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IOM'S HUMANITARIAN POLICY –

PRINCIPLES FOR HUMANITARIAN ACTION

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1.   As reported to the Sixteenth Session of the Standing Committee on Programmes and Finance (SCPF) in July 2015 (S/16/4), the IOM humanitarian policy – IOM Principles for Humanitarian Action – were approved by the Director General and members of the Policy Coordinating Committee in April 2015. They have since been the subject of a thorough field-testing process and broad consultations with IOM partners, including the United Nations, civil society organizations, and the International Committee of the Red Cross (ICRC).

2.   The Principles for Humanitarian Action are a key element of IOM's efforts to prioritize policy development as part of its engagement to strengthen its humanitarian role, an endeavour in which it has benefitted from the financial support of the Governments of Sweden, Switzerland and the United States of America. The aim is to define IOM's responsibilities vis-à-vis internationally agreed core humanitarian principles and to clarify its role at all levels, especially in the Field.

Humanitarian policy development process

3.   The process for developing a humanitarian policy was launched in early 2014 and took an inclusive and innovative approach. Activities included: conducting a global staff survey on humanitarian principles; preparing a series of desk and field studies that highlighted humanitarian dilemmas and institutional challenges for IOM when responding to crises; and establishing an online community of practice. Field and Headquarters staff participated in the policy-framing and -drafting process at two meetings of the Humanitarian Policy Working Group (May and October 2014). IOM also held informal and formal consultations with external partners (the ICRC, the Office of the United Nations High Commissioner for Refugees, the Swedish International Development Cooperation Agency, the International Council of Voluntary Agencies (ICVA), the Steering Committee for Humanitarian Response, the Norwegian Refugee Council, InterAction, the Geneva Academy of International Humanitarian Law and Human Rights), to ensure that the draft principles resonated with the broader humanitarian community. To broaden the consultations, IOM and the ICVA organized a first meeting between IOM and non-governmental organizations (NGOs) dedicated to humanitarian issues and the draft principles. The meeting was held on 30 June 2015 and attended by 76 participants from more than 40 NGOs and 17 countries. Lastly, the draft principles were field-tested in six countries (El Salvador, Iraq, Libya, Nepal, South Sudan and Ukraine) from May to September 2015.

Content of the Principles

4.   The document entitled IOM Principles for Humanitarian Action is annexed to this paper. The main elements of each part of the document are described below.

5.   Part I: Humanitarian context. This section provides the rationale for IOM's adoption of the Principles for Humanitarian Action within a broader understanding of migration issues.

That rationale is established within the context of IOM's Migration Crisis Operational Framework[1] on the mobility dimensions of crises.

6.   Part II: Humanitarian mandate. This section articulates IOM's mandate – its sources and how it frames the Organization's humanitarian activities – in the context of humanitarian action. This section further considers other aspects of IOM's mandate (transition/development/migration management) and how these interrelate with the humanitarian mandate. It also covers IOM's humanitarian commitment, including in relation to humanitarian accountability.

7.   Part III: Humanitarian principles. This section describes how IOM defines and embraces humanitarian principles. It also outlines specific contexts for which IOM should adopt principled positions to help determine its role (further developed in Part VI for specific operational contexts).

8.   Part IV: Humanitarian protection. This section frames IOM's protection role in humanitarian contexts and clarifies its levels of responsibility for protection. It highlights IOM's commitment to protection mainstreaming, and its role in relation to dedicated protection activities.

9.   Part V: Humanitarian partnerships. This section describes the principles underpinning the partnerships IOM forms for its humanitarian responses and indicates IOM's responsibilities as a humanitarian organization vis-à-vis its partners.

10.   Part VI: Humanitarian practice. This section, set within the context of the Migration Crisis Operational Framework, describes how the Principles are applied in different operational contexts and the impact of those contexts on the humanitarian and other roles IOM discharges under the terms of its mandate.

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[1]   The Migration Crisis Operational Framework provides a reference frame for IOM's response to the mobility dimensions of crisis situations (see MC/2355). It was approved unanimously by IOM Member States in Council Resolution No. 1243 of 27 November 2012.

