

# Overview of Forced Migration to and from OIC Member Countries

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# Definition: *Forced Migrant*

- Broad term used to include any person compelled by external factors to leave his or her home in search of safety.
- Includes refugees, internally displaced persons (IDPs) and asylum seekers



# Definition: Refugee

- An individual who is outside his or her country of origin and meets the refugee definition laid out in the 1951 Convention:
- *“Well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion”*



# The Global Protection Framework



# The basic principle of *nonrefoulement*

- Refugees should not be returned to a territory where their “life or freedom would be threatened”
- Typically followed in practice, considered by many to be customary law



# The principle of *nonrefoulement*

- Guaranteed by State Parties to the 1951 Convention Relating to the Status of Refugees and its Protocol
- Also included in the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment



# Rights Included in 1951 Convention

On basis at least as favorable as that  
accorded to nationals:

- Freedom of Religion
- Elementary Education
- Public Assistance
- Labor Legislation and Social Security
- Access to Courts



# Rights Included in 1951 Convention

On basis at least as favorable as that  
accorded to foreign nationals:

- Freedom of Movement
- Other Education
- Housing
- Right to work
- Freedom of association
- Acquisition of Property





# Obligations according to 1951 Convention

Article 2 outlines general obligations of refugees to their country of refuge:

- Conform to laws and regulations
- Conform to measures taken to maintain public order



# Global Framework for Protection

- International Treaties
  - 1951 Convention and Convention Against Torture
- Regional Treaties and Agreements
  - E.g. 1969 OAU Convention, ECOWAS, EU Qualification Directive, Khartoum Process
- National Legislation



# Access to protection, status and rights

- Arrival and registration
- Refugee status determination (RSD) procedure
- Prima facie recognition
- UNHCR continues to carry out RSD process in many countries
- Documentation



# Subsidiary Protection

- Sweden and Turkey also recognize *subsidiary protection* status
  - For those who do not qualify as refugees, but are still threatened by generalized violence or other insecurities
- Convention against Torture – 1984
- Differences in rights vs. Refugees

