

# GLOSSARY

**Abusive or fraudulent asylum claim:** A claim made by an individual who clearly does not need international protection and which involves an element of bad faith on the part of the applicant, such as deception or intent to mislead. Such claims may be subjected to accelerated asylum procedures.

**Assisted voluntary return:** Logistical and financial support to non-nationals unable or unwilling to remain in the host country and who make a free and informed decision to return to their countries of origin or habitual residence.

**Asylum:** The grant, by a State, of protection on its territory to persons who are fleeing persecution, serious or irreparable harm or for other reasons defined in national law. Asylum encompasses a variety of elements, including protection against *non-refoulement* and permission to remain on the territory of the asylum country, possibility with a view to local integration. The 1951 Convention supplemented by international human rights law lay down the standards of treatment to which refugees are entitled in the country of asylum.

**Asylum-seeker:** An individual who is seeking asylum, but whose claim has not yet been finally decided on.

**Asylum procedures:** *See Refugee Status Determination.*

**Capacity building:** A process by which individuals, institutions and societies develop abilities, individually and collectively, to perform functions, solve problems and set and achieve their goals.

**Carrier:** The owner or charterer of any aircraft, ship, train, automobile or other vehicle or vessel capable of being used to transport a person or goods to or from a State. A carrier usually refers to an airline, bus or rail company, or cruise line.

**Child (minor):** Every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

**Complementary (subsidiary) forms of protection:** International protection and/or asylum granted under national law or practice to persons subject to a serious threat to life, liberty or security of person but who do not qualify for refugee status under existing international refugee law instruments.

**Country of destination:** The country that is the actual or desired final destination for an asylum-seeker, refugee or migrant.

**Country of first asylum:** The first country in which an asylum-seeker or refugee finds protection.

**Country of habitual residence:** The country where a person usually resides. The term is specifically relevant for stateless persons where it is used to define a stateless person's country of origin.

**Country of origin:** The country where an asylum-seeker, refugee or migrant comes from and of which he/she possesses the nationality. In the case of a stateless persons, the country where he/she has his/her habitual residence.

**Country of transit:** The country that asylum-seekers, refugees or migrants move through (legally or irregularly) during their journey to a country of destination or back to their country of origin.

**Data:** Term used to describe a collection of organized information.

**Detention:** Deprivation of freedom of movement, usually through enforced confinement. UNHCR's 2012 Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention, sets out standards applicable in such situations.

**Distress at sea:** Damage suffered by a ship that may expose it to a risk of destruction. Under international law, shipmasters have an obligation to render assistance to those in distress at sea without regard to their nationality, status or the circumstances in which they are found.

**Entry system:** The procedures and practices used by States to regulate access to their territory.

**Entry official:** Any government official working in an entry system. This can include border police, immigration officials (including out-posted immigration and airline liaison officers), coastguard personnel and other officials who have "first contact" with asylum-seekers, refugees and migrants in the entry system (**first contact entry officials**). It can also include legislators, policy makers, judicial officers, civil servants and administrators who establish the relevant framework of laws and policies governing the entry system.

**Expulsion:** An act by a State authority with the intention and effect of securing the removal of a non-national from its territory. Refugees lawfully on the territory of the State can only be expelled for reasons of national security and public order.

**Forced displacement / migration:** Coerced departure of a person from his/her home or country due, e.g., to a risk of persecution or other form of serious or irreparable harm. Such risks can exist due to armed conflict, serious disturbances of public order, natural disasters, or the inability or unwillingness of a State to protect the human rights of its citizens.

**Forced return:** Coerced physical removal of a person to his/her country of origin or a third country by the authorities of the host country.

**Freedom of movement:** A core human right that consists of three basic elements: freedom of movement within the territory of a country; the right to leave any country; and the right to return to one's own country.

**Good practice:** Means to further the application of existing norms and principles, both at the international and national levels. In the context of mixed movements, it refers to an innovative, interesting and inspiring practice that contributes to the establishment of a protection-sensitive migration policy and has the potential to be transferred in whole or in part to similar contexts.

**Host country:** The country in which a non-national stays or resides, legally or irregularly.

**Human rights:** Universal standards that recognize and protect the inherent dignity and the equal and inalienable rights of every individual, without any distinction as to race, colour, sex, language, regional, political or other opinion, national or social origins, property, birth or other status. They may be set out in various national, regional and international legal instruments and/or form part of customary international law.

**Illegal/irregular migrant:** Term sometimes used as synonym for migrant in an irregular situation. Given its potentially stigmatizing effect, the expression should be avoided.

**Illegal/irregular migration:** Migration that takes place outside the regulatory norms of the State. The term is predominantly used from the perspective of host countries when referring to unauthorized entry and/or stay in the country.

**Improperly documented individual:** *See Migrant in an irregular situation.*

**Indirect refoulement:** *Refoulement*, in breach of State obligations under international refugee and human rights law, can also occur when a State returns an asylum-seeker or refugee to a third country, which in turn returns that person to territories where they are at risk of persecution, torture, or other forms of serious or irreparable harm.

