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COUNCIL OF DELEGATES
OF THE INTERNATIONAL RED CROSS
AND RED CRESCENT
MOVEMENT

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RESOLUTION 10

Policy on Migration
International Federation of Red Cross
and Red Crescent Societies

Resolution 10

POLICY ON MIGRATION INTERNATIONAL FEDERATION OF RED CROSS AND RED CRESCENT SOCIETIES

The Council of Delegates,

underlining the Movement's deep concern about the plight of tens of millions of migrants who live outside or at the margins of conventional health, social and legal systems, and whose humanitarian needs vulnerabilities are growing due to the increasing exclusion, exploitation and the denial of their fundamental rights to which they are exposed,

recalling the acknowledgement by the 30th International Conference of the Red Cross and Red Crescent (resolution 1 "Together for Humanity", Geneva 2007) of the role of the International Red Cross and Red Crescent Movement, and in particular of National Societies of the Red Cross and Red Crescent, in providing protection and assistance to vulnerable migrants, irrespective of their legal status,

recalling the decision of the General Assembly of the International Federation of Red Cross and Red Crescent Societies (Federation), at its 16th session (resolution 12, Geneva 2007), to develop a policy on migration for National Societies, noting that it will benefit from the specific role, experience and expertise of the International Committee of the Red Cross (ICRC) in Restoring Family Links and other protection issues, in particular regarding persons deprived of their liberty,

recalling its request for the International Federation to report back on the policy,

recalling its request to the ICRC to develop guidelines for National Societies working or wishing to work in places where migrants are detained in consultation with National Societies and their International Federation and to report back at the next Council of Delegates,

welcomes the new Federation policy on migration, adopted by the Federation's Governing Board on 3 May 2009,

commends the policy for its focus on the need for humanitarian access for migrants, irrespective of their legal status, while at the same time recognizing the importance of the legal protection afforded to them under international human rights law, international humanitarian law and international refugee law,

takes note that the policy has benefited from the expertise of the ICRC in RFL and other protection issues and that the ICRC will contribute to its implementation in these fields, and as mentioned in the policy,

takes note of the guidelines for National Societies working or wishing to work in places where migrants are detained developed by the ICRC in consultation with National Societies and their International Federation,

notes with satisfaction the complementary nature of the Federation policy on migration and the Movement policy on internal displacement, proposed for adoption at this session of the Council, and the fact that therefore, together, these policies will strengthen the

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strategic response of the Movement to the humanitarian needs and vulnerabilities of a large spectrum of uprooted persons,

reiterates its call to the components of the Movement to give more prominence to the humanitarian consequences of migration at international, regional, national and local levels (Council of Delegates, resolution 5, Geneva November 2007),

requests the International Federation, National Societies and the ICRC, in accordance with their respective mandates, to continue cooperating closely in implementing the policy and in coordinating within and beyond the Movement to support the provision of the necessary services and protection to vulnerable persons throughout the entire migration cycle, including return and reintegration.



Policy on Migration

In 2007, the 16th General Assembly of the International Federation of Red Cross and Red Crescent Societies requested the Governing Board to establish a Reference Group on Migration to provide leadership and guidance and to develop a Federation policy on migration. The Council of Delegates welcomed this decision and highlighted the Movement-wide importance of the humanitarian consequences of migration. The 30th International Conference of the Red Cross and Red Crescent also underlined the humanitarian concerns generated by international migration. Its declaration *Together for Humanity* elaborated on the issue, acknowledging the role of National Societies in providing humanitarian assistance to vulnerable migrants, irrespective of their legal status.

The present policy on migration expands the scope of, and replaces the Federation policy on refugees and other displaced people. It builds on, and complements those resolutions of the Red Cross and Red Crescent Movement that relate to action in favour of refugees and internally displaced persons (see Annex). In order to capture the full extent of humanitarian concerns, the policy is deliberately broad. Therefore, while recognizing the specific rights of different categories under international law, it addresses the needs and vulnerabilities of, among others, labour migrants, stateless migrants, irregular migrants, as well as refugees and asylum seekers.

National Societies and the International Federation have a responsibility to ensure that their activities and programmes are carried out in compliance with this policy; that all staff and volunteers are aware of the rationale and content, and that all relevant governmental, intergovernmental and non-governmental partners are adequately informed about it.

