



Danish Refugee Council

## **Policy on Mixed Migration**

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Adopted by the Council 2008

*Revised may 2009 to include and reflect climate change concerns*

# Policy on Mixed Migration

## 1. The growing complexity of migration in a globalized world

Mixed migration is of rising importance, both in terms of sheer numbers and with regard to political significance at national, regional and global levels. This reflects the tendencies for an increasing number of people to migrate at growing distances and with greater risks, in search of a better future in more affluent parts of a globalized world. It also indicates that people are on the move for a combination of reasons that fundamentally are related to safeguarding physical and economic security. Thus, migration is very much linked to coping with livelihood problems caused by complex issues such as persecution, political turmoil and armed conflict, poverty and environmental problems arising out of factors such as climate change, population pressure, and natural disasters.

Climate change is increasingly undermining livelihood opportunities for many people in the developing world as it may in the future affect access to and pressure on natural resources. For many people a natural response is to migrate in the search of alternative opportunities elsewhere.

These complex tendencies in the broad field of migration have contributed to increasing xenophobia in receiving countries. That, in turn, has been one of the key factors leading to the development of elaborate systems and barriers that regulate the movement of people across borders, in particular from the South to the North, but increasingly also within the South.

By themselves, these developments pose a challenge for agencies that deal with conflict-related displacement at a global level, such as DRC. The purpose of the present document is therefore to clarify key aspects of DRC's vision and mandate, principles and approaches as they relate to mixed migration, in order to provide broad guidance both at the policy level and in terms of operations. In this, the document rests on a definition of mixed migration as consisting in "*Complex population movements including refugees, asylum seekers, economic migrants and other migrants*"<sup>1</sup> and where other migrants in DRC's perspective include people displaced due to climate change

## 2. Challenges arising out of mixed migration and DRC's ability to respond

In accordance with DRC's mandate and its vision that no displaced person should be denied protection and durable solutions, activities have traditionally been focused on refugees, internally displaced, and others affected by conflict. However, in line with the above developments, it has become evident that these groups of concern are often mixed with other individuals and groups engaged in migratory movement.

Distinguishing among these groups is increasingly difficult and perhaps even partially irrelevant, not only because of the mixed motivations for migrating, but also because of the frequent phenomena of changing status en route; an IDP, for instance, may become a refugee in a neighbouring country, only to move on to other countries as a migrant in search of improved livelihood opportunities. This does not change the fact that (s)he was forced to leave her/his country because of conflict and that (s)he may not be able to return, but her/his legal status is nevertheless changing, depending both on own choices and on the policies of relevant authorities.

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<sup>1</sup> This definition corresponds to the IOM definition of mixed movements. This compares with the following definition of a migrant: "The term migrant is usually understood to cover all cases where the decision to migrate is taken freely by the individual concerned for reasons of "personal convenience" and without intervention of an external compelling factor.". Both are quoted from: IOM: Glossary on Migration, Geneva 2004

Similarly a migrant who has been forced to leave her or his area or country due to climate change and resulting reduced access to resources and livelihood opportunities is also likely to end up in a situation similar to an IDP, or if crossing an international border as a migrant without legal status – again depending on the concerned authorities.

Furthermore, irrespective of their legal status, many of those included in these movements are vulnerable to hazards and violations of their human rights, including trafficking, human smuggling, inhuman treatment and loss of life. Such abuses and suffering are strongly reflected in reports on migratory flows between e.g. West Africa and the Canary Islands, the Horn of Africa and the Gulf States, and across Central and Eastern Europe. These developments have amplified the need for the international community to address the plight of people involved in mixed migration and to do so through a comprehensive approach that tackles protection gaps and identifies durable solutions.

Given its broad national and international experience, its global outreach, and not the least a rights-based vision and mandate along with related principles and approaches, DRC is a relevant actor in such efforts. This is particularly so given its potential for responding to violations and vulnerabilities throughout routes of mixed migration and for utilising all available national and international capacities within a coherent framework.

The following are among the concrete challenges and opportunities faced by DRC in this connection:

#### *In Denmark*

With regard to the interface between asylum and mixed migration, specific issues relate to protection problems arising from the possibly growing presence of irregular migrants in Danish society. Similarly, the forced return of rejected asylum seekers continues to be of concern, in part because it in some cases may result in protection problems for the returnees and others in countries of return.

