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Migrants disembarked from a rescue vessel in the Italian port of Augusta in Sicily.
© IOM 2015 (Photo: Francesco Malavolta)

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International Organization for Migration (IOM)



Introduction

*Solon Ardittis and Frank Laczko*¹

In December 2014, the 13th plenary meeting of the Transatlantic Council on Migration, convened by the Migration Policy Institute (MPI), examined the realities of the current global protection system, which is under increasing strain, and set out to identify gaps and opportunities for change. The reports prepared for the Council² considered how governments and stakeholders can cooperate to address existing crises, distribute responsibilities more fairly, create more flexible systems that respond to changing realities and prevent new displacement from becoming protracted.

Migration Policy Practice welcomes the opportunity to publish, in short article form, a selection of some of the most noteworthy papers discussed at the meeting of the Transatlantic Council on Migration.

In the first of these articles, T. Alexander Aleinikoff discusses the difficulties in applying the relief-to-development concept in situations of long-term displacement. Host States do not tend to include refugees in their national development plans, and as a result, international assistance to displaced communities continues to originate from “humanitarian” sources. According to Aleinikoff, in order to better foster the self-sufficiency of refugees and the development of host communities, a new narrative, new interventions and new partners will be required. However, bringing together a range of actors with disparate agendas and interests will be challenging, and will require policymakers, humanitarian actors and donor agencies to think creatively and search actively for opportunities to cooperate, and to bring in non-traditional partners such as the private sector and diasporas.

In the second article, Kathleen Newland explores the main sources of strain on the existing system of refugee protection, and possible avenues for strengthening the system. According to Newland, current sources of strain on the existing protection system include the

territorial basis of asylum that requires refugees to be physically present in a country to claim protection, the complex mix of migrants and refugees, the high cost and inadequate financing of support to prima facie refugee populations in countries of first asylum, the protracted nature of displacement, and the enforced immobility of refugees and other displaced people in countries of transit and/or first asylum, owing to the lack of legal options for travel. New promising approaches to refitting the regime include breaking down the conceptual and institutional walls between humanitarian and development assistance, and facilitating mobility for refugees and other displaced people so that they can secure their livelihoods, gain access to a broader array of rights, and contribute to development in countries and communities of temporary or permanent settlement.

In the third article, Roger Zetter suggests that the concept of “refugee” is both increasingly problematic, when confined to its definition in international law, and inadequate in scope to capture the complex, multivariate factors – beyond persecution – that propel displacement in the contemporary world. According to Zetter, while the mitigation of forced displacement through long-term development, good governance and full respect for human rights remains the ultimate aim, the increasing scale of conflict-driven and environment-related movement continues to strain the existing regime for the protection of the displaced, and to generate new demands for protection. In order to refit the global protection system to meet the challenges of contemporary humanitarian crises, there is thus a need both to reinforce – and also to transcend – the well-established legal and normative frameworks of protection, and to reframe our understanding of the concepts of forced migration and protection.

In the fourth article, Katy Long considers the extent to which labour migration is being used – or could be used in the future – to strengthen the international refugee protection regime and facilitate durable solutions for refugees. Refugees may migrate (after gaining asylum) for education, for health or for family reasons (including marriage). This migration may be entirely voluntary, or constrained by factors such as poverty or insecurity. According to Long, the most promising approaches to harnessing the development potential of refugees are those that concentrate on securing regularization and work authorization

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2 See <http://migrationpolicy.org/programs/transatlantic-council-migration/refitting-global-protection-system-meet-challenges-modern>

for refugees already residing in countries of first asylum. Also promising are small-scale programmes in developed economies that look to fill particular labour-market shortages while meeting humanitarian and development obligations. Policymakers and international actors would thus do well to consider removing obstacles that keep otherwise qualified refugees from accessing existing migration channels, and offering new migration opportunities to specific groups of refugees, whether within a region (such as through expanded regional free movement arrangements) or further afield (through temporary work programmes in developed countries, for example).

The second set of articles in this issue of *Migration Policy Practice* focuses more directly on issues of irregular migration and remittances.

The first article on this theme, by Arezo Malakooti, examines the recent dynamics of migration flows across the Mediterranean by looking at two routes in particular: Western Mediterranean and Central Mediterranean. Based on research and fieldwork commissioned by the International Organization for Migration (IOM), the article informs the typical profiles of migrants, the push and pull factors, the main travel routes and the conditions of the journey of migration flows across the Mediterranean. The article also discusses the key decision-making factors when selecting between the western and the Central Mediterranean routes. These include the level of control at border crossing points, the ease of passage to Europe, the possibility for regularization at some point along the route, the levels of abuse and conditions in the transit countries, the risks involved, the duration of the journey, the cost of the journey, and the presence of networks or friends along the way or in transit countries.

In the second article, Sandra Paola Alvarez, Pascal Briod, Olivier Ferrari and Ulrike Rieder discuss issues related to estimations of aggregate volumes of remittances, bilateral remittances and remittance transfer costs. The authors suggest that the methodologies commonly used to estimate remittances and remittance transfer costs necessarily introduce a number of biases or suffer from limitations that confirm how problematic it is to generate accurate “evidence” on remittances. For policymaking purposes, it may therefore be worth exploring ways to improve our understanding of remittance transfer costs by facilitating new partnerships that allow for the development of more complex methodologies and datasets. Better estimations of remittance costs are not only likely to influence the transparency of

remittance prices but also address current priorities relating to reducing remittance transfer costs.

In the third article, Nassim Majidi discusses IOM’s activities to raise awareness about the risks and consequences of irregular migration from Somaliland, where an estimated 400 to 700 young migrants join irregular flows to Libya through Ethiopia and Sudan every month. Awareness-raising about this issue highlights changes in asylum policies in Europe (especially Norway and Sweden, home to the largest Somali communities in Europe), the limited chances of success, dangers and risks during the journey, and challenges faced upon arrival in Europe. The IOM campaign aims to bring greater awareness of the huge risks involved in irregular migration where many fall victims to trafficking and unscrupulous middlemen, while others arrive in Europe only to realize that opportunities there are limited. According to Majidi, given the economic instability in Somalia and the decreasing likelihood of protection given to applicants to gain asylum in Europe, the number of Somali youth migrating irregularly to Europe is only likely to increase. As such, awareness campaigns alone cannot lead to behavioural changes but must be accompanied by programmes specifically targeting youth and employment.

In the last article, Tara Brian provides a snapshot of current migration trends in the Mediterranean. Based on IOM’s regularly updated data, the article shows that while last year saw the arrival in Europe of over 220,000 people from across the Mediterranean, more than 135,000 migrants have already disembarked in Southern Europe in the first six months of 2015. In particular, the Eastern Mediterranean route has seen an unprecedented increase in the number of migrants crossing to Greece this year, with an average of nearly 800 arrivals daily in June 2015. Although this year’s arrivals to Greece match the numbers disembarking in Italy, the increase in flows in the Eastern Mediterranean does not coincide with a decrease in numbers crossing through the Central Mediterranean: flows to Italy have risen by roughly 5 per cent when compared with the numbers in this time period last year. Syrians are by far the largest group arriving in Greece through the Aegean Sea, while in the Central Mediterranean Eritreans are the dominant nationality.

We thank all the contributors to this issue of *Migration Policy Practice* and invite readers to spare a couple of minutes to participate in a survey which aims to help us identify our readers’ profiles, the institutions they represent and their primary interests in our journal. Should you wish to participate in this survey, please [click here](#). ■



Changing the paradigm in protracted refugee situations: Towards self-reliance

T. Alexander Aleinikoff¹

Introduction

Almost 60 million persons are displaced because of conflict and violence in the world today;² and the majority of the world's forced migrants – refugees and internally displaced persons – are in protracted situations, with little chance that their displacement will end anytime soon. Taken together, these facts paint a deeply disturbing picture. Millions of persons have not only borne the injuries and costs of being forced from their homes, they continue to suffer those harms, their lives essentially placed on long-term hold.

These are unhappy facts, too, for host and donor States. The vast majority of the world's forced migrants reside in developing countries, which expect and rely on the international community to help provide assistance to the displaced. This is particularly so for refugees who, unlike the internally displaced persons, are not citizens of the States that have provided them asylum. While emergencies may attract a significant amount of funding,³ support tends to diminish over time. Long-standing situations are perceived to have neither the urgency nor likelihood of resolution that draws heightened donor interest. Funds are disbursed year after year with little enthusiasm, amid beliefs that not much more can, or should, be done.

It should seem curious that assistance provided to refugees several decades after their displacement is categorized as “humanitarian” by governments and

multilateral international organizations. Humanitarian relief is usually associated with emergencies – tents, blankets, food and medical care for those who have been forced from their homes after a cataclysmic event (earthquake, tsunami, civil war, targeted persecution and threatened genocide). As the United Nations (UN) guidance goes, humanitarian relief should give way – in fairly short order – to reconstruction; as the flood waters recede, people should leave their emergency shelters and begin to rebuild their homes and their communities.

The relief-to-development mantra can make sense in cases of natural disaster, when a temporary shock has taken a community off its normal development course. But this concept is more difficult to apply in situations of long-term displacement. Refugee camps and settlements persist in host communities, usually as isolated, unproductive islands sustained largely by the international community – or neglected altogether. Host States are not likely to include refugees in their national development plans, meant for their own citizens, and are not likely to want international funders to divert development dollars to non-nationals. As a result, international assistance to displaced communities continues to be sourced from “humanitarian” baskets no matter how long the displacement continues. A hallmark of such funding is that it usually bypasses host States, although State refugee agencies may receive financial support and host communities may benefit from some local services, such as schools and water, sanitation and health (WASH) projects. Development funding, meanwhile, is generally bilateral and provided to States according to their development plans.

Not surprisingly, programming follows funding. The provision of emergency relief comes first, as dollars from donor emergency funds flow in. But soon after, the Office of the United Nations High Commissioner for Refugees (UNHCR) and other multilateral and non-governmental organization (NGO) actors shift to general forms of assistance, underwritten by grants from humanitarian funding streams. The result is somewhat pejoratively referred to as “care and maintenance”, and it is now the reigning paradigm for assistance to the long-term displaced.

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- 1 T. Alexander Aleinikoff served as the United Nations Deputy High Commissioner for Refugees from February 2010 through June 2015. This article is based on research commissioned by the Transatlantic Council on Migration, an initiative of the Migration Policy Institute, for its 13th plenary session, held in December 2014. For more on the Transatlantic Council on Migration, please visit www.migrationpolicy.org/programs/transatlantic-council-migration
 - 2 (Office of the) United Nations High Commissioner for Refugees (UNHCR), *UNHCR Global Trends 2014: A World at War* (Geneva, UNHCR, 2015). Available from www.refworld.org/docid/558292924.html
 - 3 UNHCR alone received nearly USD 1 billion in both 2013 and 2014 to assist refugees and internally displaced persons affected by the conflict in the Syrian Arab Republic.

No officially sanctioned category is to be found between humanitarian and development funding; hence, the stretching of the term “humanitarian” to cover assistance in protracted situations. But perhaps it is time to recognize more frankly the funding and spending category assigned to most of the world’s displaced for what it is: dollars for dependence.

Beyond “care and maintenance”

If long-term dependence is the problem, then fostering self-reliance is a plausible solution. The question is how to make self-reliance acceptable to host communities and interesting to donors.

Host States perceive major disincentives to promoting refugees’ self-reliance. For asylum States, refugees are temporary residents who should return to their home country as soon as conditions allow. To promote their self-sufficiency through economic activity and participation would be, in effect, to promote a policy of local integration – a hard sell to host community populations and national constituencies. Indeed, this is why States are reluctant to include refugees in national development plans; it is hard to argue to citizens that sovereign debt should be increased to take care of noncitizens. The promotion of policies that foster self-reliance also runs counter to the claim that refugee populations are a burden – a claim that is the basis for demands for greater financial support from the international (humanitarian) community.

The moral argument seems clear: long-term dependency for forced migrants, coupled with a lack of membership in a State, denies millions of persons a present and a future. The international community should neither support nor accept it. But more than appeals to humanitarian principles will be necessary to fundamentally change an ingrained set of practices and policies.

To be sure, in the midst of an emergency, forced migrants will need immediate care; but the idea of refugees as persons for whom the necessities of life must be provided should end when the emergency ends. After all, before the conflict that prompted their flight, refugees were likely to be living typical lives in their home countries – providing for their families, caring for their children and engaging with their communities. Given the opportunity, there is no reason that most could not resume such lives again, albeit in a new country of residence. From this perspective, we should see refugees in development terms: they are a

group of potentially productive persons, able to take care of themselves and contribute to the economy of the host community. Because many refugee camps and settlements are located in less developed areas of host States, the potential of refugees to contribute to development takes on added value.

Indeed, refugees are more than potential skilled or unskilled workers, entrepreneurs and small-business operators. Because they are, in some sense, the responsibility of the international community, they provide links to international humanitarian and development funds. Refugees should thus be seen to offer dual benefits to the economic growth of host States, both through their own efforts and through the international funding their presence is likely to attract.

Crucial to this shift in perspective is the willingness of development actors to see displacement as an area of programmatic interest. This brief explores several practical options for increasing the priority given to forced migrants by humanitarian and development actors, host States and donor States. It begins by proposing several programmatic interventions that move beyond the standard “care and maintenance” response, and then discusses possible tools for implementing them. Taken together, these suggestions raise a provocative question: if development actors come to see displacement as a funding priority (and the funding provided is additional to that otherwise planned), can we imagine a world where States compete for the “privilege” of hosting refugees?

Programmatic interventions

To say that forced migrants are valuable contributors to economic development does not make it real. The best way to bring the new model into existence would be to undertake projects now that are consistent with the new vision. Rather than a dramatic paradigm shift, what is being suggested is a paradigm *slide* – as a new way of doing business that ultimately leads to a new way of understanding the business we are trying to do. The changes to current policy and practice needed to set this in motion include: (1) improved implementation of refugees’ existing labour-market rights; and (2) better development of livelihood opportunities at both individual and community or system levels.

Refugees' rights to work, to self-employment and to pursue professions

First and foremost, refugees must be given the right to work.⁴ This does not require a paradigm shift; it simply recognizes a right already included in the 1951 Convention⁵ that called the international refugee regime into existence. While no comprehensive study has yet investigated host States' respect for the right to work, a recent analysis of the situation of nearly 5 million refugees (representing 18 different States) revealed that 45 per cent of those refugees enjoy no legal right to work, while the remaining 55 per cent face significant *de facto* barriers to employment.⁶

The Convention does not stop at the right to work. It also guarantees an increasing bundle of rights to refugees as they develop deeper connections to their country of residence. Refugees *lawfully present* within a State are entitled to "treatment as favourable as possible and, in any event, no less favourable than that accorded to aliens generally in the same circumstances" with respect to the right to self-employment.⁷ Refugees *lawfully staying* within a State are entitled to enjoy "the most favourable treatment accorded to nationals of a foreign country in the same circumstances" with respect to the right to engage in wage-earning employment,⁸ as well as the right to practice a liberal profession.⁹ Even otherwise acceptable restrictions on foreigners' employment rights are inapplicable to refugees who have completed three years' residence in the country,

or are spouses or parents of nationals of the country of asylum.¹⁰

Admittedly, host States may be reluctant to grant refugees a right to work if domestic populations believe that refugees will compete with them for jobs. One solution, to be explored below, would be to fold a right to work into broader development plans for host communities.

A better approach to livelihoods

UNHCR and NGO partners fund tens of millions of dollars of livelihood development projects annually. Most projects are rather small, providing a limited number of refugees with some skills, such as tailoring, soap-making or woodworking; supplying a family with a cow or chickens; or distributing seeds and tools for subsistence farming. Usually no significant analysis is conducted of markets for the goods produced or skills acquired and little follow-up is done to see whether the incomes and prospects of persons passing through the projects have materially improved. Nor has UNHCR generated persuasive evidence that numerous "microcredit" projects have moved large numbers of refugees towards self-sufficiency.¹¹

The fact is that livelihood development is not viewed as a core function of humanitarian organizations, particularly beyond projects for the displaced. To date, few organizations have had either the knowledge or trained staff to construct and conduct robust programmes (including evaluations of project benefits), although this is changing. Humanitarian organizations are becoming more sophisticated in their approaches to livelihoods, as the following examples demonstrate.¹²

4 This is not an issue for internally displaced persons, who would have the usual rights pertaining to citizenship.

5 Here and throughout, the Convention being referred to is the 1951 Convention Relating to the Status of Refugees and the subsequent 1967 Protocol; for the full text, see: UNHCR, *Convention and Protocol Relating to the Status of Refugees* (Geneva, UNHCR, 2010), available from www.unhcr.org/3b66c2aa10.html

6 Asylum Access, *Global Refugee Work Rights Report: Taking the Movement from Theory to Practice* (Oakland, California, Asylum Access, 2014), available from http://asylumaccess.org/AsylumAccess/wp-content/uploads/2012/09/FINAL_Global-Refugee-Work-Rights-Report-2014_Interactive.pdf. Identified barriers to employment include inadequate access to national refugee status, xenophobia, bureaucratic barriers, and inadequate access to vocational training and education.

7 1951 Convention, Article 18.

8 1951 Convention, Article 17(1).

9 1951 Convention, Article 19(1).

10 1951 Convention, Article 17(2). Notably, Article 17(3) further emphasizes the drafters' preoccupation with employment rights by requiring States to "give sympathetic consideration to assimilating the [wage-earning] rights of all refugees . . . to those of nationals."

11 Indeed, many of the programmes are justified more in terms of psychosocial support for vulnerable refugees or giving otherwise idle young men something to occupy their time than in terms of advancement towards self-sufficiency.

12 See, for example: UNHCR, *Global Strategy for Livelihoods: A UNHCR Strategy 2014–2018* (Geneva, UNHCR, 2014). Available from www.unhcr.org/530f107b6.pdf

Assistance at the individual level

UNHCR is currently piloting a multidisciplinary approach to poverty reduction – the “graduation model” – which sequences social protection, livelihood development and access to finance. The model supports refugees’ immediate needs while building the foundation for longer-term human-capital investments.¹³ Developed in rural Bangladesh, the model is now being introduced into urban environments in Costa Rica, Ecuador and Egypt. The graduation model begins by targeting the stress caused by conditions of extreme poverty, such as food insecurity. In the second stage, participants develop financial discipline by creating a specific savings plan and learning about financial service providers. They then receive training focused on asset preservation and entrepreneurial skills, as well as health and social issues. Finally, participants are matched with sustainable economic activities based on their qualifications, existing market conditions and assets (including available microloans). The Ecuadorean project is currently screening candidates, and is slated to take about 18 months to reach its final stage.

It is increasingly recognized that strategies to support livelihoods are likely to be more effective when beneficiaries are economically invested in projects. So, for example, in Zambia, as part of a programme fostering the local integration of former Angolan refugees, farmers are advanced seeds and tools upon the condition that they pay back the cost of the inputs from profits generated by their activity. Other avenues may provide access to capital to support income-generating enterprises. Through a self-sufficiency initiative in Ecuador, for instance, Banco Pinchincha has begun to offer refugees bank accounts, microloans and financial counselling.

Broader development opportunities

Far-reaching programmes can be established based on an economic understanding of the refugee hosting area and broader market conditions. Rather than just giving refugees seeds to grow crops for household consumption, larger-scale agricultural projects can be envisaged that bring benefits both to refugee and host communities. Projects of this type have been initiated in Ethiopia and Chad and are being considered for refugee settlement areas in Uganda. The crops to

be planted are chosen based on an analysis of the demand for them in the local area and beyond. Other kinds of agricultural programmes are possible as well. In Burkina Faso, with the support of the IKEA Foundation, UNHCR is initiating a project to address a dramatic undersupply of milk by building skills in both the refugee and host communities to increase the production capacity of local dairies. If successful, the project will expand a valuable source of nutrition, increase income levels for both refugees and hosts, and provide refugees with valuable skills that they can take back to Mali when return becomes feasible.¹⁴

A less direct but potentially more useful route forward is to provide infrastructure (roads, energy, vocational schools and hospitals) upon which economic activity can be based. The thinking is that refugee (and host community) enterprises will be started when there is a foundation to support them. An economically vibrant area should then generate the jobs and opportunities that are needed for self-sufficiency.

Instrumentalities

To move towards a new paradigm, humanitarian organizations will need help. Donor States will need to conceptualize aid for the displaced in a broader context; host States will have to recognize and support programmes for the displaced that go beyond maintaining dependency; and development organizations will need to contribute programme knowledge and new funding. All these actions are linked: host States are more likely to accept a broader view of programming for the displaced if it comes with tangible benefits for host communities. Donor States will come to accept the new paradigm if it is supported by host States. Lastly, development agencies will contribute to the new approach if it is represented in national and local development planning. Non-State actors such as diaspora communities and the private sector can also be invited to help implement new initiatives.

13 Ibid.

14 UNHCR, *Milk Solutions for the Livelihoods and Self-Reliance of Malian Refugees and Host Communities in Burkina Faso: Seeds for Solutions 2014–2017* (Geneva, UNHCR, 2014). Available from <http://reliefweb.int/report/burkina-faso/milk-solutions-livelihoods-and-self-reliance-malian-refugees-and-host>

Development actors

The involvement of development actors appears to be the greatest challenge. To date, development agencies have played a limited role in displacement for two reasons: (1) displacement has not been addressed by national and local development plans; and (2) these actors have not seen the development needs of the displaced as a funding priority, given the characterization of those needs as “humanitarian”.¹⁵ The first reason would be countered by making progress on the second – that is, it is highly likely that national and local plans would encompass areas that host displaced people if donors indicated a strong interest that they do so.

The argument that development actors should make displacement a focus of concern is threefold:

- First, it is clear – at least in some situations – that **displacement has an impact on national economic growth**,¹⁶ that is, the arrival of forced migrants affects the development trajectory of the host State. Seen positively, displacement presents opportunities for economic growth because of the talents and capacities of forced migrants combined with the host community.

15 In extreme cases – such as in Lebanon and Jordan – development actors have shown interest in displaced communities, but the kind of participation observed in these cases (helping local communities withstand immediate crisis) is of a different nature than what is being suggested here. Post-emergency and long-term displacement situations require more than a bifurcated approach, in which UNHCR and its partners focus on refugees, while the United Nations Development Programme (UNDP) and development actors focus on host communities. Development actors must be part of the refugee response itself; that is, the goal of the development work should include refugees’ self-reliance and host communities’ growth, as well as the rehabilitation of the communities affected by crisis.

16 A recent World Bank report notes that “forced displacement . . . has important economic, social, political, and environmental impacts on the places of origin and destination”; D. Ratha et al., “Migration and remittances: Recent developments and outlook (Special topic: Forced migration)” (*Migration and Development Brief 23*, Washington, D.C., World Bank, October 2014), available from <http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1288990760745/MigrationandDevelopmentBrief23.pdf>. A report on Africa’s Great Lakes region (GLR) also concludes that “[i]mpacts of displacement can be a source of fragility for the region, with displacement having the potential to negatively affect the stability and prospects for economic development in the GLR as a whole”; see: World Bank and UNHCR, “Forced displacement in the Great Lakes region” (Internal Draft, Washington, D.C., World Bank and UNHCR, 2014), 47–8.

- Second, whether or not an effect on host-country GDP can be shown,¹⁷ **refugees are highly likely to be doubly excluded from development assistance** – that is, both from the country they fled and from the country that has granted them asylum. If one of the hallmarks of post-2015 development thinking is universality and inclusion, then areas hosting displaced populations are prime candidates for focus and concern.
- Third, **development programming for displaced populations will improve their chances of a sustainable return** to their home State while benefitting the overall development of the State. So, for example, one might appropriately view development assistance to Somali refugee camps as implicit development assistance to Somalia.

It may be that these three arguments – based on recognizing impact, ending exclusion and facilitating return – are enough to motivate development actors to recognize displacement as an area for attention and funding. And indeed there are some hopeful signs. A World Bank initiative in Africa’s Great Lakes region recommends that development actors encourage the inclusion of displaced populations and host communities in wider development plans, support education efforts for displaced children, and develop and fund approaches “to enhance the voice and representation of displaced communities by strengthening their civil society and contact with local authorities.”¹⁸

But it may be that structural change within development organizations would be the surest way to focus attention on displacement. One example of such a change is the creation of an office in Germany’s Federal Ministry for Economic Cooperation and Development dedicated to displacement. Initiated with EUR 170 million budget, the unit is intended to link development plans to relief for displaced populations.

17 For example, a World Bank report concludes that, for the years 2012–2014, displacement caused by the Syrian conflict may cut real GDP growth in Lebanon by 2.9 per cent each year; see: World Bank, *Lebanon: Economic and Social Impact Assessment of the Syrian Conflict* (Washington, D.C., World Bank, 2013), available from <http://documents.worldbank.org/curated/en/2013/09/18292074/lebanon-economic-social-impact-assessment-syrian-conflict>

18 World Bank and UNHCR, “Forced displacement in the Great Lakes region”, (Internal Draft, Washington, D.C., World Bank and UNHCR, 2014), 47–8.

To say that development planning is crucial to a new paradigm for solving situations of forced migration is not to imply some kind of handover from humanitarian to development agencies. Rather, the needs assessment and planning processes should be joint from the start – perhaps coordinated by the UN Country Team, with UNHCR in the lead.

The diaspora

The diaspora – defined here as co-nationals (and their descendants) living in a third country – is an untapped resource with potentially great interest in supporting displaced populations. If the paradigm “slide” discussed here involves replacing “care and maintenance” with self-reliance, then diaspora communities are likely to have means and talents to contribute. They may also have close ties to the country of origin and could assist in producing sustainable return programmes. In addition, diaspora communities may include influential political actors in resettlement countries that could generate support for donor-State policies that foster the self-reliance of displaced populations.

