

Case Country Evaluation: Protection Frameworks for Forced Migrants

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Countries Analyzed

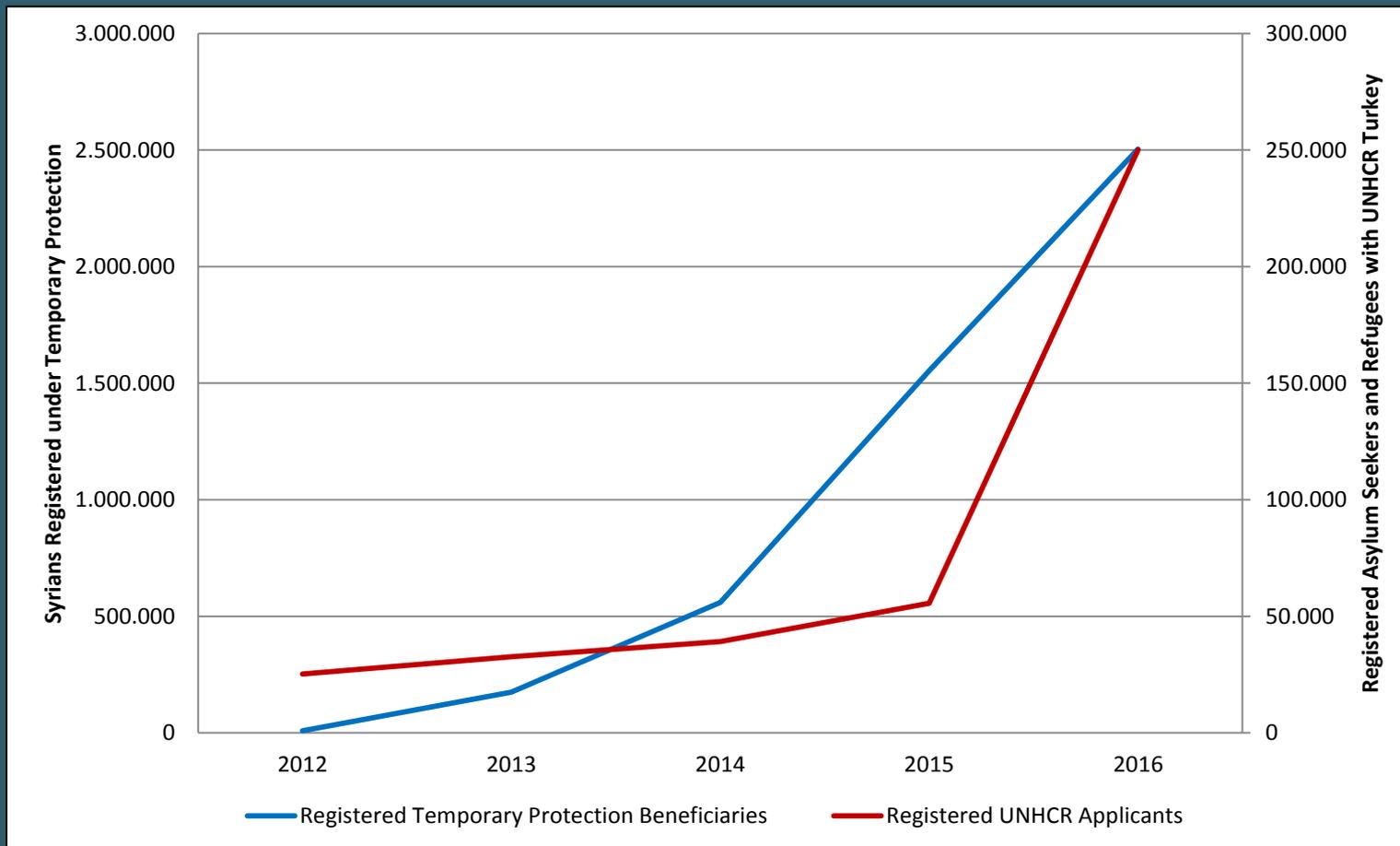
Country	Refugees Hosted*	Refugees Per 1,000 Inhabitants	Major Countries of Origin
Turkey**	2,970,047	37.7	Syria, Iraq, Afghanistan
Jordan	664,118	87.4	Syria, Iraq, Palestine
Morocco	3,908	0.1	Syria, Yemen
Uganda	477,187	12.2	South Sudan, Dem. Rep. of the Congo
Sweden	169,520	17.3	Syria, Iraq, Somalia, Eritrea