The interface between integration and mixed migration constitutes both a challenge and an opportunity for DRC, which is continuously considering the question as to how much it should become involved in providing integration services to broader categories of migrants. Opportunities also exist in terms of linking people that originate from war-torn societies with reconstruction efforts in their home countries, in particular where DRC has an operational presence.

#### *In the European Union*

To a significant extent, the challenges and opportunities linked to both asylum and integration in Danish society mirrors similar issues throughout the European Union. This does raise the possibility that DRC may become involved in these issues at the European level as well, thereby utilising its unique experience from a Danish setting in terms of both service provision and advocacy.

Whereas service provision activities seem particularly relevant in the broad field of integration, advocacy may well be directed at ensuring continued access to apply for asylum. Thus, it seems likely that policies towards mixed migration are resulting in further restrictions in the protection regime within the European Union, and that this may be one of the factors behind a possible increase in the number of irregular migrants. For these reasons various counter-measures would seem necessary.

#### *Globally*

The European discourse on the interface between asylum and mixed migration is reflected in the European Union developing preventive efforts that are centred on strengthening migration management in third countries, combined with readmission agreements and similar instruments. For DRC as an implementing agency, this raises the immediate need to balance between, on the one hand, supporting an overall improvement in the global ability to meet protection gaps among mixed migrants, and, on the other hand, the objective to ensure that return and readmission of rejected asylum seekers does not result in new protection issues developing in countries of origin.

In a broader sense, this relates to the interface between conflict and mixed migration, which also entails both challenges and opportunities for DRC. It typically raises the question as to how far DRC should go in developing preventive measures. Such may include addressing root causes in areas of origin, supporting informed decision-making among people engaged in mixed migration e.g. by strengthening knowledge about rights violations in transit and destination countries – while on the other hand ensuring that people have access to protection of their basic rights to the extent required.

At the same time and as indicated above, DRC is well placed to make use of evidence, which indicates that migrant societies can play a strong role in the reconstruction of war-torn societies through transferring remittances as well as knowledge and information to their areas of origin. Given its presence in many countries of origin, transit and destination, DRC could play a lead role in this area.

### **3. Guiding principles for addressing protection gaps related to mixed flows**

In all its action, DRC is guided by its mandate, its vision and its framework for assistance activities, which incorporates key international instruments and codes related to humanitarian assistance and protection. Further to this, when establishing a presence in a given area, it will always be in response to displacement. However, in determining whether and how we should utilise such a presence in responding to broader protection gaps in mixed movements such as the ones mentioned above, DRC is guided by a set of additional, specific principles:

#### *Expertise and capacity*

DRC is committed to responding to protection needs arising from mixed migration including climate change displacement provided that the relevant action falls within its global areas of expertise and that the required capacity is present or can be identified.

#### *Do No Harm*

It is of key importance for DRC to strive towards ensuring that none of its action has any negative impact on concerned individuals and groups within a programme area or throughout routes of mixed migration. To achieve this, DRC is committed to basing its strategies on a comprehensive analysis of the causes and effects of protection gaps in countries of origin, transit and destination. Further, this implies the willingness to address unmet protection gaps that are brought to light by such an analysis or that may arise because of our action.

#### *Collaborative approach*

DRC believes that a collaborative approach is necessary to ensure an appropriate, comprehensive and sustainable response to the broad range of protection problems arising from mixed movements. Therefore, DRC will always strive to maximise the impact of its action by seeking complementarity with duty bearers and other relevant organisations that are able and willing to participate in the required response. This is done by advocating for necessary action by responsible authorities and by promoting the engagement of other agencies that specialise in sectors or geographical areas, which can complement DRC's own programme.

### **4. Concluding remarks**

This note has clarified the challenges faced by DRC when responding to protection needs that arise from mixed migration including displacement related to climate change. Further, it has spelled out the principles that applies when determining whether and how to engage in such responses in situations where DRC is already supporting people affected by conflict.

In due course, this note is to be supplemented by concrete guidance on planning and implementation of DRC activities in response to mixed population movements both in Denmark and internationally. As is the case with the above guiding principles, such guidance is to be developed on the basis of DRC's key policy and programme frameworks, including the present note.