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Caitlin Vito

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The Development of a Concept: Mixed Migration

Abstract

It is argued that human mobility is growing in in “scale, scope and complexity”.¹ As such, it is posing challenges to all levels of governance, resulting in new organisations, concepts and discourses. The following study examines the development of the concept of mixed migration. It provides greater understanding of how this discourse surrounding challenges relating to migration and refugees was established and has since developed and manifested into concrete action. It specifically examines how the term mixed migration is used by UNHCR and the IOM as a means of addressing the complexities of current migration and refugee situations. It investigates the EU’s role in mixed migration discourse and action in as far as it supports UNHCR and the IOM’s policies and initiatives. Also of interest is how mixed migration discourse is manifesting in practice through collaborative efforts among the three actors. The Regional Mixed Migration Secretariat (RMMS), an organisation addressing mixed migration originating in the Horn of Africa, acts as a case study in examining this dynamic. Michel Foucault’s theory of ‘governmentality,’ which illuminates discourse as a powerful tool, will inform analysis of the mixed migration debate. Through this lens the study concludes that discourse on mixed migration, as developed by UNHCR and the IOM, is in part a means of reaffirming the two international organisations roles within the international system in the face of complex migration and refugee realities. Examination of the EU highlights how the mixed migration discourse is impacting the EU’s own discourse and action with regard to this field. It concludes that awareness of how a concept and surrounding discourse develops is essential to allow for current action be understood, learned from and, hopefully, improved upon.

Es wird behauptet, dass die menschliche Mobilität an „Skala, Umfang und Komplexität“ zugenommen hat. Deswegen wurde sie zu einer großen Herausforderung auf allen Regierungsebenen und bringt damit neue Organisationen, Konzepte und Diskurse mit sich. Die vorliegende Studie untersucht die Entwicklung des Konzepts der „mixed migration“. Ihre Aufgabe soll sein, für mehr Verständnis dafür zu sorgen, wie sich der Diskurs über die Herausforderungen, die mit Migration und Flüchtlingen im Zusammenhang stehen, entstanden ist, sich seither entwickelt hat und sich in konkreten Maßnahmen manifestiert. Die Arbeit untersucht im Speziellen, wie der Begriff der Mixed Migration von UNHCR und IOM als Mittel zur Bewältigung der Komplexität aktueller Migration und Flüchtlingssituationen verwendet wird. Darüber hinaus wird die Rolle und das Handeln der EU im Mixed Migration Diskurs insoweit analysiert, als die EU die Maßnahmen und Initiativen von IOM und UNHCR unterstützt. Ebenfalls von Interesse ist wie sich der Mixed Migration Diskurs in der Praxis durch gemeinsame Bemühungen dieser drei Akteure manifestiert. Das „Regional Mixed Migration Secretariat“ (RMMS), eine Organisation, die Mixed Migration untersucht, die ihren Ursprung am Horn von Afrika hat, dient als Fallstudie, um diese Dynamik zu untersuchen. Michel Foucaults Theorie der „Gouvernementalität“, die den Diskurs als mächtiges Werkzeug versteht, wird zur Analyse der Mixed Migration Debatte beitragen. Aus dieser Perspektive kann festgehalten werden, dass der Mixed Migration Diskurs, wie er von UNHCR und IOM entwickelt wurde, zum Teil dazu dient, um die Rolle dieser beiden internationalen Organisationen angesichts komplexer Migrations- und Flüchtlingsrealitäten innerhalb des globalen Systems zu kräftigen. Die Analyse der EU zeigt, wie der Mixed Migration Diskurs Auswirkungen auf den eigenen EU Diskurs und Maßnahmen in Bezug auf dieses Feld hat. Die Arbeit kommt zum Schluss, dass es notwendig ist, ein Bewusstsein zu entwickeln, wie Konzepte und verwandte Diskurse entstanden sind, um aktuelles Handeln zu verstehen, davon zu lernen und (hoffentlich) zu verbessern.

¹ Jeff Crisp. *Beyond the nexus: UNHCR’s evolving perspective on refugee protection and international migration*. UNHCR Research Paper No. 155 (2008), 3.

