

G 10: FACILITATE MIGRANTS' ABILITY TO MOVE TO SAFETY



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WHY IS IT IMPORTANT?

In the immediacy of a conflict or natural disaster, migrants may need to flee the affected area and seek safety in another part of the host State, across international borders in a State of transit or back in their State of origin.

Access to valid identity and travel documents is crucial for migrants to escape harm. Identity and travel documents can be destroyed, lost, or left behind during a crisis. Some migrants, such as domestic workers, victims of trafficking or migrants in other exploitative situations, may have had their documents confiscated. Others may never have possessed valid documents. And yet others may have restrictions placed on their visas that inhibit or constrain their movements.

Migrants seeking to flee to safety may need support in obtaining temporary identity and travel documents, securing exit visas, paying immigration fees or penalties, and fulfilling entry requirements in States of transit. Providing this support can improve migrants' access to help.

Migrants in detention are particularly vulnerable and may require additional support. If custodians of detention facilities flee their posts, migrant detainees may be unable to get out of harm's way and access humanitarian assistance.

Lessons from the Arab Spring (2011)

In early 2011, a series of anti-government protests, uprisings and armed rebellions spread across the Middle East. Countries in the region since decades attract large numbers of migrant workers, in particular from Asian countries. On their flight to safety, thousands of migrants were stranded at border checkpoints. States had to work quickly and adapt their responses to different country contexts to assist their nationals – yet the scale of the crisis put considerable constraints on available resources. In the context of Libya, an estimated number of 311,770 migrants were affected from more than 30 countries, including Bangladesh, Mali, Egypt, Somalia, Sudan and the Philippines.

The significant number of undocumented migrants complicated operations, as embassies and government departments overseeing evacuations procedures had to find ways to enumerate their nationals in the affected areas and connect with them on the ground.

States, IOM and UNHCR, as well as other actors such as border officials, embassy officials, and foreign ministries, at the places of departure, transit and at destination, had to work in close cooperation to facilitate migrants' movement to safety.

WAIVERS OR EXCEPTIONS TO EXIT REQUIREMENTS

HOST STATES

Crisis often call for flexibility with regard to entry, exit and visa requirements. Migrants' ability to move to safety may be limited by visa and work permits that restrict them to particular geographic areas or employers. During the acute phases of a crisis, host States can implement flexible measures to assist migrants, for instance in the form of waivers, that facilitate the exit of migrants and their families or waivers for fees and fines to exit and overstay. Facilitating re-entry permits for affected migrants and refraining from detaining migrants during crisis can be other life-saving measures to take. Providing clear instructions and procedures to border officials on facilitating access and appointing a person or body with sufficient authority and emergency power to make decisions on exceptions and border processes and format are further measures States can undertake.

[Special measures to assist with travel documentation, Fort McMurray Wildfire, Canada](#)

In 2016, during the wildfires that hit Fort McMurray in the State of Alberta, the government put special measures in place to support those affected by the wildfires. Measures included priority processing and free replacement of passports and travel documents that were lost, damaged or destroyed. Measures also included extensions of temporary resident status and the waiving of certain requirements for visitors, foreign migrant workers and international students that were affected by the wildfire.

[Goodwill visa for foreigners, India](#)

During the Nepal earthquake, the Indian Government instructed the Bureau of Immigration to grant 'Gratis Visa' (goodwill visa) on arrival to foreigners stranded in Nepal for their speedy evacuation through India back to their countries of origin. To assist the evacuations of the thousands of stranded people including migrants, it further instructed India-Nepal border guarding force Sashastra Seema Bal (SSB) to facilitate the movement of rescue buses and vehicle along the border.

[Measures to assist migrants affected by hurricanes, United States of America](#)

Following Hurricane Isaac in 2012, the U.S. Citizenship and Immigration Services (USCIS) released a statement to inform the public of measures to assist qualified individuals in the form of extension or change of non-immigrant status and expedited processing of work authorization. These measures were implemented to assist those who suffered from financial distress due to the weather but also in the recognition that in some cases the changes wrought by the storm impacted migrants' ability to keep lawful immigration status.

TEMPORARY IDENTITY AND TRAVEL DOCUMENTS

STATES OF ORIGIN AND INTERNATIONAL ORGANIZATIONS

Where States lack the capacity to provide documentation assistance to their citizens caught in a crisis, international organizations can support States in identifying citizens and facilitating – or where necessary providing – temporary identity and travel documents. They may also assist by supporting in the verification of nationality and screening procedures at borders, migrants' rights to residency and assist migrants in contacting their States of origin to obtain required travel and documents.

[Laissez-passer for stranded migrants, Libya](#)

During the 2011 Libya crisis, migrants from countries not benefiting from a regime of free movement with Egypt would have to wait for visa processing at the Salloum border crossing point before entering Egypt. The International Organization for Migration (IOM) worked in support of consular authorities to facilitate the provision of travel documents and laissez-passer to migrants who were not in possession of their papers. The Egyptian authorities cleared migrants with laissez-passer upon confirmation of their evacuation itinerary with IOM-chartered flights.