Policy Principles

Each National Society and the International Federation shall take into account and adopt the following approach on migration:

1. Focus on the Needs and Vulnerabilities of Migrants

The International Red Cross and Red Crescent Movement strives to adopt an integrated and impartial approach, combining immediate action for migrants in urgent need with longer-term assistance and empowerment. It is therefore important that National Societies be permitted to work with and for all migrants, without discrimination and irrespective of their legal status.

2. Include Migrants in Humanitarian Programming

National Societies can opt for different approaches in assisting and protecting migrants. Some focus on migrants through special, targeted programmes or projects; others include migrants in their general humanitarian action, addressing the needs and vulnerabilities of the population in its diversity. Both approaches require sustained efforts by National Societies to guarantee impartiality and non-discrimination, taking into account the humanitarian needs of the host population.

3. Support the Aspirations of Migrants

Migrants have a legitimate claim to hope and opportunities to achieve their potential. They are also an important social, economic and cultural factor. Their skills, experience, and resilience can be a valuable contribution to their host communities. National Societies will consider migrants' own needs and interests, and support their social inclusion, integration, and their aspirations.

4. Recognize the Rights of Migrants

National Societies provide assistance and protection to migrants, irrespective of their legal status. Yet, the degree to which migrants are able to enjoy their rights is an important factor in assessing their vulnerability. By working with migrants to ensure that their rights are respected – including the right to the determination of their legal status – National Societies will also promote their social inclusion and their aspirations.

5. Link Assistance, Protection and Humanitarian Advocacy for Migrants

Assistance to migrants goes hand in hand with efforts to protect them against abuse, exploitation, and the denial of rights. In making these efforts National Societies will respect the migrants' own interest, and the imperative of doing them no harm. To enable migrants to overcome abuses and pressures, National Societies can provide legal advice, refer them to other relevant and competent organisations or entities, or undertake discreet or public forms of humanitarian advocacy.

6. Build Partnerships for Migrants

The humanitarian challenges of migration reach across borders, regions, and cultures. There is a Movement-wide responsibility for capacity-building, mutual support and coordination. Regional cooperation among National Societies is equally essential. In working with external partners on migration, a common and principled approach of the Movement is indispensable.

7. Work Along the Migratory Trails

The Movement is in a unique position to help bridge the gaps of assistance and protection for migrants. National Societies in countries along the migratory trails will work together to optimise their humanitarian action, including the restoration of family links. This requires a focus on situations and conditions in which migrants all along their journey are especially susceptible to risks. National Societies may sensitize potential migrants about risks of migration, but must not seek to encourage, prevent or dissuade migration.

8. Assist Migrants in Return

Return to the place of origin is not the necessary end or solution of migration. Migrants may prefer to stay where they are, for an extended period or permanently. While providing counselling and informing migrants about their options, National Societies cannot and shall not decide what solution is the best, and must at all times maintain their impartiality, neutrality and independence. When migrants do return they face particular challenges; to assist and protect them, cooperation and agreement between National Societies in countries of destination and return is essential.

9. Respond to the Displacement of Populations

Armed conflicts and violence, natural or man-made disasters, but also development or relocation schemes can force populations to leave their homes, leading to accelerated and collective, even massive movements. The displaced populations might seek assistance and protection within their own country, or might find refuge across international borders. Displacement of populations and migration of individuals and groups are distinct but often interrelated phenomena; where they are interrelated, National Societies will strive for a coordinated action that covers both, the displaced and the migrants.

10. Alleviate Migratory Pressures on Communities of Origin

Migratory pressures on communities of origin can be related to social and economic distress; they can be linked to environmental degradation as well as natural or man-made hazards; and they can be due to persecution, armed conflict, and violence. By supporting disaster preparedness and building resilience at community level, National Societies contribute to alleviating pressures that can induce people to migrate against their will and desire.

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Policy Guidance

Introduction

In engaging in the area of migration, National Red Cross and Red Crescent Societies have the purpose – individually and together with the International Federation and the ICRC – to address the humanitarian concerns of migrants in need throughout their journey. They strive to provide assistance and protection to them, uphold their rights and dignity, empower them in their search for opportunities and sustainable solutions, as well as promote social inclusion and interaction between migrants and host communities.

Working with and for vulnerable migrants is one of the long-standing traditions of the International Red Cross and Red Crescent Movement. It is rooted in its Fundamental Principles and universal character as well as in its volunteer and community basis. However, patterns and issues associated with migration change over time. We should, therefore, continually examine our ways of working with and for migrants to ensure that our action remains strong, coherent, and mindful of crosscutting issues. Our policy on migration is a living policy: It will be reviewed and, if necessary, revised as we evaluate its implementation.

