



UNHCR Contribution to the OSCE Human Dimension Implementation Meeting Working Session 14: “Humanitarian Issues and Other Commitments”

Warsaw, 19 September 2018

Distinguished Chairperson,
Dear Participants,

Multiple ongoing displacement crises and several new ones characterized the past year. Globally, in 2017 the forcibly displaced population increased by 2.9 million, indicating to the significant shortcomings in conflict prevention, conflict resolution, and ensuring respect for human rights. By the end of 2017, **68.5 million individuals were forcibly displaced** worldwide as a result of persecution, conflict, or generalized violence. As a result, the world’s forcibly displaced population remained yet again at a record high. Out of the 68.5 million displaced persons, 3.1 million are asylum-seekers, 25.4 million refugees, and 40 million internally displaced persons (IDPs). Developing regions hosted 85% of the world’s refugees under UNHCR’s mandate, about 16.9 million people. The least developed countries provided asylum to a growing proportion, amounting to one-third of the global total (6.7 million refugees)¹.

The OSCE region mirrors the global increase of numbers: by the end of 2017, there were more than 12.3 million persons of concern to UNHCR, demonstrating an increase of 9% to last year’s figures (11.3 million). These include 6.5 million refugees, 3 million IDPs, 2 million asylum-seekers and more than 665,000 stateless persons.² Within the OSCE area, the IDP situation in Ukraine and the situation of refugees and migrants crossing the Mediterranean Sea to reach safer shores in Europe continue to be among the direst humanitarian situations.

In the past year, the security and humanitarian situation in **Eastern Ukraine** remained dire. As of 2 August 2018, the Ministry of Social Policy has registered 1,516,237 IDPs³. Having been displaced for more than three years, IDPs in Ukraine need to find longer-term solutions to their displacement. UNHCR has responded by providing emergency shelter materials, construction

¹ UNHCR Global Trends. Forced Displacement in 2017, available at:

<http://www.unhcr.org/statistics/unhcrstats/5b27be547/unhcr-global-trends-2017.html>

² Factsheet of the UNHCR Liaison Office to the OSCE and Vienna-based UN Agencies (2018), available at: http://www.unhcr.org/dach/wp-content/uploads/sites/27/2018/07/AT_LOV_Factsheet_June-2018.pdf

³ UNHCR Data Portal for Ukraine, Registration of Internal Displacement in Ukraine (as of 2 August 2018), available at:

<https://app.powerbi.com/view?r=eyJrIjojZDU3MDEyNDQtZW5hNy00ODBmLWl0ZDYtMmJiZDQyMzExZGJkIiwidCI6ImU1YzYzOTgxLTY2NjQ0NDZlZDQ0YTBlTY1NDNkMmFmODBiZSIsImMiOiJh9>

tools and core relief items. The 2017 UNHCR Participatory Assessment Report for refugees, asylum-seekers, and internally displaced persons in Ukraine⁴ showed that concerns for IDPs and persons at risk of displacement include high rents, lack of employment prospects, and difficulty accessing state subsidies to offset high utility costs in the context of adapting to the challenges of life since displacement, and the realisation that return to their prior place of residence is unlikely in the near future.

In addition to its focus on IDPs throughout the country, UNHCR addresses the needs of the conflict-affected population living on both sides within twenty kilometers of the 500 kilometer-long line of contact. This population includes IDPs, returnees and persons at risk of displacement. In this area, humanitarian access is limited due to insecurity and restrictions, particularly in non-government controlled areas. With its leading role on protection and shelter, UNHCR in Ukraine contributes to the broader humanitarian response within the framework of the IASC for the entire crisis-affected population.

UNHCR highly appreciates the close collaboration with the OSCE Special Monitoring Mission to Ukraine (SMM) and its Monitoring Officers who refer people in need of humanitarian assistance. Based on the 2014 UNHCR-SMM Operational Agreement, UNHCR stands ready to hold additional special briefings for the Monitors on displacement issues, also in combination with the *OSCE-UNHCR Protection Checklist Addressing Displacement and Protection of Displaced Populations and Affected Communities along the Conflict Cycle*⁵.

Mixed movements by sea remained an ongoing challenge. Between January and July 2018, the number of refugees and migrants entering Europe via Greece, Italy and Spain dropped by 41% compared to last year. New measures targeting irregular migration in the central Mediterranean, including further support for Libyan authorities to prevent sea crossings to Europe, further restrictions on the work of NGOs involved in search and rescue operations, and limited access to Italian ports for refugees and migrants rescued at sea since June, led to fewer arrivals in Italy. Along the western Mediterranean route, the number of arrivals to Spain increased by 130% in 2018 compared to the same period last year. In this context, an important feature of UNHCR's Central Mediterranean Strategy is the Emergency Transit Mechanism (ETM) that was established in late 2017 in Niger with the support of the Government and the European Commission and in cooperation with IOM. The ETM enables the orderly processing of asylum-seekers and refugees evacuated from Libya. In addition, UNHCR established the Central Mediterranean Core Group as a platform to seek commitments from States in offering safe and legal pathways for those in need of international protection, including by increasing resettlement commitments and removing obstacles to family reunification. UNHCR also developed a set of recommendations for States to prevent and respond to trafficking in persons and related abuses along the routes to Libya and Europe.

