

GUIDELINES AND EFFECTIVE PRACTICES

Migrants in Countries in Crises Initiative

Regional Consultation

Eastern Europe and Central Asia

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INTRODUCTION AND STRUCTURE

There are over 232 million international migrants in the world today and projections suggest these numbers will continue to soar in coming years. According to the regional discussion paper prepared for the consultation, at mid-year 2013, collectively the Eastern Europe and Central Asia regions as identified in the paper, received 25 million international migrants, greater than 10 percent of the global total. Most countries are, at the same time, countries of origin, transit, and destination, although certain countries such as the Russian Federation and Ukraine are significant countries of destination, while Moldova and Armenia have historically been countries of origin. Notwithstanding greater temporary mobility and female migration, the majority of migrants are males seeking employment. There are also increasing inflows from outside the regions. Equally, nationals from Eastern Europe and Central Asia can be found in many other parts of the world, including in countries affected by conflicts and natural disasters.

Indeed, conflicts and natural disasters affect all regions of the world and countries at every stage of development. Migrants living, working, visiting, transiting, or seeking safety in countries in Eastern Europe and Central Asia are among those affected by such crises. In recent decades, these two regions have experienced both internal and international armed conflicts, which have displaced hundreds of thousands of people, as well as natural disasters, especially disasters stemming from geophysical and meteorological hazards. On the other hand, nationals from Eastern Europe and Central Asia have also been caught in conflicts and natural disasters in other parts of the world. At the time of the consultation, for example, Moldovans were among those that needed evacuation from Yemen.

In these respects, the scope and objectives of the MICIC Initiative and its outcomes are salient and significant for Eastern Europe and Central Asia. That said, the term “irregular”, is an unfamiliar concept within much of the regions. Visa liberalization and other forms of free movement agreements mean most persons cross borders in a regular fashion, and are not regarded as “illegal” “in the crossing”. The concept of “illegality” comes into play for persons who commit an infraction once in the country of destination, whether by overstaying, failing to comply with documentation requirements, or laws relating to employment. Issues of statelessness also permeate the regions, as a consequence of remnants of Cold War allegiances and State-disintegration, and also because of restrictive legal rules. So-called “frozen conflicts” (i.e. unsolved, gridlocked, or protracted conflicts) are forms of crises that appear pertinent to the regions, and may need to be better understood within the MICIC Initiative. Differences in the pace of legal reforms within countries in the regions and conflicts between norms and regimes also need to be better understood. Finally, participants suggested there are significant populations of “hidden refugees”, who are unregistered and unrecognized, working in countries of destination, unable to return to their places of origin or habitual residence.

With this backdrop in mind, this document identifies guidelines and effective practices from the MICIC Eastern Europe and Central Asia Regional consultation. It is divided into three parts, according to the pre-crisis, emergency, and post-crisis phases. Text in red identifies general guidelines on protecting and assisting migrants caught in countries in crisis. Text in blue distills, in general terms, practices applicable to the preceding guideline as such practices were explored and suggested during the regional consultation.

I: PRE-CRISIS PHASE:

1. RIGHTS AND DIGNITY OF MIGRANTS

- i. Respect and protect the rights and dignity of migrants at *all* times in order to, *inter alia*, mitigate vulnerabilities, enhance agency and resilience, and equip and empower migrants to better protect themselves and one another in times of crisis and to engage with, and make effective use of, responses by other stakeholders
- ii. Comply with international obligations and standards relating to migrants
- iii. Undertake rights-based actions through all phases of a crisis
- iv. Empower migrants during all phases of a crisis by ensuring all actions recognize and accommodate the fact that many migrants are not passive recipients of assistance but capable agents, resilient and creative in the face of adversities, and interested in taking charge of their own safety and actions, provided they are given the necessary information and support
- v. Understand and assess the vulnerabilities of different categories and demographics of migrants, including those that may manifest particular needs based on, *inter alia*, age, gender, migration status, sexual orientation, and working or domicile arrangements and ensure interventions at all phases appropriately account for these aspects

Among others, the following practices may be valuable:

All Stakeholders

- **Existing Tools:** Utilize and build synergies with extant tools relevant to the MICIC Initiative and to respecting and protecting the rights and dignity of migrants. These include:
 - Office of the High Commissioner for Human Rights (OCHCR) Recommended Principles and Guidelines on Human Rights at International Borders: <http://www.ohchr.org/EN/Issues/Migration/Pages/InternationalBorders.aspx>
 - [IOM Migration Crisis Operational Framework \(MCOF\)](#)

All States

- **International Obligations:** Comply with international obligations including those arising under human rights law. This may require, *inter alia*, adoption or amendment of laws, codes, regulations, policies, as well as changes in practice to ensure that:
 - Migrants' human rights are upheld in law and in practice.
 - Actions comply with the principle of upholding the best interests of the child.
 - The principle of non-discrimination with respect to the treatment of migrants underpins actions at all stages of a crisis.
 - Statelessness and the potential for statelessness is reduced.
 - Acquisition of citizenship is facilitated where there is a risk of statelessness.
- **Multi-lateral and Bi-lateral Agreements:** Ensure multi-lateral and bi-lateral agreements

including visa regimes, readmission agreements, and border enforcement arrangements comply with international obligations including rights related to freedom of movement so as to facilitate the movement of migrants to safety during the emergency phase.

- **Legal Status:** Ensure immigration and employments laws, codes, regulations and enforcement mechanisms, *inter alia*, facilitate and promote the ability of migrants to maintain their legal status or to reacquire it.
- **Right to Organize and Operate:** Ensure:
 - Civil society actors have the freedom to establish, register, and operate organizations and associations that allow them to undertake activities and advocacy to better protect and assist migrants.
 - Migrants have the freedom to establish, register, and operate organizations and associations that allow them to undertake activities and advocacy to better protect and assist themselves.
 - Diaspora (i.e. persons who are of the same nationality as migrants who are caught in a country experiencing a crisis, but who live in countries other than the country of origin or the country in which the crisis has occurred) have the freedom to establish, register, and operate organizations and associations that allow them to undertake activities and advocacy to better protect and assist migrants.

Countries of Destination

- **Right to Associate and Organize:** Ensure migrants have the right to associate and organize, to join unions and associations, and to establish, register, and operate non-governmental organizations. Reform laws, policies, and practices that prohibit or limit such freedoms. These actions not only uphold and promote the rights and dignity of migrants but also facilitate the building and maintenance of migrant networks and relationships which in turn enhance resilience and empowerment during times of crises.
- **Culture of Tolerance, Non-discrimination, and Respect:** Work with migrant leaders, host communities, and youth, *inter alia*, to foster and engender strong relationships between migrants and citizens and to build a culture of social inclusion, non-discrimination, and respect in society towards migrant populations. Develop campaigns against xenophobia.

International Organizations and Civil Society:

- **Awareness of Rights:** Use media, including newspapers, cartoons, radio stations, (language or migrant-specific) TV channels, leaflets, social media, and other forms of communication to inform migrants of their rights in countries of destination and to empower them to assert their rights.
- **Compliance with International Obligations:** Monitor and advocate for State compliance with international obligations relating to migrants.
- **Research:** Undertake, analyse and synthesize research on:
 - The rights landscape for migrants in destination countries.
 - States' compliance with international obligations relating to migrants.

- Integration of migrants within States' laws, policies, strategies, plans, and programs relating to preparedness and response to conflicts and natural disasters.
- **Advocacy:** Advocate, in countries of destination and transit, for better protection and assistance to migrants and for respect and protection of their rights and dignity, including social protection and healthcare.