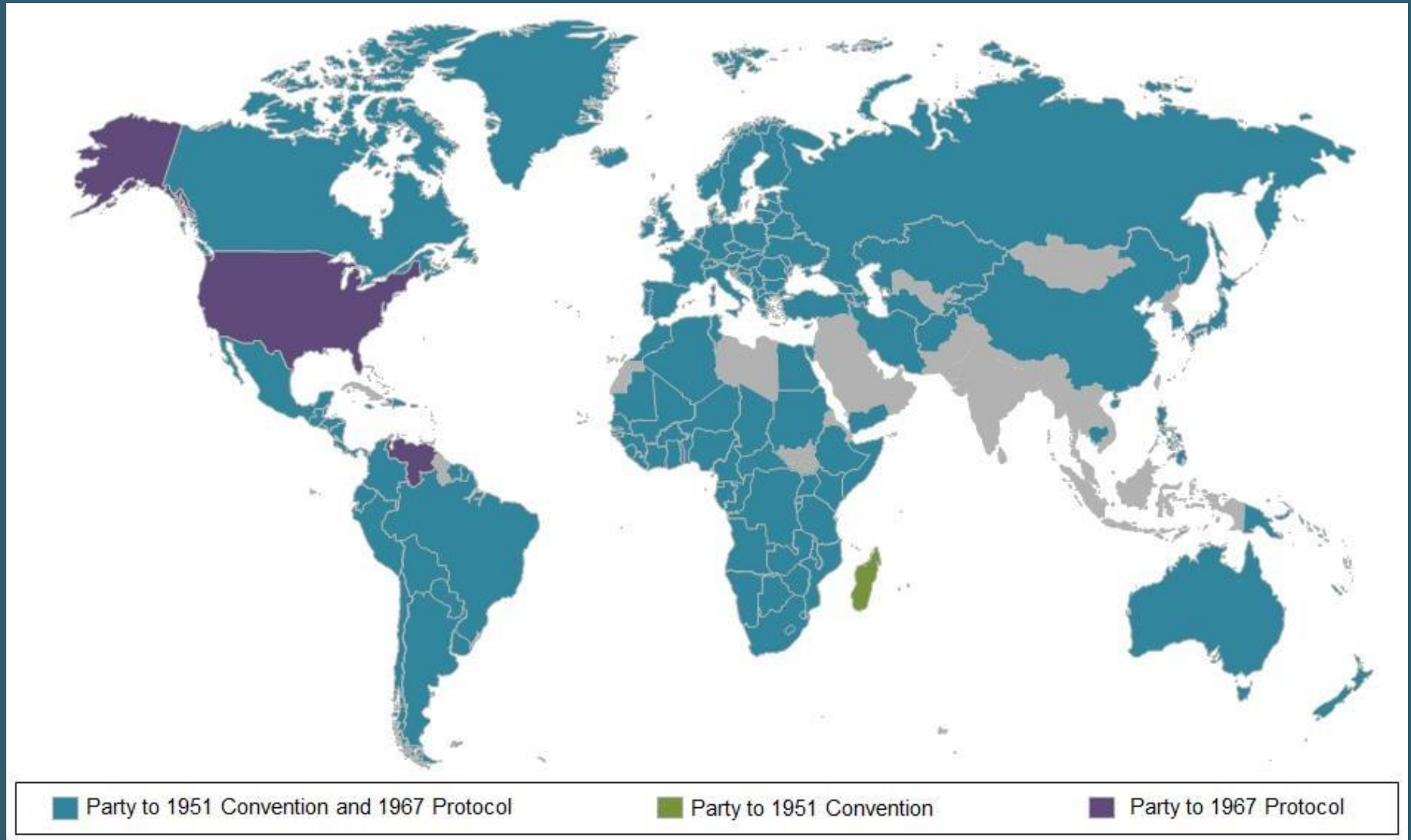


# Temporary Protection

- Situations of Mass Influx
- Often divides protection applicants by nationality and time of arrival
- Political
- More efficient?
- Effects on Integration



# States Party to the 1951 Convention and/or the 1967 Protocol to the 51C



# National Policy Frameworks in the OIC

- 35 of 57 OIC member states have ratified the 1951 Convention
- 29 member states have implemented comprehensive national asylum systems