Effective mobilization of the diaspora will require new efforts by humanitarian organizations, which typically lose touch with displaced populations once they have achieved a solution. There are some promising signs. The 2014 Addis Ababa Commitment towards Somali Refugees (a product of High Commissioner António Guterres’ Global Initiative on Somali Refugees) recognized that “the Somali diaspora have an important role to play” in turning the commitment into practice.¹⁹ Another example is the Refugee Congress established by the UNHCR Regional Office in Washington. The Congress includes resettled refugees from each of the US states and promotes advocacy in the United States on behalf of the refugees. It could also be mobilized to support persons who have not yet found a solution to their displacement, by providing scholarships, marketing assistance, contractual work and professional opportunities.

Private investors

Once we shift our focus from continued humanitarian assistance to the self-reliance of refugees and the development of their host communities, it becomes logical to ask what role private investment might play.

Given the presence of underutilized economic actors – that is, of refugees who are not participating in the economy either as producers or consumers – the private sector may see opportunities for investing in infrastructure and start-up businesses. Humanitarian agencies could develop tripartite agreements among host States, investors and multilateral organizations that provide incentives to private developers while also securing the rights and advancement of the displaced.

Conclusion

The negative consequences of protracted situations of displacement have long been understood. They undermine human development for the displaced, whose lives are essentially put on hold. With apparent solutions out of reach, host States may face growing burdens as the international community loses interest and donor support declines. As protracted situations become the norm, it is clear – for both moral and practical reasons – that the long-term dependency of millions of displaced persons cannot be an acceptable outcome for the international humanitarian system.

To better foster the self-sufficiency of refugees and the development of host communities, a new narrative, new interventions and new partners will be needed. Recognizing the development potential of displaced populations for both host and origin communities is essential to shift the common perception of displacement from that of a *burden* to a benefit.

Bringing together such a range of actors with disparate agendas and interests will be challenging, and it will require policymakers, humanitarian actors and donor agencies to think creatively and search actively for opportunities to cooperate, and to bring in non-traditional partners such as the private sector and diaspora. Amid the mounting pressures placed on the humanitarian system by new crises, finding sustainable solutions to long-standing refugee situations is a critical priority. ■

“Recognizing the development potential of displaced populations...is essential to shift the common perception of displacement from that of a *burden* to a benefit.”

19 UNHCR, Addis Ababa Commitment towards Somali Refugees (Geneva, UNHCR, 2014). Available from www.unhcr.org/540dac2c6.pdf



New channels and new tools of protection: Mobility and development approaches

Kathleen Newland¹

Introduction

The regime of international protection built around the 1951 Convention Relating to the Status of Refugees is not working as envisioned; it is neither protecting refugees and other forcibly displaced people adequately nor achieving durable solutions for them.² The fault is not in the Convention, but in the failure to interpret and apply it as a living document responsive to the evolving realities of contemporary forcible displacement.

Many governments, especially those of wealthy developed countries, are choosing to apply the Convention narrowly, forcing huge flows of people in need of protection into channels that cannot accommodate them. Displaced people encounter significant risks as a result, and the unauthorized flows may generate the perception that migration is out of control. The political challenges that governments face when they cannot convince their electorates that they are able to manage their borders jeopardize more than the longevity of political leadership. Such challenges may also narrow the already limited space available for international cooperation on protection,

as governments become increasingly risk-averse in their dealings with refugees and other displaced persons.

The governments of Western developed countries are spending huge amounts of money on systems that are not producing the results – in terms of safety, security (both personal and national), protection of human rights, and economic advancement – desired by their citizens as well as by displaced people. States have also failed to develop, as new situations demand, additional platforms for international cooperation to protect, assist, and find solutions for the displaced while also making it possible for them to use their skills and talents productively. In a context of multiple simultaneous crises resulting in displacement on a scale not seen since World War II, the limitations of the current system are prompting calls for a fundamental rethinking of the protection regime. Reforms should be designed to supplement and reinforce, rather than replace, the Convention-based refugee protection system.

To strengthen the protection regime – and address the pressures facing communities and governments providing protection – national policymakers and international agencies will need to undertake a comprehensive evaluation of the dynamics of displacement crises, from beginning to end; simply reacting to displacement once it reaches their borders has proven to be insufficient. To get ahead of the momentum of crises, new approaches will need to look beyond asylum and deploy both development resources and mobility options.

The chaos and misery surrounding displacement are in no one's interest except those who profit from human despair – chiefly smugglers, traffickers, corrupt officials and exploitative employers. The desperate circumstances of the displaced undermine not only human security but also the rule of law and

1 Kathleen Newland is Co-Founder and a Senior Fellow of the Migration Policy Institute (MPI), where she directs the Migrants, Migration, and Development Program and leads the Institute's work on refugee protection. This article is based on research commissioned by the Transatlantic Council on Migration, an initiative of the MPI, for its 13th plenary session, held in December 2014. For more information on the Transatlantic Council on Migration, please visit www.migrationpolicy.org/programs/transatlantic-council-migration

2 This article reserves the term “refugee” for people who conform to the definition of Article 1 of the 1951 Convention Relating to the Status of Refugees, and uses “displaced people” for the larger category of people forced to leave their homes for reasons other than those described in the Convention but who are in need of some form of international protection. According to Article 1, “the term ‘refugee’ shall apply to any person who . . . owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country . . .” ((Office of the) United Nations High Commissioner for Refugees (UNHCR), *Convention and Protocol Relating to the Status of Refugees* (Geneva, UNHCR, 2010), available from www.unhcr.org/3b66c2aa10.html)

the fundamental legitimacy of the modern system of sovereign States.³

This article explores the main sources of strain on the existing system of protection, and the two most promising avenues for strengthening the system. It makes the case for a robust, cooperative international effort to go beyond humanitarian assistance and incorporate new tools and new channels for the protection of the displaced.

Sources of strain on the international protection regime

A number of underlying factors feed the inadequacy of the current protection regime:

- **The territorial basis of asylum** that requires refugees to be physically present in a country to claim protection;
- **The complex mix of migrants and refugees**, some of whom may have strong claims to international protection, and others who have none;
- **The high cost and inadequate financing of support** to prima facie refugee populations in countries of first asylum;
- **The protracted nature of displacement** for the majority of refugees and for many other displaced people;
- **The enforced immobility** of refugees and other displaced people in countries of transit and/or first asylum, owing to the lack of legal options for travel.

These factors are discussed in more detail below; however, it is worth noting that only the first can be traced to the legal provisions of the Convention itself.

The territorial basis of asylum

The international protection regime predicates asylum on access to the territory of a State other than the asylum-seeker's country of origin. Yet governments

that have the means to do so invest enormous amounts of physical, financial and, sometimes, moral capital to prevent and deter unauthorized entries. The “non-entrée” policies of capable States, coupled with very limited legal channels of access for people from developing countries to those States, make it extremely difficult for refugees and other displaced people to gain access to territory where they can claim asylum.

Legal avenues of entry are all but closed to people who do not meet the selection criteria (chiefly based on desired skills or close family ties) of their intended countries of destination. As a result, most asylum-seekers have no option for entry into another State other than illegal means. Recognizing this, Article 31 of the Refugee Convention proscribes States from penalizing asylum-seekers for entering their territories without authorization, although this is qualified by the requirement that the refugee must be coming directly from a territory where his or her life or freedom was under threat (as specified by the Convention's definition of refugees).⁴ Many governments invoke this caveat to refuse asylum to refugees who have transited through another country, however precarious their presence in that country may have been and however compelling their need for protection. Illegal entry carries a taint (often exacerbated or even created by populist media and political opportunists) that may divert policy responses away from problem-solving towards simple refusal even to consider the protection claims of displaced people.

Mixed flows

Much of contemporary displacement does not map onto the persecution-based, grounds-specific definition of a refugee in the 1951 Convention.⁵ Many, if not most, of the people moving in search of protection are fleeing from a complex mix of interrelated factors such as generalized violence, armed conflict, individualized persecution, the collapse of governance, widespread human rights abuses, ethnic or sectarian tensions, and a host of

3 The Westphalian system gives sovereign States the right to monopolize force within their boundaries so that they can protect their citizens from internal and external threats; international protection provided by other States fills the gap and preserves the legitimacy of the system as a whole, when individual States fail in their obligations to protect their own citizens. Thus, the refugee regime is as much about protecting the system of States as it is about protecting individuals.

4 UNHCR, *Convention and Protocol Relating to the Status of Refugees* (Geneva, UNHCR, 2010). Available from www.unhcr.org/3b66c2aa10.html

5 R. Zetter, *Protection in Crisis: Forced Migration and Protection in a Global Era* (Washington, D.C., Migration Policy Institute, 2015). Available from www.migrationpolicy.org/research/protection-crisis-forced-migration-and-protection-global-era

exacerbating factors such as food insecurity, natural disasters and environmental degradation.

Costly refugee-status determination systems to establish whether displaced people conform to the Convention definition are not designed to address the protection needs of non-refugees: there is no widely accepted international regime to guide the governance of broader flows of forcibly displaced people. Arrangements within the existing protection regime do not, in other words, solve the problem of how to manage large-scale forcible displacement in a cooperative framework. Some progress has been made in widening refugee-like protection to broader groups, for example, to victims of generalized violence (by the Organization of African Unity [OAU] refugee convention), to victims of widespread human-rights violations (included in the Cartagena Declaration), and to internally displaced people (via the Guiding Principles on Internal Displacement). Currently, the Nansen Initiative, led by Switzerland and Norway, with the participation of a number of other countries, is in the process of developing “a protection agenda addressing the needs of people displaced across international borders in the context of disasters and the effects of climate change.”⁶

Part of the reason for the reluctance of capable States to allow refugees to arrive spontaneously, without prior permission, is the difficulty of sorting out who is a refugee and who is not. In order to avoid returning refugees to danger in the process of deporting unauthorized immigrants, States must have some way of distinguishing those who have a valid claim for protection. But determining refugee status can be difficult and expensive, and the incentives are strong for non-refugees to claim asylum by misrepresenting themselves. Moreover, repatriating non-refugees is another complex and difficult process. Governments face far fewer complications if refugees simply do not arrive uninvited. However, non-entrée policies tend to shift the problem of providing protection to poorer and less capable States or to countries of first asylum that are already bearing disproportionate burdens – with later knock-on effects like irregular onward movements that affect countries beyond the region of crisis as well. Some of the people travelling towards asylum countries in the West would be considered *prima facie* refugees, without question,

had they stayed in countries neighbouring their own, but their refugee status is questioned when they seek a more secure place of refuge. There are examples of cooperation between intended destination countries and countries of transit or first asylum intended to expand protection capacity, such as the European Union’s “mobility partnership” with Morocco. In other cases, however, cooperation seems to be little more than a financial arrangement to outsource protection obligations and immigration enforcement farther from the borders of rich countries.

Inadequate resources

The Government of Jordan, which has hosted substantial displaced populations, noted in the introduction to its 2014 National Resilience Plan that “it is widely acknowledged across all parties responding to the crisis that the current levels of financing and modus operandi of humanitarian aid are unsustainable in their present form.”⁷ As if to confirm this observation, the World Food Programme (WFP) announced at the end of November 2014 that it would be compelled to reduce its food support to refugees from the Syrian Arab Republic in neighbouring countries. The reason was simple: lack of funds. Many experts predicted widespread hunger in Syrian refugee communities as winter set in, as well as negative repercussions on host communities where refugees have used WFP vouchers to buy food and thereby stimulate local markets. Onward movement from the region could also be predicted, as Syrian refugees try to reach a safe country in which they can sustain themselves.

The cost of maintaining large numbers of refugees over long periods of time is impossibly high, both in human and financial terms. The overwhelming majority (86 per cent) of refugees live in developing countries.⁸ International funding has not kept up with the growing need for humanitarian assistance in these

6 The Nansen Initiative, “About Us”, accessed 5 December 2014. Available from www.nanseninitiative.org/

7 Government of Jordan, Ministry of Planning and International Cooperation, *National Resilience Plan 2014–2016: Proposed Priority Responses to Mitigate the Impact of the Syrian Crisis on Jordan and Jordanian Host Communities* (Amman, Government of Jordan, Ministry of Planning and International Cooperation, 2014). Available from www.jordanembassyus.org/sites/default/files/NRP_FinalDraft_08.29.2014_MOPIC.pdf

8 UNHCR, *UNHCR Global Trends 2013: War’s Human Cost* (Geneva, UNHCR, 2014). Available from www.unhcr.org/5399a14f9.html

countries. Funding needs of the Office of the United Nations High Commissioner for Refugees (UNHCR) have grown by 130 per cent since 2009; public and private contributions to its budget rose by only 70 per cent in the same period.⁹ The organization's supplementary appeals for ongoing humanitarian emergencies in 2014 reached 40 per cent of their targets, on average, by the end of October. The only appeal that came close to being fully funded (at 93 per cent) was the only one in a European country: for internally displaced people in Ukraine.¹⁰ By contrast, appeals for the organization's work in North Waziristan (Pakistan), Afghanistan and the Central African Republic reached 26 per cent, 30 per cent and 33 per cent, respectively, of their funding targets.¹¹ Other agencies such as the WFP are also experiencing shortfalls.

Despite the inadequacy of international assistance, few alternatives for support are available to refugees. In many countries of first asylum, refugees are denied permission to work, for fear of igniting a backlash among locals who may resent competition for scarce jobs, and for fear that refugees who are integrated into the labour market may never go home. Displaced people who do not have refugee status face the same barriers to labour-market entry as refugees but do not usually have access to international assistance. In fact, many refugees and displaced people do work, out of necessity, in the underground economy, where they are vulnerable to exploitation and drive down the wage rate for local workers.

The shortfall of national and international resources is a major factor eroding the quality of protection and threatening the stability of the international protection regime. Countries neighbouring Syria have begun to close their borders in the face of overwhelming inflows, overburdened infrastructure and serious economic repercussions. The Government of Jordan, for example, reports that the crisis in the Syrian Arab Republic has driven down foreign direct investment;

driven up the trade deficit, budget deficit and public debt; and caused a drop in GDP growth from an annual rate of 6.6 per cent in 2000–2008 to around 2 per cent in 2013.¹² Displaced populations that have no means of support often begin to exhibit increased social pathologies such as child labour, child marriage, prostitution, domestic violence, informal work under exploitative conditions, recruitment into militant groups and, of course, dangerous unauthorized migration.

Long duration

Traditional models of refugee protection were based on assumptions that refugees would repatriate as soon as fighting stopped and/or a repressive regime was replaced in the country of origin – and that the timeframe for these events would be counted in months or years, not decades. It did not anticipate the era of “frozen conflicts”, asymmetric warfare and failed States, which produce situations of displacement that extend over generations. Today, half of the refugees in UNHCR's mandate, or more than 6 million people, have been refugees for five years or more – often many more.¹³ Large-scale movements of Afghan refugees began in the late 1970s, and major outflows from Somalia started in 1991. Some Palestinian refugees, for whom the UN Relief and Works Agency rather than UNHCR is responsible, have been refugees since 1948. The proportion of refugees in protracted situations is currently diluted by the sharp rise in Syrian refugees that began in 2011 and has gathered momentum in subsequent years. But with no end to the conflict in sight, Syrians will soon begin moving into a protracted refugee situation, defined by UNHCR as one in which 25,000 people have been refugees for five years or more.

Refugee camps are becoming permanent settlements, even as a growing proportion of refugees move to urban areas where humanitarian assistance may be

9 UNHCR, “Identifying needs and funding requirements”, *UNHCR Global Appeal 2015 Update* (Geneva, UNHCR, 2014). Available from www.unhcr.org/5461e5f30.html

10 While the Ukraine appeal is smaller than those for the Syrian Arab Republic, Sudan, Iraq or the Central African Republic, other appeals of similar size (such as those for Afghanistan or Pakistan) have also failed to meet their funding needs.

11 UNHCR, “Identifying needs and funding requirements”, *UNHCR Global Appeal 2015 Update – Identifying Needs and Funding Requirements* (Geneva, UNHCR, 2014). Available from www.unhcr.org/5461e5f30.html

12 Government of Jordan, Ministry of Planning and International Cooperation, *National Resilience Plan 2014–2016: Proposed Priority Responses to Mitigate the Impact of the Syrian Crisis on Jordan and Jordanian Host Communities* (Amman, Government of Jordan, Ministry of Planning and International Cooperation, 2014). Available from www.jordanembassyus.org/sites/default/files/NRP_FinalDraft_08.29.2014_MOPIC.pdf

13 A. Guterres, “Rising challenges, strong support”, *UNHCR Global Appeal 2014–15* (Geneva, UNHCR, 2014). Available from www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=528a0a100&query=Global+Appeal+2015

less accessible but employment opportunities are better. While some long-term refugees are able to integrate in countries of first asylum and achieve stability, many more live on the margins in insecure circumstances. Resettlement opportunities reach less than 1 per cent of refugees, and return remains a distant dream for many. In 2013, UNHCR reported that repatriations had sunk to the lowest level in almost 25 years.¹⁴ Clearly, the three classic “durable solutions” (repatriation, integration in the country of first asylum and resettlement) are not working to reduce the numbers of long-term refugees.

Protracted displacement places great strain on forced migrants, host countries and communities, and on the budgets and operational capacity of national and international institutions involved in refugee protection and humanitarian response. Financial pledges from donors to international organizations and refugee-hosting countries are commonly made on a year-to-year basis, making it difficult to plan and implement programmes suitable for long-term needs. In consequence, lives are put on indefinite hold.

Enforced immobility

The absence of satisfactory solutions creates powerful motives for refugees and other displaced people to move on from transit countries and countries of first asylum where assistance is inadequate, protection is precarious and opportunities for self-sufficiency are limited. The quality of protection for Rohingyas in Bangladesh, Syrians in Lebanon and Somalis in Kenya, for example, leaves much to be desired despite, in some cases, the best efforts of the country of first asylum. As noted above, most attempts to reach a country that offers better prospects take place outside legal frameworks.

Onward travel is often stigmatized as “queue jumping”, or an illegitimate attempt to achieve “migration outcomes” rather than much more limited, minimal protection from return to a place of danger. These views fail to give appropriate weight to the minimum standards for treatment of refugees that are specified in the 1951 Convention and the 1967 Protocol. Many States that are party to the Convention do not accord these rights to refugees in their territories,

and instead, for example, restrict their movements or deny them the right to work. Given the provisions of the Refugee Convention, it is not unreasonable for refugees to expect to be able to enjoy the rights States have agreed to grant them. For many refugees, however, onward movement may be the only way to access minimum standards of treatment.

Protection beyond nonrefoulement

Four of the seven chapters (Chapters II–V) of the Refugee Convention (all of which are incorporated in the Protocol) lay out the obligations that State Parties to the Refugee Convention agreed in the areas of juridical status, gainful employment, welfare and administrative matters. These chapters cover specific rights such as property rights (including intellectual property); access to courts; right of association; wage-earning, self-employment and professional practice; housing; public education; rationing and public relief and assistance; labour legislation and social security; freedom of movement; and access to identity and travel documents. Chapter I separately specifies freedom of religion. With respect to fundamental rights such as freedom of religion and association, labour and social security and elementary education, the State Parties have agreed to treat legally residing refugees on terms equal to their own nationals. In other areas, the Convention specifies treatment as favourable as possible and at least as favourable as that accorded to other aliens.

Source: UNHCR, *Convention and Protocol Relating to the Status of Refugees* (Geneva, UNHCR, 2010). Available from www.unhcr.org/3b66c2aa10.html

There are, in fact, very few established international mechanisms for onward travel for people who have fled their countries of origin but have not found secure protection or livelihoods. Today’s resettlement programmes can accommodate less than 1 per cent of the world’s refugees, and refugees have exceptional difficulty accessing other channels of mobility. Many refugees do not have travel documents, and even if they did they would not be granted a visa for travel to another country. As a result, refugees are rarely able to participate in normal channels of mobility such as labour migration, international education or family reunification.

Immobility creates obstacles to refugees seeking a higher quality of protection and better outlets for their talents and energies. It also encourages the growth

¹⁴ UNHCR, *UNHCR Global Trends 2013: War’s Human Cost* (Geneva, UNHCR, 2014). Available from www.unhcr.org/5399a14f9.html

of clandestine travel, with its attendant challenges to rule of law and governments' ability to plan migrant admissions in a way that serves the goals of public policy.

New channels, new tools

As the strain on the international protection regime increases, the need for new tools and new channels to improve the regime's functioning becomes more apparent. Two distinct but related approaches to refitting the regime hold particular promise. One involves breaking down the conceptual and institutional walls between humanitarian and development assistance so that both can contribute to more robust and sustainable protection. The other involves facilitating mobility for refugees and other displaced people so that they can secure their livelihoods, gain access to a broader array of rights than is available in countries of first asylum, and contribute to development in countries and communities of temporary or permanent settlement (and to their countries of origin if, in time, circumstances permit).

Development approaches

Approaches to protection that focus on development are further along in concept and practice than those centred on mobility. Both donor governments and governments in countries of first asylum are partnering with international organizations and humanitarian non-governmental organizations to provide alternatives to the care-and-maintenance model once prevalent among responses to refugee flows. The new approaches emphasize the capabilities of refugees to provide for their own livelihoods – if they are empowered to do so with access to land, equipment, training or capital and, importantly, legal status in the labour market of host countries. Host communities must be co-planners and co-beneficiaries of development-based protection, or they may perceive refugees as rivals rather than partners in local development. The development of capacities in host communities is often the starting point for strengthening protection in the broadest sense, as in Jordan's National Resilience Plan.

Development agencies, however, are often reluctant to engage in refugee situations, which they consider too risky, too controversial, and too far removed from standard priorities and operating procedures. But the scale of disruption to development at the national level in countries hosting large refugee populations

makes a compelling argument for these agencies' involvement. The Federal Ministry for Economic Cooperation and Development in Germany, for example, is among the first to forward new thinking about the relationship between displacement – especially long-term displacement – and development cooperation, as it implements programmes to improve the well-being of host communities, refugees and internally displaced people. It has also pushed the European Union to realign its development and humanitarian assistance operations. On 4 December 2014, the European Commission adopted a EUR 180 million aid package for Syrians displaced by the war to deal with the longer-term development needs of the refugees and internally displaced persons, with a focus on education.¹⁵

Development approaches to the protection of refugees and displaced people are rapidly gaining currency. But their implementation will involve difficult bureaucratic transitions in mandates, budgets, standard operating procedures and partnerships. Such shifts normally happen at moments of crisis, and such a moment has arrived.

Mobility approaches

The imperative of opening up new channels for refugees' self-sufficiency – and breaking patterns of dependence on inadequate and unreliable humanitarian assistance programmes – is intimately connected to the development imperatives discussed above. Governments have begun to discuss ways to incorporate displaced people into the labour markets of countries of first asylum, with minimal disruption and maximum gains, but they have been much more reluctant to discuss international mobility as a means of access to livelihoods and a fuller enjoyment of the rights outlined in the Refugee Convention. This approach holds great promise, and deserves exploration and experimentation.

One set of channels for increased mobility consists of established programmes for labour migrants at various skill levels, family reunification programmes for refugees who have relatives already settled elsewhere, and international study and training programmes. Refugees should, in theory, already have

15 European Commission, "EU–Syria: €180 million to deal with crisis and spill-over in Lebanon and Jordan", 4 December 2014. Available from http://europa.eu/rapid/press-release_IP-14-2364_en.htm

access to these programmes, and some do indeed take advantage of them, often without first obtaining refugee status. But many do not, as they encounter obstacles to mobility (such as the lack of travel documents). Some of these obstacles are amenable to technical solutions. Others, such as security concerns affecting displaced populations especially from the Middle East, West Asia and the Horn of Africa, will be more complex, involving sophisticated but expeditious screening processes, political risk assessments and so forth.

A second set of new channels could be designed especially for refugees and forcibly displaced populations, to allow those with skills in demand on the international market to take up positions in other countries. Temporary labour programmes for displaced persons with less formal skills could also be designed. Specialized education and training programmes for refugees and other displaced persons could be tailored to international-market demand for care workers, technical specialists, agricultural workers and so forth. Such programmes would need to ensure that workers are protected against refoulement at the end of their contract periods. As one example, Microsoft Corporation is implementing small programmes to train refugees in technical skills through online courses (for which it provides both hardware and software). Private-sector involvement in providing tools to improve livelihoods and increase potential mobility should be fostered. There are many possible ways to simultaneously benefit displaced people, countries of first asylum and countries with labour needs.

Conclusion

Today's refugee regime was set up to deal with the aftermath of World War II. Janus-faced, it looked back to the legacy of war-era persecutions and forward to a future of permanent solutions for the remaining displaced populations. Protection and solutions are the twin mandates of the regime, and of UNHCR. There is no reference in the Refugee Convention to humanitarian assistance for refugees, and no formula for funding it. Yet, over time, humanitarian assistance has become the default response to refugee crises – with limitations that are now inescapably clear.

Recent crises in the Syrian Arab Republic, Yemen, the Central African Republic, Iraq and elsewhere have demonstrated – perhaps more clearly than ever – the inadequacy of a reactive, territorially focused

response to forced migration and displacement. Refugees are routinely left without hope of a long-term solution, responsibilities for care and integration are distributed unevenly, and governments are left trying to manage an increasingly unmanageable system. In addition, in an age of global mobility, it has become readily apparent that the failures of the protection system in one location will have direct effects on communities, governments and individuals far removed from the site of a crisis.