Scale of Forced Migration Flows

Turkey

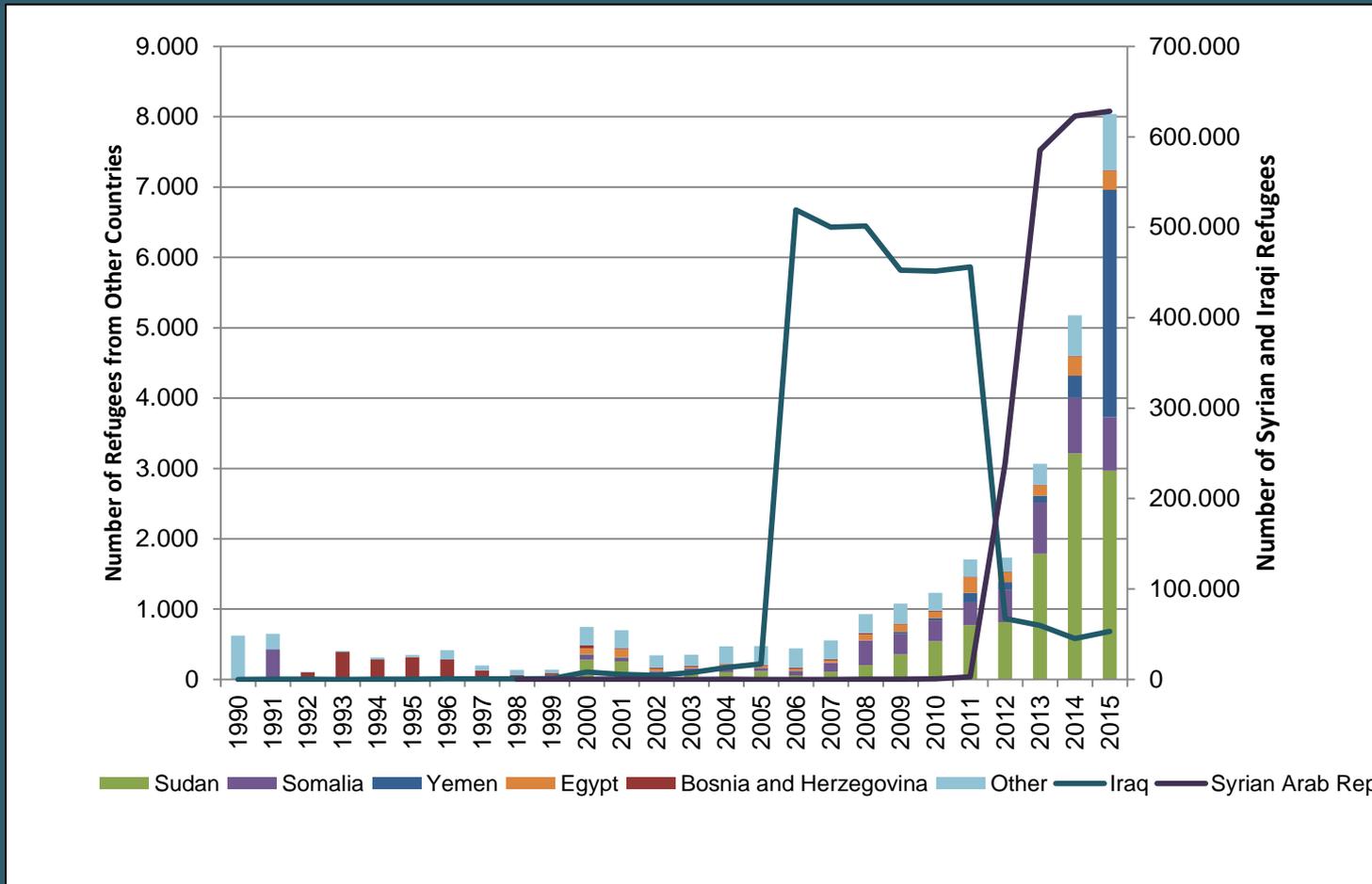
Registered protection beneficiaries and applicants by status, 2012–2016



