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MOVING TO SAFETY: MIGRATION CONSEQUENCES OF COMPLEX CRISES¹

Background Paper

Introduction

“Migration crises” constitute large-scale, complex migration flows as a result of crises.² This paper explores ways to complement humanitarian systems with migration management approaches in responding to migration crises. It argues that complex crises produce varied mobility patterns which are better addressed using *both* humanitarian and migration management frameworks. The latter encompasses policies in the areas such as facilitating migration (e.g. labour, family migration); regulating migration (e.g. return, border management); migration and development (e.g. remittances, diaspora); and cross-cutting protection provisions (e.g. human rights, access to asylum). Complex crisis can be triggered by a range of causes which may be natural, man-made or both, as well as sudden or slow in onset. As a complex crisis manifests, it typically generates disorderly and predominantly forced movements of people, either internally or across borders, which expose affected populations to significant vulnerabilities. Population movements prompted by crisis events have lasting implications for societies, economies, development, environments, security and governance – dimensions that extend far beyond the scope of humanitarian systems and response.³

Complementary to humanitarian preparedness, response and recovery frameworks for complex crises, a migration management approach examines all phases related to crisis response from the standpoint of human mobility. Measures aim to limit the adverse effects of unplanned, often forced migration on individuals and communities, while also recognizing the role of mobility as a survival or coping mechanism. Managing migration crises requires an analytical understanding of pre-crisis migration patterns, structural push- and pull factors driving (or restricting) movement, and the role of human

¹ This paper relates to the first workshop of the International Dialogue on Migration in 2012. A second IDM workshop, *Protecting migrants during times of crisis: immediate responses and sustainable strategies* (13 and 14 September 2012), will examine the specific issue of migrants caught up in crises in transit and destination countries (e.g. the situation of migrant workers in and around Libya in 2011). For this reason, this issue is not explicitly dealt with in the present paper.

² A list of key terms is contained in the annex to this paper.

³ Nothing in this paper intends in any way to supplant the Inter-Agency Standing Committee (IASC) system or responsibilities, but rather looks at bringing to bear migration management approaches in addressing crises which affect the movement of people.

agency and vulnerability⁴ in migration decisions. There is a growing recognition that existing legal categories of crisis-affected persons – such as refugees or internally displaced persons – may not fully capture the varied conditions of people in crisis situations, the many avenues used by persons to escape such situations, and the changing nature of circumstances over time. Approaches that focus solely on displaced persons, for example, may fail to reflect other realities – such as the high vulnerability of persons *unable* to migrate during crises and remaining trapped in dangerous conditions. Placing crisis-related mobility in a larger migration context can shed light on latent structural factors which determine people’s migration behaviour before, during and after a crisis and promote effective ways to protect, assist and guarantee the human rights of affected persons.

In short, in order to deal with migration crises policymakers need to understand the variety of migration patterns that can result from complex crises; identify ways to better apply migration policy tools alongside existing humanitarian frameworks; and be aware of the role of mobility in overcoming crises, including the predicament of “trapped” populations. This paper will lay out some key humanitarian and strategic advantages of addressing migration crises through a broader migration management approach. In doing so, a range of policy and operational tools, both from a humanitarian and migration perspective, are explored along a “migration management cycle” — including preventing, preparing, and managing the migratory consequences of crises, mitigating their impacts, and addressing broader ramifications, including from a broader development perspective. Some of the principal questions for consideration by policymakers are:

- How can migration management frameworks support responses to crises, both immediately and in the longer term?
- What are the specific roles and responsibilities of States and the international community in addressing the migration consequences of crises?
- What lessons drawn from responses to internal displacement can be transferred to cross-border forced migration, and vice versa?
- What are the main differences when responding to migration crises in different contexts, such as natural disasters or conflicts, urban or rural displacement?
- In what ways does human mobility heighten or lessen vulnerability? How can States and the international community better prevent and prepare for forced migration and protect migrants, while supporting mobility for the benefit of crisis-affected populations?