Clearly, the tools and approaches used to address displaced people need to be updated and supplemented. The two approaches discussed here – embedding development in humanitarian responses and facilitating legal mobility – are particularly promising. Any effort to provide more effective protection will almost certainly need to incorporate both as part of a comprehensive strategy to address displacement from beginning to end.

There are several obstacles to updating the protection policy framework, not least of which is the challenge of persuading publics to support investment in new responses to displacement. Government and other leaders can help to further public understanding of the links between protection, development and mobility, and how these connections can bring about more effective humanitarian responses. Constituencies that are called upon to fund humanitarian assistance and protection – and, in some cases, to provide protection directly by welcoming displaced people into their communities – often have legitimate concerns; they deserve to be taken seriously. Governments will need to make a substantial commitment to communicate to their electorates the importance of implementing robust protection regimes that can contribute to greater stability and prosperity for all countries. ■

“Government and other leaders can help to further public understanding of the links between protection, development and mobility, and how these connections can bring about more effective humanitarian responses.”



Mobility, livelihoods and safety: A new approach to forced migrants

Roger Zetter¹

Introduction

For most people facing violence, severe rights abuses or other risks, being forced to leave their home is the “option” of last resort. People abandon their home environments, evacuate their places of habitual residence, and rupture their social networks and economic livelihoods only with great reluctance – and only when other strategies to remain have failed. Furthermore, a combination of drivers most often lies at the core of such displacement rather than a unique cause-effect relationship.

Almost 60 million people worldwide are forcibly displaced as refugees, asylum-seekers or internally displaced persons.² Approximately 95 per cent of displacement occurs in the global south, and more than 50 per cent of the displaced live in urban areas.³ Given the global scale of irregular migration, there are likely to be millions more forcibly displaced people who have not travelled through legal channels or registered their claim for protection with authorities. Not all these unauthorized migrants have been forcibly

displaced, of course, but a substantial and increasing proportion have.

Against this backdrop, the familiar label “refugee” seems both increasingly problematic, when confined to its definition in international law, and inadequate in scope to capture the complex, multivariate factors – beyond persecution (the distinguishing characteristic of refugee status under the 1951 Geneva Convention Relating to the Status of Refugees) – that propel displacement in the contemporary world. While various terms have been used to define these differentiated yet often overlapping patterns and processes, “forced migrants” best captures the wider category of people for whom there is neither a simple definition nor an official designation, as well as the wide-ranging dynamics that drive population displacement.

The expansion of irregular migration further complicates the picture, especially in the context of multicausal, mixed migration flows (i.e., flows that include both forced and voluntary migrants) and the often unpredictable scale, patterns and processes of these population movements. Governments perceive large, unregulated flows – regardless of the reasons that have forced people to leave their countries of origin – as threatening to both the sovereignty of national borders and the established concepts of State membership and citizenship.

Although the drivers of forced migration are varied, some level of force and compulsion is always present. Crucially, a substantial and increasing number of forced migrants fall outside the existing protection regime and the legal and normative framework that defines it – this is the problem at the core of this article.

Together, these dynamics pose many challenges to the concept and the practice of protection, placing the system under strain worldwide. Accordingly, States, intergovernmental organizations, donors and humanitarian actors are evincing growing concern over the multiple challenges the humanitarian community faces in ensuring protection at the global,

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2 Internally displaced persons compose more than 65 per cent of the total (33.3 million individuals). See: (Office of the) United Nations High Commissioner for Refugees (UNHCR), *UNHCR Global Trends 2014: A World at War* (Geneva, UNHCR, 2015), available from www.unhcr.org/556725e69.pdf

3 UNHCR, *Mid-Year Trends 2013* (Geneva, UNHCR, 2013), available from www.unhcr.org/52af08d26.html; S. Albuja et al., *Global Overview 2014: People Internally Displaced by Conflict and Violence* (Geneva, Internal Displacement Monitoring Centre, 2014), available from www.internal-displacement.org/publications/2014/global-overview-2014-people-internally-displaced-by-conflict-and-violence; and Internal Displacement Monitoring Centre (IDMC) and Norwegian Refugee Council (NRC), *Annual Report 2014: 2013 in Review* (Geneva and Oslo, IDMC and, 2014), available from <http://reliefweb.int/sites/reliefweb.int/files/resources/201407-global-IDMC-annual-report-en.pdf>

regional and field levels.⁴ The now-familiar phrases “protection gaps” and shrinking “protection space” provide a shorthand reference to these challenges.

Closing normative, policy and operational gaps

The present-day dynamics of displacement pose many challenges to the concept and the practice of protection, as framed by the architecture of the 1951 Refugee Convention, the 1967 Protocol, and related regional instruments on the one hand and the 1998 Guiding Principles on Internal Displacement on the other.⁵ Multicausal drivers of displacement and mixed migration flows force the widening divergence of protection needs, norms, and capacity as more and more migrants fall outside the provisions of the available instruments. How have policymakers and humanitarian actors responded?

4 See, for example: Swiss Federal Department of Foreign Affairs (SFDFA), *Strategy on the Protection of Civilians in Armed Conflicts* (Bern, SFDFA, 2014), available from www.isn.ethz.ch/Digital-Library/Publications/Detail/?lng=en&id=176466; IASC Principals, “The protection of human rights in humanitarian crises”, joint background paper by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNHCR, (Geneva, 8 May 2013), §4, available from www.refworld.org/pdfid/537f08744.pdf. Evidence of this concern is available at: United Nations, *The Report of the Secretary General's Internal Review Panel on United Nations Action in Sri Lanka* (New York, United Nations, 2012), available from www.un.org/News/dh/infocus/Sri_Lanka/The_Internal_Review_Panel_report_on_Sri_Lanka.pdf; IASC, *Whole System Review of the Centrality of Protection in Humanitarian Action* (Geneva, IASC, 2014); IOM Migration Crisis Operational Framework; United Nations, “Rights up front,” May 2014; Local to Global Protection (L2GP), “Local to global protection: Promoting local perspectives in humanitarian crises”, accessed 1 December 2014, available from www.local2global.info/; R. Zetter, *Protecting Forced Migrants: A State of the Art Report of Concepts, Challenges, and Ways Forward* (Bern, Swiss Federal Commission on Migration, 2014), available from <http://reliefweb.int/report/world/protecting-forced-migrants-state-art-report-concepts-challenges-and-ways-forward>; UNHCR, “UNHCR annual dialogues on protection challenges, 2013: Protecting the internally displaced”, accessed 1 December 2014, available from www.unhcr.org/pages/5214d99c6.html; IASC, “Inter-Agency Standing Committee Transformative Agenda”, accessed 1 December 2014, available from www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-template-default&bd=87; post-2015 Draft Development Goals; World Humanitarian Summit, “World Humanitarian Summit 2015”, accessed 1 December 2014, available from www.worldhumanitariansummit.org/

5 Of course the key point here is that despite the fundamental importance of the principle of protection and although international law makes ample reference to protection, paradoxically, international law does not define protection.

Normative responses and developments in international law and practice

Normative adaptation has been extremely modest to date.⁶ An increasing number of States are codifying generic forms of “subsidiary protection”⁷ and “complementary protection,”⁸ in some cases called “humanitarian protection” and “temporary protected status” (TPS).⁹ These forms of protection are essentially the response of countries in the global north to the rising demand for asylum seen in the past two decades or so. The positive view is that these governments recognize that highly vulnerable people need protection even when refugee status has been or is likely to be denied. On the other hand, it could be argued that these supplementary forms of protection allow countries to reduce the volume of people receiving refugee status and the obligations this imposes, as none of these provisions afford the same level of protection as the 1951 Convention. For example, protected entry and humanitarian admissions to the European Union have become very limited and intermittent in recent years. While it could be argued that some protection is better than none at all, generic forms of protection afford limited rights and are in many cases temporary, leaving the beneficiary in an uncertain situation.

6 The one exception to this observation is the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (also known as the Kampala Convention).

7 “Subsidiary protection” may be granted when an applicant does not fulfil the requirements for becoming a refugee but the situation in the country of origin makes return impossible. Subsidiary protection is usually time-limited.

8 “Complementary protection” is for those whose claim for refugee protection under the 1951 Refugee Convention has failed, but who cannot be returned to their countries of origin because of other severe threats to their rights. Complementary protection is available in EU Member States, and countries such as Canada, Mexico, New Zealand and the United States.

9 “Temporary protected status” (TPS) was invoked, for example, by the United States, for Hondurans and Nicaraguans following hurricane Mitch in 1998, but only for those already outside those countries. A number of European countries reactively provided TPS to hundreds of thousands of mainly Bosnians fleeing civil war in the 1990s, and Switzerland granted TPS to thousands of Kosovo Albanians in 2000. Both Finland (in 2004) and Sweden (in 2005) have provided TPS to individuals unable to return to their countries of origin because of an environmental disaster. (R. Mandal, *Protection Mechanisms Outside of the 1951 Convention* (“Complementary Protection”), Legal and Protection Policy Series, PPLA/2005/02 (Geneva, UNHCR, June 2005), available from www.refworld.org/docid/435e198d4.html)

At the international level, a recent report from the Office of the United Nations High Commissioner for Human Rights (OHCHR) advocates and refines the human rights obligations and the norms of protection to be provided at borders in accordance with international human rights law. But the report is only advisory and it is too soon to gauge the impact that it might have on national practice.¹⁰ A far-reaching strategy to strengthen the normative scope of protection for people susceptible to displacement was promoted under the doctrine of the Responsibility to Protect (R2P).¹¹ Adopted at the 2005 United Nations World Summit, the international community has stopped short of giving R2P any teeth, however, where it might have been invoked, for example, in Darfur or in Syria.¹² Perhaps the most radical and far-reaching normative development in protection since the 1967 Protocol was accomplished by the ratification of the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention). But, again, it is too early to assess the Convention's impacts on protection. Finally, some progress is being made in filling the normative protection gaps for people crossing borders in the context of climate change.¹³

Policy and operational developments

While legal norms remain underdeveloped, protection policy has advanced and diversified. Strategies for emergency humanitarian evacuation

and basic civilian protection in war zones have been adopted by some humanitarian organizations such as the International Committee of the Red Cross (ICRC) and the International Organization for Migration (IOM). A number of NGOs have designed means to provide external support for self-protection without disempowering the self-protection capacities of the affected communities themselves.

At the global level, the Global Protection Cluster of the Inter-Agency Standing Committee (IASC, of the United Nations and partners) is now established as the principal inter-agency forum for collaboration in humanitarian context. It has enhanced coordination of protection overall including, importantly, setting common standards for protection by humanitarian actors. The 2010 UNHCR policy guidance titled *Refugee Protection and Mixed Migration: A 10-Point Plan of Action*¹⁴ was an important reminder, mainly to governments in the global north. It asked that receiving States safeguard the quality of their refugee protection (e.g. reception conditions) and clarified the alliance of good practices in this area to general migration policies designed to cope with the growing scale of mixed migration.

Progress, too, has been made on developing protection tools and instruments for the displaced in urban settings:¹⁵ for example, the 2009 UNHCR Refugee Protection and Solutions in Urban Areas,¹⁶ the 2010 IASC Strategy for Meeting Humanitarian Challenges in Urban Areas¹⁷ and many NGO initiatives.¹⁸ The UNHCR report focuses on developing policy and practice

10 OHCHR, "OHCHR Recommended Principles and Guidelines".

11 The doctrine of the Responsibility to Protect does not deal directly with protecting forcibly displaced people but aims to tackle the conditions that lead to such displacement by advocating that if a State is unwilling or unable to protect its population where genocide, ethnic cleansing, war crimes or crimes against humanity are taking place, then collective international intervention might be appropriate.

12 J. Genser and I. Cotler (eds.), *The Responsibility to Protect: The Promise of Stopping Mass Atrocities in Our Time* (Oxford, United Kingdom, Oxford University Press, 2012), available from <https://global.oup.com/academic/product/the-responsibility-to-protect-9780199797769?cc=us&lang=en&>; A. Hehir, *Humanitarian Intervention: An Introduction*, 2nd edition (Basingstoke, United Kingdom, Palgrave-Macmillan, 2013); S. Martin, "Forced migration, the refugee regime and the responsibility to protect", *Global Responsibility to Protect*, 2(2010):38–59, available from www.academia.edu/6311945/Forced_Migration_the_Refugee_Regime_and_the_Responsibility_to_Protect

13 See the Nansen Initiative, and W. Kälin and N. Schrepfer, "Protecting people crossing borders in the context of climate change: Normative gaps and approaches" (Geneva, Division of International Protection, UNHCR, February 2012).

14 UNHCR, *Refugee Protection and Mixed Migration: A 10-Point Plan of Action* (Geneva, UNHCR, 2007). Available from www.unhcr.org/4742a30b4.html

15 R. Zetter and G. Deikun, "Meeting humanitarian challenges in urban areas", *Forced Migration Review*, 34, Special Issue on Urban Displacement:5–8. Available from www.rsc.ox.ac.uk/publications/meeting-humanitarian-challenges-in-urban-areas

16 UNHCR, *UNHCR Policy on Refugee Protection and Solutions in Urban Areas* (Geneva, UNHCR, 2009). Available from www.refworld.org/docid/4ab8e7f2.html

17 Objective 4 of the Strategy is key in the present context of promoting protection of vulnerable urban populations against violence and exploitation. See IASC, *IASC Strategy: Meeting Humanitarian Challenges in Urban Areas* (Geneva, IASC, 2010), p. 8, available from www.humanitarianinfo.org/iasc/downloaddoc.aspx?docID=5615&type=pdf

18 Good Practice for Urban Refugees, "Tools and guidelines" section, accessed 10 March 2015. Available from www.urbangoodpractices.org/guidelines/index/lang:eng?url=guidelines%2Findex%2Flang%3Aeng

on matters such as reception conditions, refugee profiling and support for the livelihoods of urban refugees. Among five key priorities, the IASC strategy lists tools for assessing needs and vulnerability, and protecting vulnerable urban populations from violence and sexual exploitation. The predicament of third-country nationals stranded in crisis situations is being addressed through extensive cooperation between IOM and UNHCR.¹⁹

The European Commission has been actively developing protection tools and instruments, although the outcomes are flawed. Examples include regional protection programmes and their more recent manifestation in the Syrian region (Regional Development and Protection Programmes); mobility partnerships²⁰ between EU Member States and refugee recipient or transit countries to enhance legal and administrative capacity for protection; and protection for refugees, asylum-seekers, and irregular migrants encompassed by the European Commission's Global Approach to Migration and Mobility (GAMM)²¹ and the Common European Asylum System (CEAS).²²

19 See discussion on stranded migrants in "Displacement and Protection: The Need for Policy Consistency" section of this report, and IOM Migration Crisis Operational Framework.

20 Mobility partnerships are soft law-based, bilateral agreements between the European Commission or individual Member States, and countries that are (1) sources of migrant labour coming into Europe or, more recently, (2) transit countries for forced migrants and mixed migration flows destined for Europe (European Commission, 2011). Mobility partnerships serve as a migration management and institutional capacity-building tool, covering four dimensions: (1) legal migration and mobility; (2) maximizing the development impact of migration; (3) irregular migration and trafficking in human beings (of particular relevance to this report); and (4) international protection and asylum policy. (European Commission, "Communication from the Commission to the Council and the European Parliament on Regional Protection Programmes", EUR-Lex COM(2005) 388 final (European Commission, Brussels, 1 September 2005), available from <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52005DC0388>)

21 European Commission, "The Global Approach to Migration and Mobility: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions", EUR-Lex COM(2011) 743 final, SEC(2011) 1353 final (European Commission, Brussels, 19 November 2011). Available from http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/pdf/1_en_act_part1_v9_com2011-743_en.pdf

22 Adopted over the course of at least 15 years, this comprises a wide range of instruments setting out the minimum standards for reception, processing and interpretation of protection criteria for asylum-seekers in the European Union, and seeking to ensure consistent management and handling across all Member States. See, for example: S. Peers et al. (eds.), *EU Immigration and Asylum Law*, 2nd edition, vol. 3 (Asylum) (Leiden, the Netherlands, Brill Nijhoff, forthcoming).

Another example of new praxis within Europe is the whole-of-government approach seen in Switzerland. This is an interdepartmental policymaking process covering internal and external dimensions of migration (in all forms). Recognizing how forced displacement in faraway countries eventually affects mixed migration flows at Swiss borders, this approach seeks to coordinate the Government's development and humanitarian policies in regions of mass displacement with its policies governing asylum-seekers' entry and processing in Switzerland itself.²³

The challenge of protection: An agenda for change

Though these normative and policy developments are useful, they do not tackle the fundamental disjuncture between (1) contemporary patterns and processes of forced displacement on the one hand and (2) the current legal and normative framework designed to protect the rights, dignity and safety of displaced populations on the other. An increasing majority of people fall outside the existing protection regime, while, too often, the quality and delivery of protection for those migrants who fall within existing norms do not accord with international standards.

Amid powerful drivers of displacement and a protection apparatus under strain, it is clear that governments, intergovernmental agencies and humanitarian actors face a number of profound challenges that transcend the legal and policy responses discussed above. These challenges call into question the sustainability of some of the accepted principles that commonly govern the interplay between forced migration and protection.

Displacement, protection and policy coherence

A coherent and systematic framework that addresses all forms of international migration is essential to tackle the disjuncture between forced displacement and protection.

The availability of legal channels for international migration has not kept pace with the expanding

23 As a further example, the appointment in the United Kingdom of an independent chief inspector of borders and immigration to assess the efficiency and effectiveness of the United Kingdom's border and immigration functions has helped to safeguard protection standards from often politically expedient objectives.

demand and global reach of this process;²⁴ as a result, the claim for protection is often the only entry route²⁵ apart from family reunification. The lack of opportunities for authorized²⁶ migration combined with the inexorable rise of conflict-driven forced displacement, and the limited scope for refugee resettlement, have put great pressure on the protection regime.

At the same time, given the complex and multicausal drivers, forced displacement can no longer be conceived as a discrete migratory process demarcated by refugee status but part of an international migration continuum that also embraces authorized migration. Accordingly, it is essential that policies addressing forced displacement (and thus protection) are set within a wider policy framework that (1) not only includes but also expands the scale of managed (i.e. authorized) migration, (2) enhances development-led strategies in countries of origin and the major recipient countries of displaced people to provide sustainable futures, and (3) expands refugee resettlement.²⁷

This trinity provides a coherent platform for a more orderly, transparent and humane response to the protection needs of forcibly displaced people. At present a cohesive framework is lacking at national and international levels despite efforts to develop one. As discussed earlier, the challenge lies in overcoming the negative public and political discourse that now surrounds immigration and asylum-seeking.

Conceptual challenges: Protection status, rights and needs

Not every forcibly displaced person is a refugee, but all forcibly displaced people need some form of protection. The existing legal and normative framework of protection is no longer sufficient to tackle the diverse protection challenges of forced migration in the contemporary world. Against this backdrop, momentum is gaining to reconceptualize protection beyond the status-based determination of a refugee, as defined in the 1951 Refugee Convention.

As has been argued, the multidimensional needs of forcibly displaced people might be better addressed by the concept of “displacement vulnerability” – that is, vulnerability from, during and after forced displacement. Two developments in particular are along these lines.

A number of humanitarian actors (ICRC, the International Federation of the Red Cross (IFRC) and Oxfam, among others)²⁸ argue that forced displacement creates wide-ranging risks relating to livelihoods, socioeconomic structures and physical security. Affected individuals require protection irrespective of their category or legal status. These agencies recommend a needs-based approach to

24 Approximately 232 million people – more than 3 per cent of the world’s population – are migrants living outside their countries of origin. This is an increase of 57 million from the numbers in 2000 and a 50 per cent increase from the 154 million international migrants in 1990. (See United Nations Department of Economic and Social Affairs, “Number of international migrants rises above 232 million, UN reports”, 11 September 2013, available from www.un.org/apps/news/story.asp?NewsID=45819#VH2U8zHF_OM)

25 It is worth noting that many countries no longer accept, or they resist, “external” claims for asylum through their embassies in an applicant’s country of origin (or neighbouring countries), and that to apply for asylum in a host country effectively requires asylum-seekers first to access asylum State territory; a claim for asylum is not of itself an entry route.

26 Sometimes also termed voluntary or regular migration, authorized international migration describes the process of people seeking better economic and social opportunities as well as different life experiences and lifestyles. International migration – notably labour mobility – is a major force in economic and social development in both origin and receiving countries, and the magnitude of its increase, noted above, is both a consequence and a driver of the processes of economic globalization that have unfolded in recent decades.

27 Refugee resettlement rarely exceeds 10 per cent of the annual global demand of about 800,000 applications that UNHCR receives. Resistance to calls for the resettlement of Syrian refugees in European countries is symptomatic of governments’ reluctance to meet demand. European countries had offered just under 32,000 places for resettlement, humanitarian and other forms of admission against asylum claims of just over 123,000 by May 2014 – mainly concentrated in a handful of EU Member States – and compared with the UNHCR requests to provide resettlement and other forms of admission for 100,000 Syrians in 2015 and 2016. (UNHCR, *Syrian Refugees in Europe: What Europe Can Do to Ensure Protection and Solidarity* (Geneva, UNHCR, 2014), available from www.refworld.org/pdfid/53b69f574.pdf)

28 See, for example: ICRC, *Enhancing Protection for Civilians in Armed Conflict and Other Situations of Violence* (Geneva, ICRC, 2012), available from www.icrc.org/eng/assets/files/other/icrc-002-0956.pdf; ICRC, *Professional Standards for Protection Work [Carried Out by Humanitarian and Human Rights Actors in Armed Conflict and Other Situations of Violence]*, 2nd edition (Geneva, ICRC, 2013), available from www.icrc.org/eng/resources/documents/publication/p0999.htm; IFRC, “Migration: Ensuring Access, Dignity, Respect for Diversity, and Social Inclusion”, resolution of the 31st International Conference of the Red Cross and Red Crescent, Geneva, 2011; Oxfam, “Protection: Overview”, Our Work: Conflict and Disasters section (Oxford, United Kingdom, Oxfam, n.d.), accessed 1 December 2014, available from <http://policy-practice.oxfam.org.uk/our-work/conflict-disasters/protection>

providing protection that responds to vulnerabilities²⁹ and is not based on a specific legal status. Such an approach requires effective needs-based assessment techniques and encompasses displaced people regardless of status.

A parallel line of argument promoted by some humanitarian NGOs and the IFRC³⁰ proposes a rights-based approach. This assumes that the right to protection, like many other rights, is an entitlement of all human beings. It is not contingent on a particular legal (or social or political) status. Where governments are unable or unwilling to protect fundamental rights, the role of humanitarian and human rights organizations is to advocate and negotiate on behalf of those whose rights are abused.

Given the constraints of status-based protection, the needs- or rights-based approaches might better address the diverse needs and identities of today's displaced. The two approaches should be seen as complementary; in essence, both are predicated on mainstreaming protection into humanitarian assistance programmes.³¹ Irrespective of the basis for protection, all evidence points to the need for a framework that is as inclusive as possible.

Displacement and protection: The need for policy consistency

Existing policy, meanwhile, must be made more consistent. As previously discussed, it must address the modes of self-protection already being deployed by the displaced, encompass development needs and counter the particular risks posed in urban settings.

Since internal displacement is the principal manifestation of forced migration today and, amid climate change, is likely to remain so for many decades, much more international support is needed to encourage States to adhere to the 1998 Guiding Principles and regional conventions such as the 2009 Kampala Convention embed these in their policies. Efforts to this end include advocacy by international actors such as the ICRC and the Internal Displacement Monitoring Centre, resources to support capacity-building and training of protection agencies and personnel, and pioneering new approaches such as the Nansen Initiative.

The proliferation of protection policies and practices, and the largely reactive and tailored nature of initiatives, has mitigated the coherence of policy and practice. It could be argued that the proliferation of protection better tailors mechanisms to particular situations, and to regional or national needs and capacities. However, it has also reinforced the disaggregated response to contemporary protection challenges and thus the fragmentation of the normative basis of protection. Even where consistency and convergence is the aim (as with Europe's CEAS), very uneven implementation means that policy and operational divergence remains a persistent feature of core protection norms and processes such as reception, admission, status determination, temporary protection, nationality and age verification tests, appeals, detention and removals.³²

This lack of consistent praxis is paralleled by the absence of a comprehensive institutional response to protection. Many of the relevant initiatives have been developed by international agencies, governments, the European Union, or humanitarian NGOs on an individual basis to meet specific institutional goals, programming strategies or political priorities.

29 IFRC, "Migration: Ensuring Access, Dignity, Respect for Diversity, and Social Inclusion", resolution of the 31st International Conference of the Red Cross and Red Crescent, Geneva, 2011.

30 See, for example: IFRC, "Migration: Ensuring Access, Dignity, Respect for Diversity, and Social Inclusion", resolution of the 31st International Conference of the Red Cross and Red Crescent, Geneva, 2011; IFRC, *World Disasters Report 2012*.

31 "Protection mainstreaming is the process of incorporating protection principles and promoting meaningful access, safety and dignity in all aspects [of the provision] of humanitarian aid . . . [so that the] protective impact of aid programming is maximised." See Global Protection Cluster, "Brief on protection mainstreaming," (Global Protection Cluster, 2014), available from www.globalprotectioncluster.org/_assets/files/aors/protection_mainstreaming/brief_on_protection_mainstreaming.pdf

32 Whereas only 4 per cent of asylum applicants received positive first-instance decisions in Greece in 2013 and 18 per cent in France, in Italy the rate was 60 per cent, in Sweden 53 per cent, and in Switzerland 40 per cent. See Eurostat, *Asylum Statistics* (Brussels, European Union, 2014).

