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HUMANITARIAN ACTION IN THE MIGRATION CRISIS

In the past months, international and more specifically European news has been dominated by the migrant crisis in Europe.¹ A wave of refugees and migrants have left their countries in the Middle East – with almost 70% of them coming from Syria and Afghanistan in 2015 – and have made the hazardous trip to the European mainland through Greece and Italy.² Searching a way to a better life, they are travelling northwards through Hungary mainly to seek asylum in Germany.³ This giant influx of more than 380,000 migrants and refugees this year alone is testing the European Union as a whole, as it has sparked many questions regarding the crisis and the response of the EU countries. The response started slow. “Unfortunately only when the poor enter the halls of the rich, do the rich notice that the poor exist,” as Antonio Guterres told Reuters. “The world has waited too long to act on the refugee crisis.”⁴ Though problems concerning housing and accommodating these migrants and refugees in Europe need to be addressed, this essay will focus on humanitarian action elsewhere. It will briefly touch on the response of the international community, however, it will focus on answering the following question: would an improvement of humanitarian action solve the migrant crisis? In order to answer this essay’s central question, some definitions have to be introduced first. This essay will try to do so by answering the following questions, but not excluding any others: What is humanitarian action? What exactly are migrants and refugees and is there a difference between them? Why are they leaving their countries? Why are they coming to Europe, and how is Europe responding? Why are they not staying in refugee camps in neighbouring countries? And what improvements are possible in humanitarian action?

¹ L. Fry, “Refugee crisis timeline: How the crisis has grown”, *The Independent*, 15 September 2015, <http://www.independent.co.uk/news/world/europe/refugee-crisis-timeline-how-the-crisis-has-grown-10502690.html> (accessed 30.11.2015).

² UNHCR, *Refugees/Migrants Emergency Response – Mediterranean*, <http://data.unhcr.org/mediterranean/regional.php> (accessed 30.11.2015).

³ “Why is EU struggling with migrants and asylum?”, BBC news, 21 September 2015, <http://www.bbc.com/news/world-europe-24583286> (accessed 30.11.2015).

⁴ L. Charbonneau, “UN says world waited too long to act on refugee crisis”, Reuters, 27 September 2015, <http://www.reuters.com/article/2015/09/27/us-un-assembly-refugees-idUSKCN0RQ0RJ20150927> (accessed 30.11.2015).

HUMANITARIAN ACTION AND ITS FOUR PRINCIPLES

First of all, this essay will answer the first two questions by defining these important terms. Humanitarian action is generally accepted as the aid and action designed to save lives, alleviate suffering and maintain and protect human dignity during and in the aftermath of man-made crises and natural disasters, as well as to prevent such situations and make sure we are prepared for them.⁵ Humanitarian action consists of four pillars or principles. These principles are formally stated in two UN General Assembly resolutions: Resolution 46/182 – adopted in 1991, and resolution 58/114 – adopted in 2004. These are: humanity, neutrality, impartiality, and independence. The principles are defined as follows: *humanity*: wherever it is found, human suffering must be addressed. The purpose of this principle is to protect life and health and ensure that all human beings respect each other. The second principle is *neutrality*. Humanitarian actors must be neutral and not take sides in hostilities or get involved in controversies of a political, racial, religious or ideological nature. *Impartiality*, the third principle, means that humanitarian action must only be conditioned on need. It should also give priority to the most urgent cases and make no distinction of nationality, race, gender, religious belief, class, or political opinions. The last principle is *independence*: in areas where humanitarian action is implemented, it must stay autonomous from the political, economic, military, or other objectives that any actor may hold.⁶ These principles have a practical operational relevance. Much humanitarian action takes place in contexts of conflict or great instability. Adherence to the principles is what allows humanitarian action to be distinguished from the activities and objectives of other actors, and thus not considered improper interference in States' domestic affairs.⁷

MIGRANTS OR REFUGEES?

