

STATISTICAL COMMISSION and
UN ECONOMIC COMMISSION FOR
EUROPE (UNECE)

STATISTICAL OFFICE OF THE
EUROPEAN COMMUNITIES
(EUROSTAT)

CONFERENCE OF EUROPEAN
STATISTICIANS

UNECE/Eurostat Seminar on Migration Statistics
Organized in cooperation with UNFPA
(Geneva, 21-23 March 2005)

Session 3– Invited paper

**THE TREATMENT OF FORCED DISPLACEMENT AND STATELESSNESS IN THE
REVISED UNECE CENSUS RECOMMENDATIONS**

Submitted by United Nations High Commissioner for Refugees¹

Background

1. At the end of 2003, countries in the UN/ECE region hosted 6.2 million **persons of concern to UNHCR**, including asylum-seekers, refugees, displaced persons and stateless persons. This estimate does not include rejected asylum-seekers who have become undocumented migrants. Moreover, the number of stateless persons is underestimated due to the lack of reliable data.

2. *Refugees* as defined in UNHCR statistics includes persons granted **1951 Convention refugee status²**, **those who are allowed to remain for humanitarian (i.e. non-Convention) reasons** and those granted **temporary protection**. The number of refugees increased from 1 million in 1980 to 3.4 million in 2000 according to UNHCR statistics. Causes for this increased displacement range from the break-up of the former USSR and the former Yugoslavia to high number of **asylum-seekers** in Western and Central Europe. The number of countries reporting

¹ Background note provided by UNHCR (Population Data Unit, PGDS/DOS, UNHCR Geneva).

² *1951 Convention and 1967 Protocol relating to the Status of Refugees.*

refugees in the UN/ECE region increased from 19 in 1980 to 52 in 2000. Forty-four per cent (23 asylum countries) are hosting more than 10,000 refugees.

3. In 2000, seven countries reported the presence of a total of 2.8 million *internally displaced persons* (IDPs) and ‘forced migrants’.

4. A final population category of concern to UNHCR is *stateless persons*.³ Stateless persons may be displaced (e.g. refugees or IDPs) or not.

Persons of concern to UNHCR in the UN/ECE census recommendations

5. The reason for migration, a key concept for policy makers, is one of the main organizing principles of the 1988 Revised Recommendations on Statistics of International Migration. Addressing reasons for migration in the population and housing census is a logical step in introducing and clarifying this concept in population stock tabulations. This has implications both for the definition of the total resident population as well as for (geographical) characteristics.

6. According to the 2000 Census recommendations only Convention refugees should be included. Asylum-seekers, persons allowed to remain for humanitarian reasons as well as IDPs are now excluded.

7. In the revised census recommendations, the various population categories of concern to UNHCR mentioned above should be counted as part of the **total resident population** provided they meet the criteria for inclusion which apply to all other persons (e.g. duration of stay). Moreover, it is recommended that the various population categories of concern to UNHCR are separately distinguished to the extent possible (**characteristics**).

8. Although, strictly speaking, undocumented migrants are not of concern to UNHCR, we support the inclusion of **undocumented migrants** in the total resident population for the same reason. Any one who meets the criteria for inclusion should be counted.

9. The (intended) duration of stay plays an important role in determining whether a specific population group should be included in the total population. Generally speaking, asylum-seekers, refugees and persons allowed to remain on humanitarian grounds stay in the host country for a considerable time. Although asylum decisions are taken more quickly now, the asylum-seeker may appeal the decision, thereby extending his/her stay. Even after having received a final rejection, some asylum-seekers do not leave the country and thus become part of the undocumented migrant population. Similarly, although persons allowed for humanitarian reasons or under temporary protection may not be issued a long-term or permanent residence permit immediately, they often stay in the asylum country for an extended period of time.

10. Another important reason why to include these groups is that they are unlikely to be counted as part of the usually resident population in the country (area) of origin.

³ 1954 Convention relating to the Status of Stateless persons; 1961 Convention on the Reduction of Statelessness.

Census questions on refugees

11. Including asylum-seekers, refugees and persons in a refugee-like situation in the immigrant stock would require the inclusion of a few additional questions, asked solely to foreign nationals :

12. Q. Why did you come to this country?

A. Work, Study, Asylum (war, persecution), Family reunion/formation. It is essential that when Family reunion/formation is chosen, a further question is being asked for the reason of the primary move (Work, Study, Asylum).

