

Local MICIC Guidelines

A consultation document

This blueprint of the local MICIC guidelines, developed by IOM, was presented at the 3rd edition of the Global Mayoral Forum on Migration and Development, which took place in Quezon City, Philippines, 29-30 September 2016. It constitutes the substantive basis for further testing and piloting by municipalities of the ASEAN region, grouped under the umbrella of the Informal Working Group (IWG) co-chaired by the Mayors of Quezon and Legazpi city, with a view to incorporate the regional document into the formal agenda of the ASEAN Summit, November 2017.

***PROTECTING MIGRANTS
IN EMERGENCY SITUATIONS***
Proposed Draft Set of Guidelines for Local Authorities

I. EXECUTIVE SUMMARY

This document is a first proposed draft set of guidelines designed to guide local authorities in their respective and collective efforts to protect migrants in emergency situations. Building on the outcomes of the MICIC Initiative, these recommendations¹ are proposed as a starting point for a discussion among and within local authorities on this topic, as well as for the development of more targeted guidelines to be applied in actual local-level contexts.

II. CONTEXT

There are currently an estimated 244 million international migrants and 750 million internal migrants in the world. Many more people move on short distances, for short periods, and in ways that go unrecorded by official migration statistics. Human mobility increasingly is one of the defining features of today's global society, with profound implications for migrants' countries of origin and destination all around the world.

While migration policies are most likely to be defined at national and international levels, it is at the local level that the implications of human mobility on people's well-being and security will be most meaningfully addressed. The actual consequences of population movements, and of the flows of information, resources and practices they underpin, are felt at the local level: they shape the size and distribution of human settlements; the way they are interconnected; and the local availability of (and demand for) resources and services.

Migrants are becoming, and will become, an increasingly significant component of settlements all around the world – due to their increasing number, as well as to the way they influence their communities' culture and identity. For the benefit of societies as a whole, they need to be included in systems that support access to services, resources and opportunities – key elements of the respect of basic rights that are tightly connected to the idea of citizenship, and at the core of the mandate of local authorities. Working with

¹ IOM is the leading author, with contributions from UNITAR and Quezon municipality.

communities that are growing increasingly diverse, including as a consequence of migration flows, requires local authorities to understand, address and leverage the different needs and capacities of their diverse jurisdiction. Many local authorities indeed show a long-standing practice of non-discrimination and inclusion towards their citizenry regardless of their origin or their immigration status.

In the face of unprecedented population movements, the inclusion of migrants is, and will be a key variable for the effectiveness of local public policies and basic service provision. This also applies to emergency preparedness, response and recovery efforts – a concern for cities globally since no area is completely immune to natural disasters, conflicts or other kinds of emergencies.

The MICIC Initiative Guidelines and their relevance for local authorities

Migrants are often disproportionately affected by crises such as conflicts or natural disasters in places in which they are living, working, studying, traveling, or transiting. The earthquake and tsunami in Tohoku, Japan (2011), the floods in Thailand (2011), hurricane Sandy in the United States (2012), and the outbreak of conflicts in the Central African Republic and in Yemen in recent years are but a few, recent examples where the vulnerability of migrants has been strikingly obvious. While they can be exceptionally resilient and resourceful, migrants (both internal and international) often face language barriers, restrictions on mobility, irregular immigration status, confiscated or lost identity or travel documents, limited social networks, isolation, and attacks and discrimination that make them particularly vulnerable in the face of such crises.

The Migrants in Countries in Crisis (MICIC) Initiative was conceived to address these challenges: following a call for action during the 2013 UN General Assembly High-level Dialogue on International Migration and Development, the governments of the Philippines and the United States launched the MICIC Initiative in 2014 to develop voluntary, non-binding guidance on how to better protect and assist migrants in countries experiencing conflicts or natural disasters. Resulting from a broad, multi-stakeholder consultation process, the “Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster”, released on 10 June 2016, outline concrete and practical advice on what can be done to decrease migrants’ specific vulnerabilities and improve the capacity of different actors to respond to emergency situations in which they might be involved.²

² *The MICIC Initiative is strictly connected with a number of policy regimes, processes and documents that are relevant to the global agenda on migration and human mobility.*

The Guidelines provide indications to improve assistance for migrants in crisis situations, thereby reducing the impacts of humanitarian crises and addressing a key concern expressed in the World Humanitarian summit outcome document. They can also be used to help better include migrants in disaster risk reduction efforts and create more resilient communities, in direct furtherance of

Although developed to specifically address the issue of international migrants in the event of a conflict or natural disaster, the MICIC Guidelines provide useful guidance to help strengthen action to better protect all vulnerable migrants, including internal migrants, in areas preparing for – or experiencing – crises of any kind (including e.g. industrial accidents and terrorist attacks).