[Assistance to Foreign Nationals in the Areas Hit by the Great East Earthquake, Japan](#)

The Great East Japan Earthquake affected foreign nationals in the areas hit by the disaster. Elements of the Japan's Ministry of Foreign affairs response, implemented in cooperation with IOM, included, among others, quick issuance of visas for families and humanitarian workers to assist victims and eased re-entry and overstay process for foreign residents.

HUMANITARIAN PROTECTION STATUS

STATES OF TRANSIT AND HOST STATES

During crisis, “exceptional provisions” in national laws and changes in policy can be used to permit the entry or stay of individuals who do not qualify as refugees or cannot benefit from existing mechanisms for entry or stay. Examples of such mechanisms to provide tailored forms of protection and status to people arriving from host States, include the issuing of temporary protection status, humanitarian protection status or conditional protection status.

Temporary Protection Status, United States

In the United States of America, the Secretary of Homeland Security may designate a foreign country for Temporary Protection Status (TPS) due to conditions in the country that temporarily prevent the country’s nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. Ongoing armed conflict, environmental or other extraordinary and temporary conditions, may make nationals of certain countries (or parts of countries) and individuals without nationality who last resided in the designated country, eligible for TPS during a designated period. TPS upon initial review of their cases are not removable from the United States, can obtain an employment authorization document (EAD), may be granted travel authorization.

Humanitarian immigration status, Peru

In 2015, the President of Peru promulgated the legislative decree No. 1236 on Migration which regulated migration issues and immigration of nationals and foreigners. Article 59 regulates humanitarian immigration status to protect people that are in vulnerable situations yet are not eligible for asylum or refugee status. According to the decree, this status applies to individuals migrating due to internationally recognized humanitarian crises and to natural disaster, as well as to victims of human trafficking, unaccompanied minors and stateless persons.

DEPLOYMENT OF ASSISTANCE TEAMS TO BORDERS, AIRPORTS, SEAPORTS OR OTHER TRANSIT POINTS

STATES OF ORIGIN AND CIVIL SOCIETY ORGANIZATIONS

Specialized personnel deployed by States of origins to multiple locations to host States or States of transit can help speed up the process of assessing citizen’s needs and providing assistance. In times of crisis, States of origin can activate consular service agreements, if they exist, to request assistance from other States in assisting citizens and they can coordinate with international organizations to receive technical assistance and additional personnel. Civil society actors can also provide direct assistance for migrants to move, including transport and temporary shelter en route.

Foreign Commonwealth Office Crisis Team, Nepal

The British Foreign Commonwealth Office (FCO) plans and responds to all eventualities overseas in times of crisis. After the Nepal earthquake, the Foreign office crisis team and volunteers operated out of a dedicated crisis centre for nearly two weeks. Staff was sent to Kathmandu to help facilitate the work of the Embassy team. Local staff, visited hotels, hospitals and airports to look for British citizens. Rapid deployment teams were sent to Gurkhas remote mountainous areas to find British citizens. Overnight 120 British citizens were evacuated to the United Kingdom and the Embassy in Kathmandu exceptionally took in over 300 British people in the days immediately after the earthquake, providing food, water and shelter in tents.

Federal Agency for Technical Relief SEEBA Unit expert team, Japan

Acting on the instructions of the Federal Government, the Federal Agency for Technical Relief, deployed a 40-strong team from the Rapid Deployment Unit Search and Rescue Abroad (SEEBA) to Japan following the earthquake in 2011. The SEEBA operatives are specialists in search and rescue operations in disaster areas. SEEBA units can be at the airport ready to depart within six hours of being alerted. Additionally, four THW experts were deployed to the affected areas to assist the German embassy in Tokyo with situation assessment and fact-finding operations to determine which relief measures could be offered.

PLANNING FOR, AND SUPPORTING EVACUATIONS

Migrants' seeking to flee to safety may require support in obtaining temporary identity and travel documents, securing exit visas, paying immigration penalties, and fulfilling entry requirements. Foreign posts can play a key role in supporting their nationals affected during crisis by issuing or renewing documents, including emergency documents and by providing resources and personnel. In extreme cases, they must be prepared to support the evacuation out of affected areas of a country to other part of the country or even to a third country.

IOM has developed a guidance note that assist foreign posts in planning for the evacuation of crisis-affected nationals, to prepare themselves for and respond effectively to an emergency situation and potential bureaucratic and operational challenges.

Evacuation plans should take into account a number of considerations, based on the number, location and the risks migrants face as well as their capacity and willingness to move.

Considerations at a glance:

1. Safe locations to which people can move to escape the immediate impacts of hazards;
2. Exit points through which people can leave the area, country or region;
3. Routes they can use to reach them;
4. Available transportation options;
5. Gathering information on how to provide nationals to be evacuated with the documentation required to exit the country (e.g. exit visa, identity documentation).



This planning tool is part of IOM's MICIC implementation toolkit. The tool is available online in [Arabic](#), [English](#), [French](#), [Russian](#) and [Spanish](#).

The Guidelines in Action present implementation examples and tools to support the operationalization of the MICIC Initiative Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster. Practices and tools may be relevant for one or more stakeholders. Find more examples of practices in the MICIC Guidelines and in the online Repository of Practices on our website.

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