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Statement to the 68th Session of the Executive Committee of the High Commissioner's Programme

By Volker Türk, Assistant High Commissioner for Protection | 05 October 2017

Madam Chairperson, distinguished delegates, ladies and gentlemen,
Many thanks for inviting me to introduce the protection segment of the Executive Committee. As always, the *Note on International Protection*, various protection papers, and the June Standing Committee provided detailed updates on protection developments and UNHCR's response over the past year,[1] so I will not repeat or summarize them. Rather, I will offer today a few broader reflections on some concerning recent trends, as well as the positive developments that have helped to counter them – ones that reflect our common humanity, but seldom make it to the headlines.

First, we need to go back to and forward with the **essence of international protection**. Of late, there has been an unfortunate tendency in several countries around the world to move away from this fundamental principle. None of us should ever assume that what happens to refugees could not happen to us. Providing sanctuary to people who flee for their lives and freedoms is not only noble and honourable, but also eminently practical. Providing protection and hope for the future does not take anything away; if properly managed, it adds and enriches. Sometimes this gets forgotten in the media chatter and myopic political discourse where abstract concepts and ideologies obscure the realities of human beings in distress. What also seems to get lost are the historical perspective and the recognition that the rule of law is essential to good governance and the protection of people. We need to remember why international protection was conceived and how it has evolved. We need to consider what it means both in today's world and in the future, including in relation to threats such as the adverse effects of climate change.[2] In doing so, we can and must make the case for protection again and again.

I am saying this against the backdrop of egregious **violations of international refugee law** over the last year. These are wide-ranging and have occurred in all parts of the world. They have included killings of refugees by the military. There has also been a surge in serious incidents of *refoulement* in different parts of the world. The denial of entry to people, whose very lives depend on flight, has led to their entrapment in dangerous and horrific conditions. Whole groups have been pushed back across borders, sometimes involving the military. Terrified families have been deported in the middle of the night, often with the connivance of security agents from the country of origin. Individuals have been extradited in contravention of due process guarantees. And the list goes on.

It is profoundly disturbing when the core of the core – the principle of **non-refoulement** – is observed in its breach rather than its compliance. Granting asylum and protecting refugees is a humanitarian, non-political act. It does not pass judgement about conditions in the country of origin. Rather, it focuses on the plight of the individual. It must not be used to create tensions between states. It should not be levied to forward populist agendas. Yet, a trend has emerged where some in leadership positions cast aside this deep humanitarian, religious, and legal tradition in favour of short-term political gains. They argue that they act in defence of the liberty, security, and safety of their citizens. This is dangerous – not just for refugees, but also for the citizens in whose defence they purport to act.

Asylum and refugee protection are not things thrown easily to the wind. They represent humanity at its best, and respect for each human being. Trampling on these monuments of civilization with misinformation and opprobrium sets a dangerous precedent. Those who currently govern will eventually feel free to crush the rights of those who are not to their liking, and will do so unchecked.   This diminishes us all. And indeed, we have witnessed a trend where some NGOs, human rights defenders, humanitarian actors, and national human rights institutions have had their work curtailed. No one should easily dismiss or denigrate the courageous work of civil society in advancing the cause of caring and protecting and saving lives, both on land and at sea.

Another major worry remains the array of **deterrence measures**. In some instances, these have become deliberate policies of cruel, inhuman, and degrading treatment. They have been directed against people who fled such treatment in the first place. They have been celebrated for letting no crack of light into a downward spiral of inventions to keep refugees out. There is no justification for keeping families apart. It is inhumane to keep refugees in limbo – languishing in substandard detention sites off-shore, in inappropriate reception facilities, or confined to border areas. Treating human beings in this way ultimately affects everyone. It can lead to the dehumanization of individuals and the brutalization of a society as a whole.

Prolonged, arbitrary, and indefinite **detention of asylum-seekers and refugees** continues in a number of countries, including in so-called 'regional processing centres'. UNHCR issued reports relating to detention in over 25 countries. These demonstrated its profoundly adverse impact, notably on mental well-being and health.

There are many instances of reported self-harm, post-traumatic stress disorder, anxiety, and depression. There is also a huge financial cost. Sadly, detention is often intended to deter potential future irregular arrivals. This is unconscionable, particularly given the incredible hardship that most asylum-seekers and refugees have already endured in their countries of origin and transit. Detention and uncertainty frequently lead to further physical and psychological damage, for which the asylum state bears responsibility.