Scale of Forced Migration Flows

Jordan

UNHCR registered refugees in Jordan, 2000-2015

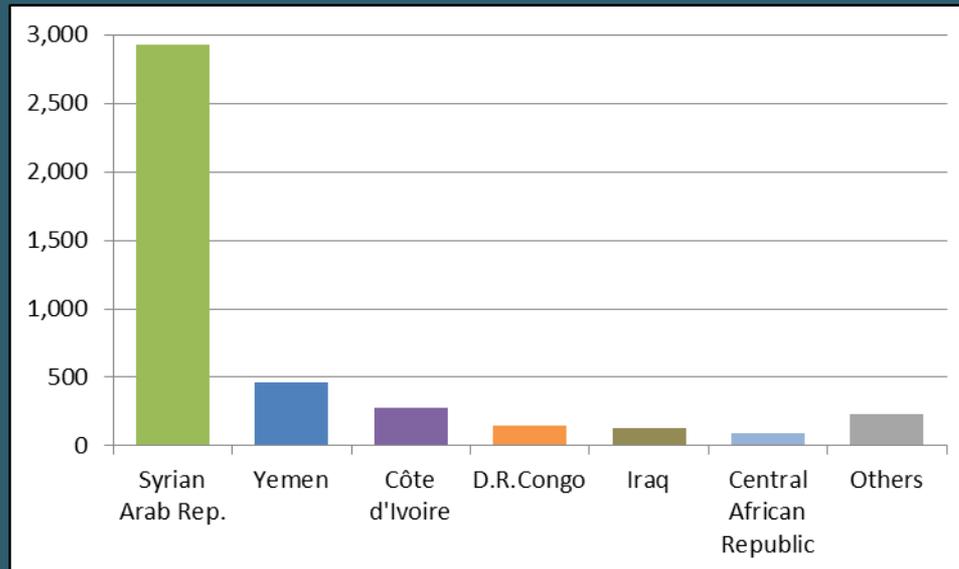


Scale of Forced Migration Flows

Morocco

- Two periods where flows peaked:
 - 2000 – 47,000 entering Spanish enclaves
13,000 crossing Strait of Gibraltar
 - 2006 – 32,000 crossing to Canary Islands