Many migrants succeed in establishing themselves in their new communities, but others – those at the centre of our attention – face difficulties. They may lose the links with their families and communities. Outside their traditional support systems, they often are unable to access health and social services that respect their basic needs and dignity. They may be subject to human trafficking, sexual or labour exploitation. They may be deprived of their liberty and detained, as part of the migration process. Some risk persecution if they return to their countries of origin. Migrants also often face cultural and language barriers, discrimination and exclusion, or even violence. Women and children – especially unaccompanied and separated minors –, traumatised persons, people with physical and mental disabilities, and elderly persons are particularly vulnerable.

The approach of the Movement to migration is strictly humanitarian and based on the recognition of each migrant's individuality and aspirations. It focuses on the needs, vulnerabilities and potentials of migrants, irrespective of their legal status, type, or category.

In order to capture the full extent of humanitarian concerns related to migration, our description of migrants is deliberately broad: Migrants are persons who leave or flee their habitual residence to go to new places – usually abroad – to seek opportunities or safer and better prospects. Migration can be voluntary or involuntary, but most of the time a combination of choices and constraints are involved. Thus, this policy includes, among others, labour migrants, stateless migrants, and migrants deemed irregular by public authorities. It also concerns refugees and asylum seekers, notwithstanding the fact that they constitute a special category under international law.

Migration within one country can lead to situations similar to international migration, especially if the migrants are subject to discrimination. For such situations, many recommendations of this policy will be useful. In other contexts, migration within one country is part of the general labor mobility, for example due to urbanization. In this case, support to migrants will fall under our general humanitarian action.

In contexts where migration is an important subject of domestic politics, there can be considerable pressure on National Societies to collaborate with governmental as well as non-

governmental partners that have political rather than humanitarian objectives. The best way for National Societies to avoid or resist such pressure is to demonstrate that their work is based on an independent understanding of the migrants' own needs and interests, and rooted in the Movement's Fundamental Principles.

1. Focusing on the Needs and Vulnerabilities of Migrants

1.1. The primary focus should always be on migrants whose survival, dignity, or physical and mental health is under immediate threat. Equally important are efforts to reduce the vulnerability of migrants, protect them against abuses, exploitation and the denial of rights, as well as to empower them to seek opportunities and sustainable solutions.

- National Societies shall strive to combine their immediate response to the needs of migrants with programmes designed to reduce their vulnerabilities, and to protect and empower them.

1.2. The degree to which migrants have access to assistance, services and legal support is a key criterion in assessing their vulnerability. Those who lack access are especially susceptible to risks.

- National Societies shall undertake sustained efforts to ensure that migrants have access to humanitarian assistance, essential services, and legal support. They shall strive to obtain effective and unconditional access to all migrants, irrespective of their legal status.

1.3. Migrants often face difficulties in obtaining permits to transit through countries, or to stay and work abroad. Many try to pass borders illegally, or they go into hiding from authorities when failing to legalize their status. At the same time, governments are increasingly implementing policies to curb irregular migration. To do so is the prerogative of governments as long as they act within accepted international standards. However, such policies tend to increase the vulnerability of irregular migrants, as they face obstacles in obtaining basic assistance and essential services.

- National Societies shall take into account the needs and vulnerabilities of irregular migrants. To the extent possible, they shall take steps to respond to their needs, either through direct assistance, or referral, or humanitarian advocacy efforts.

1.4. The age and gender of migrants have an influence on their susceptibility to risks, as do other factors, such as their state of health, disabilities, national or ethnic origin, and cultural background.

- National Societies shall pay special attention to age, gender, and other factors of diversity that increase the vulnerability of migrants.

1.5. When collecting data on migrants, National Societies do so for the purpose of humanitarian assessment, planning and response. However, third parties might want to use the data for purposes that run counter to humanitarian principles, such as discriminatory policies.

- National Societies should recognize that third parties might misuse information that they collect on migrants. Within the limits of national law, they shall ensure that the information remains within the humanitarian domain.

2. Including Migrants in Humanitarian Programming

2.1. National Societies may choose to set up programmes that are specifically designed to address the needs and vulnerabilities of migrants. Programming should be based on vulnerability and capacity assessments using participatory approaches. If National Societies set up such programmes, it is crucial that they ensure transparency and avoid creating barriers between migrants and the general population.

