

REFUGEES AND MIXED MIGRATION: THE AMERICAN EXPERIENCE

CONFERENCE ON REFUGEE PROTECTION AND MIGRATION
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**In the
same
boat: The
challenges
of mixed
migration**

Millions of people are on the move around the

world today, some in search of a “better life”, others to save their lives from war or persecution. All have different motives and aspirations when looking for a new home, but their paths often cross on the way.

Migrants are people who move to a foreign country and change their place of habitual residence. Their decision is usually based on a choice, for example **economic migrants** prefer to move in order to improve their lives. For **refugees**, the element of choice does not exist. They are forced to flee, out of fear for their safety or freedom in a context of widespread conflict, war, or individual persecution.

The difference is not always clear-cut. Many people seek to get away from countries where poor governance and low levels of development go hand in hand with widespread instability and conflict. Their motives are mixed and in such cases there is a very thin line between who is a refugee and who is a migrant.

Migrants and refugees also frequently travel side by side, using the same routes and means of transport. When there is no other way, they use the services of human traffickers, smugglers and criminal bands to embark on dangerous sea journeys and land crossings. Some do not survive the journey.

Both migrants and refugees share **fundamental human rights**, including the right to life, physical integrity and freedom of movement. Under International Law, refugees have a number of specific rights, including the right to **international protection**, which begins with protection against being sent back to a country where their life might be in danger.

UNHCR, the United Nations High Commissioner for Refugees, is the UN agency with the international mandate for refugee protection. In the context of mixed migration, UNHCR priority is to ensure that refugees are identified and their rights respected. While it is not a migration agency, UNHCR acts as a catalyst, together with the International Organization for Migration and other international organizations, in bringing governments together to address mixed migration in a humane, coherent and practical manner.

The American Continent: a Land of Migration

Either as a place of origin, of transit or of reception, every part of the world is affected by mixed migration. The issue is of special interest on the American continent, a region that both produces and receives high numbers of migrants and refugees, and serves as a transit route for many.

An estimated 57 million migrants live on the American continent: one of every five migrants in the world today. In the United States alone, there are an estimated 38 million migrants, making up 13% of the US total population.



The continent is also home to some 800,000 refugees, or about 8% of the 10 million refugees in the world. The major countries of asylum are the United States, Canada, Venezuela and Ecuador. Mixed migration in the region is largely intra-continental, from the southern parts of the continent to north.

It is estimated that half-a-million undocumented migrants cross Mexico's southern border every year, most of them Central Americans trying to reach

the United States or Canada. About 10% of them are stopped at the border and hundreds of people are arrested every day in the US after entering the country illegally.

Many of those who attempt to cross the border die or end up in the hands of criminal gangs or individuals. In the first eight months of this year, **350 migrants were capsized off the Caribbean Coast: 46 were confirmed dead, 118 were lost at sea, 188 survived.** There may be many more whose deaths are never recorded. Women and children are particularly vulnerable to sexual abuse or being forced into prostitution.

The vast majority are moving for economic reasons, but some refugees and asylum seekers, fleeing conflict or persecution, are often mixed in amongst them. Because the percentage is small, they are less easy to identify.

Protection of refugees caught up in mixed migratory movements in the waters of the Caribbeans is also a challenge, with some 25 independent islands spread along 2,300 kilometres between the Bahamas, Florida, and Trinidad and Tobago, within sight of Venezuela. In terms of numbers, Dominicans, Cubans and Haitians consistently dominate the mixed flows of migrants and refugees heading north.

In the past few years, there has also been an increase of people arriving by sea from countries as far away as Eritrea, Ethiopia and Somalia in the Horn of Africa, West Africa, Bangladesh and Sri Lanka, among others. Their first port of call vary and include such countries as Argentina, Brazil, Colombia, Ecuador, Panama, Venezuela and Costa Rica among others.

Mixed migration in the Americas is nothing new. Far more vividly than in many other parts of the world, the migration story is deeply-rooted in the national psyche and history of countries in the region. Over the past six centuries, waves after waves of migrants have arrived to these shores to build the present-day nations that today compose the American continent. In many cases, their motives were mixed right from the start: in the US, the Pilgrim Fathers came to Massachusetts fleeing from religious persecution and to set up business.

As a result, the region has a long tradition of asylum and integrating new groups of people for the benefit of all. Most countries have ratified the main universal texts on refugee protection, giving a sound common legal framework for refugee protection and addressing migration challenges in the region.

The San José Conference and the 10-Point Action Plan

The **Conference on Refugee Protection and Migration** in San José de Costa Rica is the third of four regional conferences that come out of a **10-Point Plan of Action** first outlined by UNHCR at the end of 2006. The Plan sets out key areas to be addressed in countries of origin, transit and destination (See Box).

The regional conferences - the first one was held in Yemen, the second in Dakar, Senegal - seek to identify how the Plan can be concretely applied in specific regions.

The San José conference is hosted by the Government of Costa Rica and jointly organized by the Organization for American States, OAS, the International Organization for Migration, IOM, and UNHCR, the United Nations High Commissioner for Refugees. It also has the support of the UN Office of the High Commissioner for Human Rights.

During the two days, representatives from 20 countries will identify common challenges, exchange good practices and lessons learnt and identify specific areas in which they need more help from international organisms such as UNHCR and IOM.

The '10 Point Plan'

The UN refugee agency has drawn up a '10 Point Plan of Action' that aims to alleviate some of the protection difficulties arising from the intertwined migration and refugee movements occurring around the world. The plan provides a framework that states, UNHCR and other organizations involved in asylum and migration issues can use to develop comprehensive strategies in mixed migration situations.

The plan addresses such traditional concerns as reception conditions, return arrangements and collaboration among key partners. It also introduces new ideas for better profiling and flexible referral mechanisms so that refugees are more quickly identified and adequately helped when they enter a country among other migrants.

"By this, we mean some sort of official refugee protection status for those who need it," explained Erika Feller, UNHCR Assistant High Commissioner for Protection, "but also repatriation, or possibly some legal migration alternative, for those who don't."

The plan also flags the difficult issue of 'secondary movements' (when refugees keep on moving from country to country) and calls for flexibility in procedures. "In some situations," said Feller, "the procedure could be streamlined and quick but in others, we would have to proceed with caution so as not to make dangerous mistakes.

The bottom line remains the same: people with a well-founded fear of persecution, and those fleeing war or widespread violence, should be able to find asylum in another country. Full text of the UNHCR report: [Refugee Protection and Mixed Migration: A 10-Point Plan of Action \(PDF\)](#)

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