Despite this progress, in the past year, some countries increasingly resorted to restrictive border management measures, limiting the ability of people to seek safety. Hundreds of thousands of people attempted to use dangerous land and water routes, with many refugees and migrants

⁴ UNHCR Participatory Assessment Report for Refugees, Asylum-Seekers, and Internally Displaced Persons in Ukraine (2017), available at: <http://www.unhcr.org/ua/wp-content/uploads/sites/38/2018/05/2017-06-UNHCR-UKRAINE-Participatory-Assessment-FINAL-EN.pdf>

⁵ The OSCE-UNHCR Protection Checklist: Addressing Displacement and Protection of Displaced Populations and Affected Communities along the Conflict Cycle: a Collaborative Approach (2014), available in English and Russian at: <http://www.refworld.org/docid/530b060d4.html>

going missing or losing their lives at sea. Proposals to offshore processing, as well as the forced transfer of asylum-seekers to third countries where international protection was not guaranteed, remained a concern and undermined international cooperation and responsibility-sharing.

At this point, UNHCR calls on all States to respect the principle of *non-refoulement*, a cornerstone of the international refugee protection regime. Furthermore, UNHCR appeals to shipmasters to continue their efforts in upholding rescue at sea. Without this vital and fundamental cornerstone of the law of the sea, further lives will be lost. Although the number of people crossing the Mediterranean is today smaller than in recent years, the rates of people perishing or going missing remains high. Already by beginning of September 2018, more than 1,600 people have drowned or gone missing on the Mediterranean⁶. On the Central Mediterranean route in particular, the rate of lives being lost has increased threefold, and now stands at one death for every 17 people who attempt to cross compared to one in 43 during the same period last year⁷.

Against this background, the international refugee protection regime remains more relevant than ever and needs to evolve to protect increasing number of persons displaced. In follow-up to the New York Declaration for Refugees and Migrants⁸ (New York Declaration), adopted in September 2016 by the United Nations General Assembly, 2017 saw stakeholders come together in a series of thematic discussions to advance ideas for the **Global Compact on Refugees**⁹. Building on over 65 years of law and practice, the early lessons learned from the application of the comprehensive refugee response framework (CRRF), and the outcomes of formal consultations with States in 2018, the Global Compact will seek to fill recurrent gaps in the international refugee response, including more equitable and predictable burden-and responsibility-sharing among States, through a multi-stakeholder approach.

For nearly two decades, the OSCE and UNHCR have helped to raise awareness about people at **risk of statelessness** in the OSCE area, and have promoted knowledge transfer and dialogue between Governments, civil society, communities and legal aid experts to establish the legal identity of a person, to ensure access to documents, and consequently, to protect from statelessness.

In 2017, more than 665,000 persons were stateless in the OSCE area (for comparison, in 2016, there were an estimated 690,000 stateless persons). Civil registration is critical to the displaced and serves as a major protection tool, notably for women and girls. It helps establish legal identity and prevent statelessness, and is key for accessing education, employment, housing and medical care. To this end, there has been significant progress by participating States, notably Central Asian States, but also States in South-Eastern Europe in particular have made significant progress in reducing statelessness. In 2017, progress continued to be made to reduce the number of stateless people through acquisition or confirmation of nationality. A reported 56,500 stateless

⁶ UNHCR Operational Portal, Mediterranean Refugee Situation, available at: <https://data2.unhcr.org/en/situations/mediterranean>

⁷ UNHCR Press Release, UNHCR Welcomes Aquarius Resolution, but Stresses Need for more Predictable Approach to Disembarkation, 15 August 2018, <https://bit.ly/2Oychth>

⁸ The UN New York Declaration for Refugees and Migrants (2016), available at: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1

⁹ The Global Compact on Refugees, final draft as of 26 June 2018, available at: <http://www.unhcr.org/5b3295167>

people in 29 countries worldwide acquired nationality during the year, with significant reductions occurring in the Russian Federation and Tajikistan, among other places.

