



IOM International Organization for Migration  
OIM Organisation Internationale pour les Migrations  
OIM Organización Internacional para las Migraciones



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

**CARIBBEAN REGIONAL CONFERENCE ON THE PROTECTION OF VULNERABLE PERSONS IN  
MIXED MIGRATION FLOWS**

**PROMOTING COOPERATION AND IDENTIFICATION OF GOOD PRACTICES**

22-23 May 2013, Nassau, The Bahamas

**PLENARY DISCUSSION OUTLINE**

**Rescue at sea operations, interception & disembarkation: screening, identification and  
referral mechanisms for mixed arrivals in the region**

**Thursday 23 May 2013, 09:00-10:45**

**Context**

Most irregular maritime movements today are “mixed movements” involving people with different profiles and needs. Although such movements are only a small phenomenon of international migration, however, they raise specific challenges in relation to the protection of the different categories of persons intercepted and rescued at sea, or arriving by sea, including asylum-seekers, refugees, trafficked persons, unaccompanied or separated children, women at risk and other vulnerable migrants. Search and rescue operations, disembarkation, processing and identification of solutions continue to be a challenge for States, international organizations and well as the shipping industry.

While border control is essential for the purposes of combating international crime, including smuggling and trafficking, and averting security threats, protection safeguards are required to ensure that such measures are not applied in an indiscriminate or disproportionate manner and that they take into account the specific needs and rights of the different categories of persons arriving by sea as part of mixed migratory movements. With regard to asylum-seekers and refugees, such measures should not lead to *refoulement* or the forced return of persons in need of international protection to territories where their lives or freedom would be threatened or at risk.

As part of national responses to mixed maritime movements, appropriate disembarkation and reception arrangements are also needed to ensure that the basic human needs of people involved in such movements can be met, tailored according to their specific needs. Once new arrivals have been identified, an initial determination needs to be made with regard to their profile and their specific protection needs. To this end, referral mechanisms and differentiated processes and procedures need to be put in place at arrival to ensure that the person’s situation is met with the most appropriate response. These include differentiated procedures

and processes for asylum-seekers and refugees, trafficked persons, unaccompanied or separated children, women at risk, other vulnerable migrants, and those seeking to migrate.

Irregular maritime migration requires a collaborative response, involving a wide range of actors, including intergovernmental organizations. In this context and in response to the many challenges inherent in identifying and protecting refugees travelling within irregular sea movements, UNHCR developed in 2011 a *Model Framework for Co-operation following Rescue at Sea Operations involving Refugees and Asylum-seekers (Model Framework)*. The Model Framework, which is based on and further develops UNHCR's *10-Point Plan on Refugee Protection and Mixed Migration*, is aimed at establishing procedures for burden and responsibility sharing to support States providing for disembarkation, processing and/or solutions for the different categories of persons arriving by sea.

The following questions should guide the plenary discussion with the aim to provide the participants an opportunity to exchange information, experiences, challenges and good practices and make recommendations on "Rescue at sea operations, interception & disembarkation: screening, identification and referral mechanisms for mixed arrivals in the region". To further guide the participants, a copy of the *Model Framework* will be shared during the session, with the aim to facilitate discussions and identify possible cooperative responses and mechanisms to address mixed maritime movements in the region.

### Key Questions

- What are the **key challenges** facing States in addressing different aspects of irregular migration by sea at national, bi-lateral and regional level (in the context of prevention, rescue at sea, interception, disembarkation, identification, referral, reception, processing and responses to the different categories of persons arriving by sea, including asylum-seekers, refugees, trafficked persons, unaccompanied or separated children, women at risk and other vulnerable migrants)?
- What are the **existing legal, policy and operational mechanisms** in place in your respective countries to address irregular maritime arrivals (Is there a specific legal/policy/operational framework in place? Which agencies or stakeholders had, or can have, responsibility for maritime arrivals? Are there any standards operational procedures or tools in place for the admission, identification, referral and counseling of mixed maritime arrivals? Are there multi-stakeholders or inter-institutional mechanisms established at entry points? Is there an adequate level of resources and expertise available? What are the specific operational challenges facing coast guards and law enforcement officials at points of arrival?)
- What are the **key protection issues** involved in rescue at sea, interception, and disembarkation operations?

- What are the **challenges in terms of coordination at national, bilateral and regional level**? Are there coordination systems at bilateral / regional level in place? How can regional collaboration, partnership and burden-sharing be promoted and enhanced? How do you see the role of the international community in this respect?
- How can **regional cooperative responses and mechanisms / frameworks** be used in assisting States to orderly manage mixed maritime arrivals in the region in a protection-sensitive manner?
- Do you think that the proposed ***UNHCR Model Framework for Co-operation following Rescue at Sea Operations involving Refugees and Asylum-seekers (Model Framework)*** would be helpful for addressing the challenges stemming from irregular migration by sea and finding practical solutions in the Caribbean? If so, what are the regional specificities that would need to be taken into account when adapting such framework in the region? Do you have any suggestions / additions / amendments to this model framework?
- Are there **good practices, positive developments or lessons learned** at national or regional level with respect to the management of mixed maritime arrivals / irregular migration by sea that can be shared on the above areas?

### **Recommendations**

- How would you address the challenges identified and what concrete recommendations would you make in this regard?