**Interception measures:** Any measure employed by a State to (i) prevent embarkation of persons on an international journey, (ii) prevent further onward international travel by persons who have commenced their journey, or (iii) assert control of vessels where there are reasonable grounds to believe the vessel is transporting persons contrary to international or national maritime law; where such person or persons do not have the required documentation or valid permission to enter the territory of the State.

**International protection:** The protection that is accorded to individuals or groups by the international community on the basis of international law. The State is primarily responsible for providing protection to its citizens. The need for international protection arises where such protection is lacking either as a matter of law or as a matter of fact so that basic human rights are seriously at risk. Such a situation classically results from persecution, threats to life and personal security, armed conflict, serious public disorder or other man-made situations. Natural or ecological disasters or insecurity due to statelessness are additional causes. Frequently, these elements are interlinked. Persons who are in need of international protection and are outside their country of origin are afforded protection against *refoulement*.

**Irregular onward movement of refugees and asylum-seekers:** Irregular movement by refugees or asylum-seekers from a country where they have already found protection in order to seek asylum or settlement in another country.

**Local integration:** A solution for refugees that involves their permanent settlement in a country of asylum. Local integration is a complex and gradual process, comprising three distinct but inter-related legal, economic, and socio-cultural dimensions. The process is often concluded with the naturalization of the refugee.

**Manifestly founded asylum claim:** A claim that on its face meets the criteria for the granting of refugee status laid down in the 1951 Convention or any other criteria justifying the granting of asylum. Such claims may be given priority processing or be subjected to accelerated procedures.

**Manifestly unfounded asylum claim:** A claim which is clearly not related to the criteria for the granting of refugee status laid down in the 1951 Convention, nor to any other criteria justifying the granting of asylum. Whether a case is deemed “manifestly unfounded” or not will depend upon the degree of linkage between the stated reasons for departure and the applicable refugee definition. Such claims have been subjected to accelerated procedures.

**Migrant:** There is no universally accepted definition of the term “migrant”. For the purposes of the 10-Point Plan, it is used to describe someone who is not in need of international protection as a refugee and who moves across an international border for a period that is not intended to be short.

**Migrant in an irregular situation:** A migrant who, owing to unauthorized entry, breach of a condition of entry, expiry of visa/stay permit, or failure to comply with an expulsion order, has no permission to stay in a host country.

**Migrant worker:** A person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.

**Migration:** Any kind of movement of people that is not merely intended to be of short or temporary duration, either across an international border (**international migration**), or within a State. It is often employed to include both forced and voluntary movements.

**Mixed movements (mixed migration or flows):** A movement in which a number of people are travelling together, generally in an irregular manner, using the same routes and means of transport, but for different reasons. People travelling as part of mixed movements have varying needs and profiles and may include, e.g., asylum-seekers, refugees, victims of trafficking, unaccompanied/separated children, and migrants in an irregular situation.

**Monitoring:** Ongoing review and control of the implementation of a process or project to ensure that inputs, work schedules and agreed activities proceed according to plans and budgetary requirements. Monitoring is often carried out by an entity that is independent or separate from the implementer of the process or project (**independent monitoring**).

**National:** A person enjoying the nationality of a given State.

**Nationality:** The legal bond between a person and a State. Generally, nationality can be established at birth by a person's place of birth (*jus soli*) and/or bloodline (*jus sanguinis*) or can be acquired through naturalization. The concept is also referred to in certain national jurisdictions as "citizenship".

**Non-refoulement:** A core principle of international human rights and refugee law that prohibits States from returning individuals in any manner whatsoever to territories where they are at risk of persecution, torture, or other forms of serious or irreparable harm. *Refoulement* can result following, e.g., interception operations, rejection at the frontier or return to third countries (**indirect refoulement**). The most prominent expression of the principle of *non-refoulement* in international refugee law is Article 33(1) of the 1951 Convention. The principle is part of customary international law and is therefore binding on all States whether or not they are parties to the 1951 Convention or other relevant international refugee law or human rights instruments.

**Permanent residence:** The right, granted by the authorities of a host country to a non-national to live and work there on a permanent (unlimited or indefinite) basis.

**Person with specific (special) needs:** Any person who requires specific assistance in order to enjoy the full range of his/her human rights. Children, especially unaccompanied/separated children, trafficked persons, women at risk, elderly and disabled people, are among the groups who often have specific needs.

**Persons of concern to UNHCR:** A general term used to describe all persons for whom UNHCR is mandated to provide protection and assistance. They include refugees, asylum-seekers, returnees, stateless persons, and, in many situations, internally displaced persons. UNHCR's authority to act on behalf of persons of concern other than refugees is based on various United Nations General Assembly and Economic and Social Council resolutions.

**Screening and referral:** A non-binding process that precedes any formal status determination procedures and aims to identify the needs of and differentiate between categories of persons as soon as possible after arrival. Its core elements include: providing information to new arrivals; gathering information on new arrivals through questionnaires and informal interviews; establishing a preliminary profile for each person; counselling; and referring persons to the relevant entities or procedures that best meet their needs.