Two other important terms are migrants and refugees. These words are used interchangeably, but there is a great difference between them and the word choice matters. Starting with the former, a migrant can be defined as “any person who changes his or her country of usual residence.”⁸ What is important is that they “choose to move not because of a direct threat of persecution or death, but mainly to improve their lives by finding work, or in some cases for education, family reunion, or other reasons.”⁹ This is in contrast to a refugee, who “owing to a well-founded fear of

⁵ Global Humanitarian Assistance, *Defining Humanitarian Assistance*, 2011, <http://www.globalhumanitarianassistance.org/data-guides/defining-humanitarian-aid> (accessed 30.11.2015).

⁶ S. Bagshaw, “What are humanitarian principles?”, OCHA on messages, June 2012, https://docs.unocha.org/sites/dms/Documents/OOM-humanitarianprinciples_eng_June12.pdf (accessed 30.11.2015).

⁷ OCHA, “What are humanitarian principles?”, April 2010, https://docs.unocha.org/sites/dms/Documents/OOM_HumPrinciple_English.pdf (accessed 14.01.2016).

⁸ *Recommendations on Statistics of International Migration – Revision One*, UN, 1998, http://unstats.un.org/unsd/publication/SeriesM/seriesm_58rev1e.pdf (accessed 30.11.2015).

⁹ A. Edwards, “‘Refugee’ or ‘migrant’, which is right?”, UNHCR, 27 August 2015, <http://www.unhcr.org/55df0e556.html> (accessed 30.11.2015).

being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country.”¹⁰ As mentioned before, this distinction is important – especially to individual governments. Countries deal with migrants under their own immigration laws and processes. Meanwhile, dealing with refugees is dependent on international law. The (signed) 1951 Refugee Convention in Geneva imposes a duty on any state to give refuge to those who are defined as refugees – which is why it is important to know where the asylum seekers come from. This law is binding also to the countries that did not sign the 1951 Convention or 1967 Protocol, as the principle is considered a rule of customary international law, thus binding to all states.¹¹ Hence the name ‘migrant crisis’ is debatable. Yes it is a crisis; the Syria conflict has triggered the world’s largest humanitarian crisis since World War II.¹² However, as most ‘migrants’ are actually refugees coming from war-torn countries such as Syria and Afghanistan, the name ‘refugee crisis’ would make more sense.

IMPROVEMENTS NECESSARY IN HUMANITARIAN ACTION

A solution is obviously needed. But what improvements in humanitarian action are possible? First of all, there are simply not enough funds to actually supply the amount of humanitarian action and relief. “To those that think that it doesn’t matter because humanitarian organizations will be there and able to clean up the mess, it is important to say that we [UN] are no longer able to clean up the mess,” Guterres, the UN High Commissioner for Refugees, told reporters in Istanbul. “UN agencies, NGOs, the Red Cross – we no longer have the capacities and the resources to respond to such a dramatic increase in humanitarian needs.”¹³ This is not surprising, as the world is facing the biggest worldwide displacement ever recorded. Globally, one in every 122 humans is now either a refugee, internally displaced, or seeking asylum. If they formed a country, it would have world’s 24th biggest population,¹⁴ which means it would be larger than Spain, Argentina, or Poland.¹⁵ “The UN needs \$500 million for the second half of 2015 just for Iraq in order to provide these people [refugees]

¹⁰ *The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol*, UNHCR, September 2011, <http://www.unhcr.org/4ec262df9.html> (accessed 30.11.2015).

¹¹ See footnote number 10.

¹² *Worldwide Displacement Hits All-time High as War and Persecution Increase*, UNHCR, 18 June 2015, <http://www.unhcr.org/558193896.html> (accessed 30.11.2015).

¹³ H. Regan, “There have never been more displaced people across the world than now”, *Time*, 19 June 2015, <http://time.com/3927920/united-nations-refugees-report-world-at-war-forced-displacement-syria-afghanistan/> (accessed 30.11.2015).

¹⁴ “UN warns of ‘record high’ 60 million displaced amid expanding global conflicts”, *Our World*, 20 June 2015, <http://ourworld.unu.edu/en/un-warns-of-record-high-60-million-displaced-amid-expanding-global-conflicts> (accessed 30.11.2015).

