of first asylum and providing information about the risks of irregular onward movements

Some States experiencing large numbers of persons arriving as part of onward movements have been supporting host countries with insufficient protection capacities, both directly and through funding projects implemented by UNHCR and other humanitarian actors.

2014-2016



Egypt, Ethiopia, Sudan and Yemen: Regional child protection programme – Live, Learn & Play Safe

A Background and rationale

Many refugee children, particularly adolescents, arriving in Ethiopia and Sudan do not remain in refugee camps for long. Motivated by the desire to find a better future and a lack of alternatives in camps, these children head to urban centres such as Khartoum, or travel to Egypt or Libya, with the intention of reaching Europe. The exodus of unaccompanied and separated children from this region has been characterized by the extreme risk of trafficking that results from the vulnerability entailed in high levels of onward movement in irregular conditions, as well as other protection risks for children who are without family support.

The protection and developmental challenges faced by refugee children in Egypt, Ethiopia, Sudan and Yemen are complex and require a holistic approach. In 2013, UNHCR developed a regional child protection project to be implemented in Egypt, Ethiopia, Sudan and Yemen over a period of three years. The initiative, the first child protection project ever developed by UNHCR as a regional response rather than a country-level programme, sought to improve the condition and wellbeing of refugee and asylum-seeker children in these four operations.

B Actors

- Governments of Egypt, Ethiopia, Sudan, Yemen
- UNHCR
- IOM
- Partner NGOs

C Actions

- The initiative reinforced child protection expertise and increased the number of dedicated staff in six locations to ensure that unaccompanied and separated children are identified and that their immediate and longer-term needs are met. This included establishing reception and care arrangements specifically for unaccompanied or separated children; enhancing procedures for ensuring that decisions affecting children are in their best interests (best interests determination procedures); strengthening case management for children at risk; improving data collection; and increasing access to durable solutions, education and livelihood opportunities, as well as to family tracing and reunification. Tailored actions were implemented in each country to respond to the specific protection context. Achievements at the country level have included the following.

Egypt

- UNHCR supported the National Council for Childhood and Motherhood (NCCM), a governmental body in charge of social welfare issues, to develop a decree with specific reference to the protection of foreign children, including refugee children. In promoting and strengthening Egypt's child protection system, UNHCR and other national and international child protection actors continued to engage with the NCCM and its committees. The NCCM is working through child protection committees at the governorate level and through sub-committees at the district level. The role of these committees is to identify children at risk and carry out preventive, referral and rehabilitation interventions and follow-up.

Ethiopia

- UNHCR improved protection services for children at the Endabaguna Reception Centre by constructing a dormitory for girls, a recreation hall and a perimeter wall; by improving water sanitation and hygiene facilities; and by maintaining ongoing monitoring, social and health services. In January 2015, an agreement was reached with the Ethiopian Government on the presence of a child protection partner to conduct recreational activities and provide psychosocial support to children in the reception centre.

Sudan

- With a stronger child protection team in Kassala, UNHCR was able to conduct individual case assessments for all unaccompanied children within 72 hours of their arrival. These interviews included discussions with children about whether they intended to travel onwards, so that tailored information on existing options for moving onwards from Shagarab refugee camp, including, notably, family reunification possibilities in Sudan and abroad, could be provided.

Yemen

- In recent years, many unaccompanied and separated children have arrived in Yemen with the intention of travelling onwards to Saudi Arabia with the assistance of smugglers. In the early stages of the project, a mechanism to identify and respond to child victims of trafficking, abuse or abduction was set up in reception centres along the coastal area and in Kharaz camp. UNHCR provided training to the police and the coast guard to identify trafficking cases. Children were separated from traffickers, and counsellors were engaged to inform them of the potential risks of irregular onward travel. During best interests assessments, children who indicated they were considering leaving Yemen to travel onwards irregularly were advised against it, and given information about the support services available to them in Yemen.