- When conducting programmes with a special focus on migrants, National Societies shall strive to integrate these programmes within their overall strategy for a general and non-discriminatory humanitarian response.

2.2. Alternatively, National Societies may choose to include migrants in their general humanitarian action. In this case, they may come under pressure to give preferential treatment to local communities, and might run the risk of overlooking the specific situation of migrants. In crises or emergencies, third parties might prevent migrants from receiving assistance.

- National Societies shall take pre-emptive measures to ensure that migrants are included in general humanitarian action through a careful diversity approach, especially in times of crises and emergencies.

3. Supporting the Aspirations of Migrants

3.1. Host communities can benefit from non-material values that come with migration, such as migrants' skills, experience and resilience, as well as cultural diversity. Moreover, many countries depend on migrants as part of their labour force. In turn, countries of origin may benefit from remittances transferred home by migrants. Yet, in spite of these benefits of migration, migrants often face suspicion, or even hostility and xenophobia.

- By underlining the benefits that migrants bring to host communities and countries of origin, National Societies can help overcome barriers of exclusion and discrimination and reduce the potential for community tensions.

3.2. Public authorities, other institutions, and the general public may have assumptions about migrants that differ from what the migrants themselves see as their interests, needs and capabilities. Equally, migrants can have misperceptions or misunderstandings regarding the laws, customs and conditions in their host country. National Societies can reduce these gaps by promoting the participation of migrants in decisions that have an impact on their lives.

- To the extent possible, National Societies shall involve migrants in participatory processes within their host communities. This will help ensure a response to their needs and aspirations that is mutually acceptable and beneficial.

3.3. Linguistic and cultural barriers can prevent migrants from representing their own needs, interests and aspirations effectively. They also might misunderstand the role of the International Red Cross and Red Crescent Movement in their host country, and mistrust its national staff. By adopting policies to ensure the diversity of their staff and volunteers, National Societies can overcome such barriers and support social inclusion.

- To the extent possible, National Societies shall integrate members of migrant communities as staff and volunteers into their ranks.

4. Recognizing the Rights of Migrants

4.1. Legal considerations are an essential element in determining the vulnerability of migrants, and in securing adequate access for them to assistance and services. Moreover, legal considerations are important when designing strategies to empower migrants and support them in establishing realistic and positive prospects for themselves.

- National Societies shall develop a thorough understanding of migrants' rights as a key element for responding to the vulnerabilities of migrants, and for their empowerment.

4.2. No migrant is without rights. National legislation is a source of these rights, but it falls under the overall framework of international bodies of law: (a) international human rights law, which defines the rights of all human beings; (b) international humanitarian law, which protects, among others, civilians in situations of armed conflict, including migrants; (c) international refugee law, which sets out the specific rights of asylum seekers and refugees as a distinct legal category. All three bodies of law include or recognize the principle of *non-refoulement*, which prohibits the expulsion or removal of persons to countries where there are reasons to believe they will be subjected to persecution, torture or other forms of cruel, inhumane or degrading treatment, or to arbitrary deprivation of life.

- In their work with and for migrants, National Societies shall respect the relevant national and international law. They also have a role in promoting the rights of migrants and sensitizing partners, counterparts and the public to the principle that no migrant is without rights, regardless of his or her legal status.

4.3. States have the right to regulate migration in their domestic legislation and through administrative policies and practices. At the same time, they are required to respect, protect, and fulfil the rights of migrants. This obligation includes measures to safeguard access to the asylum system, as well as action against discriminatory and exploitative practices, such as the exclusion of migrants from services and assistance responding to their basic needs. It may also concern governments whose migrant citizens abroad, or diasporas, are discriminated against or exploited.

- If necessary and appropriate, National Societies shall remind or call upon public authorities to take action against discrimination and exploitation of migrants.

5. Linking Assistance, Protection and Humanitarian Advocacy for Migrants

5.1. Protection is a crosscutting concern. When National Societies encounter situations where migrants are at risk, there is a range of measures that can contribute to their protection. These include direct assistance, legal advice, referrals to relevant organisations, and different forms of advocacy. In order to identify the adequate measures, it is important for National Societies to understand and analyse the various risk factors.

- In their efforts to protect migrants, National Societies shall take care to choose those measures that they are best suited to undertake. They will ensure that these measures do no harm and maximize the benefits to migrants.