¹⁵ Worldometers, *Countries in the World by Population (2016)*, available at <http://www.worldometers.info/world-population/population-by-country/> (accessed 28.02.2016).

with just the bare essentials, like food and drinking water,” Dominik Bartsch said.¹⁶ The shortage of food or the desperate need for medical treatment forces these refugees into leaving Lebanon, Jordan, or Turkey for Europe.¹⁷

CHANGE IN FUNDING

This calls for a change in funding. “If you look at the humanitarian budget all over the world, it is somewhere between \$20 bn and \$30 bn. I don’t know any bailout of even a medium-sized bank that did not cost more than that. Not to spend more on humanitarian aid is a bad strategy, not to say a suicidal one,” said Guterres to *The Guardian*. And his statement is correct. Since 2007, the UK alone has committed to spending £1.162 trillion to bail out banks.¹⁸ “Member states need to make more regular payments to the main agencies.”¹⁹

UNCONDITIONAL CASH TRANSFERS

(Un)conditional cash transfer programmes help to spend resources more efficiently. These cash-based interventions address important protection risks, particularly by minimizing the need to resort to negative coping mechanisms through meeting basic needs. Cash-based interventions preserve refugees’ dignity by allowing them to determine their own priorities and how to address them. As a less visible form of assistance than in-kind aid, they reduce the risk of extortion or theft. Studies have shown that other risks, such as diversion of cash, gender-based violence, or security concerns can usually be overcome through good programme design and monitoring. This programme is successful because food insecurity is often due to people’s inability to access local food and other goods rather than their unavailability. It is often the most effective and cost efficient way of delivering assistance. Cash intervention is the way to global recovery. Not to mention the multiplier effects from cash-based interventions that directly benefit the local economy and can contribute to peaceful coexistence within host communities. An immediate increase in people’s purchasing power also allows them to actively protect their assets and invest in the recovery of their livelihoods.²⁰

¹⁶ N. Werkhäuser, “UN: Not enough money for refugees in Iraq”, Deutsche Welle, 21 September 2015, <http://www.dw.com/en/un-not-enough-money-for-refugees-in-iraq/a-18728323> (accessed 30.11.2015).

¹⁷ S. Jones, “1.7 m Syrian refugees face food crisis as UN funds dry up”, *The Guardian*, 1 December 2014, <http://www.theguardian.com/world/2014/dec/01/syrian-refugees-food-crisis-un-world-programme> (accessed 30.11.2015).

¹⁸ P. Curtis, “Reality check: How much did the banking crisis cost taxpayers?”, *The Guardian*, 12 September 2014, <http://www.theguardian.com/politics/reality-check-with-polly-curtis/2011/sep/12/reality-check-banking-bailout> (accessed 30.11.2015).

¹⁹ H. Grant, “UN agencies ‘broke and failing’ in face of ever-growing refugee crisis”, *The Guardian*, 6 September 2015, <http://www.theguardian.com/world/2015/sep/06/refugee-crisis-un-agencies-broke-failing> (accessed 30.11.2015).

²⁰ UNHCR, *An Introduction to Cash-Based Interventions in UNHCR Operations*, March 2012, available at <http://www.unhcr.org/515a959e9.html> (accessed 30.11.2015).

There are different kinds of Cash transfer modalities:²¹ unconditional cash transfers are “a direct grant with no conditions or work requirements. No requirement to repay any money, and people are entitled to use the money however they wish;” In the case of conditional cash transfers however “a condition is attached as to how the money is spent, e.g. for reconstruction of a shelter or waiver of payment for school fees; or money is received after a condition is fulfilled, e.g. children enrolled at school (rare in humanitarian settings). Cash for Work, where payment (cash or vouchers) is provided as a wage for work, usually in public or community programmes, is a form of conditional cash transfer;” a voucher (cash or commodity) “is a paper, token or electronic card that can be exchanged for a set quantity or value of goods, set either in cash (...) or commodity or services (...).” Finally, though not considered a cash-based intervention per se, microcredit is defined as “a loan where the reimbursement of the total sum, including interest, is required over a given period of time.”²² Especially Conditional Cash Transfer programmes are considered “worth consideration as part of an integrated poverty alleviation strategy.”²³