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PART I

Humanitarian context

The mobility dimensions of humanitarian crises

I.1   In a world increasingly shaped by global challenges – rapid population growth and urbanization, persistent poverty and growing socioeconomic inequalities, political tensions, violence and conflict, natural disasters and climate change, gender discrimination and other forms of human rights violations – more and more people are on the move.

I.2   IOM plays a unique role in responding to the needs of people exposed and vulnerable to the impact of these global challenges from a human mobility perspective.

I.3   The mobility dimensions of humanitarian crises – in short, *migration crises* – are of specific concern to IOM as defined in the Migration Crisis Operational Framework, a Member State-approved framework for IOM's response to the mobility dimensions of crisis situations.[1]

   I.3.a *Migration crises* encompass complex and often large-scale, crisis-induced migration flows and mobility patterns that typically involve significant and diverse vulnerabilities for the individuals and communities concerned and generate acute, immediate and longer-term migration management and development challenges.

   I.3.b *Migration crises* may be sudden or slow in onset, can have natural or human-made causes, may be protracted or short term, and affect both rural and urban locations; they can take place internally within a country or involve movement across borders, affecting not only countries of origin, but also transit and destination countries.

I.4   Central to IOM's response to migration crises is its role as a humanitarian institution. Thus, the purpose of these Principles is to strengthen the Organization's humanitarian response to the mobility dimensions of crisis situations and ultimately to save lives, alleviate human suffering and protect the human dignity of the persons affected.[2]

I.5   Those affected by crises include migrants, displaced persons and communities, i.e.:

   I.5.a Displaced persons, including existing categories such as refugees, asylum-seekers, stateless persons and internally displaced persons covered by dedicated international protection frameworks and norms;

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[1] See MC/2355 and Council Resolution No. 1243 of 27 November 2012.

[2] The term "*humanitarian response*" refers to the activities carried out by humanitarian actors for the main purpose of saving lives, alleviating human suffering and protecting human dignity during and in the aftermath of a crisis. It includes *humanitarian assistance* and *protection* (Principle IV). The act of delivering assistance and protection to those affected is referred to as *humanitarian action* in this document. For a description of IOM humanitarian activities, see Principle II.3.

I.5.b   Increasingly, migrants not or inadequately covered by dedicated international protection frameworks and norms, such as migrants involved in mixed migration flows, international migrants caught in crises in a country of transit or destination, environmental migrants and other vulnerable mobile populations; and

I.5.c   Communities affected by a crisis but that are not displaced or communities hosting the above categories.

I.6   The growing demand for humanitarian responses calls for more effective and innovative action based on sound principles and partnerships. In particular, the human mobility dimension of humanitarian crises, and the differential impact on the persons affected depending on gender, age and diversity, are becoming pressing challenges that require comprehensive solutions.

I.7   Protracted or repeated displacement during and after a crisis, the progressive resolution of displacement situations, including through the promotion of durable solutions, post-crisis reconstruction and post-conflict peace- and security-building – all demand strategies for sustainable long-term recovery. Thus, meeting the needs of the persons affected by crises requires not only a humanitarian response, but also longer-term transitional and developmental responses at local, national, regional and international level that take into account the political, economic, environmental and security implications.

I.8   Humanitarian responses must also be predicated on the understanding that the people affected remain at least partly agents, enablers and drivers of their own resilience, recovery and development at household, community and national level before, during and after a crisis, thus reducing the risk of aid dependency.

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PART II

Humanitarian mandate

II.1   IOM, as the leading intergovernmental organization dedicated to migration, is guided by the migration mandate conferred on it by the IOM Constitution, the Migration Governance Framework[3] and other formal IOM documents.

II.2   Within this overarching framework, IOM's humanitarian mandate is set out in particular in Articles 1.1(a) and (b) of the IOM Constitution, Principle 1 and Objective 2 of the Migration Governance Framework, points 9 and 10 of the IOM Strategy, and the IOM Migration Crisis Operational Framework.