Recognizing this, UNHCR is vigorously pursuing its *Global Strategy: Beyond Detention* (2014-19). It is entirely possible, practical, and cost-effective to find alternatives to detention for asylum-seekers. Such measures can effectively manage asylum processing without disproportionately restricting free movement or infringing on rights. With appropriate care arrangements in communities, we can put an end to the immigration detention of children, irrespective of their status or that of their parents. It is undeniable that detention is never in a child's best interests. Fortunately, in some countries, the number of children detained is decreasing, for example in Malaysia, Thailand, and the United Kingdom, or the practice of detaining children has ended, as in Lithuania.

In a world where rights go unprotected, individuals with specific needs, such as survivors of **sexual and gender-based violence** [SGBV] or children, are often the ones who lose the most. SGBV continues to be a driver of flight. It is also a major risk *en route*, when refugees rely on smugglers, encounter inadequate reception conditions, or are detained. It is a top protection concern for refugees and IDPs both in urban and camp settings. It affects women and girls, and men and boys. It takes many forms, from rape, to sexual assault, domestic violence, child marriage, sexual exploitation, and others. But what these all have in common is the lasting sting of humiliation, disempowerment, and subjugation. The severe pain and suffering continues long after the act. It can have a profound impact on refugees' ability to cope with the many stressors that they must contend with on a daily basis.

We have made good progress to address SGBV through the '*Safe from the Start'* and other initiatives, such as the Regional Safe Spaces Network in the Americas, but these are only starting points. As an organization, UNHCR is determined to mainstream prevention and mitigation of SGBV in all areas of our work. This year in May, we convened colleagues from the field and headquarters to review challenges and develop a three-year Plan of Action to prevent and respond to SGBV across all programmes and sectors. This continues to be a key corporate priority.

Also, with the number of **children on the move** rising, many countries have been particularly challenged. More than half of the total refugee population are children. Unaccompanied and separated children [UASC] lodged some 112,305 asylum claims in 2015 and 75,000 in 2016, and last year, 64,000 UASC were apprehended at the US-Mexico border. More than 2.4 million Syrian refugees are children, which requires that we intensify our efforts to ensure that there is '*No Lost Generation*'. And more than one million children have fled South Sudan. Without proper arrangements for reception, family reunification, and foster care, many UASC move onward at the risk of abuse,

violence, and exploitation. And when solutions are not available, refugee status becomes intergenerational. Millions of today's refugee parents were once refugee children themselves. We must act together, now, to find solutions for refugees and other displaced populations and to fulfil the opportunities presented by the New York Declaration. Otherwise, we risk failing this generation of children, and those to come.

These challenges can be turned into opportunities to strengthen national child protection systems benefiting all children, as we heard from the Swedish State Secretary[3] last year. There are opportunities through the New York Declaration, including the Initiative on Child Rights in the Global Compacts, the Global Conference on Children on the Move, and the Working Document '*Child Rights in the Global Compacts*'[4]. We can use these avenues to ensure documentation at birth; to provide education early on, for example through the Educate a Child initiative and the Global Partnership for Education; and to secure children's access to health services. The High Commissioner's Dialogue last year also provided an impetus for action. For instance, in July, UNHCR, UNICEF, and the IRC, launched *The Way Forward* and a *Call to Action* with recommendations for improving child protection in Europe.[5] In the Middle East, UNHCR is working with countries such as Jordan to include refugee children in their national health care and education systems and to formalize alternative care. UNHCR is also supporting efforts to strengthen Best Interests procedures in Mexico.

In the current climate, many **asylum systems, notably refugee status determination [RSD] processes**, face growing challenges. In some cases, this is due to high numbers. In others, this may result from people seeking migratory status resorting to the asylum process when no other legal pathways are available. Last year, UNHCR received almost 200,000 RSD requests directly in over 60 countries, which was a slight decrease from previous years. The agency also processed 151,500 Syrians under a merged RSD-resettlement procedure in the Middle East. In the face of such numbers, we have learned well that the RSD procedure needs to be kept simple, fair, and efficient. It requires investment in good quality first instance decision making and a good independent, second instance body. Also, the use of simplified or streamlined case-processing can help keep the numbers manageable while maintaining quality.

In recognition of this, UNHCR supports states in undertaking quality assurance initiatives to strengthen their RSD systems, for example in the Americas,[6] Eastern Europe,[7] and Africa where several have recently assumed more responsibility for RSD. To assist in better decision-making, UNHCR has also supported the issuance of country of origin information compilations and issued country-specific guidance documents, as well as new guidelines on people fleeing conflict and violence.[8] UNHCR is further increasingly embedding its RSD mandate work within broader protection and solutions strategies. State engagement in RSD is an area that we want to pursue in the roll-out of the comprehensive refugee response framework [CRRF]. It is encouraging that countries such as Turkey, Thailand, Cameroon, and Morocco are already doing so.