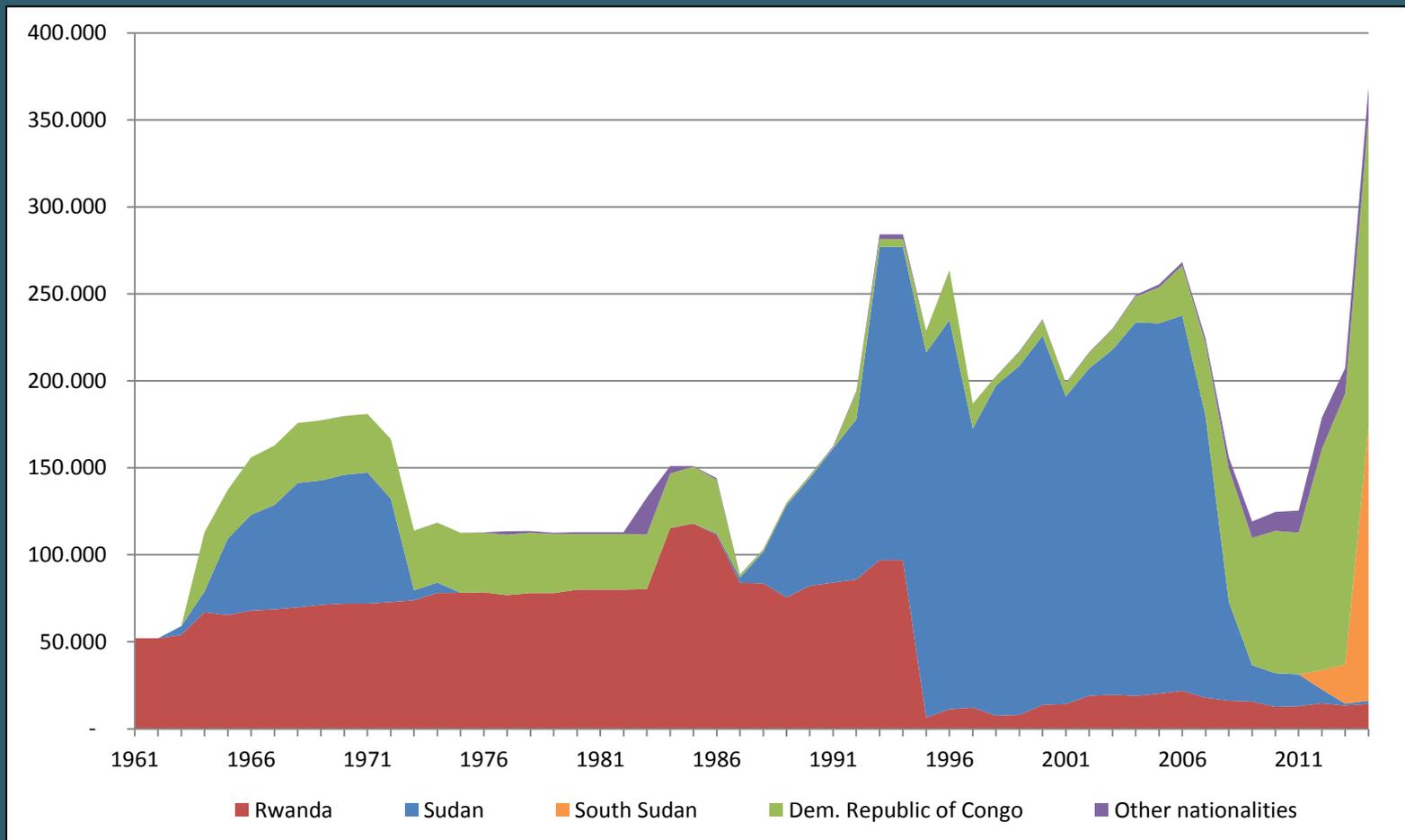
Persons of concern to UNHCR in Morocco, by nationality, March 2016