II.3   IOM Member States recognize IOM's comparative advantage in addressing the mobility dimensions of crises as a global institution implementing a wide range of activities for the benefit of those affected. The Migration Crisis Operational Framework identifies 15 sectors of assistance to address the mobility dimensions before, during and after crises. The sectors of assistance combine traditional humanitarian activities with other activities relevant to *migration crisis* response.

   II.3.a Humanitarian activities implemented by IOM include the following sectors of assistance: camp management and displacement tracking, shelter and non-food items, transport assistant, health support, psychosocial support, counter-trafficking and protection of vulnerable migrants, and humanitarian communication.

   II.3.b Other sectors of assistance relevant to IOM's response to *migration crises* include:

   (i)   transition and recovery activities, e.g. (re-)integration assistance, community stabilization support, disaster risk reduction and resilience-building, and land and property support;

   (ii)   migration management activities, e.g. technical assistance for humanitarian border management, emergency consular assistance, diaspora and human resource mobilization, and migration policy and legislation support.

II.4   These Principles aim to ensure that when the Organization is engaged in humanitarian action, it acts on the basis of robust principles and as part of the humanitarian response system.[4] In

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3   IOM's Migration Governance Framework defines a set of coherent, comprehensive and concrete principles that lay the foundation for any well-run migration system, the key elements of which are respect for human rights, principled humanitarian action, and the role of migration in socioeconomic development (see S/17/4).

4   The humanitarian response system includes any mechanism at the local, national, regional or international level aimed at coordinating the response of humanitarian actors. For instance, in addition to the cluster approach, IOM also contributes to the refugee response organized by the Office of the United Nations High Commissioner for Refugees.

particular, IOM is a standing invitee on the Inter-Agency Standing Committee (IASC), which coordinates the international humanitarian response system through the cluster approach.[5]

II.5 In addition to coordinating its action through the existing humanitarian response system, IOM responds to the migration dimensions of a crisis by taking action within other international, regional and national systems addressing peace and security, migration governance and development issues.

II.6 These Principles guide IOM's overall response to *migration crises* when the Organization is also engaged in non-humanitarian activities under the Migration Crisis Operational Framework (Principle II.3). This is particularly relevant when IOM is involved in the progressive resolution of displacement situations or in mainstreaming protection into all sectors of assistance defined in the Framework (Principle IV.5).

II.7 IOM's mandate is consistent with the principle that States bear the primary responsibility to protect and assist crisis-affected persons residing on their territory, and where appropriate their nationals abroad, in accordance with international and national law, including international humanitarian, refugee and human rights law.[6]

Humanitarian commitments

II.8 As an intergovernmental organization, IOM supports the efforts of States, at their request and with their consent, to fulfil their responsibilities to protect and assist crisis-affected persons. In line with the Charter of the United Nations and in the spirit of the humanitarian imperative to save lives and alleviate human suffering, IOM is committed to providing humanitarian assistance and protection in accordance with international law and norms, where it is needed and where IOM has an added value.

II.9 IOM works to ensure that crisis-affected persons can better access their fundamental rights to protection and assistance by empowering them and supporting States. As such, IOM is committed to ensuring that such persons are better prepared, more resilient and less vulnerable as a result of its action, including in the progressive resolution of displacement situations.

II.10 In line with its Gender Policy, which recognizes the diverse experiences and needs of persons affected by humanitarian crises, IOM is committed to responding to the different protection and assistance needs of women, men, girls, boys and LGBTI[7] individuals.[8]

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[5] The IASC was established in June 1992 as the primary mechanism for inter-agency coordination of humanitarian assistance (United Nations General Assembly resolutions 46/182 of 19 December 1991 and 48/57 of 14 December 1993). Within the IASC, IOM is a standing invitee (United Nations General Assembly resolution 46/182); it plays a strategic role as the global cluster lead for camp coordination and camp management in natural disasters, and a significant role in other clusters.

[6] See United Nations General Assembly resolutions 46/182 of 19 December 1991 and 60/124 of 8 March 2006.

[7] Lesbian, gay, bisexual, transgender and intersex.

[8] Special consideration must therefore be given to how gender and age affect an individual's social vulnerabilities and opportunities, ability to make independent and informed choices, access to economic livelihoods and participation in reconstruction efforts, physical security and access to rights and protection. It must also be recognized that such needs may vary over time and depending on the context.