The Guidelines include advice on how different actors can better prepare to address the needs of migrants during crises, can respond to crises in ways that protect migrants, and help migrants and communities recover from crises. They stress the need for a collaborative approach, whereby local stakeholders (including local authorities, non-governmental and community based actors and the private sector), plan and respond in partnership with local governments of other areas and national, regional and international institutions in order to use limited resources and capacities effectively, and improve overall responses.

The repository supplements the MICIC Initiative Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster. It comprises over 200 existing practices of States, international organizations, private sector actors, and civil society that were identified through broad and inclusive consultations, research, or submissions. The practices are illustrative of actions undertaken by these stakeholders and relate to migrants in the context of conflicts or natural disasters. The online repository can assist stakeholders to exchange knowledge and expertise³.

The next section draws on the MICIC Initiative Guidelines to propose a set of recommendations that recognize and highlight the specific role and responsibilities of local authorities in the definition of migrant-inclusive emergency preparedness, response and recovery efforts.

III. RECOMMENDATIONS

the objectives of the Sendai Framework for Disaster Risk Reduction. The Initiative supports the empowerment of migrants and the achievement of Goal 10 of the 2030 Agenda for Sustainable Development on reducing inequality, including through facilitating safe, regular, and orderly migration through planned and well-managed migration policies (Target 10.7). The Guidelines aim to complement, rather than replace, the Convention and Protocol Relating to the Status of Refugees, the Guiding Principles on Internal Displacement and the Nansen Agenda for the protection of cross-border displaced persons in the context of disasters and climate change.

³ To browse through the 200 best practices in the repository, please take a look at <https://micicinitiative.iom.int/repository-practices>. You can search by keyword, country, crisis phase, type of crisis, stakeholder, and Guideline/thematic area.

1. Collect and share information on migrants

Collecting data on past and present, incoming and outgoing population movements, and accounting for future population flows, is key to understanding how settlements are and will be developing, and to informing decisions on land-use, risk reduction and emergency management, and basic service delivery, which contribute to determining different people's vulnerability and resilience. Collecting data on migrants' presence, their demographics and characteristics is key to understanding local patterns of diversity and planning for more inclusive public policies and service delivery – including preparedness planning and emergency response.

National migrant registration systems are not likely to be comprehensive or updated, and local-level information collection and management efforts represent a more effective and precise alternative to this end, which local authorities and public service providers can pursue directly or in collaboration with other relevant actors (e.g. civil society, academics). Local efforts are particularly important to understand the presence of migrants in an irregular immigration status and of migrants living in informal settings.

In collecting and handling information containing migrants' personal details, local authorities need to act in accordance with applicable law and standards on individual data protection and privacy, including by adopting clear guidelines that define what personal data will be collected and when and how it will be shared, as well as by ensuring migrants' informed consent.

2. Collect comprehensive information on potential crises

By assessing and monitoring all hazards that can affect a given area, and the impacts they may cause can significantly assist in developing measures to reduce risk for the local population. The role of local authorities is key to this end, as they are often in charge of performing detailed, local-level risk assessments, of setting up systems to identify and track signs of potential crises, and of using such information for making concrete decisions.

Local authorities should ensure that migrants and migrant communities are included in these efforts. This requires understanding how factors such as immigration status, language proficiency or ethnicity affect their likelihood to be affected in a crisis, by determining where they live and work and by increasing their access to information, resources and/or assistance. It also requires ensuring that monitoring and assessments cover all relevant locations within a given area, including informal and marginalized settlements, which are frequently overlooked in such efforts. Such efforts should be

supported by participatory processes through which migrants are engaged as providers of key information.

