

## Frequently Asked Questions About the Migrants in Countries in Crisis Initiative

### 1. What is the Migrants in Countries in Crisis initiative?

The Migrants in Countries in Crisis (MICIC) initiative is a State-led undertaking which seeks to improve the ability primarily of States and, where relevant, other stakeholders to prepare for, respond to, alleviate suffering, and protect the dignity and rights of migrants caught in countries in situations of acute crisis. The parameters will be quite narrow – it will apply to migrants in countries that are in crisis, not to migrants in situations of personal crisis.

When countries experience such crises, migrants may lack adequate means to ensure their own safety. They can “fall between the cracks” because no frameworks exist delineating the responsibilities of State and other actors, unlike the case with refugees.

### 2. Who are the beneficiaries of this initiative?

Migrants are defined broadly to include all non-nationals/non-citizens who are present in the country affected by a crisis and who do not benefit from international protection as refugees. This encompasses individuals with and without legal status in the country, as well as those present in the country temporarily or on a short-term basis and those residing permanently but who are not citizens. This could include tourists, business travelers, foreign students, marriage migrants, migrant workers and their families, victims of trafficking and smuggled migrants. Some may have citizenship of other countries, whereas others may be stateless. Some affected groups, notably refugees and asylum seekers, are entitled to specific legal protections under existing frameworks, and will enjoy rights that will persist even in the event of further cross-border displacement to a new hosting country.

### 3. How does the initiative define ‘crisis’?

Crises may arise when social, political, economic, natural or environmental factors or events combine with structural vulnerabilities and/or when the magnitude of those events or factors overwhelm the resilience and response capacities of individuals, communities, or countries. This initiative focuses on two types of acute crises whose magnitude demands a significant humanitarian response by the authorities of the country in crisis and/or by the international community: those triggered by (1) natural disasters (e.g. hurricanes, earthquakes, tsunamis, and sudden and slow-onset floods); and by (2) conflict (e.g. civil unrest, generalized violence and/or international or non-international armed conflict).

### 4. What is the initiative’s scope?

The initiative will focus not only on the emergency phase of a crisis, but also on pre- and post-crisis phases in order to comprehensively address situations in which migrants are caught in countries in crisis:

- **Pre-crisis.** The extent and soundness of migration governance structures that are in place prior to a crisis will greatly affect migrants’ situation during a crisis. A range of preparedness measures are essential to ensure an efficient and robust response during crises.

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- **During crises.** It is important to ensure that migrants have access to the same life-saving assistance and protection available to citizens. Targeted actions may be needed, however, to overcome specific obstacles faced by migrants.
- **Post-crisis.** Whether migrants remain in the country which experienced the crisis, move into another country, or return to their home country, migrants continue to face challenges including protection issues, detention, destitution, health and psychosocial consequences of their experiences, debt, loss of livelihoods, and reintegration challenges.

#### **5. What is the initiative's goal and how will the outcome be implemented?**

The overarching goal is to improve the ability and capacity of States and other relevant stakeholders to better manage situations where migrants suddenly ended up in a vulnerable situation in a country in crisis.

Ultimately, the initiative aims to produce a set of voluntary guidelines, principles and best practices, laying out the roles and various levels of responsibility of States (host, origin, neighboring), international organizations, and other stakeholders (employers, NGOs, etc.).

Being voluntary in nature, the envisioned guidelines will set out principles, roles and responsibilities of different stakeholders vis-à-vis migrants in countries in crisis. They will not be enforced by any international body or law. It will be up to stakeholders to decide when and how they wish to use it.

#### **6. Will the initiative mobilize funds for direct humanitarian assistance or emergency response?**

The initiative does not envision the creation of any mechanism to fund situations to assist migrants in countries in crisis. It will compile good practices in preparing for, responding to, and addressing longer-term consequences of crisis situations. The idea is to produce a set of non-binding, voluntary guidelines, which will set out principles, roles and responsibilities of different stakeholders vis-à-vis migrants in countries in crisis. Such guidelines could be used by stakeholders providing humanitarian assistance and emergency responses.

Donors may wish to provide assistance to countries and other stakeholders to build their capacity to implement the guidelines once these are agreed upon. MICIC is not an emergency fund. IOM has an existing Migration Emergency Funding Mechanism, established in 2011 to facilitate IOM's response capacity and provision of rapid assistance in emergencies involving migration, including those encompassed by the MICIC definition.

#### **7. How is the initiative financed?**

To date all working group activities have been performed by working group participants with existing resources. Individual members of the MICIC working group may consider funding an administrative secretariat, relevant research, and later consultation processes.

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**8. Will there be funding to help implement guidelines?**

The MICIC initiative itself does not call for funding. Donors may see value in providing funding to help stakeholders implement or build capacity to implement the guidelines.