DONATIONS

Another way to increase funding is by making it easier to donate. In the modern world, almost everyone is literally glued to his or her smartphone. Facebook has already played on this, adding a ‘donate now’ button to its Facebook pages. A button not yet added on the UN Facebook site, nor available on its website. Making it easier to donate would certainly increase the amount of donations.²⁴

MODERN TECHNOLOGY

One thing that sets this refugee crisis apart from previous refugee crises that occurred throughout history, is the use of smartphones. And to improve the situation, we have to consider two things: the first one is unfortunately outside the scope of humanitarian action, though still important to address: for many Western Europeans the fact that refugees use smartphones is a source of anger.²⁵ It stems from the misconception that owners of smartphones are not in need of help. Addressing this could help create a better social awareness of the refugees’ situation and create a more lenient attitude towards granting asylum. The smartphones are not only used for com-

²¹ Ibidem.

²² Ibidem.

²³ J. von Braun, R.V. Hill, R. Pandya-Lorch (eds.), *The Poorest and Hungry: Assessments, Analyses, and Actions: An IFPRI 2020 Book*, International Food Policy Research Institute, Washington D.C. 2009, p. 306.

²⁴ L. Matney, “Facebook rolls out its ‘donate now’ button to nonprofits”, TechCrunch, 24 August 2015, <http://techcrunch.com/2015/08/24/facebook-rolls-out-its-donate-now-button-to-non-profits/> (accessed 30.11.2015).

²⁵ J. O’Malley, “Surprised that Syrian refugees have smartphones? Sorry to break this to you, but you’re an idiot”, *Independent*, 7 September 2015, <http://www.independent.co.uk/voices/comment/surprised-that-syrian-refugees-have-smartphones-well-sorry-to-break-this-to-you-but-youre-an-idiot-10489719.html> (accessed 12.01.2016).

munication and navigation. “Apps like Gherbtana (meaning “exile” or “loneliness” in Arabic), launched in Turkey by the Syrian refugee Mojahed Akil, provide mobile-friendly resources for tending to all the things that come with resettlement, like obtaining residency, opening a bank account, and more. Trace the Face from the Red Cross lets people upload photos to locate missing family members, while the German site Refugees Welcome imitates Airbnb to match refugees with people offering a place to stay.”²⁶

Second, humanitarian action can improve if we offer Wi-Fi hotspots along the travelling route and at camps. The refugees need Wi-Fi to navigate where they want or need to go and to get in contact with family members. Fortunately, the ICRC has already played in on this. They are working together with the Mercy Corps and Google and have developed an application called the “Crisis Info Hub”.²⁷ “This app provides information on ports, transport links, medical info, and places to sleep, and is available in English, Arabic, and other languages.” On the ground, aid workers use technology to target aid effectively, and to deal with refugees’ new high-tech needs. They coordinate via Google Docs and Facebook groups to ensure that the outpouring of public support does not leave them with an excess of certain items, and not enough of others. And it lets them respond to changing needs quickly.²⁸ Refugees can use their smartphones – and Wi-Fi connection – to download applications that help them integrate. A German company has designed a “Welcome to Dresden” application to help refugees negotiate the bureaucracy of signing up for health care, registering with the authorities and enrolling children in schools. It includes a map of the eastern German city, contact info for aid organizations and public bodies, legal advice and other useful tips in five languages, including Arabic. The application called “Gherbtana”, made by a Syrian refugee named Mojahed Akil, helps refugees in Turkey with obtaining residency, finding employment and opening bank accounts, according to UNICEF. Refugees also use applications to learn languages.²⁹

As mentioned before Wi-Fi spot gives the refugees the opportunity to navigate. This also counteracts human trafficking which has unfortunately gone hand-in-hand with the migrant crisis. This billion-dollar industry has already led to over 5000 deaths on land and at sea over the past two years,³⁰ most notably a truck found in Austria with 71 bodies in it.³¹ It has also led to the phenomenon called ‘survival sex’.

²⁶ A. Ram, “Smartphones bring solace and aid to desperate refugees”, *Wired*, 12 May 2015, <http://www.wired.com/2015/12/smartphone-syrian-refugee-crisis/> (accessed 28.02.2016).