Amidst the turbulence of so many challenges to the international protection regime, the best way to steer the course is to stick to the core [the essence of protection], remind ourselves of why it was created in the first place, and learn how to customize it in today's world. This is an ongoing task on which we seek to work with this Committee as we move forward.

Second, and undergirding the challenges to the international protection regime, there is a much **broader governance issue** at stake here. We have seen how much of the current debate and polemics around refugees can undermine good governance. There have been countless instances of language vilifying refugees and obfuscating their need for protection. At times, this is accompanied by exaggerated, dramatic portraits of hordes streaming across borders or taking to the sea. It is often mixed with slurs attacking expertise or 'globalist', 'out-of-touch' elites, and uses brash, hateful, and contemptuous language. Refugees are called 'queue jumpers' to create the image that there is a queue and that there are 'correct' and 'incorrect' refugees who should be treated differently. Or they are branded as terrorists or criminals. Worse, they are blamed for their plight and punished for moving onward trying to survive. Such use of language is particularly worrying.

This becomes particularly salient when **refugees are targeted for political or other reasons**. We see this in pre-election periods and in attempts to divert the focus from real challenges that a country faces. Migration and refugee issues have traditionally served as a convenient topic around which to whip up fears and gain political capital. Preconceived ideas, identity politics, and a tendency towards exclusion are enmeshed in this debate. Emotionally charged topics are raised to gain votes, to misinform, and to scapegoat, often in a manner that dehumanizes, creates divisions, and polarizes. It is a way to channel anger and frustrations, especially among parts of the population who feel they have been hard done by or are missing out. It is the old trick of clouding the conscience, of divide and rule, of a reductionist view of identity.

When refugees are exploited for such purposes, governance is reduced to branding for markets. It becomes mere entertainment for specific segments of a society and certain audiences. Ridiculing and denigrating the other become mainstream. And simplistic solutions are offered. We should all be worried about what is really going on behind the scenes and ask where all of this will lead. Historically, we know the immense damage and suffering that ensue when politicians bring out the shadow side of societies and play with it. We know what can happen when they promote isolationist warps, misinformation, and 'alternative' realities.

Such tactics pose particular challenges to good governance. **Good governance** requires nurturing, understanding, and reasonable environments – upon which the essence of protection ultimately depends. Unfortunately, in our efforts to foster such societies, the humanitarian and human rights community tends to speak to the converted. It is our comfort zone. Our greatest challenge is engaging those who do not agree with us, who have strong emotions, or who revert to fixed ideas about identity

in a fast-changing world. This requires that we engage first in a listening exercise. We need to hear the fears, while not necessarily sharing their content.

It next requires that we find ways to replace such fears and isolationist impulses with empathy and the desire for inclusion. We can start by promoting peaceful coexistence in host communities. In many countries around the world, such as in Lebanon and Jordan, refugees and local host community members are working towards common goals of ensuring the safety and protection of the whole community. Across the Middle East and North Africa, over 1,100 refugees, IDPs, and members of host communities have volunteered to support protection responses, and over 350 community centres have enabled the safe provision of services. In Dadaab, Kenya, refugees and local authorities work together in Community Peace and Protection teams. In Lebanon, Iraq, and Chad, for example, urban development projects, such as building and improving schools and child-friendly spaces, clinics, and water and sanitation facilities are benefitting both refugees and host communities. This helps to reduce potential tensions between them.

Promoting social cohesion also requires an inclusive approach to ensure that those who are often the most marginalized have a voice. In linking up refugees and host community members who have disabilities, as has been done in Zimbabwe, India, and Greece, for example, they have come together to problem solve and find support around common experiences of stigma and exclusion. Youth can also be a bridge between community divisions based on ethnicity, religion, and inter-generational issues. They can act as agents of positive change, as we saw in the Regional Youth Consultation on Peace and Security in Panama this year.

We also need to motivate the silent majority and those on the fence, so that refugee affairs become a whole-of-society matter. It is encouraging that the UNHCR *#WithRefugees* campaign has garnered over 1.5 million signatures in support of education, shelter, jobs, and skills training for refugees. Along with the UN's '*Together*' initiative, this campaign showcases the ways that refugees contribute to their communities. It counters negative narratives about refugees to reduce fears borne out of unfamiliarity and misinformation. It demonstrates that support for refugees and displaced people is not done to the exclusion of others, but is an expression of inclusion.

