**Support for Illegal Migrants Disembarking in Myanmar**

**Facilitator’s Notes**

Background on illegal maritime movements

* On May 22, 150 people from the first boat discovered off the coast of Rakhine were repatriated on 8 June; 58 people from this boat remain in Rakhine, including 8 people who have been held in detention since then
* On May, 733 people were recovered off the coast of Ayeyarwady, including 40 women, 50 girls, and 95 boys
* All are being accommodated in two sites north of Maungdaw, very close to the border with Bangladesh
* In total, there are currently 788 people, including 219 under 18-years-of-age (18 under the age of five), staying at these two sites, where they are receiving assistance from authorities and international organizations
* Conditions are difficult, where people are living in old tents leftover from 2012 in flooded and unsanitary conditions
* After three months at sea, people, especially women and children, are understandably traumatized
* UNHCR are following up on Protection concerns and are advocating that people from Rakhine State be allowed to return to their homes as soon as possible; for people to be moved to a more suitable location as soon as possible; and for the process of repatriation to Bangladesh to be expedited
* Over 1,000 people are likely to have independently (via brokers) disembarked from boats in the Bay of Bengal between 9 and 21 May

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**Guidelines to “genderize”**

1. **Assure effective, predictable and protection-sensitive disembarkation**

While States in the region have responded to the current crisis promptly with pledges of humanitarian support, the absence of an agreed disembarkation strategy has led to some confusion about where people who were rescued would be disembarked. States are now recognizing, including through the outcomes of the Special Meeting, that an agreed, predictable disembarkation plan together with harmonized reception arrangements are top priorities for the protection of people stranded at sea.

Mapping of disembarkation is already underway in two States in the region, including one that is particularly affected by the crisis. This needs to be reinforced with the mapping of other States’ practices, which are now becoming clearer as a result of the current crisis. Site visits, bilateral and multilateral discussions will complement the mapping, with a view to formulating a regional plan for disembarkation. It is proposed that this activity be undertaken together with the Regional Support Office of the Bali Process.

1. **Establish or enhance reception facilities**

Appropriate reception arrangements, ensuring access for UNHCR, are crucial to address the most urgent basic human needs of new arrivals, including material (e.g. accommodation, food, and clothing), medical and psychosocial needs.

Safe and adequate shelter and water, sanitation and hygiene (WASH) facilities are required. The specific requirements of children, including children who are unaccompanied or have been separated from their parents or guardian, need to be addressed e.g. through the provision of age-appropriate information and counselling. The establishment and improvement of sites and the provision of core relief items and other assistance represent a major expense. Efforts are underway but need to be accelerated and expanded.

Consultation with and the participation of those affected will help to ensure that the assistance provided is relevant to the needs and vulnerabilities of the affected population , and prevent further deterioration of their situation and their physical and protection conditions.

1. **Identify and provide assistance for people with specific protection needs**

Core protection activities, including registration, are already being undertaken by UNHCR in all of the countries of disembarkation. Mobile multi-functional teams are needed to support Governments to determine the status and individual needs of affected people in a timely manner. Teams will include experts in areas such as registration; protection (including child protection), sexual and gender-based violence (SGBV) prevention and response; mental health and psychosocial support; and resettlement.

The Special Meeting underscored the importance of identifying people with protection needs through effective screening processes, paying particular attention to vulnerable groups such as victims of trafficking, torture, slavery and child marriage; survivors of SGBV and women and girls at risk; people with physical or mental disabilities; stateless people; and unaccompanied and separated children.

Specialized services need to be put in place to address these specific needs in the immediate term. National capacities will be strengthened through close collaboration with relevant national welfare authorities in the longer-term.

In Malaysia in particular, protection interventions are urgently required for all Rohingya in a vulnerable situation including those recently arrived by boat. Registration is required to secure the release of those in detention. A range of social protection interventions is required especially for those still not registered but are likely to be of concern to UNHCR, including some 6,000 people in detention. In addition, UNHCR has proposed and will pursue alternative stay arrangements with host governments, in line with mechanisms developed through the Bali Process.

1. **Facilitate solutions for people in need of international protection**

*It should be noted that the people of concern to UNHCR for whom this appeal is being launched do not include the substantial numbers of migrants who are nationals of a country to which they may return without fear of persecution.*

For refugees, who cannot return to their country of origin without fear of persecution, it is essential to assure temporary stay arrangements and the possibility of durable solutions as comprehensively as possible. This will include facilitation of long-term visas and work permits; voluntary return to their country of origin or resettlement to third country for special persons in need. The assistance that UNHCR offers to refugees will depend on the extent to which they are able to contribute to their own livelihoods and to access services such as health and education on the same basis as nationals. Where possible, UNHCR will support national structures to serve the needs of both refugees and host communities at the same time. Similarly, interventions to support income generation will be designed to complement national and regional programmes and to include host communities in both planning and execution.

UNHCR will expand its work in communities to include the new refugee arrivals and will address, in particular: the ability of communities to care for people with specific needs; the need for families to reunite around the region; and the identification and processing of resettlement cases. Should conditions improve sufficiently for refugees to opt for voluntary return, UNHCR will ensure that corresponding support is available.