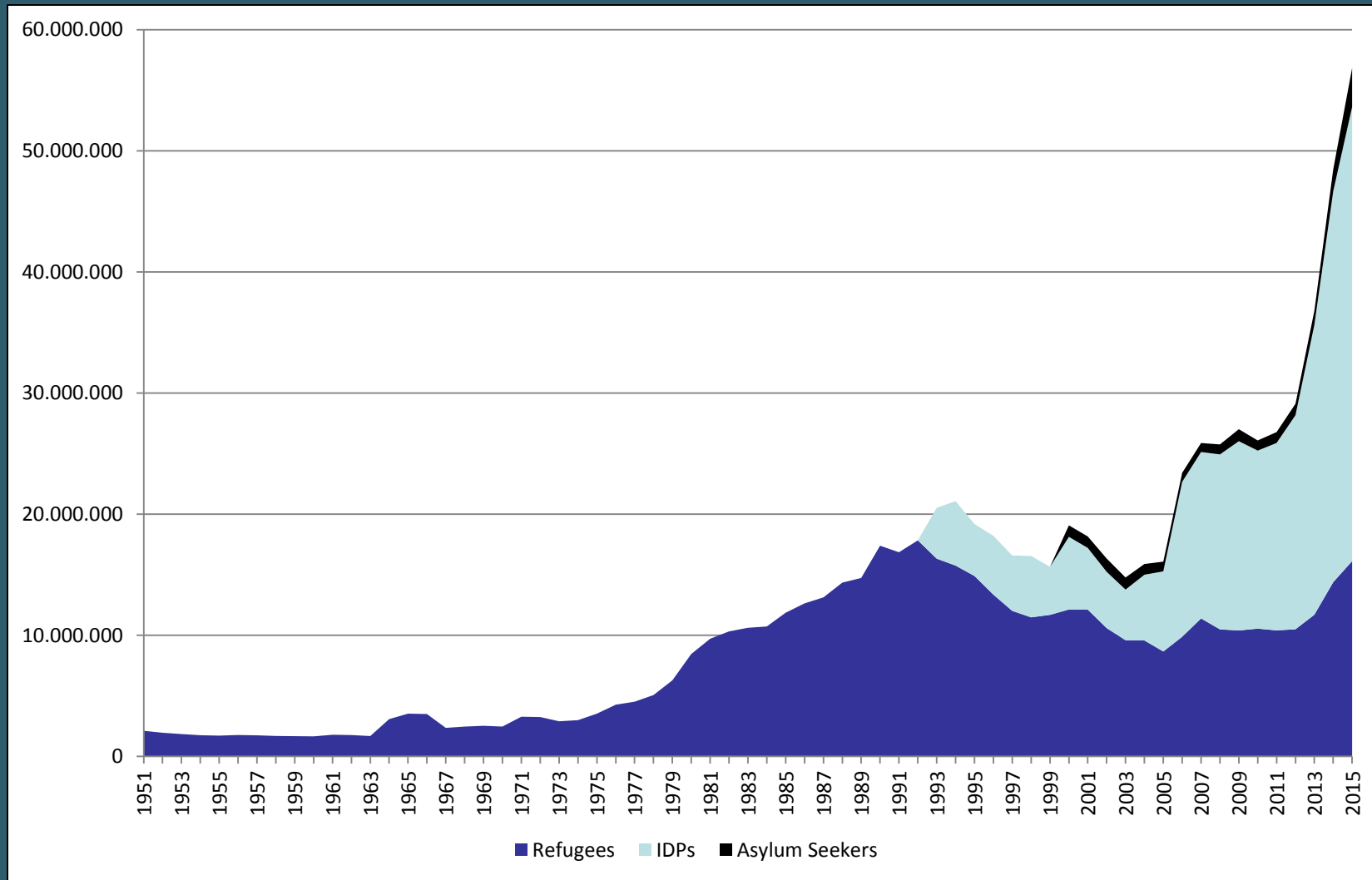


# **Forced Migration Globally and in the OIC**





# Global Picture of Forced Migration



# Top Refugee Producing Countries

Country of origin	Refugee and asylum seeker population
Syria	5,118,429
Afghanistan	2,925,146
Somalia	1,179,824
South Sudan	782,934
Sudan	673,872
Dem. Rep. of the Congo	617,917
Myanmar	512,466
Iraq	501,273
Central African Republic	481,772
Eritrea	474,788



# Top Refugee Hosting Countries

Host country	Refugee and asylum seeker population
Turkey	2,753,760
Pakistan	1,657,604
South Africa	1,217,708
Lebanon	1,082,993
Iran	979,479
Ethiopia	705,338
Germany	736,740
Jordan	689,053
Kenya	593,881
United States of America	559,370