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Acronyms/Abbreviations

DRC	Danish Refugee Council
DG EU Home Affairs	European Union Director General for Home Affairs
EC	European Commission
ECHO	EU Humanitarian Aid and Civil Protection Department
EMN	European Migration Network
EU	European Union
FCO	Foreign and Commonwealth Office, the United Kingdom's Ministry of Foreign Affairs
ICMC	International Catholic Migration Commission
ILO	International Labour Organisation
IOM	International Organisation for Migration
MMTF	Mixed Migration Task Force
MTM	Mediterranean Transit Migration (MTM) Dialogue
RMMS	Regional Mixed Migration Secretariat
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees

Introduction

Migration is not a new phenomenon. From the earliest nomadic hunters, traders and explorers the mobility of people has been a constant throughout history. The current era is no different. In fact, many argue that it has become more intense.¹ Within the Westphalia system of nation-states, revolutions in communication and transportation technology have helped to facilitate not only the movement across borders of goods, capital and services, but also of people.² Mobility comes in a variety of forms, ranging from tourists and students, to economic migrants and refugees.³ As human mobility has grown in “scale, scope and complexity” it has become an ever more prominent issue that poses challenges to all levels of governance.⁴ New concepts and governance bodies have developed to address these difficulties. One relatively new term that has emerged in the migration and refugee discourse within the last decade is ‘mixed migration’. The complexities mixed migration encompasses are illustrated in one intriguing poster. It presents the image of a man clutching a young boy and lifting a chain-link fence over their heads. Written beside the man are the questions: Stealing someone’s job? Immigration outlaw? Responsible father? Seeking asylum? Bread winner? Persecuted? Criminal? Fugitive? – Mixed migration.⁵ The relevancy of such questions is more potent than ever. With frequent headlines, such as the October 2013 featured article in *Der Spiegel* ‘Death in the Mediterranean: The Tragedy of Europe’s Boat People’ making regular appearances in the media, the flows of people, migration restrictions and responses are receiving considerable attention.⁶ This thesis offers reflection on a particular aspect of a much broader discussion and works to explore the primary actors leading the mixed migration discourse.

The following study examines the development of the concept of mixed migration. It examines how the term mixed migration is used by UNHCR and the IOM as a means of addressing the complexities of current migration situations. It investigates the EU’s role in mixed migration discourse and action in as far as it supports the IOM and UNHCR’s policies and initiatives. Also of interest is how mixed migration discourse is manifesting in practice

¹ Chris Horwood interviewed (Director of RMMS), by Caitlin Vito, Skype/June 18th 2014.

² Johannes van der Klaauw, “Refugee Rights in Times of Mixed Migration: Evolving Status And Protection Issues,” *Refugee Survey Quarterly*, vol. 28, no. 4 (2009): 84.

³ Anthony Richmond, *Global Apartheid: Refugee, Racism, and the New World Order* (Oxford: Oxford University Press, 1994), 32.

⁴ Jeff Crisp. *Beyond the nexus: UNHCR’s evolving perspective on refugee protection and international migration*. UNHCR Research Paper No. 155 (2008), 3.

⁵ Regional Mixed Migration Secretariat, 2014 (accessed June 2014), <http://www.regionalmms.org/index.php?id=2>.

⁶ Alexander Smoltczyk, “Death in the Mediterranean: The Tragedy of Europe’s Boat People,” *Der Spiegel*, October 2013, (accessed July 2014), <http://www.spiegel.de/international/europe/death-in-the-mediterranean-the-tragedy-of-europe-s-boat-people-a-617870.html>

through collaborative efforts among the three actors. The Regional Mixed Migration Secretariat (RMMS), an organisation addressing mixed migration originating in the Horn of Africa, acts as a case study in examining this dynamic. Michel Foucault's theory of 'governmentality,' which illuminates discourse as a powerful tool, will inform analysis of the mixed migration discourse. Through this lens the study concludes that discourse on mixed migration, as developed by UNHCR and the IOM, is in part a means of reaffirming the two international organisation's roles within the international system in the face of complex migration and refugee situations. Examination of the EU highlights how the mixed migration discourse is impacting the EU's own discourse and action with regard to this field. The RMMS helps to shed light on how the discourse of mixed migration is manifesting in practice.