The coalition supporting such an inclusive approach draws from many sectors of society, from universities to sports federations, faith groups, workers' unions, youth, and the private sector. Many of us are familiar with the excellent contributions they are making. In the private sector, IKEA, Chobani, AirBnB, and Starbucks, for example, and so many others are helping refugees. There are thousands of community initiatives, led by cities and mayors, where employing refugees is revitalizing their workforce. There are countless individuals who welcome, mentor, and assist refugees, sponsor their resettlement, or support their education. And states, such as Uganda, are providing refugees with agricultural land, and Turkey, Jordan, and Ethiopia, for example, are generating employment opportunities. The World Bank[9] has also decided to allocate substantial resources to particularly affected host countries with limited resources.

These initiatives have in common the value of giving refugees the opportunity to become self-reliant early on through the support of host communities. This enables them to live with a sense of control over their own lives, support their families, and contribute to society. There is no better way to achieve inclusion and social cohesion than to ensure that people can get on with their lives from the start.

Returning to the question of language, it has also become common in current debates to muddle **language and terminology** at the expense of refugees. We have heard too often refugees described as something other than who they are. For instance, they have been called 'undocumented people' or 'vulnerable migrants'. This may have been done with the laudable intention of making a stronger case for the rights of all people on the move. However, this has not had the intended effect. Instead it has created confusion. Rather than advancing the cause of protecting migrants' rights, it has provided fodder for those who wish to undermine refugees' rights.

Quite apart from the erroneous legal depiction, it is inappropriate to present refugees as a sub-set of anyone else, migrants or otherwise. A person who is a refugee is a refugee, full stop. There is a clear legal definition of refugees linked to absence of national protection. And there are clear accountabilities for ensuring this protection. The essence of international protection lies in identifying and recognizing [international] protection needs of people fleeing conflict, violence, human rights abuses, and other serious predicaments in their country of origin.

There is also a clear human rights basis for the rights of migrants, even though there is no internationally agreed definition of who is a migrant. We must be mindful of the rights and needs of migrants because of what they encounter along the routes or due to their particular circumstances.[10] To address the needs of individuals in mixed flows, we have updated our *10-Point Plan*[11] on the asylum/migration nexus. It would be a huge and costly mistake to be unclear about definitions. Blurring the distinction between refugees and migrants undermines the specific legal protections to which refugees are entitled. It obscures focus on who is accountable for their protection. And it feeds into justifications for restrictive measures towards refugees. If we are not careful about this, we are somehow losing here the very thing that we are trying to achieve.

In some academic and international circles, it has also become fashionable to argue that the **refugee system** is broken and needs to be rebuilt. Yet, when one looks closely at such arguments, they do not hold up. Reopening a discussion about the bedrock of international protection, in place for nearly seven decades, risks becoming an exercise in weakening existing standards. It could reduce them to the lowest common denominator, to the detriment of the millions of refugees who must rely upon this system for their survival. Such discussions do not take into account what is already happening on the social, economic, and legal fronts to provide a more comprehensive response for refugees, as I set out in my speech to the Standing Committee this year.[12] And rarely do they propose viable alternative options based on sound evidence and solid experience on the ground.

The problematic use of language is further prevalent in unwarranted juxtapositions between **broader security concerns** and refugee arrivals. UNHCR is not a security, but a humanitarian and protection agency. Yet our work with displaced people for more than sixty years has made us acutely aware of broader security considerations, including those arising from terrorism. We know that security concerns are more connected to the causes than the consequences of refugee movements. In many locations around the world, insecurity stemming from violent conflict, extremist groups, and organized crime has become a common feature of daily life. Often these situations have deeper roots in growing inequality, weak rule of law, and poor governance. Some may even result from the adverse impacts of climate change, which can increase competition for scarce resources. Nowhere is insecurity more visible than in the lives of the 22.5 million refugees, 2.8 million asylum-seekers, and 40.3 million internally displaced persons in the world today. Let us recall that refugees are often the first [and sometimes multiple] victims of terrorism and insecurity. People involved in terrorist activities have on occasion sought to undermine support for refugees, including by punishing those who flee from areas controlled by terrorist groups.

Our collective experience gained over the years has taught us that security and protection need to go hand in hand – one is not possible without the other. The international legal regime underpinning refugee protection reflects this reality. International refugee law provides for safeguards to protect those in need of international protection from persecution, conflict, and violence – including terrorism. It also bears in mind the security interests of host countries and their communities. The international refugee regime does not give shelter to persons who are guilty of terrorism or other serious crimes. Within an oft heated public debate, it is crucial to keep things in perspective: while no system is entirely risk free, asylum procedures are amongst the most carefully scrutinized channels for gaining admission and stay in a country. This applies equally to resettlement, where security checks and rigorous screening mechanisms are applied even before a refugee is permitted to enter the country.

