

**60th Meeting of the Standing Committee
Agenda item 2: International Protection
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Mr Chairman, Distinguished Delegates, Dear Colleagues,

It is a pleasure, once again, to address this Committee on protection. In introducing this year's *Note on International Protection*, as well as the protection segment of the Standing Committee agenda, I'd like to highlight a number of trends and initiatives which have informed UNHCR's work to date, and as we move into the future.

These are turbulent times; and our final statistical report for 2013, released just a fortnight ago, further confirms a disturbing trend.¹ At this moment, there are more than 51 million people worldwide who have been forcibly displaced as a result of conflict, violence and persecution. This number is unprecedented since we began compiling statistics on forced displacement. With over 42 million people currently of concern to UNHCR worldwide, maintaining protection at the *centre of all* our activities is an imperative for us. The figure includes approximately 12 million refugees, 10 million stateless persons and 24 million internally displaced persons [IDPs].

During 2013, conflict and persecution forced an average of 32,200 individuals to leave their homes *per day* to seek protection elsewhere, either inside their country or in exile; 32,200 individuals whose lives have been changed forever in an instant. This is an increase of nearly 10,000 people per day from 2012. This situation has only become more grave since, with the outbreak of civil war in South Sudan in the very last days of 2013, the relentless exodus from Syria, the desperate situation in the Central African Republic and, most recently, the violent conflict currently taking place in Iraq. If the first half of 2014 is anything to go by, the numbers of those forced into situations of displacement will reach staggering proportions by year's end.

Host countries around the world continue to display extraordinary generosity. Countries neighbouring Syria, for example, have been bearing the brunt of the crisis, with Lebanon hosting 178 refugees per 1,000 inhabitants – the largest number of refugees per capita worldwide. Whilst this crisis has perhaps epitomised the critical need for increased international cooperation to share burdens and responsibilities, we continue to highlight the need for such support for other emergencies and protracted situations. Support to all situations of displacement, whether old or new, requires sustained international attention and commitment. None can be addressed at the expense of the other. Developing countries were hosting 86% of the world's refugees at the end of 2013. African countries have also consistently kept their borders open to refugees and granted *prima facie* recognition of refugee status as the most pragmatic response to refugee flows on the continent.

¹ UN High Commissioner for Refugees (UNHCR), *Global Trends 2013*, 20 June 2014, <http://www.unhcr.org/5399a14f9.html>

Protection in conflict

With an alarming number of new emergency situations and spiraling numbers of refugees, the high levels of forced displacement today are largely a result of conflict and violence. The changing nature of conflict is a phenomenon we, at UNHCR, are grappling with daily. In many situations, a seemingly perpetual cycle of conflict and violence is part of the daily reality of people and communities. Conflicts are not only *protracted*, but also appear *intractable* in the absence of broad-based, determined political resolve to end it.

Conflicts today have an increasingly devastating impact on civilian populations, who are more and more often the targets and victims of purposefully orchestrated attacks. While civilians accounted for 5 per cent of casualties in the First World War, they represented 50 per cent of casualties in the Second World War and now account for over 80 per cent. I have personally witnessed the targeting of communities along ethnic, religious or political grounds. Accustomed to unimaginable scenes of violence, weapons being wielded in the open, and messages inciting hatred, feelings of fear, distrust and revenge; these environments result in fractured, highly traumatized communities, and individuals with huge psychosocial needs. Conflict has the greatest effect on the most vulnerable civilians. To give just one example, *children* can experience a loss of childhood, deprivation of education owing to the closure of schools, family separation leading to the proliferation of unaccompanied and separated children [UASC] who are, in turn, at further risk of abuse, exploitation and neglect, as well as forced recruitment.

Current conflicts are increasingly complex, with little or often no cohesion between organised armed groups and more *ad hoc*, vigilante-type mobs. Syria is a case in point, with hundreds of different armed groups operating on the ground. The Central African Republic exemplifies the explosive mix of different groups vying for control over territory using violence: forces who had themselves been guerrillas before securing power; loosely organized armed groups; self-defense groups and criminal gangs. This reality is only exacerbated in situations where the State is absent. Not only does the vacuum of State authority enable impunity to reign, but also such a splintering of power results in even greater disrespect for international humanitarian law and human rights, and increased risks to humanitarian actors. Shifts of power, the proliferation of *de facto* authorities and private actors lead to the ‘fragmentation of accountability’, which largely characterizes the relationship between State fragility and violence.