Theoretical Framework and Methodology

The theoretical grounding for this study is rooted in the work of Michel Foucault and the framework of governmentality. Foucault developed this theory to explore the mechanics of power creation by governments through "various means, calculations and procedures".⁷ The theory of governmentality was first presented by Foucault during his lecture series at the College de France from 1978 – 1979. During these lectures, Foucault shed light on the "problematic of government".⁸ Of particular interest to this study's investigation into the concept of mixed migration is how the governmentality framework understands the "constitutive role of language" and its power to shape knowledge, thought and action.⁹ Governmentality speaks to the symbiotic relationship between knowledge and power. As Foucault argues, discourse belongs to a "series of quite particular instruments" employed in the act of governing.¹⁰ This highlights the role of discourse in creating "shared vocabularies" through which "alignments are forged".¹¹ In applying this theory to international organisations, the scholar Sarah Kalm notes that these shared understandings are forged by international organisations "through commissions, forums and initiatives" which impact all levels of governance.¹²

⁷ Stephan Scheel and Philipp Ratfisch, "Refugee Protection Meets Migration Management: UNHCR as a Global Police of Populations" *Journal of Ethnic and Migration Studies* vol. 40 no. 6 (2013): 925; Michael Merlingen "Governmentality: A Foucauldian Framework for the Study of IGOs" *Journal of Nordic International Studies* vol. 38 no. 4 (2003), 367.

⁸ Michel Foucault, "Governmentality," in *Power: The Essential Works of Foucault 1954 1984*, ed. James Faubion, trans. Robert Hurley, (New York: New Press, 2001), 201.

⁹ Merlingen "A Foucauldian Framework", 363.

¹⁰ Foucault, "Governmentality," 220.

¹¹ *Ibid.*, 370.

¹² Sarah Kalm, "Liberalizing Movements? The Political Rationality of Global Migration Management." in *The Politics of International Migration Management* edited by Martin Geiger and Antoine Pécoud (Hampshire: Palgrave Macmillan, 2010), 23.

For the purposes of this study, Foucault's broad understanding of 'government' is critical. It is viewed as encompassing any "conscious effort to guide and influence human actions and behaviours".¹³ Thus, Foucault speaks of the "plurality of forms of government".¹⁴ At its core, the theory holds that 'government' is essentially the "conduct of conduct".¹⁵ Such a broad understanding gives resonance to the theory of governmentality in examining non-state actors.¹⁶ Michael Merlingen in his article 'Governmentality: Towards a Foucauldian Framework for the Study of IGOs' extends Foucault's theory to the dynamics of international organisations. Merlingen asks how international organisations "conduct the conduct of countries?"¹⁷ As Foucault explains, "to govern, then, means to govern things".¹⁸ Merlingen extends this understanding to the governance of countries.¹⁹ This application of the theory of governmentality to international organisations provides a critical base for this investigation into the development of the concept of 'mixed migration' by UNHCR and the IOM.

A key strength of Foucault's analysis is that it illustrates the indirect or less obvious means through which power manifests.²⁰ Governments may use these "instruments" as a means of exerting their power without turning to conventional forms of control.²¹ The impact of this is not only witnessed in the direct influence of behaviour, but also in one's self-regulation.²² As Rose and Miller note, "power is not so much a matter of imposing constraints...[but] a kind of regulated freedom".²³ Foucault's lectures speak to this analysis as he argues that governing is a "question not of imposing law on men but...of employing tactics" to ensure that certain "ends may be achieved".²⁴ This understanding of the various "governmental technologies" of power provides insight into how non-state actors, such as international organisations, hold significant influence.²⁵ As Foucault notes, "the exercise of power is a 'conduct of conducts'".²⁶

¹³ Ibid., 26.

¹⁴ Foucault, "Governmentality," 206.

¹⁵ Ibid., 26.

¹⁶ Ibid., 26.

¹⁷; Merlingen "A Foucauldian Framework," 368.

¹⁸ Foucault, "Governmentality," 220

¹⁹ Foucault, "Governmentality," 210.

²⁰ Kalm, "Liberalizing Movements? The Political Rationality of Global Migration Management." 26.

²¹ Merlingen "A Foucauldian Framework," 367.

²² Kalm, "Liberalizing Movements? The Political Rationality of Global Migration Management," 26.

²³ Nicolas Rose and Peter Miller, "Political Power beyond the State: Problematics of Government". *The British Journal of Sociology* vol. 43, no. 2 (1992): 174.

²⁴ Foucault, "Governmentality," 211.

²⁵ Ibid., 175.

²⁶ Foucault, "The Subject and Power," in *Power: The Essential Works of Foucault 1954-1984*, ed. James Faubion, trans. Robert Hurley, (New York: New Press, 2001), 341.

