

GUIDELINE 12: Establish clear referral procedures among stakeholders

Certain stakeholders have mandates and unique skills to address the needs of different migrants. Referral procedures can help access these skills for those with particular needs.

Child migrants, for example, benefit from the assistance of actors versed in children's rights and protection, including dedicated focal points in governments. Interventions targeted at domestic workers or victims of trafficking may benefit from the knowledge and experience of advocates and specialists on those populations. Civil society, such as migrant, grass roots, and faith-based actors, may be best placed to access migrants in an irregular immigration status. Consular officers and some international organizations may have the authority and capacity to assess identities and issue identity and travel documents. Host State local and national actors are often best placed to provide necessary services and international humanitarian actors should strive to provide assistance through local and national systems.

Stakeholders should establish referral procedures to ensure that those responding to the needs of migrants refer refugees, asylum seekers, and stateless persons to national and international protection mechanisms for those populations.

Sample Practices

- *Identification and rapid assessment of migrants with specific needs who require referrals to services and assistance.*
- *Referral of refugees, asylum seekers, and stateless persons to relevant protection mechanisms.*
- *Deployment of experts to host States to identify, assess, and address needs of migrants.*
- *Referrals to international organizations and civil society with specialized experience assisting victims of trafficking, children, and other vulnerable migrants.*

PRACTICES TO IMPLEMENT GUIDELINE 12: Establish clear referral procedures among stakeholders

Multiple Stakeholders

Identification of migrants with particular needs

The identification of migrants with particular needs is a prerequisite to the activation of referral systems. Migrants who may need specialized services include children (who may be unaccompanied or separated), pregnant women, chronically ill migrants, disabled migrants, elderly migrants, single-headed households, victims of sexual or gender-based violence, victims of trafficking and other forms of exploitation, ethnic, racial, religious, and other minorities, migrants in an irregular immigration situation, and migrants in detention. The following actions can help to identify migrants with special needs:

- Deploying specialized teams with technical expertise and skills to the host State;
- Designating focal points or units within organizations to address special assistance needs;
- Carrying out assessment and profiling exercises in at-risk locations, such as transit or holding points for migrants in irregular situations, informal places of employment, displacement camps, informal settlements, or formal and informal health facilities;
- Using targeted profiling and needs assessment tools;
- Establishing information sharing channels with hotlines and complaint mechanisms;
- Training staff providing direct assistance to crisis-affected persons and communities, including crisis response personnel, health practitioners, volunteers, case managers, camp managers, and staff conducting assessments or working on communication and awareness-raising.

Referral of refugees, asylum seekers, and stateless persons to relevant protection mechanisms

Refugees, asylum seekers, and stateless persons often move along the same routes as migrants. Stakeholders should establish functional referral procedures with national or international protection mechanisms for refugees and stateless persons. To ensure that referrals function effectively, factors to consider include:

- Defining relationships between stakeholders assisting migrants and the relevant State's asylum mechanism, through a memorandum of understanding or standard operating procedures where possible, or more ad hoc arrangements;
- Designating referral focal points to ensure swift communication;
- Disseminating multi-lingual, accessible, and illiterate-sensitive information on procedures to apply for asylum through leaflets, social media, or radio communications;
- Screening procedures to ensure rapid identification of needs. Preliminary screening requires a general assessment of whether a person seeking assistance is also in need of asylum;
- Emergency training for first responders (where such training has not been provided during the pre-crisis phase), including relevant government authorities, international

- organizations, or civil society with relevant mandates;
- Procedures to refer stateless persons, who cannot return to their place of former habitual residence, to relevant national authorities or UNHCR;
- Adopting safeguards to ensure that best interest of the child is a primary consideration in the choice of referrals made for unaccompanied or separated children;
- Adopting safeguards to ensure referral procedures respect confidentiality, since information relating to persons referred to asylum systems should not be shared with State of origin officials;
- Adopting safeguards to ensure that referrals between stakeholders and either local asylum systems or UNHCR are based on the informed consent of the individual. Informed consent may also be required for the transfer of personal information between referring entities and third parties.

Referrals to civil society and international organizations with specialized expertise

Certain organizations have specific mandates and unique skills and expertise to effectively address the needs of particular migrants (e.g., to assist children or victims of trafficking). Factors to consider in establishing functional referral systems include:

- Identifying civil society or international organizations operating in the host State who have particular mandates or expertise and establishing procedures or ad hoc arrangements to refer cases and facilitate predictability;
- Designating referral focal points to facilitate swift communication;
- Creating screening procedures to ensure rapid identification of needs;
- Adopting safeguards to ensure that best interest of the child is a primary consideration in the choice of referrals made for unaccompanied or separated children;
- Adopting safeguards to ensure that referral procedures respect confidentiality and are made with the informed consent of the individual;
- Providing financial and logistical support to accommodate additional caseloads or services.

Referral mechanisms for unaccompanied or separated migrant children

Stakeholders should establish functional referral procedures with national and international authorities, and organizations with specific mandates to ensure children receive targeted assistance that addresses their specific protection concerns. Factors to consider in establishing functional referral systems include:

- Developing cooperation and referral procedures among relevant national and local authorities, civil society, and international organizations;
- Increasing authorities' awareness and understanding of referral procedures for unaccompanied or separated children;
- Establishing screening procedures to determine whether a child is unaccompanied or separated and to identify and verify relationships with accompanying adults;
- Ensuring immediate referral of identified unaccompanied or separated children to pertinent child protection actors in order to meet needs relating to care, safety, education, and health;

- Adopting safeguards to ensure that best interest of the child is a primary consideration in the choice of actions, referrals, and protection provided to unaccompanied or separated children, including consultation with the child according to age and maturity, assignment of a guardian, and where necessary, an interpreter.

Referral to local or host State service providers

Host State authorities or other local actors may provide services, such as temporary shelter, food, relocation, medical assistance, or facilities to contact family, to all those displaced by a crisis. Organizations, employers or States of origin who have contact with migrants can refer migrants to locally available assistance and services.

During some crises, stakeholders may be able to protect migrants where they are located in the host State. But this may not always be possible, especially in situations where the repercussions of a conflict or natural disaster envelop large geographic areas. Where protection cannot be provided locally, it may be necessary to relocate migrants to other parts of the host State or evacuate them to States of transit or the State of origin. Some migrants may make these journeys on their own. Many may rely on States, their employers, recruiters, or placement agencies, international organizations, civil society, and other migrants for support and assistance.

Evacuation is generally a last resort but absolutely essential if migrants cannot remain safely where they are and cannot be relocated safely to another part of the host State. Where comprehensive contingency plans and standing evacuation and relocation arrangements are not already in place, ad hoc arrangements may be needed to communicate evacuation information, determine eligibility for evacuation, establish modes of evacuation, and negotiate with States of transit and other actors. States, regardless of whether they are party to relevant international instruments, should implement specific safeguards to ensure individuals who face persecution, or, as appropriate, serious harm or other life-threatening situations in their States of origin or other States, including refugees, are protected against refoulement. Stateless persons may need specific assistance to take advantage of evacuation arrangements. Coordination between States and other stakeholders in carrying out evacuations can leverage resources, for example, to transport migrants to States of origin in the same region.