D Review

The Live Learn & Play Safe Project was designed to apply the framework of the 10-Point Plan of Action specifically to the movement of unaccompanied children in Egypt, Ethiopia, Sudan and Yemen. A thorough evaluation of the programme was conducted after the first year and key results are outlined in a mid-way report. Awareness raising activities with children, families and communities on protection risks, including those related to trafficking, were a crucial component of the initiative. The number of young people engaging in dangerous and life-threatening activities, such as resorting to the services of smugglers or organized criminal networks, decreased significantly in Shire, Ethiopia and Khartoum, Sudan.

E Further information

“UNHCR child protection regional initiative – Live, Learn & Play Safe 2014-2016” is available at: <http://www.refworld.org/docid/53bbc6314.html>.

“UNHCR child protection regional initiative – Live, Learn & Play Safe 2014-2016. Mid-way project report, January 2014– June 2015” is available at: <http://www.refworld.org/docid/56ced0d64.html>.



FEBRUARY 2016–PRESENT

UNHCR: Information campaigns on dangers related to irregular movements



Information campaigns aimed at those who may resort to irregular movement are intended to help fill gaps in knowledge about the dangers involved, such as the risk of trafficking, abuse and exploitation, and the realities in a desired country of destination. A number of information campaigns make use of innovative methods and diverse channels of communication.

- **Telling the Real Story** is an online platform connecting refugees and asylum-seekers from Eritrea and Somalia who have made their way to Europe with their communities in the East and Horn of Africa. It allows those in Europe to share stories about their journeys and the situations in destination countries. Through these testimonies, those who might choose to embark on the journey are informed of the realities and perils they may encounter in order to help them make more informed decisions.
- **The Know Before You Go campaign:** Based on over 1,000 interviews with refugees and asylum-seekers who have travelled by sea in South-East Asia, UNHCR developed material aimed at potential travellers, describing the dangers of maritime journeys across the Bay of Bengal and Andaman Sea. This information campaign was launched in refugee camps in Bangladesh in February 2016. UNHCR distributed hardcopy pamphlets in both Myanmar and Bengali languages. Electronic versions were made available for sharing via social media. A video of a stage performance by a local theatre troupe re-enacting the journey to highlight the many serious risks involved was also produced.

These examples are featured in Chapter 10, which includes more on key messaging and the use of diverse channels of communication.



European Union: Regional Development and Protection Programmes

Beginning in 2005, the European Union's Regional Protection Programmes were designed to enhance the protection capacity of non-EU countries in regions from which many refugees originate or through which they pass in transit by: improving the general protection situation and reception conditions; establishing effective procedures for determining refugee status; providing training on protection issues for those working with refugees; and through support measures benefiting the local community hosting refugees.

In 2012 the European Council called upon the EU to encourage partner countries to incorporate refugee protection “into their national poverty reduction strategies, and to examine the relations between refugees and displaced persons and local communities”. In this context the EU developed the Regional Development and Protection Programme (RDPP) embedding a development component in the strategic response. Following the outbreak of the conflict in Syria, the first RDPP was launched for the Middle East in 2013, followed by a RDPP for the Horn of Africa and a RDPP for North Africa in 2015.

RDPP FOR THE MIDDLE EAST (2014–2017)

In 2013, the EU announced the creation of the RDPP for the Middle East to support refugees and host communities in Lebanon, Jordan and Iraq, as part of its long-term response to the Syrian refugee crisis. The programme includes the following components:

- Analysis, assessments and studies on the impact the presence of refugees has on host communities;
- Development opportunities for both refugees and their hosts;
- Market-based initiatives contributing to job creation through micro-finance; skills development and vocational training; and social infrastructure development, including education, water and sanitation, and improved energy supply;
- Strengthening the protection of refugees through the promotion of access to basic rights and appropriate legal assistance; and
- Training to local/national authorities and civil society groups.

More information is available at: <https://goo.gl/orZ7oP>.