Of more profound concern is the growing dichotomy between the concepts and practice of protection in regions of mass displacement in the global south and the regimes now embedded in the global north.³³ How Somalis can expect to have their status determined in the United Kingdom is not the same as it is in Kenya, for example – although both countries are parties to the 1951 Convention, and the outcome should be the same. Such divergence relentlessly diminishes the global consistency of the quality of protection for refugees and asylum-seekers. Divergence sacrifices the quality of protection to the supremacy of containment.³⁴ When practices increasingly serve restrictionist interests in the global north, then the oft-quoted mantra of “equity” in burden-sharing must be questioned.

From protection norms to protection management: A shift in priority

Although the scope of protection has been modestly extended through developments in “soft” law, many recent changes to policy and practice indicate a gradual shift in emphasis from norms-based principles to the management of protection. In other words, protection is now dominated by various institutionalized procedures and regulations, as deployed by diverse international agencies and humanitarian actors. With this focus on management, the normative supremacy of protection as a principle and a fundamental human right is, arguably, being diminished.

Two examples, GAMM and CEAS, are to be found in the European Union. Pointing to the precedence of management mechanisms such as these is not to deny the need for improved policymaking, the adjustment of protection instruments to meet particular circumstances and national capacities, or the coherent and consistent management of

protection policies. However, it is essential to safeguard the international legal and normative principles on which protection is based and to ensure that these principles do not recede in the face of a more managed provision of protection.

The politicization of protection

Finally, these challenges point to where the protection system is under greatest strain: the highly politicized context within which protection is now placed. This is not to deny the reality that the 1951 Convention and the 1967 Protocol were constructed within a political context, nor that refugee protection has always served national and international political interests to a greater or lesser degree. However, what is different now is that under the pressure of globalized mobility and the multicausal and complex drivers of forced displacement, protection has, in effect, been co-opted and instrumentalized as never before to serve national interests and a political discourse that reinforces the securitization of migration and asylum at the expense of the fundamental rights and protection of all migrants, especially those who have been forcibly displaced.³⁵ That protection now lies at the nexus of human rights, legal and normative precepts, and politics is potentially the most disturbing evidence of the fragmentation of today’s system.

Conclusion

While the mitigation of forced displacement through long-term development, good governance and full respect for human rights remains the ultimate aim, the increasing scale of conflict-driven and environment-related movement continues to strain the existing regime for the protection of the displaced, and to generate new demands for protection.

33 This dichotomy is most evident in the “rebordering” of Europe and the restrictive regime of the European Union. See, for example: A. Geddes, *Immigration and European Integration: Beyond Fortress Europe?* (Manchester, Manchester University Press, 2008); A. De Giorgi, “Immigration control, post-Fordism and less eligibility: A materials critique of the criminalization of immigration across Europe”, *Punishment & Society*, 12(2):147–167; J. Harding, *Border Vigils: Keeping Migrants Out of the Rich World* (London and New York, Verso, 2012); C. Levy, “Refugees, Europe, camps/state of exception: ‘Into the zone’, the European Union and extraterritorial processing of migrants, refugees, and asylum-seekers (theories and practice)”, *Refugee Survey Quarterly*, 29(1):92–119.

34 See earlier discussion on the displacement continuum.

35 The highly politicized public discourse on migration and asylum in Europe was dramatically evident in national elections and elections to the European Parliament in 2014, and the 2014 Swiss referendum on immigration quotas for the European Union. Meanwhile, xenophobia has been rising across Europe. See R. Zetter, “Creating identities, diminishing protection and the securitisation of asylum in Europe” in S. Kneebone et al. (eds.), *Refugee Protection and the Role of Law* (London and New York, Routledge/Taylor & Francis Group, 2014).

To refit the global protection system to meet the challenges of contemporary humanitarian crises, there is a need to both reinforce and transcend the well-established legal and normative frameworks of protection, and reframe our understanding of the concepts of forced migration and protection.

Better protecting forced migrants cannot stand alone as an aspiration, essential though this is. Solutions to the crisis of protection and forced migration can only be addressed within a wider and more coherent policy framework. This should expand the global scale of regular, managed migration; build on and promote longer-term, development-led strategies in countries of origin and the major destination countries; and substantially expand the scope and scale of refugee resettlement. ■

**“Solutions to the crisis
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From refugee to migrant? Labour mobility's protection potential

Katy Long¹

Introduction

Refugee protection – both asylum in the country of first refuge and resettlement to a third country – is a humanitarian endeavour, distinct from economic or labour migration. A refugee is not “just” a migrant. It is, however, increasingly evident that continued movement and migration often play an important role in shaping refugees’ lives after their initial flight, even without the formal legal channels to do so.

In the past decade there has been growing international recognition that many refugees and asylum-seekers opt to move on from the countries in which they first sought asylum. The economic restrictions faced in many countries – such as prohibitions on the right to work and limitations on movement away from camps – lead many individuals whose asylum claims are valid (and may even have been recognized by the receiving country) to pursue irregular secondary migration after being granted refugee status, in search of economic and sometimes even basic physical security.² In fact, refugee status is sometimes seen as the least desirable of legal categories, to be avoided by all those with the power to make other choices.³ This is in part

because refugees are perceived to be more at risk for discrimination, and because refugees may enjoy fewer rights than migrants who, for example, can identify themselves as students or businesspeople. If the problems associated with irregular immigration – such as dangerous journeys, exploitative employers, lost taxation revenue, displaced local workers and increased insecurity – are to be effectively tackled, recognizing that “refugees” and “migrants” are often the same people, and developing legal alternatives to their irregular migration, is likely to prove vital.

The fact that continued movement is already part of exile for many refugees in part reflects the strain that complex, open-ended displacement crises have placed on existing approaches to refugee protection. In 2014, 6.3 million refugees – or more than half of those in the care of the Office of the United Nations High Commissioner for Refugees (UNHCR) – had spent more than five years in exile (what UNHCR defines as a protracted refugee situation).⁴

The traditional three-pronged approach to delivering durable solutions for refugees – repatriation to the country of origin, local integration in the country of first asylum, or resettlement to a third country – is not working.⁵ A number of researchers have argued that the international community must recognize the role that migration (especially circular, seasonal and temporary migration) can play in supporting resilience under stress – and build “migration and development” into planning for sustainable solutions

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2 Irregular secondary movement is normally defined as the onward movement of a refugee from a country in which he or she has been able to claim asylum to a third country. For further discussion, see Canadian Association for Refugee and Forced Migration Studies (CARFMS), “Secondary movements: Definitions”, accessed 18 November 2014, available from <http://rfmsot.apps01.yorku.ca/secondary-movements>

3 For instance, during fieldwork interviews in Kampala, Uganda, carried out by the author in July 2012, five Darfuri human rights lawyers separately explained that while they had left Sudan to avoid persecution, they had not applied and would not apply for asylum because they did not wish to live restricted lives as refugees, instead preferring to use their savings to pay for student visas.

4 (Office of the) United Nations High Commissioner for Refugees (UNHCR), *UNHCR Global Trends 2013: War's Human Cost* (Geneva, UNHCR, 2014), p. 12. Available from <http://reliefweb.int/report/world/unhcr-global-trends-2013-wars-human-cost>

5 K. Long, *Permanent Crises? Unlocking the Protracted Displacement of Refugees and Internally Displaced Persons* (Oxford, Refugee Studies Centre, Oxford Department of International Development, University of Oxford, 2011). Available from www.internal-displacement.org/assets/publications/2011/201110-Permanent-crises-unlocking-the-protracted-displacement-of-refugees-and-internally-displaced-persons-thematic-en.pdf

to displacement.⁶ Pursuing labour mobility for refugees may therefore make sense for economic, political and humanitarian reasons, offering the chance to enhance refugee protection and reduce the many costs associated with long-term refugee crises.

This article considers the extent to which labour migration is being used – or could be used in the future – to strengthen the international refugee protection regime and facilitate durable solutions for more refugees. Labour migration and labour mobility – that is, moving primarily for the purposes of seeking employment at the destination – are the primary focus of this article. While closely related, the terms are distinct. “Labour migration” is used to refer to organized, structured movement for employment; it can be temporary or long term. “Labour mobility” implies freedom of movement: the ability of workers to move relatively easily across borders (perhaps in both directions). However, it is important to acknowledge that labour migration and mobility are not the only ways that refugees can and do to improve their socioeconomic circumstances. Refugees may migrate (after gaining asylum) for education, for health or for family reasons (including marriage). This migration may be entirely voluntary, or constrained by factors such as poverty or insecurity. Many of this article’s conclusions can be applied to these other forms of movement, too.

Uncertain labour-market access

Many countries do grant *recognized* refugees full access to their labour market but prevent asylum-seekers from working while their case is heard, a process that can take years. Others lodged reservations at the time of signing the 1951 Convention that significantly curtail refugees’ rights to work. In Egypt, for example, bureaucratic hurdles and government hostility make practical access to the labour market extremely difficult to secure.

Even where access to the labour market is granted, refugees may often encounter discrimination, and face the reality that – especially in developing countries – unemployment rates and poverty among nationals are also very high.⁷

This combination of formal discrimination and wider poverty helps to explain why many refugees are unable to find work in countries of first asylum, and why many decide to move irregularly alongside other migrants. An added complication is that very few refugees are able to use existing legal migration schemes to move on from their countries of first asylum even if they would otherwise qualify to do so, because they are unable to provide the required documentation.

The lack of livelihood opportunities in countries of first asylum (due to both legal barriers and economic conditions) and the difficulty of accessing legal migration channels to third countries together prevent refugees’ access to legal work opportunities and, in many cases, prompt them to engage in irregular work or migration. Recently, policymakers have demonstrated a renewed interest in considering how labour migration might be used to address these issues.

Problems: Overcoming obstacles to access

Despite increased interest in the approach, it has nevertheless been relatively difficult to put large-scale labour migration schemes for refugees into practice. If mobility is to become a realistic policy response to displacement, government and humanitarian actors will need to address several key challenges. These include addressing negative public opinion, overcoming concerns regarding the possible shrinking of humanitarian space, ensuring refugees’ rights are protected as migrants, resolving legal obstacles to refugees’ immigration, and determining the division of institutional responsibility between different international humanitarian and migration actors.

Negative public opinion is by far the most difficult obstacle to developing migration opportunities for refugees. In both developed and developing

6 See, for example: A. Monsutti, “Afghan migratory strategies and the three solutions to the refugee problem”, *Refugee Survey Quarterly*, 27(1):58–73, available from <http://rsq.oxfordjournals.org/content/27/1/58.abstract>; N. Nyberg-Sørensen, N. Van Hear and P. Engberg-Pedersen, *The Migration–Development Nexus: Evidence and Policy Options*, Migration Research Series No. 8 (Geneva, International Organization for Migration, 2002), available from http://iom.ch/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/serial_publications/mrs_8.pdf

7 Asylum Access and Refugee Work Rights Coalition, *Global Refugee Work Rights Report 2014: Taking the Movement from Theory to Practice* (Oakland, California, Asylum Access, 2014). Available from http://reliefweb.int/sites/reliefweb.int/files/resources/FINAL_Global-Refugee-Work-Rights-Report-2014_Interactive.pdf

States, animosity is particularly directed towards poor and low-skilled foreigners, and the public often fails to distinguish between “migrants”, “asylum-seekers” and “refugees”.⁸ The strong showing of anti-immigrant parties in the May 2014 European elections, for instance, was in part a reflection of widespread anxiety and general fear of immigration in many developed economies following the post-2008 global recession. In many African and Asian States that host large numbers of refugees, meanwhile, high unemployment, local poverty and weak State governance leave refugees – even when granted legal status – vulnerable to discrimination and harassment; and there are strong incentives for politicians to adopt anti-migrant platforms in public campaigns.

In the face of such public hostility, seeking to persuade policymakers to actively develop programmes to admit more migrants – or to provide those refugees already present with authorization to work or to remain in the long term – is likely to prove an uphill battle.

Humanitarian actors may be reluctant to blur the line between “refugees” and “migrants”. A related obstacle is likely to be found in the reluctance of many humanitarian non-governmental organizations (NGOs) to minimize a “refugee”-versus-“migrant” dichotomy that has been viewed as essential to preserving space for asylum in the face of public xenophobia. There are concerns that opening up parallel migration channels alongside resettlement, for instance, will allow States to substitute assistance for the most vulnerable with opportunity for those with the greatest potential to integrate.

Existing migrants’ rights frameworks may be insufficient to protect refugees who are able to migrate legally. It is important to ensure that refugees have access to legal migration channels. Unauthorized migrants are more likely to suffer from socioeconomic discrimination and to enjoy fewer legal or civic rights. But simply holding legal status is not enough to make migration a “good” solution; many legal migrants also suffer discrimination and deprivation. Several scholars have warned against embracing migration as a solution for refugees without ensuring that migrants’

rights are safeguarded.⁹ A cautionary tale can be found in the experience of many Somali, Ethiopian and Sri Lankan refugees who travelled to the Middle East as labour migrants, but because migrant workers have few rights in this region they are dependent upon (often unscrupulous) employers for continued legal status.

Migrant status is not the equivalent of citizenship; in many States, it is extremely difficult to obtain permanent residence or to naturalize, and migrants are permanently barred from full participation in society. Even after decades as residents, they may be prohibited from owning land, from voting or from full participation in the labour market. Such conditions are difficult for all migrants but are likely to create particular hardship for refugees (especially those for whom repatriation is not an option).

National immigration and protection practices that create legal obstacles to the migration of refugees will need to be reformed. Arguably one of the most significant obstacles faced by those looking to open migration options to refugees is that – by outcome if not intention – international immigration regimes make it extremely difficult for refugees to move legally across borders. If refugee advocates have often insisted that refugees are not migrants as a means of securing greater protection, immigration laws mean that refugees cannot become migrants without giving up their refugee protection.

As noted above, many refugees experience problems with documentation. The 1951 Convention travel documents (CTDs) that they are entitled to are often difficult to obtain and/or use, which leads some refugees to acquire a national passport in order to migrate. This, however, can be interpreted as showing that they have “re-availed themselves of the protection

8 See, for example: B. Anderson and S. Blinder, “Who Counts as a Migrant? Definitions and Their Consequences”, 3rd revision, Briefing series (The Migration Observatory, University of Oxford, 1 August 2014). Available from www.migrationobservatory.ox.ac.uk/briefings/who-counts-migrant-definitions-and-their-consequences

9 See, for example: K. Long, *Permanent Crises? Unlocking the Protracted Displacement of Refugees and Internally Displaced Persons* (Oxford, Refugee Studies Centre, Oxford Department of International Development, University of Oxford, 2011), available from www.internal-displacement.org/assets/publications/2011/201110-Permanent-crises-Unlocking-the-protracted-displacement-of-refugees-and-internally-displaced-persons-thematic-en.pdf; N. Nyberg-Sørensen, N. Van Hear and P. Engberg-Pedersen, *The Migration–Development Nexus: Evidence and Policy Options*, Migration Research Series No. 8 (Geneva, International Organization for Migration, 2002), available from http://iom.ch/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/serial_publications/mrs_8.pdf

of their country of origin.”¹⁰ This may be less a concern for refugees migrating at the end of a crisis – when repatriation may be an option, and return is unlikely to lead to persecution – but it is a serious problem for those refugees whose lives or fundamental freedom may be put at risk in their countries of origin.

Building ethical and effective labour migration programmes for refugees will require the cooperation of multiple stakeholders. Securing such institutional cooperation – balancing the different mandates, concerns and goals of diverse actors – is likely to take both time and effort. Integrating migration and freedom of movement into understandings of refugee protection will require UNHCR to maintain its recent levels of involvement in discussing and debating the relationship between refugees and migration, and in facilitating refugee movement when conditions allow. However, it is also clear that many of the safeguards that would need to be incorporated into migration programmes for refugees, particularly regarding migrants’ rights and conditions, are most relevant to the International Labour Organization (ILO) and the International Organization for Migration (IOM). Some inter-agency cooperation has already been fostered among UNHCR, IOM and ILO in this area; building further on the expertise of IOM and ILO in labour migration is likely to increase the chances of successful programme design for refugees.

Ultimately, however, the success of any labour migration programme for refugees depends on securing buy-in from recruiting/host States. Maintaining control of immigration policy is seen by most countries as integral to national sovereignty: any successful labour migration programme will need to persuade countries involved that the benefits are considerable (whether measured in terms of fostering national economic growth, furthering regional cooperation, contributing to international burden-sharing, building peace, or meeting existing humanitarian and development pledges) and that any risks can be effectively managed.

Potential areas for action

Given these obstacles, what types of future refugee migration programmes might be developed or supported by international actors? Two possible

approaches present themselves. First, actors could focus on ensuring nondiscrimination, or facilitating refugees’ equal access to existing migration channels. Second, they could concentrate on developing tailored migration programmes for specific refugee groups.

Facilitating access to existing channels by removing refugee-specific barriers

Nearly all States offer some opportunities for immigration, although these are often targeted at those who can fill labour-market shortages, particularly the highly skilled. Although some refugees may be otherwise qualified to apply for a migrant visa under these programmes, their refugee status often prevents them from being able to do so.

An approach focused on ensuring refugees’ equal access to existing migration channels would remove these obstacles and encourage them to take advantage of immigration opportunities. Such an approach would aim to develop a set of measures intended to simplify access to existing legal immigration channels for refugees.

Such measures would probably benefit a relatively small number of educated or skilled refugees. The majority of refugees would not qualify to migrate under schemes designed to attract highly skilled professionals. However, there is little doubt that some refugees would benefit while also helping host countries fill labour-market gaps.

Furthermore, securing equal access for refugees and preventing discrimination within the immigration system is arguably an integral component of refugee protection in and of itself, and one that may foster more political support than would entirely new immigration programmes. Although the public may be hostile towards new immigration measures, many may be attracted to initiatives that simply aim to secure already recognized refugees the same rights as other would-be migrants.

Such an approach would need to target the following obstacles faced by refugees:

- **Lack of a “country of return”.** A country of return is a normal requirement under immigration procedures: all labour migrants initially hold only a conditional (and often time-limited) right to stay in the country of work, and may be required to leave, or even be deported, if they break the

10 Article 1C1, UN General Assembly, Convention Relating to the Status of Refugees.

conditions of their visa. This means that refugees cannot apply for a work-related visa unless they do so with a national passport, which can result in forfeiting the protections accorded to them as refugees.

To mitigate this barrier, destination States could waive country-of-return requirements for would-be labour migrants who otherwise meet all immigration criteria but are effectively barred because they hold refugee status. Such migrants could be required to undergo additional screening or interview processes. However, upon granting a work visa, a State would effectively be agreeing to fast-track a refugee-migrant's permanent residency, and to stay deportation in the event of a violation of the visa conditions.

States of first asylum could also cooperate with destination States to assume a role as a last-resort country of return for refugee-migrants, especially in cases where visa infractions are relatively minor (for example, temporary unemployment). UNHCR could help to facilitate confidence in such arrangements by acting as a trusted intermediary, and by meeting the financial costs involved in the reintegration of returned refugee-migrants.

- **Limited access to travel documents, including the CTDs.** The reasons for the failure of the CTD regime are threefold. Technological advances, in particular the requirement of the International Civil Aviation Authority that from 2015 all passports must be machine-readable, have increased the cost and complexity of issuing usable CTDs. More seriously, there is a widespread belief in many first-asylum States and among some UNHCR staff that CTDs should be regarded as a privilege not a right. Arguably most problematic of all, however, is the fact that many destination States are extremely reluctant to admit refugees traveling on CTDs at all, fearing that it will be difficult to enforce any deportation order against a CTD holder.

There is widespread recognition of the need to reform and modernize the CTD system. More efforts should be made to consider how refugee movement for legitimate purposes, including taking up work, could be facilitated. All States, especially signatories to the 1951 Convention, should consider how they might be able to improve recognized refugees' access to CTDs that meet the International Air Transport Association standards for international travel, and how they

could devise additional safeguards that encourage CTDs to be accepted as valid international travel documents, especially for those looking to take up legally authorized work or study upon arrival.

- **Inability to provide a financial guarantee or proof of financial resources.** Many immigration programmes require would-be immigrants to demonstrate that they already have certain financial resources available to them, in part to guard against dependence on or recourse to public funds.¹¹ In many cases, employers can act as guarantors. However, some refugees who might otherwise qualify for an immigration visa cannot demonstrate such financial independence.

States imposing financial requirements could waive them for recognized refugees who meet all other criteria for a migration visa. In cases where destination States do not waive maintenance requirements, UNHCR, another trusted third-party NGO, or the prospective employer could act as guarantor.

- **Lack of information on existing migration opportunities.** In most protracted refugee situations, refugees seeking a means of migrating legally focus their efforts almost exclusively on accessing resettlement and to a lesser extent (in the case of younger, more educated refugees) on scholarship opportunities abroad. Very few refugees are aware of possible legal labour migration opportunities.

NGOs, UNHCR and destination States could work to publicize existing opportunities for labour migration. In order to improve understanding of refugee skill sets, refugees should be encouraged to provide information about their skills or qualifications, to be stored in a central data registry. This might, in the future, allow NGOs or destination States to proactively tailor and distribute information about opportunities for migration to relevant groups of displaced people. UNHCR and NGOs could also proactively engage with prospective employers, recruitment agencies and destination States to raise awareness about

11 For instance, applicants to the UK high-skilled migration programme must hold GBP 945 in an account for 90 days prior to submitting an application to meet maintenance requirements.

the possibility of employing refugees-as-migrants. This could be an opportunity to actively foster global corporate social responsibility while filling labour shortages.

These four recommendations represent a minimum set of initiatives through which a platform for refugees' migration could be secured.

For States interested in using existing migration pathways for humanitarian outcomes, additional initiatives could also be developed as forms of affirmative action. For instance, in points-based migration systems (where would-be immigrants accumulate points for qualifications, language ability, financial resources and so on, and must reach a predetermined threshold in order to qualify for a visa), refugees could be awarded an additional number of points on submitting proof of refugee status.

Active development of refugee-migration programmes

Beyond ensuring refugees' equal access to existing migration channels, there are specific circumstances in which the international community may find it useful to directly engage in supporting and developing population-specific migration programmes that actively target refugee communities. Such initiatives are likely to be most successful when established alongside other efforts to foster durable post-crisis solutions, and when focused on providing refugees who are already living and working in a host country with the legal right to stay as migrants.

Migrant status as part of a durable solution

Allowing long-term refugees, especially at the end of a crisis, to switch status and become legal residents in their countries of asylum rather than requiring their repatriation has several benefits. It increases the likelihood that refugees will be able to build upon existing socioeconomic networks to secure a sustainable livelihood; it acknowledges the fact that especially in protracted refugee situations, many refugees may not remember the "home" to which they are supposed to return and have much stronger links to their host community than to a country of origin. Offering refugees migrant status also recognizes the important role of migration in fostering post-conflict recovery and development.

To facilitate greater use of legal immigration status as a durable solution, several steps may be considered by the following key actors:

- **International actors.** UNHCR and others could provide an initial push by identifying refugee crises, particularly protracted ones, where legal immigration status could play a role in helping to end displacement and support either local integration or repatriation. International actors could then work with host States to develop reasonable and accessible criteria for granting legal resident status – with access to the labour market – potentially including evidence of high school or university graduation, ongoing employment or a viable business.
- **Host and asylum countries.** States, especially signatories to the 1951 Convention, that do not already offer refugees full access to the labour market could consider how refugees' access to employment opportunities during their exile could be expanded, perhaps incrementally, especially in protracted refugee situations. To enable access to visas, host States could waive processing and application costs where possible. Alternatively, UNHCR could consider meeting such costs as part of securing a durable end to refugee displacement. Host States that have not already established routes for migrants to become permanent residents could also be encouraged to develop programmes through which refugee-migrants might – over time – become eligible for permanent residence and citizenship.
- **Countries of origin.** In cases where migration is being used to bring an end to refugee status (as in the Economic Community of West African States), UNHCR and other international actors should take care to ensure that these refugees are able to secure ongoing consular protection from their countries of origin. Countries of origin should be encouraged to waive costs associated with obtaining passports and other identification documents needed by refugee-migrants (or UNHCR could consider meeting the costs).

Encouraging regional free movement

Encouraging trade blocs to open up labour markets is often politically difficult, but has many advantages beyond securing new opportunities for labour mobility. Because such agreements are reciprocal, not only refugees but also host community members

gain new access to neighbouring States' markets. Building strong regional trade links can help to accelerate reconstruction and cement peace-building efforts. Such initiatives clearly extend far beyond the humanitarian and immigration spheres and require the cooperation of a broad range of political, economic and security actors:

- **International actors.** During post-conflict negotiations, international actors could seek to ensure that borders are not unnecessarily securitized, making it more difficult for workers to cross than before conflict. Peace negotiations could also include plans to open borders that were closed as a result of conflict. In regions where complex displacement crises have involved multiple borders, peace-building and development initiatives could stress the benefits that the regional free movement of workers can bring alongside regional free trade.
- **Regional blocs and member States.** In areas where regional cooperation and trade mechanisms already exist, member States could agree to waive the costs associated with work visas and resident permits for citizens of other member States. Alternatively, authorities could simply seek to keep costs to a minimum and avoid measures that would deliberately deter citizens from exercising their right to move freely. Programmes could also be developed in cooperation with NGOs and international actors to ensure that all actors involved in regulating immigration – border guards, police, employment bureaus and so on – are aware of regional citizens' rights to work and move freely.

