

GUIDELINE 11: Provide humanitarian assistance to migrants without discrimination

In the collective effort to protect migrants caught in countries experiencing conflicts or natural disasters, there is no greater imperative than to save lives and alleviate suffering. Humanitarian assistance should be provided to people affected by a conflict or a natural disaster, including migrants, on the basis of need, without discrimination, and regardless of immigration status, nationality, ethnicity, gender, age, disability, or other differentiating characteristics.

Some migrants, just as with affected citizens, may need assistance to address their particular needs and circumstances. Domestic workers and others working in isolated conditions, migrants in an irregular immigration status, and migrants in detention may require specific assistance from States, international organizations, and civil society. Some migrants may be unwilling to leave host States due to incapacitating financial burdens; they may owe money to recruiters or employers. Others may lack access to the necessary financial resources to leave, because their wages are withheld, their employers are unable or unwilling to pay for their return, or they work in exploitative situations. Pregnant women, persons with disabilities, and the elderly may face mobility challenges.

Migrants' needs will not remain static during the shifting dynamics of a crisis. Organized criminal networks may take advantage of marginalized migrants in a crisis, exacerbating their vulnerability. A change in circumstances in a migrant's State of origin may compel some people to seek asylum rather than return. Stakeholders should ensure access to asylum procedures in the host State or States of transit. States may consider providing migrants temporary and other forms of humanitarian protection during or in response to a conflict or natural disaster.

Sample Practices

- *Displacement tracking mechanisms to identify migrant movements and needs.*
- *Tailored assistance to migrants that take into account needs that may arise from gender, age, disability, sexual orientation, gender identity and expression, immigration status, or other characteristics.*
- *Assessment tools to determine migrant-specific vulnerability and needs, including specialized screening for indicators of human trafficking.*
- *Targeted action to protect migrant children, including unaccompanied and separated children, and children with parents in an irregular immigration status.*
- *Services to trace and reunify family members and identify remains and missing migrants.*
- *Mobile response teams to reach and provide assistance to affected migrants.*
- *Separation of immigration enforcement from access to humanitarian services to promote access to life-saving assistance especially for migrants who fear authorities.*
- *Mechanisms to recover outstanding wages.*

PRACTICES TO IMPLEMENT GUIDELINE 11: Provide humanitarian assistance to migrants without discrimination

Multiple Stakeholders

Displacement tracking mechanisms

Data on displacement helps to identify locations, demographics, resources, and needs of the populations affected by crises, including migrants, which in turn can guide the provision of assistance and coordination among stakeholders. Displacement tracking, depending on the needs and context, can be comprised of one or more data gathering methods, including:

- Site assessments to understand the profile of the population, their location, and access to services;
- Movement monitoring to understand patterns and trends;
- Registration to gain a detailed understanding of the population;
- Surveys to gather more qualitative data on a population.

Information that can be produced through displacement tracking mechanisms include:

- Aggregated raw data, available to all stakeholders that can be used for further analysis;
- Regularly updated site profiles to give a quick snapshot of a particular location where migrants are concentrated;
- Statistical reports, such as dashboards, produced frequently to cope with fast-changing figures to give close to real-time information as well as an overview of trends and patterns on a shorter timescale (days, hours);
- Thematic maps to illustrate information geographically;
- Reports to analyze the collected data and present a comprehensive picture;
- Web-portals to serve as central repositories for all stakeholders to access reports and documentation produced through tracking mechanisms.

Assessment of migrants' needs

Individual migrants may have particular needs that should be identified and addressed. Profiles of migrant populations, including information on age, gender, disabilities, and other characteristics, may have been created pre-crisis and can be used to understand migrants' specific needs and to adjust emergency responses accordingly. If not created pre-crisis, stakeholders could undertake minimal, ad hoc community profiling to assess particular needs, community demographics, migrants' location (including those in detention or working or living in isolated places), religious or cultural profiles, and whether needs are being met.