RDPP FOR THE HORN OF AFRICA (2015-2020)

Ethiopia, Sudan and Kenya are key countries in need of support as they host large numbers of refugees from Eritrea, Somalia and South Sudan.

This RDPP has been set up in the Horn of Africa to:

- Improve protection and enhance development prospects of refugees, IDPs and local communities, with the aim of offering an alternative to the risks of irregular movement;
- Stimulate a shift from humanitarian assistance, to a longer-term, sustainable development approach to protracted forced displacement;
- Expand the capacity of local governments to deliver services to host communities, to refugees and to other displaced persons; and
- Promote job opportunities for all through local entrepreneurship, vocational training and investments from local/international companies.

More information is available at: <http://goo.gl/pgbsGy>.

RDPP FOR NORTH AFRICA (2015-2019)

North Africa is characterized by complex mixed-migration patterns. On the one hand, asylum-seekers and refugees are forcibly displaced within the region or its immediate neighbourhood (Middle East, Horn of Africa) and may seek to move onwards. On the other hand, flows of migrants in irregular situations move to and through North Africa to reach Europe. In all cases, asylum-seekers, refugees and migrants in irregular situations may be exposed to a wide range of risks, abuses and exploitation. Protection of fundamental rights is a key concern, as is providing support to the communities and institutions of the countries concerned by these flows (Libya, Mauritania, Tunisia, Egypt, Morocco, Niger, Algeria). The RDPP for North Africa is structured around four pillars:

- Capacity building to strengthen non-EU countries' institutional capacities to provide international protection and manage mixed flows;
- Provision of information on the dangers of moving irregularly and on support to legal alternatives to irregular movements;
- Community empowerment and self-reliance; and
- Implementing circular migration and south-south cooperation measures.

More information is available at: <https://goo.gl/hJCD5s>.





A Rohingya refugee in Ampang, Malaysia connect via Skype with her children in Aceh, Indonesia.
© UNHCR / K. Shum/ June 2015

8.3

Access to information and communications technology for people on the move

Information and communications technology is critical to providing people on the move with fast access to information, including on availability of services and access to protection in countries of first asylum, as well as on the risks associated with onward movements and the situations in countries of intended destination.



UNHCR Global Strategy for Connectivity for Refugees

A Background and rationale

The Global Strategy for Connectivity for Refugees sets out the vision and establishes a framework for ensuring that all refugees, and the communities that host them, have access to available, affordable and usable mobile and internet connectivity in order to leverage these technologies for protection, communication, education, health, self-reliance, community empowerment and durable solutions.

B Actors

- UNHCR
- Governments
- Private sector companies focusing on telecommunication and digital industry
- NGOs
- Refugees and host communities

C Actions

The UNHCR Global Strategy sets many concrete goals, seeking to:

-
- Carry out a worldwide assessment of refugees' access to, and use of, the internet and mobile phones;
-
- Establish strong and multi-faceted partnerships that will include UNHCR, governments, NGOs, and actors in the technology and telecommunications sectors;
-
- Identify opportunities to expand the availability of mobile or internet networks, particularly in rural areas with poor or non-existent infrastructure;
-
- Use digital and online technology to improve outcomes for refugees in terms of protection, education and livelihood opportunities, and water, sanitation and hygiene assistance;
-
- Develop digital literacy programmes;
-
- Increase the use of digital technology by UNHCR and its partners to reach out to, communicate with and gather information from refugees and asylum-seekers;
-
- Raise awareness among the humanitarian community about the opportunities digital technology holds for improving the way UNHCR and other actors provide humanitarian aid, while identifying possible risks;
-
- Launch pilot programmes in 2016 in Jordan, Greece and the United Republic of Tanzania, scaling up to at least 10 countries in 2017; and
-
- Develop a connectivity strategy for emergency situations.