2. DATA ON NATIONALS/MIGRANTS

- i. **Develop (innovative) mechanisms to collect (and where necessary and lawful, to share) information on nationals/migrants, including those in an irregular status**

Among others, the following practices may be valuable:

Countries of Origin

- **Registration Systems:** Establish registration systems (or revamp existing ones) to engender greater rates of compliance from nationals traveling abroad, by, *inter alia*:
 - Limiting the (administrative) burden by minimizing the extent of information to be collected and reducing the length of any necessary forms.
 - Creating electronic systems rather than paper forms that allow nationals to register online and also upon arrival in the destination country.
 - Imposing mandatory obligations or strong advisory recommendations to register prior to departure and/or upon arrival in the country of destination. Mandatory obligations could be imposed on those who leave permanently.
 - Registering, or more generally gathering information on, nationals when they visit an embassy or consulate in the country of destination for specific services such as to register a birth, death, or marriage, to obtain passports, etc. A limitation with this approach is that it will generally only capture those who are present in the country of destination in a regular status.
 - Building in mechanisms that “de-clutter” the registration system once nationals return to the country of origin, such as by requesting migrants to de-register upon return.
 - Offering pertinent and “immediate” services in consideration of registration, such as regular SMS updates on services available and conditions for migrants in a given country and not merely the possibility of a future service such as evacuation.
 - Providing other forms of incentives, including those that may appeal to irregular migrants, to encourage registration.
- **Map Nationals Abroad:** Establish tools for mapping communities of nationals abroad including diaspora and hometown associations and other types of associations and groupings established by nationals outside their country of origin. This could be done by, *inter alia*:
 - Undertaking academic research in destination countries.
 - Liaising with local administrators in destination countries.
 - Household surveys in destination countries.
 - Comparison against pertinent government records (e.g. border crossings).

- Research and liaison with pertinent sectors of employment/activity.
- **Map the Vulnerability of Nationals Abroad:** Establish dedicated measures to map the exposure to risks of nationals abroad and to understand needs, behaviour, risk management and resilience including savings patterns of, *inter alia*, nationals who have been abroad for short and long-term periods and those in different locations.
- **Right to Vote:** If nationals have the right to vote from outside the country of origin, utilize this mechanism as a means of gathering information on nationals abroad.

Countries of Destination

- **Registration Systems:** Impose requirements on migrants to register within a certain time of arrival in the country. Information gathered through such a process could include residential/accommodation and contact details. Provide accessible and language appropriate information on this requirement to migrants upon disembarkation/immigration clearance and establish centres to allow migrants to easily comply with this requirement.
- **Migrant Database/Service:** Establish a migrant database and/or service that collects registration information from migrants that arrive in the country.
- **Local Authorities:** Utilize local authorities to collect information on migrants living within their administrative zones, including information on countries of origin, demographics, location, contact and other pertinent information.
- **Working Groups:** Establish working groups that are responsible for the migrants at the local level, composed of local level authorities, representatives of international organizations, civil society, and migrants. Utilize these groups to collect information on the scale, location, and demographics of different categories of migrants in the locality, to understand their needs from the ground level, and to build trust between migrants and relevant actors including local-level authorities.
- **Data at borders:** Monitor borders to gather data on migrants that may be entering the country, particular those that may be traveling irregularly.

Private Sector

- **Airline Companies:** Consider establishing agreements with private sector actors such as airline companies to, at the point of disembarkation: (1) gather information (such as contact details, length of travel, and accommodation) on, and (2) provide information (such as location of consulates and embassies) to, nationals traveling abroad.

International Organizations and Civil Society:

- **Research:** Undertake, analyse and synthesize research on statistics, demographics, and characteristics of migrants in destination countries as well as pertinent emigration and immigration trends.

3. INFORMATION TO AND COMMUNICATION WITH NATIONALS/MIGRANTS

i. Develop (innovative) mechanisms to communicate with nationals/migrants

Among others, the following practices may be valuable:

Countries of Origin

- **Hotlines:** Establish hotlines (in addition to or in lieu of registration mechanisms) to be activated and become operational in crisis situations. Provide nationals traveling abroad with the hotline number to call in the event of a crisis, and through this mechanism, and on a needs basis, provide nationals with the information and assistance they need and request.
- **Social Media and Mobile Applications:** Utilize social media (including Facebook and twitter) and mobile applications to reach out to, and communicate and facilitate information exchange with, nationals abroad in the event of a crisis. Mobile application could provide nationals with the flexibility to download information on a needs basis. While application downloads may also be a useful mechanism for gathering data and statistics on nationals traveling abroad (relevant to section above on “Data on Nationals/Migrants”) if such applications provides scope to download information without transmitting identification data, greater proportions of undocumented migrants may also utilise this service and thereby obtain early warning and other crisis-related information. In this context, technology that permits such applications to be used in certain targeted and localized areas may be valuable. Information provided through mobile application may include, *inter alia*:
 - Where to access relevant information.
 - Where to access relevant networks.
 - What to do, where to go, and who to contact, in the event of a crisis.
 - Recommendations and step-by-step action plans.
 - Content on appropriate social and cultural behaviour in a given country.
- **Relationship- and Network-Building with Nationals:** Establish mechanisms to build relationships and networks, maintain communication with, and outreach to, nationals abroad, including diaspora and hometown associations as well as other types of associations or groupings established by nationals outside their country of origin. Utilize these relationships, networks, communication and outreach channels in the event of a crisis, including where relevant, as first responders. Such mechanism could include, *inter alia*:
 - Targeted network building.
 - Identification and establishment of focal points.
 - Establishment of social media groups.
 - Organization of regular gatherings (e.g. annual) where relevant persons can meet, learn from each other, and build trust, bonds, and networks.
- **Relationship- and Network-Building with Civil Society:** Build relationships and networks with civil society actors in countries of destination, particularly those that work directly with nationals, including key focal points, to facilitate better protection and assistance to nationals, including communication with them.

Countries of Destination

- **Induction Courses:** Ensure that induction courses for migrants—such as those that relate to integration or language acquisition that may be mandatory for persons who apply for legal statuses—include components on pertinent emergency response, disaster risk reduction (DRR), and civil protection policies, plans, strategies, and programs.
- **Working Groups:** Establish working groups that are responsible for the migrants at the local level, composed of local level authorities, representatives of international organizations, civil society, and migrants. Use these mechanisms to facilitate communication with migrants.
- **Relationship- and Network-Building with Civil Society:** Build relationships and networks with civil society actors, including key focal points to facilitate better protection and assistance to migrants, including communication with them.

Countries of Transit

- **Relationship- and Network-Building with Civil Society:** Build relationships and networks with civil society actors, including key focal points to facilitate better protection and assistance to migrants, including communication with them.

Private Sector (Employers)

- **Worker Hotlines:** Establish global, national or local hotlines for employees to provide them with avenues to submit information on working conditions, location, grievances, and to request information. Such hotlines may become an importance source of information during crises.

4. CAPACITY BUILDING AND SUPPORT

- i. **Build the necessary capacity to better protect and assist nationals/migrants caught in countries in crisis**
- ii. **Support relevant stakeholders to better protect and assist nationals/migrants caught in countries in crisis**

Among others, the following practices may be valuable:

All Stakeholders

- **Peer-to-peer Exchange:** Facilitate peer-to-peer exchanges between relevant stakeholders as an effective means of sharing information, learning lessons, and building capacity.
- **Online Crowd Funding Platforms:** Establish online crowd funding platforms to facilitate knowledge transfer, collaboration and fundraising.

- **Training:** Ensure training activities for actors that respond to crises include components that pertain to needs and vulnerabilities of culturally and linguistically diverse groups, including migrants.

Countries of Origin

- **Training for Consular Officials:** Provide training to consular officials on a range of matters pertinent to better protecting and assisting nationals caught in crises. These could include, *inter alia*:
 - How to undertake evacuations and repatriations of nationals.
 - Establish standing arrangements with a range of stakeholders to provide necessary documentation to nationals seeking to leave countries of destination.
 - Provision of identity and other documents to crisis-affected nationals.
 - Better customer relations and service provision to nationals.
- **Pre-departure Migrant Adaptation Centers:** Establish special training and orientation centers (in coordination with destination countries) for the preparation and orientation of nationals prior to their travel abroad to culturally diverse working environments. Equip such centers with the ability to provide multiple services, including skills training, language proficiency examinations, and orientation on health and safety as well as actions to take in the event of a crisis.