Scale of Forced Migration Flows

Uganda

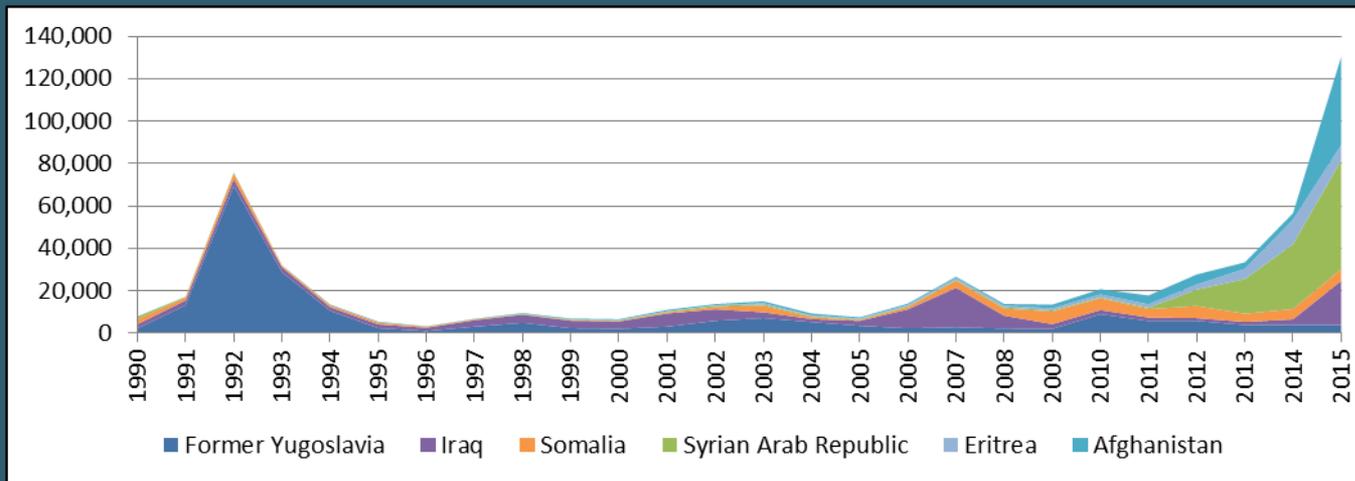
Refugees in Uganda, by country of origin, 1961-2015



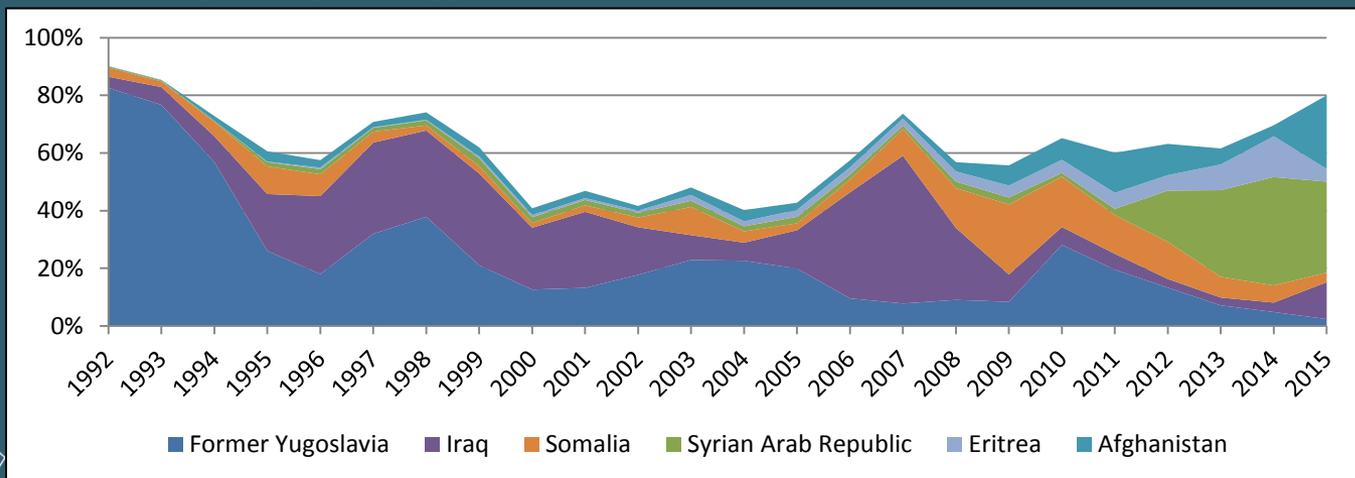
Scale of Forced Migration Flows

Sweden

Nationality of asylum applicants, select nationalities, 1992-2015



Nationality of asylum applicants, select nationalities, share of total, 1992-2015