D Review

UNHCR carried out a global assessment of refugees' access to, and use of, the internet and mobile devices. The global assessment revealed that improvements to mobile networks will likely have a positive impact on refugees as well as their host communities. Discussions with refugees, UNHCR staff and partner organizations revealed a consensus that connectivity can significantly improve refugee safety and security. For example, refugees in a Nairobi focus group expressed a desire to be able to quickly alert their communities via mobile phone if they encountered any danger. There is also great demand to use phones to access information on issues such as food distribution, water, sanitation and hygiene assistance and other health services. UNHCR staff and partners agreed that there are many other possibilities for digital protection services to be explored and implemented in the future.

E Further information

More information is available at: <http://www.unhcr.org/connectivity-for-refugees.html>.

2015–PRESENT

Greece: Mobile phone charging stations



A Background and rationale

The Vodafone Foundation, Vodafone's philanthropic arm, developed Instant Charge, a portable mobile device charging station, to support UNHCR's work with refugees arriving in Greece. Many refugees arriving in Europe have smart phones, which require significant amounts of power. Despite good mobile coverage at many points of arrival, very limited infrastructure was in place in camps for refugees to charge their phones.

B Actors

- UNHCR
- The Vodafone Foundation

C Actions

Working with UNHCR, the Vodafone Foundation:

-
- Assessed the situation of refugees arriving in Greece;
-
- Developed a durable and portable outdoor mobile charger that can charge 66 devices simultaneously when combined with a generator or other power source, such as photovoltaic solar cells; and
-
- Provided portable chargers to refugees in a number of locations, including Lesbos and Samos islands in Greece, where free Wi-Fi is also provided.

D Review

Mobile phones not only allow people on the move to keep in touch with their families, but also to access and share crucial information about travel, including potential risks. Access to charging facilities can therefore be an important information and protection tool. The Vodafone Foundation's Instant Charge device addresses the frequent lack of such facilities in refugee-hosting areas. Requiring only a power source, its design holds considerable promise for providing information and protection, and has implications for disaster relief work.

E Further information

Further information is available at: www.vodafone.com/content/index/articles/instant-charge.html.



Europe: Web services providing information to people on the move

- **NewsThatMoves**, a news and information website, includes a rumour tracker that collects and fact checks rumours circulating among refugees travelling through Europe. By identifying misinformation and hearsay and responding to it with relevant, factual information, NewsThatMoves provides people on the move with information in English, Arabic, Farsi and Greek. The news portal is interactive, allowing users to ask specific questions. The rumour tracker is a project of Internews, Translators without Borders and Action Aid.

The NewsThatMoves rumour tracker is accessible from: <https://newsthatmoves.org/en/category/rumours/>.

- **Refugee.Info** is a website and app designed to be viewed on mobile phones. It provides up-to-date and location-specific information to people on the move in Europe. It includes information on available accommodation, transportation options, humanitarian services, medical facilities and registration processes, important laws that affect new arrivals, and the rights and responsibilities of refugees in Europe. Refugee.Info is available in Arabic, Pashto, Farsi and Greek. It is delivered by the International Rescue Committee and Mercy Corps, with funding from Google.

The website is accessible from: www.refugee.info.



Refugees and migrants wait near the Idomeni transit station to cross the border from Greece into the former Yugoslav Republic of Macedonia. © UNHCR / A. Zavallis / December 2015

8.4

Developing regional and bilateral protection strategies

Inter-State responsibility sharing and cooperation are essential in order to effectively address concerns associated with onward movements. Assisting countries of first asylum to establish meaningful protection capacities is an important component of that cooperation, as is creating safe and legal alternatives to irregular onward travel.

Inter-State arrangements may deal with onward movement as a specific phenomenon, or as part of broader comprehensive regional approaches to address mixed movements. Increased efforts are particularly needed to address pressures and protection gaps which cause asylum-seekers or refugees to move onward to other States. Strengthened legal frameworks for protection at the national level, as well as effective institutions and practice, along with comprehensive protection strategies, may reduce the need for such movements.

Investments in capacity building and support from other States to enhance protection systems globally can enable refugees to secure international protection at an earlier stage, closer to their countries of origin, than is presently the case for millions of people.