Countries of Destination

- **Training and Capacity Building for Migrants:** Provide training to migrants on various skills that have the potential to enhance their empowerment and resilience in times of crises. This could include, *inter alia*, language courses and training on first aid. Such capacity building of migrants can also extend to be of value to communities as a whole during times of crises, and strengthen trust building and ties between migrants and nationals.
- **Local Authorities:** Build the capacity of local authorities to better protect and assist migrants caught in crises. Work with authorities to foster and engender strong relationships between local authorities and migrants.

International Organizations

- **Train the Trainers:** Undertake train the trainers activities to build the capacity of migrants and other civil society actors in countries of destination to facilitate better responses in the event of crises.
- **Technical Capacity Building:** Provide technical capacity building and training to States. This may include, for example, capacity building transit country authorities to better protect and assist migrants from crisis-affected countries by preparing them to manage mass arrivals of migrants at their borders.
- **Education:** Educate States of destination as well as other stakeholders on the rights of migrants, including migrant workers. This may include “best practices” for different and

pertinent areas of actions, including fair recruitment.

- **Guidelines:** Develop guidelines and manuals on different aspects related to better protecting and assisting migrants caught in crises through all phases
- **Pre-departure Training/Orientation:** Provide pre-departure training and orientation to migrants which includes information on, *inter alia*, what to do, where to go, and who to contact in the event of a crisis, as well as the rights to which migrants are entitled in the country of destination and how to maintain and enforce them, as is done in several countries by IOM.

Private Sector (Employers' Associations)

- **Training:** Develop and provide training to employers to enhance their capacity to carry out risk assessments, draft reports and contingency plans, and comply with guidance to better assist and protect migrant workers in the event of a crisis. In this context, also develop guidance on how to better assist and protect migrant workers caught in crises. Consider supporting these activities through members' fees.

Civil Society

- **Education:** Educate States of destination as well as other stakeholders on the rights of migrants, including migrant workers.
- **Pre-departure Training/Orientation:** Provide pre-departure training and orientation to migrants which includes information on, *inter alia*, what to do, where to go, and who to contact in the event of a crisis, as well as the rights to which migrants are entitled in the country of destination and how to maintain and enforce them.

5. COOPERATION AND COORDINATION

- i. Establish cooperation and coordination structures and mechanisms, including through agreements and partnerships between one or more relevant stakeholders, at all levels, through all phases, to better protect and assist migrants caught in countries experiencing crises.

Among others, the following practices may be valuable:

States

- **Consular Protection Agreements:** Establish bilateral, multilateral, and/or regional agreements with other countries for consular assistance and representation, especially in situations where there is limited or no diplomatic presence to enhance certainty and facilitate efficient cooperation. Ensure nationals/migrants are aware of such agreements and their scope. Such agreements could include provisions on:
 - Categories of nationals/migrants covered under the agreement.
 - Scope of coverage: day-to-day, crisis situations, or both.
 - Guidance on the types of assistance to be provided in pertinent situations.
 - Guidance on types of coordination and cooperation activities to be undertaken including meetings between relevant actors and information exchange.
 - Guidance on modes of operation and procedures to be undertaken when a request is made for assistance.

- Guidance on financial responsibilities and obligations.
- Guidance on logistical arrangements, including accommodation, organizational facilities, and transportation arrangements.
- Other roles, responsibilities, and obligations pertaining to relevant actors.

An example of such a multi-lateral mechanism is the European Union’s Council Directive (EU) 2015/637 of 20 April 2015 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries. More information on this Directive can be found here: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015L0637&from=EN>. Other relevant agreements include the Minsk Convention (Belarus 1992) (<http://unterm.un.org/DGAACS/unterm.nsf/8fa942046ff7601c85256983007ca4d8/2ad73773714243ab85256fda006e1821>) and the Chisinau Convention (Moldova) of 2002.

- **Civil Protection Agreements:** Adopt agreements to establish structures at the multi-lateral level (including in border regions) to coordinate and provide civil protection assistance and support in countries affected by conflicts and natural disasters as well as transit countries to better protect affected migrants. Types of assistance may include:
 - In-kind support, including medical kits, hygiene kits, shelter, etc.
 - Assets including emergency monitoring and communication tools.
 - Deployment of personnel such as rescuers and experts.
 - Provision of educational modules on civil protection, etc.
 - Provide support to evacuations and repatriations including in relation to transportation, identification, verification and registration of affected persons.

Such a structure could:

- Encompass an ‘emergency response resource pool’ to which voluntary contributions are pre-committed by the countries participating in the mechanism to allow for a planned, predictable, efficient, and a well-coordinated response that avoids duplication of efforts and resources and ensures assistance accords with needs.
- Encompass an operational center that is a “one-stop-shop” for monitoring, facilitation, coordination and information sharing, etc. For example, the center might monitor emergencies 24/7, using a web-based alert and notification application that enables real time exchange of information; coordinate the response of participating countries; have pre-positioned and self-sufficient civil protection modules; and staff/experts that are available to intervene at short notice and are able to undertake specialized tasks.
- Have the capacity to train civil protection actors in participating countries including through exchange of information, learning, and best practices.
- Provide guidance on authority for activation which could include scope for non-participating States and other actors to request (and offer) assistance.

A notable example of such a structure is the European Union’s Civil Protection Mechanism.

- **Bi-Lateral Agreements on Civil Protection:** Enter into bi-lateral agreements (with neighbours and other relevant countries) to cooperate and better carry out civil protection actions in the event of a crisis.
- **Information Exchange Agreements:** Enter into bi-lateral, multi-lateral, or regional agreements to share pertinent information relating to nationals/migrants, particularly information that would facilitate better protection and assistance to nationals/migrants

in the event of crisis. Ensure that such agreements provide for information exchange at all levels of government (e.g. central as well as local). Ensure that the rights of such nationals/migrants, including their right to privacy, are respected and protected in such agreements.

- **Ad Hoc Information Exchange:** Share pertinent information relating to nationals/migrants, particularly information that would facilitate better protection and assistance to nationals/migrants in the event of crisis with other States on an *ad hoc basis* if agreements do not exist. Ensure that the rights of such nationals/migrants, including their right to privacy, are respected and protected.
- **Agreements with International Organizations and Other Humanitarian Actors:** Enter into agreements with international organizations and other humanitarian actors to:
 - Facilitate effective cooperation and coordination in the provision of assistance and protection to nationals/migrants in times of crisis
 - Share information that would facilitate better protection and assistance to nationals/migrants in the event of crisis. Ensure that the rights of such nationals/migrants, including their right to privacy, are respected and protected in such agreements.

Countries of Origin

- **Agreements to Protect Nationals Abroad:** Adopt agreements with countries to which nationals travel for work or other purposes to protect their rights and dignity at peace times and during times of crises. Such agreements may include, amongst others, provisions relating to social protection, visa facilitation, and freedom of movement, etc.
- **Agreements with Other Stakeholders:** Establish arrangements with relevant stakeholders with the potential to provide assistance and protection to nationals abroad, including international organizations and non-governmental organizations. Such agreements may include provisions on providing consular-type services, undertaking identification verification, and providing documentation, etc.
- **Inter-Ministerial and/or Inter-Agency Mechanisms:** Establish inter-ministerial and/or inter-agency structures that incorporate national and local actors pertinent to protecting and assisting nationals caught in countries in crisis through all phases of the crisis to engender planned, coordinated, and prompt responses. Such structures also need to provide mechanisms for timely and effective information exchange between relevant ministries and actors at all levels.

