

Tokyo Immigration Forum

Immigration Services Agency, Ministry of Justice, Japan

Excellencies, ladies and gentlemen,

It is a great honor and privilege to deliver this address, as Director of the Division of International Protection at UNHCR, at the 3rd Tokyo Immigration Forum.

As a regular platform for States to share information and practices and exchange opinions on current immigration trends and issues, the Tokyo Immigration Forum provides an important space to enhance cooperation between States under the leadership of the Immigration Services Agency of the Ministry of Justice, Government of Japan.

UNHCR is grateful to have been invited to this year's forum.

I want to firstly thank the Immigration Services Agency for providing this opportunity to share our perspective on:

- the global situation for refugees, forcibly displaced and stateless persons,
- some of the challenges posed by regional and cross-regional movement of displaced populations, and
- how UNHCR sees opportunities for strengthening protection and solutions through better cooperation and a comprehensive set of measures in different countries managing such movements.

Globally, the number of people forcibly displaced from their homes due to persecution, conflict, violence, human rights violations and events seriously disturbing public order, continue to increase, and the projections for displacement related to climate events show some of the future challenges in this area.

As such, protracted conflicts and multiplying new crises are driving the number of people forcibly displaced to record levels every year – with some 114 million forcibly displaced today.

The majority of these are displaced within their own countries, at 62.5 million.

But the number of refugees is also one of the highest in recent years, at 36.4 million, the majority of which are seeking protection in neighboring countries.

These trends evolve in the context of growing global economic migration as well as increased demand for labour in countries with stagnating or declining populations.

It is important to recall that most migration is safe, orderly and regular and that there is no sharp distinction between countries of origin and countries of destination for migrants¹.

¹ WBG Report page 43, <https://www.worldbank.org/en/publication/wdr2023>

However, many regions and countries have also seen an increase in the mixed movements of both refugees and migrants and onwards movement of refugees, including in an irregular manner.

The challenges managing this are not easy, especially for States, and there is no simple solution for any particular situation, nor at global level.

The High Commissioner for Refugees in his opening statement at the seventy-fourth session of the Executive Committee, in October this year, recalled that “mixed flows of refugees moving alongside migrants along routes fraught with risks, like the scourge of human trafficking, represent one of the biggest challenges we must face. We all agree that these movements are complicated to manage. For countries of destination, of course, but also those of transit and origin”. While some regions are more affected by forced displacement and statelessness than others, and there are variations in the routes and trends of mixed and onward movements of refugees and migrants, the challenges are seen across regions, facing countries across the global.

Countries present today at this 3rd Tokyo Immigration Forum have many years’ of experience in generously providing safety for those forced to flee as well as in managing labour migration as destination, transit and countries of origin.

The importance of saving lives through rescue at sea operations and combatting trafficking and smuggling are also well understood as central elements in this area.

I want to acknowledge the ongoing efforts and encourage continued cooperation and concrete measures on these important issues.

But, allow me now to turn to some of the core tenets of how UNHCR considers a way forward to manage these movements, and some suggested approaches.

To advance these efforts, UNHCR, working with IOM, has developed a route-based approach to engage States on addressing mixed movements of refugees and migrants. This takes into account the entire spectrum of situations in which people find themselves along key routes used by refugees and migrants.

It lays particular emphasis on saving lives, which must remain the top priority for governments and partners everywhere, both at sea and on land. It also seeks to help states manage entry, in line with their sovereign power to do so, in a manner which respects international law and provide protection to those forced to flee.

To this end UNHCR is suggesting a comprehensive set of measures to be put in place. I would group them into three categories.

Firstly, providing international protection and finding solutions for those forced to flee at an early stage of the journey. and treating people on the move with dignity and respecting their rights.

This includes putting in place *protection sensitive entry and admission systems*. These are systems that take into account the protection needs of individuals seeking access to State territory and the duty of

States to respect their obligations under international human rights and refugee law, including the fundamental principle of non-refoulement.

Protection-sensitive entry systems should also be designed to prevent trafficking and smuggling and need to be in place along the entire route, including in destination countries.

Strengthening asylum systems for refugees and rights-focused migration management is another key element in this approach. A well-functioning asylum system, which provides fair and fast asylum decisions using a variety of case processing approaches, is a vital tool for managing mixed movements as it quickly identified those with international protection needs from those moving for other reasons. When associated with prompt and humane return and complemented with lawful migration channels, such a system can quickly respond to applications by those who are not in need of international protection.

Strengthening asylum systems in the context of mixed movements and high levels of forced displacement will require innovation, learning from good practices, and responsibility sharing between States. One way that responsibility sharing can be concretely manifested in this area is by engaging in regional as well as global processes to increase asylum capacity. The Asylum Capacity Support Group, established under the Global Compact on Refugees, is a key mechanism through which States can provide asylum support to other States in an impactful manner and contribute to the growing body of expertise on how to implement fair and fast procedures.

It is also crucial to *address immediate protection and assistance needs and comprehensively addressing trafficking and smuggling*. Legal, psycho-social and physical safety for victims of trafficking are important prerequisites for access to justice and for victims' to contribute to prosecution of traffickers.

Secondly, establishing legal pathways for safe, orderly and regular migration and inclusion of refugees in the local economy.

Legal pathways for refugees are needed, which can be pathways that complement resettlement and asylum, such as family reunification, private or community sponsorship, humanitarian admission programmes, and education and labor mobility opportunities.

An additional component in the route-based approach is ensuring *protection and rights centered options in countries along the route that require specific efforts*. Most refugees will stay in the neighboring countries, or in countries in their region of origin, and it is important to ensure that they have access to protection where they are. It is therefore equally important to include refugees in national services, for example education and health, and to properly resource those systems. Development aid to support these efforts must be a component of the approach.

Finally, efforts are needed to address root causes and supporting *swift, safe and dignified return to the country of origin of those who do not have international protection needs* and are not able to avail of a regular opportunity for migration or labor mobility.

Ladies and gentlemen, as you will have heard a route-based approach complements and reinforces country-centered action and proposes a set of targeted and coordinated protection and assistance interventions to States and other stakeholders along main routes.

Addressing forced displacement and mixed movements are complex challenges for all - countries of origin, countries of transit and countries of destination. It requires international cooperation, resources, and long-term investment.

The outlined strategic pillars and the content of the Route-Based Approach would need to be aligned and adjusted to the regional context where it will be implemented.

In the context of the Asia and Pacific region, for example, UNHCR has already started mapping the opportunities and challenges for a route-based approach that could enhance protection and solutions for Rohingya refugees moving over maritime and land routes in South-East Asia. For this purpose, a task team has been established to design a regional route-based approach to comprehensively address the Rohingya onward movements. Responsibility sharing and engagement from States in this strategy is the key to ensure its successful implementation.

The approach builds on the ambition of the New York Declaration, the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration and aligns with the aims of the ASEAN and the Bali Process, not least the Consultative Mechanism

In conclusion, international mobility, on a scale far larger than in the past, is a reality in today's globalized world. People seeking or in need of international protection may bring positive contributions to the States which host them. There is scope for the phenomenon to be managed more effectively in ways which could reduce some of the need for onward movement, on which we – as UNHCR – are strongly committed to work together with states and other partners throughout the Asia and Pacific region.

Thank you.