²⁷ “Google launches ‘Crisis Info Hub’ to help refugees”, *Al-Jazeera*, 24 October 2015, <http://www.aljazeera.com/news/2015/10/google-crisis-info-hub-refugees-151024061606185.html> (accessed 30.11.2015).

²⁸ R. Price, “Google just launched a ‘Crisis Info Hub’ to help with Europe’s worst refugee crisis in 60 years”, *Business Insider UK*, 24 October 2015, <http://uk.businessinsider.com/google-launches-crisis-info-hub-to-help-european-refugee-crisis-2015-10> (accessed 30.11.2015).

²⁹ Z. Dubinsky, “For Syrian refugees, smartphones are a lifeline – not a toy”, *CBC News*, 12 September 2015, <http://www.cbc.ca/m/touch/news/story/1.3221349> (accessed 30.11.2015).

³⁰ “Migrant crisis: EU to begin seizing smugglers’ boats”, *BBC News*, 7 October 2015, <http://www.bbc.com/news/world-europe-34461503> (accessed 30.11.2015).

³¹ L. Harding, “Hungarian police arrest driver of lorry that had 71 dead migrants inside”, *The Guardian*, 28 August 2015, <http://www.theguardian.com/world/2015/aug/28/more-than-70-dead-austria-migrant-truck-tragedy> (accessed 30.11.2015).

Children are made to have sex with smugglers so that their families can continue their journey, either because money has run out or they have been robbed.³² Though an improvement in fighting smuggling and ‘survival sex’ will not help to solve the migrant crisis, it is absolutely necessary to fight for Human Rights.

COORDINATION

There is a need for more effective humanitarian action. Organizations need to join up their needs-assessments and share information. Full transparency of financial allocations will foster this concept. This can be attained by creating effective clusters and through better coordination, taking into account local, regional, and national capacities. An improvement could also be made in order to use more science and technology in policy making. There needs to be a greater focus on the recovery, rehabilitation and reconstruction phase, which needs to be prepared ahead of disaster. Collective responsibility needs to be above individual interests: coordinated and efficient work of all UN agencies, and even of all humanitarian actors involved. Better coordination of sources will improve the situation.³³ “Coordination is vital in emergencies. Good coordination means [fewer] gaps and overlaps in humanitarian organizations’ work.”³⁴ It strives for a needs-based, rather than a capacity-driven response. It aims to ensure a coherent and complementary approach, identifying ways to work together for better collective results. The most visible aspect of the reform is the creation of the Cluster Approach. Clusters are groups of humanitarian organizations (UN and non-UN) working in the main sectors of humanitarian action, e.g. shelter and health. They are created when clear humanitarian needs exist within a sector, when there are numerous actors within sectors and when national authorities need coordination support.³⁵ That is why the cluster approach is very important, as resources are limited and the need for humanitarian assistance is only increasing.³⁶

Unfortunately, the EU still has no coherent, coordinated response to the crisis in place.³⁷ Even though this is outside the scope of improvement in humanitarian action, it needs to be addressed, and the United Nations has the power to put pressure

³² A. Culbertson, “Migrant horror: Human traffickers raping children as payment for getting families to UK”, *Express*, 26 October 2015, <http://www.express.co.uk/news/world/614552/Migrant-children-forced-survival-sex-pay-smugglers-cross-Europe-UNHCR> (accessed 30.11.2015).

³³ V. Humphries, “Improving humanitarian coordination: Common challenges and lessons learned from the cluster approach”, *The Journal of Humanitarian Assistance*, 30 April 2013, <http://sites.tufts.edu/jha/archives/1976> (accessed 14.01.2016).

³⁴ “What is the cluster approach?”, *Humanitarian Response*, <https://www.humanitarianresponse.info/en/coordination/clusters/what-cluster-approach> (accessed 30.11.2015).

³⁵ “Cluster coordination”, UNOCHA, <http://www.unocha.org/what-we-do/coordination-tools/cluster-coordination> (accessed 30.11.2015).

³⁶ Ch. Stirk, “Humanitarian assistance from non-state donors: Latest trends”, *Global Humanitarian Assistance*, May 2015, http://www.globalhumanitarianassistance.org/wp-content/uploads/2015/05/Private-Funding-2015_May2015.pdf (accessed 14.01.2016).