**9. Who is part of the MICIC working group and how did the working group come together?**

During the 2013 United Nations High Level Dialogue on International Migration and Development (HLD), the United States and Philippines, working with interested governments, agreed to co-lead the MICIC initiative. Following the HLD, the United States and Philippines identified a small working group, consisting of the governments of Australia, Bangladesh, Costa Rica, Ethiopia, as well as the European Commission.

The partners in the working group were chosen because they are leaders in their respective regions in pieces of the MICIC initiative – be it typhoon preparedness, a responsive consular system, or reintegrating returned migrants. The countries are also geographically representative, and therefore have firsthand knowledge of different types of natural or manmade disasters and conflicts.

The International Organization for Migration (IOM), the UN High Commissioner for Refugees (UNHCR), Professor Susan Martin of the Institute for the Study of International Migration of Georgetown University, and the Secretary General's Special Representative for International Migration, Peter Sutherland, also joined the working group.

**10. What is the initiative's process and timeline?**

Over the next year or so, the working group will participate in numerous consultations with a variety of stakeholders, generally as part of previously scheduled multilateral events and existing frameworks. These consultations will feed into the working group's compilation of evidence-based best practices and guidelines.

The initiative does not have an anticipated completion date and wants to take the time needed to adequately inform stakeholders about the aim of the MICIC initiative, generate support, learn from the perspectives of those being consulted, including best practices, policy options, and practical ideas for operational responses, and get buy-in from stakeholders.

This first phase of consultations will take place during calendar years 2014 and 2015, mainly through consultations taking place as part of or alongside existing forums and meetings, as appropriate. This may be followed by a second phase of consultations consisting of stand-alone meetings.

**11. Why focus on migrants in countries in crisis now?**

Over the past ten years the world witnessed a number of natural disasters and conflicts, including the Asian tsunami in 2004, the 2011 crisis in Libya, Hurricane Sandy in the United States, and the Fukushima earthquake and tsunami in 2012, in which migrants have been among those seriously affected. Given the growing number of migrants around the world, the consequences of crises for migrant populations will likely be a significant feature of future crises and need to be factored into humanitarian response mechanisms.

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A number of calls have gone out in recent years to develop better ways of addressing the effects of these kinds of crises on migrants. Among these were the Secretary General's Special Representative for International Migration, Peter Sutherland, calling on countries to collaborate and develop an approach on migrants caught in crisis; the International Organization for Migration developing a Migration Crisis Operational Framework and dedicating part of the 2012 International Dialogue on Migration to migrants caught in crises; and the United States devoting its 2010-2011 chairmanship of the Intergovernmental Consultation on Migration, Asylum and Refugees to the theme of Humanitarian Responses to Crises with Migration Consequences. Discussions during the recently concluded High Level Dialogue on International Migration and Development also touched on the need for an initiative to address the impact of these acute crisis situations on migrants.

The working group believes that the time is right for the international community to come together through a voluntary, bottom-up and State-led process to better coordinate the international response to these kinds of crises.

## **12. How does this initiative relate to the Nansen Initiative?**

The Nansen Initiative is a State-led process that is currently examining cross-border displacement scenarios resulting from natural disaster, including those linked to climate change. The MICIC initiative will focus exclusively on migrants affected by natural disaster and civil unrest. There is some overlap in cases where migrants are displaced across borders because of natural disaster. The MICIC working group will coordinate with Nansen.

## **13. How does the initiative relate to IOM's Migration Crisis Operational Framework?**

IOM's Migration Crisis Operational Framework (MCOF), approved by IOM's Member States in 2012, is broader in scope than the MICIC initiative. The MCOF is designed to promote an improved and more coherent approach to a range of migration dimensions of humanitarian crises. It is based on the concept of "migration crisis", a term that describes the complex and often large-scale migration flows and mobility patterns caused by a crisis which typically involve significant vulnerabilities for individuals and affected communities and generate acute and longer-term migration management challenges. The migration crisis approach can apply to all types of population movements resulting from a crisis situation. Amongst others, the MCOF draws attention to particular groups affected by crisis, including international migrants. Therefore one of the situations which the MCOF addresses is the impact of crises on migrants.

Through the MCOF, IOM supports States to fulfil their responsibility towards crisis-affected populations, upon States' request and with their consent. The MICIC working group will look at how stakeholders can work with the MCOF in responding to MICIC-type crisis.

## **14. How can I get involved?**

If you are interested in MICIC and have experience in one or more facets of our initiative, we want to hear your thoughts, experiences, and any best practices you can impart. So far we have identified a list of stakeholders, which includes but is not limited to: governments, members of civil society, the private sector, academia, NGOs, international organizations, employers, and migrants themselves. We hope interested stakeholders will participate in the MICIC consultation process.