Countries of Destination

- **Inter-Ministerial and/or Inter-Agency Mechanisms:** Establish inter-ministerial and/or inter-agency structures that incorporate national and local actors pertinent to protecting and assisting migrants caught in countries in crisis through all phases of the crisis to engender planned, coordinated, and prompt responses. Such structures also need to provide mechanisms for timely and effective information exchange between relevant ministries and actors at all levels, including migration/immigration and emergency response actors.

International Organizations:

- **Agreements with States :** Enter into agreements with States and other actors to:
 - Facilitate effective cooperation and coordination in the provision of assistance and protection to crisis-affected migrants.
 - Share information that would facilitate better protection and assistance to crisis-affected migrants in the event of crisis. Ensure that the rights of such nationals/migrants, including their right to privacy, are respected and protected in such agreements.
- **Portal for Requests for Evacuation:** Create a unified portal to field and coordinate requests for evacuation and match against offers of assistance.

6A. PREPAREDNESS AND CONTINGENCY PLANNING (GENERAL)

- i. Assess and understand capacity to protect and assist migrants affected by conflict or natural disaster
- ii. Adopt or reform laws, policies, strategies, and plans to better address emergency phase needs
- iii. Establish mechanisms, structures, and programs to address emergency phase needs
- iv. Establish the capacity to secure and assemble resources through diverse means to address emergency phase needs
- v. Prepare communities to host migrants in the event of a crisis

Among others, the following practices may be valuable:

States

- **Humanitarian Aid:** Establish structures such as specific ministries, departments, or institutions and mechanisms such as funds or budget lines to facilitate the provision of financial and in-kind humanitarian aid to other States and humanitarian actors who may become involved in assisting and protecting migrants caught in crises.
- **Regional Protection Statuses/Mechanisms:** Develop regional protection mechanisms and statuses.
- **First Adapters:** Promote and facilitate the role of civil society actors as first adapters, that is, as actors who are often the first to test and validate the efficacy and utility of practices/responses aimed at better protecting and assisting migrants. This could be done by, *inter alia*, engaging civil society in conceptualization and development of practices/responses.
- **Research and Case studies:** Undertake regular research to design and simulate potential crisis scenarios and to analyse possible implications for migrants.

Countries of Origin

- **Public Institutions:** Upgrade capacity and preparedness of public institutions to address the protection and assistance of nationals caught in crises abroad. This may require action relating to: (1) institutional coherence and a whole-of-government approach; (2) policies and strategies; (3) multi-disciplinary skill building; and (4) fostering overall commitment to the issue. Action towards this end could be achieved through, *inter alia*:
 - Establishing working groups.
 - Identifying and appointing focal points.
 - Developing mechanisms and avenues for obtaining information.
- **Portals for Contributions and Donations:** Establish simple and accessible portals that allow diaspora and other actors to make donations in the event that nationals are affected by conflict or natural disaster while abroad.
- **Funds:** Establish emergency evacuation and repatriation funds to evacuate nationals in the event of a crisis.
- **Alert Systems and Crisis Definition:** Develop alert systems to monitor crises abroad and to assign requisite actions, such as mandatory evacuations, based on the intensity of the crisis. Ensure such systems or corresponding laws and policies define what constitutes a crisis, and establish clear crisis activation criteria, mechanisms, and procedures.
- **Rapid Response Teams:** Establish rapid response teams that can be deployed to assist nationals caught in countries in crisis.
- **Savings and Investment Funds:** Establish mechanisms and provide training to nationals traveling abroad (as well as longer-term diaspora) on managing savings and channelling savings into productive investments as one means of building safety nets for crisis situations.
- **Pre-departure Training/Orientation:** Ensure pre-departure training and orientation activities include information on, *inter alia*, what to do, where to go, and who to contact in the event of a crisis, as well as the rights to which nationals are entitled in the country of destination and how to maintain and enforce them.

Countries of Destination

- **Assessments of Needs and Capacity:** Undertake assessments to understand the capacity to respond to the needs of migrants caught in conflict or natural disaster. This may be undertaken by, *inter alia*:
 - Collecting demographic and other pertinent information on migrants living within local administrative zones including information on specific characteristics, needs, and resilience and factoring these into preparedness policies, plans, strategies and programs.
 - Collecting information on unrepresented migrants (i.e. those from countries that do not have a diplomatic or consular presence in the country).
 - Identifying areas that can host persons, including migrants, who may move

- internally within the country from crisis hit areas.
 - Identifying facilities to accommodate and provide services to such persons.
- **Mechanisms to Submit Requests for Assistance:** Establish mechanisms, such as focal contact persons/ministries/departments or hotlines that allow persons affected by crises, including migrants, to submit requests for assistance.
- **Constitutions, Laws and Policies:** Facilitate the provision of protection and assistance to migrants by adopting or reforming constitutions and laws to uphold the principle of non-discrimination with respect to assistance and protection to migrants in times of crisis.
- **Laws on Children:** Adopt or reform laws to ensure migrant children are not placed in particularly vulnerable situations generally, and particularly in the event of a crisis, by virtue of the fact that they are not in a regular status, or may not be able to regularize their status.
- **Crisis Management Laws, Policies, Strategies, and Plans:** Incorporate migrants, including their potential needs and vulnerabilities, into crisis management laws, policies, strategies, and plans.
- **Guidelines on Migrants:** Develop national (as well as local) guidelines on how to assist and protect migrants affected by a crisis during the emergency phase and include strategies for how to access and accommodate migrants in an irregular status.
- **Hotlines:** Establish hotlines to assist and protect migrants caught in crises.
- **Working Groups:** Establish working groups that are responsible for migrants at the local level, composed of local level authorities, representatives of international organizations, civil society, and migrants. Utilize these groups to collect information on the scale, location, and demographics of different categories of migrants in the locality, to understand their needs from the ground level, and to build trust between migrants and relevant actors including local-level authorities. These working groups may serve as a first port of call in the event of a crisis, or as a first port of call for information on who to contact and services available in the event of a crisis.
- **Regulate Private Sector:** Regulate the private sector to ensure they adopt and implement security and safety measure relating to the protection and assistance of migrant workers, including in the context of crises. This may mean, *inter alia*, that regulations require employers to train workers on emergency procedures and to certify their training and that the State has the capacity to hold employers accountable where they fail to do so.

Countries of Transit

- **Planning:** Undertake assessments to understand the capacity to respond to the needs of migrants caught in conflict or natural disaster who may flow into the country.

- **Laws and Policies:** Adopt laws and policies that articulate protection and assistance to be provided to migrants who may arrive in country from countries that have been affected by crises and that comply with international laws, frameworks and standards. Such laws and policies could include provisions on, *inter alia*:
 - Protection statuses and services to be provided to different categories of migrants. Types of possible protection statuses and services are discussed in the emergency phase section.
 - Specifies mandates, responsibilities, and duties of relevant actors.
 - How to address mass influx situations.

- **Infrastructure:** Plan and prepare for infrastructure and other services that may be necessary in the event of an influx of migrants from a country experiencing a crisis.

Private Sector

- **Risk Assessment:** Undertake detailed risk assessments for natural disaster and conflict scenarios in, *inter alia*, factory locations and ensure such assessments include: (1) dormitories and other forms of accommodation as well as other spaces commonly used by migrant workers; and (2): health and safety considerations. Produce reports and share them with relevant stakeholders (including employers' associations) for, *inter alia*, coordination and standard setting purposes. Ensure risk assessments are conducted by experts trained for such purposes.

- **Contingency Plans and Drills:** Prepare contingency plans on the basis of risk assessments with provisions that address the protection and assistance of migrant workers. Conduct regular drills to test the plans and adapt them as required. Initiate dialogues with relevant actors to discuss challenges and opportunities and improve emergency preparedness and contingency plans.