After the launch of the joint *OSCE-UNHCR Handbook on Statelessness in the OSCE Area: International Standards and Good Practices*¹⁰ in March 2017, UNHCR and the OSCE co-organized the first Seminar on Sharing Good Practices on Statelessness among OSCE participating States in Vienna in October 2017. The seminar presented, among others, a study visit of a Ukrainian Delegation to Serbia for a regional exchange of good practices promoting issuance of documents confirming nationality for the reduction and prevention of statelessness among Roma, undertaken in August 2017. Based on this good practice example, from 15 - 17 May 2018, a Georgian delegation conducted a study visit to Sarajevo, Bosnia and Herzegovina, under the framework of the joint OSCE-UNHCR project on statelessness. The delegates exchanged good practices on outreach, communication and provision of free legal aid to stateless Roma communities. UNHCR looks to fostering cooperation with its project partners ODIHR and the OSCE High Commissioner on National Minorities to further support its campaign to eradicate statelessness¹¹.

The heinous crime of **trafficking in human beings** remains of particular concern to UNHCR. While neither human trafficking nor trafficking victims as such fall under UNHCR's mandate, refugees and economic migrants in the context of irregular, mixed migration flows are highly vulnerable to exploitation and human trafficking. It is a sad fact that smuggled migrants often become victims of abuse and human trafficking by organized crime syndicates. In light of this, more effort is needed to avoid refugees, IDPs, stateless persons and other persons of concern from becoming victims of human trafficking, and to ensure that trafficking victims are afforded protection.

Cooperation between the OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings and UNHCR on this topic has been intensified over the last years, notably through the OSCE Alliance Against Trafficking in Persons and its Expert Coordination Team (AECT). In the 18th Alliance against Trafficking in Persons Conference, which was held in Vienna in April 2018, Vincent Cochetel, UNHCR's Special Envoy for the Central Mediterranean Route, held a keynote address on trafficking in Libya and along the Central Mediterranean route, urging Member States and partners to implement measures to defeat the business model of the traffickers.

Since its launch in 2016, UNHCR has actively contributed to the OSCE project "Combating Human Trafficking Along Migration Routes" through provision of expertise and participation in the simulation exercises. UNHCR looks forward to intensifying its collaboration with the OSCE Special Representative's Office.

Close co-operation between OSCE and UNHCR does not only take place at Vienna, but also in the field. For several years now, the **UNHCR Office of the Chief of Mission (OCM) in Pristina and the OSCE Mission in Kosovo* (OMiK)** have coordinated joint advocacy interventions and capacity building activities in the area of minority voluntary returns, internal displacement, and

¹⁰ OSCE-UNHCR Handbook on Statelessness in the OSCE Area: International Standards and Good Practices (2017), available in English and Russian at: <http://www.refworld.org/docid/58b81c404.html>

¹¹ <http://www.unhcr.org/ibelong/>

* All references to Kosovo should be understood in full compliance with Security Council Resolution 1244 (1999) and without prejudice to the status of Kosovo.

documentation. In February 2018, both organizations agreed to implement a pilot project on inter-ethnic dialogue and mediation. Furthermore, in February 2018, OSCE Conflict Prevention Centre and UNHCR held a joint discussion workshop in Pristina for their field staff on the *Protection Checklist*.

Since 2014, UNHCR in Kosovo and OMIK have successfully promoted regional co-operation through the Inter-Institutional Initiative on Durable Solutions for the Displaced Persons from Kosovo, known as the “Skopje Process”. Through this Process, Pristina, Podgorica, Skopje and Belgrade have aimed to support displaced persons from Kosovo to secure durable solutions, including the options of voluntary return and local settlement, on the basis of free and informed decision-making, and improve living conditions in the place of displacement.

Another positive example of fruitful collaboration between UNHCR and OSCE, together with the European Commission, the Council of Europe Development Bank, and OSCE participating States, is the **Regional Housing Programme**¹² (RHP), implemented in Bosnia and Herzegovina, Croatia, Montenegro and Serbia. The RHP contributes to resolving the issue of forced displacement (especially internal displacement) following the 1991-1995 conflicts on the territory of former Yugoslavia, by providing durable and sustainable housing solutions. As of today, a total of 31 projects have been approved with the aim to provide 11,300 housing solutions for around 44,500 persons.

In conclusion, the international community is now at a crossroads to improve the protection of refugees with the development of the Global Compact on Refugees. It has the potential to mobilize the international community in support of a shared agenda, grounded in the fundamental principles of humanity and solidarity that could bring real change in the lives of refugees and the countries and communities that receive them. UNHCR looks forward to working closely with States and a wide range of partners such as the OSCE to bring the Global Compact on Refugees to life through concrete actions to address all other challenges outlined in this statement.

UNHCR stands ready to continue supporting the Italian OSCE Chairmanship until end 2018 as well as the incoming Slovak Chairmanship in 2019 on all issues related to forced displacement and statelessness.

UNHCR Liaison Office to the OSCE and Vienna-based UN Agencies

Vienna, September 2018

¹² Official website of the Regional Housing Programme, available at: <http://regionalhousingprogramme.org/>