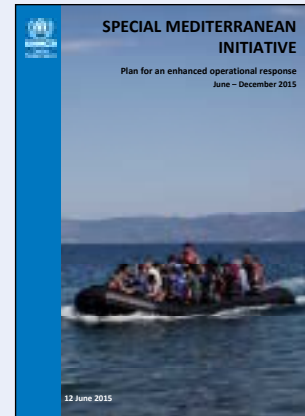
A comprehensive bilateral and/or regional protection strategy may also include the following: development of harmonized protection standards in accordance with international law; a clear and fair distribution of responsibilities for examining asylum requests and granting asylum among States affected by certain onward movements; as well as, where appropriate, the return and re-admission to first countries of asylum (where protection is accessible) of people who have moved onward.

EXAMPLES OF STRATEGIES AND ACTION PLANS THAT ADDRESS ONWARD MOVEMENT AS PART OF A BROADER COMPREHENSIVE REGIONAL APPROACH

UNHCR's Special Mediterranean Initiative

The Special Mediterranean Initiative consists of a number of actions aimed at, among other things, boosting reception capacity in receiving countries, strengthening protection systems, and expanding access to solutions. Through the coordination of these actions across four regions (southern Europe and the Western Balkans, North Africa and the Middle East, the East and Horn of Africa, and West Africa) UNHCR, in partnership with other organizations and governments, aims to strengthen comprehensive, regional approaches to mitigate the risks of onward irregular movement, to create legal alternatives to it and to advocate for protection during onward movement.

UNHCR, "UNHCR's Special Mediterranean Initiative: Plan for an enhanced operational response, June–December 2015", 12 June 2015, available at: <http://www.refworld.org/docid/559f85f74.html>.



IOM-UNHCR Proposals for Strategic Action for the Gulf of Aden and the Red Sea

The joint IOM-UNHCR Proposals for Strategic Action for the Gulf of Aden and the Red Sea recognize that refugees and migrants moving through the region are vulnerable to exploitation and abuse en route and at destination. The Proposals aim at, among other things, facilitating safe, legal and orderly movements, in humane and dignified conditions. They set out elements of a comprehensive regional approach for engaging the authorities in countries of origin, transit, and destination, as well as 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.

UNHCR, "The Gulf of Aden and the Red Sea with a special focus on the Yemen situation – IOM and UNHCR Proposals for Strategic Action", October 2015, available at: <http://www.refworld.org/docid/56a07b884.html>.





East and Horn of Africa: Strategy and Regional Plan of Action against Smuggling and Trafficking

A Background and rationale

The Strategy and Regional Plan of Action: Smuggling and Trafficking from the East and Horn of Africa adapts the 10-Point Plan of Action to a specific context. Beginning in 2011, UNHCR received an increasing number of reports of serious abuse experienced by people on the move from the Horn of Africa. UNHCR established a working group comprised of States, UN agencies and NGOs to gather information and assess the impact of this phenomenon. The working group developed the Strategy and Regional Plan of Action, which recognizes the multi-faceted nature of the issue, the need for collaboration between a range of stakeholders, and the importance of a comprehensive, solutions-based approach.

B Actors

- Governments of Egypt, Sudan, Eritrea, Ethiopia, Somalia, Djibouti, Israel, Yemen
- International organizations: IOM, UNHCR, UNICEF, UNFPA and UNODC
- NGOs

C Actions

-
- The Strategy and Regional Plan of Action is structured around four key elements:
 - Identifying solutions for refugees and promoting alternatives to the use of smugglers;
 - Enhancing inter-State cooperation and government capacity to provide protection;
 - Strengthening partnerships to address the problem; and
 - Raising awareness of the phenomenon and its effects.
-
- National UNHCR-led counter-trafficking strategies have been launched in Sudan and Ethiopia adjusting the regional strategy to the national context. The Strategy in Sudan was re-launched for 2015–2017 in cooperation between the Sudanese Government, UNHCR, IOM, UNODC, UNFPA and UNICEF.
-
- Information campaigns and targeted counselling have been rolled out across all countries covered by the Strategy to raise awareness of the dangers of irregular onward movement by land and sea. Specific information is provided about risks which may be encountered by people travelling to or through particular countries.