Tailoring assistance delivery to migrants' needs

Measures to ensure that assistance provided is tailored to migrants' particular needs include:

- Assistance to migrants in a manner that is culturally and religiously appropriate and sensitive to and addresses the needs of migrants with disabilities, older migrants,

migrant children, including separated or unaccompanied children, and migrants of all sexual orientations and gender identities;

- Measures to deliver targeted interventions to address different needs and specific vulnerabilities of migrant women, men, boys, and girls;
- Gender- and age-sensitive procedures in reception places, shelters, camps, and centers for migrants, or gender- or age-specific centers and services;
- Measures that take account of needs stemming from work in isolated conditions, lack of social networks, language or communication barriers, and lack of documentation.

Monitoring migrants' access to humanitarian assistance

Integrating migrants into mechanisms and activities on monitoring non-discriminatory access to humanitarian assistance can help to assess and address obstacles migrants may face in receiving relief. Feedback and complaint mechanisms can also provide opportunities for migrants to inform stakeholders about barriers to access.

Dedicated outreach to migrant communities

Applying a variety of approaches can increase the availability of assistance and facilitate outreach to the most vulnerable migrant groups. Specific approaches may be needed to ensure that migrants who may not self-identify or who find shelter on their own are also provided with protection, such as door-to-door visits in localities hosting migrant communities, employer housing sites, or visits to detention centers.

Mobile response teams to reach and provide assistance to affected migrants

When a crisis occurs, migrants' needs can be overlooked in the midst of large-scale displacement and widespread humanitarian assistance needs. The deployment of ad hoc mobile response teams can fill potential gaps. These teams can also access isolated locations where migrants are concentrated. Stakeholders can deploy mobile rapid response teams independently or in coordination with each other. These teams should comprise experienced and appropriately skilled personnel who are trained in, and aware of, migrants' particular needs and vulnerabilities. They can provide a wide range of services to migrants, including:

- Issuing passports or travel documents, or otherwise registering migrants or their needs;
- Supporting local authorities and international organizations with migrants' needs assessments and overall coordination;
- Distributing emergency supplies and offering medical assistance;
- Reaching out to isolated migrants.

Migrant support centers in host States

Migrants may not be able to access relief directed at the citizens of the host State. In addition to acting as a venue for communicating information, migrant support centers can provide:

- Access to phones and the internet;
- Counseling services in multiple languages;
- Evacuation information and referrals to pertinent authorities, other actors, and services;

- Non-monetary assistance, including blankets, food, water, and health care;
- Monetary assistance;
- Screening and referral of cases in need of special protection, such as victims of violence or trafficking.

Family tracing and reunification services

During crises migrant family members can become separated, leaving individuals, especially children, more vulnerable to violence, abuse, exploitation, and trafficking. Services to facilitate family tracing and reunification include:

- Deployment of specialized teams to provide expertise on assisting unaccompanied or separated children, manage the tracing process, and handle cases in need of special protection;
- Training for State and border authorities on how to conduct tracing, how to assist unaccompanied or separated children, and facilitate family reunification;
- Hotline and call centers to collect information and inform family members or refer them to the appropriate sources of information;
- Online tracing services (e.g., websites and mobile applications), including lists of names, information on hospital patients, persons sought, and relevant contacts. Interested migrants should be able to access these lists directly on a webpage or publish their own data and queries;
- Online registries to enable the public to report information relating to children who have been separated from their parents or families in order to assist law enforcement and consular officials as well as child protection actors with location and reunification;
- Identification of remains of missing migrants and establishing databases of missing migrants.

Assistance to unaccompanied or separated children

Targeted assistance to unaccompanied or separated children can include:

- Creating child- friendly spaces in reception places, shelters, camps, and centers for migrants to accommodate the psychosocial, health, and other needs of children;
- Providing access to basic services, such as health, education, food, psychosocial support, housing, education, and recreational activities;
- Setting up family tracing and reunification mechanisms;
- Identifying victims of trafficking and referring them to appropriate assistance services;
- Establishing referral mechanisms to other stakeholders;
- Preventing recruitment into armed groups through education and training to build resilience.
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States

Crisis management structure

States may consider implementing structures that cover key emergency activities, to the extent that they are not covered by pre-existing plans and agreements. This could include:

- Identifying single points of contact at national and local levels, and a clear chain of command and decision-making authority;
- Activating inter-agency or inter-departmental coordination structures;
- Creating information desks and a coordination center;
- Engaging service providers, including at the local level, when services are required or in anticipation of needs;
- Identifying and deploying rapid response teams with a variety of expertise.