5.2. There are circumstances that expose migrants to heightened and acute risks to their physical integrity and well-being. This is the case when they are subject to *refoulement*, sexual and labour exploitation, and human trafficking. It may also be the case when migrants are in the hands of people smugglers. National Societies encountering such cases may require

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special support and guidance from the International Federation or the ICRC which will assist them to develop their capability to respond.

- The International Federation and the ICRC shall provide guidelines and advice to National Societies working in situations of heightened and acute risks to migrants.

5.3. An increasing number of migrants are unaccompanied minors or minors separated from their families. Without family links or appropriate care arrangements, they are at high risk of abuse and exploitation. Their rights may be violated, and their prospects for a secure and productive future are often dim. These minors are of special concern to the Movement.

- National Societies shall cooperate and engage in the protection of unaccompanied and separated minor migrants, including through efforts to restore their family links. To the best of their capacities, they shall support them in building a viable future for themselves.

5.4. Migrants who are detained in the course of the migratory process may be exposed to heightened risks. Under certain circumstances and conditions, National Societies may contribute to improving their treatment and conditions of detention. However, National Societies should ensure that their work for migrants in detention is carried out in the migrants' interest, and thus does no harm.

- National Societies choosing to initiate activities for detained migrants, such as the provision of specific services or monitoring of detention conditions, shall follow guidelines developed for this purpose under the lead of the ICRC.

5.5. The National Society of the country hosting migrants is usually in a privileged position to conduct advocacy on their behalf. Humanitarian advocacy can take the form of discreet interventions with authorities or private parties; or of public statements, messages, or campaigns. Whatever form it takes, it should always be carefully targeted and reflect the concrete situation of those on whose behalf it speaks.

- National Societies shall base their advocacy on behalf of migrants on concrete experience that they, or other components of the Movement, have gained in working with and for the migrants of concern.

5.6. A National Society may need other National Societies or external partners, to support its advocacy on behalf of migrants in its country. The International Federation plays an important role in supporting such advocacy interventions and in carrying out advocacy activities on migration at the global level.

- National Societies can call on other National Societies, the International Federation or external partners to support their advocacy on behalf of migrants. Where several components of the Movement are concerned by a common migration issue, a coordinated approach on advocacy is essential.

6. Building Partnerships for Migrants

6.1. Several components of the Movement may be present in a country where a National Society is providing assistance and protection for migrants. Even where only one National Society is present, work on migration issues usually implies cross-border and inter-regional relations with other National Societies. It is important to make good use of Movement-wide networks and platforms to optimise National Societies' action on migration.

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- In undertaking their assistance and protection efforts on behalf of migrants, National Societies, the International Federation, and the ICRC shall make use of available Movement mechanisms to build partnerships and seek consent among each other.

6.2. For a coherent global response to the humanitarian consequences of migration, National Societies require adequate capacities, in terms of dedicated expertise, staffing, structures, and other resources.

- A global and effective system of support and partnership, specifically dedicated to migration issues, should be built under the lead of the International Federation to support capacities of National Societies on migration.

6.3. Governments increasingly coordinate their national migration policies at a regional level. The humanitarian aspects of regional policies are of direct concern to National Societies, and often require coordination within regional groups. However, regional policies have an inter-regional and global humanitarian impact. Consequently, regional cooperation of National Societies requires that they also consult and cooperate with National Societies beyond their region, in line with the universal character of the Movement.

- Regional groups of National Societies working together on migration shall consult and cooperate with National Societies beyond their region, in order to share relevant inter-regional and global humanitarian concerns.

6.4. Domestic institutions as well as international organizations may have mandates to assist and protect specific categories of migrants in a country or region. It is important for National Societies to design a strategy by which, within their capacities, they add value to the overall response, while acting within humanitarian principles and maintaining their independence.

- National Societies shall take into account the roles and mandates of other organizations or institutions that provide assistance and protection to migrants. When working together with them, National Societies shall respect Movement policies and principles concerning external cooperation.

7. Working Along the Migratory Trails

7.1. Understanding the conditions all along migratory trails is important to ensure assistance and protection for migrants where they are most in need and at risk. Therefore, National Societies need to collect and exchange information, and establish an integrated picture of the conditions of migrants as they move.

- National Societies along migratory trails shall strive to exchange information about the conditions and risks for migrants in the countries concerned, and to integrate the information to facilitate the assessment of their needs and vulnerabilities.