Matching labour-market needs with development opportunities through temporary migration

There is scope for countries to develop specific migration programmes to support either refugees who are stuck in protracted refugee situations or those returning to countries just emerging from conflict or disaster. Such programmes could provide a specified number of refugees with access to specific labour-market sectors for a limited time period. Beneficiaries would gain the chance to earn, save, and remit money and to learn new skills, increasing the human capital available to their communities upon their return. Such programmes might focus on using migration to leverage development and thus enhance refugees' socioeconomic status, rather than on providing a permanent solution to displacement per se.

A major advantage of this type of temporary development programme is that while the majority of Western States heavily restrict long-term, low-skilled migration, many have seasonal labour shortages in low-skilled sectors, especially agriculture, and already run seasonal recruitment programmes to fill these gaps. Such initiatives could in particular benefit less educated, rural refugee populations who are often overlooked by migration programmes. This would serve not only a humanitarian but also a development function, especially if combined with an NGO programme that offers technical training or language classes.

To make such initiatives a reality, there are several focused efforts needed from the following actors:

- **International actors.** UNHCR, IOM, ILO and other international actors could play a role in identifying potential seasonal labour-market shortages, such as in agriculture, that would be suitable for the temporary recruitment of refugee labourers.
- **Recruiting States, recruitment agencies, trade unions and international actors.** A broad coalition of actors will need to work together with prospective employers to ensure that any programmes devised offer refugees decent wages and decent working conditions. Independent monitoring and evaluation of conditions during work programmes would also be required.
- **Countries of asylum.** Where repatriation is not an option, countries of asylum would need to agree to receive all refugees who participate in a temporary programme upon their return. In order to facilitate good relations with the host community, recruiting States could also reserve a portion of programme jobs for workers from the host country.
- **Refugees.** Recruiting authorities should give full information to refugees on the duration and nature of the temporary migration opportunity, and refugees should be asked to provide their informed consent, on record, before travelling. Participating refugees should also be given regular opportunities to evaluate the programme and contact authorities, including union representatives, where appropriate.

The extent to which any (or all) of these approaches to refugee labour mobility is feasible depends on the context. However, in all cases, it is clear that success depends upon building support beyond

the humanitarian community and emphasizing the mutual benefits to be gained by facilitating refugees' ability to move – benefits that include filling existing labour shortages, reducing aid dependency, and contributing to long-term, post-conflict or post-disaster reconstruction efforts.

Conclusion

In recent years, the international community has made considerable progress in recognizing the often complex connections between “migrants” and “refugees” and in seeking to harness the development potential of migration, especially for those moving from the least developed States. But the potential of mobility to provide socioeconomic independence or durable solutions to refugees remains mostly untapped, and legal and bureaucratic obstacles continue to hamper access to existing opportunities for many refugees who might otherwise qualify as labour migrants.

The most promising approaches are likely to be those that concentrate on securing regularization and work authorization for already-resident refugees in countries of first asylum. Also promising are small-scale programmes in developed economies that look to fill particular labour-market shortages while meeting humanitarian and development obligations. Policymakers and international actors would thus do well to consider two steps: (1) removing obstacles that keep otherwise qualified refugees from accessing existing migration channels; and (2) offering new migration opportunities to specific groups of refugees, whether within a region (such as through expanded regional free movement arrangements) or further afield (through temporary work programmes in developed countries, for example).

New research will need to identify how and where labour mobility schemes for refugees can be best established, with special attention paid to mapping the specific skill sets and interests of various refugee groups. Meanwhile, international actors might identify those States where political and economic conditions (including labour-market shortages) might foster the shifts in law and policy needed to accommodate refugees' interests.

Attention should also be paid to the humanitarian concern that opening alternative mobility channels could erode refugee protection. Yet, the fact remains that existing resettlement capacity cannot meet today's needs or demand. Furthermore, focusing on

securing protection for the most vulnerable leaves many young, educated refugees trapped in protracted refugee situations, with few options for escape but irregular migration.

While any steps towards easing refugee movement would meet significant obstacles – not the least of which is negative public opinion – it is clear that mobility will continue to be a fundamental response to displacement, regardless of whether it is facilitated by governments and international actors or effected by refugees themselves. Without legal channels open to them, many refugees will choose to travel irregularly – with worse outcomes for both refugees and local citizens, and serious implications for public confidence in States' migration and protection systems.

There is enormous potential for migration policy to enhance refugee protection. This is especially clear when looking at the conditions of those in protracted exile. Now, the international community must find the political will to turn this potential into a practical reality. ■

“Without legal channels open to them, many refugees will choose to travel irregularly – with worse outcomes for both refugees and local citizens, and serious implications for public confidence in States' migration and protection systems.”



Migration trends across the Mediterranean: Connecting the dots

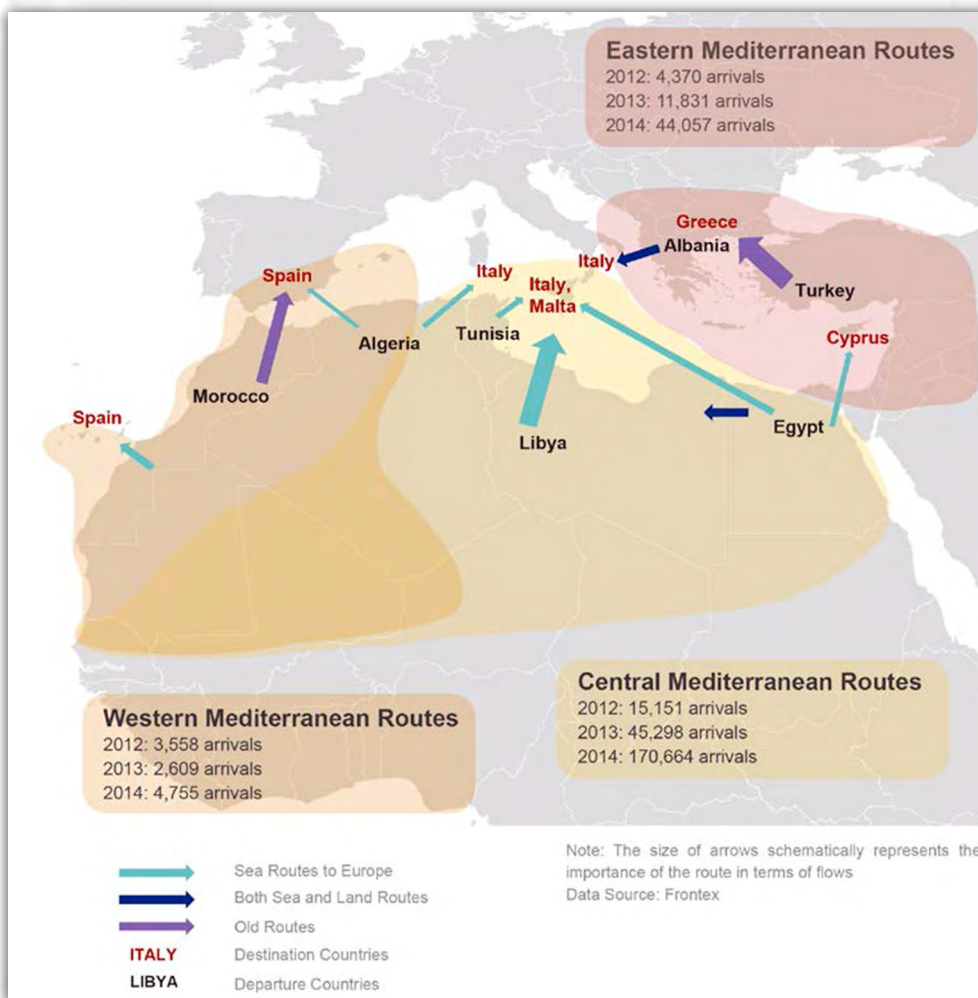
Arezo Malakooti¹

Introduction

In November 2014, the International Organization for Migration (IOM) Regional Office for the Middle East and North Africa (MENA) commissioned Altai Consulting to create a fresh and updated understanding of the dynamics of the migration flows across the Mediterranean by looking at two routes in particular: the Western Mediterranean route and the Central Mediterranean route.

Fieldwork was conducted between November 2014 and February 2015 across seven countries in the MENA region and Europe (Egypt, Italy, Libya, Malta, Morocco, Spain and Tunisia). Across the sample of locations, 60 in-depth interviews were conducted with migrants and 73 in-depth interviews were conducted with key informants, resulting in a total of 133 in-depth qualitative interviews. This article presents a summary of the key findings of the study.²

Map 1: Movements along the Western, Central and Eastern Mediterranean routes, 2012–2014



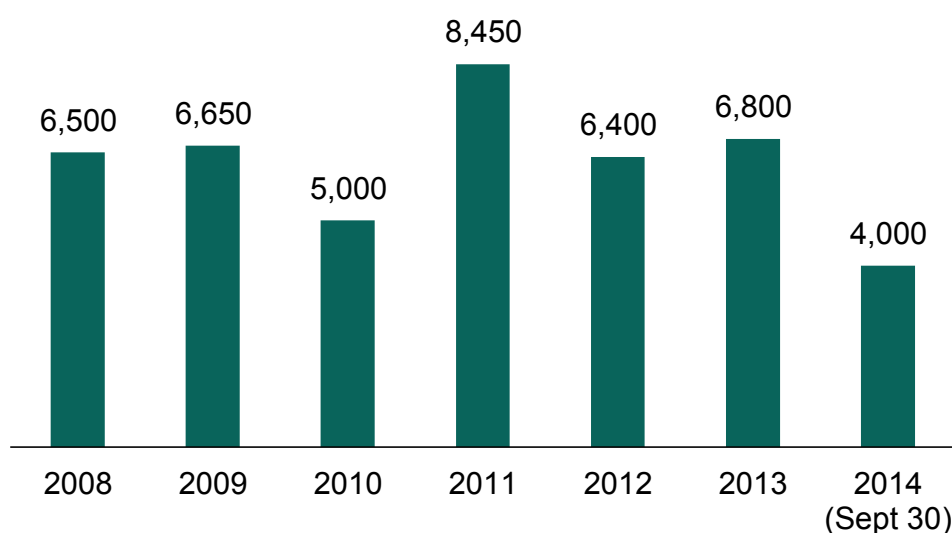
1 Arezo Malakooti is the Director of Migration Research at Altai Consulting.

2 To access the full report, please refer to: www.altaiconsulting.com/docs/migration/Altai_Migration_trends_accross_the_Mediterranean_v3.pdf

The Western Mediterranean route

The Western Mediterranean route generally refers to the route **from North Africa to Spain**. It encompasses a sea passage across the Strait of Gibraltar from Tangier to Tarifa, a land route through the enclaves of Ceuta and Melilla, and a sea passage to the Canary Islands in Spain.

Figure 1: Irregular border crossings on the Western Mediterranean route, 2008–2014



Profiles

Unlike in Libya, most migrants tend to have a clear objective to move on to Europe when they first arrive in Morocco but most spend much more time in Morocco than they originally anticipated because of the difficulties in crossing over into Spain.

Close to 90 per cent of irregular migrants in Spain entered regularly but became irregular over time, and only 10 per cent came by boat from sub-Saharan Africa through the Mediterranean. However, the flow through the Mediterranean tends to garner the most attention because it is so dangerous and considered the most flagrant. The main countries of origin coming through the Mediterranean have traditionally been Senegal, Cameroon, Guinea and Nigeria, but since 2013 there has been a shift towards more asylum-seekers arriving.

Push and pull factors

The push factors emerge as far more influential than the pull factors and the most significant push factor is the need to flee from instability: either war or conflict (as in the case of asylum-seekers) or economic or societal pressures that inhibit a stable life. The study

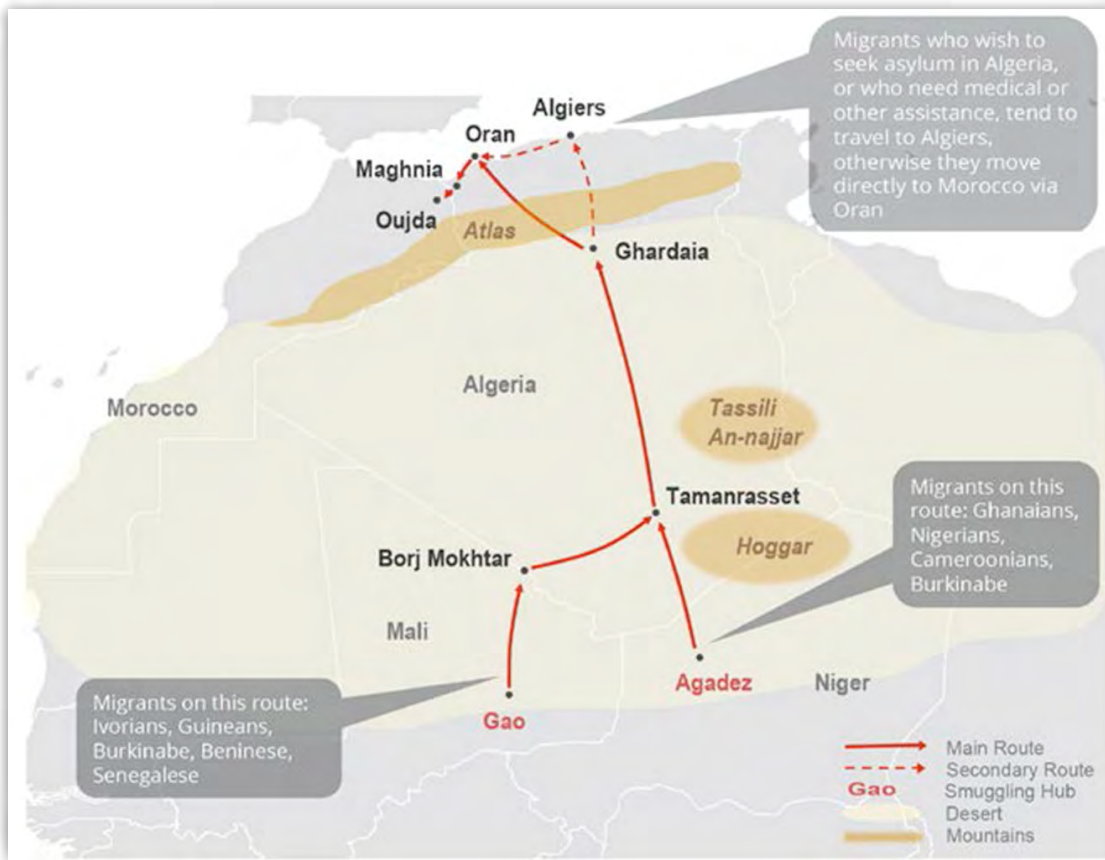
also found that a feeling of inequality is often more influential than absolute need in a decision to migrate, which is why many of the migrants on the Western Mediterranean route were not the worst-off in their home countries.

The decision to migrate is often considered for some time before migrants finally decide to leave their home countries. For most migrants, life back home was precarious and held together by very thin threads that could very easily come undone. When one of those threads gives in, migrants often finally decide to leave. For other migrants, the tipping point comes when they observe returnees who come back in a better situation or when friends who return from a migration abroad decided to migrate again and offer to take them along.

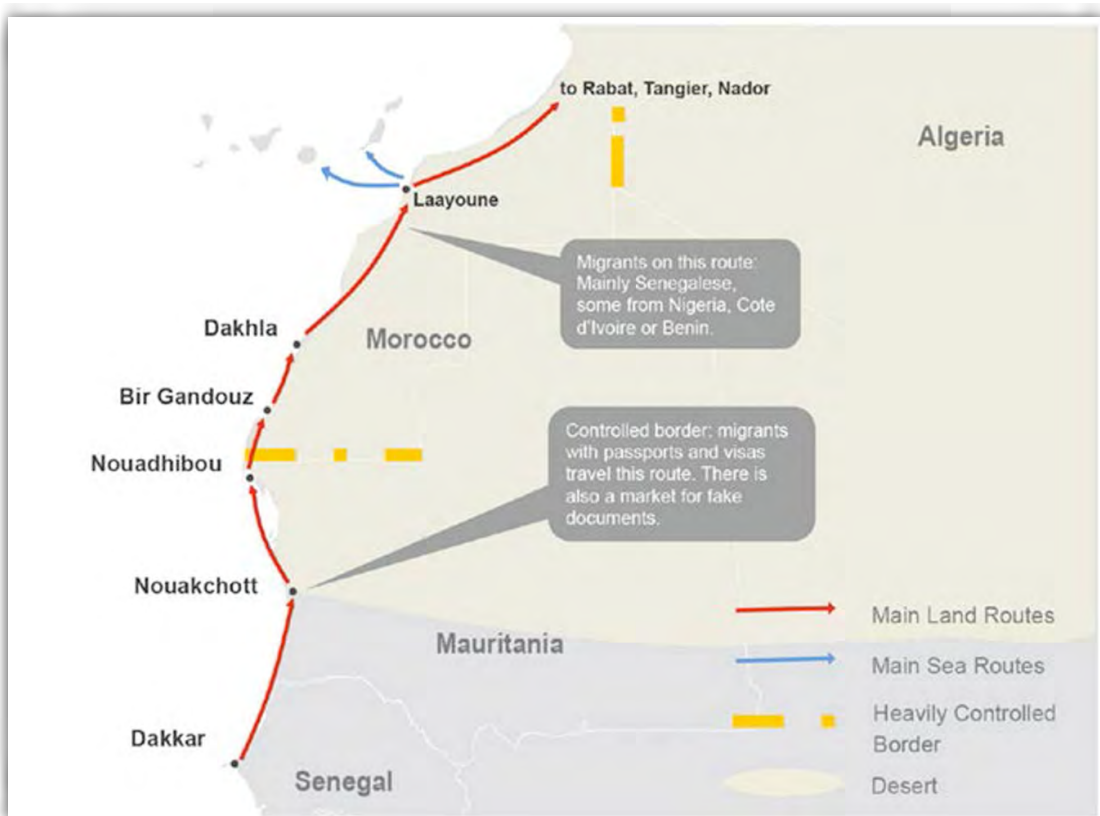
Main routes of travel and the conditions of the journey

There are two main routes to Morocco: the desert route that moves through Algeria (Map 2), and the coastal route that moves through Mauritania (Map 3).

Map 2: The desert route to Morocco (Western Mediterranean route)

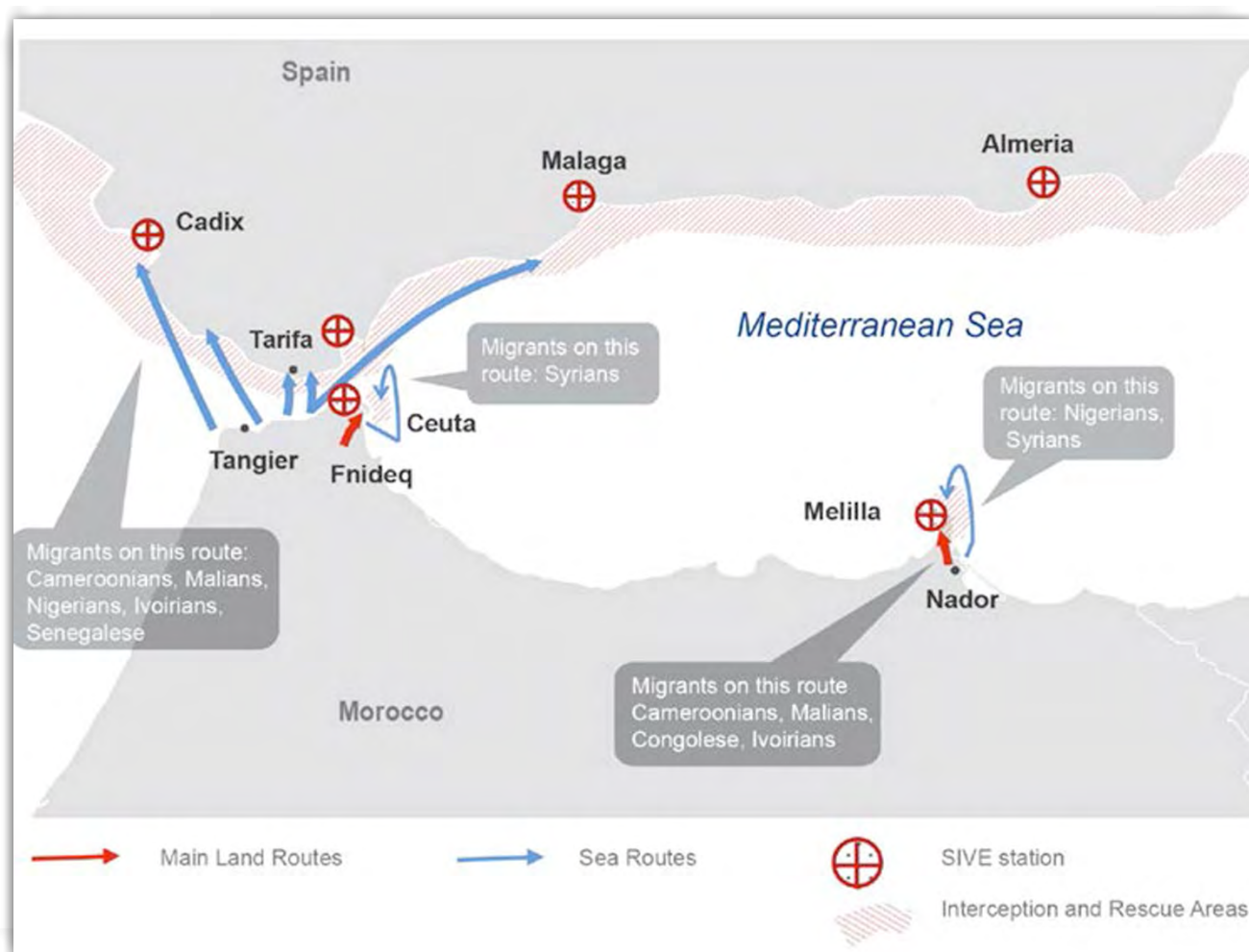


Map 3: The coastal route to Morocco (Western Mediterranean route)



In terms of the routes from Morocco to Spain, the sea route traditionally crosses the Strait of Gibraltar from Tangier to Tarifa and the land routes move from Morocco into the enclaves of Melilla and Ceuta. In more recent years, there have also been sea routes from Morocco into Melilla and Ceuta.

Map 4: Routes from Morocco to Spain (Western Mediterranean route)



The smuggling hotspots on the Western Mediterranean route are in Agadez (Niger) and Gao (Mali). Arlit in Niger is a hotspot for trafficking and prostitution.

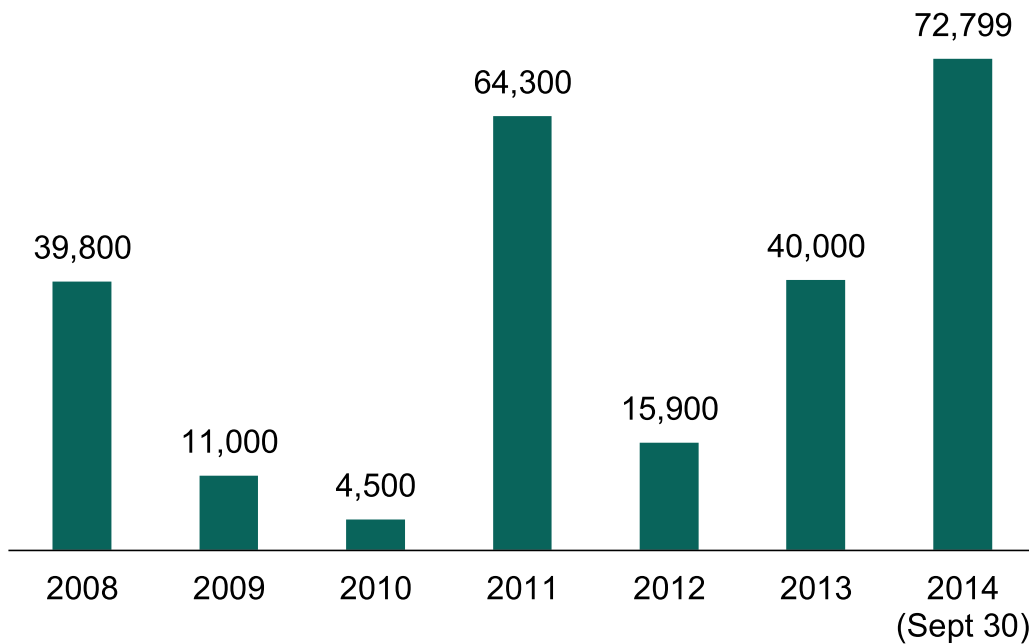
In terms of the dynamics of smuggling, migrants usually deal with a frontman, who is working for the smuggler and is from the same country of origin as the migrants. Some migrants also spoke of nominating a guarantor who would pay the smuggler once they had successfully arrived in destination, demonstrating that migrants have started to address their own vulnerabilities.

In terms of trafficking, the vast majority of Nigerian women that arrive in Morocco have been trafficked for sexual exploitation, and Nigeria has always represented

the primary country of origin in this regard. In 2014, however, the number of Cameroonian women being trafficked to Morocco for sexual exploitation started to surpass the number of Nigerian women in the same situation.

The Central Mediterranean route

The Central Mediterranean route refers to the mixed migratory flow coming **from Northern Africa to Italy and Malta**. Libya has traditionally been a major transit point for sub-Saharan African and West African migrants along this route and the main departure point for crossing the Mediterranean. However, Egypt and Tunisia have also acted as transit and departure points at times.

Figure 2: Irregular border crossings on the Central Mediterranean route, 2008–2014

Recent trends

The Libyan crisis of 2014 created a number of changes to the environment for migrants in the country, the protection space for asylum-seekers and, ultimately, the characteristics of the flows entering and departing Libya.