- **Training:** Engage in training activities to improve and test emergency preparedness and response capacity, including as they relate to the protection and assistance of migrant workers. Advocate with employers' association and with relevant State authorities to facilitate the organization of such trainings as well as development of guidance.

- **Security and Safety Regulations:** Comply with security and safety regulations and continually verify adherence to such requirements. Initiate dialogues with relevant actors to discuss challenges and opportunities and improve security and safety measures.

6B. PREPAREDNESS AND CONTINGENCY PLANNING (DRR AND CIVIL PROTECTION)

- i. Integrate migrants into laws, policies, strategies, plans, programs, structures, mechanisms, and activities relating to DRR and civil protection to better protect and assist migrants and build resilience to crises and their impacts

- ii. Ensure any interventions related to DRR and civil protection that are targeted towards migrants do not lead to adverse and inadvertent consequences

- iii. Build trust within migrant populations regarding services and institutions with the potential to provide life-saving and other forms of assistance
- iv. Allocate sufficient funding for DRR and civil protection
- v. Involve civil society actors and migrants in DRR and civil protection activities

Among others, the following practices may be valuable:

All Stakeholders

- **Tools Relating to DRR:** Utilise and draw from available tools and strategies in the area of DRR, as applicable. These include:
 - The Hyogo Framework for Action 2005-2015: Building the Resilience of Nations and Communities to Disasters.
 - The Sendai Framework for Disaster Risk Reduction 2015-2030, which identifies the need for an all-of-society approach to DRR, and explicitly calls for the inclusion of migrants in the design and implementation of DRR policies, plans, and standards.
 - Ethical Principles on Disaster Risk Reduction (e.g. Council of Europe’s EUR-OPA: http://www.coe.int/t/dg4/majorhazards/ressources/pub/Ethical-Principles-Publication_EN.pdf)

Countries of Origin

- **Awareness Raising:** Ensure that training and other awareness raising activities for nationals traveling abroad incorporate components on the importance of complying with DRR policies and mechanisms in countries of destination. This may be done in the context of, *inter alia*, pre-departure training programs.

Countries of Destination

- **Laws, Policies, Strategies, Plans, and Programs on DRR and Civil Protection:** Ensure laws, policies, strategies, plans, and programs relating to DRR and civil protection take account of, and incorporate, potential needs and vulnerabilities of migrants. This may be done by, *inter alia*:
 - Incorporating migrants in relevant national “masterplans” that then need to be implemented by national and other levels of government.
 - Incorporating immigration/migration officials within civil protection management structures.
- **DRR and Civil Protection Structures, Mechanisms, and Activities:** Engage and incorporate migrants of diverse demographics and backgrounds in DRR- and civil protection-related structures, mechanisms, and activities. This could be done by, *inter alia*:
 - Hiring migrants to work within the DRR or civil protection systems (e.g. as fire fighters; in flood response) in order to utilize their experience, expertise, technical and soft skills that can engender a better understanding of migrants’ vulnerabilities and needs and how they should be tackled and addressed (e.g. language capabilities; cultural understanding).

- Hiring translators to work within the DRR and civil protection systems.
- **Training, Courses and Awareness Raising Activities for Migrants:** Ensure that trainings, courses, and awareness raising activities for migrants incorporate components on: (1) pertinent DRR and civil protection policies, plans, strategies, and programs including knowledge of hazards, local early warning systems, evacuation routes and sites; and (2) informing migrants and migrant communities of the importance of DRR and civil protection measures. Where possible, ensure representatives from relevant institutions or service providers (e.g. fire fighters) are present at such trainings, courses, and other awareness raising activities to field questions and engender trust building. This may be done in the context of, *inter alia*:
 - Inductions and other courses that relate to integration that may be mandatory for persons who apply for legal statuses.
 - Induction and other courses including on language training.
 - Trainings on first aid.
- **Awareness Raising Materials on DRR and Civil Protection:** Ensure any materials relating to DRR and civil protection laws, policies, strategies, plans, programs, structures, mechanisms, and activities are produced and disseminated in ways that are accessible to migrant populations. This may mean that such material is, *inter alia*:
 - Translated into languages that correspond to those spoken by relevant migrant populations. For example, flood plans have been translated.
 - Presented in different forms, such as through cartoons, so they appeal to different demographics within relevant migrant populations including children and persons who may be illiterate, as well as in booklet and brochure form.
 - Culturally appropriate.
 - Marketed in ways that are culturally appropriate and accessible to migrant populations.
 - Disseminated in places where migrants may be present such as schools and work places.
- **Services for Migrants:** Ensure services relating to DRR and civil protection that are provided to migrants are inclusive. This may mean, *inter alia*:
 - Service providers consult with, and gather experiences from, other relevant agencies and entities within government, including at the national level to ensure migrants are not excluded from services provided to nationals.
 - Services targeted to migrants are also provided to local/host communities.
- **Natural Disaster-Prone Areas:** Map potential disaster zones/areas and understand demographics of population living within such areas, including migrants.
- **Training and Education for DRR and Civil Protection Actors:** Ensure training and/or education programs for actors that engage in DRR and civil protection activities incorporate components that pertain to: (1) the needs and vulnerabilities of culturally and linguistically diverse groups, including migrants; (2) build awareness and understanding of the importance of being duty-bound to deliver ethical, professional, and high-quality services to all constituencies within multi-cultural societies, including migrants.

- **Civil Society Actors:** Involve and incorporate civil society actors into DRR- and civil protection-related actions.

International Organizations

- **Services for Migrants:** Ensure services targeted to migrants are also provided to local/host communities.

Civil Society

- **Services for Migrants:** Ensure services targeted to migrants are also provided to local/host communities.

7. BUILD FRAMEWORKS, MECHANISMS, AND CAPACITY TO ADDRESS POST-CRISIS NEEDS

- i. Adopt or reform policies, strategies, and plans to better address post-crisis phase needs
- ii. Establish mechanisms, structures, and programs to address post-crisis phase needs
- iii. Establish the capacity to secure and assemble resources through diverse means to address post-crisis phase needs
- iv. Prepare local/host communities to integrate returned migrants

Among others, the following practices may be valuable:

States

- **Development Aid:** Establish structures such as specific ministries, departments, or institutions and mechanisms such as funds or budget lines to facilitate the provision of development aid to other States, international and/or civil society organizations who may become involved post-crisis phase activities, including the reintegration of returned migrants.
- **First Adapters:** Promote and facilitate the role of civil society actors as first adapters, that is, as actors who are often the first to test and validate the efficacy and utility of practices/responses aimed at better protecting and assisting migrants. This could be done by, *inter alia*, engaging civil society in conceptualization and development of practices/responses.
- **Migration and Development Linkages:** Establish initiatives that promote better linkages between migration and development, including by integrating migration and development into regional development plans and ensuring that the risks to human and societal development of migrants caught in countries in crisis are part of such plans.