Understanding migration crises in a broader mobility context

Forced migration has ordinarily been equated with sudden, spontaneous flight, but less easily associated with situations where gradual changes propel the migration of people who lack viable alternatives for livelihoods. Most crisis situations include the forced movement of people towards alternative locations promising safety and survival, either within their own country or across international borders. Movements may be sudden and unanticipated or take place through a less visible, slow rate of migration which intensifies over time. Crisis-related migration poses unique challenges, especially where it occurs on a large scale. Nevertheless, it is essential to understand that it occurs within a broader migration context: whether and how people migrate before a crisis situation will influence whether and how they

⁴ Human agency can be broadly understood as the capacity of an individual to make choices and shape outcomes. Conversely, conditions of vulnerability imply a loss of control and capacity to make choices. Migrants, for instance, are not passive “components” of the migration process, but rather actors with an active role in shaping migration and its outcomes. However, conditions of vulnerability can severely restrict the extent to which a migrant can freely take decisions, thus giving rise to forced migration.

move during and after such an event. The following dynamics are relevant in understanding the migration consequences of complex crises:

Firstly, pre-existing **push- and pull factors** influencing migration patterns generally remain relevant during crises.⁵ It is important to realize that crisis-related “push” factors might be the immediate *cause* of forced migration, but that the “pull” of different possible trajectories and destinations as well as the agency and circumstances of each individual are significant in shaping this displacement. For example, pre-crisis migration patterns can provide an indication of the routes and types of movement likely to be seen in a crisis event. Factors such as the existence of networks, the physical accessibility of places, or a propensity to move to urban areas do not necessarily break down during crises but rather determine people’s mobility strategies in the event. For instance, an imminent disaster may prompt flight, but access to infrastructure, transportation or family relations in a nearby town may modulate actual displacement patterns. Indeed, simplistic distinctions between “forced” and “voluntary” migration are increasingly problematic as a basis for responding to the needs and vulnerabilities of persons affected by crises, as they disregard the exogenous factors and human agency that shape, drive or restrict mobility decisions during crises. Accordingly, forced migration may be better explained by the relative strength of push-and pull factors, and the interplay between them.

Secondly, **pre-crisis social, economic and political conditions** shape migration behaviours in a variety of ways and will thus influence the migration consequences of crises. Different groups and individuals will experience the threats presented by a crisis situation in different ways: an entire city or village, for example, might face rising flood waters, but the individual motivations and capacities to leave these conditions will depend on a series of individual and household characteristics. A deeper examination of these nuances is fundamental to effective crisis response – such as the understanding that people with fewest options for migration may in fact be the ones most vulnerable and most exposed to risks during a crisis event.⁶

Thirdly, a fundamental challenge in the management of forced migration relates to meeting the various protection and assistance needs in “**mixed migration flows**,” when different groups use similar migration routes or end up in the same destination. Mixed flows may include internally displaced persons, refugees, asylum seekers, environmental migrants, stranded migrants, unaccompanied minors, victims of trafficking, smuggled persons, and economic migrants, among others categories of migrants.⁷ International and regional legal frameworks have established a range of important categories (first and foremost that of the refugee) to determine entitlements to protection and assistance. The complexity of modern crises and forced and mixed migration situations, however, exposes displaced individuals to a variety of crisis-related risks, vulnerabilities, human rights violations and levels of socio-economic deprivation not necessarily captured by existing legal categories.⁸ In addition, the circumstances of displacement may shift over time, thus changing the ascribed categories and legal statuses of affected

⁵ Exceptions to this are of course possible: for instance, rural-to-urban migration flows may slow down or even be reversed if a crisis hits a major city.

⁶ This resonates with empirical evidence concerning migration behaviour in general, i.e. the fact that migration requires resources, especially international or long-distance migration. The growing body of research into migration as a response to environmental degradation and natural disasters further substantiates the point that poor and marginalized communities tend to be least able to move out of harm’s way.

⁷ For more on IOM’s perspective on mixed migration flows, see the IOM Council papers 2008 *Challenges of Irregular Migration: Addressing Mixed Migration Flows* (MC/INF/294) and 2009 *Irregular Migration and Mixed Flows: IOM’s Approach* (MC/INF/297).

⁸ For example, see Koser, K (2012) *Protecting migrants in complex crises*. Geneva Centre for Security Policy, Policy Paper 2012/2.

persons.⁹ There is no doubt that existing categories and their concomitant protection guarantees must be safeguarded. Nevertheless, they could be usefully complemented with a greater focus on vulnerabilities stemming from the concrete *conditions* experienced by individuals and specific populations: these may relate to the individual person (e.g. gender, health and age factors); to endogenous circumstances (e.g. access to livelihoods and coping mechanisms); or to the process of displacement (e.g. human rights violations and trauma suffered during the course of a journey).