The levels of arbitrary arrest and detainment, harassment, ill treatment and labour exploitation experienced by migrants and asylum-seekers were heightened in the current crisis. In addition, rumours linking Syrians to particular militia groups and the scapegoating of Syrians and Palestinians made the climate difficult for these groups, too, who had previously been better received than sub-Saharan Africans in the country.

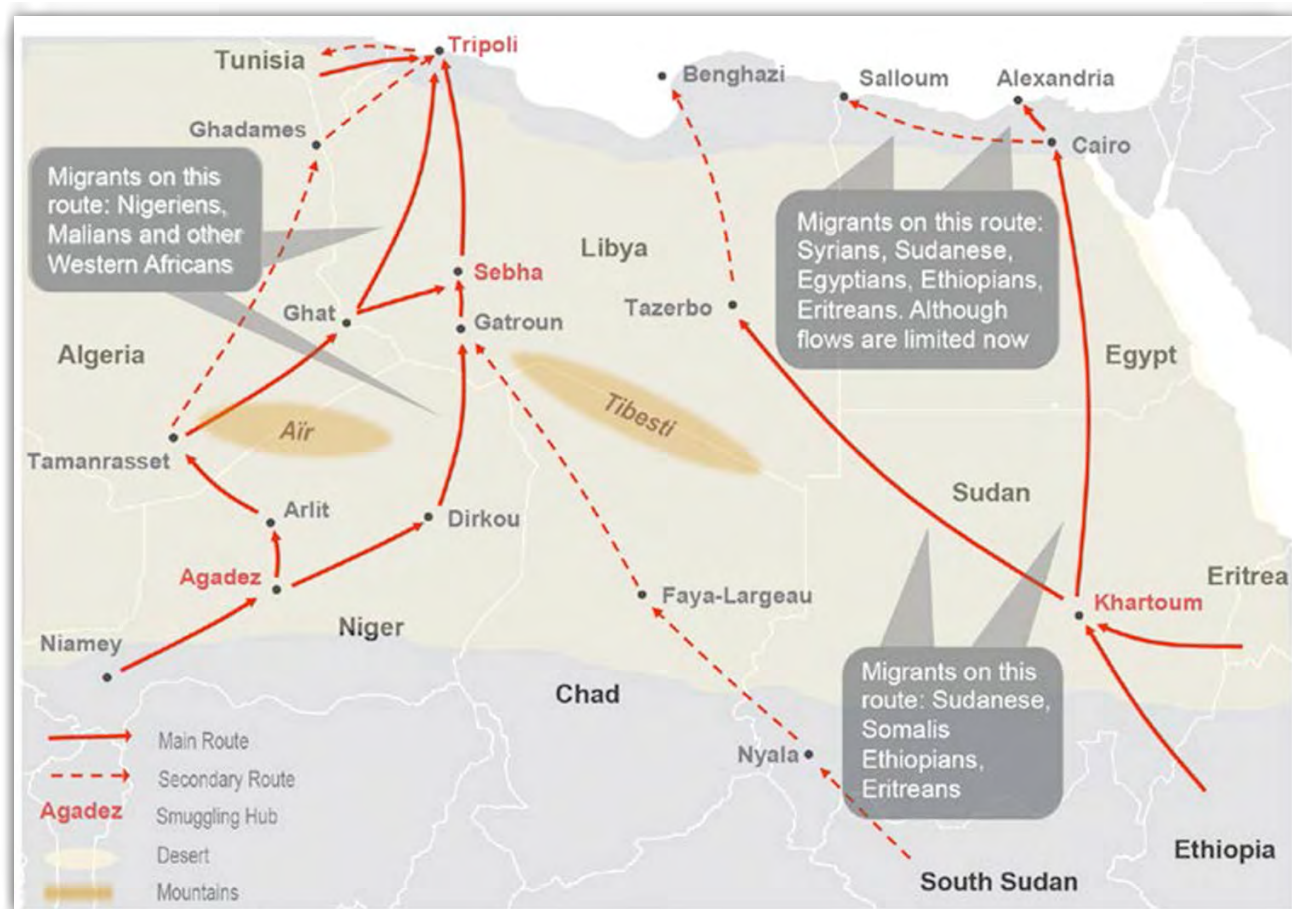
As a result, migrants and asylum-seekers report a huge migratory pressure to leave the country in the current context, with little way of doing so other than leaving via the Mediterranean: Tunisia effectively closed its borders to non-Libyan migrants trying to exit Libya via Tunisia; and Egypt also stepped up controls along its border, with Libya making it close to impossible for migrants and asylum-seekers to find their way home (or to a third country) via these borders. Travelling to the south of the country to leave Libya via its southern borders is also too risky for migrants as they face a number of checkpoints along the way, manned by both State and non-State actors.

Migrants who remain in Libya are typically those that are still in stable employment, protracted refugees and extremely vulnerable sub-Saharan African migrants who become stranded.

Main routes of travel and the conditions of the journey

Despite the Libyan crisis of 2014, the main routes into Libya remained active, demonstrating that the migratory routes into the country, and the transit routes through the country, are well established. These routes are displayed in Map 5.

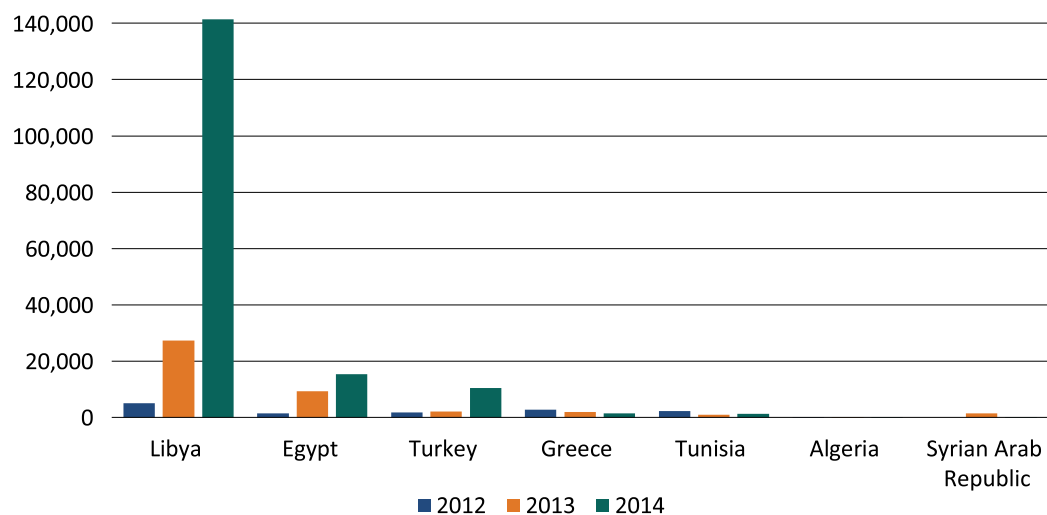
Map 5: Routes to North Africa (Central Mediterranean route)



Libya remains the main departure point for boats crossing the Mediterranean on the Central Mediterranean route, with 83 per cent of all arrivals in Italy in 2014 having departed the Libyan coast. However, as can be seen in Figure 3, departures

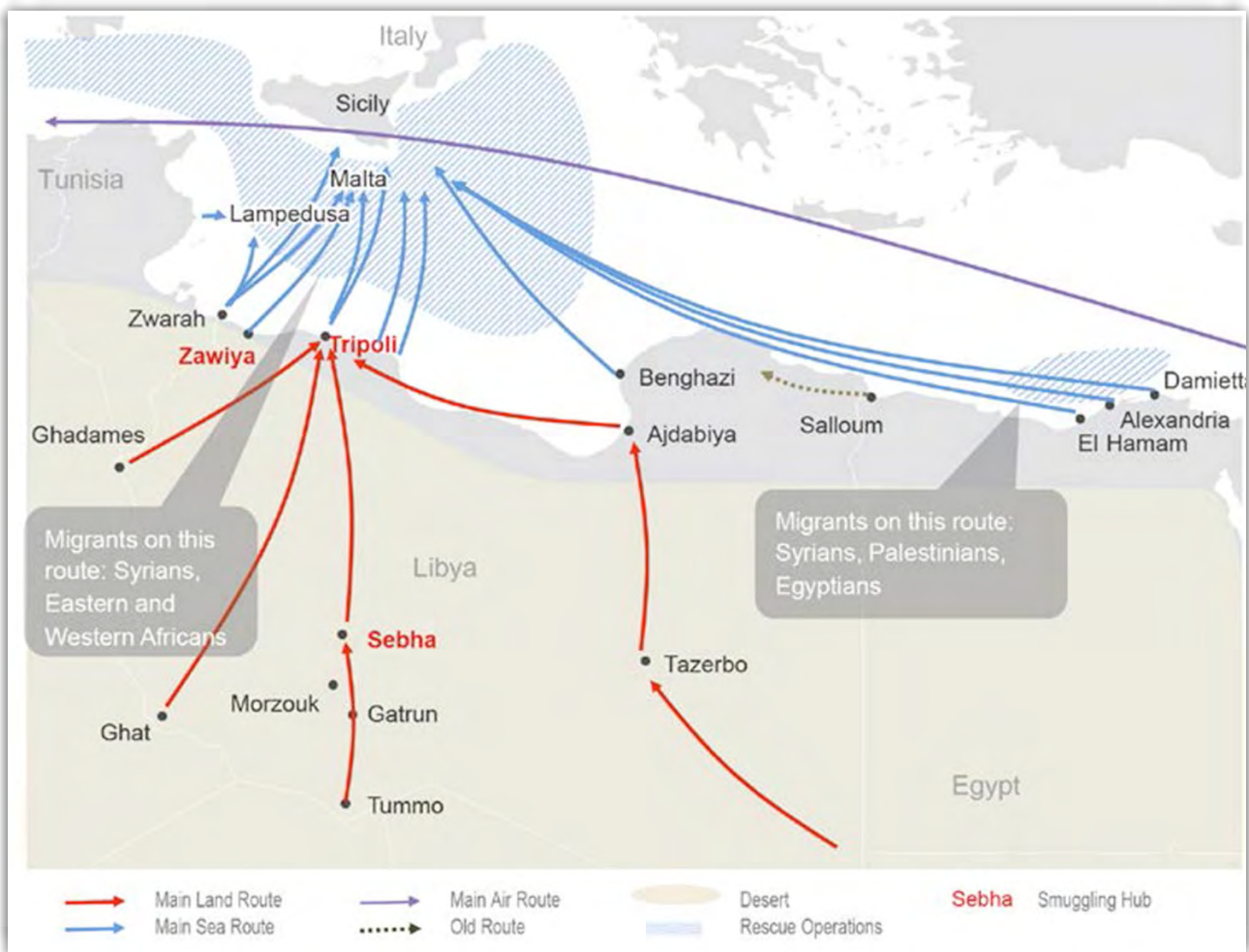
from Egypt also increased in 2014. Towards the end of 2014, there was also an increase in the number of boats that arrived in Italy from Turkey.

Figure 3: Irregular arrivals on the Italian coast by country of departure, 2012–2014



The main departure points from the North African coast are displayed in Map 6.

Map 6: Departure points from the North African coast (Central Mediterranean route)



Migrant smuggling and trafficking

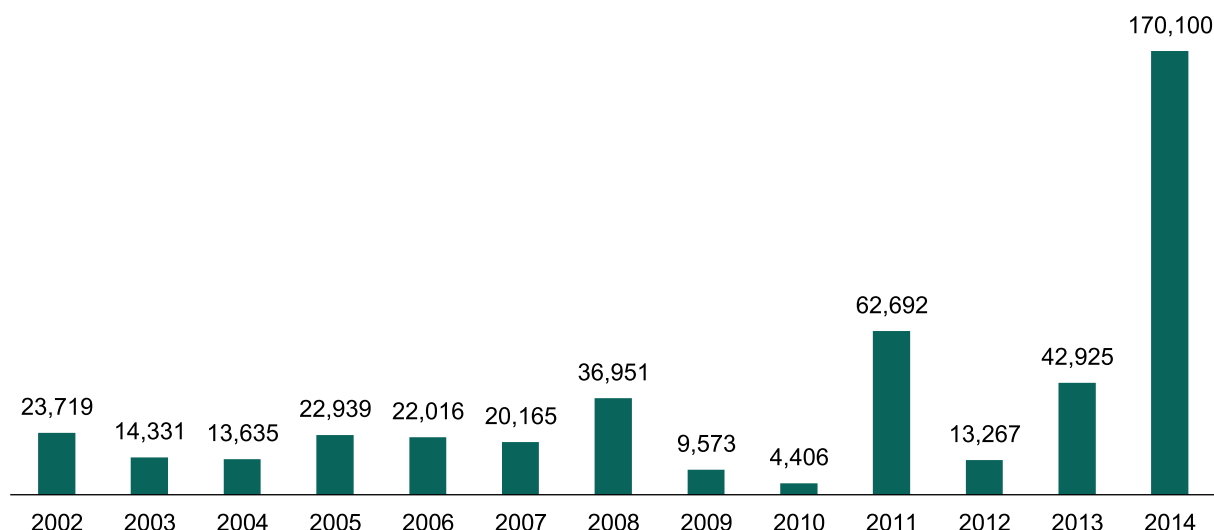
The large increase in flows through the Central Mediterranean, the change in the composition of the migrants that comprise this flow (in particular, the introduction of a population with greater economic means, as in the case of Syrians) and the effects of Mare Nostrum led to some deliberate changes to the dynamics of smuggling in this region in 2014. One of the most pronounced was a greater focus on the marketing of smuggling services, particularly on social media, and the targeting of different groups of migrants through different packages of services. For example, Syrians were offered “safer” journeys at a higher price. 2014 also witnessed an increase in the purchase of journeys from country of origin all the way to Europe.

There are also impressions that smugglers took advantage of Mare Nostrum by using vessels that were not seaworthy, on the assumption that they would be

picked up by the Italian navy soon after departure, which made the journeys across the Mediterranean more dangerous.

The multiplicity of groups involved in smuggling in Libya today also led to some changes. While previously it was possible to price the various routes in standard ways, today the price of a particular route or segment of the journey depends on the nationality of the migrant paying for it, the level of service the migrant is willing to pay for, and the smuggling ring a migrant comes into contact with in Libya.

In terms of trafficking of migrants, the number of detections of women who arrived in Italy for sexual exploitation increased by 300 per cent in 2014. Nigerian women continued to mark the increase in the arrival of trafficked women on Italian shores in 2014, but there was also an increase in the number of trafficked Cameroonian women.

*Push and pull factors***Figure 4: Irregular arrivals on Italian shores, 2002–2014**

As shown in Figure 4, in 2014, Italy experienced a dramatic increase in boat arrivals across the Mediterranean with 170,000 arrivals in total, which is three times the last record of 2011 (the time of the Arab spring).

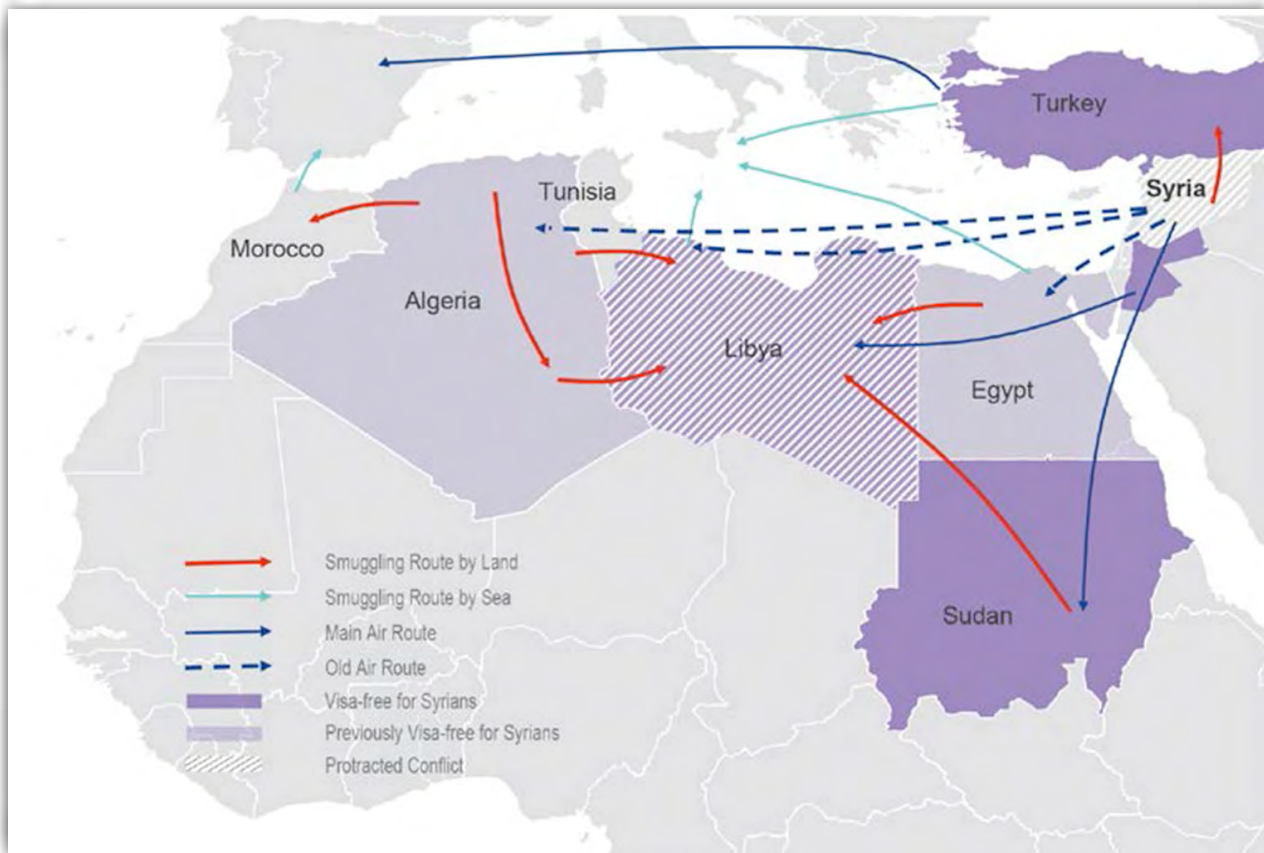
While some argue that Mare Nostrum acted as a pull factor, the reality is that a number of push factors led to an increase in the number of people on the move towards the North African coast, particularly in terms of conflict in Europe's immediate neighbourhood (for example: the presence of ISIS in Iraq; the continual war in the Syrian Arab Republic, the Central African Republic and South Sudan; and the worsening repression in Eritrea). Moreover, since the end of Mare Nostrum, the number of migrants on boats that departed the Libyan coast has increased, with over 33,000 arrivals having been reported in Italy by May 2015, compared with just over 26,000 in the same period in 2014.

The crisis in Libya also created a migratory pressure for migrants already in the country who needed to escape the heightened levels of arbitrary arrest and detainment, harassment and ill treatment. It also created a perception of the doors to Europe being "open," which was exploited by smugglers and led to an increase in opportunistic flows.

Cross-cutting issues and cross analysis*Syrian refugees and Mediterranean routes*

In 2013, there were flows of Syrians arriving by air into Algeria, Egypt and Libya, all of which did not require visas for Syrians at the time. From Algeria, Syrians moved by land to Morocco to cross over into Spain, or to Libya by land through Tunisia. From Egypt, Syrians either made direct sea crossings to Italy, or more commonly moved to Libya by land to board boats to Europe. By July 2013, visa requirements were instituted in Egypt, and by December 2014 in Algeria, which curtailed the airflows into these countries. Attacks on the Tripoli airport in July 2014 and the subsequent closure of the airport also ended airflows into Libya in 2014. However, airflows into Libya resumed in 2015, particularly for Syrians flying into Libya from Jordan, with onward boat journey to Europe organized in advance. Sudan still welcomes Syrians without the need for a visa. Syrians that follow this route normally fly into Khartoum and then move into Libya by land from where they board boats to Europe. These dynamics are shown in Map 7.

Map 7: Syrian refugees and Mediterranean routes



Towards the end of 2014, the number of Syrians that arrived in Italy on boats that had departed Turkey increased. In 2015, the flows of Syrians arriving on boats in Greece, along the Eastern Mediterranean route, also experienced a large increase.

Decision-making factors when selecting between the routes

Typically, the considerations that factor into the decision between the two Mediterranean routes studied are: how heavily border crossing points are controlled; the ease of passage to Europe; the possibility for regularization at some point along the route; the levels of abuse and conditions in the transit countries; the risks involved; the duration of the journey; the cost of the journey; and the presence of networks or friends along the way or in transit countries.

While the Central Mediterranean route presents far more dangerous journeys, the chance of success along this route in terms of reaching Europe is far greater. That is, if a migrant or an asylum-seeker is able to reach the Libyan coast, it is almost guaranteed that they will

be able to board a boat to Europe, whereas crossing from Morocco into Spain has become increasingly more difficult in previous years. This may help to explain why migrants on the Central Mediterranean route were found to be far more desperate with far less to lose when compared with migrants who chose to follow the Western Mediterranean route. ■

“In 2015, the flows of Syrians arriving on boats in Greece, along the eastern Mediterranean route, also experienced a large increase.”



Remittances: How reliable are the data?

Sandra Paola Alvarez, Pascal Briod, Olivier Ferrari
and Ulrike Rieder¹

Introduction

Migrant remittances are commonly understood as private monetary or in-kind, cross-border and internal transfers that “migrants”² send, individually or collectively, to people with whom they maintain close links (IOM, 2013:405). In this paper, we refer exclusively to formally recorded cross-border financial remittances.

Usually depicted as a tool for financing “development”,³ these types of financial transfer (especially to developing countries) have received utmost attention in the migration and development discourse, policy and practice since estimates on the volume of remittances have become widely available.

In parallel, the international community has devoted great attention to evidence-based policymaking, which has resulted in the examination of existing data, data collection methodologies and data sources, including those related to remittances. As such, not only the impact of remittances on development but also the existing techniques to measure remittances and to estimate remittance transfer costs are under greater scrutiny.

In this paper, we briefly discuss issues related to estimations of aggregate volumes of remittances, bilateral remittances and remittance transfer costs.

We suggest that the methodologies commonly used to estimate remittances and remittance transfer costs necessarily introduce a number of biases or suffer from limitations that confirm how problematic it is to generate accurate “evidence” on remittances.

Estimating aggregate volumes of remittances

Remittances, as defined by the International Monetary Fund (IMF), represent “household income from foreign economies arising mainly from the temporary or permanent movement of people to those economies” (IMF, 2009a:272). Notwithstanding the functionality of this definition, measuring techniques conventionally used to estimate remittances can hardly ensure a perfect match between such definition and the data collected by central banks, money transfer operators or through other sources of data on such financial flows.

Estimations of the total remittances received by any single country generally rely on survey-based estimates or on data from the national balance of payments.

Survey-based estimates are especially widespread in Latin America, and are largely reliant on the methodology proposed by Orozco (2006). The latter uses United States census data and random nationwide migrant surveys to estimate the percentage of migrants that remit money, and data from money transfer companies to determine the “mode, median and average amount sent” (Orozco, 2006:24; in Bakker, 2015:36). The data are combined in a formula that allows calculating the “total volume of remittances by multiplying (1) the total number of migrants, (2) the percentage of migrants that remit and (3) the average amount remitted” (ibid.).⁴

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2 Space limitations preclude a detailed discussion about the definition of “migrant”. Suffice it to note that there is no universally agreed definition and that international migration statistics are collected from different sources (censuses, population registers, surveys, administrative data) that rely on different definitions (which may vary according to place of birth, nationality, citizenship, length or purpose of stay, and other parameters) and sampling techniques.

3 For example, by the European Commission, in discussions about the post-2015 development agenda or G8 and G20 discussions on development financing.

4 This methodology is not applied globally, as it is difficult to operationalize it in every country given that migration patterns are complex and remittances indeed originate from different sources. For a discussion on the methodology and the Latin American context, see: M. Bakker, “Discursive representations and policy mobility: How migrant remittances became a ‘development tool’”, *Global Networks*, 15(1):21–42.

Bakker (2015), however, points out some limitations; for instance, the difficulties of updating regularly the survey data, and thus the use of a static coefficient of per capita remittances sent by migrants; and the fact that using the increase in migrant stocks as a parameter to adjust remittance estimates introduces a bias, as this will necessarily imply also an increase in remittances.

Data based on the balance of payments framework are the most widely used. Those datasets allow, among others, to estimate aggregate volumes, as well as bilateral remittances following the model developed by Ratha and Shaw (2007; see below).

According to the sixth edition of the IMF *Balance of Payments and International Investment Position Manual (BPM6)*, two standard components are used to calculate remittances: compensation of employees and personal transfers. These are completed by supplementary items, which are not always recorded in the balance of payments (and are not discussed here): capital transfers, capital transfers between households, social benefits, current transfers to NPISH⁵ and capital transfers to NPISH.⁶

Before discussing the standard components, it is worth mentioning that the balance of payments framework relies on a distinction of residents from nonresidents of a reporting economy. Regarding residence, the IMF specifies:

According to *BPM6*, “[t]he residence of households is determined according to the centre of predominant economic interest of its members”. The general guideline for applying this principle is “being present for one year or more in a territory or intending to do so is sufficient to qualify” as being a resident of that economy. Short trips to other countries – for recreation or work – do not lead to a change of residence, but going abroad with the intention of staying one year or longer does (IMF, 2009b:18).

Therefore, it is clear that remittance statistics based on the balance of payments framework are not based on migratory status but on resident status of both the

employer and the employee. This is a crucial point as, statistically, migrants who are residents cannot be distinguished from non-migrant residents.