Protection Frameworks



Countries Analyzed

Country	Party to 1951 Convention?	Enacted Comprehensive Asylum Legislation?
Turkey	Yes, with geographic reservation	Yes
Jordan	No	No
Morocco	Yes	In Progress
Uganda	Yes	Yes
Sweden	Yes	Yes



National Legal Frameworks

- Turkey
 - 2013 Law on Foreigners and International Protection
- Jordan
 - Ad Hoc Approach – 1998 MoU with UNHCR
- Morocco
 - SNIA (National Strategy on Asylum and Immigration), forthcoming
- Uganda
 - 2006 Refugee Act
- Sweden
 - 2005 Aliens Act ; Temporary Law of 21 June 2016



Importance of multilateral and international organizations

- Incorporation of 1969 OAU Convention in Ugandan refugee law
- ECHR Higher Level of Appeals
- EU – Morocco Relationship



Access to protection, status and rights

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



Discrepancies in treatment

- In practice, people from different countries often receive differing treatment
- Jordan has created separate regimes (and sets of rights) for Palestinians, Iraqis and Syrians
- Internally Displaced Persons



Treatment of refugees evolves over time

- Political and Capacity Considerations
- Heavy burdens on national systems have caused some countries to scale back support for refugees over time
- Not only a question of resources
- Elsewhere, an evolving self-awareness as a destination has led to new policies



Implementation of protection policies

- Refugees' access to protection policies also greatly depend on a state's capacity to implement such frameworks
 - Variety of implementation actors
 - Burdensome nature of the system
- Implementation efficiency → Access to rights and benefits



Poverty Alleviation Policies



Poverty alleviation policies

- Capacity to implement is especially important in poverty alleviation efforts directed towards refugees
- Coordination between various levels of government
- Effectiveness of policies dependent on fit with forced migrant population and local economic context



Particular vulnerabilities of migrants

- Often arrive with debt or scarce financial resources
- Work and education trajectories are disrupted in transit
- Psychosocial trauma and other health concerns



Housing

- Trade-off between quality housing and shelter near economic opportunities
- Disruption of local housing markets
- Housing Shortages
- Precarious to tie other rights and benefits to housing
- Freedom of Movement



Employment

- Even when available, work permits have been very difficult to obtain, and informal labor often dominates
- Training more efficient when connecting skills of forced migrants and pathways to employment



Education

- Prevalence of youth among forced migrants increases importance of education
- Teacher shortages, school building shortages, special needs
- Language, fee, transportation barriers
- Require assistance to settle in schools
 - Many enroll, don't actually attend (need to work)



Healthcare

- Barriers to the equal access of healthcare include fees, language, and misunderstanding of regulations
- Overcrowding may lead to discontent of locals
- Psychosocial care is rare



Practical barriers

- Prohibitive fees (health care, education, work permits)
- Linguistic barriers (work, education, health care)
- Mismatch between skill sets and needs of the labor market (work)



Other barriers

- Social attitudes towards forced migrants
- Persistence of the informal labor market; high unemployment among native-born workers



Challenges and lessons

- Forced migration can easily overwhelm national poverty alleviation efforts
- Even wealthy countries such as Sweden struggle to match the needs of forced migrants when flows spike dramatically
- Poverty alleviation efforts require regular analysis and adjustment



A role for foreign donors to play

- Funding can help keep services, such as education, open to refugees
- Political and financial support from donor countries can help upgrade policies



Investment in national systems is crucial

- In the long term, investing in strong national systems may be more sustainable than refugee-specific programs
- UNRWA serves as a cautionary tale – should not have parallel services that depend on international support



Policy Recommendations

- Legal Status plus investment in implementation
- Emphasize livelihoods and labor market integration
- Maximize refugees' autonomy
- Use national systems and strategies to meet the needs of refugees and host communities
- Sustained and holistic international donor support
- Improve data collection and evaluation of policies and interventions



For More Information

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