Good governance requires that the protection of people be central to managing the security aspects of people on the move. Part of ensuring security requires that we protect the victims of insecurity. Both refugee protection and national security have the potential to interact well if each role is properly understood. We need to find the opportunities and strive for an integrated response – one that addresses both of these aspects in the displacement and migration situations around the world.

Another blurring of lines occurs when some argue for **offsetting 'spontaneous' arrivals against resettlement or Overseas Development Assistance [ODA]**. The argument is that states can become more generous on resettlement, family reunification, or even ODA if the number of spontaneous arrivals goes down. Yet, in our experience, not only does this penalize people who must flee for their lives, this type of 'deal' simply does not work. Close to 1.2 million refugees need resettling globally, but only 93,200 places in resettlement countries are expected to be available this year. This is 43 per cent lower than in 2016. For refugees from sub-Saharan Africa, the situation is especially acute – with just 18,000 available places for the more than half a million

refugees in need of resettlement. We cannot say that such offsetting measures would bring us anywhere close to providing meaningful alternative options for those who end up in Libya or seek to cross the Central Mediterranean or the Red Sea.

With regard to <u>resettlement</u>, we are witnessing an erosion of its function as a protection tool. The critical protection and life-saving function of resettlement for the most vulnerable individuals risks giving way to pressures to resettle individuals with 'integration potential' – as if language, education, or professional skills make one more deserving than those who are at the greatest risk of harm. To guard against this slippage, resettlement programmes need to be anchored in protection and solutions strategies. Resettlement also needs to be flexible, responsive, diverse, predictable, and long-term. This enables us to use resettlement frameworks in innovative ways to protect individuals at heightened risk – for example, individuals in besieged areas, or who were released from captivity by armed groups, or who need evacuation from their country of origin, as is done with the Protection Transfer Arrangement in Central America. We appreciate how some states, such as Sweden, have significantly increased their quotas, including emergency places for refugees whose lives are at imminent risk, and kept them diverse and focused on protection needs. We also welcome the engagement of states such as Argentina, Brazil, and Chile in applying the emerging resettlement country mechanism.

For these reasons, resettlement must remain guided by protection and humanitarian imperatives and must not be conflated with migration pathways. At the same time, in a world where resettlement needs far outstrip the actual places made available, migration pathways can provide further solutions. They need to be expanded to widen the opportunities for solutions for refugees manifold. Family reunification, such as the German programme for Syrian refugees in Jordan and Lebanon, is a pathway that can make some of the greatest changes in refugees' lives. Labour mobility, as in the *Talent Beyond Boundaries* programme in Jordan and Lebanon, provides another possible solution for self-reliance. Education programmes, such as those offered by Japan for Syrian refugees or the scholarships provided by United World Colleges and Région Occitane-Pyrénées-Méditerranée in France, provide young refugees with opportunities for a different kind of future. Humanitarian visas, such as those offered by Argentina for Syrians, and private sponsorship programmes as seen in Canada and Brazil, also offer important pathways to safety.

It is difficult to describe the despair and the urgency we often feel about the need to instil a sense of humanity and evidence-based reasoning into current debates and policy discussions. The portrayal of the 'other' must start and end with the plight of the human being before us. The orientation towards that plight is the beginning of good governance. The question for all of us is what more can we do so that reason and empathy prevail.

Third, and related to the other two themes that I have set out, we must find ways to break the **cycle of displacement**. We need to make a concerted effort at all neuralgic points to respond to both immediate humanitarian and longer-term development needs.

In some way, a **broader understanding of solutions**, which includes addressing root causes, immediate needs, and longer-term development, could be an avenue to achieve this. It is encouraging to see how much solutions have now come into focus.

Ideally, of course, this means preventing the problems from arising in the first place by addressing the **drivers of displacement**. A lot of these have to do with lack of good governance and the effective functioning of the state everywhere on the territory. Unfortunately, in too many situations, we are confronted with huge inequalities, a lack of accountability towards people, and massive and unchecked exploitation of natural resources at the expense of local populations.

In an increasingly interconnected world, these issues are not isolated, but implicate and affect us all. This is clear when we look at business interests, for instance, and the links between violence and the extraction of precious minerals connected to the lifestyles we enjoy. Or when we consider the 108 million people worldwide experiencing food insecurity, of whom 30 million are in four countries, three of which are experiencing conflict.[13] In Yemen, Somalia, South Sudan, and Nigeria, for instance, there is a direct relationship between armed conflict and food insecurity. Or when we remember that in the Sahel, parts of Latin America, the Middle East, Asia, and Europe, there are areas that have been neglected and marginalized for decades – sometimes because of their location in remote border zones or for political reasons. It is no wonder that such areas become the breeding grounds for discontent, radicalization, and violence, which can lead to displacement.