Countries of Origin

- **Migration and Development Linkages:**

- Anchor migration policies, programs, and plans in a development perspective by, for example, mainstreaming different aspects related to crisis-related migration into other development areas, including macroeconomic policy and growth, health, etc.
 - Establish initiatives that promote better linkages between migration and development, including as they pertain to nationals caught in crises abroad. This may include, *inter alia*, integrating migration and development into local development plans and ensuring that the risks to human and societal development of migrants caught in countries in crisis are part of such plans.
 - Ensure relevant migration and development-related laws, policies, plans, and institutional and operational structures are appropriately inter-linked to foster synergies between these interconnected areas, including by optimizing the development benefits of reintegration efforts for migrants returning from crisis situations.
 - Ensure all forms of human mobility are factored into development-related interventions.
- **Funds:** Establish a range of funds to encourage savings by migrants and to address crisis and post-crisis needs, including:
 - Funds (at the national level) to provide loans with low interest rates and grants to returned migrants.
 - Investment funds dedicated to migrant and diaspora bonds.
 - Trust funds for migrants.
 - **Facilitate Use of Contributions:** Create an enabling environment that facilitates the provision of contributions by diaspora for development and post-crisis phase needs and ensure any relevant mechanisms are created at the national level and extensively and prominently marketed. Foster partnerships with diaspora to facilitate the provision of in-kind and financial assistance during subsequent phase.
 - **Pre-Departure Preparation for Eventual Return:** Inform migrants of return options during pre-departure trainings to raise their awareness and build their knowledge of risk management options, including insurance, saving schemes, and return and reintegration packages.
 - **Employment Generation Action Plans:** Develop an action plan for the economic reintegration of returned migrants in close coordination with the private sector and in line with the development trends of the country. Such plans could address, *inter alia*:
 - Organization of work fairs
 - Training as well as qualification/certification options for migrants who have developed professional skills but who don't possess requisite certification
 - Micro-credit and loan opportunities to start-up businesses
 - Capacity building programmes that match acquired skills
 - Incentives, including regarding tax, to private companies to hire migrants
 - The inclusion of return and reintegration considerations in pre-departure training

Countries of Destination

- **Migration and Development Linkages:**
 - Anchor migration policies, programs, and plans, in a development perspective by, for example, mainstreaming different aspects related to crisis-related migration into other development areas, including macroeconomic policy and growth, health etc.
 - Establish initiatives that promote better linkages between migration and development, including as they pertain to migrants caught in crises. This may include, *inter alia*, integrating migration and development into local development plans and ensuring that the risks to human and societal development of migrants caught in countries in crisis are part of such plans.
 - Foster linkages between post-crisis recovery plans and development.
 - Ensure all forms of human mobility are factored into development-related interventions.

8. COLLECTIVE RESPONSIBILITY

- i. Recognize and engage migrants, diaspora, and civil society as crucial partners in better protecting and assisting migrants and understand and make effective use of their competencies
- ii. Build trust amongst all relevant stakeholders
- iii. Appreciate the collective nature of the endeavor to better protect and assist migrants caught in countries experiencing crises and ensure responsibility and burden sharing among relevant stakeholders
- iv. Feed and integrate better protection and assistance to migrants caught in countries in crisis into relevant mechanisms, agendas, processes and strategies

Among others, the following practices may be valuable:

States

- **Role of Migrants, Diaspora, and Civil Society, including as First Responders:** Recognize and facilitate the crucial role that migrants, diaspora, and civil society play in general through all phases of a crisis, and as first responders during the emergency phase. Their competencies include access, networks, pre-established relations of trust and loyalty, ability to work in difficult situations and undertake difficult work, and their vested interest in the protection of and assistance to vulnerable migrants. Ways their role could be better recognized include, *inter alia*, by:
 - Ensuring migrant, diaspora, and civil society representatives are engaged in all relevant preparatory and planning activities at the pre-crisis phase.
 - Establishing mechanisms and structures that systematically engage migrant, diaspora, and civil society representatives.
 - Engaging them in diverse roles throughout all phases of a crisis, including education, training, and capacity building, awareness raising, information dissemination, communication, service provision, etc.
 - Building appropriate infrastructure to enable them to provide services,

contributions, and/or financial assistance, as applicable.

- **Governmental and Inter-Governmental Processes:** Ensure migrants, diaspora, and civil society are involved in relevant multi-lateral, bi-lateral, and inter-governmental processes, are at the table from the beginning, have a role in decision making, are able to engage in a meaningful manner, and have the potential to make real impacts. Undertake consultations, briefings, and debriefings where such action may be valuable to augment engagement and participation. Provide scope for civil society actors to have a consultative status, where even more involved participation is not possible. Adopt or reform laws and policies relating to the role and forms of civil society engagement in government processes.
- **Humanitarian Response System:** Incorporate assistance and protection to migrants, including those caught in conflicts and natural disasters, into UN-coordinated humanitarian response mechanisms, including the IASC cluster system. Filling gaps in relation to migrant populations affected by conflicts and natural disasters is not only critical in its own right, but is also necessary in order to ensure that asylum space is preserved and to ensure that the refugee protection framework, including asylum systems, refugee status determination processes, and the capacity of the United Nations High Commissioner for Refugees (UNHCR), is not unduly burdened by persons who have no *genuine* claim to refugee protection.
- **Other Agendas, Processes, and Strategies:** Build synergies and engage with other agendas, processes, and strategies that are pertinent to the MICIC Initiative or to particular issues encompassed within it, to ensure the true nature of this endeavour as a collective responsibility is widely shared and understood: Relevant processes and agenda include:
 - Regional Consultative Processes on Migration (RCPs).
 - Regional cooperation agreements, structures, and/or mechanisms, such as but not limited to the EU Regional Strategy Towards Central Asia.
 - The European Agenda on Migration.
 - The joint general comment to be prepared by the UN Committee on the Rights of the Child and the UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families regarding the rights of children in the context of migration. The comment is intended to articulate a comprehensive, rights-based approach to the situation of children affected by migration. Incorporating the perspective of children affected by crises in the context of migration may be valuable.

II. EMERGENCY PHASE:

1. ACCESS TO, AND PROVISION OF, ASSISTANCE AND PROTECTION

- i. Ensure all responses prioritize the saving of lives, regardless of migratory status
- ii. Provide non-discriminatory access to emergency humanitarian assistance
- iii. Ensure freedom of movement and the ability to flee to safety
- iv. Ensure interventions are tailored to, and accommodate the diverse needs of, different categories of migrants
- v. Recognize and accommodate migrants as actors with agency and resilience, capable of mitigating risks themselves, and acting as first responders rather than mere recipients of assistance

Among others, the following practices may be valuable:

All Stakeholders

- **Activation:** Activate relevant agreements, structures, and mechanisms discussed in the pre-crisis section.

States

- **Resettlement Places:** Provide resettlement places to protect refugees who are affected by conflict or natural disaster in a country in which they have sought refuge (i.e. Iraqis, Iranians, Afghans, etc. in Syria) or through which they are transiting (i.e. Eritreans, Ethiopians, Somalis, etc. in Libya in 2011). Provide scope to access resettlement directly from countries to which such persons flee to seek safety.
- **Deployment Teams:** Deploy experienced and appropriately skilled personnel to assist transit countries in the event of an influx of migrants from crisis-affected countries.
- **Regional Protection Statuses/Mechanisms:** Develop regional protection mechanisms and statuses.

Countries of Origin

- **Alternative Consular Support:** Strengthen the capacity to provide consular support to nationals during crises, by engaging alternative actors to provide support where this is necessary. Such alternate actors may include international organizations, or civil society actors, among others.
- **Documentation:** Ensure nationals have documents to enable freedom of movement including evacuation and repatriation. This could be done by, *inter alia*:
 - Establishing standing arrangements with a range of stakeholders to provide documents to nationals. This may include establishing standing arrangements, and as a fall-back, negotiating with employers to return identity documents to

nationals, or countries of destination and transit, to provide travel documents to nationals, etc.

- Providing nationals with new identity documents if they are lost, have been confiscated by employers (which is often the case with domestic workers), or never had them. In such cases, one practice is to meet with those claiming to be nationals and to utilize a “no questions” policy regarding legal status.
 - Entering into bi-lateral agreements with international organizations to provide identity documents to nationals.
 - Deploying targeted and specialized personnel to countries of destination or transit to facilitate the provision of documentation, including at borders.
 - Ensuring passports or other forms of identity documents include bio-metric data to facilitate easier verification of identity and nationality and ensuring effective and timely access to this information at overseas consular and diplomatic posts, where such information is centralized.
 - Facilitating the provision of new identity or other documentation (e.g. passports, other forms of identity documents, or travel documents) at overseas consular or diplomatic posts.
 - Utilizing other forms of innovation and technology to facilitate timely verification of identity.
- **Networks:** Utilize pre-established networks to identify, access, and provide assistance and protection to nationals in an irregular status and other vulnerable demographics.