Inter-ministerial, interagency and multi-stakeholder coordination

Well-coordinated actions promote the cohesiveness and comprehensiveness of emergency responses for migrants and ensure resources, capacities, and strengths are leveraged to their maximum potential. Inter-ministerial, inter-agency, and multi-stakeholder coordination facilitates planned and timely responses. Factors to consider include:

- Which actors to involve—national ministries and departments, such as foreign affairs, immigration, consular services, preparedness and emergency response, local authorities, State institutions, international organizations, and civil society with mandates, expertise, and capabilities for assisting migrants;
- Decision-making authority;
- Operating procedures, including on information exchange;
- Mechanics, regularity, and logistics regarding meetings;
- Mechanics, regularity, and logistics regarding responses towards migrants.

Host States

Separation of immigration enforcement from access to humanitarian services

Irregular migrants, or those who otherwise distrust authorities, may be unwilling to access available life-saving assistance for fear of immigration enforcement, detention, and deportation. Ensuring non-discriminatory access to life-saving assistance during the emergency phase of a crisis may therefore require authorities to separate emergency assistance from immigration enforcement, including by:

- Disseminating public service announcements from immigration enforcement and emergency responders indicating that migrants should relocate or evacuate to safety and that officials will prioritize saving lives and refrain from checking immigration status and undertaking immigration enforcement activities, including detention and deportation, during the emergency phase of the crisis;
- Partnering with civil society, including migrant advocacy organizations to amplify

- and add credibility to these messages;
- Limiting requirements for proof of identity in emergency shelters or when providing emergency assistance like food, water, search and rescue, or emergency health care;
- Relaxing requirements for regularization and compliance with other immigration requirements during an emergency;
- Establishing a focal point for migrants and other relevant actors to report challenges in implementation, in order to strengthen accountability and build trust.

States of Origin

Emergency consular services

Measures to facilitate access to emergency consular services include:

- Ensuring that consular posts in host States and States of transit remain open and provide services for as long as possible;
- Deploying additional consular teams to transit areas, borders, and in locations with a high concentration of citizens;
- Activating consular agreements with other States that can implement consular functions in case of lack of presence in the host State or States of transit;
- Establishing rapid response teams that are specialized in crisis interventions and have the capacity to facilitate the protection and evacuation of citizens;
- Independently or in coordination with civil society and international organizations providing immediate assistance, including temporary shelters (including within consulate facilities), food, water, emergency kits, and translation and interpretation services.

Crisis or rapid response teams

During crises, States of origin may be required to bolster their capacity in host States and States of transit to enhance their ability to assist citizens. One way to do this is through the deployment of trained, multi-functional experts. Factors to consider include:

- Breadth of services citizens may need. This includes services related to consular, medical, transportation, evacuation, travel and identity document assistance, and identification of remains;
- Range of skills, knowledge, and capabilities necessary to assist citizens;
- Level of institutional and decision-making authority necessary for timely responses;
- Geographic location for deployments. This includes host States, transit points (including departure and arrival airports), evacuation areas, border points between the host State and States of transit, camps, and other major gathering sites.

Back-up plans, safety nets, and assistance for citizens who remain in the host State

In certain cases, citizens may decide to stay in the host State. States of origin can put in place measures to protect and assist citizens who remain, including by:

- Facilitating access to consular authorities and services;
- Establishing mechanisms that allow regular contact with citizens (e.g., through hotlines or call centers, including referring them to service providers when they request assistance);
- Facilitating communication between citizens and their families in the State of origin;
- Coordinating with the host State and employers to ensure citizens receive information on available assistance and can make direct queries to relevant stakeholders;
- Providing or sponsoring temporary shelters, access to emergency aid, and psychosocial assistance and counseling;
- Liaising with relevant civil society actors.