The situation in some countries affected by conflict demonstrates that the prevalence of violence goes beyond the presence of armed groups or gangs. It is also linked to a weak or absent state. This has had a detrimental effect on the social cohesion of populations in such regions. Displacement is a lifeline for survival, but in too many situations it is also used as a deliberate strategy by those exercising power to exert control. Concerted efforts are needed to tackle on-going and new causes of displacement and to establish the presence of the state in affected areas of a country, particularly where economic development is sorely needed.

Displacement denies, deprives, and uproots. It sets in motion a process of impoverishment if not addressed vigorously. The reversal of this process can, however, be a catalyst for development and change both for the displaced and their hosting communities, as well as an investment in the future of countries ravaged by conflict. This is the promise from last year's New York Declaration.

Achieving **self-reliance** within host communities is key to reversing this process and is fundamental to any solutions orientation. Refugees need freedom of movement [including the freedom to move to areas where there are economic opportunities]. They need lawful access to non-exploitative employment, the possibility to trade and start small businesses, and financial inclusion. They need access to the labour market, as is being done in the *Living Integration Project* in Costa Rica, for example. Such measures will yield the quickest progress towards self-reliance. In this respect, recent

collaboration between UNHCR and ILO holds much promise. Since the signing of the Memorandum of Understanding between our two organizations in 2016, a joint action plan has been developed. The ILO has issued the *Guiding Principles on the Access of Refugees and other Displaced Persons to the Labour Market*.[14] And the International Labour Conference adopted *Recommendation 205 on Employment and Decent Work for Resilience and Peace*,[15] which provides an excellent guide for how the world of work can support responses to and recovery from crisis, and create conditions that facilitate the inclusion of refugees in labour markets in host countries.

Access to **education** is also central to facilitating self-reliance. Of the 6.5 million school-age refugees, 3.5 million do not go to school. Only 23 per cent of refugee adolescents are in secondary school. Education needs to be a priority from the onset of an emergency. Children need to be included in local schools within a few months of displacement. The academic and social benefits of education contribute to their resilience. Youth and young adults who stay in school have opportunities to exercise their minds and develop their capacities for community building, civic participation, and leadership. The New York Declaration and the CRRF recognize the urgency of linking humanitarian and development actions, particularly in areas like education. Development partners can help alleviate the strain that displacement puts on effective education sector planning and financing. Humanitarian and development funding can ensure sustainable access to education, so that refugee children can access accredited examinations. It also builds social cohesion by improving the quality of local education services and infrastructure for all children. In the process, it supports the achievement of SDG 4.

While the gaps in education are still substantive, progress is being made. Over 400,000 out-of-school children have now been enrolled in primary school. Nearly 143,000 refugee children now access accelerated education and bridging programmes, in countries such as Ethiopia, Kenya, and Rwanda. This prepares them to mainstream into regular classrooms at the right levels for their ages. Turkey is running intensive language programmes to facilitate refugee inclusion in national schools. Refugees in Iran are successfully integrated throughout the education system, including at the tertiary level. And over 10,600 refugees in 50 host countries are enrolled in university courses both through DAFI scholarships[16] and through *Connected Learning* higher education programmes.

Reversing the process of impoverishment resulting from displacement also requires investing in the futures of countries affected by conflict. Reconnecting with the state is a primary concern of refugees or internally displaced people who return home, often after many years in exile. Unfortunately, traditional voluntary repatriation operations are rare these days. And there are risks inherent in returns that are pressured or politically driven. When conditions are not conducive for return, returnees may end up in situations of internal displacement or worse. Lack of respect for the human rights of returnees can sow the seeds of new conflict.

There are situations where refugees return in less-than-ideal circumstances, as we have seen with some returning to Burundi, Somalia, Afghanistan, Mali, and Nigeria, and UNHCR continues to raise protection concerns in these situations. However, should individuals wish to return before circumstances are conducive, they have the right to do so. UNHCR's responsibility is to make every effort to ensure that their decision is free and informed and that they can access the essential support they need upon arrival in their home country.

More broadly, it is important to place returns and reintegration on a more sustainable footing through inclusion in long-term development policies and initiatives of the kind the CRRF is pioneering. This also requires more attention to the political resolution of conflicts, disarmament, and demobilization. We need to prevent these from evolving into new forms of violence through the small arms trade or the emergence of new militias or criminal groups. It also demands attention to protection concerns related to documentation, areas of return, and housing, land, and property.