Countries of Destination

- **Media:** Use media, including (language or migrant-specific) newspapers, radio stations, and TV channels, as well as social media, and other mechanisms to communicate with migrants in the event of a crisis.
- **Identification of Vulnerable Migrants:** Engage local authorities, international organizations, and civil society to identify and make appropriate referrals for protection and assistance for crisis-affected migrants. Often, these actors may have better access to, networks with, and the capacity to build relations of trust with affected populations.
- **Detention:** Refrain from detaining persons during crises (in lieu of deportation, for example, because they are stateless or cannot be returned due to other reasons such as the principle of *non-refoulement*), particularly children, and especially in circumstances where detention can compound vulnerabilities that arise in the context of the crisis. Establish mechanisms and practices that facilitate access to, and the protection and assistance of, detained migrants, particularly children, if they are in such centres in the event of a crisis.
- **Identity Documentation:** Facilitate the provision of documentation—by a range of stakeholders, including countries of origin and international organizations—to affected migrants, including children, who may have lost their documents, left them behind, or never had them to enable the provision of assistance and protection, including evacuation and repatriation.
- **Exit:** Facilitate the departure of migrants, including those that may have been in an

irregular status or have lost documents: (1) through provision of exit visas and other necessary documents; (2) waiver of fees relating to exit, overstay, status, or other circumstances; (3) adopting or reforming laws relating to aspects mention in preceding points (1) and (2); and (4) addressing any other barriers to enable migrants affected by crises to leave the country without penalty in order to find safety.

- **Firewalls:** Create firewalls between immigration enforcement activities and access to humanitarian services. This means, inter alia, ensuring that in the provision of emergency services, identifying information is not requested or sought to ensure that fear of authorities and other potential repercussions such as deportation does not inhibit crisis-affected migrants from accessing lifesaving assistance and protection.
- **Civil Protection:** Ensure civil protection personnel are among the first responders to migrants affected by crises and provide assistance and protection to nationals and migrants alike, and regardless of migratory status, as part of their professional duty.
- **Responsibility for Non-Discriminatory Emergency Humanitarian Assistance:** Make relevant relief personnel responsible and accountable for non-discriminatory provision of emergency humanitarian assistance, for ensuring such assistance reaches all affected persons, and is of comparable quality. Particular efforts may be needed to reach and address the needs of migrants in irregular status.

Countries of Transit

- **Open Borders:** Maintain and facilitate access to territory to all migrants fleeing from crisis-affected countries regardless of migratory status.
- **Entry and Exit:** Facilitate the entry, exit, and movement of crisis-affected migrants by waiving any entry and/or exit visa requirements, penalties, or other restrictions that may inhibit movement. Ensure that a person or body with sufficient authority is identified in advance for this purpose to enable prompt action in the event of an influx.
- **Transportation:** Facilitate the transportation of crisis-affected migrants into the country, such as by establishing direct flights or other transportation services.
- **Humanitarian Border Management:** Institute humanitarian border management policies and mechanisms to ensure the rights and dignity of migrants are protected. Among the rights that should be protected is the principle of family unity to ensure children are not separated from their parents, family members, or guardians. Among the tools that may be valuable for this purpose are:
 - IOM's Migration Crisis Operational Framework (MCOF).
 - The OHCHR Recommended Principles and Guidelines on Human Rights at International Borders (referenced earlier).
- **Protection Statuses:** Provide appropriate and tailored forms of protection and statuses to migrants arriving from crisis-affected countries and which comply with international obligations, frameworks, and standards including human rights and refugee law. Among

the statuses that could be provided are ‘tolerance’, ‘temporary protection status’, ‘humanitarian status’, and other forms of ‘conditional protection status’. Refugees and asylum seekers should benefit from international and regional (as applicable) refugee protection frameworks that apply to them. Adopting an expanded definition of a refugee to go beyond that articulated in the 1951 Convention relating to the Status of Refugees—to include conflict affected persons as well as grave violations of human rights that may not amount to persecution, may be an effective practice.

- **Emergency Response Teams or Other Mechanism:** Establish emergency response teams or other similar mechanisms, with appropriate resources, command structures, and capabilities to make decisions, coordinate necessary multi-sectoral actions, provide services and adapt to the changing needs of a given influx situation.
- **Identification, Assessment, and Referral Structures and Mechanisms:** Establish mechanisms or structures to identify, assess, and refer crisis-affected migrants to appropriate assistance and protection services and actors. Such mechanisms or structures could include multi-disciplinary actors and experts with relevant experience to accommodate the needs of crisis-affected migrants. For example, persons with experience and expertise relating to children; refugees, asylum seekers, and stateless persons; victims of trafficking; victims of smuggling; victims of torture; victims of sexual or gender-based violence, etc.
- **Services:** Provide services to migrants arriving from crisis-affected countries. These may include, *inter alia*:
 - Pre-registration and gathering of bio-metric data.
 - Provision of identification documents.
 - Provision of temporary protection or other forms of protection status.
 - Provision of, or referral for, services, including accommodation, health, education, access to labor market, social assistance, interpretation, etc.
 - Access to water repositories, land to set up camps, schools, etc.
 - Evacuation and repatriation, or facilitation of such action, by other stakeholders including countries of origin and international organizations.
- **Embassies and Consulates:** Facilitate and provide access to diplomatic and consular personnel to visit, identify, and provide assistance and protection to their nationals that may have arrived from crisis-affected countries, irrespective of where they may be ‘housed’.
- **Non-Deportation or Return to Countries in Crisis:** Refrain from returning or deporting migrants who have arrived from countries experiencing conflicts or natural disasters back to those places. Ensure respect for the principle of *non-refoulement*.
- **Documentation:** Facilitate the provision of identity documentation—by a range of stakeholders, including countries of origin and international organizations—to affected migrants, including children, who may have lost their documents, left them behind, or never had them to enable the provision of assistance and protection, including evacuation and repatriation. Provide crisis-affected migrants, including children, with documents to enable freedom of movement, including repatriation.

- **Search and Rescue:** Provide search and rescue operations to assist migrants fleeing from crisis-affected countries to reach safety.

International Organizations

- **Deployment Teams:** Deploy experienced and appropriately skilled personnel to assist and protect migrants caught in conflicts or natural disasters in destination countries or crisis-affected migrants who have fled to transit countries.
- **Emergency and Humanitarian Services:** Provide emergency and humanitarian assistance including necessary in-kind provisions, evacuation, and repatriation, in general and as a means of augmenting insufficient or unavailable State capacity.
- **Tracing:** Provide tracing services for separated families.
- **Documentation:** Facilitate (or where necessary, provide) identification documents to affected migrants, including children, who may have lost their documents, left them behind, or never had them to enable the provision of assistance and protection, including evacuation and repatriation.
- **Training and Capacity Building:** Provide training and capacity building to transit countries to improve responses to assist and protect crisis-affected migrants. This may include training and capacity for personnel working at borders and on border management on, *inter alia*:
 - Humanitarian border management.
 - Legal obligations towards different categories of migrants.
 - Sensitive assessments and referrals; and
 - Lessons learned from past and other country's experiences

Migrants

- **Information Dissemination:** Utilize networks to disseminate information to other migrants affected by crises.

Diaspora

- **Partnerships:** Foster partnerships with countries of origin to facilitate the provision of in-kind and financial assistance.
- **“High-Touch Assistance”:** Provide direct, well-targeted “high-touch” (i.e. assistance that focuses less on technical knowledge but rather on cultural and inter-personal dynamics) assistance, in light of knowledge of local populations and environment (cf. “high tech” interventions) by returning to countries of origin to provide information and awareness-raising (as well as technical and financial assistance).
- **Information Dissemination:** Utilize networks to disseminate information to migrants affected by crises.