II.11   IOM is committed to adapting its humanitarian response on the basis of these Principles in order to remain fit-for-purpose and narrow the gap between humanitarian needs and the ability of the humanitarian system to deliver assistance and protection.

Humanitarian accountability

II.12   In its humanitarian response, IOM is accountable to the persons and States concerned, its Member States, donors, and its partners within the humanitarian response system. IOM is committed to strengthening its accountability mechanisms and to keeping them under continuous review.

II.13   The accountability of IOM staff is defined in IOM's Standards of Conduct (Instruction No. 15 rev. 1). The Organization strives to ensure that its staff members working in humanitarian response display the highest level of professionalism, setting standards, making structural and operational improvements, and providing staff development and learning opportunities.

II.14   IOM's accountability for its humanitarian action ensures that activities are carried out responsibly, meet the needs of those affected and limit the possibility of abuse and diversion of aid. Accordingly, IOM's commitments include:

II.14.a   meeting international standards for Accountability to Affected Populations throughout its response by, inter alia, integrating feedback mechanisms and participatory processes;[9]

II.14.b   developing and engaging in mechanisms to solicit feedback and receive and address complaints from the communities concerned; and

II.14.c   ensuring that its interventions are inclusive and build trust and confidence with the communities concerned.

II.15   As part of its accountability to the States in which it operates, IOM acts with the consent of such States and in a transparent manner, in line and in compliance with these Principles.

II.16   IOM is committed to acting with accountability, transparency, efficiency and effectiveness vis-à-vis its donors whenever it implements humanitarian action, for the benefit of the groups of people concerned.

II.17   IOM is committed to IASC efforts to improve the effectiveness of principled humanitarian action and to strengthen accountability across the humanitarian system, from the country level – including as a member of humanitarian country teams[10] – to the regional and global levels, as an active participant in IASC-led processes and initiatives.

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[9]   In line with the IASC Commitments on Accountability to Affected People/Populations, detailed consultation with such people/populations is essential in order to determine how their needs and profiles should be addressed and may be evolving.

[10]   IOM has committed to being individually accountable to the Humanitarian Coordinator for its cluster-related responsibilities.

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PART III

Humanitarian principles

III.1   IOM reaffirms the principles of humanity, impartiality, neutrality and independence in the delivery of its humanitarian response, and the need for all those engaged in humanitarian action to promote and fully respect these principles.[11]

    III.1.a   <u>Humanity</u>: The purpose of humanitarian action is to protect life and health and ensure respect for the rights and well-being of human beings. Concern to alleviate human suffering and preserve human dignity is the driving force for humanitarian action. In line with this principle, IOM reaffirms the humanitarian imperative and that its priority is the humanitarian duty to save lives and alleviate suffering.

    III.1.b   <u>Impartiality</u>: Humanitarian action must be carried out on the basis of needs alone, prioritizing those most in need, without discrimination on the basis of race, nationality, ethnicity, gender, religious belief, class or political opinion. While IOM recognizes the importance of balancing the needs and interests of different stakeholders, it strives to be strictly non-partisan in its humanitarian action. To do so, and in line with the principle of impartiality, IOM's humanitarian response always gives priority to the most vulnerable.

    III.1.c   <u>Neutrality</u>: Humanitarians must not take sides in hostilities or engage in controversies of an ideological, religious, racial or political nature. IOM assesses the relationship between a policy of neutrality and its advocacy role (Principle III.3.) on a case-by-case basis, without compromising the principle of humanity.

    III.1.d   <u>Independence</u>: Humanitarians must remain independent of the political, financial or other objectives that any others may have in areas where humanitarian action is being implemented. IOM is committed to the principle of independence where and when it is engaged in humanitarian action and in any other situation in which IOM adheres to the principle of humanity.

III.2   When striving to alleviate suffering, save lives, and protect rights and human dignity through principled humanitarian action, IOM provides assistance based on an assessment of needs that takes into account the diversity of vulnerabilities and threats faced by the persons affected, and on the basis of a "do-no-harm" approach.

