



Keynote speech of UN High Commissioner for Refugees, Mr. António Guterres:

Refugee Protection and International Migration in the Gulf of Aden Region

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Excellencies, ladies and gentlemen,

I am delighted to have the opportunity to address you on an issue which has figured conspicuously in my visit here to Yemen. I would like to thank the Government of Yemen not just for welcoming me but for welcoming us, all of us, to this two day conference on refugee protection and international migration.

I am grateful to the European Commission for providing the funding which has enabled the conference to take place. I am grateful likewise for the efforts of the Mixed Migration Taskforce established under the aegis of the Inter-Agency Standing Committee Protection Cluster for Somalia, which, among other things, commissioned the background paper for the conference. I would like to acknowledge at the same time the impressive participation from other UN agencies, international organizations, NGOs and donors.

I am very pleased to see the robust representation of the countries of the Horn of Africa as well as the African Union. I am equally pleased by the strong and varied representation of our hosts here in Yemen and from the wider region. I welcome in particular the participation of the countries of the Gulf, to whose countries many of those making the crossing to Yemen seek to go, and of the League of Arab States.

UNHCR does not have --and does not seek-- a mandate for migration. It does however have a responsibility to assist Governments in identifying and protecting refugees within migratory flows. And it has taken up the challenge to join with Governments and other actors, notably IOM, to uphold the rights and protect the welfare of people moving for reasons unrelated to refugee status, but who become vulnerable to abuse and exploitation, both in the course of their journey and following arrival.

As part of that effort, UNHCR initiated a Dialogue on Protection Challenges last December. It asked participants, which included the widest range of Governments and other partners, to examine the issue of refugee protection amidst wider migration movements and, more specifically, to look beyond the control of irregular migration and examine more broadly the relationships between protection, solutions, and migration.

This conference is a continuation of the Dialogue process and it comes at an important time. To date in 2008, the rate of persons arriving in Yemen from departure points in the Horn, principally Bossaso, is double that of 2007, with more than 16,000 persons arriving by the end of April. And this despite the fact that 2007 had been significantly busier than 2006, with a total of 29,000 persons arriving versus 22,000 the year before. Quite simply, more and more people are risking their lives to get to Yemen. They are driven to move by war and persecution but also because of environmental degradation, climate change and extreme deprivation. These causes are increasingly interlinked and frequently more than one is required to explain an individual's flight.

While many and perhaps most of those making the crossing to Yemen have multiple reasons for doing so, there is no doubt that a majority have international protection needs. Indeed, two-thirds of the movement of which we are aware is comprised of Somalis, most of them from the South Central region.

Aware of the protection needs of these people, the Government of Yemen extends *prima facie* recognition to Somalis. Its leadership in responding to the protection needs of individuals in the migratory movement has won it recognition from a wide variety of sources, including my Office. While the Government continues to scale up to meet the challenge, it will not be able to do so alone. It needs more from us, more meaningful solidarity from the international community.

We need to step up efforts at the departure points to discourage those crossings which can be avoided. Ultimately this will require resolution of the root causes of the movement, including the conflict in Somalia, which requires concerted long-term efforts by the international community. But undoubtedly helpful mitigating steps could be taken in the meantime. Increased access to international protection, health and education services and livelihood activities in the Horn would offer meaningful alternatives to some of those currently risking their lives to seek those same things in Yemen. Such efforts could be supported by more vigorous initiatives to inform people about the dangers of the journey and the prosecution of smugglers, ideally before they leave home, but also in transit countries.

It is necessary to approach the challenges of international migration in a coordinated, rights-based, humanitarian way. This is what UNHCR's 10 Point Plan of Action seeks to do. The 10 Point Plan is a framework developed for States and other actors to craft comprehensive strategies in response to mixed migration situations. The 10 Point Plan is of course not a blueprint requiring identical action in all circumstances -- no such blueprint could possibly exist-- but assists in identifying key objectives and structuring the strategies developed to achieve those objectives.

The same desire for a coordinated, rights-based and humanitarian approach is also foundational to the Mixed Migration Taskforce (MMTF) established in Somalia. The Taskforce comprises many of the key international governmental and non-governmental agencies active on mixed migration issues: [UNHCR, IOM, OCHA, UNDP, UNICEF, OHCHR, UNDP, the Danish Refugee Council and the Norwegian Refugee Council.