Against this background, humanitarian action must be protection-based; guided by tried and tested principles; and its limits recognized and articulated so as not to raise expectations beyond what can be delivered. The last few months have raised a number of dilemmas in this respect, prompting UNHCR to take some tough decisions. By way of example, as protection cluster lead, UNHCR was proactive in responding to communities at extreme risk in the Central African Republic. Through a mapping of hotspots and advocacy, the protection cluster galvanized international support and forged consensus around a strategy that emphasized mediation and inter-positioning of international troops to defuse tensions. In order to save lives, and as a measure of last resort, a number of communities at risk were relocated, in accordance with a set of agreed criteria and standards. As of today, some 1,800 persons have been relocated to safer locations through a coordinated inter-agency approach. Urgent action is still needed for some 20,000 people spread across a number of locations throughout the country. Similarly, a document setting out the minimum standards for evacuations from besieged areas was developed in relation to our Syria operation.

Violence is also often exacerbated by a combination of food insecurity, chronic drought, and malnutrition, as recently discussed at the Global Forum in Berlin, organized by the German Foreign Ministry. These challenges do not just increasingly drive flight, they also magnify the cycle of violence since the displaced settle in areas where local communities are already struggling to cope. Closely linked to this, the marginalization of vulnerable groups and the spiral of violence are often interlinked. We know that inequality exacerbates poverty and has the potential to accelerate the outbreak of violence. There is also growing awareness that environmental degradation and competition over scarce resources can combine with conflict-induced displacement, for example in the Horn of Africa.

It is important to enhance our understanding of the ever shifting facets of conflict, not least from the perspective of working on solutions for the displaced and returning refugees. Following a successful High Commissioner's Dialogue on the subject of protection of IDPs, a review of UNHCR's policy on internal displacement, including institutional learning and examples of good practice, led to the release of *Provisional Guidance on UNHCR's engagement in situations of internal displacement*. This document emphasizes the investments UNHCR must make in coordination alongside delivery, particularly in light of our leadership of the clusters for protection, shelter and camp coordination and camp management.

Protection in mixed migratory movements and protection at sea

Mixed migration movements are not a new phenomenon; with people desperate to flee conflict and persecution historically taking to the sea alongside those seeking a better life and a better future for their children. The tragic drowning of over 360 persons [mostly Syrian and Palestinian refugees and asylum-seekers] off the coast of Lampedusa in October last year propelled the hazardous Mediterranean crossing onto international headlines. As some countries know all too well, such tragedies are not a rare occurrence. Every day, refugees, asylum-seekers, trafficked people, the stateless and migrants cross seas around the world, risking their lives to escape conflict, persecution, transnational organized crime, and violence. Too many are tortured, raped or die in appalling conditions, in their attempt to find safety, or face violence and exploitation at the hands of smugglers.

Here again, the numbers are staggering. In 2013, there were some 60,170 crossings of the Mediterranean and Aegean Seas, nearly triple the number recorded in 2012. The largest groups were Syrians, Eritreans, Somalis and Afghans. Whilst the number making the journey across the Gulf of Aden actually decreased in 2013 when compared to 2012, there were still over 65,000 people who made the dangerous voyage to Yemen. Some 600 people are estimated to have died or gone missing at sea in the Mediterranean and Aegean; 108 in the Caribbean; and 615 reported in the Asia-Pacific in 2013 [with some estimates, devastatingly, exceeding 1,000 people]. A lack of coherence in reporting systems, and in many cases a lack of systems at all, prevents us from truly understanding the extent of the situation.

Loss of life associated with these movements remains disturbingly high, notwithstanding a range of important initiatives to save lives, such as Italy's *Mare Nostrum* initiative that has rescued some 59,000 people since its inception in October 2013. It is estimated that over 170 people have died at sea trying to reach Europe in the first five months of this year alone. In this past weekend alone, at least 30 are believed to have perished en route to Italy.