Fourthly, **migration crises are not static events**. Crisis-related migration rarely ends with one-time, linear displacement from one place to another. Especially once the initial emergency phase has passed, or where displacement has become protracted, the migration consequences of a crisis take a number of complex forms. Return to the place of origin in pursuit of durable solutions is traditionally considered a preferred option, but is often not possible, wanted or practical. Where crisis conditions persist, secondary displacement may take place. Some among those displaced may seek permanent, temporary, seasonal or circular migration options within their own country and across borders; other may be forced to opt for irregular migration or the services of people smugglers; while others still could be at risk of human trafficking. Importantly, however, from a migration perspective, it may be misleading to regard all migration as contradictory to the aim to “end displacement.” Instead, facilitated mobility is part of a long-term recovery strategy.¹⁰

Addressing the migration consequences of complex crises

As has been argued above, the migration consequences of complex crises need to be tackled using both humanitarian and migration management frameworks. Elaborate and effective legal and operational tools and frameworks exist to guide humanitarian preparedness, response and recovery for crisis situations¹¹, and to ensure protection and assistance for affected populations, including those displaced.¹² Limiting forced migration to the extent possible is the obvious and legitimate aim. Yet the most successful policies will also seek to accommodate the migration patterns and strategies of populations trying to cope and adapt to crises. Mobility can be a crucial strategy for accessing rights and livelihoods, and is deliberately employed as such by individuals and communities. Therefore, humanitarian approaches can be strengthened through a deeper understanding of the migration context and more systematic application of migration policy tools. A better awareness and tracking of population movements before and during a crisis can usefully underpin preparedness, protection and assistance efforts. Furthermore, different migration policy options can be used to ensure protection, limit protracted displacement and support post-crisis recovery processes. Facilitating mobility as a coping strategy before a serious crisis strikes can also prevent excessive suffering and forced migration in the event.¹³

⁹ For instance, persons may have originally moved to escape war or violence, but are eventually unable to return home due to a lack of livelihoods and economic perspectives.

¹⁰ The use of migration strategies by individuals and communities to cope with displacement / crisis situations is increasingly well documented. For example, see Long, K (2011) *Permanent crises? Unlocking the protracted displacement of refugees and internally displaced persons*, as well as studies cited therein. This notion also contests the “sedentary bias” – the assumption that *not* moving is the norm – which traditionally shaped research, policymaking and, to a certain extent, operational responses.

¹¹ Principally among them are the various systems created by the Inter-Agency Standing Committee, including the “cluster system”, the IASC Framework on Durable Solutions (2010) and others.

¹² Human rights instruments apply to all individuals within a State’s jurisdiction affected and/or displaced by crises. Other instruments of particular relevance include the Guiding Principles on Internal Displacement; 1951 Convention Relating to the Status of Refugees, its 1967 Protocol; the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime.

¹³ This point is corroborated by findings presented in *Foresight: Migration and Global Environmental Change* (2011) Final Project Report, Government Office for Science, London.

The four interrelated dynamics described above – the interplay between push- and pull factors; pre-crisis structural factors; the diverse needs and conditions encountered during displacement; and the evolving nature of migration patterns during and following a crisis – approximately chart the “before, during and after” of a crisis. Accordingly, the migration management cycle¹⁴ described below briefly outlines some of the key issues behind managing migration, before and during a crisis and in the longer term. It suggests various policy and operational tools to confront these challenges, including both humanitarian and migration considerations. Each stage of the cycle will require coordinated “whole of government” approaches, effective partnerships between governmental and non-governmental actors, cooperation among States and with international organizations, and resource and capacity-building investments to strengthen institutions, instruments, tools and systems at national, regional, and global levels.

The migration management cycle

See table below

Conclusion

This paper has argued that a nuanced understanding of the migration consequences of complex crises is fundamental in dealing with migration crises. The migration consequences of crises are varied, evolve over time, and involve a range of people whose displacement conditions may not necessarily be captured by existing legal categories. Whether forced migration is internal or international, the needs and profiles of those on the move will be highly differentiated. For this reason, systems need to be capable of anticipating vulnerabilities and providing protection according to different conditions and circumstances, based on human rights and other existing frameworks for protection and assistance. Additionally, as presented in this paper, approaching migration crises from a migration management lens can reinforce the capacities of States and the international community to respond to short- and long term needs of affected populations, taking into account their evolving situation. Lastly, migration crises do not happen in isolation from a broader development context which strongly influences the migration consequences of complex crises, levels of vulnerability, and response capacities.