Concerning standard components, **compensation of employees** represents the “remuneration in return for the labor input to the production process contributed by an individual in an employer–employee relationship with the enterprise” (IMF, 2009b:19). When related to remittances, compensation of employees “refers to the income of border, seasonal, and other short-term workers who are employed in an economy where they are not resident *and of residents employed by nonresident entities*”⁷ (IMF, 2009a:272). The latter implies that, under compensation of employees, the total wages of border, seasonal and other short-term workers, and also the salaries of resident staff of nonresident employers such as embassies, consulates and international organizations as well as other nonresident companies, are recorded as remittances. The latter may constitute a significant part of the compensation of employees in some economies and may therefore introduce a bias into what is actually recorded as remittances, and what is frequently interpreted as migrant remittances.

Personal transfers “consist of all current transfers in cash or in kind made or received by resident households to or from nonresident households. Personal transfers thus include all current transfers between resident and nonresident individuals” (IMF, 2009a:273). In other words, remittances sent by resident migrants are recorded together with any other personal transfers between residents and nonresidents.

In conclusion, by adding compensation of employees and personal transfers, the balance of payments records remittances as defined by the IMF (see definition on p. 42), together with other transfers between residents and nonresidents. The bulk of such transfers may represent high amounts in some economies, for instance, where international organizations, embassies, consular networks or nonresident companies are well established and

5 Nonprofit institutions serving households.

6 For more details, see: International Monetary Fund (IMF), *Balance of Payments and International Investment Position Manual, Sixth Edition (BPM6)* (Washington, D.C., IMF, 2009), pp. 274 and 275.

7 Italics added by the authors. It is worth mentioning that students, medical patients, ship crew, diplomats, military personnel and civil servants employed abroad in government enclaves, regardless of the length of stay in a host economy, are considered residents of the originating economy (IMF, *Balance of Payments and International Investment Position Manual, Sixth Edition (BPM6)* (Washington, D.C., IMF, 2009)).

employ large numbers of resident staff. It is therefore extremely difficult to ascertain the extent to which these data can reveal actual migrant remittances, considering also that the balance of payments can only account for formally recorded transfers.

Estimating bilateral remittances

Bilateral remittances are remittance flows between two countries. Estimating bilateral remittances is seemingly more problematic than estimating the total volume of remittances received by a single country. The World Bank modestly admits that: “credible national data on bilateral remittances are not available”, as “funds channeled through international banks may be attributed to a country other than the actual source country” (Ratha and Shaw, 2007:43). For this reason, Ratha and Shaw (2007) proposed a methodology to calculate bilateral remittances, using three allocation rules: “(i) weights based on migrant stocks abroad; (ii) weights based on migrant incomes, proxied by migrant stocks multiplied by per capita income in the destination countries; and (iii) weights that take into account migrants’ incomes abroad as well as source-country incomes” (ibid.).

This method applies a formula to calculate the remittances sent by a single migrant from one country to another. The average remittance sent by a migrant from country i in destination country j (r_{ij}) is modeled as a function of the per capita income of the migrant country of origin and the host country or country of destination. The result of this calculation multiplied by the migrant stock in the host country j provides the total remittances received by country i from country j . The sum of remittances sent from all destination countries to country i provides the total remittances in country i , that is R_i (where R_i is the total amount of remittance inflows to country i , as reported in the balance of payments⁸; see World Bank, *Migration and Development Brief 23*, p. 27⁹).

The method that probably provides “the fullest, though arguably the least, accurate set of data”¹⁰ on remittances is the Bilateral Remittance Matrix, developed and maintained by the World Bank. Indeed, a few observations regarding the selection of parameters to calculate bilateral remittances deserve to be mentioned:

- a. The calculation of the average remittance sent by a migrant in a destination country (r_{ij}) is based on migrant stocks. However, as noted by several authors (including Parsons et al., 2005), there is no consistent and universally agreed definition of “migrant” and, even when migrant stocks estimates are available, these only take into account migrants who hold a regular status.
- b. The difficulties associated with data deriving from the balance of payments (R_i) are discussed in the preceding section.
- c. The gross national income (GNI) per capita is an important parameter in the calculation. However, the formula assumes that every migrant sends at least the equivalent of the GNI per capita in his or her country of origin (even when it may be higher than the GNI per capita in the country of destination). This choice is justified by the assumption that “migration occurs in the expectation of earning a higher level of income for the dependent household than what the migrant would earn in her home country” (Ratha and Shaw, 2007:45). This further implies that migrants are assumed to earn at least the equivalent of the GNI per capita of the country of origin, which may not always hold true (not to mention that the GNI is an average that does not reveal internal inequalities in income distribution).

Efforts to improve remittance data are laudable, and data suppliers have admitted the numerous inadequacies of remittance estimates. However, this raises a question regarding what we can actually

8 A parameter β , comprised between 0 and 1, allows R_i to correspond to the total remittances as identified in the balance of payments framework.

9 Available from <http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1288990760745/MigrationandDevelopmentBrief23.pdf>

10 This expression, borrowed by Ratha and Shaw (*South–South Migration and Remittances*, World Bank Working Paper No. 102, (Washington, D.C., World Bank, 2007)), from Parsons et al. (“Quantifying the international bilateral movements of migrants”, Working Paper T13 (Brighton, Development Research Centre on Migration, Globalisation and Poverty, University of Sussex, 2005)), was used to qualify the bilateral migration matrix hosted by the World Bank. In this paragraph, the authors borrow this phrase to apply such qualification to the Bilateral Remittance Matrix.

know about migrant remittances, and remittances at large, given the debatable nature of the parameters commonly used to craft remittance statistics. What is more, it is indeed difficult to understand what is actually measured as remittances and, therefore, what the resulting trends actually reveal when remittance estimates are compared over the years. While this may not be problematic per se, for policymaking purposes it may be problematic to rely on data that may be useful to understand the evolution of certain parameters used to estimate remittances, but that do not really account for migrant remittances as broadly understood in the migration and development policy domain.

Estimating remittance transfer costs

Information collected on remittance transfer costs during the last decade has shed light on the high costs incurred by migrants around the world when sending remittances, and has contributed to bringing this issue to the forefront of the international development scene. Nevertheless, the data currently available are not accurate and complete enough, neither to assess the true cost of remittances nor to understand what drives cost fluctuations or monitor this rapidly evolving market.

Concerning cost estimation methodologies, at present, the most complete data set on remittance transfer costs available is developed and maintained by the World Bank (see Remittance Prices Worldwide¹¹). Updated four times a year since 2008, this data set provides information about the costs of sending money on 227 corridors worldwide.

The data from the Remittance Prices Worldwide group at the World Bank are collected solely through mystery shopping. Through this methodology, researchers – presenting themselves as customers – collect the pricing information manually from the money transfer service providers, either by making an actual transaction or by asking the cost of a transaction in person, over the phone or through a Web interface. Cost information is collected for each corridor and for two different sending amounts (the equivalent of USD 200 and USD 500), from a range of money transfer operators and banks. Using this methodology,

the World Bank collects around 20,000 data points¹² each year, which are then used to calculate the global average cost of remittances – that is, the average of the average cost per corridor, weighted by the size of each corridor (based on the Bilateral Remittance Matrix discussed in the previous section).

While the information on remittance transfer costs collected by the World Bank constitutes the most accurate global data set currently available, a number of limitations inherent to the data collection methodology and the way indicators are constructed deserve to be discussed.

First, because mystery shopping is a resource-intensive data collection methodology, the scope of the data set must be targeted. This limits the number of corridors that can be monitored, the number of data points collected on each corridor and the frequency of data updating.

Second, in markets where costs fluctuate significantly over time and where costs vary substantially depending on the amount transferred, data collection regarding the costs of sending two amounts (USD 200 and USD 500) every three months can only provide an approximation to real costs. As a matter of fact, operators will often have more than 10 different pricing tiers between USD 10 and USD 5,000, with different fees for each tier and usually different exchange rates. As a result, the data currently collected are a snapshot that fails to describe the bigger picture.

Finally, the Remittance Prices Worldwide group of the World Bank publishes a quarterly report to monitor the evaluation of remittance transfer costs, using the average cost per corridor as main indicator. The main limitation of the corridors' averages is that they are not weighted by the number of migrants using each money transfer service provider for which data are collected. This means that in some cases, banks offering unfavourable exchange rates (at least for the amounts for which data are collected) but used by a few migrants will skew the average upwards. Likewise, if a new money transfer operator offering low transfer costs enters a market, the average will drop even though only a small proportion of migrants use this new service.

11 Available from <https://remittanceprices.worldbank.org/en>

12 A data-point refers to the costs information of one particular service for one particular amount.

How then to obtain better data on remittance transfer costs? First, we must admit that obtaining better data on remittance costs is extremely challenging. In order to accurately monitor the remittances market, we probably need to collect a hundred times more data points than what we collect today. Automated or crowd-sourced data collection systems are likely to enable the development of a more complete database. Whenever possible, integration with money transfer service providers through API¹³ or Web scrapers¹⁴ should be developed to receive their prices in real time. For offline agent-based money transfer service providers, proper incentives have to be developed to encourage clients to report the costs in a central database.

Once a more accurate global data set on money transfer costs is available, various indicators can be developed to monitor the evolution of the money transfer service offer. In order to assess the actual costs incurred by migrants, the development of more complex models will be necessary, including detailed information about migrants' transfer habits (average amount, frequency, type of money transfer used, etc.), to calculate a weighted average cost of remittances for each corridor.

Conclusion

Seemingly, at present, it is extremely difficult to generate accurate data on the aggregate volume of remittances, on bilateral remittances and on remittance transfer costs. For policymaking purposes, it may be worth exploring ways to improve our understanding of remittance transfer costs by facilitating new partnerships that allow for the development of more complex methodologies and datasets. Better estimations of remittance costs are not only likely to influence the transparency of remittance prices, but also to address current priorities relating to reducing remittance transfer costs. ■

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13 API is the abbreviation of application program interface. It is a set of routines and protocols that allow two Web applications to interact and share information.

14 A Web scraper is a computer software technique to extract information from websites.



Irregular migration from the Horn of Africa to Europe

Nassim Majidi¹

The prevalence of irregular migration or *tahreeb* in Somaliland and Puntland highlighted by recent research,² coupled with changing asylum policies towards Somali applicants in Europe, has prompted organizations such as the International Organization for Migration (IOM) to raise awareness about the risks and consequences of irregular migration, a practice that is extremely harmful to both Somali youth and their families. International migration includes a youth exodus from Somaliland, with an estimated 400 to 700 Somaliland youth joining irregular flows to Libya through Ethiopia and Sudan every month, as reported by the Regional Mixed Migration Secretariat in October 2014.

First- or second-hand knowledge of *tahreeb* is widespread: every respondent interviewed by our research team referred to someone – whether friends or family members – who left through irregular migration. Youth who embark on *tahreeb* face dangers not just from the duration of the trip but also from smugglers (*magafes*) who lure them in with images of a glorified life abroad.

Awareness-raising about the issue highlights changes in asylum policies in Europe (especially Norway and Sweden, home to the largest Somali communities in Europe), the limited chances of success, dangers and risks during the journey, and challenges faced upon arrival in Europe. The IOM awareness campaign aims to bring greater awareness of the huge risks involved in irregular migration where many fall victims to trafficking and unscrupulous middlemen, while others arrive in Europe only to realize that life is not greener on the other side.

Research for IOM shows³ that while awareness-raising is key, most Somali youth are not naïve about the dangers and risks involved in migrating irregularly. Why then do they still choose to do it? Any attempt at tackling irregular migration must look at the deeper causes of the issues at stake.

Key findings on irregular migration in Somaliland and Puntland

- **Irregular migration** without any type of documentation – no valid ID, passport or visa – is the main method and the only option for most, with the help of the *magafes*.
- ***Tahreeb* – a commonplace conversation.** Irregular migration is reported to be commonplace conversation in teashops and cafeterias in Somaliland and Puntland's main cities of Hargeysa and Garowe. Community members want to know how this relates to their religion. The role of religious leaders can be emphasized to highlight the incompatibility of *tahreeb* with Islam.
- **Youth awareness levels.** Youth between 15 and 24 years old represent the main group migrating from Somaliland and Puntland in search of jobs, a better life and education. However, the impact of their decision has often widespread repercussions on their families who frequently are forced to sell their houses and incur debt to help their youth travel abroad or pay the *magafes*. Despite a high level of awareness of the risks involved in irregular migration, the youth continue to leave Somaliland and Puntland in search of a perceived better life abroad.
- **Social media – a missed opportunity.** Smugglers use Facebook to lure youth in the promises of a better life abroad. Given the importance of social media for youth in Somalia, this tactic works. Social media is the least used awareness tool, yet the most used by smugglers to convince youth to

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2 Samuel Hall Consulting, *Investing in Somali Youth? Exploring the Youth–Employment–Migration Nexus in Somaliland and Puntland*, research study commissioned by IOM Somalia (2015). Launch event to be held in Nairobi, Kenya, on 9 July 2015.

3 Samuel Hall Consulting, *Enabling Informed Decision-making among Potential Migrants in Somalia: Endline Assessment of the IOM Awareness Campaign*, commissioned by IOM Somalia (2015).

leave. The lack of a strong social media strategy is a missed opportunity, given how frequently social media is cited as a key motivation channel for *tahreeb* in previous studies.⁴ A social media strategy to counter irregular migration from Somalia is needed.

“Social media like Facebook should also be used to counter the spread of migration and also use it as a platform to spread the message. Most youth are on Facebook and this can be of great effect.”
(Shaban)

- **Radio campaigns – a two-way feedback mechanism.** Although there is no mechanism in place to share feedback received by radio and TV partners, reporting from Radio Ergo shows that returnees, potential migrants and their networks are willing to talk about their experience, share information and seek feedback. The internal system at Radio Ergo, for example, allows the audience to call or text (SMS) to give feedback to the channel. Comparing the feedback rates to the migration campaign sessions with other topics covered by the radio station, Radio Ergo staff reported a higher-than-usual feedback rates on irregular migration. “People responded; they don’t normally do so. Many people called to share their experience. Migration is huge and they want to do something about it” (Radio Ergo interview).
- **Targeting the source.** While IOM has set up a robust campaign, the direct impact of the community outreach is limited to a few locations – mainly in urban settings – thus reaching a limited audience and not necessarily reaching migration “at its source”, that is, in rural areas from which youth first migrate to urban areas, then westwards irregularly. Awareness is needed to reach the source locations in more remote areas. This could be achieved by setting up mobile teams (caravans) to go to the remote areas and smaller settlements where radio and TV coverage is limited to raise awareness.

Risks of irregular migration

- Exploitation, violence and death on the way to Europe
- Little chances of being granted asylum or subsidiary protection in Europe
- Forced return to Somalia or living illegally in Europe

Key drivers and facilitators of *tahreeb*

Economic drivers

Lack of job opportunities in Somaliland’s and Puntland’s main cities mainly drives the young rural–urban migrants, foreign migrants and returnees to turn to irregular migration. As long as job scarcity and economic issues are not addressed, *tahreeb* will be seen as one of the only options for the youth. Somaliland and Puntland are also points of destination for Somali migrants and economic migrants from neighbouring countries, particularly Kenya, Ethiopia and Eritrea. Puntland in particular is considered to be one of the main hubs for irregular migration, as Bossasso is seen the epicentre for human smuggling in the Horn of Africa. Many migrants spend significant amount of time in Puntland and Somaliland, and the “destination” status of both areas requires further investigation.⁵

An important dimension is the mixing of international and internal migration among the youth – the population on the move in Somaliland and Puntland. Returnees come back to their homeland where they join the ranks of those moving internally, from rural to urban areas, in search of greater stability and opportunities. Internal migration is the first step to international migration.

4 Samuel Hall Consulting, *Investing in Somali youth? Exploring the Youth–Employment–Migration Nexus in Somaliland and Puntland*, research study commissioned by IOM Somalia (2015).

5 Samuel Hall Consulting, *Market Opportunity Mapping in Somalia: A Value-chain Analysis and Rapid Market Assessment in Baidoa and Beletweyne Provinces* (2014), study for the International Labour Organization, p. 6.

Boredom and lack of leisure and educational activities

“The lifestyle is very different from what I am used to – there is completely no social life.” (Female case-study participant, migrated from Syria to Hargeysa, Somalia)

The Ministry of Youth, Sports and Tourism in Somaliland outlined that “there are no facilities for entertainment: no libraries, no youth centres. Even in schools there are no facilities for entertainment. This situation results in two issues: he or she migrates, or they join criminal gangs.”

In Hargeysa and Garowe, new sports facilities have proven very appealing to youth. A Turkish company has recently opened several football fields with synthetic turf in Hargeysa, and in Garowe, there are two fields where one can reportedly find half the young people in town. The lack of up-to-standard educational facilities was also pointed out as driver of youth emigration from Somaliland, particularly of already highly educated ones. In case studies, focus group discussions and conversations, the desire to obtain a scholarship from a university abroad to pursue studies that are either not offered in Somaliland or could not be pursued for other reasons was particularly prevalent among already educated youth. There seems to be a widespread notion among students as well as employers that the right education can only be obtained abroad.

Higher education prospects

“I want to look for scholarships or apply to universities in Europe or the U.S.A. and see if I can get admitted. If so, I will ask my family to raise the money to help me move.” (Female case-study participant, alumnus of the IOM internship programme, Burao)

In asylum countries, the lack of quality education in Somalia was often mentioned as the main reason for refugees not wanting to return since parents want the same educational opportunities for their kids as they experienced in the camps or in their country of asylum.

The “greener pastures” phenomenon

The belief that life is better abroad drives Somali youth migration. Social media and networks have contributed to widening the chasm between the

image and reality of migration abroad; while not confronted with the dangers of the migration paths there, or the challenges in finding employment and housing, the youth see pictures of fun activities and sights which do not exist in Somaliland and Puntland. Aware of this, in the latest Declaration of the Ministerial Conference of the Khartoum Process, representatives of EU countries, the EU Commission and the African Union defined “[a]ssisting the national authorities in stepping up prevention measures, such as information campaigns to improve awareness of risks of irregular migration, with special regards to trafficking in human beings and smuggling of migrants” as one of the key areas of cooperation.⁶

Testing the odds – demand and supply

- **Repeated episodes of irregular migration – a vicious cycle.** When *tahreebers* are arrested or when failed asylum-seekers are sent home, the burden goes to their families. Their families take them to rehabilitation centres (*shifo*) if they have psychological problems, but if they are mentally okay they blend back to their communities. These people are likely to try to migrate again.
- **The secrecy around *tahreeb*.** Somali youth keep migration a secret. The youth play these roles in this process:
 - As friends of the potential *tahreebers*, the youth keep migration a secret. It is highly unlikely that persons going *tahreeb* will tell their parents about it. They will however tell their close friends.
 - The youth can identify the potential *tahreebers* easily and do counselling, becoming agents of change.
 - The youth can advocate for others. In Somalia, youth under 30 years of age account for 70 per cent of the population.⁷ Through events, competitions and tournaments, they are able to reach so many others.

6 Declaration of the Ministerial Conference of the Khartoum Process (EU–Horn of Africa Migration Route Initiative), Rome (2014). Available from <http://italia2014.eu/media/3785/declaration-of-the-ministerial-conference-of-the-khartoum-process.pdf>

7 United Nations Development Programme (UNDP), *Somalia Human Development Report 2012: Empowering Youth for Peace and Development* (Mogadishu, UNDP Somalia, 2012), p. xix.

“It is difficult for them to tell you that they want to *tahreeb*, at least that does not happen for the record. The intention is, however, clear on their faces because they always talk about the successful ones (who are in Europe) rather than the ones who are stuck on the way and the problems of the route to Europe.” (Field researcher, Garowe)

The key role of the middlemen (*magafe*) in migration

Magafe means “a person who never misses”. *Magafes* have contributed to the rise in migration through Libya by enabling the youth to leave without money. “Sub-*magafes*” in Bossasso, Hargeysa, Garowe and other areas recruit young people to travel abroad. They do not ask for money, but once the youth have arrived at the destination, the *magafes* call the families of these young people and threaten to cut off their body parts or kill them unless a ransom is paid. Families are forced to pay the ransom, mainly by selling property.⁸ In many cases, the sub-*magafes* may first ask questions about the property of the targeted youth to ensure they get their money’s worth.⁹ Efforts to combat these activities are limited by the positive perceptions of life abroad.

What is being done?

Progress to date

Awareness campaigns on irregular migration generate more discussions and result in better knowledge about the risks involved in irregular migration and life in Europe. However, more needs to be done to tackle the root causes of irregular migration, such as the creation of youth employment and opportunities in Somaliland and Puntland.

Challenges ahead

Given the economic instability in Somalia and the decreasing likelihood of asylum-seeking applicants to gain asylum in Europe, the number of Somali youth migrating irregularly to Europe is only likely to increase. As such, awareness campaigns alone cannot lead to behavioural changes but must be accompanied by programmes specifically targeting youth and employment. ■

“Given the economic instability in Somalia and the decreasing likelihood of asylum-seeking applicants to gain asylum in Europe, the number of Somali youth migrating irregularly to Europe is only likely to increase.”

8 Interview with the Deputy Minister of Planning in Garowe, December 2014.

9 Interview with an official from the Puntland Development Research Center (PDRC) in Garowe, December 2014.



Snapshot of migration trends in the Mediterranean

Tara Brian¹

Continuing a surge in migration across the Mediterranean last year which saw the arrival in Europe of over 220,000 people, already more than 135,000 migrants have disembarked in Southern Europe in the first six months of 2015. The vast majority have done so in Italy and Greece, with both countries each receiving nearly 50 per cent of all arrivals. Fewer than 100 migrants have disembarked in Malta, although these low numbers are partly due to disembarkation arrangements under the Triton Operation. Spain has received fewer than 2,000 migrants travelling by sea this year. While the Central Mediterranean route from North Africa (mainly Libya) to Italy and Malta was predominant last year, in 2015 travel along the Eastern Mediterranean route has surged and now matches the Central Mediterranean in volume. As was the case last year, the Mediterranean crossing has proved extremely dangerous, already taking nearly 2,000 lives this year. The spring of 2015 saw an unprecedented number of deaths, particularly in the Central Mediterranean. In April, an estimated 800 migrants lost their lives in the largest shipwreck in the Mediterranean in recent memory, when their boat capsized with the majority of passengers trapped inside. This high rate of death plummeted through May and June, however, and in June there were only an estimated 10 deaths. This article presents a brief snapshot of the flows across the Mediterranean and the toll on human life.

While migration across the Mediterranean towards Southern Europe has long occurred, the numbers making this crossing have surged in the past two years. Relative to previous years, numbers spiked in 2011 during the Arab Spring to over 71,000; however, they were still only one third the level reached last year when over 220,000 migrants were estimated to have crossed sea borders to Southern Europe. While the causes of this increase are debated and complex, it is clear that conflict, poverty and repression in countries of origin have been the major forces pushing

people to leave. Worsening conditions in Libya have likely contributed to the departure of migrants currently in the country, and perhaps contributed to the rise in departures from Turkey, particularly in the case of Syrians. Recent research by Altai Consulting documents the huge pressure faced by migrants in Libya to depart the country, with few options to do so other than by sea.²

The Eastern Mediterranean route has seen an unprecedented increase in the number of migrants crossing to Greece this year, with an average of nearly 800 arrivals daily in June 2015. Maritime arrivals to Greece in just the first six months of the year are already almost double the total number for 2014 (roughly 68,000 in these months compared with 34,400 in all of 2014).³ In 2014, maritime arrivals to Greece were about one fifth the size of arrivals to Italy (170,100). This year, however, arrivals to Greece match the numbers disembarking in Italy. The increase in flows in the Eastern Mediterranean does not coincide with a decrease in numbers crossing through the Central Mediterranean, however. Flows to Italy have risen by roughly 5 per cent when compared with the flows in this time period last year.

Syrians are by far the largest group arriving in Greece through the Aegean Sea, while far lower numbers than last year are choosing the Central Mediterranean route. Syrians represent 56 per cent of maritime detections in Greece in the first five months of 2015. Between January and the end of May this year, over 22,000 were reported by the Hellenic Ministry of Interior and Administrative Reconstruction; another 6,000 were detected on land borders. This movement is clearly a result of the ongoing conflict, with Syrians not even factoring in the top five nationalities of origin in 2011. Afghans make up the second largest group of arrivals, although Syrians still more than double

1 Tara Brian is a Research Officer of the Migration Research Division at the International Organization for Migration (IOM) Headquarters in Geneva.