3. Include migrants in prevention, preparedness and response systems

Local authorities have direct responsibility to reduce the impact of crises through prevention, preparedness, and response efforts. Taking into account the presence of migrants, their vulnerabilities, and their potential needs in these efforts can promote their (and the whole community's) resilience in the event of a crisis.

Local regulations on migrants' eligibility for different types of assistance in the event of a crisis can make assistance more predictable, while adopting measures to address practical barriers that reduce their access to assistance (e.g. language barriers, mistrust in responders, isolation) can make it more effective. This also requires collaborating directly with migrants in order to leverage their capacities and resources (e.g. language abilities, first-hand knowledge of migrant populations, understanding of cultural norms within their communities, and ability to foster greater trust toward institutional responders) – including by engaging them directly as staff and volunteer members of emergency preparedness and response bodies.

4. Include migrants in contingency and evacuation planning

The first response to crises takes place at the local level and local contingency plans and procedures are therefore essential to effectively reduce the impacts of crises of natural and man-made origin. While this is a responsibility of a variety of community, public and private sector actors, the engagement of local authorities to include migrants in contingency and evacuation plans is essential, as they represent the fundamental management and coordination structures for the whole emergency management system.

Contingency and evacuation plans should take into account migrants' presence, potential needs, and capacities. They should anticipate migrants' specific requirements for evacuation, communication, emergency shelter, food and non-food relief, health care, and psychosocial support. Plans should establish ways to identify and respond to the needs of particular migrant groups, such as migrant children, including unaccompanied and separated children, migrants in an irregular immigration status and their families, migrant victims of trafficking, elderly migrants, and migrants with disabilities.

Involving migrants and civil society bodies, as well as other actors working directly with migrants such as employers, recruiters and schools in the preparation of contingency plans can be particularly useful to identify situations that require targeted approaches. Joint contingency planning and the establishment of contingency coordination

mechanisms with such actors can also facilitate efficient use of resources and responses in the event of an emergency affecting migrants.

5. Empower migrants

Building migrants' resilience in the face of potential crises requires improving their enjoyment of basic rights, in normal times as well as in times of crisis. This includes ensuring they can access public services and labour markets, resources and opportunities, as well as administrative and judicial redress mechanisms through inclusive systems that overcome barriers linked with their status, means of arrival, and relationships with local populations, and living and working conditions.

The role of local authorities is key to this end. While they work within set national and supra-national level legal frameworks, they can address some of these root causes of migrants' vulnerability by supporting systems and efforts that ensure broad participation in local-level decision making, deliver basic services in an inclusive manner (e.g. without discriminations based on language proficiency or migration status) and overcome key barriers (e.g. providing dedicated adjustment services or language courses for incoming migrants).

This also includes ensuring that local authorities communicate positively about migrants, their importance for the community's economic, social and cultural vitality and their rights to promote broader tolerance, non-discrimination, and respect.

6. Build capacities and learn lessons

Local authorities often have limited resources, funding, and technical skills to deliver services and assistance in an appropriate manner. Tending to the specific needs of migrants becomes an additional challenge. While understanding and assessing these limitations is a critical first step towards overcoming a general lack of resources, investments by local governments in their own capacities are essential to building more inclusive emergency management and recovery strategies.

This requires establishing clear responsibilities and mandates for the inclusion of migrant issues within all relevant efforts (e.g. civil protection, basic service provisions) as part of the local administrative structure – and funding relevant positions. It also requires building the capacity of the emergency management system to provide appropriate responses, by training relevant staff members and volunteers to identifying and appropriately addressing issues and conditions of vulnerability linked with migration status, by setting up mechanisms for collaborating with actors with specific skills and

resources, and by engaging migrants directly as staff and volunteers within emergency management institutions.

Building institutional capacities should also be based on learning lessons – both from examples of other stakeholders (and in particular other local authorities facing similar challenges) and from their respective crisis management experiences (for instance, by setting up monitoring and evaluation systems to look at past responses and at whether they have succeeded to addressing migrants’ specific needs and conditions).

7. Communicate effectively with migrants

Providing accurate, adequate and timely information is essential to increasing migrants’ resilience in the face of crises. This includes improving migrants’ awareness of local hazards and risk, measures to take to minimize losses and their entitlement to assistance, as well as ensuring they are reached by early warnings, evacuation orders and indications on where and how to find safety and support during crises.