Census questions on IDPs

13. IDPs are often displaced for the same reasons as refugees, but they have not crossed an international border. They are thus by definition part of the Total resident population. It is recommended that a question about internal displacement is included under the part of internal migration. Note that countries often have their national legal definition of IDPs. There is no international legal definition. IDP status is often related to benefits. As with refugees, important characteristics in determining who is an IDP include date of arrival, reason for arrival and detailed place of origin and ethnic origin. Note that 'natural disasters' are included in the international 'working definition' for IDPs.

14. Q. Why did you move to your current place of residence?

A. Work, Study, War/persecution/natural disaster, Family reunion/formation.

Census questions on stateless persons

15. In dealing with non-nationals, it is important to distinguish two situations. First, persons may be stateless, but their country of longterm residence is the country of their present stay. Second, stateless persons may be refugees (e.g. Kurds and Palestinians living abroad). In case of stateless refugees, the refugee Convention takes precedent over the statelessness Convention. In other words, there is no need for the census to distinguish stateless refugees separately from all other refugees.

16. We recommend that stateless persons be formally included in the usually resident population if these persons meet the applicable criteria. By asking a simple question on citizenship, statelessness can also be easily distinguished as a characteristic.

17. To distinguish stateless persons, the following questions should be asked:

Q. Are you a citizen of this country? (Yes/No)

If no, are you a citizen of another country? (Yes/No)

If twice no, the person is considered stateless.

Example/good practice: legal framework on displacement in the former USSR

18. Attached is an overview of the working definitions from the “Regional Conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States”. These definitions are the only agreed text by Governments on displacement in the former USSR and indicate the complexity of forced migration in the UN/ECE region.

(CISCONF/1996/5 11 June 1996)
Geneva, 30 - 31 May 1996 Original: ENGLISH
DECLARATION, ANNEX 2 Working definitions

1. The complexity of the population movements in the CIS countries stems from the combination of pre-existing flows (which have acquired a new dimension due to their transformation from internal to international patterns), with new flows. The form of these new flows is in some cases already known to the international community. In other cases, however, the international community has little previous experience. This Conference process has had to address the types of movements found in the CIS countries and formulate working definitions for the sake of mutual understanding.

2. Eight categories of movements are addressed in the CIS Conference process: refugees, internally displaced persons, illegal migrants, persons in refugee-like situations, repatriants, involuntarily relocating persons, formerly deported peoples and ecological migrants. Other categories of movements, such as labour migrants, deported persons and returning military personnel, although they exist in the CIS countries, are not part of the scope of the Conference.

A. For the following categories of persons, reference is made to a universal definition and widely accepted concepts:

3. Refugees³ are persons who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, are outside the country of their nationality and are unable or, owing to such fear, are unwilling to avail themselves of the protection of that country; or who, not having a nationality and being outside the country of their former habitual residence as a result of such events, are unable or, owing to such fear, are unwilling to return to it.

4. Internally displaced persons⁴ are persons or groups of persons who have been forced to flee their homes or places of habitual residence suddenly or unexpectedly as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters and who have not crossed an internationally recognized State border.

5. Illegal migrants⁵ are persons who are in an irregular situation, not fulfilling the requirements concerning entry, stay and exercise of an economic activity established by the State where they are present. The term "illegal migrants" is used without prejudice to refugee status determination.

B. For the specific purposes of this Conference process, a number of working definitions applying to situations in CIS countries have been developed by these countries. These definitions do not carry a universal or binding character.

6. Persons in refugee-like situations⁶ are persons who fled their country of citizenship or, if they are stateless, the country of their permanent residence, as a consequence of armed conflicts because their lives, safety or freedom were threatened. These persons are in need of an international protection but may not all be covered by the 1951 Convention and its 1967 Protocol.

7. Repatriants are persons, who for economic, social or personal reasons, have voluntarily resettled in the country of their citizenship or origin for the purpose of permanent residence.

8. Involuntarily relocating persons⁷ are persons who are forced to relocate to the country of their citizenship as a result of circumstances endangering their lives, such as armed conflict, internal disorder, inter-ethnic conflict or systematic violations of human rights and who are in need of assistance to resettle in their countries of citizenship.

9. Formerly deported peoples are peoples who were deported from their historic homeland during the Soviet period. Some of the persons belonging to this category may be stateless.

10. Ecological migrants are persons who are obliged to leave their place of permanent residence and who move within their country, or across its borders, due to severe environmental degradation or ecological disasters.

(<http://web.archive.org/web/19971110073424/www.unhcr.ch/refworld/unhcr/cis/cis.htm>)