**Protection:** A concept that encompasses all activities aiming to achieve full respect for the rights of the individual in accordance with the letter and spirit of human rights, refugee and international humanitarian law. Protection involves creating an environment conducive to preventing and/or alleviating the immediate effects of a specific pattern of abuse, and restoring human dignity through reparation, restitution and rehabilitation.

**Protection-sensitive migration policy/practice:** Migration policies and practices that differentiate between and provide appropriate measures to meet the needs of all persons travelling as part of mixed movements, including refugees, other people with international protection needs, as well as people with specific needs (e.g. trafficked, unaccompanied/separated children or victims of trauma).

**Reception arrangements:** The set of measures to address the material and psycho-social needs of asylum-seekers, refugees and migrants. In the initial post-arrival phase, reception arrangements are provided to all non-nationals regardless of their status. Following referral to differentiated substantive procedures, reception arrangements may vary according to the needs and status of each group.

**Refugee:** A person who meets the eligibility criteria in the refugee definition provided by relevant international or regional refugee instruments, under UNHCR's mandate, and/or in national legislation. According to many of these instruments a refugee is a person who cannot return to his/her country of origin owing to a well-founded fear of persecution or serious and indiscriminate threats to life, physical integrity or freedom.

**Regional consultative processes (RCPs):** Non-binding consultative fora bringing representatives of States and international organizations together at the regional level to discuss migration and/or refugee issues in a cooperative manner. Some RCPs also allow the participation of other stakeholders (e.g., NGO or other civil society representatives).

**Refugee Status Determination (RSD) (Asylum procedures):** The legal and/or administrative process undertaken by States and/or UNHCR to determine whether a person is a refugee in accordance with national, regional and international law.

**Registration:** The process of recording, verifying and updating information on persons of concern to UNHCR with the aim of protecting and documenting them and of implementing durable solutions.

**Regularization:** Any process or programme by which the authorities of a country allow non-nationals in an irregular situation to obtain legal status in the country.

**Reintegration:** In the context of return, the process by which a migrant or a refugee re-establishes himself/herself in the society of his/her country of origin. Reintegration includes physical, social, legal and material security components.

**Rescue at sea:** Rendering of assistance to any person found at sea in danger of being lost or in distress.

**Resettlement:** A solution that involves the selection and transfer of refugees from the country in which they have sought protection to another State that has agreed to admit them as refugees with permanent residence status. Resettlement ensures protection against refoulement and, in many cases, eventually provides the opportunity to become a naturalized citizen of the resettlement country.

**Return:** The process or act of going back from a host country to one's country of origin or habitual residence.

**Sexual and Gender-Based Violence (SGBV):** Any act of violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to persons on the basis of their sex or gender, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

**Safe Third Country:** A concept used in the asylum procedure to transfer responsibility for the examination of an asylum request from the host country to another country considered to be "safe", i.e. to be able to provide protection to asylum-seekers and refugees. Such transfer of responsibility is subject to certain requirements following from international law, notably from the principle of *non-refoulement*.

**Screening / Pre-screening process:** See *Screening and referral*.

**Search and Rescue (SAR) services:** Mechanisms set in place by States to ensure distress communications and coordination in their area of responsibility and for the rescue of persons in distress at sea around their coasts.

**Self-reliance:** The social and economic ability of an individual, a household or a community to meet their own essential needs (including food, water, shelter, personal safety, health and education) in a sustainable manner and with dignity.

**Separated child:** A child separated from both parents, or from his or her previous legal or customary primary care-giver, but not necessarily from other relatives. This may, therefore, include a child accompanied by other adult family members.

**Smuggling (of persons):** The procurement in order to obtain, directly or indirectly, a financial or other material benefit of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.

**Stateless person:** A person who is not considered as a national by any State, either because he/she never had a nationality, or because he/she lost it without acquiring a new one.

**Stranded migrants:** Persons who are not in need of international protection and who cannot remain lawfully on the territory of a host State, move lawfully to another country, or return to their country of origin.

**Stay/residence permit:** A document issued by a State to a non-national confirming that s/he has the right to live in that State during the period of validity of the permit.

**Sustainable return:** Return involving the effective reintegration of a returnee into his/her country of origin or habitual residence.

**Temporary protection:** Protection of an interim nature granted by a host State to groups of persons without prior individual refugee status determination procedures, and where it is anticipated that their protection needs will be of a short duration.

**Trafficking (in persons):** The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

**Unaccompanied child (minor):** A child who has been separated from both parents as well as other relatives and is not being cared for by an adult who, by law or custom, is responsible for doing so.

**Voluntary repatriation:** The free and informed return of refugees to their country of origin in safety and dignity. Voluntary repatriation may be organized (i.e. when it takes place under the auspices of the concerned States and/or UNHCR) or spontaneous (i.e. when refugees repatriate by their own means with little or no direct involvement from government authorities or UNHCR).

**Voluntary return:** The return of a person to his/her country of origin or habitual residence based on his/her free will and an informed decision, in the absence of coercive measures.

**Women at risk:** A term used to describe situations where displacement exposes women and girls to a range of factors that may put them at risk of violations of their rights. These risk factors may be present in the wider protection environment or be a result of individual circumstances.