

**Joint Statement on Andaman Sea/Bay of Bengal by SRSG Peter Sutherland,
HC António Guterres, HC Zeid Ra'ad Al Hussein, DG William Lacy Swing
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Joint Statement by UNHCR, OHCHR, IOM &
SRSG for Migration and Development

**Search and rescue at sea, disembarkation, and protection of the
human rights of refugees and migrants now imperative
to save lives in the Bay of Bengal and Andaman Sea**

We, the undersigned*, strongly urge the leaders of Indonesia, Malaysia, and Thailand, to protect migrants and refugees stranded on vessels in the Bay of Bengal and the Andaman Sea, to facilitate safe disembarkation, and to give priority to saving lives, protecting rights, and respecting human dignity.

Grave events in the Bay of Bengal and Andaman Sea in recent days involving migrants and refugees – Rohingya and others – from Bangladesh and Myanmar confirm that vulnerable people around the world are moving in search of safety and dignity, fleeing persecution, abject poverty, deprivation, discrimination, and abuse. Such perilous journeys, whether by land, sea, or air, have become a global phenomenon.

In Southeast Asia, more than 88,000 people have made the dangerous voyage by sea since 2014, including 25,000 who arrived in the first quarter of this year alone. Nearly 1,000 are believed to have perished at sea due to the precarious conditions of the voyage, and an equal number because of mistreatment and privation at the hands of traffickers and abusive smugglers. In the Bay of Bengal, migrants and refugees are fed only white rice and are subjected to violence, including sexual violence. Women are raped. Children are separated from their families and abused. Men are beaten and thrown overboard.

We are deeply concerned at reports that boats full of vulnerable women, men and children are unable to land and are stranded at sea without access to urgently needed food, water, and medical assistance. We urge States in the region to protect the lives of all aboard by allowing the passengers on these overcrowded boats to disembark safely.

We urgently call on leaders, with the support of ASEAN, to:

1. Make saving lives the top priority by inter alia significantly strengthening Search and Rescue (SAR) Operations.
2. Stop boat push-backs and measures to 'help on' boats to leave territorial waters, while ensuring that all measures taken are in strict accordance with the principle of non-refoulement and other fundamental human rights standards.
3. Provide for effective, predictable disembarkation to a place of safety with adequate and humane reception conditions.
4. Avoid the use of immigration detention and other punitive measures, and ensure that the human rights of all migrants and refugees are protected, and that all actions in regard to children are guided by the best interests of the child.
5. Set in place screening procedures staffed jointly by government and relevant international organization personnel to identify the individual circumstances of all those arriving, including a) individuals in need of protection as refugees, asylum-seekers, or stateless persons, b) victims of trafficking or persons at risk of torture or other cruel, inhumane, or degrading treatment if returned to their country of origin, c) migrants with health conditions in need of emergency medical care and first aid assistance, and d) migrants or others interested in voluntary return home.
6. Expand avenues for safe and legal migration, including for labour migration at all skills levels.

7. Expand efforts to prosecute traffickers and smugglers for their crimes in full accordance with international standards for human rights, while fully respecting the rights of victims.
8. Redouble efforts, nationally and through strengthened international cooperation, to address 'push factors' and the root causes of refugee and migrants flows, including discrimination, deprivation, persecution, and violations of human rights.
9. Put in place dedicated measures to combat xenophobia and discrimination against any group on the basis of race, sex, language, religion, ethnicity, nationality and national origin, or other status.

*António Guterres, UN High Commissioner for Refugees; Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights; William L. Swing, Director-General of the International Organization for Migration; and Peter Sutherland, Special Representative of the UN Secretary-General for International Migration and Development

MEDIA CONTACT

SENIOR ADVISOR TO SRSG SUTHERLAND

Gregory Maniatis gmaniatis@gmail.com [+1 917 609 8777](tel:+19176098777)