The gravity of the challenges raised in the context of protection at sea provides the impetus for this year's High Commissioner's Dialogue, which will take place in December. Framing these discussions is UNHCR's *Global Initiative on Protection at Sea* which distils key challenges and

advocacy points, such as protection-sensitive responses, responsibility sharing, and halting punitive/deterrent policies. This year's Dialogue is a response to demands for greater collaboration on protection issues, and the need to ensure that responses to irregular mixed migration by sea are sensitive to the international protection needs of specific individuals and groups.

The complex, mixed nature of these movements makes it urgent to promote broad-based regional comprehensive approaches, and more concerted action on the part of countries of origin, transit and destination, including coastal and non-coastal States. We need to see action to improve search-and-rescue at sea procedures; ease disembarkation; ensure protection for refugees, asylum-seekers, the stateless and others in need of protection; address root causes of movements; collect and analyse data better; and put an end to harmful and inhumane measures such as pushbacks and arbitrary detention.

Temporary protection or stay arrangements

In developing temporary protection further over the last couple of years, we have updated its contemporary understanding, envisaging it, variously and depending on the context, as a complement to Convention-based arrangements for the protection of refugees; as a group-based processing alternative; or as an important protection tool in States that have not yet acceded to the 1951 Refugee Convention and its 1967 Protocol. Best agreed upon at regional level, temporary protection or stay arrangements can play an important role in harmonizing protection standards across a region while being one of a number of tools to dissuade people from moving onwards.

Additionally, they could be used in fluid or transitional contexts, such as at the beginning of a crisis when the exact cause and character of the movements are uncertain or at the end of a conflict when time may be needed to understand the motivation for movement given the emerging new context. Temporary protection may also be suited to complex or mixed cross-border population movements, including boat arrivals and rescue-at-sea scenarios. To ensure a broader common understanding in this area, we issued guidelines on temporary protection in February of this year.²

Beyond detention

Another dimension of the mixed migration phenomenon is the increasing use of the detention of asylum-seekers and refugees. The detention of persons of concern to UNHCR, particularly of children, at times in conditions that are inhumane or where release is conditional upon leaving the territory is not acceptable in this day and age, especially in light of effective and feasible alternatives to detention through community-based arrangements.

Building on UNHCR's 2012 guidelines on detention, UNHCR is launching a *Global Strategy – Beyond Detention* at this Standing Committee. Working with Governments and other partners over the next five years, UNHCR aims to make detention of our persons of concern exceptional, rather than routine. The Strategy highlights three key objectives:

- i. To end the detention of children;
- ii. To ensure that alternatives to detention are available and implemented; and
- iii. Where detention is necessary and unavoidable, to ensure conditions meet international standards.

² UNHCR, *Guidelines on Temporary Protection or Stay Arrangements*, February 2014, <http://www.refworld.org/docid/52fba2404.html>

UNHCR encourages Governments and other partners to engage actively with us on the *Beyond Detention* initiative. Alternatives to detention are not only effective in practice, but also more humane, cost-effective, and efficient.

I must though express concern at recent steps by certain countries to carry out security operations that disproportionately affect refugees, without sufficient protection safeguards, and disregarding urban refugee policies. At the same time, other countries have deviated from the very foundation of the international refugee protection regime. UNHCR will unfailingly continue to promote burden sharing to ensure access to asylum and protection from persecution and violence is available in all parts of the world. International obligations are in no way conditional on geography.

Capacity to determine refugee status

In 2013, UNHCR experienced a dramatic increase in individual applications for refugee status determination [RSD], registering 203,200 individuals or 19 per cent of the 1.1 million individual applications for asylum or refugee status lodged during the year. This is a 75 per cent increase from 2012. It is important to note that this figure does not include Syrians, even those processed for resettlement or Humanitarian Admission programmes. A number of trends explain this sharp increase – including displacement of third country nationals out of Syria. One thing is clear: without more robust State engagement, resources, and alternatives to individual processing, dealing with such a high number of individual RSD applications registered by UNHCR is not sustainable.