Local authorities play a key role in the preparation and dissemination of this information for all at risk and affected people. Effectively reaching out to migrants requires developing targeted information, which is relevant to their specific information needs, and issuing messages in a language they can understand. This information should be disseminated through channels migrants use and trust. Using regularly and timely diverse formal and informal media and channels (e.g. ethnic media, social network profiles, places of worship, migrants’ families and kin) can represent an effective dissemination strategy both for pre-crisis awareness campaigns as well as for emergency messages and warnings – in particular for harder-to-reach groups. This can require involving migrants, their representatives and organizations in emergency communication coordination.

8. Establish mechanisms for cooperation among all relevant actors

National and local governments, international organizations, and private sector and civil society actors all have skills and resources that can help reduce migrants’ specific conditions of vulnerability. Joint planning and coordination maximizes resources, improves the effectiveness of responses, and fosters trust between stakeholders. This is particularly true when such arrangements are developed in advance of a potential, future crisis.

These arrangements may relate to a range of activities relevant to the needs of migrants before, during, and after an emergency – from data collection and sharing to awareness-raising and strategic communication plans, from provision of evacuation assistance to relief and recovery services – even though they are particularly important for services that

will be in high demand when a crisis hit (including transportation, food and shelter provision and healthcare). Key to this end is the establishment of a system to refer individual migrants to specific actors that have mandates and skills to address their specific needs.

At the local level, involving migrants and civil society, who have first-hand knowledge of the specific needs and challenges faced by migrants, is particularly important to improve the effectiveness of targeted efforts. In addition, it is key to link with other levels of government and other local administrations, which both play a subsidiary role whenever emergencies overwhelm local response capacities, and provide a body of experiences and practices to learn from.

9. Provide assistance and services without discrimination

Emergency and recovery assistance are key to saving lives and alleviating short and long-term suffering linked with the impacts of a crisis. Assistance should be provided in a non-discriminatory manner to people affected by a conflict or a natural disaster, including migrants, on the basis of need, without discrimination based on immigration status, nationality, ethnicity, gender, age, disability, or other differentiating characteristics.

However, these individual characteristics are likely to affect the needs and conditions of every person (migrant or not) during and after emergencies. For instance, migrants' specific language proficiency, religious beliefs, dietary preferences and restrictions, stances towards health and death and mistrust towards responders are likely to require the adaptation of forms of assistance as diverse as: evacuation support, provision of food and shelter, health and psychosocial care, housing reconstruction and livelihood restoration.

Respecting the principle of non-discrimination requires being able to provide assistance and services that are appropriate to meeting the specific needs of different people living in different conditions and circumstances, including as they change throughout a crisis. This should be a key responsibility of the local emergency management system, and not exclusively of specialized actors and institutions.

10. Support host communities

Crisis preparedness, response and recovery interventions targeting migrants should be part of broader efforts to address the needs and conditions of vulnerability of the communities in which they live. Members of such communities may also lack sufficient resources, services, opportunities and infrastructure – and face specific needs before, during and after emergencies. If migrants receive assistance to the exclusion of members

of host communities, perceptions relating to preferential treatment may create or exacerbate tensions and lead to discrimination, stigmatization, and social exclusion.

An inclusive approach to vulnerability reduction and crisis management actions that looks at the needs of migrants as part of their destination communities is more likely to succeed, and can foster community and social cohesiveness and stability in the long-term. This may be particularly important if migrants and their host communities continue to deal with the effects of crises well after its acute phase has ended. This is also the case for communities in places where migrants and other groups affected by the emergency are forced to move (whether within their national borders or not).

Such support is also required in instances where migrants return home as a consequence of a crisis, and seek different forms of reintegration assistance.

Name of Practice

Name of Stakeholder Implementing the Practice

Type of Stakeholder Implementing the Practice (Check all that apply)

- State
- International Organizations
- Private Sector
- Civil Society
- Regional Institutions

Type of crisis (Check all that apply)

- Conflict
- Natural Disaster

Country (Check all that apply)

Crisis phase (Check all that apply)

- Crisis Preparedness
- Emergency Response
- Post-Crisis Action

Description of the practice (300 words)

Website links (references/publications)