2 Altai Consulting, *Migration Trends Across the Mediterranean: Connecting the Dots* (Cairo, IOM, 2015). Available from http://www.altaiconsulting.com/docs/migration/Altai_Migration_trends_across_the_Mediterranean_v3.pdf

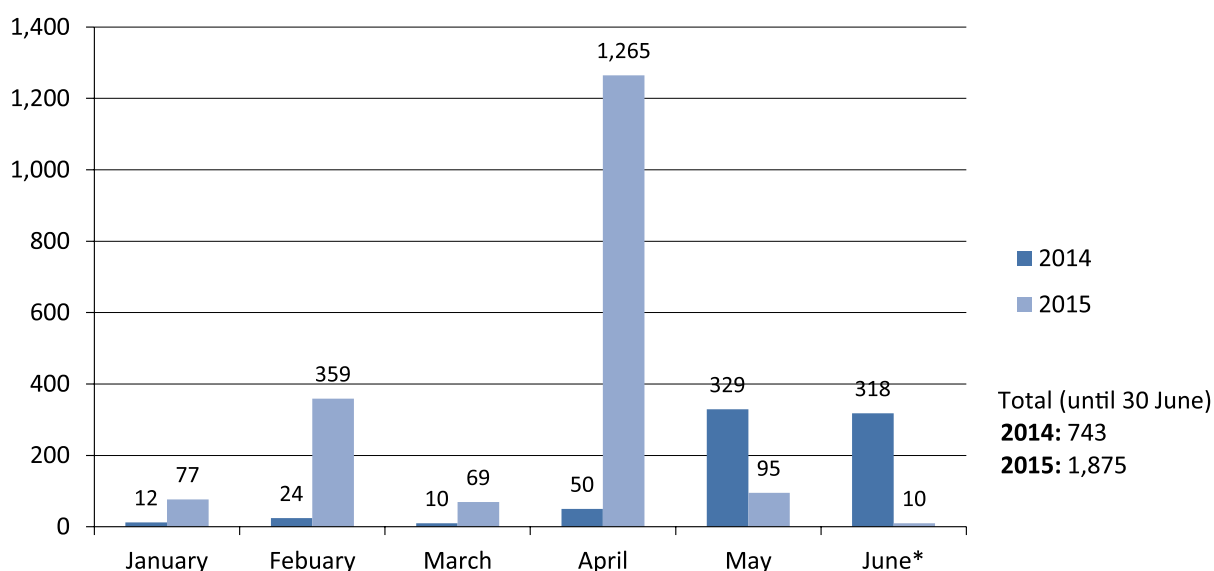
3 Data from the Hellenic Ministry of Interior and Administrative Reconstruction, and the Hellenic Coast Guard.

them. Together, Syrians and Afghans made up about 80 per cent of arrivals in the first five months of the year, and comprised 86 per cent of maritime arrivals in 2014. Other nationalities are far less significant, and include Pakistanis, Iraqis and Somalis in 2015. While in 2014, Pakistanis arriving by sea were almost non-existent, this year already over 2,000 have used this route.

In the Central Mediterranean, Eritreans are the dominant nationality, with the share of Syrians dropping in 2015. In 2014, Syrians and Eritreans made up 45 per cent of irregular maritime arrivals to Italy, with Syrians predominating. West African countries featured in the top five countries of origin, although in far lower numbers. In 2014, arrivals of Malians, Nigerians and Gambians together still made up less than half the number of Syrian and Eritrean arrivals. In fact, among the top seven countries of origin of irregular arrivals to Italy in 2014, 76 per cent were from key refugee-producing countries (the Syrian Arab Republic, Eritrea, the Occupied Palestinian Territory and Somalia). In 2015, there has been a large

decrease in numbers of Syrians arriving in Italy, with a greater share choosing the Eastern Mediterranean route. Between January and end of May this year, Syrians were only the fourth top country of origin of irregular maritime arrivals to Italy, and numbers were just one third the number of Eritrean arrivals (3,185 versus 10,985). Eritreans by far account for the largest share of all arrivals this year, at 23 per cent. While West African countries feature higher on the list of arrivals, this is more a reflection of the decrease in Syrians than it is of an increase in West Africans, although these numbers have risen to a degree. The decline in Syrians using the Central Mediterranean route may be attributed partly to their efforts to avoid Libya, which is increasingly hostile to Syrians,⁴ and also could be the result of worsening conditions in countries neighbouring the Syrian Arab Republic which hold very high shares of Syrian refugees relative to their native populations. While migrants are also departing from Egypt, research by Altai Consulting has found that roughly 80 per cent of boat arrivals in Italy in 2014 departed from the Libyan coast.⁵

Deaths in the Mediterranean by month, 2014 and 2015



Source: All data are estimates. Data are gathered from IOM field offices and media reports.

Note: *Deaths in June are until 30 June, in 2014 and 2015.

4 Altai Consulting, *Migration Trends Across the Mediterranean: Connecting the Dots* (Cairo, IOM, 2015). Available from www.altaiconsulting.com/docs/migration/Altai_Migration_trends_accross_the_Mediterranean_v3.pdf

5 Ibid.

Despite the increase in flows on the Eastern Mediterranean route, the Central Mediterranean remains by far more dangerous. So far this year, 97 per cent of deaths in the Mediterranean have occurred in the Central Mediterranean, with about 3 deaths per every 100 migrants attempting the crossing. In contrast, the Eastern Mediterranean has seen fewer than 40 deaths, or 0.05 deaths per 100 travellers. April was the most deadly month this year, with over 1,200 dying during their journeys, almost all in the Central Mediterranean. This is about seven deaths per every 100 attempting the crossing in the Central Mediterranean. Until the end of April, deaths were over 18 times higher than the same period the year before. However, in May and June, numbers of deaths have fallen significantly, with just 95 in May 2015 as compared with about 330 in May 2014, and only 10 in June 2015 compared with roughly 320 in 2014. Thus, in total, deaths this year are now about 2.5 times higher than in the same point in 2014. It remains to be seen if this trend will continue, but seems likely that this summer season will be far less deadly than the last. See table on the previous page for the deaths in the Mediterranean from January to June in 2014 and 2015.

Political and media attention has been heavily concentrated on the Mediterranean Sea, and deservedly so. Boatloads of men, women and children adrift in the high seas have become a visible reflection of the suffering of thousands to reach Europe. However, what remains largely hidden is the extreme danger encountered all along the land journey to the shores of North Africa. In mid-June, the bodies of 18 migrants were found decaying in the desert between Niger and Algeria, most likely having succumbed to dehydration and exhaustion after getting lost along the way.⁶ An additional 30 bodies were found several days later near Dirkou. These deaths are far from isolated incidents, and yet we are almost blind to the majority of those occurring. There is no attempt to systematically monitor these routes that crisscross vast stretches of land, no rescue missions to find living or dead migrants and thus their deaths go entirely unrecorded.

Another neglected dimension of the situation in the Mediterranean is the ramifications for the families of those who die. When entire groups die at sea, families at home may not know if their relatives made it to the coast, perished in the sea crossing or lost touch for other reasons. It is not known how many deaths go unreported. Even when estimates of the missing are available following shipwrecks in the Mediterranean, bodies are more than often not found. Even when considering only the bodies recovered from the sea, the majority are not identified. A recently launched database tracking deaths in the Mediterranean since 1990 has found that of the bodies brought to Southern Europe, almost two thirds had not been identified.⁷ Research has shown the devastating effects a missing person has on families. Not only do families experience what has been called “ambiguous loss”, but a missing person can affect family dynamics and social relations, the family’s economic situation, as well as processes like inheritance, remarriage and guardianship of children.⁸ We still know little about how families access information and what their needs are. A second annual report on migrant fatalities to be published by IOM this winter will address these challenges of identification and support to families. ■

“Not only do families experience what has been called *ambiguous loss*, but a missing person can affect family dynamics and social relations, the family’s economic situation, as well as processes like inheritance, remarriage and guardianship of children.”

6 Reuters, “18 migrants found dead in Niger’s desert, IOM says”, 14 June 2015. Available from www.reuters.com/article/2015/06/14/us-niger-migrants-idUSKBN0OUO0M20150614

7 Vrije Universiteit Amsterdam, Human Costs of Border Control, 2015. Available from www.borderdeaths.org/

8 See, for instance: International Committee of the Red Cross (ICRC), « Étude sur les besoins actuels des familles de migrants sénégalais disparus. » (Geneva and Dakar, Senegal, ICRC, 2013). Available from www.icrc.org/eng/assets/files/2013/familles-migrants-senegalais-disparus.pdf



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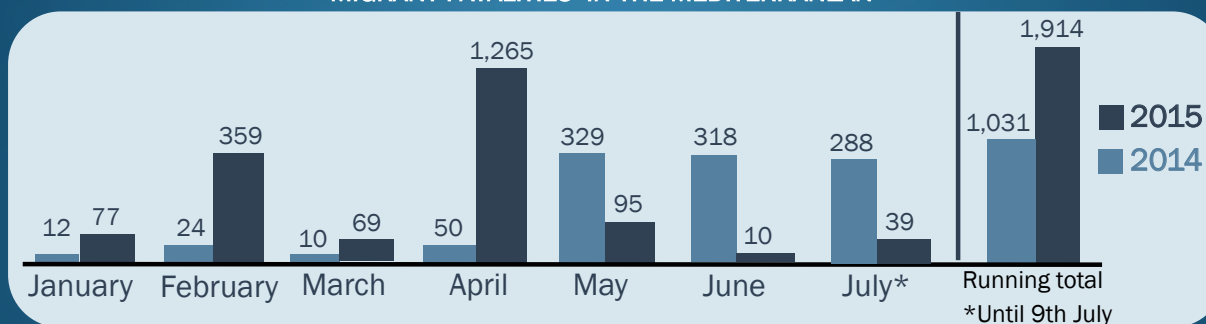
Mediterranean Update

Missing Migrants Project 9 July 2015



*Arrivals figures refer to irregular maritime arrivals only

MIGRANT FATALITIES IN THE MEDITERRANEAN



MIGRANT MARITIME ARRIVALS 2015

Total Arrivals: (to date) 151,290

Greece	75,970
Italy	74,009
Spain	1,217
Malta	94
Total	151,290

Estimates based on data from respective governments and IOM field offices as of 09/07/2015. Data for Greece until 8 July.

TOP FIVE COUNTRIES OF ORIGIN

1 January–31 May 2015

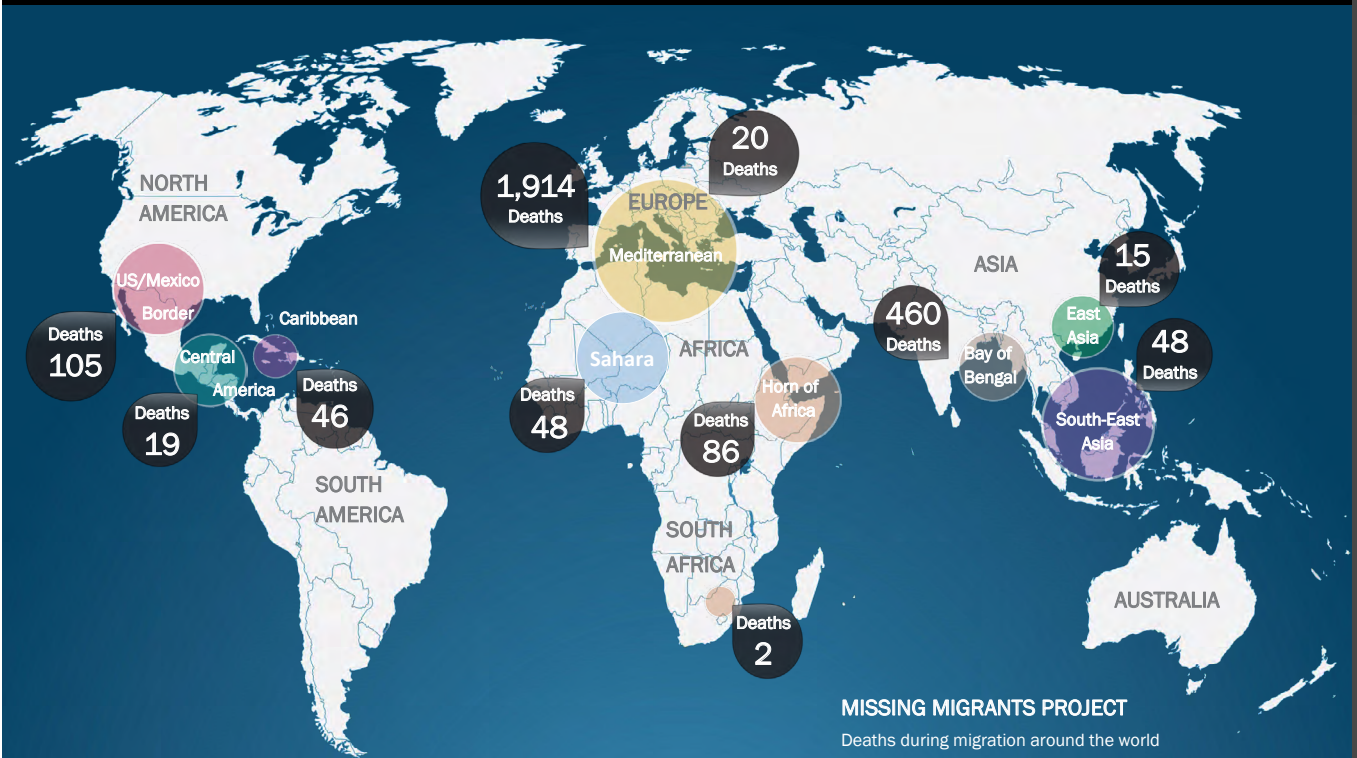
	Greece	Italy	Malta	Spain	Total
Syrian Arab Republic	22,582	3,185	0	n.a.	25,767
Eritrea	219	10,985	0	n.a.	11,204
Afghanistan	10,053	62	0	n.a.	10,115
Somalia	971	4,958	3	n.a.	5,932
Nigeria	269	4,630	0	n.a.	4,899

The Missing Migrants Project is a joint initiative of IOM's Migration Research Division (MRD) and Media and Communications Division (MCD).

#MissingMigrants

MissingMigrants.iom.int

GLOBAL OVERVIEW: OVER 2,700 MIGRANT DEATHS TO DATE IN 2015



KEY DATA ON MIGRANT FATALITIES

The Missing Migrants Project is the only global database sharing key data on deceased and missing migrants around the world. The aim is to strengthen advocacy and support a more informed policy response.

SUPPORTING FAMILIES OF MISSING MIGRANTS

The project empowers families of the missing by providing information and guidance, including on identification of the missing and dead, with the aim of affirming the rights and dignity of migrants and their families.

GLOBAL INFORMATION HUB ON MIGRATION

The project underlines the global scale of the crisis by sharing key information on migrants dying along migratory routes around the world. The platform also enables feedback from migrants and families of the missing.

Deaths between 1 Jan 2015 – 9 July 2015

Regions	Deaths ^a
Mediterranean	1,914
Bay of Bengal	460
US/Mexico Border	105
Horn of Africa	86
Sahara	48
South-East Asia	48
Caribbean	46
Europe ^b	20
East Asia	15
Central America	19
Southern Africa	2
TOTAL	2,763

Legend:

(a) These figures refer only to deaths that have been reported; unknown numbers are not recorded. This map represents only a base minimum.

(b) Includes deaths in Northern Europe, Southeastern Europe, and Western Europe.

* Data compiled by IOM's Migration Research Divisions (MRD). All numbers are minimum estimates based on data from respective governments and IOM field offices as of 09/07/2015.

The Missing Migrants Project is a joint initiative of IOM's Migration Research Division (MRD) and Media and Communications Division (MCD).

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Publications



Headstart to Integration: A Global Review of Pre-departure Support Measures for Migrants
2015/302 pages/English
Available for [PDF download](#)

The aim of this report is to establish promising practices in pre-departure integration support for immigrants with a particular focus on promoting early labour market inclusion in line with the migrants' level of qualifications and competences. The study also examined the services that assist migrants to find their way in a new country and become part of a new community, with a focus on practices relevant for integration of immigrants entering the countries of destination for the purposes of work, family reunification and studies, as implemented by a range of public and private actors. To achieve this, the analysis classifies these practices and approaches drawing on global evidence and with a focus on the European Neighbourhood countries, Western Balkans and Turkey. Based on the information collected, common denominators, factors of success or failure, the structure of such measures and their link with the post-arrival phase are analysed.

This publication has been produced within the framework of the project "HEADSTART: Fostering Integration Before Departure" managed by the International Organization for Migration (IOM), in partnership with the World Association of Public Employment Services (WAPES) and authorities in charge of integration issues in Austria, the Czech Republic, Germany, Hungary, Italy, the Netherlands, Portugal and Slovakia, and co-financed by the European Union Integration Fund, Ministries of Interior of Italy and Austria and the Central Agency for the Reception of Asylum Seekers in the Netherlands (COA).

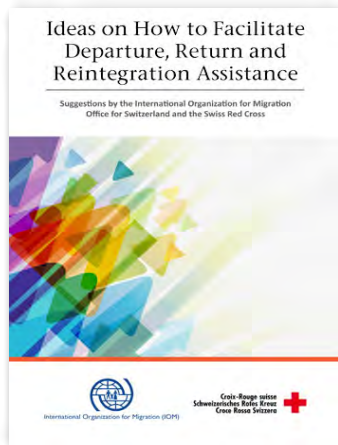


The Middle East and North Africa: Annual Report 2014
2015/72 pages
English
Available for [PDF download](#)

In 2014, significant flows of migration to, through and from the Middle East and North Africa continued unabated. Ongoing conflict, economic stagnation, and political turmoil were main drivers of migration, though motives for movement remain complex. Irregular migration – especially for vulnerable or under-protected people such as unaccompanied minors, women and sexual minorities – exposed migrants to an array of risks as they attempted to attain physical safety and economic stability.

The 2014 annual report on IOM's work in the Middle East and North Africa is organized thematically, reflecting the areas of work carried out by the organization: emergency and humanitarian operations, migrant assistance, integrated border management, support for migration policy, labour migration and human development.

Migration health is a cross-cutting area of work reflected in multiple sections. The report also includes a section on research and publications, as well as a data analysis section which presents a comprehensive breakdown of persons who have benefitted from IOM activities in the Middle East and North Africa in 2014.



Ideas on How to Facilitate Departure, Return and Reintegration Assistance

2015/48 pages

English

Available for [PDF download](#)

This paper shall provide a new impetus to the field of return counselling, as well as return and reintegration assistance in Switzerland in a view to discuss and develop these further with all relevant stakeholders in this field. The paper also aims to provide a common assessment of all currently used instruments, as well as discuss innovative ideas that could help advance the modern mechanisms and general structure of return and reintegration assistance programmes.

In this paper, the IOM and SRC propose the following main initiatives for the future management of public return assistance programs: (a) opening up of return assistance programmes to a wider group of people; (b) introducing innovative approaches to return assistance; and (c) strengthening cooperative work in Europe, particularly the European Union.



Migration Trends Across the Mediterranean: Connecting the Dots

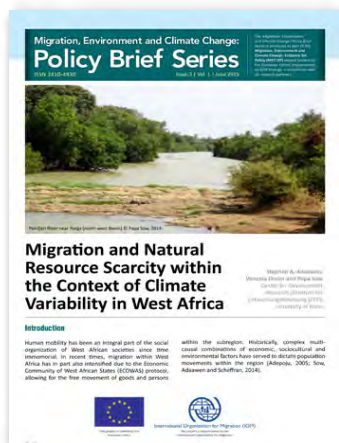
2015/196 pages

English

Available for [PDF download](#)

This study, by Altai Consulting for IOM's Regional Office for the Middle East and North Africa (MENA), creates a fresh and updated understanding of the dynamics of migration flows across the Mediterranean.

Fieldwork was conducted between November 2014 and February 2015 across seven countries in the MENA region and Europe (Egypt, Italy, Libya, Malta, Morocco, Spain and Tunisia), and involved in-depth interviews with more than 130 migrants and key informants across all locations. The study particularly focuses on two routes: the Western Mediterranean route from Morocco to Spain, and the Central Mediterranean route from North Africa (typically Libya or Egypt) to Italy or Malta.



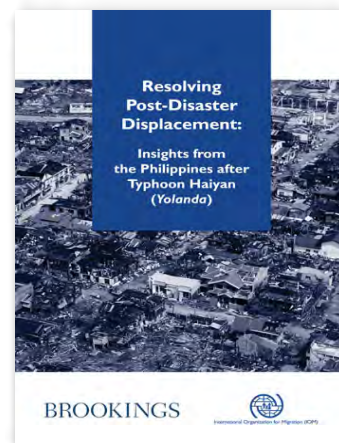
Migration, Environment and Climate Change: Policy Brief Series Issue 3 | Vol. 1 | June 2015

2015/8 pages

English

Available for [PDF download](#)

Migration – internal and international – is an important feature of the social lives of people across West Africa. While movements within the subregion are generally due to complex and multi-causal factors, natural resource scarcity has served to influence movements especially in rural areas. Drawing from research in rural north-western Benin, this policy brief looks at the effect of migration on the in-land fisheries subsector and emphasizes the need for effective participation of all stakeholders in the management of natural resources to improve livelihoods in the region facing population growth and climate variability.



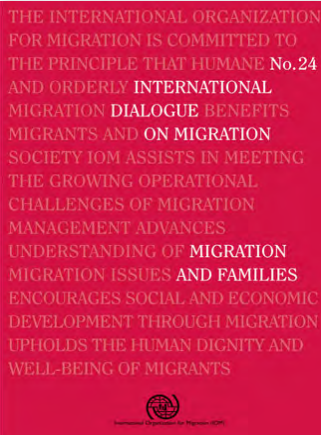
Resolving Post-Disaster Displacement: Insights from the Philippines after Typhoon Haiyan (Yolanda)

2015/82 pages

English

Available for [PDF download](#)

Super Typhoon Haiyan (Yolanda), was one of the strongest tropical cyclones in history, and made landfall in the Philippines in early November 2013, with winds exceeding 300 km/h and a 5-m storm surge. Over 4 million people were displaced, with damage to housing and infrastructure across a vast area of the country. The event prompted a large-scale humanitarian response, led by the Government of the Philippines and with the support of its civil society, the private sector and the international partners. While major progress has been made in terms of relief, recovery and reconstruction, significant challenges remain. The report draws on a new household survey and extensive interviews with affected community members, government officials and other key stakeholders to examine the question of durable solutions to displacement in post-Haiyan Philippines, recognizing that the challenges faced in the aftermath of the disaster may be a source of insight for responses to other post-disaster displacement crises, both in the Philippines and elsewhere.



International Dialogue on Migration No. 24 – Migration and Families

2015/102 pages

ISSN 1726-2224 / ISBN 978-92-9068-695-8

English

Available for PDF download

This publication contains the report and supplementary materials about the workshop on migration and families, which was held in Geneva, Switzerland, on 7 and 8 October 2014, within the framework of the International Dialogue on Migration (IDM). The workshop was the second in a series of two workshops organized in 2014 under the overarching theme, “Migration Human Mobility and Development: Emerging Trends and New Opportunities for Partnerships”. It focused on family migration and on the differential and challenging impact of migration on the family unit and its members, and offered policymakers and practitioners an opportunity to showcase and exchange policies, cooperation and partnership frameworks, and lessons learned. The workshop also discussed practical solutions at the regional, national and international levels to respond to the challenges that migrant families and their members are facing.

MPP Readers' Survey

Migration Policy Practice (MPP) was launched three years ago and the editors would now like to invite readers to spare a couple of minutes to participate in a short readers' satisfaction survey.

The purpose of this survey, which can be taken anonymously, is to help us identify our readers' profiles, the institutions they represent and their primary interests in our journal. The survey's responses will contribute, in particular, to adjusting and improving, as appropriate, *MPP's* content and style, and thus the reader's experience.

Should you wish to participate in this survey, please [click here](#).

Thank you.





Call for authors/Submission guidelines

Since its launch in October 2011, *Migration Policy Practice* has published over 110 articles by senior policymakers and distinguished migration policy experts from all over the world.

Past authors have included, *inter alia*:

Eric Adja, Director General of the International Migrants Remittances Observatory (IMRO) and Special Adviser to the President of Benin; *John K. Bingham*, Global Coordinator of civil society activities in the United Nations High-level Dialogue on International Migration and Development and the Global Forum on Migration and Development; *Ambassador Eva Åkerman Börje*, Chair of the GFMD 2013-2014; *Mark Cully*, Chief Economist at the Australian Department of Immigration and Border Protection; *António Guterres*, United Nations High Commissioner for Refugees; *Khalid Koser*, Chair of the World Economic Forum Global Agenda Council on Migration; *Khalid Malik*, Director of the Human Development Report Office, United Nations Development Programme (UNDP); *Cecilia Mamlström*, EU Commissioner for Home Affairs; *Ali Mansoor*, Chair of the GFMD 2012; *Andrew Middleton*, Director of Culture, Recreation and Migrant Statistics, Australian Bureau of Statistics; *Najat Maalla M'Jid*, United Nations Special Rapporteur on the sale of children, child prostitution and child pornography; *Robert A. Mocny*, Director of US-VISIT, US Department of Homeland Security; *Imelda M. Nicolas*, Secretary of the Commission on Filipinos Overseas (CFO), Office of the President of the Philippines; *Ignacio Packer*, Secretary General of the Terre des Hommes International Federation; *Kelly Ryan* (Coordinator of the Intergovernmental Consultations on Migration, Asylum and Refugees – IGC, Geneva); *Martin Schulz*, President of the European Parliament; *David Smith*, Director of Surveys and Reporting, Australian Department of Immigration and Border Protection; *Sir Peter D. Sutherland*, Special Representative of the UN Secretary-General for Migration; *Ambassador William Lacy Swing*, Director General of the International Organization for Migration (IOM); *Myria Vassiliadou*, EU Anti-Trafficking Coordinator, European Commission; *Catherine Wiesner*, Deputy Assistant Secretary of State, Bureau of Population, Refugees and Migration, US Department of State.

Migration Policy Practice welcomes submissions from policymakers worldwide. As a general rule, articles should:

- Not exceed five pages and be written in a non-academic and reader-friendly style.
- Cover any area of migration policy but discuss, as far as possible, particular solutions, policy options or best practice relating to the themes covered.
- Provide, as often as applicable, lessons that can be replicated or adapted by relevant public administrations, or civil society, in other countries.

Articles giving account of evaluations of specific migration policies and interventions, including both evaluation findings and innovative evaluation methodologies, are particularly welcome.

To discuss any aspect of the journal, or to submit an article, please contact:

- **Solon Ardittis** (sardittis@eurasylum.org); and
- **Dr Frank Laczko** (flaczko@iom.int)