This was clear to me when visiting Afghanistan earlier this year. The disillusionment today among Afghans, the high unemployment, and the fragile political and security context after almost four decades of conflict present formidable obstacles to success. Yet, in other countries, such as El Salvador, I encountered a striking example of a community, comprised of a large number of returnees, that was free of violence. These returnees brought the commitment to peace back with them. And recently in Lebanon, I met with refugees hoping to rebuild their lives together, should one day they be able to return to Syria. They told me that they can forgive and envision a future together, provided that they can return in safety. It is often refugees who can make social transformation possible. They are the ones who actually represent the future of their countries. Investing in their future is investing in healing and peaceful coexistence. The question is how we can help empower civil society, including women and the youth, to strive for an alternative to the often chaotic and kleptocratic situations which they fled, and to foster good governance and inclusion.

Madam Chairperson,

Let me also assure this Committee, and as stressed by the High Commissioner, we attach great importance to the protection and solutions dimension in **internal displacement** settings. Internal displacement is one of the first signals of problems with governance. My recent missions to Afghanistan, Nigeria, and Central America, for instance, brought home the interconnection between internal and external displacement, including returns. It is clear in many situations that we need a joined-up approach on both sides of the borders of countries affected by displacement. This also needs to be considered within the CRRF context at some stage.

This is all-the-more urgent, as we have received some harrowing reports about the treatment of civilians, for example in Syria, Iraq, Yemen, the Democratic Republic of Congo, the Central African Republic, and Myanmar. In some situations, people are held in medieval-type siege conditions, barely surviving on roots and grass. Or they are

collectively punished because of broad-brushed stigmatization. Or they are raped or disappear forever. This erodes the fabric of societies and has long-term effects and far-reaching repercussions, becoming a matter of concern to the international community at large.

The commemoration of the 20th anniversary of the Guiding Principles on IDPs in 2018 and the 10th anniversary of the Kampala Convention in 2019 will present opportunities to pursue vigorously their implementation in law, policy, and action. UNHCR aims to engage in IDP situations in a predictable, coherent, and sustainable manner with protection as our central guiding consideration. In follow-up to the *Operational Review of UNHCR's Engagement in Situations of Internal Displacement* undertaken this year, we strive to better integrate IDPs in our country strategies. For the first time, UNHCR operations in countries with IDP populations, such as Colombia, Mali, Niger, Cameroon, Chad, and Ukraine, will plan their activities over several years and in consultation with partners [including national and local governments]. UNHCR will also be a catalyst for protection and solutions, developing early on the necessary strategies to disengage responsibly from IDP situations and ensure handover to national or development actors, as we are planning to do in Pakistan, Colombia, and Ukraine. More generally, UNHCR, alongside the Special Rapporteur on the Human Rights of IDPs, has taken a leadership role in the Global Protection Cluster's Task Team on Law and Policy.

That millions of people are still <u>stateless</u> or at risk of statelessness in the 21st century is perhaps one of the most tragic and absurd consequences of failed governance. This has been most recently demonstrated by the violence and grave abuses that have driven more than 500,000 Rohingya to seek refuge in Bangladesh. Yet there is hope, not least because of major efforts by many to end statelessness through our global *#IBelong* campaign. In the last year, we have seen states and regional organizations increase their resolve to end statelessness. Globally, in the last two years, more than 100,000 formerly stateless persons have had nationality granted or confirmed. There have been notable reductions in statelessness in Central Asia and the Asia Pacific region. For example, Thailand endorsed the goal of reducing statelessness to zero by 2024. And the Prime Minister of Malaysia launched the *Malaysian Indian Blueprint*. I am particularly pleased to note that this year, Kenya resolved the protracted statelessness of the Makonde and proclaimed them Kenya's 43rd ethnic tribe. Madagascar and Sierra Leone amended their nationality laws to allow mothers to confer nationality to their children on an equal basis as fathers. Burkina Faso acceded to the 1961 Convention, and actions to accede were taken by the Parliaments of Haiti and Luxembourg. Since the launch of the Campaign, the total number of states party to the 1954 Convention has increased from 83 to 89 and to the 1961 Convention from 61 to 69. Bulgaria and several countries in the Americas, adopted or put into motion the development of statelessness determination procedures and measures to facilitate the naturalization of stateless persons.

At the regional level, in May, ECOWAS Ministers validated the *Banjul Plan of Action on the Eradication of Statelessness*,[17] which sets out steps to end statelessness by 2024 and is legally binding on Member States.   Discussions on prevention and reduction of

statelessness have also taken place with the African Union, the League of Arab States, the Southern African Development Community, and the International Conference of the Great Lakes Region. And the European Parliament held its first ever hearing on statelessness in June of this year.