Moreover, governmentality highlights the ‘political rationality’ or truth which is constructed through discourse and language. Rose and Miller argue that government led discourse produces the “idealised schemata for representing reality, analysing it and rectifying it”.²⁷ It is partly through the shaping of reality that a government is able to base its jurisdiction. Foucault argues that the “state is what it is today...precisely thanks to this governmentality, which... is the tactics of government that make possible the continual definition and redefinition of what is within the competence of the state and what is not”.²⁸ Merlingen’s extension of Foucault’s theory to the international level provides a critical lens through which to analyse discourse led by international organisations and the ‘political rationality’ it produces.²⁹ Merlingen argues that this discourse constructs reality into a “terrain to be governed” and which requires the mediation of international organisations.³⁰ Since the “conduct of government must be rationally justified”, framing a reality which requires such governance is essential to a government’s legitimacy.³¹ Rose and Miller also highlight that language is the building block on which political rationalities are constructed. A specific political rationality is only made “thinkable” through this use of language and discourse.³² Martin Geiger also touches upon the “production of discourses” and he highlights the prominent role international organisations play in both shaping this discourse and in guiding the actions of state governments or those “in charge of managing it”.³³ Understanding this power dynamic helps to illuminate the relationship forged among UNHCR, the IOM and the EU around the discourse of mixed migration.

However, government does not just consist of creating a particular ‘political rationality’. Foucault in his lecture describes government as resulting from the “formation of a whole series of specific governmental apparatuses” which is inherently connected to the “development of a whole complex of knowledges [savoirs]”.³⁴ Rose and Miller highlight that Foucault’s theory presents government as a “problematizing activity”.³⁵ Governing requires a series of problems that the government is responsible for addressing. Surrounding these problems are constructed tools with which to resolve the “difficulties and the failures”.³⁶ Thus, the government sets an

²⁷ Ibid., 178.

²⁸ Foucault, “Governmentality,” 221.

²⁹ Scheel and Ratfisch, “Refugee Protection Meets Migration Management: UNHCR as a Global Police of Populations,” 296.

³⁰ Merlingen “A Foucauldian Framework,” 367.

³¹ James Faubion, “The Essential Works of Foucault 1954 1984: Introduction,” 37.

³² Rose and Miller, “Political Power Beyond the State: problematics of government,” 179.

³³ Martin Geiger and Antoine Pécoud, “The Politics of International Migration Management,” in *The Politics of International Migration Management*, ed. Martin Geiger and Antoine Pécoud (Hampshire: Palgrave Macmillan, 2010), 9.

³⁴ Foucault, “Governmentality,” 220.

³⁵ Rose and Miller, “Political Power Beyond the State: Problematics of government,” 181.

³⁶ Ibid., 181.

ideal, conceptualises the current reality or ‘political rationality’ and, unsatisfied with the distance between the two, formulates the ‘problem’ which it must address.³⁷

Furthermore, scholars also offer insight into the legitimacy on which a ‘government’ bases its authority. They highlight that this derives from the accepted understanding that a government represents the “collective identity of the community”.³⁸ The government then has the authority to set the standards and norms for the whole group. Projecting this conceptualisation onto the international level, Merlingen argues that international organisations are seen as the legitimate authorities in areas under their mandate.³⁹ Their authority is derived from being viewed as the embodiment of a “community of values”.⁴⁰ Thus, even in the sphere of migration which is the domain of state governments, international organisations hold significant authority.⁴¹ Such a perspective runs contrary to some realist scholars, such as John Mearsheimer, who argue that international organisations have only marginal influence over state behaviour.⁴²

Thus, the framework of governmentality sheds light on how discourse is a mechanism through which “non-sovereign power is produced and circulated”.⁴³ According to Foucault, governmentality forms part of an “exercise of this very specific albeit complex form of power”.⁴⁴ Through this lens, international organisations hold, and are able to exert, considerable power. Sarah Kalm’s exploration of the ‘political rationality’ of global migration management and accompanying discourse offers a model for the application of Foucault’s theory of governmentality to field migration.⁴⁵ This study attempts to understand the current discourse of mixed migration with specific reference to the roles UNHCR, the IOM and EU are playing in this dynamics.

The following section presents an outline of the methodological tools used to analyse the discourse and developments surrounding the concept of mixed migration. It will first provide an overview of the sources used as well as a short synopsis of the key literature referenced. Important research decisions will also be explained and a summary of the challenges and

³⁷ Ibid., 181.