³⁷ S. Berry et al., “Croatia flooded with refugees, critics say EU failing them”, *CBC News*, 21 September 2015, <http://www.cbc.ca/radio/thecurrent/the-current-for-september-21-2015-1.3236514/croatia-flooded-with-refugees-critics-say-eu-failing-them-1.3236549> (accessed 30.11.2015).

on these countries. A political solution to the crisis in Syria needs to be found. Until then, an escalation of the crisis along key access routes may occur in 2015, thus further hindering the ability of humanitarian actors to reach affected people, particularly in already hard to reach areas and locations. Humanitarian actors will make use of all opportunities to get easier access in order to respond in a principled manner to assessed needs, including improved access resulting from local agreements.³⁸ However, the EU lacks a common code of asylum, which complicates matters not only for the refugees, but also for the EU states themselves. Moreover, humane conditions must prevail throughout the EU wherever refugees are received.³⁹



There are several improvements possible in humanitarian action in the refugee crisis. This essay has discussed improvements in funding in several ways. First of all, regular and more generous payments need to be made by UN member states; and second, it needs to be easier for private actors to donate. Not only does the amount of funding need to increase, this essay also acknowledges that the way funding is spent needs to change in two ways. First, more emphasis needs to be put on cash based interventions – both conditional and unconditional. These interventions make humanitarian aid more humane by allowing the beneficiaries to determine their own priorities. The second way is through clustering. This more efficient way of using resources will lead to better coordination of humanitarian aid, as different actors can share and create synergy. This crisis, however, also calls for more specific improvements: the embracement of modern technology with Wi-Fi spots. As discussed, Wi-Fi helps refugees get in contact with family and to help them navigate, which also reduces the risk on human smuggling, which is another issue that needs to be tackled as the refugees are trafficked in inhumane conditions. Unfortunately however, none of these improvements in humanitarian action will ensure political stability of any country and resolve any conflict. This conflict goes above and beyond the agenda of humanitarian action. Humanitarian action is per definition not about stopping wars, but about offering relief to their victims. An improvement in humanitarian action cannot solve the migrant crisis. Humanitarian actors can pressure the international community to solve the causes of the crisis and to accept its consequences but the crisis will unfortunately go on and deepen as long as the conflicts continue.

HUMANITARIAN ACTION IN THE MIGRATION CRISIS

This essay looks at the current migrant crisis from the perspective of humanitarian action. Drawing upon a diversity of sources such as the United Nations, International

³⁸ “2015 Strategic Response Plan, Syrian Arab Republic”, *Humanitarian Response*, December 2014, https://www.humanitarianresponse.info/system/files/documents/files/2015_SRP_Syria_EN_Advance-Copy_171214.pdf (accessed 30.11.2015).

³⁹ A. Vlachou, “Greek experts voice concerns over alarming human trafficking in refugee crisis”, *Shanghai Daily*, 27 October 2015, http://www.shanghaidaily.com/article/article_xinhua.aspx?id=306786 (accessed 30.11.2015).

Red Cross and Red Crescent, the BBC, Al Jazeera and other news sites, it answers the following question: Could an improvement in humanitarian action solve the migrant crisis? The article clearly defines some highly relevant concepts to make them easier to understand. Next, it suggests some improvements. A change in funding is necessary, as the budget available for humanitarian action is simply too small. Regular payments need to be made in more and/or larger quantities by UN member states, and it needs to be easier for private actors to donate. Spending the resources more effectively would also help. This can be achieved by an increased use of the cluster approach, which means creating effective clusters, and better coordination, taking into account local, regional, and national capacities. Higher efficiency can also be attained by using (un)conditional cash transfers. These transfers also address important protection risks, particularly by minimizing the need to resort to negative coping mechanisms through meeting basic needs. Last, humanitarian action can improve by offering Wi-Fi hotspots along the travelling routes and at camps. The refugees need Wi-Fi to navigate where they want or need to go and to get in contact with family members. Unfortunately, however, the main findings of the essay suggest that the answer to the main question is negative. None of these improvements in humanitarian action will affect the political stability of a country, and it will not resolve any conflict.

Keywords: migrants, humanitarian action, refugees, border control