¹⁴ The migration management cycle was initially developed by IOM to conceptualize the spectrum of the Organization’s activities in relation to migration crises, caused, for instance, by natural disasters. The cycle has since been adapted to assist States and humanitarian actors in considering a range of policy and operational interventions as well as capacity-building needs to manage migration in relation to crisis situations.

The migration management cycle in migration crises

* It is fully recognized that distinctions between humanitarian and migration dimensions are not always clear cut. **Measures followed by an asterisk in this table could arguably fit in both categories.** In addition, the reader should bear in mind that development considerations necessarily cut across the tools listed below, and some of the actions in fact enter the realm of development policy. Lastly, the below represents a selection, not an exhaustive list.

Phase	Key issues / objectives	Operational and policy tools	
		Humanitarian dimension	Migration dimension
Preventing forced migration	<ul style="list-style-type: none"> - To identify the causal factors of forced migration - To assess size and nature of populations potentially at risk of forced migration - To understand household characteristics influencing resilience (e.g. size, composition, income, assets, location, social networks, access to mobility strategies) - To balance prevention of forced migration and facilitation of migration as a (preventive / reactive) adaptation mechanism 	<ul style="list-style-type: none"> - Monitoring of crisis-prone areas and “tipping points” for forced / mass migration* - Conflict prevention systems for conflict-prone settings - Vulnerability and capacity assessments - Disaster risk reduction and creation of sustainable livelihoods 	<ul style="list-style-type: none"> - Analysis of structural drivers and migration patterns to gain clues of potential pathways for displacement - Facilitating migration as an adaptive / preventive strategy - Leveraging migration and remittances and diaspora linkages for local development
Preparing for forced migration	<ul style="list-style-type: none"> - To build resilience and preparedness of communities to cope during crisis - To prepare for inevitable / life-saving displacement - To minimize the impact of disasters on life and livelihoods and the length of displacement and recovery - To identify the most vulnerable people prior to a disaster and set up adequate systems 	<ul style="list-style-type: none"> - Contingency planning for potential displacement (clarifying responsibilities, capacity and resources needs, and coordination between local, national and international actors)* - Stockpiling of shelter, NFI and other material - Strengthening capacities and infrastructure in areas likely to receive displacement flows (e.g. border 	<ul style="list-style-type: none"> - Use knowledge of pre-existing mobility patterns / monitoring to anticipate likely displacement scenarios and provide a baseline for humanitarian response - Identification of infrastructure / sites for evacuation / temporary relocation* - Capacity-building of local response mechanisms (incl. in camp management) - Integrated border management systems

		<p>regions, urban areas)*</p> <ul style="list-style-type: none"> - “Early Warning – Early Action Systems” - Multilateral, regional, bilateral and national response systems to humanitarian crisis (e.g. coordinated by UN Office for the Coordination of Humanitarian Affairs –UN OCHA) 	<p>to ensure protection at the border, especially in case of mass displacement and mixed flows</p> <ul style="list-style-type: none"> - Protection and assistance provisions for displaced persons, including asylum and temporary protection policies - Planned relocation policies for areas predicated to become uninhabitable - Bilateral and regional agreements on timely coordinated response to migration crisis situations
Managing forced migration	<ul style="list-style-type: none"> - To ensure effective protection and assistance to displaced populations in respect of humanitarian principles - To address differentiated needs, rights and vulnerabilities in mixed migration flows - To address and alleviate health, psychosocial and other risks and impacts - To consider those <i>not</i> displaced and their potentially heightened vulnerability due to inability to move 	<p><i>Internal displacement:</i></p> <ul style="list-style-type: none"> - Application of human rights guarantees* - Application of Guiding Principles on Internal Displacement* - Implementing displacement tracking procedures, profiling and registration of displaced populations* - Camp management and support to host families/communities* - Coordination and collaboration among all responsible actors and humanitarian providers (i.e. “Cluster Approach”) <p><i>Cross-border displacement:</i></p> <ul style="list-style-type: none"> - Application of human rights guarantees* - Application of <i>non-refoulement</i> guarantees* - Rapid and effective determination of legal status and entitlements* - Camp management and support to host families/communities* 	<p><i>Internal displacement:</i></p> <ul style="list-style-type: none"> - Facilitate internal mobility - Organized movements to place of safety <p><i>Cross-border displacement:</i></p> <ul style="list-style-type: none"> - Evacuation as a protection tool for stranded individuals* - Temporary protection status as an admission policy during mass influx* - Temporary protection status to halt the removal of foreign nationals to countries of origin in crisis* - Expedited family reunification / other visa procedures for individuals from countries in crisis - Temporary work permits for individuals from countries in crisis - Access to asylum / refugee status for persons in need of international refugee protection*

