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# Migration Terminology

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A PRIMER

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Migration Advocacy Workshop for Zambia  
June 2024

# Categories of “People on the Move”



# Internal vs. International:

**Internal migrant:** a person who has moved (voluntarily or forcibly, temporarily or permanently) away from his or her place of usual residence but has **not** crossed an international border

**International migrant:** a person who has moved (voluntarily or forcibly, temporarily or permanently) away from his or her place of usual residence and **across** an international border

# Regular vs. Irregular:

## **Regular migrant:**

Person whose movement across an international border and whose residence and/or employment in a foreign country has been officially granted and remains valid under the host country's immigration laws and administrative procedures

They:

- ▶ Entered the host country with genuine, valid identification documents
- ▶ Entered the host country at an official border crossing point or port of entry
- ▶ Do not remain in the country beyond the expiration date of their visa/residence permit (unless they seek and successfully obtain a new visa/permit before the original expires)
- ▶ Do not take up paid employment in the host country unless allowed by the terms of their visa/permit

Regular pathways are those which allow the opportunity for entry and residence in a host country while remaining in full compliance with the country's immigration laws and procedures but also ensure the fulfillment of the migrant's rights.

# Regular vs. Irregular:

## **Irregular migrant:**

Person who has crossed an international border without registration/approval of their country of origin, transit, or return or who has violated the terms of their approved movement across the border

May fall within one or more of several circumstances:

- ▶ may enter the country irregularly (i.e. cross a border with false documents or at a location other than an official border crossing point)
- ▶ may reside in the country irregularly (i.e. violate of the terms of an entry visa/residence permit by staying beyond its expiration and failing to obtain a new visa/permit from the host government prior to the expiration of the original)
- ▶ may be employed in the country irregularly (i.e. take a job in a country where he or she has not been granted the right to take up paid employment)

# Regular vs. Irregular:

## **Irregular migrant (cont.):**

Presence of migrants in an irregular status is often connected to a host country's:

- ▶ administrative backlogs, which prevent timely processing of asylum claims and visa applications to those who have entered a country regularly and wish to establish or renew a residence permit
- ▶ deterrence-focused border policies, which fail to give fair hearings to asylum seekers; and/or
- ▶ lawmakers' failure to expand migrant work permit distribution to reflect the labor needs of their country, thereby sowing seeds of an informal labor market in which migrant workers in irregular status are economically necessary but are made vulnerable to exploitation in the workplace and beyond

# Asylum-Seeker:

- ▶ Person in the process of obtaining legal protection of a foreign government from danger or persecution that they have encountered in their country of origin
- ▶ Becomes a refugee (or “asylee”) if/when claim for protection is certified/approved
- ▶ Asylum process can last weeks to years
- ▶ Many to most asylum-seekers (depending on circumstances) do not receive asylum

# Refugee:

Person who:

- ▶ is outside his/her home country
- ▶ has proven they have a well-founded fear of persecution because of their race, religion, nationality, membership in a particular social group or political opinion; *and*
- ▶ has been officially certified by a host-country government (and/or by UNHCR) to be unable or unwilling to be protected in their home country, or to return there, for fear of persecution;
- ▶ may be living in a community setting with native-born residents of their host country or in a camp setting alongside other refugees
- ▶ Is obligated to respect the laws and regulations of their host country
- ▶ Holds same rights and valid claim for support as any other foreigner who is a legal resident, including freedom of thought and movement, freedom from torture and degrading treatment, and economic and social rights (e.g. access to medical care, schooling, and the right to work)



# Internally Displaced Person (IDP):

Person who:

- ▶ has been forcibly uprooted from their home and forced to migrate within the borders of their country of origin
- ▶ typically moved due to natural disaster, environmental degradation, or violent conflict
- ▶ remains subject to the laws of their country of origin
- ▶ may live in community settings with those who have not been displaced or in encampments with other IDPs
- ▶ may be assisted by the resources/services of UNHCR in the context of especially large, enduring crises

# Stateless Person:

- ▶ Person who is not legally recognized as a national by any government
- ▶ Includes persons whose nationality is not legally established
- ▶ International migrant falls into this status if their birth was never registered or they do not possess any official documents reflecting their country of origin

# Survivor/Victim of Trafficking:

1. Any person who has been recruited, transported, or transferred away from their place of usual residence by means of:

- ▶ the threat or use of force
- ▶ other forms of coercion/abduction/fraud/deception
- ▶ abuse of power
- ▶ abuse of a person's vulnerability

for the purpose of exploitation

2. Any child who has been recruited, transported, or transferred away from their place of usual residence for the purpose of exploitation

(Exploitation includes: prostitution or any form of sexual exploitation of others, forced labour or services, slavery or practices similar to slavery, and the removal of organs)

# Person who has been smuggled:

- ▶ Any person who consented or established a contract with a person or group that would facilitate their irregular crossing of an international border in exchange for some type of financial or material benefit
- ▶ Journeys often characterized by dangerous conditions and/or routes

# Other Useful Migration Terms



# Regular Migration Pathway:

Administrative procedure or protocol that allows someone the opportunity to enter and reside in a country of destination with

- ▶ documentation of their entry
- ▶ full compliance with the country's immigration laws and procedures
- ▶ assurance of the fulfillment of the migrant's rights while in the country of destination
- ▶ E.g. visas for students, migrant labourers

# Irregular Migration Pathway:

IOM: “movement that takes place outside the regulatory norms of the sending, transit and receiving country”

e.g.

- ▶ crossing an international border with false documents
- ▶ crossing an international border at a location other than an official border crossing point
- ▶ being smuggled across a border
- ▶ violating terms of an entry visa/residence permit by staying beyond its expiration

# Irregular Migration Pathway:

Administrative procedure or protocol that allows someone the opportunity for

- ▶ documented entry and residence in a country of destination while remaining in full compliance with the country's immigration laws and procedures
- ▶ assurance of the fulfillment of the migrant's rights while in the country of destination
- ▶ E.g. visas for students, migrant labourers



# Immigration Detention:

Policy of holding, imprisoning, or restricting the freedom of movement of asylum seekers or migrants suspected of visa violations or of irregular entry into a country until a decision is made by immigration authorities to either grant the detainee a visa/asylum or to remove them from the country

# Deterrence-Based Border Policy:

Any policy of international border management that aims to dissuade migrants and asylum seekers from attempting entry into a country, typically through the threat of grave danger, outsized punishment, or the presentation of seemingly impossible barriers to entry

## Examples:

- ▶ Heavily guarded border walls/fences
- ▶ Threats of indefinite detention/imprisonment or family separation
- ▶ Transporting removed migrants to dangerous/vulnerable locations outside the border

# Migration Drivers:

- ▶ Factors or realities that have the potential to facilitate, enable, constrain, or trigger migration
- ▶ Can be thought of as:
  - ▶ “push factors” that motivate a person to leave or flee from their usual place of residence and
  - ▶ “pull factors” that attract a person to establish residence in another location

# Types of Migration Drivers