7.2. Work with migrants in transit is a challenge for National Societies, as these migrants tend to be particularly vulnerable to abuses and exploitation. Their very survival can be at stake. As these migrants are transient, it is critical for National Societies to assess their needs and take effective humanitarian action.

- It is a priority for the International Federation to strengthen the capacities of National Societies to work with migrants in transit. National Societies in countries of transit shall identify their requirements for support.

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7.3. Support in establishing community linkages is part of National Societies' overall engagement in promoting the social inclusion and integration of migrants. Isolation and the lack of community linkages increase their vulnerability. The links of migrants with their families and communities at home are often weakened and sometimes entirely lost. The worldwide family links network of National Societies and the ICRC is often the last resort for restoring family links between the migrants and their families.

- It shall be a priority for National Societies, in working together, as well as with the ICRC, to take action for restoring the family links of migrants.

7.4. In some cases, migrants enter countries without presenting themselves at official border crossings. As public authorities have intensified their efforts to prevent such irregular migration, migrants of different origins and profiles are often detained in groups. They tend to be treated as part of a clandestine or irregular 'mixed group', rather than as individuals with specific needs, vulnerabilities and rights, including the right to seek asylum.

- National Societies shall recognize and support the right of each member of mixed migrant groups to be considered on an individual basis. They should strive to assist each of them in seeking the opportunity to assert their individual claims through adequate procedures.

7.5. People deciding to migrate in search of safety and new places to live and work need to know about the risks of migration, which for irregular migrants can be life threatening. Migrants' hopes for opportunities abroad may also be inflated and unrealistic. Raising the awareness of potential migrants about the risks of migration, and of conditions in countries of destination, can prevent human suffering. However, many migrants may have no choice but to travel by irregular means. As a matter of principle, National Societies must not seek to prevent migration: Whether to migrate or not is a personal decision. It is also important that National Societies avoid the perception that they are acting under governmental policies to encourage, prevent or dissuade migration.

- National Societies may raise the awareness of potential migrants concerning the risks of migration, particularly irregular migration. However, they must avoid becoming instruments of governmental policies, aimed at preventing migration as a whole.

8. Assisting Migrants in Return

8.1. Returning migrants will often face challenges, particularly in terms of their reintegration – but they also can contribute to the development of countries of return. When working with and for them, National Societies are only concerned with the returnees' own needs and interests. At all times, they must maintain their impartiality, neutrality and independence. National Societies in countries of destination and return should cooperate, both in preparation of returns, and in receiving the returnees. Activities by National Societies may include pre-departure counselling and support as well as reintegration assistance and monitoring of conditions after return.

- Assistance and protection for returning migrants, before and after their return, shall be based on the agreement of the returnee. Cooperation between National Societies in countries of departure and countries of return is essential, and may include formal partnership agreements for the benefit of returnees.

8.2. It is within the prerogative of States to regulate the presence of migrants, and if they are deemed irregular, to expel or deport them. However, governments must ensure that such

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coercive acts are executed in due respect of international law, including the principle of *non-refoulement*. National Societies are under no obligation, as auxiliaries to public authorities or otherwise, to have a role in coercive acts or migration control. In fact, their direct participation may endanger the neutrality and humanitarian identity of the Movement.

- National Societies shall avoid participation in expulsions or deportations of migrants. However, with the prior consent of both, those who will be forcibly removed and the National Society in the country of return, they may respond to humanitarian needs. In such cases, stringent programming conditions must be respected.

9. Responding to the Displacement of Populations

9.1. Situations of displacement of populations are often linked to migration. People in displacement may not be in a position to return or to stay where they have sought refuge. Thus, they may take the path of migration to reconstruct their lives elsewhere. For both, displaced populations and migrants, National Societies play an essential humanitarian role. This can involve individual action as well as action in partnership with the ICRC, the International Federation, or other National Societies. It is important to adopt a coordinated approach that considers displacement of populations and migration as challenges that are distinct but interrelated.

- Requirements for the response to situations of displacement of populations are different from those related to migration. However, all components of the Movement, as the contexts require, shall strive for a coordinated action that covers both, displaced populations and migrants.