³⁸ Merlingen, “A Foucauldian Framework” (2003), 365.

³⁹ Ibid., 365.

⁴⁰ Ibid., 365.

⁴¹ Ibid., 365; Gil Loescher, *The UNHCR and World Politics: A Perilous Path*. (Oxford: Oxford University Press, 2001), 5.

⁴² John Mearsheimer, “The False Promise of International Institutions” vol. 19 no. 3 *International Security* (1995): 7.

⁴³ Merlingen “A Foucauldian Framework,” 370.

⁴⁴ Foucault, “Governmentality,” 211.

⁴⁵ Kalm, “Liberalizing Movements? The Political Rationality of Global Migration Management,” 26.

limitations encountered will be offered. Finally, a breakdown and brief description of the study's five sections will be provided.

In investigating the discourse surrounding the concept of mixed migration this study draws on a wide array of sources. Primary sources in the form of official materials from the UN, IOM, EU and state governments are frequently cited. These consist of speeches, official reports and presentations among others. In analysing mixed migration discourse, it is critical that the language used in these original documents be examined. Moreover, primary sources from actors not directly examined in this study were also used. These included primary sources from non-governmental organisations and official rulings from the European Supreme Court. The 2012 court ruling on the 'Case of Hirsi Jamaa and Others V. Italy' is specifically cited as it references the challenges of mixed migration within the context of EU migration and asylum policy. These additional sources offered a broader understanding of the dynamics impacting mixed migration discourse as well as a variety of perspectives on migration/refugee related challenges. It also contributed to a richer framework through which to observe UNHCR, IOM and EU mixed migration discourse and action. Adding to these sources are the interviews conducted with stakeholders.

A variety of secondary sources complement these primary sources. They provide in-depth analysis from scholars exploring relevant areas of international migration governance, specifically migration management, the refugee regime and Foucault's theory of governmentality. Academic journal articles, books, research papers, and online media sources all formed an important element of this research. Alexander Bett's 2011 edited anthology 'Global Migration Governance' is an important source for this study. It provides a clear overview of the various factors impacting mixed migration, such as refugee rights as well as government approaches to irregular migration and human trafficking. While mixed migration is not the direct focus of Bett's edited volume, it provides a solid analysis of developments in related areas. Such understanding is necessary as to appreciate the broader context in which the mixed migration discourse has evolved. Another work of critical importance to this study is Gil Loescher's 'The UNHCR and World Politics: A Perilous Path'. As UNHCR originally developed the concept of mixed migration, understanding the evolution of the organisation from its early years until contemporary times provides critical background information into the role and motivation for UNHCR's development of the mixed migration discourse. Andrew Geddes book 'The Politics of Migration and Immigration in Europe' offers further insight into the development of EU

immigration policy. Geddes allows for greater appreciation for how the EU is addressing the challenges of immigration and he sets EU action on mixed migration within a broader historical context. This secondary literature adds considerable value to the study as it provides a deeper understanding of dynamics surrounding and impacting mixed migration discourse. This is important as it places the primary UNHCR, IOM and EU sources within a wider historical and political context.

Much of the examination and academic discussion on mixed migration is scattered throughout various documents focusing on broader topics. The concept of mixed migration appears in literature on migration management⁴⁶ as well as in debate surrounding the refugee regime and the separation between refugees and migrants.⁴⁷ Discussion of mixed migration carries into research on humanitarian action and the role of NGOs working in the field of refugees and migrants.⁴⁸ Moreover, texts examining international migration governance also touch upon the concept of mixed migration.⁴⁹

That being said, there is a strong body of literature which focuses specifically on the concept of mixed migration. A report used in this study and frequently cited by scholars is Jeff Crisp's 2008 UNHCR report 'Beyond the nexus: UNHCR's evolving perspective on refugee protection and international migration'. It provides a critical analysis as to why the term mixed migration became favored over other terminology. Nicolas Van Hear, both as an author of UN reports on migration and as a researcher for the COMPAS Migration Research Centre, reflects on the complex questions mixed migration raises and how this challenges current governance structures. This text is critical as it elaborates on primary UNHCR documents and provides analysis on why the term 'mixed migration' was favoured by the Refugee Agency over their original concept of the 'asylum-migration nexus'. Furthermore, Tim Howe's report which reviews UNHCR's 10-Point Plan of Action provides a window into some of the challenges that UNHCR encountered in implementing the terminology and action plan to address mixed migration. Howe offers insight into the development of each of the ten points of action as well as how they are to be applied. These two texts were selected as they specifically examine the evolution of the use of the term mixed migration and the international organisations promoting its use within migration and refugee discourse. However, while these authors offer insight and

⁴⁶ Scheel and Ratfisch, 2013; Van Hear, Brubaker and Bessa 2009; Castles and Van Hear 2005, Geiger and Pécoud 2010, 2013; Betts 2006.

