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IN IMPLEMENTING MIGRATION POLICY – PROMOTING DEVELOPMENT AND SECURING PROTECTION
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UNU-GCM POLICY BRIEF
Inclusion and Protection of Migrants and Refugees in Vulnerable Situations within Urban Centres

Summary

Cities are at the forefront of receiving migrants, refugees and displaced persons. For many on the move, cities are spaces of opportunity and hope in which to build new lives. The current period is seeing a range of new challenges emerge as migrants and refugees find themselves in vulnerable situations in relation to housing, access to basic services, employment, education and urban community life in all regions of the world. The protection and inclusion of migrants and refugees in vulnerable situations requires improved coordination within and across local governments to align humanitarian, migration and sustainable urban development agendas.

Context

More than half of the world's population lives in urban areas today. Migration plays a fundamental role in urbanization processes, and actively shapes the social, cultural and economic life of cities globally. Over 60% of the world's refugees and 80% of internally displaced persons (IDPs) now live in urban areas.[1] There is increasing recognition in the international community that the challenges facing urban migrants and refugees in vulnerable situations within urban centres are priority issues to address, and that protecting their rights calls for cross-sectoral approaches. Notably, the *New Urban Agenda*, to be adopted in Quito in October 2016, highlights a 'concept of cities for all', envisaging 'cities and human settlements that are inclusive and free from all forms of discrimination and violence'.[2] The draft Declaration of the 19th September Summit for refugees and migrants, further calls for recognising and addressing, in accordance with obligations under international law, the 'special needs of all people in vulnerable situations who are travelling within large movements of refugees and migrants'.[3]

This brief pertains specifically to the urban experiences of (i) refugees – those fleeing conflict and persecution who are recognised and given legal protections and rights according to the 1951 Refugee Convention; and (ii) vulnerable and at-risk migrants who may also be escaping violence, oppression and unsustainable livelihoods. The UN

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[1] Habitat III Issue Papers: *Migration and Refugees in Urban Areas*, 3rd June 2015, p. 2. While IDPs form a significant part of the urban displaced population, this brief covers vulnerable migrants and refugees of international provenance.

[2] Revised Zero Draft, *New Urban Agenda*, 18th June 2016. See also: *Sustainable Development Goals*, the *Call of Barcelona* (2014) and *Quito Local Agenda on Migration and Development* (2015).

[3] Draft Declaration, UN Summit for refugees and migrants, article 2.2. The document identifies persons in vulnerable situations to include: 'women at risk; children (especially those who are unaccompanied or separated from their families); members of ethnic and religious minorities; victims of violence; older persons; persons with disabilities; persons who are discriminated against on any basis; indigenous peoples; victims of human trafficking; and victims of exploitation and abuse in the context of migrant smuggling'.

Secretary General's Report *in Safety and Dignity* highlights that even as people may not have a claim to refugee status, they may nonetheless be vulnerable in their countries of origin, along their migratory routes and in their destinations, particularly if they are caught in crisis situations.[4]Distinctions between refugees and migrants are not always so clearly drawn as many share unsafe migratory routes and face similar displacement challenges. As such, adopting a human rights-based framework would ensure that all displaced persons in vulnerable situations are included in protection and inclusion policies.[5] Regional instruments such as the 2016 Bali Process Declaration in the Asia-Pacific region and the 2014 Brazil Declaration and Plan of Action in Latin America and the Caribbean, also recognise the protection needs of diverse vulnerable groups in contexts of mixed migration.

While cities have long been resilient to change, the current era is seeing new challenges in the inclusion of at-risk migrants and refugees, particularly in the context of large-scale movements across borders, which may be sudden or prolonged.[6] Migrants and refugees experience particular vulnerabilities when they arrive and settle in urban areas. These commonly relate to precarious housing and land insecurity, with the frequent threat of eviction; poor urban health conditions; a lack of secure work opportunities, where the skills and experience that migrants bring are not adequately recognised; as well as experiences of discrimination in both institutional contexts and in everyday urban life. Migrants and refugees may face a range of implicit or explicit social, cultural and linguistic barriers in the access to basic services, with undocumented migrants often experiencing additional barriers to exclusion. In certain cases, migrants and refugees residing in informal settlements may remain invisible from existing governance structures, thus accentuating their vulnerability.

Cities have to deal in a concrete manner with these multiple and intersecting challenges. This involves increasing employment opportunities for migrant populations, improving access to healthcare and education, providing decent quality housing and developing initiatives that promote social and cultural inclusion within and across urban neighbourhoods and communities. A failure to provide such channels for refugees and migrants to contribute to urban life means endangering their human rights and dignity, as well as risking the consequences of deepening social divisions, tensions and hostilities. An inclusive approach means protecting migrants and refugees in cities regardless of their migratory status,[7] as well as ensuring that policies are attuned to deal with both the short-term and more protracted experiences of displacement in urban areas.