9.2. In situations of internal displacement, i.e. displacement of populations within a country, national legislation is a source of law that guarantees assistance and protection for the affected populations. However, national legislation does not always foresee the extraordinary circumstances of internal displacement. Public authorities can be overstretched and weakened. In such situations, it is especially important for National Societies to base their work on international human rights law and – for situations of armed conflict – international humanitarian law, both of which are reflected in the *Guiding Principles on Internal Displacement*. To facilitate the work of National Societies, the International Federation and the ICRC shall provide the necessary guidance.

- National Societies providing assistance and protection in situations of internal displacement shall refer to the relevant international legal and normative frameworks, and follow the guidance of relevant Movement standards and policies.

9.3. Displacement within a country may precede the displacement of refugees or disaster victims across international borders. On either side of the border, the circumstances and humanitarian needs of the displaced populations will be different. Cross-border coordination is essential in order to ensure that relief provided on either side of the border aims at durable collective solutions. The primary level of cross-border coordination shall be within the Movement; the secondary level shall be with external actors, in line with Movement policies and principles concerning external cooperation.

- In contexts where an association exists between internal displacement and displacement across international borders, National Societies shall aim at a humanitarian response that is coordinated under a cross-border strategy.

10. Alleviating the Migratory Pressures on Communities of Origin

10.1. In situations of armed conflict and other violence, international humanitarian law defines the rules that limit the effects of conflict and protect people and their homes. The humanitarian intervention of National Societies, in coordination and partnership with the ICRC with its specific mandate under the Geneva Conventions and the Statutes of the Movement, can reduce the risks of the displacement of populations, as well as the onward migration that may ensue.

- To alleviate migratory pressures due to armed conflict and other violence, National Societies shall cooperate with the ICRC, and support its mandate under international humanitarian law.

10.2. Social and economic distress, as well as the lack of services and prospects for development, are major causes of migration. Humanitarian advocacy may encourage governments to take measures for improved services and economic development. However, the comparative advantage of National Societies lies in their contribution to the resilience of communities through volunteer based work. This may involve, among other activities, programmes for food security and income generation, programmes for health and education, or humanitarian relief.

- When contributing to the reduction of migratory pressures in countries in economic and social distress, National Societies shall focus on strengthening the resilience of people through action at community level.

10.3. Environmental degradation, coupled with population growth, makes living conditions in many places increasingly precarious, particularly for the poor. The threat of natural or man-made disasters can induce people to migrate in search of safer places. By preparing for such hazards and increasing the resilience of the population, National Societies and the International Federation contribute to alleviating pressures which compel people to migrate.

- As a key strategy to reduce migratory pressures on disaster-prone communities, National Societies and the International Federation shall focus on disaster risk reduction and disaster preparedness.

Policy Annex

This policy addresses issues and contains concepts that may require further commentary and background. The documents listed in the Annex include Movement resolutions, Federation policies, Federation and ICRC guides and handbooks, resolutions adopted by regional statutory conferences, regional meeting recommendations, as well as a selection of relevant international legal instruments.



Policy on Migration Annex

The policy on migration addresses issues and contains concepts that may require further commentary and background. The documents below are therefore intended to assist the reading of the policy. It is, however, not an exhaustive list of all texts that may of relevance when providing assistance and protection to migrants.

Movement Resolutions

Together for Humanity, Resolution 1, 30th International Red Cross and Red Crescent Conference, 2007

Specific nature of the Red Cross and Red Crescent Movement in action and partnerships and the role of National Societies as auxiliaries to the public authorities in the humanitarian field, Resolution 2, 30th International Red Cross and Red Crescent Conference, 2007

International Migration, Resolution 5, Council of Delegates, 2007

Restoring Family Links Strategy (and Implementation Plan) for the international Red Cross and Red Crescent Movement (2008-2018), Resolution 4, Council of Delegates, 2007

Promoting respect for diversity and non-discrimination – A contribution to peace and friendship between peoples, Resolution 3, Council of Delegates, 2005

Implementation of the Seville Agreement, Resolution 8, Council of Delegates, 2005

Promote respect for diversity and fight against discrimination and intolerance, Resolution 9, Council of Delegates, 2003

Movement action in favour of refugees and internally displaced persons and minimum elements to be included in operational agreements between Movement components and their external operational partners, Resolution 10, Council of Delegates, 2003

Movement action in favour of refugees and internally displaced persons, Resolution 4, Council of Delegates, 2001

The Movement's policy on Advocacy, Resolution 6, Council of Delegates, 1999

Agreement on the organization of the international activities of the components of the International Red Cross and Red Crescent Movement (The Seville Agreement), Resolution 6, Council of Delegates, 1997