States of Transit

Assistance at borders

In particular crises, migrants' best or only option for obtaining life-saving assistance may involve moving across borders into neighboring States. Measures that States of transit can employ to provide services to migrants arriving from host States include:

- Providing transportation from border or remote areas to the capital, airports, or shelters;
- Establishing reception and transit facilities to identify and register migrants and provide them with shelter, food rations, and emergency medical care;
- Providing migrants with or referring migrants to services, including appropriate consular services, shelter, food, health care, counseling, and education;
- Coordinating with relevant consular missions in the State of transit to protect migrants;
- Training or assistance to border officials to identify refugees, asylum seekers, stateless persons, unaccompanied or separated children, victims of trafficking, and others needing particular assistance, and referring them to appropriate authorities or stakeholders.

Private Sector Actors

Providing emergency assistance

Employers can provide migrants with timely assistance, whether independently or in coordination with recruiters, placement agencies, consular authorities, or other stakeholders. This can include:

- Locating migrant workers and identifying their specific circumstances;
- Providing transportation, accommodation, health care, security, and communication assistance to ensure the safety, health, and wellbeing of migrant workers and their families;
- Liaising with migrant workers' team leaders to ensure emergency and contingency plans are being implemented in a manner that takes into account migrant workers' needs.

International Organizations

Integration of migrants in inter-agency needs assessment tools

Coordinated assessments in humanitarian crises need to systematically factor in affected migrant populations and migrants should be included in all relevant assessment guidelines. By including migrants in common operational datasets and sectoral indicators, assessments can account for migrants' specific needs and vulnerabilities and produce evidence and baselines for planning and monitoring of crisis and recovery responses. Affected communities, including migrants, should be provided with opportunities to participate in such assessments. Relevant inter-agency tools and products that would benefit from the inclusion of migrants as a specific group within the broader scope of affected populations are:

- Initial assessment for preliminary scenario definition;
- The multi-cluster/sector initial rapid assessment and the humanitarian needs overview;
- Single cluster or sector coordinated in-depth needs assessments;
- Damage and loss assessments, including the post-disaster needs assessment and the post-conflict needs assessment.

Transit points

International organizations can support States to set up and manage transit points and provide, temporary shelters for migrants, including camp-like settings, which may be particularly important in the context of evacuations.

Migrant reception centers at borders and in States of transit

Migrant reception centers at borders and in States of transit can provide life-saving services to migrants fleeing a crisis and crossing an international border. Services may include:

- Emergency shelter;
- Information;
- Food and non-food items;
- Medical care and psychosocial support;
- Onward transportation assistance;
- Documentation assistance, in close collaboration with consular services;
- Referrals;
- Family tracing and reunification assistance.

Civil Society

The above-mentioned practices on transit points and migrant reception centers identified for international organizations are also relevant to civil society.

Civil society engagement in humanitarian response

Actions civil society can take to assist migrants during a crisis include:

- Ensuring information about assistance is delivered to migrant groups, faith-based organizations, local leaders, and others with connections to migrants;
- Reaching out to these same local actors to identify gaps in assistance or coverage;
- Sharing information with humanitarian actors and emergency responders on local migrant populations and gaps in assistance;
- Involving migrants as volunteers or staff in the provision of assistance, as they can increase outreach and coverage and can ensure that assistance is delivered to migrants in linguistically attuned and culturally appropriate ways;
- Using the expertise, skills, and outreach capacity of different civil society to provide tailored assistance to meet the specific needs of particular migrant groups, including women migrant domestic workers, unaccompanied or separated children, victims of trafficking, and migrants with disabilities;
- Establishing safe spaces and centers for migrants generally and vulnerable migrants specifically where assistance can be properly tailored and provided in a sensitive and safe manner;
- Assisting with family tracing, reunification, and identification of remains of missing migrants.

Diaspora engagement in humanitarian response

Diaspora groups have access to migrants, networks, pre-established relations of trust and loyalty, and a vested interest in the protection of, and assistance to, vulnerable migrants. The ways in which diaspora, including diaspora organizations can be engaged in responses include:

- Generating funds for humanitarian assistance, such as fundraising events and voluntary contributions;
- Using pre-existing relationships of trust with migrants to negotiate and facilitate responders' access to migrant groups, register migrants for assistance, and assess their needs;
- Acting as intermediaries between migrant communities and authorities where necessary, especially for groups that may mistrust State actors;
- Providing direct services, based on their particular expertise and capacities, including translation services, cultural intermediation, and in-kind assistance;
- Volunteering with other stakeholders to assist migrants in the host State.