D Review

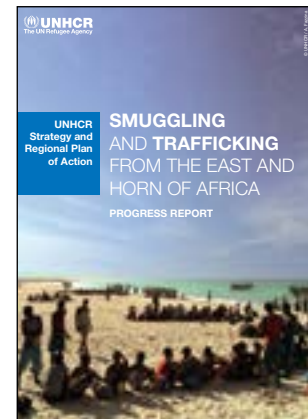
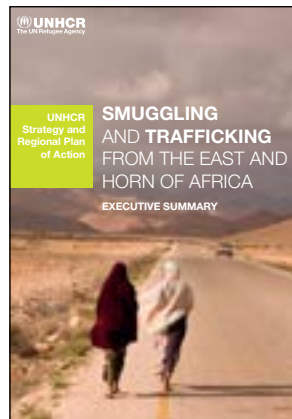
Under the strategy, UNHCR has implemented measures to reduce vulnerability to trafficking, to identify victims of trafficking among persons of concern, and to protect them from abuse. This is done in partnership with national governments, as well as with other agencies mandated to work to counter trafficking, including IOM and UNODC. UNHCR also seeks to work with national authorities and legislatures to ensure that counter-trafficking and smuggling laws and measures do not adversely impact upon the rights of asylum-seekers, refugees and stateless persons.

The first regional conference on smuggling and trafficking from the Horn of Africa, which was held in Khartoum, 13–16 October 2014, constitutes a major achievement in line with the strategy. It brought affected States together to agree on national and regional counter-trafficking initiatives. A Declaration and Plan of Action were adopted, and a follow-up meeting of senior officials was held in 2015 to assess the progress made.

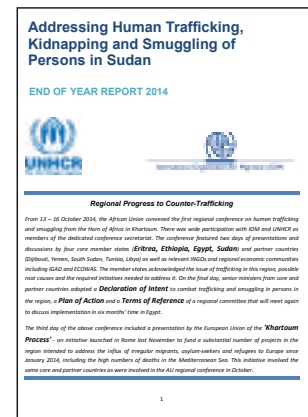
E Further information

“Smuggling and Trafficking from the East of Africa: Executive summary”, March 2013, is available at: <http://www.refworld.org/docid/51d175314.html>.

“Smuggling and Trafficking from the East of Africa: Progress report”, October 2014, available at: <http://www.refworld.org/docid/5437a14d4.html>.



The UNHCR-IOM National Strategy for Sudan end of 2014 Report, “Addressing human trafficking, kidnapping and smuggling of persons in Sudan”, is available at: <https://goo.gl/gv1wHX>.





The Common European Asylum System

A Background and rationale

The EU currently has 28 Member States. In view of the number of persons seeking international protection and the abolition of border controls between its Member States, the EU set up a Common European Asylum System (CEAS) to unify minimum standards related to asylum. This effort involves adopting common asylum laws and policies and agreeing on the allocation of responsibilities for examining asylum requests between States. The Dublin III Regulation¹ is one of the mechanisms adopted for determining which EU Member State is responsible for examining an asylum request.

B Actors

- EU Member States
- Norway, Iceland, Liechtenstein and Switzerland (for the Dublin III system)

C Actions

-
- Standards have been adopted, including for reception conditions for asylum-seekers, for common asylum procedures, for criteria for granting refugee status and subsidiary protection (international protection), and for the treatment of persons who have been granted international protection.
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- All EU Member States must ensure that their national laws conform to these EU standards.
-
- A specific fund, the Asylum, Migration and Integration Fund, was created to strengthen and develop the Common European Asylum System by ensuring that EU legislation in this field is efficiently and uniformly applied.
-
- The Dublin III Regulation sets out a set of criteria for determining which State party to the Dublin Agreement is responsible for examining an asylum claim. The criteria must be applied in a hierarchical order according to which a Member State is responsible for examining an asylum claim:
 - If it would be in the best interests of an unaccompanied minor to have their claim examined in that State (Article 8);
 - To ensure family unity (Articles 9-11);
 - Where the applicant is in possession of a valid residence document for that State (Article 12); or
 - Where the applicant is dependent on the assistance of a person legally residing in that State (Article 16).

