

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.*