We have made significant progress in strengthening the capacity and efficiency of our mandate RSD procedures in recent years. But it is crucial that Governments assume greater responsibility for RSD. In parallel to steps to continue enhancing our own RSD procedures, UNHCR is reinvigorating its efforts to support Governments to build new, or strengthen existing, national RSD procedures, including through Quality Assurance Initiatives [QAI] that are being implemented in Eastern Europe and Southern Caucasus, and in Central and South America. We hope a number of others will soon be underway in Africa too.

The age, gender and diversity approach: considerable consolidation achieved but important challenges remain

Our experience in the areas of child protection, SGBV prevention and response, and education has confirmed that there are important benefits to be gained by strengthening the inter-linkages between our endeavours in these three areas. The ultimate goal is to ensure the integration of refugees and asylum-seekers into national systems, which necessarily involves the active support of the international community. We are currently learning a lot of lessons from our own programmes in this area and are monitoring the impact of the three strategies – education, child protection and SGBV – through a new, integrated monitoring framework, and we have just issued a report for all three. We also intend to conduct an evaluation on the implementation and achievements of these programmes towards the end of the five-year strategy period in 2016.

Evidence from programmes in many countries suggests that protection management is more effective if we approach these thematic areas in an integrated and holistic way. This can include designing interventions to prevent SGBV in schools, for example, to help create a safer learning environment, or giving priority to the issuance of birth certificates to allow refugee children to access social services, including education and health.

In 2013, children under 18 years old constituted 50 per cent of the global refugee population. The number of asylum applications by unaccompanied and separated children [UASC] reached more than 25,000 in 77 countries. This is the highest number we have ever recorded. Most are Afghani, South Sudanese, and Somali children. In some locations, children make up over 70 per cent of the population of concern [e.g. Gambella, Ethiopia at 71%]. It is therefore essential to take precautions to prevent generations of young people from squandering their formative years and becoming 'lost' to the future.

One country where UASC are arriving in large numbers is the United States of America. Children, primarily from Central America – El Salvador, Guatemala and Honduras – are making the dangerous journey north through Mexico to the United States. This poses formidable challenges. According to a recent UNHCR study, many of these children are fleeing violence at the hands of organized transnational criminal actors, but also violence in the home. There is an urgent need to develop comprehensive regional response strategies to address this growing phenomenon. The Cartagena+30 process in the Americas could provide a good forum to discuss strategic and operational approaches in this area.

The unique capacities and needs of displaced adolescents and youth are often overlooked in humanitarian situations. The experience of displacement can have an extremely detrimental effect on these young people at such a critical juncture in their lives – as they transition from childhood into adulthood. Yet displacement also often forces them to take on new roles and responsibilities to meet their own basic needs and those of their families.

I am constantly uplifted by the resilience that young people demonstrate in these difficult situations and their ability to adapt to seemingly impossible circumstances. Both individually and in groups, young people display remarkable talents, utilizing skills and resources which, when appropriately channeled, can become a source of strength for themselves, their families and entire communities. In order to support young people, UNHCR, through the *Youth Initiative Fund* and *You Can Do It!* initiative, is reaching out to youth, to encourage them to develop and implement initiatives to address protection challenges they have identified within their own communities. Positive examples can be found in Morocco, where one project focused on peaceful co-existence through basketball, and in the former Yugoslav Republic of Macedonia, where SGBV awareness was promoted through theatre.

Despite these initiatives, accessing education remains a common challenge in displacement situations. Participation in schools is not only key to personal development [building resilience and self-esteem], social cohesion, conflict mitigation, and peace building, but it also prevents forced recruitment, early/forced marriages, and protects children from sexual and gender-based violence [SGBV] and child labour. UNHCR therefore recognizes the central role of education in refugee protection, and has consequently included it as a core component at the onset of emergencies, requiring multi-sectoral planning and clear synergies with child protection and SGBV prevention and response. With this in mind, the 2012-2016 Education Strategy was implemented in 20 countries in 2012-13, with clear indications that positive progress is being made.

SGBV is one of the top protection risks faced by persons of concern of all nationalities, backgrounds, and identities. The recent *Global Summit to End Sexual Violence in Conflict* in London helped to shed light on this scourge and galvanized public support. In 2013, 12,425 SGBV incidents were reported in 43 countries, out of which 6,738 were reported in 16 SGBV Strategy priority countries. One can assume much higher numbers given the many obstacles faced by

survivors in reporting what happened to them and the ordeal they often face when they manage to do so. SGBV is exacerbated in times of conflict; driven by pre-existing attitudes and social norms, including those based in gender inequality and power imbalances.