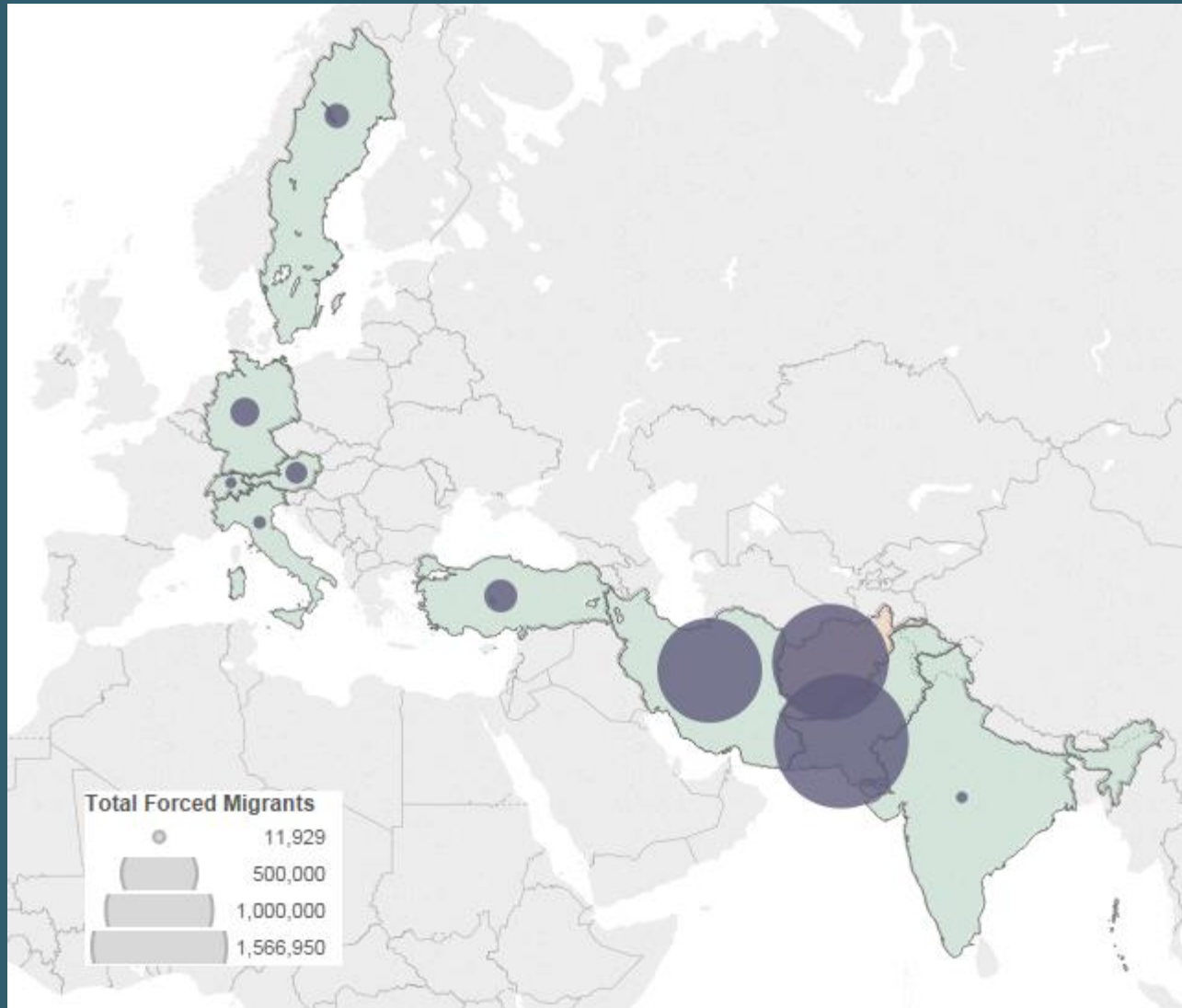
# Major Hosts of Syrian Forced Migrants



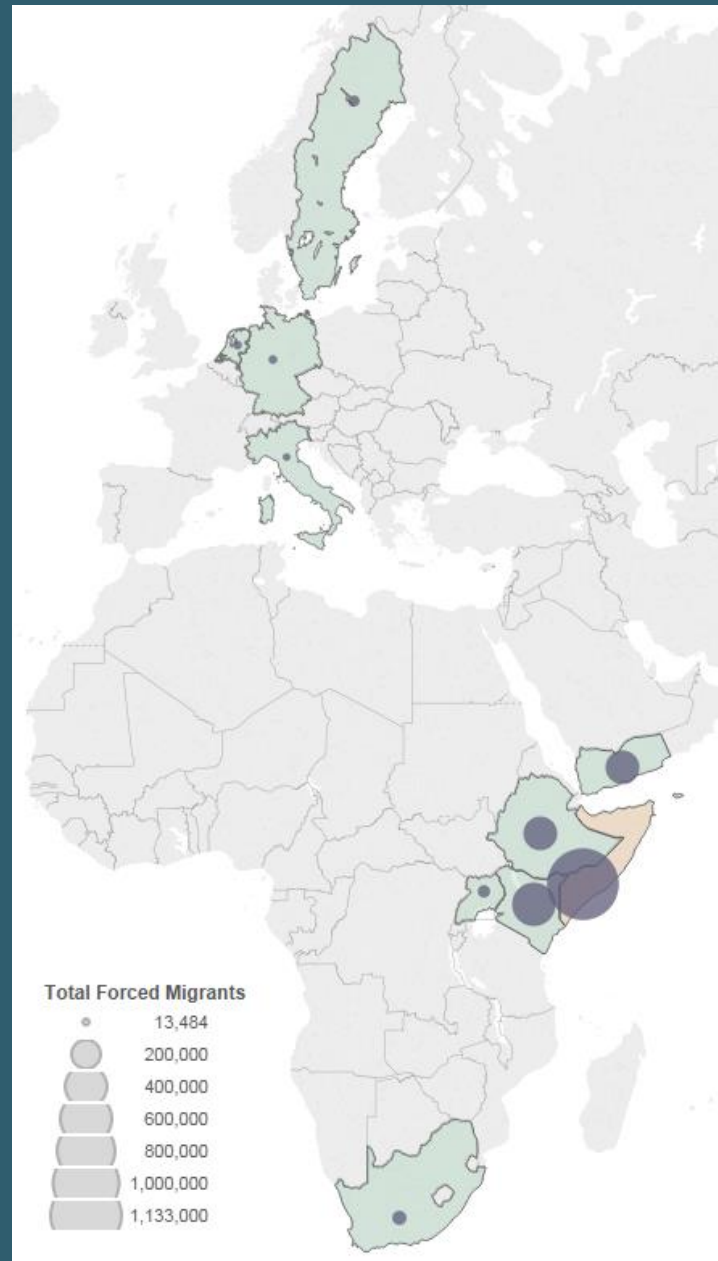
*UNHCR Population  
Statistics*



# Major Hosts of Afghan Forced Migrants



# Major Hosts of Somali Forced Migrants



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*UNHCR Population  
Statistics*



# Drivers of Migration in the OIC

- Armed conflict
- Political and economic instability
- Persecution
- Poverty and inequality
- Environmental degradation



# Mixed migration flows

- Mixture of refugees, forced migrants, and economic migrants travelling along the same routes → “mixed migration flows”
- More apt to speak of *mixed-motivation migration flows*
  - Migrants move for a complex set of reasons





# Displacement in the Immediate Neighborhood

- The majority of forced migrants who leave their country of origin remain in neighboring or nearby countries
- If conditions allow, may circulate between country of origin and refuge



# Displacement Further Afield

- Forced migrants may be pushed to travel onwards due to lack of economic opportunity or safety
- Many rely on smugglers to travel towards wealthier destinations



# Displacement Further Afield

- Journeys abroad are not always linear
- Destinations may evolve due to new information or external circumstances
- Onward movements can also be classified as mixed-motivation flows



# Gaps in Protection Frameworks

- Multi-faceted drivers of migration are not addressed in international treaties
- National level implementation continues to be insufficient, often resort to *ad hoc* policies
- Lack of access to *durable solutions*



# Policy Recommendations



# Policy Recommendation #1

**Legal status is important, but also requires investment in regulations, staff, and infrastructure to implement humanitarian protection laws**



# **Policy Recommendation #2**

**Emphasize investments in livelihoods and labor market integration.**



# Policy Recommendation #3

**Design policies to maximize the autonomy refugees hold in their lives**





# Policy Recommendations #4

**Utilize national service systems and poverty alleviation strategies to meet the needs of refugees as well as host communities.**



# Policy Recommendation #5

**Donors should provide sustained and holistic international support to enable asylum countries to meet their obligations.**



# Policy Recommendation #6

**Improve data collection on forced migrant populations and evaluation of policies and interventions must be improved.**



# For More Information

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