¹ Regulation (EU) No 604/2013 of 26 June 2013 establishes the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in a Member State by a third-country national or stateless person. It replaced Council Regulation (EC) No 343/2003 of 18 February 2003.

If none of these criteria apply, the responsible State will be the one where the applicant has entered. A State party to the Dublin Agreement may also choose to assume responsibility for examining an asylum claim at its own discretion or on humanitarian grounds (Article 17).

→ The Dublin III Regulation includes an early warning, preparedness and crisis management system (Article 33) designed to assist those Member States facing substantial pressure upon their asylum systems or reception capacity in a way that may jeopardize the application of the Regulation.

D Review

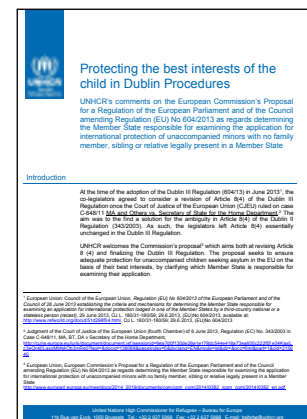
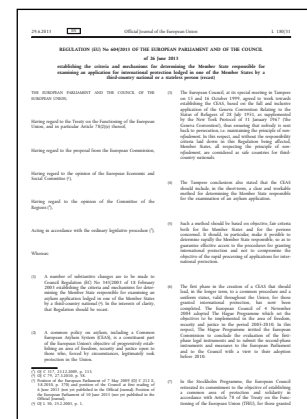
The CEAS have advanced international refugee law in some important ways and also have helped to improve protection standards in various EU Member States. Protection practices, nevertheless, differ significantly between EU Member States. The EU is working to reduce these discrepancies through practical cooperation among Member States and by clarifying and improving legislative norms. This is particularly important because the CEAS is based on the premise that asylum applicants have the same opportunity to receive the same protection in all participating States.

If procedural guarantees and appropriate reception conditions are not in place in the State deemed responsible and to which an asylum-seeker was returned this may result in violations of international law, including the principle of non-refoulement.

E Further information

The full text of Regulation EU No 604/2013 of 26 June 2013 (the Dublin III Regulation) is available at: <http://www.refworld.org/docid/51d298f04.html>.

The European Commission, “Towards a reform of the Common European Asylum System and enhancing legal avenues to Europe”, 6 April 2016, available at: <http://goo.gl/kx4IBs>.



UNHCR, “Protecting the best interests of the child in Dublin Procedures – UNHCR’s comments on the European Commission’s Proposal for a Regulation of the European Parliament and of the Council amending Regulation EU No 604/2013 as regards determining the Member State responsible for examining the application for international protection of unaccompanied minors with no family member, sibling or relative legally present in a Member State”, February 2015, is available at: <http://www.refworld.org/docid/54e1c2924.html>.

8.5

Supporting and monitoring the re-admission of refugees who have moved onward to their first country of asylum

Return and re-admission of asylum-seekers and refugees to their first country of asylum can raise a number of protection concerns, especially if the re-admission agreements concluded between destination countries and countries of first asylum do not contain adequate protection safeguards. The re-admission and return of asylum-seekers to “safe third countries” can be particularly problematic if the asylum systems of these countries are not yet fully functioning. Cross-border monitoring and cooperation can help to identify such concerns, assist States in addressing them, and ensure that asylum-seekers are properly referred to the asylum procedure and, if recognized as refugees, granted international protection.