III.3   IOM is committed to engaging in appropriate forms of advocacy and clear messaging on principled and effective humanitarian action at the global, regional, national and local levels with all relevant actors and for the protection and provision of assistance to the persons affected, bearing in mind the situations defined in Principle III.1.c.

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[11]   The principles of humanity, impartiality, independence and neutrality are derived from the Fundamental Principles of the International Red Cross and Red Crescent Movement and from United Nations General Assembly resolutions 46/182 of 19 December 1991 and 58/114 of 5 February 2004.

III.4   On the basis of the above humanitarian principles, and in line with its responsibilities as an intergovernmental organization, IOM engages and negotiates with all relevant actors to ensure effective provision of humanitarian assistance and secure humanitarian access to crisis-affected populations and their access to services.

III.5   In line with their international legal commitments, States and other relevant parties should facilitate the provision of a principled humanitarian response by IOM.

III.6   Humanitarian responses are often delivered within broader settings encompassing issues of peace, security and development, in particular in the progressive resolution of displacement situations. Accordingly, IOM uses the Migration Crisis Operational Framework to provide a comprehensive response to *migration crises* that takes account of humanitarian needs, peace and transition efforts and sustainable development efforts.

III.7   In response to *migration crises* in which IOM is engaged in non-humanitarian activities (Principle II.3), in addition to its humanitarian response, IOM ensures that its actions are, as a general principle, in line with the principle of humanity and coordinated with the humanitarian response system.

PART IV

Humanitarian protection

IV.1   Protection is at the centre of IOM's humanitarian action. Humanitarian protection is defined as: "All activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law."[12]

IV.2   IOM, as an intergovernmental organization and a standing invitee on the IASC, supports States, as the prime duty bearers, in their responsibility to protect individuals and their rights in line with international law.[13]

IV.3   In addressing the mobility dimensions of humanitarian crises in an integrated and comprehensive manner, IOM seeks to ensure that the right to protection of migrants, displaced persons and affected communities is upheld and their needs fulfilled regardless of, inter alia, their age, sex, gender, physical condition, nationality, ethnic group or religious affiliation.

IV.4   By heightening the risks of neglect, discrimination, abuse and exploitation confronting migrants, displaced persons and affected communities, crises accentuate the need for humanitarian protection. These vulnerabilities and protection risks are the result of the interplay of four principal factors:

IV.4.a   individual characteristics (such as age, sex, gender identity, physical condition, ethnic or religious affiliation);

IV.4.b   pre-crisis social, economic, environmental and political features of the local context (e.g. patterns of marginalization and exploitation, of access to power and resources);

IV.4.c   external disruptive factors induced by, or resulting from, forced migration (such as lack of access to resources and services, family separation, disruption of traditional livelihoods, etc.); and

IV.4.d   the specific environments in which the persons concerned are located as a result of migration and displacement (camp, transitional shelters, detention centres, borders, etc.).

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[12]   IOM adheres to the IASC definition of protection. The bodies of law referenced in the IASC definition are human rights law, international humanitarian law and refugee law. For the protection of migrants, other bodies of law may be relevant as well, e.g. labour law, maritime law and consular law, as per IOM Council document MC/INF/298.

[13]   In addition, IOM has committed to the centrality of protection in humanitarian action, in line with the statement endorsed by the IASC Principals on 17 December 2013, and to the Rights up Front Action Plan (Director General's letter to the United Nations Secretary-General, April 2014).

Protection mainstreaming

IV.5   IOM is committed to mainstreaming protection in all its activities, within the context of the Migration Crisis Operational Framework, and to conducting activities in ways that seek to do no harm, prioritize safety and dignity, foster empowerment and participation, and are non-discriminatory and needs-based.[14]

IV.6   Preventing and addressing sexual exploitation and abuse by IOM staff and the Organization's implementing partners are vital protection considerations that IOM integrates into all its operations.

Protection activities

IV.7   Some IOM activities directly aim to prevent or respond to human rights and humanitarian law violations, or to restore the rights of individuals who are particularly vulnerable to, or at risk of, neglect, discrimination, abuse and exploitation.[15] IOM ensures that these activities are implemented in line with international protection standards, its IASC commitments and relevant IOM's rules and policies.

