

Chapter 1

Forced migration: the dynamics of displacement and response

Migration is a growing phenomenon affecting virtually all countries as the source, transit point or destination of migrants. Many migrants move voluntarily, seeking economic opportunities and different lifestyles. Others are forced to flee their homes due to conflict, repression or persecution. But disasters, environmental degradation, development, poverty and poor governance are large-scale drivers of forced displacement. People displaced in their own countries or across international borders - 'forced migrants' - are the focus of the 2012 *World Disasters Report*.

More than 72 million forced migrants face dangers in transit such as people smuggling and trafficking, and exploitation and abuse on reaching their destinations. They face serious humanitarian and human rights challenges. With their support systems removed, they are often unable to access basic health, welfare and education services. They may lose links with families and communities, and experience severe socio-economic loss and impoverishment. Detention or deprivation of freedom is widespread for those seeking asylum. Challenges such as cultural and language barriers, discrimination, exclusion and violence have to be overcome. Women, children and unaccompanied minors are at risk.

In November 2011, the 31st International Conference of the Red Cross and Red Crescent reiterated the concern of Movement and supporting governments "about the often alarming humanitarian situation of migrants".

This chapter focuses on how humanitarian actors and other agencies respond to the dynamics and consequences of forced migration, made more difficult by the limitations of existing legal and normative frameworks to deal adequately with new categories of vulnerable forced migrants.

Migration and forced migration have been issues of growing international attention and concern. The majority of people move voluntarily; there are currently an estimated 214 million international and 740 million internal migrants and these numbers have grown significantly over the past 50 years. This report focuses on those forced to leave their homes due to events beyond their control. Only about 15 million of these are counted as refugees by the UN.

Almost a million more are asylum seekers awaiting determination of status. About 26.4 million are internally displaced by conflict; 15 million by hazards and disasters; and another 15 million by development projects.

Low- and middle-income countries host disproportionately large numbers of refugees. People flee conflict-ridden and failed states only to find themselves in almost equally unstable situations - Afghans in Pakistan, Iraqis in Syria and Somalis in Yemen. Also Afghanistan, Iraq and Somalia account for 50 per cent of the refugee caseload of the UN refugee agency, UNHCR, while Colombia, the Democratic Republic of the Congo, Somalia and Sudan account for almost 60 per cent of the internally displaced persons (IDPs) it helps.

A range of events force migration; it is not only conflict, persecution and human rights abuses that generate the designation 'refugee'. Disasters, food insecurity, environmental factors,

nuclear and industrial accidents as well as development projects such as dams and urban infrastructure account for a much larger number. Those who are forcibly displaced within their own countries far exceed the number that cross international borders.

Designating migrants as ‘voluntary’ or ‘forced’ has become much more difficult and the labels are much less clear-cut than in the past; the term ‘mixed migration’ is now used.

Forced migration has grown in recent decades and will probably increase in the future. Civil conflicts within many countries lead to instability, separatist movements, new nations and warlord economies. Ethnic cleansing and genocide produced millions of refugees and displaced people in Rwanda and Bosnia and Herzegovina, for example.

Urban areas are increasingly a focus as individuals and communities seek safety among co-ethnic or co-religious urban dwellers (see Chapter 4).

The negative impacts of migration necessitate substantial humanitarian assistance, particularly when people flee to countries with limited resources. The more positive impacts tend to occur in the longer term when refugees or IDPs establish new livelihoods and contribute to the host economy (see Chapter 6).

Caution is needed in trying to identify the causes of forced migration. There are multiple triggers:

- Persecution, torture and other human rights violations
- Armed conflict
- Political instability, weak governance and state repression
- Indiscriminate or criminal violence
- Natural hazards and disasters
- Man-made environmental crises
- Climate and environmental change (Chapter 7).

Natural hazards, conflict and insecurity lead to abrupt displacement, often within but also across state borders, which can be defined as forced migration. By contrast, forced displacement generated by slow-onset conditions - food insecurity, violence, drought and rising sea-levels - poses new humanitarian challenges. Already this year, displacement from Mali and Mauritania exceeds 300,000 people, the result of intensifying Sahelian drought and additionally, in the case of Mali, conflict.

A decreasing number of forced migrants receive permission to enter another country; others travel ‘irregularly’. As the causes and complexity of forced migration have grown well ahead of the legal avenues for admission to other countries, so too have people smuggling and trafficking operations that prey on migrants.

The frameworks established by intergovernmental are often complementary, but they result in different priorities and the entity leading the provision of support to forced migrants also varies according to the context.

First, UNHCR leads in legal and normative responses using a status- and rights-based approach to secure protection and deliver assistance based on people facing a well-founded fear of persecution, as established in the 1951 Geneva Convention on the Status of Refugees

and the 1967 Protocol. Protection and *non-refoulement* - i.e. no forced repatriation - lie at the core of this Convention.