III. POST-CRISIS PHASE:

1. ADDRESS IMMEDIATE AND LONG-TERM POST CRISIS NEEDS AND IMPACTS

- i. Promote and facilitate the engagement of local authorities and local/host communities in relation to reintegration of returned migrants as this is the level at which much of the work needs to be done
- ii. Address development and social cohesion impact of crises
- iii. Provide specific and targeted support to address the immediate and longer-term needs of migrants following return to the country of origin
- iv. Recognize and accommodate the diverse circumstances and needs that may face different categories of migrants, including those that do not return to the country of origin (because they choose not to or cannot for various reasons, etc.), those that leave the country of destination (through assistance and support or of their own volition) and return to the country of origin or to transit countries, and those that journey back to the country of destination following the aftermath of (and perhaps even during) a crisis (such as employers and migrants seeking opportunities relating to recovery and reconstruction, among other things).
- v. Foster loyalty and solidarity between migrants and nationals affected by a crisis

Among others, the following practices may be valuable:

States

- **Funds:** Activate specific funds to address post-crisis needs.

Countries of Origin

- **Diverse and Multiple Reintegration Support:** Provide returned nationals (and their families, where necessary) with a range of services and support to address diverse realities and needs, distinguishing and accommodating, where necessary, immediate and longer-term needs. Immediate needs, in general, may be humanitarian in nature, whereas longer-term needs may relate to development, social policy and integration. Many of these services may need to be provided to returned migrants as well as local/host communities. Among the services that may need to be provided, and which could be provided individually, through one stop resources and service centers, or through other mechanisms that provide a package of services, are:
 - Medical and psychological services.
 - Tracing and family reunification.
 - Access to education for children.
 - Facilitating certification of qualification utilize new skills acquired abroad.
 - Skill development and upgrading, including business enterprise and small business management training, financial literacy, education and awareness seminars and campaigns, entrepreneurship programs, etc.
 - Social protection.

- Livelihood training and programs that target, *inter alia*, returned women migrants.
- Grants for business startups and other entrepreneurial activities.
- Community stabilization and social cohesion services and support, particularly in circumstances of mass returns, if persons who have been away from the country for extended periods return, or if persons from dissimilar ethnic or other backgrounds are required to coexist upon return. (See below for further discussion.)
- Including migrants returning from countries in crisis in labor migration facilitation plans and programs.
- Developing measures to secure or restore assets—financial and other—left behind in the country in crisis.

These services could be provided through measures and mechanisms that aim to provide a package of services and support.

- **Legal Frameworks:** Establish appropriate legal frameworks to facilitate reintegration of returning migrants and their access to needed services and support.
- **Matching Grants:** Consider the establishment of matching grants (i.e. State grants that match contributions made) and other incentive schemes to facilitate investment by diaspora and returning migrants in community development initiatives.
- **Diaspora Contributions:** Facilitate the receipt and effective use of contributions, services, and support that may be provided by diaspora towards the post-crisis phase, both in terms of addressing the needs of returned migrants as well as impacts on countries of origin. In this context, actions could include, *inter alia*:
 - Facilitating the provision of both financial and in-kind support, including necessary infrastructure and equipment including through customs waivers and other leniency arrangements.
 - Facilitating the provision of financial and in-kind contributions to cooperative and other mechanisms that can distribute assistance widely.
 - Facilitating the entry of diaspora, including professionals such as doctors to provide services to returned migrants. This could be done by providing work permits and other flexible arrangements.
 - Facilitating the return of diaspora to countries of origin to create jobs for returned migrants or to fill jobs that would not be taken up by returned migrants.
 - Facilitating the role of celebrity diaspora in raising awareness, finding solutions and addressing post-crisis needs.
 - Keeping and updating lists of diaspora with specific skills and expertise (such as legal skills, contractual negotiations, cross-cultural communication, etc.) who may be able to assist the country of origin if it requests aid, support or other services from the country in which the diaspora is resident.
- **Widespread and Decentralized Infrastructure:** Establish infrastructure at village level to facilitate return of migrants to their places of origin (cf. overwhelming big cities).

- **Training for Local Authorities:** Provide training through, *inter alia*, “one-stop shops” and multi-service centers, to local authorities on ways to address the return of migrants.
- **Inter-Ministerial Bodies:** Establish inter-ministerial bodies to address reintegration needs and ensure such bodies meet regularly to coordinate how to cohesively and comprehensively meet such needs for migrants returning from crisis environments.
- **Trafficking in Human Beings, Clandestine Adoption, and Sexual and Gender-Based Violence:** Be cognizant of, and establish mechanisms to counter, the risks of trafficking in human beings, clandestine adoption, and sexual and gender-based violence in post-crisis situations.
- **Bi-Lateral Planning:** Endeavor to undertake bi-lateral communication and planning with countries of destination to address return and reintegration.
- **Innovation:** Invest in innovation to enhance and incentivize work in traditional employment activities, such as agriculture. Seek foreign financial contributions, among other sources, for this purpose.

Countries of Destination:

- **Returning Competencies:** Cultivate, foster, and make effective use of the experience, knowledge, skills, and “manpower” of migrants who may journey back to the country of destination in the aftermath of a crisis.
- **Unethical Recruitment:** In the above context, discourage unethical recruitment, including oversupply of labor that may be related to it.
- **Post-Conflict Recovery Plans:** Incorporate labor migration into post-crisis recovery plans to facilitate better matching between recovery period needs and labor migration and encourage links with “smart labor planning”.
- **Post-Crisis Needs Assessments:** Ensure post-crisis needs assessments anticipate and integrate all forms of potential human mobility that may take place during the post-crisis phase.
- **Trafficking in Human Beings, Clandestine Adoption, and Sexual and Gender-Based Violence:** Be cognizant of, and establish mechanisms to counter, the risks of trafficking in human beings, clandestine adoption, and sexual and gender-based violence in post-crisis environments.
- **Portability of Social Contributions and Personal Benefits:** Promote and facilitate the portability of social contributions and other personal benefits.
- **Assets:** Ensure adequate measures to secure or restore assets – financial and other – left behind or lost by migrants in the country in crisis.
- **Migrants Who Remain:** Establish mechanisms to recognize, promote and leverage the loyalty and solidarity exhibited by migrants who choose to remain to assist in the

recovery and reconstruction of crisis-affected countries towards social cohesion and integration, among other things. This could be done by, *inter alia*, financing specific neighborhood and community projects.

Employers

- **Leave of absence:** Provide diaspora with leaves of absence to return to their country of origin to assist and support returned migrants or address impacts affecting the country of origin.

2. LESSONS, UNDERSTANDING, EVALUATION, AND REFLECTION

- i. Undertake, foster and encourage continual assessment, analysis and learning to better prepare for the protection of and assistance to migrants caught in countries experiencing crises
- ii. Invest in planning based on updated information

Among others, the following practices may be valuable:

Country of Origin

- **Nationals' Profiles:** Continue the collection and analysis of information on nationals, including, *inter alia*, their place of origin, place of return, and other characteristics, including resilience, to feed into return and reintegration plans.

Countries of Destination

- **Migrants' Profiles:** Continue the collection and analysis of information on migrants, including, *inter alia*, their place of origin, place of return, and other characteristics, including resilience, to feed into crisis-recovery plans.

All Stakeholders

- **Research:** Undertake research to assess, analyze, and understand short and longer-term socio-economic impacts of return following crises, at the local and national levels in countries of origin and destination, as well as on migrants, their families and local/host communities.
- **Lessons from Other Areas:** Draw lessons from other areas of activity (such as civil protection action in relation to addressing building fires, industrial disasters, etc.) which are not directly on the MICIC Initiative and adapt for the purposes of the Initiative.
- **Lessons from Mass Returns:** Draw lessons from experiences of mass return, including in the event of a crisis.
- **Pre-Crisis Planning:** Encourage and foster pre-crisis planning and preparedness at the post-crisis phase, when motivations and awareness are high.

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