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[14]   IOM has produced a guidance note, to be issued in 2015 as a mandatory internal instruction, on how to integrate protection mainstreaming principles into all IOM sectors of assistance comprised within the Migration Crisis Operational Framework.

[15]   Such protection activities include the fight against sexual and gender-based violence and trafficking in human beings, referral mechanisms in camps, and activities to reduce violence and conflicts in camps.

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PART V

Humanitarian partnership

V.1   IOM recognizes that effective partnerships can strengthen the overall response, as knowledge, resources and assets can be shared and leveraged to expand coverage and help overcome obstacles to reaching people in need.

V.2   IOM engages in partnerships and cooperates with the stakeholders involved in humanitarian action on the basis of shared principles to promote mutual respect, complementarity, predictability and reliability for a more effective humanitarian response.[16]

V.3   IOM recognizes the need for transparency in its partnerships, as long as effective delivery of its humanitarian action is not jeopardized.

V.4   IOM works to strengthen and build on existing and new partnerships at local, national, regional and global level with States, international and non-governmental organizations, civil society, the persons affected and other relevant actors in all fields relevant to *migration crisis* response, including humanitarian action, migration, recovery, peace and security, and development.

V.5   IOM pursues such partnerships in compliance with these Principles.

V.6   IOM seeks partnerships with a range of local, national, regional and international non-governmental organizations and civil society institutions[17], recognizing that they may be well positioned to implement appropriate responses in terms of specialized expertise, geographical access and knowledge of local community structures.

V.7   IOM requires that its implementing partners commit to respect for humanitarian principles when delivering humanitarian responses. It uses existing standards as a reference during the due diligence process and applies them when monitoring and evaluating implementation. IOM is committed to the transfer of expertise and knowledge to build the capacities of its implementing partners.[18]

V.8   In view of the increasingly significant role played by private-sector partners in humanitarian action, IOM seeks to engage with the private sector, when and where feasible and viable, performing due diligence and having effectively matched humanitarian priorities with commercial and corporate competencies.

V.9   Given the growing links between diasporas and their home communities, IOM engages when appropriate and possible with diasporas, following ethical verification, during and after a crisis, to

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[16]   The Principles of Partnership include equality, transparency, results-oriented approach, responsibility and complementarity.

[17]   Including community and women's groups, local organizations and faith-based groups.

[18]   Including the Core Humanitarian Standard on Quality and Accountability.

maximize the benefits of their involvement, both directly and through their networks abroad and in the country concerned.

V.10   In recognition of the growing requirement for evidence- and results-based programming, IOM is committed to greater strategic cooperation and involvement of academia and think tanks in humanitarian programme design and evaluation, and in standard-setting.

V.11   IOM, although not an agency of the United Nations, ensures that it works effectively and coordinates closely with the United Nations system in the delivery of humanitarian responses and in other areas that are relevant to crisis response, such as peace and security, and development.

V.12   In addition to its participation in the IASC, IOM also seeks to ensure effective coordination of its work with the United Nations and its partners at country level, in the United Nations country teams, and at the regional and global levels, through other available coordination structures relevant to its response to *migration crises*.

V.13   When required to coordinate with military actors for the delivery of relief assistance forming part of a humanitarian response, including the use of military assets, IOM subscribes to the relevant IASC guidelines and policy.[19]

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[19]   Those policies include the Guidelines on the Use of Foreign Military and Civil Defence Assets in Disaster Relief (the Oslo Guidelines, Rev. 1.1, November 2007) and the Civil-Military Guidelines and Reference for Complex Emergencies (2008).

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PART VI

Humanitarian practice

VI.1   IOM applies a principled approach to humanitarian action in different operating contexts, integrating humanitarian principles into the Migration Crisis Operational Framework – the basis for establishing clear strategic objectives – and supports consistency in professional standards and programme implementation.