⁴⁷ Karatani 2005; Zetter 2007; Betts 2010; Long 2013; Loescher 2001; Gibney 2004; Richmond 1994.

⁴⁸ Linde 2011.

⁴⁹ Betts 2011; Geddes 2003.

analysis, it must be taken into consideration that they all have written for UNHCR either in these reports or at other points in time. Moreover, a significant amount of the materials dealing directly with the concept of mixed migration are often UN and IOM documents.⁵⁰ The fact that the majority of documents come from these two institutions, or are in some way related, means that much of the literature reflects one specific view of mixed migration.

To ensure a variety of perspectives are taken into consideration, this study also relies upon authors who offer a critical review of current migration systems. These include Martin Geiger, Antoine Pécoud, and Sarah Kalm who all provided an example of a Foucauldian analysis of issues of migration management and who also touches upon issues of mixed migration. The scholars Stephan Scheel and Philipp Ratfisch offer a critical examination of UNHCR's use of the concept of mixed migration. Michael Foucault's original lectures on governmentality are referenced as are the scholars Siegfried Jäger and Florentine Maier who offer insight into the application of Foucauldian discourse analysis. Through these varying sources and widely differing perspectives, this study attempts to critically examine mixed migration discourse.

The author also spent time in Addis Ababa, Ethiopia (October 2013 – February 2014) which allowed for primary research to be conducted within the region under investigation. This period produced 7 interviews and 12 pages on notes. This involved speaking to officials from the United Nations Office for Drugs and Crime; the International Labour Organisation; EU Delegation to Ethiopia; International Organisation for Migration; Ethiopian Ministry for Labour and Social Affairs; Danish Refugee Council and with an Independent Consultant for the Regional Mixed Migration Secretariat. The interview sessions ranged from 30 minutes to 60 minutes in length and were not audio recorded. The interviews were conducted mainly in the offices of the interviewees, but some also in public places. The interviews were generally a free exchange which allowed for a diverse array of issues to be discussed. However, looking back, it may have been more fruitful to have given the interviews greater structure. Furthermore, the interviewees were all, except two, from originally outside the Horn of Africa. Thus, a certain international perspective was heavily represented. Another limitation is that the interviews and experience of migration and refugee dynamics was limited to Ethiopia, specifically the capital city Addis Ababa. Thus, first-hand understanding of migration and refugee dynamics was limited to this geographic area although the study focuses on a wider region. Nevertheless, the time in Ethiopia was immensely influential in the production of this study. It provided general

⁵⁰ IOM 2013, 2014; UNDP 2009, UNHCR and IOM 2008, 2009, 2010.

knowledge of mixed migration, stakeholder concerns as well as insight into the extensive presence of international and regional actors in the Horn of Africa and their impact on migration and refugee discourse and action. Moreover, it was during this time in Ethiopia that the author first became aware of the concept of mixed migration.

One of the limitations to this study is that primary research could not be conducted at UNHCR and the IOM headquarters due to distance and time constraints. As this study examines the discourse generated by these two international organisations, access to archive material and interviews with key officials would have contributed to the overall analysis. However, a Skype interview with Tim Howe, former UNHCR consultant and author of the UNHCR 2012 Review of its Mixed Migration 10-Point Plan of Action, helped to answer some key questions. The interview with Tim Howe was requested as he is the author of a key text which reviews UNHCR's 10-Point Plan of Action on mixed migration. To better inform this study, further clarification was sought as the Review's findings with regard to the challenges UNHCR faced in convincing other actors, such as the IOM, to accept the concept of mixed migration and proposed 10-Point Plan of Action. The discussion with Tim Howe lasted 40 minutes and provided much insight into the dynamics of mixed migration discourse in UNHCR and the IOM. However, it must be noted that Tim Howe is currently working for the IOM. This speaks to a wider challenge encountered as interviewees were ultimately speaking as officials and representatives from their respective organisation. This had to be taken into account when analysing their responses.