Principles and action in international humanitarian assistance and protection, Resolution 4, 26th International Conference of the Red Cross and Red Crescent, 1995

The Movement, refugees and displaced persons, Resolution 7, Council of Delegates, 1993

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The Movement and refugees, Resolution 9, Council of Delegates, 1991

The Movement and refugees, Resolution XVII, 25th International Conference of the Red Cross, 1986

International Red Cross aid to refugees, Resolution XXI, 24th International Conference of the Red Cross, 1981

Federation Policies

Health policy, 15th Session of the General Assembly, International Federation of Red Cross and Red Crescent Societies, 2005

Psychological support policy, 7th Session of the Governing Board, International Federation of Red Cross and Red Crescent Societies, 2003

Social welfare policy, 12th Session of the General Assembly, International Federation of Red Cross and Red Crescent Societies, 1999

Disaster preparedness policy, 12th Session of the General Assembly, International Federation of Red Cross and Red Crescent Societies, 1999

Gender policy, 12th Session of the General Assembly, International Federation of Red Cross and Red Crescent Societies, 1999

Emergency response policy, 11th session of the General Assembly, International Federation of Red Cross and Red Crescent Societies, 1997

Federation and ICRC Guides and Handbooks

Enhancing protection for civilians in armed conflict and other situations of violence, ICRC, 2008

Inter-agency guiding principles on unaccompanied and separated children, ICRC, 2004

Assistance to asylum seekers in Europe – A guide for National Red Cross and Red Crescent Societies, International Federation of Red Cross and Red Crescent Societies, 2003

Restoring family links: a guide for National Red Cross and Red Crescent Societies, ICRC, 2001

Strengthening Protection in War: A Search for Professional Standards, ICRC, 2001

Resolutions Adopted by Regional Statutory Conferences

Johannesburg Commitments, 7th Pan African Conference of Red Cross and Red Crescent Societies, 2008

Guayaquil Commitment, XVIII Inter-American Conference of the Red Cross, 2007

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The Istanbul Commitments, 7th European Regional Red Cross and Red Crescent Conference, 2007

The Santiago de Chile Commitment, XVII Inter-American Conference of the Red Cross, 2003

The Manila Action Plan, VIth Asia Pacific Regional Red Cross and Red Crescent Conference, 2002

Berlin Charter and Plan of Action – Migration, VIth European Red Cross and Red Crescent Regional Conference, 2002

Recommendations Adopted by Other Regional Meetings

Strasbourg Recommendations, Seminar on Migration, Unaccompanied Minors and Forced Returns, French Red Cross and the Council of Europe, 2009

Palermo Recommendations, International Meeting on Gender and Migration in the Mediterranean, Italian Red Cross and the Red Cross and Red Crescent Centre for Cooperation in the Mediterranean, 2008

Final Report, European Open Forum on Return, Swedish Red Cross and the Red Cross/EU Office, 2006

Regional Guidelines

Return: Policy and Practice – A guide for European National Red Cross and Red Crescent Societies, Platform for European Red Cross Cooperation on Refugees, Asylum Seekers and Migrants (PERCO), 2008

Guidelines on the reception of asylum seekers, Platform for European Red Cross Cooperation on Refugees, Asylum Seekers and Migrants (PERCO), 2001

International Legal Framework – A Selection of Relevant International Instruments

This is a selection of universal legal instruments that may be relevant when working with migrants. It does not include regional human rights and refugee law instruments.

International Human Rights Law

Migrants

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990

CD/09/10

Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol), 2000

Stateless Persons

Convention on the Reduction of Statelessness, 1961

Convention relating to the Status of Stateless Persons, 1954

Other Specific Groups

Convention on the Elimination of All Forms of Discrimination against Women, 1979

Convention on the Rights of the Child, 1989

Convention on the Rights of Persons with Disabilities, 2006

General

International Convention on the Elimination of All Forms of Racial Discrimination, 1965

International Covenant on Civil and Political Rights, 1966

International Covenant on Economic, Social and Cultural Rights, 1966

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984 (see in particular Article 3 on *non-refoulement*)

International Humanitarian Law

Geneva Convention relative to the Treatment of Prisoners of War, 1949

Geneva Convention relative to the Protection of Civilian Persons in Time of War, 1949

Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977

Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977

International Refugee Law

Convention relating to the Status of Refugees, 1951

Protocol relating to the Status of Refugees, 1967