VI.2   The Migration Crisis Operational Framework is a pragmatic, flexible and evolving tool that can be adapted to the circumstances, e.g. the type of crisis, local conditions, the presence and capacity of other parties (including the State(s) concerned), the slow- or sudden-onset nature of the crisis, the availability of resources, humanitarian access and security considerations.[20]

VI.3   In applying these Principles in practice, IOM commits to ensuring that humanitarian principles are embedded in strategic documents on its humanitarian response (e.g. contingency plans, humanitarian appeals, regional and country strategies) and in periodic reviews of country programmes, including on the transition from emergency conditions to post-crisis development-driven operations and programmes. As part of this effort, IOM promotes, as relevant, the production of humanitarian papers specific to a crisis situation to guide its response.

VI.4   IOM also commits to recognizing the significance of planning for and working towards the transition from emergency conditions to post-crisis development-driven operations and programmes at the early stages of a humanitarian response. IOM will build on these Principles to draw up a framework for the progressive resolution of displacement situations[21] and longer-term resilience strategies that promote development-driven approaches.

Operating contexts: Specific provisions

VI.5   Different operating contexts present different challenges and ways for IOM to engage in principled humanitarian action as part of its strategic migration crisis response. The Migration Crisis Operational Framework identifies a number of operating contexts, presented below, in which these Principles apply.

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[20]   The Framework's flexible and evolving nature enables IOM to respond to both anticipated and unanticipated crises with mobility dimensions (MC/2355).

[21]   Building on, inter alia, the IASC Framework on Durable Solutions for Internally Displaced Persons.

Principled humanitarian action in response to human-made disasters with internal and cross-border movements and/or acute humanitarian needs[22]

VI.6   In international and non-international armed conflicts, IOM adheres to the applicable provisions of international humanitarian law. IOM also adheres to human rights law and refugee law, both of which apply in all types of human-made disasters.

VI.7   As a humanitarian institution operating in a conflict situation where international humanitarian law applies, IOM commits to the humanitarian principle of neutrality (Principle III.1.c) and the provisions set out in Principles III.3 and III.4, respectively, on advocacy and engagement with all relevant parties and in relation to reporting on gross human rights violations.

VI.8   Principle VI.7 also extends to IOM's humanitarian response to human-made disasters not covered under international humanitarian law, as IOM must ensure that its actions are in line with the principle of humanity and coordinated with the humanitarian response system.

VI.9   IOM repeats that, in their response to human-made disasters, its staff members are accountable for taking principled humanitarian action (Principle II.13) and extends this accountability to its implementing partners (Principle V.5) via a thorough due diligence process (Principle V.7), in particular when managing an operation remotely as a last resort to provide life-saving humanitarian assistance and protection.

Principled humanitarian action in response to protracted crises with internal and cross-border movements and with IOM engagement in non-humanitarian activities[23]

VI.10   In international and non-international armed conflicts, IOM adheres to the applicable provisions of international humanitarian law. IOM also adheres to human rights law and refugee law, both of which apply in all types of human-made disasters.

VI.11   IOM recognizes that, if it is to respond in an integrated manner to the different mobility challenges posed by a protracted crisis (Principle I.7), it must address acute humanitarian needs while at the same time investing in transition, recovery and migration management activities (Principle II.3.b).

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[22]   A human-made disaster, such as internal violence, disorder or conflict, often results in desperate and chaotic internal movements that can ultimately lead to cross-border flows of people attempting to escape life-threatening situations. Such disasters can also create situations in which groups of people are stranded or trapped in danger zones and are unable to escape. The categories of people affected differ in every context, but they can include international migrants trapped internally or who may have crossed an international border, internally displaced persons, refugees and/or asylum-seekers, displaced persons who have crossed an international border but do not qualify for or seek refugee status, communities hosting displaced persons, and vulnerable persons, including existing categories covered by dedicated international protection frameworks and norms (MC/2355 Annex I and Principle I.5).