It is this Taskforce which has spearheaded the effort to enhance responses to mixed migration within Somalia. The main features of a medium and longer term response

are set out in the Strategy table or matrix for Somalia in the conference binder. UNHCR believes that this productive collaboration could be usefully replicated in other countries and expanded, most fundamentally, to include Governments and regional organizations and to take advantage of consultative mechanisms such as the Regional Consultative Process on Migration launched by IGAD last week.

In Yemen, while no MMTF yet exists, significant improvements have been made in reception facilities and services for refugees. This is good but the challenge is broader. Importantly, efforts need to be linked to community development and development more generally. We must ensure that host populations also benefit from the additional resources and international support the situation requires.

Turning to the conference, we have an opportunity here over the next two days to forge the type of inter-governmental and inter-agency cooperation vital to a holistic and protection-based response to mixed migration. National plans have already or are in the process of being elaborated. The conference, we hope, will help us to connect these activities on a regional level.

I would like to emphasize six of the important objectives to be discussed at this conference:

First, cooperation and coordination must be improved, at both the national and regional level and combined with well-defined and reliable support from the international community. Success will rely heavily upon engaging the wide range of ministries implicated in the delivery of humanitarian services for refugees and migrants and the utilization of existing or establishment of new fora for deliberation and action. The MMTF created in Somalia and the IGAD Regional Consultative Process represent good examples, as do the possibilities of increased engagement by the African Union and the League of Arab States.

Second, efforts must be redoubled to end abuses of human rights. The renewed Somali peace talks sponsored by IGAD in Djibouti give us some hope. While conference participants are obviously unable to address human rights abuses perpetrated by combatants, we are in a position to agree and implement policies which better protect the rights of refugees and migrants during their journey and upon arrival. We are able to develop effective responses to ensure access to basic services, food, shelter, health care. We can also help address the sexual and gender-based violence or the threat of harmful traditional practices which prompt many girls and women to risk the voyage to Yemen. And appropriately supported, Governments are able to identify and prosecute smugglers who beat or throw overboard those who have risked their lives simply seeking safety.

Third, refugees in migratory movements must be identified and protected. As already observed, refugees constitute a majority of those arriving in Yemen. Through prima facie recognition, Somali asylum-seekers are assured of protection as refugees. Non-Somali asylum-seekers need to be better informed of their rights, including the possibility of seeking protection. The reinforcement of mechanisms for identifying and protecting refugees apply equally and perhaps even more importantly in the Horn. Refugees need never embark on the journey to Yemen if they are given protection and

provided with the possibility to become self-reliant. The same holds true for the large population of internally displaced persons.

Fourth, the conditions which give rise to irregular onward movement must be tackled. For those in need of international protection, this implies an ability to determine needs promptly and ensure access to basic services and solutions. For those not in need of protection, this means enhancing the options for legal migration to the States of destination and the assurance of human rights once there or return to the country of origin under humane and orderly conditions.

Fifth, migrants who have become stranded en route may wish to return to their countries of origin. If they do, they must be able to do so in safety and dignity. The availability of the expertise of IOM in voluntary return programs as well as more broadly in establishing proper migration management capacities is key here.

Finally, as the agents of their own futures, refugees and migrants must be able to make informed decisions about what they will do and where they will go. As I have sought to emphasize, such choices are void of meaning if there are no relevant options. Information alone will not persuade an individual willing to risk her life not to do so. Information describing real alternatives to such a journey may.

In conclusion, we have before us a formidable but estimable task. A single conference, however ambitious, will not reverse the fortunes of the tens of thousands of individuals risking their lives in the hope of a better one. I am confident however that through our shared purpose in being here, the frank but collegial discussions I am certain will occur, and effective follow-up, we can convert the expertise and goodwill in this room into more protection and more solutions for individuals assuredly in need of them.

Excellencies, ladies and gentlemen, I believe we all share the same concern about the longstanding plight of Somalis. There is no real humanitarian solution for it. The only solution is political. The international community must realize the far-reaching dangers of an unstable Somalia for the region and beyond and fully engage with the Somalis in the search for peace.

I thank you for your attention and wish you the most fruitful of deliberations.