Another Skype interview was carried out with the Director of the Regional Mixed Migration Secretariat (RMMS) Chris Horwood and lasted roughly 45 minutes. This interview was pivotal as the RMMS is a case study that reflects how mixed migration discourse is developing in practice in the Horn of Africa. Discussion focused on the current level of mixed migration in the Horn of Africa, the role of the RMMS in data gathering as well as UNHCR and the IOM's influence on the RMMS's work. The role of the European Union as a primary funder of the RMMS was also explored. This interview supplemented the significant amount of information gathered on the RMMS through its official website. Analysis of its website materials, however, is subject to the accuracy of what is made publically available. While it would have been beneficial to personally visit their offices in Nairobi, Kenya, this was not a viable option. However, the interview with its Director, in addition to the interview conducted in Ethiopia with the RMMS's Independent Consultant and email exchanges did provide a sound basis on which to draw

analysis. Attempts were also made to speak directly with a representative from the EU since it is one of the key actors investigated in the development of the mixed migration discourse. While requests for an interview were not accepted, a formal response was provided by Diane Schmitt, from the EU Migration and Integration Unit. Ms. Schmitt briefly responded to questions concerning the EU's understanding of the concept of mixed migration.

Moreover, this study takes a historical perspective to the development of the concept of mixed migration. As terminology and meaning is critically tied to specific historical periods, they reflect broader societal dynamics. Thus, this study will first chart the historical context in which the term mixed migration developed. Such a historical perspective will provide greater appreciation for the interests behind the use of this terminology. In addition, although mixed migration technically can be both regular and irregular, this study refers to mixed migration as irregular unless otherwise stated.

Furthermore, there is no official definition for mixed migration. The UNHCR and IOM have both formulated their own definitions which are examined later in the study. However, this study will refer to the definition and explanation provided by Nicholas Van Hear as it clearly outlines the multiple layers of 'mixedness' possible in mixed migration situations. Van Hear states:

"Migration can be mixed in several senses...motivations may be mixed at the point of making the decision to move; migrants may make use of the same agents and brokers; they may travel with others in mixed migratory flows; motivations may change en route and after arrival; and people may find themselves in mixed communities during their journeys or at their destination".⁵¹

Furthermore, this study draws from the 2009 United Nations Development Programme's 'Human Development Report' explanation of what migration entails.⁵² The core components include: some form of outward movement from a place of origin; arrival at a new location; this may be followed by a return to place of origin or onward movement to a new location; and finally migration also includes the "non-movement" of those left in the place of origin.⁵³

This study also makes reference to countries of the 'Global North' and countries of the 'Global South'. The decision to refer to countries as belonging to either of these two groups

⁵¹ Nicholas Van Hear, "Policy Challenges: Mixed Migration" *Policy Primer: The Migration Observatory* (2011), 2.

⁵² Nicholas Van Hear, Rebecca Brubaker and Thais Bessa, "Managing mobility for human development: the growing salience of mixed migration." Human Development Report. UNDP (2009), 2.

⁵³ Ibid., 2.

stems from the frequent use of this categorisation in migration and refugee literature. This allows for consistency in terminology when referencing these sources. However, it should be noted that this terminology inherently reinforces a certain image of how the world is divided. The scholar Stephen Castles noted that dividing between the North and South are “useful in general terms for the growing disparities in income, social conditions, human rights and security linked to globalization”.⁵⁴ He argued that these disparities create significant “pressure to migrate in search of better living conditions and greater personal freedom and security”.⁵⁵ The Global North and Global South generally refer to differences based on economic, social and political structures which result in different levels of development.⁵⁶ This is measured using various indicators such as Gross Domestic Product (GDP) per head, unemployment, illiteracy rates, and life expectancy among others.⁵⁷

Furthermore, this study refers to the Horn of Africa as encompassing Ethiopia, Eritrea, Djibouti, and Somalia.⁵⁸ This region was selected for the case study due to its high levels of mixed migration and the author’s personal connection to the region.⁵⁹ Furthermore, UNHCR and the IOM are examined as key actors due to their prominence in the field of refugees and migrants as well as their leading roles in the mixed migration discourse. The European Union was selected as a secondary actor due to its supportive role in promoting discourse and action on mixed migration.