[23]   Protracted crises typically involve a combination of various elements of hardship, both human-made and natural, such as political and/or criminal violence, instability, lack of social services and employment opportunities, or drought, often leading to both cross-border and internal movements. Protracted crises therefore require a response that involves a combination of different and complementary sectors. The categories of people affected differ in every context, but they can include international migrants caught in the crisis, internally displaced persons, refugees and/or asylum-seekers, environmental migrants, communities hosting displaced persons, and vulnerable persons, including existing categories covered by dedicated international protection frameworks and norms. (MC/2355 Annex I and Principle I.5).

VI.12   By doing so, IOM also recognizes that the vulnerability of the persons affected changes over time, and that their needs must therefore be continuously re-assessed(Principle IV.4) with a view to reducing the risk of aid dependency (Principle I.8) and promoting their empowerment (Principles II.9 and IV.5).

VI.13   As involvement in non-humanitarian activities in pursuit of other objectives when responding to a migration crisis often implies engaging at a political level (Principle II.5), potentially with military groups (Principle V.13) or in support of the mandate of a United Nations integrated mission, IOM ensures that its actions are in line with the principle of humanity (Principle III.1).

VI.14   IOM's comprehensive response to protracted crises is shaped by the Migration Crisis Operational Framework (Principle III.6) and assessed in line with Principle III.7.

Principled humanitarian action in response to natural disasters with internal and cross-border movements and/or acute humanitarian needs[24]

VI.15   The applicable international legal frameworks and norms IOM applies are contained in human rights law and international disaster response law.

VI.16   Throughout its response to natural disasters, IOM seeks to help States meet their responsibility to assist and protect the persons affected by supporting their leadership and building their capacities in a principled and sustainable manner (Principle V.4).

VI.17   Similarly, IOM invests in the local non-governmental and civil society organizations best placed to build resilience, recovery and development at household, community and national level before, during and after a crisis, in line with its commitment to disaster risk reduction (Principle V.6)[25] and early recovery, and including in relation to promoting durable solutions to end displacement situations.

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[24]   Sudden-onset natural disasters, such as floods, tsunamis or earthquakes, but also health crises (pandemics or epidemics) often cause significant destruction and loss of shelter, infrastructure and livelihoods. They result mostly in internal, but also potential cross-border flows of people attempting to access immediate assistance and protection. The categories of people affected differ in every context, but they can include international migrants caught in the disaster, internally displaced persons, environmental migrants who have crossed international borders, trapped populations, communities hosting displaced persons, and vulnerable persons, including existing categories covered by dedicated international protection frameworks and norms (MC/2355 Annex I and Principle I.5).

[25]   IOM is committed to helping States implement the Sendai Framework for Disaster Risk Reduction 2015-2030.

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Principled humanitarian action in response to migration flows triggering a crisis situation[26]

VI.18   IOM's comprehensive response to crises triggered by migration flows is shaped by the Migration Crisis Operational Framework (Principle III.6) and assessed in line with Principle III.7.

VI.19   IOM recognizes the need to navigate the complex legal frameworks applicable to this type of crisis, which involves individuals with different reasons for migrating and different needs and vulnerabilities, some of whom may not fit any particular label and may not be covered by a specific protection regime. IOM seeks to respond to the protection and assistance needs of such migrants by taking humanitarian action on the basis of its humanitarian protection role and approach (Principle IV).

VI.20   Furthermore, as the leading intergovernmental organization dedicated to migration, IOM has a specific role in advocating for migrants, in line with Principle 1 of the Migration Governance Framework, and in establishing and developing mechanisms within existing response systems to meet their needs.

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[26]   Large and unmanaged migration flows can trigger crisis situations, irrespective of why those flows have occurred and in geographical areas of transit or destination that are distant from where they originated. IOM's approach to this type of migration crisis is based on the understanding that most migration flows consist of individuals with different reasons for migrating and different needs and vulnerabilities. In fact, some of the migrants in those flows will not fit any particular label and will not be covered by a specific protection regime. They may nevertheless have humanitarian needs. Moreover, needs and vulnerabilities can change over the course of a journey. Although not all flows are necessarily related to a crisis, crises typically result in large migration flows consisting of a variety of vulnerable people in need of assistance and protection. IOM's objective is therefore to provide assistance to all those involved while meeting the different protection and assistance needs of the various groups involved (MC/2355 and Principle I.5).