UNHCR operations have made progress in the delivery of core services for SGBV survivors, such as psychosocial support, as well as medical, material and legal assistance in 103 refugee, IDP and returnee situations. We will also continue to increase efforts to support specific groups and individuals who are sometimes overlooked, such as men and boy survivors, persons with disabilities, LGBTI persons of concern, and persons engaged in survival sex. Significant staff and partner capacity building for an effective protection response has been done through regional and community-specific training.

Committed to combatting SGBV from the onset of emergencies, UNHCR, with the support of the US Government's *Safe from the Start Initiative*, is in the process of improving its institutional SGBV prevention and response from the very start of an emergency situation. We have also initiated a number of cross-cutting programmes, including, for example, a livelihood programme being implemented in Egypt and focusing on women at risk and survivors of SGBV who have no means of securing regular incomes. The programme aims to 'graduate' people in rural or urban areas out of poverty through a sequenced combination of interventions that include grants, capacity-building and microfinance.

UNHCR is also using a community-based approach to preventing violence and discrimination. In this regard, engaging men and boys in prevention activities is crucial. Twenty-two country offices have developed country-level strategies in 2013 as part of the roll-out of the global SGBV strategy, including by providing access to justice, for example, through mobile legal aid clinics and courts in Kenya as well as Uganda.

Gender equality: Women and girls

UNHCR's Age, Gender and Diversity Policy embodies UNHCR's people-oriented approach, requiring responses to be designed in an inclusive manner with the participation of persons of concern. Refugee, displaced and stateless populations have extensive knowledge of their own communities, including the risks they face, as well as a broad range of skills and expertise that, when harnessed, can be used to improve their situation. Participatory assessments and studies with refugees, IDPs and stateless people enable us to address more effectively their needs and concerns by giving them the attention they deserve. In the course of this Standing Committee we will hear more both about the AGD approach, as well as child protection in presentations on the conference room papers that have been prepared.

Women and girls are particularly vulnerable to the effects of conflict and forced displacement. We have learned from recent emergencies that these risks only multiply as the cycle of displacement continues; with women experiencing discrimination, sexual and gender-based violence, and lack of access to essential services. Some have their freedom of movement curtailed even further. However, we also see very important changes taking place during displacement and asylum abroad. We know that gender equality and women's empowerment are often tools to achieve a lot more in terms of development, both at the individual and community levels. As women and girls suddenly find themselves in a very different life in a new environment, they develop a resilience that they perhaps were not even aware they had.

By way of example, in our participatory assessments and other engagement with Syrian refugee women who are heads of households, we learned that many women had never had to bear sole

responsibility for looking after the needs of the entire family. Earning money for food, clothes and rent, handling the family finances, and running family errands was the lot of husbands or other male kin. The challenge now is to overcome the fear of exposure and vulnerability that is part of simply walking out the door [often by themselves] to meet these needs.

Initiatives and complementary activities such as education, livelihood programmes, as well as rights awareness can bolster the crosscutting influence of women's empowerment and the potential of gender equality to generate greater social transformation. For example, it is well acknowledged that women who are educated are more protected against SGBV for a variety of reasons. They are less dependent on partners who may be abusive, more likely to speak up and seek justice if their rights are violated, and more likely to be able to cope with the far-reaching changes that displacement brings. Encouraging women and girls to be agents of change not only equips them to better solve the day-to-day challenges they face in displacement, but they will be empowered as a community, better equipped to either return to their homes, once conditions are ripe, or to contribute to their host and home communities wherever they are.

The development of civil society with the strong engagement of women is also essential. UNHCR has made progress in integrating the empowerment of women into all activities, although we recognize that this is a process of continual learning and improvement. The most recent example was last month's Annual NGO Consultations on the theme: *Women's Leadership and Participation*.