Humanitarian organizations have invoked more general, human rights-based instruments that seek to ensure that everyone, including forced migrants, enjoys core rights. Prompted by crises such as in Bosnia and Herzegovina and Rwanda in the 1990s, the 'Responsibility to Protect' (R2P) doctrine was adopted by the UN General Assembly in 2005 (see Chapter 2).

The rights-based approach has been more effective for IDPs. The 1998 Guiding Principles on Internal Displacement afford rights before, during and after displacement. While the principles do not have the force of international law, governments are adopting them.

'Fortress Europe' epitomizes the restrictive turn of many high-income countries over the last two decades, reinforced in the aftermath of 11 September 2001. As most forced migrants do not meet the legal definition of a refugee, they increasingly resort in desperation to illegal entry.

'Temporary protection' is gaining ground, particularly when there are no clear prospects of return. The Nordic countries have taken the lead, notably in the context of environmental displacement. The practice assisted those who fled the Arab uprisings but were not refugees.

The second means of response to forced migration is framed around the precepts of humanitarian actors. Among leading proponents are the Red Cross Red Crescent Movement and its humanitarian principles and responsibilities. UNHCR provides the major strategic and coordinating function in delivering humanitarian assistance.

One precept lies in addressing the distinctive socio-economic vulnerabilities of forced migrants that result from their uprooting. Generally, the most vulnerable are already in very difficult economic and social situations.

Another is rooted in humanitarian action: efforts to help individuals adapt to the risks of events that lead to forced migration are the best course of action in limiting the humanitarian consequences of displacement. Of particular importance here is disaster risk reduction (DRR).

The third approach to forced migration is framed by operational perspectives and these must be addressed through different mechanisms depending, for example, on the displacement's duration or its phase. Some of the causes discussed above produce protracted crises whereas others lead to more temporary dislocations.

The international community has, in rare cases, planned the evacuation of large groups of vulnerable people, such as the humanitarian evacuation of people from Kosovo in 1998.

Forced migration, in conclusion, is complex and related to economic, political, environmental and social causes that defy easy solutions. For many, preventing displacement without addressing the underlying factors precipitating these movements would be cataclysmic.

Forging appropriate responses to forced migration is a challenge for all countries. It is complicated by the reasons people are forced to migrate and the dearth of international and national law, norms and policies. Governments often believe they must balance humanitarian concerns for the uprooted with concerns about security and the needs of their own populations.

The very complexity of forced migration makes it even more difficult for states to determine which forced migrants require assistance and protection. Nevertheless, the alternative - to make no distinctions for forced migrants - would violate humanitarian tenets.

BOX

The Arab uprisings 2010–2012

One impact of the Arab uprisings that has been largely overlooked is the extent to which they have affected migration dynamics.

The political turmoil and the NATO military campaign in Libya produced large-scale migration flows that exposed the gaps in the international humanitarian regime. Three key issues came to the fore: the protection and rights of migrants and refugees caught in crisis; the role of state actors and international agencies; and the impact of migration management on broader societal dynamics.

Three groups of migrants have been particularly affected by the uprisings. Firstly, third-country nationals working in the affected countries. Some 800,000 migrant workers fled from Libya to Tunisia and Egypt in a short time, highlighting the uncertainty surrounding the legal status of migrant workers who are subsequently displaced and for whom no clear institutional responsibility exists.

The second group of migrants affected are resident refugee populations. Their protection during and after the uprisings also deserves close attention; in particular, the situation of more than 1 million Iraqi refugees who have been living in Syria since 2006 and who risk being victimized by both sides in the conflict. Early assessments of the situation of Egypt's large refugee population also highlight a deteriorating protection environment.

Finally, the international community must closely monitor the situation of IDPs in Syria and Libya and secure their protection.

The hundreds of thousands of African and Asian migrant workers stranded in Libya during the civil war suddenly exposed the scale of international migration to the global public. Overall, the International Organization for Migration (IOM) recorded migrant workers from more than 120 countries crossing to Egypt and Tunisia.

But recent migration events are not simply a side effect. The links between declining opportunities for migration from North Africa to the European Union (EU), the discontent of disenfranchised Arab youth, and the wave of social unrest deserve closer consideration.

The threat of a 'human tsunami' of migrants towards the Mediterranean's northern shores permeated public perceptions and EU member states' policy, even though this exodus never materialized.

The EU response also revealed the tension between internal and external dimensions of migration governance. The EU claims to offer an approach centred on four pillars: facilitating regular migration; reducing irregular migration and human trafficking; maximizing development; promoting international protection and enhancing asylum. But, it remains locked in the logic of security in which control is paramount.

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