There are a number of positive new initiatives being developed at the local level, which involve innovative partnerships between local governments and civil society organisations. The increase in arrivals of refugees to cities in Germany in 2015, for

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[4] *In Safety and Dignity: Addressing Large Movements of Refugees and Migrants*, Report of the Secretary-General, May 2016, paragraphs 35 and 89.
[5] Long, K (2015) 'From Refugee to Migrant?' *Migration Policy Institute*, p. 7; Betts, A (2010), 'Towards a Soft Law Framework for the Protection of Vulnerable Irregular Migrants', *International Journal of Refugee Law*, 22(2), pp. 209-236.
[6] As outlined in draft Declaration, UN Summit for refugees and migrants, article 1.6
[7] See also Revised Zero Draft of the *New Urban Agenda* (articles 14 and 37).

instance, led to numerous voluntary and citizen-led initiatives to welcome refugees (from setting up shared flats to offering language support and mentorship), while local government responses have focussed on meeting immediate needs and promoting a message of welcome and hospitality. Migrants and refugees are key actors in this process too, as they seek to embed themselves within diverse urban networks as they build new lives, and to have a voice in decisions that impact their lives. While responsiveness to changing conditions is crucial, so too are long-term strategies that can address the prevalent challenges of cross-border urban displacement in the twenty-first century.

Conclusion

Displacement is a crosscutting issue that is adopting a decidedly urban character. There is growing recognition that local authorities play an influential role in ensuring the wellbeing and dignity of migrants and refugees in urban centres. They are also important sources of local knowledge about realities on the ground, and vocal supporters of the positive contributions of migrants and of diverse societies. Addressing the needs and rights of migrants and refugees requires co-operation between local and national authorities, civil society, intergovernmental organisations, urban citizens and actors working in humanitarian, resilience and development sectors.[8] Policy is leaning towards strengthening cooperation and coherence across these sectors and across different levels of governance. Meanwhile, refugee policy is shifting away from humanitarian protection in camp-based settings to understanding the needs, aspirations and realities of urban refugees. A key challenge is balancing the specific needs of migrant and refugee populations with wider strategies to address urban inequality given that the urban displaced, in many local contexts, live alongside larger populations of the urban poor. The UN Secretary General's Report,[9] highlights that 'support is particularly needed for local authorities who are the first receivers of migrants, both on a temporary or long-term basis', and 'as they have a direct stake in building cohesive communities, they need to be part of national planning processes'.

Recommendations

- **Participate in city-to-city networks** to collaboratively share experiences and to productively learn from good practices across cities. Examples include UNESCO's International Coalition of Cities against Racism on countering discrimination in cities, as well as the Mediterranean city-to-city network led by United Cities and Local Governments to exchange local expertise in addressing migration challenges.

- **Invest in making services accessible to a diverse population** that includes migrant and refugee populations of different cultural and linguistic backgrounds. This should adopt a rights-based and gender-sensitive approach. As an example, the Toronto Newcomer Office actively provides resources and services to help newcomers settle in, including information about healthcare and subsidised housing.

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[8] World Humanitarian Summit secretariat (2015*) 'Restoring Humanity: Global Voices Calling for Action',* pp. 80-81.
[9] *In Safety and Dignity*, Report of the Secretary-General, May 2016, paragraph 95.

- **Engage, collaborate with and support civil society:** Civil society groups working to support migrants and refugees on the ground are invaluable partners. Barcelona's *Ciutat de Refugi* initiative is developing citizen participation and information programmes, as well as civic spaces for coordinating the efforts of the City Council and NGOs in voluntary and awareness-raising work.

- **Recognise mixed migrant populations in cities**: The UNHCR *Policy on Refugee Protection and Solutions in Urban Areas* (2009) offers important guidelines on how to protect and support refugee populations in cities. While recognising the specificities of refugee protection in urban settings, it is crucial to highlight that migration to urban areas is of a mixed character and inclusion programmes should be aimed also at migrants with protection needs, regardless of their reasons for arriving in a city.

- **Include displacement in long-term planning** to ensure that issues relating to displacement are included in crisis prevention, preparedness and resilience plans. The *Migrants in Countries in Crisis (MICIC)* Initiative Guidelines (2016) and the *Nansen Initiative Protection Agenda on Disaster-Induced Cross-Border Displacement* can also be usefully adapted to local contexts. Brazil offered humanitarian visas to disaster-affected persons from Haiti following the 2010 earthquake, while the city of São Paulo has developed a new municipal migration policy based on human rights, inclusion and non-discrimination.

- **Develop inclusive policies with a social and spatial lens**: Promoting inclusion involves constructing spatial policies that do not segregate migrants and refugees in peripheral neighbourhoods or isolated reception centres, so as to ensure sociability between newcomers and longer-established residents of a city. For example, the city of Leipzig has invested in decentralised accommodation for refugees, so that they may live in their own rented apartments rather than in designated buildings for refugees. Social workers are included in this scheme to support refugees in everyday matters and to connect them to urban residents.

- **Give migrants a voice**: migrants should have possibilities to actively participate in urban civic life, and in municipal consultations and elections (e.g. migrants have the right to vote in the municipality of Buenos Aires). The recent *Urban Refugees* initiative, piloted in Kuala Lumpur, seeks to support and empower refugee-led organisations so that refugees are actors with rights rather than as passive recipients of charity.

- **Promote positive messages of migration and diversity** though intercultural community-based arts and grassroots initiatives. This also means countering hate speech and violence. The city of Johannesburg, for example, partnered with mobile phone companies to enable migrants experiencing xenophobic violence and abuse to report this via an SMS network. The diversity of migrants who live in urban areas can also contribute to campaigns such as IOM's *iamamigrant.org* platform, which shares stories, celebrates migrants and challenges stereotypes.