		<ul style="list-style-type: none"> - Provision of assistance by neighbouring countries / international community 	
Mitigating the impacts of forced migration	<ul style="list-style-type: none"> - To avoid negative consequences of displacement for environment and livelihoods of transit / destination communities - To prepare urban infrastructure for slow / rapid influx of displaced populations - To consider safety and security implications of armed groups moving undetected among civilian populations 	<ul style="list-style-type: none"> - Minimizing environmental footprint (e.g. “Sphere Standards”) - Community stabilization and conflict mitigation measures to prevent tensions and promote social cohesion (especially in receiving communities of migration flows) - Disarmament, demobilisation, reintegration activities 	<ul style="list-style-type: none"> - Monitoring and tracking of population movements and their impacts* - Special assistance to individuals in vulnerable circumstances (e.g. trafficking, abuses suffered during transit) - Reducing incentives for dangerous irregular migration - Integrated border management to process the different types of migrants and ensure targeted and appropriate protection and assistance
Addressing forced migration – comprehensive humanitarian, migration and development approaches	<ul style="list-style-type: none"> - To end displacement in a durable manner - To avoid protracted displacement / further forced migration - To tackle displacement within a broader migration context - To recognize the link between (secondary) displacement, pre-existing migration patterns, livelihood strategies and development 	<ul style="list-style-type: none"> - Durable solutions (long-term safety and security and freedom of movement; adequate standard of living; access to employment and livelihoods; and access to effective mechanisms that restore housing, land and property or provide compensation)* - Sustainable development and access to sustainable livelihoods - Sound legal framework, management structure, and processing methodology to resolve housing, land and property issues - Peace building and conflict resolution (incl. transitional justice) - Community stabilization measures to prevent tensions and promote social cohesion (especially in receiving communities of migration flows) - Recovery and transition programming 	<ul style="list-style-type: none"> - Facilitated regular and safe mobility as a long-term recovery strategy, e.g. via liberalized regional regimes - Temporary and circular labour migration / student migration / family reunification schemes targeting nationals from countries in post-crisis transition / recovery - Engagement with diaspora community to support reconstruction and recovery - Re-evaluation of temporary protection status in <i>de facto</i> permanent situations - Return - Local integration - Resettlement

Annex: Key Terminology

Migration crisis: There is no formal definition of this term. IOM uses “migration crisis” to describe large-scale, complex migration flows due to a crisis which typically involve significant vulnerabilities for individuals and communities affected. A migration crisis may be sudden or slow in onset, can have natural or man-made causes, and can take place internally or across borders.

Forced migration: A migratory movement in which an element of coercion exists, including threats to life and livelihood, whether arising from natural or man-made causes (e.g. movements of refugees and internally displaced persons as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects).

(IOM Glossary on Migration¹⁵)

Displacement: A forced removal of a person from his or her home or country, often due to armed conflict or natural disasters.

(IOM Glossary)

Mixed flows: Complex migratory population movements that include refugees, asylum-seekers, economic migrants and other migrants, as opposed to migratory population movements that consist entirely of one category of migrants.

(IOM Glossary)

Complex emergency: A humanitarian crisis in a country, region, or society where there is a total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response that goes beyond the mandate or capacity of any single agency and/or the ongoing UN country programme.¹⁶

(IASC)

Internally displaced person: Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.

(Guiding Principles on Internal Displacement)

Refugee: A person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, 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.

(1951 Convention Relating to the Status of Refugees)

¹⁵ IOM (2011) Glossary on Migration, 2nd Edition, International Migration Law N°25.

¹⁶ Note that this paper deliberately employs a broader term (“complex crisis”) to encompass a) multicausality as well as multiple outcomes of a crisis and b) all stages of a crisis, not just the initial emergency phase.