Durable solutions

My remarks would be incomplete without a reference to durable solutions, not least in light of a conference room paper that has also been tabled at this meeting of the Standing Committee. UNHCR is charged with a mandate to find solutions for refugees. More and more people are living without them, however. The average length of displacement in both refugee and IDP situations has increased over the last decades, with nearly 75% of today's refugees living in protracted situations. In stark contrast with the unprecedented numbers of newly displaced and refugees, only 414,600 refugees returned to their countries of origin over the course of 2013.

We are painfully aware that this state of affairs is untenable. We are actively promoting holistic solutions strategies to support those currently living in protracted displacement. We have also developed a vision for change in the coming years to galvanize the international community's commitment collectively to advance the search for solutions and to prevent new situations from becoming protracted. At the core of this vision is a commitment to pursuing multi-year approaches which support the self-reliance of the displaced and the development of affected local communities.

Over the past 12 months, UNHCR has invigorated its own institutional focus on solutions. An inter-divisional Steering Group has been set up at Headquarters and a fund has been created that is supporting 19 operations to implement solutions strategies for refugee, IDPs and stateless groups. Integral to this invigorated approach is the launch of the *Solutions Alliance*, which brings together UN and civil society, host and donor Governments, and academic and private sector actors interested in addressing solutions from the first days of emergencies. The Alliance is expected to offer technical and other [strategic/advocacy] support, in addition to promoting collective approaches to durable-solutions strategy development and fundraising.

In parallel, and as we will hear later during this Standing Committee, UNHCR is continuing to work with partners in an effort to strengthen the strategic benefits of resettlement. Highlights

during the past year include the mobilization of important multilateral resettlement commitments in response to the Syrian emergency and the more protracted Congolese refugee situation. In both cases, UNHCR is encouraged by the leadership shown by resettlement countries working together in newly established Contact Groups.

Statelessness

As you know, this year we commemorate the 60th anniversary of the 1954 Convention relating to the Status of Stateless Persons. This gives us an opportunity to revitalize efforts on the statelessness front. I will report back in more detail on statelessness issues during the protection segment of the Executive Committee next October, notably in the wake of the launch of our campaign to end statelessness and the *Global Forum on Statelessness* that will be held at the Peace Palace in The Hague in mid-September. Suffice it to say at this stage that I returned last week from a regional meeting on migration and statelessness that was graciously hosted by the Government of Turkmenistan in Ashgabat. It is our hope that this meeting will pave the way for Central Asia to become the first region in the world to end the phenomenon of statelessness. I am also extremely pleased to announce that this week we are launching the *Handbook on Protection of Stateless Persons* which provides essential guidance to States, civil society and UNHCR staff on implementation of the 1954 Stateless Convention.

Strengthening protection capacity

Protection is not possible without proper staffing, training and partnerships. Since 2011 protection staff has increased by 21%. In numeric terms, this means we have 398 additional staff dedicated to protection. Over the last two years UNHCR has doubled the number of protection partnerships at the global level. We are deeply grateful to our many UN and non-UN friends and partners, faith-based and secular organizations, local officials and communities and many others with whom we work shoulder to shoulder on the front lines of humanitarian action, refugee response and protection. On this note, let me also mention the new partnership guidance on working with faith communities, faith leaders and faith-based organizations.³ Our protection training has expanded exponentially over the last three years, with the number of protection courses offered growing from 18 in 2011 to 53 in 2013, benefiting an impressive 8,020 staff and partners [compared to 655 in 2011].

Conclusion

Mr Chairman,

You can readily see how protection transcends all aspects of humanitarian action. This was explicitly recognized by the Inter-Agency Standing Committee in December last year through the adoption of a document on the *Centrality of Protection in Humanitarian Action*. A comprehensive protection analysis must therefore inform every element of humanitarian relief. One thing is clear, however. Humanitarian action cannot replace the necessary political work that needs to be done to address the underlying causes of conflict and violence. It is unfortunately often no more than a Band-Aid. It is certainly not a cure. The international community must unite to address the root causes of conflict to prevent further displacement, with humanitarian actors being supported by the complementary mandates of United Nations political and peacekeeping missions.

³ UNHCR, *Partnership note on faith-based organisations*, 2014, <http://www.unhcr.org/539ef28b9.html>