UNHCR also continues to strengthen its engagement on statelessness at all levels. We conducted new mapping studies on statelessness in Austria and Côte d'Ivoire. We also co-launched with UNICEF an initiative on *Every Child's Right to a Nationality* and published a paper on safeguards to ensure that no child is born stateless.[18] The organization has further developed a new tool for the identification and enhanced protection of stateless persons in detention. And we are working with the World Bank and other development actors to support states in implementing SDG 16.9 concerning legal identity for all. I am also pleased to announce that the University of Melbourne will soon launch a Centre on Statelessness to support the development of data and research and provide training for government officials and others.

To galvanize further action, UNHCR will convene a high-level event in 2019 to take stock, showcase achievements, and generate new pledges to address statelessness. We count on your support to make this event a success, to provide strong momentum for the Campaign's second half.

Madam Chairperson,

In conclusion, refugees starkly reveal the space where the local, the regional, and the global meet. They demonstrate the importance of multilateral cooperation, which is in the specific national interest of each and every country. At the end of the day, it comes down to recognizing sovereignty as the exercise of responsibility towards all people subject to the jurisdiction of a country [nationals and non-nationals alike] – with multilateralism as its organic extension, given our planet's interdependence.

The interest in refugee and displacement-related issues tends to wax and wane. We are already seeing a different dynamic today than in 2015 when refugees were foremost on the political agenda. Sustained engagement is required, especially to address protracted refugee and internal displacement situations, but also new large movements of refugees and migrants.

Building on the CRRF experience, our work on next year's Global Compact on Refugees will help to sustain this much-needed interest. As the High Commissioner said, the Global Compact on Refugees will be a consensus document, and, please rest assured, closely developed with you all during our formal consultations in the first half of 2018. The aim is that you are comfortable with the final text, so that you are able fully to own and support it when the High Commissioner submits it, as requested, to the General Assembly. The zero draft, which we will share with you early next year for your review, will be based on the outcomes of the informal thematic consultations, the High Commissioner's Dialogue, and other discussions held this year, as well as the practical application of the CRRF and good practices gathered from other refugee situations.

It is our fervent hope that the Global Compact will broaden our support base by building new and reinforcing old partnerships, such as with the World Bank, regional bodies, NGOs, civil society, and the private sector. It will encourage much stronger commitments to resettlement and complementary pathways. And it will enable us to establish greater predictability and invest in the future by strengthening the resilience of both refugees and hosting communities. This is a tall order, but it is achievable if we work on it together. Ultimately it will enable us to strengthen international protection – at its essence, through good governance, and in the search for solutions – as we move ahead collectively to deliver on this commitment.

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[1] Following papers

[2] UN High Commissioner for Refugees (UNHCR), UNHCR and Climate Change, Disasters, and Displacement, May 2017

[3] To the Minister for Children, the Elderly and Gender Equality.

[4] Available at: http://www.unhcr.org/events/conferences/595e2a417/child-rights-global-compact-recommendations-protecting-promoting-implementing.html.

[5] The Way Forward to Strengthened Policies and Practices for Unaccompanied and Separated Children in Europe; and Call to Action for 2017

[6] For example, the 'Quality of Asylum Initiative' countries, which include Argentina, Bolivia (Plurinational State of), Brazil, Chile, Costa Rica, Mexico, Panama, Peru and Trinidad and Tobago, as well as the launch by UNHCR, the Inter-American Institute of Human Rights and 40 civil society organizations of the Americas Network for Refugee Legal Aid.

[7] Including Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine.

[8] UNHCR, Guidelines on International Protection No. 12: Claims for refugee status related to situations of armed conflict and violence under Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees and the regional refugee definitions, 2 December 2016, HCR/GIP/16/12.

[9] In particular the World Bank's allocation of USD 14 billion for fragile and conflict-affected states and a special USD 2 billion sub-window for refugee host countries.

[10] UNHCR, 'Migrants in vulnerable situations' UNHCR's perspective, June 2017, and Persons in need of international protection, June 2017

[11] Updated 10-Point Plan in Action

[12] Available at: http://www.unhcr.org/admin/dipstatements/595386c97/statement-69th-meeting-standing-committee-executive-committee-high-commissioners.html.

[13] A new study by the World Food Programme released this year says that, at a time of record-high number of people being forced to flee their homes across the world, high levels of food insecurity lead to higher levels of migration across borders. The report found that each one percentage increase in food insecurity in a population compels 1.9 per cent more people to migrate. WFP also noted that food insecurity is a significant cause for the incidence and intensity of armed conflict.

[14] Available at: https://data2.unhcr.org/en/documents/download/53808.

[15] Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3330503.

[16] The Albert Einstein German Academic Refugee Initiative.

[17] Available at: http://www.unhcr.org/591c38347.pdf.

[18] UNHCR, *Good Practices Paper - Action 2: Ensuring that no child is born stateless*, 20 March 2017, available at: