

Comments
By Volker Türk, UNHCR, Director of International Protection (DIP)
at the 103rd Session of the IOM Council
(High Level Segment on Migration Governance- Global Migration Group)
(28 November)

As a founding member of the Geneva Migration Group, the precursor to the GMG, UNHCR welcomes the progress that the Global Migration Group has made in bringing together its diverse membership on the various aspects of migration. These partnerships are invaluable in addressing various challenges in the context of global migration governance and designing field responses.

Let me also thank IOM for its leadership in steering the GMG through the High Level Dialogue. We have noted the positive atmosphere generated on migrant rights and their access to development. It is important for us all to work together to implement the Secretary-General's Eight-Point agenda.

In most parts of the world, refugees flee alongside migrants who might be moving for a range of reasons. The enormity of the risks faced by refugees, including rejection at international frontiers, are all well known. It is this recognition that has led to the development of the international refugee protection regime guided by the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

At the same time let us not forget the crucial relevance of refugee protection amidst mixed migratory flows. This issue is particularly timely today, as the numbers of those forcibly displaced due to conflict, persecution and human rights violations has not only been the highest since 1994, but additionally the number of lives reported to be lost while attempting to cross sea and land borders are increasing.

UNHCR is engaged at global, regional and national levels in the discourse on international migration. The GMG is one such important forum which is directly relevant to this issue. We are also working, together with States, to address the practical challenges faced in the identification and protection of refugees amidst mixed flows, and in the search for durable solutions for them. We particularly look forward to working closer with the Global Forum for Migration and Development (GFMD).

UNHCR has, during the past decade, worked on mainstreaming its *10- Point Plan of Action on Refugee Protection and Mixed Migration*, which sets out the key principles of action in protecting asylum-seekers, refugees and stateless persons moving within mixed migratory flows. In order to engage States and regions in finding suitable approaches, we continue to undertake consultations at regional levels, in close collaboration with IOM. These have helped insert the critical dimension of refugee identification and protection needs within the responses given by States to mixed movements. We have recently concluded one such regional consultation in Yemen, where the region is grappling with large mixed migratory flows.

I would like to share four observations:

1. UNHCR is interested in engaging in the discussions on the integration of migration and migrant rights in the Post-2015 Development Agenda. An important aspect is the possibility for refugees to access the development benefits available to migrants. Areas for further exploration include labour mobility for refugees, recognition of qualifications and access to appropriate work. The portability of pensions and documents, as well as access to reduced costs for remittances for migrants, can equally provide benefits to refugees. We look forward to working even closer with the incoming GMG Chair, ILO, to find practical means of taking this forward.

2. The SRSG's Initiative on 'Migrants in Crisis' is important in that it will facilitate addressing an important gap which UNHCR often grapples with when confronted with the overwhelming of asylum systems in the midst of a sudden crisis (such as witnessed in the Libya emergency). This challenge is often due to the lack of alternative and speedy remedies for protection and safe return to countries of origin by non-nationals who are not refugees but are trapped in the crisis and in critical need of response. In some contexts they have no alternative but to access the local asylum systems, which creates a burden for the concerned States and for UNHCR. We look forward to working closely with the two States that have taken responsibility to develop this initiative (the US and the Philippines).
3. We will need to find ways to work more closely with civil society, including benefiting from their perspectives. The concerted civil society approach to migration and its varied dimensions was evidenced at the HLD, through their coordinated role in the development of the Five-Year Plan. They are key and valuable partners.
4. While refugees move alongside migrants in mixed flows, their protection needs require immediate responses, including protection from *refoulement*. This rationale applies across the range of their movements, including in transit. UNHCR actively supports the human rights protection of all migrants. In this context it is essential to emphasise that the protected status accorded to refugees and stateless persons through specific legal and normative frameworks must remain undiluted.

Thank you