Finally, this study is divided into the five sections. Section I provides a historical overview of the migration governance and refugee regimes that developed following WWII. It will trace related developments from this time up until the emergence of the mixed migration terminology. Section II will map out UNHCR’s role and interest in the discourse on mixed migration. Section III focuses on the IOM and its support for adopting the mixed migration terminology. The role of the European Union as a secondary actor who assists UNHCR and IOM mixed migration discourse and action is explored in Section IV. Finally, Section V turns to the case study of the Regional Mixed Migration Secretariat (RMMS). It will zero in on how the concept of mixed migration is manifesting in practice through this organisation which is focused

⁵⁴ Stephen Castles, “Why migration policies fail,” *Ethnic and Racial Studies* vol. 27 no. 2 (2004), 211.

⁵⁵ Ibid. 211.

⁵⁶ Charles Kegley Jr. and Gregory Raymond, *The Global Future: A Brief Introduction to World Politics* (Boston: Wadsworth, 2012), 91.

⁵⁷ Ibid., 91.

⁵⁸ “The Horn of Africa,” Encyclopaedia Britannica 2014 (accessed July 2014), <http://www.britannica.com/EBchecked/topic/8135/Horn-of-Africa>.

⁵⁹ Regional Mixed Migration Secretariat and International Migration Institute, “Horn of Africa and Yemen region: patterns, drivers and future scenarios of migration,” (2012), 6.

on mixed migration in the Horn of Africa. Moreover, Foucault's theory of governmentality is applied as a theoretical framework through which to understand the dynamics between UNHCR, the IOM and the EU surrounding the concept of mixed migration. Throughout the study, questions and potential areas for further research are highlighted.

I. The Historical Roots of Mixed Migration Discourse

The Development of a Concept

To understand the development and significance of the term mixed migration, it is essential to set the concept's emergence within its historical context. The mixed migration label has its roots in the development of the global governance system conceived in the aftermath of the Second World War. The period following WWII was marked by an upsurge in migration as many in Europe were displaced and in need of protection and assistance.⁶⁰ In response, an international system was developed to address the needs of those displaced and to answer government calls for order to be restored.⁶¹ As part of these efforts, a clear legal separation between refugees and migrants was established. This appeared with the signing of the 1951 Refugee Convention and later 1967 Protocol. To this day, these documents are pivotal human rights instruments that establish the international obligation to protect refugees from persecution, prevent their refoulement and guarantee their wider rights.⁶² Another critical development in the immediate decades following WWII was the recruitment by industrial countries of temporary guest workers to satisfy the need for manual labour.⁶³ However, guest workers were "wanted but not welcome" and it was believed that they would only stay for a temporary period of time.⁶⁴ The oil crisis in 1973 slowed growth in the Global North and drastically reduced the need for guest workers.⁶⁵ Instead of returning to their countries of origin, however, many guest workers stayed and used establish networks to bring over their families

⁶⁰ "History of UNHCR: A Global Humanitarian Organisation of Humble Origins," UNHCR, 2014 (accessed June 2014) <http://www.unhcr.org/pages/49c3646cbc.html>.

⁶¹ Loescher, "UNHCR and World Politics: A Perilous Path," 34.

⁶² "Asylum in the Industrialised World," in *The State of The World's Refugees 2000: Fifty Years of Humanitarian Action*, edited Mark Cutts (Oxford: Oxford University Press), 161.

UNHCR, 'State of the World's Refugees', 10

⁶³ Andrew Geddes and Christina Boswell, *Migration and Mobility in the European Union* (Basingstoke: Palgrave Macmillan, 2011), 29.

⁶⁴ Zolberg, Aristide. "Why Not the Whole World? Ethical Dilemmas of Immigration Policy." *American Behavioural Scientist* vol. 56 no. 9 (2012): 1209;

⁶⁵ Stephan Castles and Mark J. Miller, *The Age of Migration* (Basingstoke: Palgrave Macmillan, 2009), 11; Mathew Gibney. *The Ethics and Politics of Asylum: Liberal Democracy and the Response to Refugees*. (Cambridge: Cambridge University Press, 2004), 21.

despite numerous countries adopting a policy of “zero-immigration”.⁶⁶ This marked a pivotal turning point in the relationship between states of the Global North and migrant workers. From the early 1970s onwards, many states in the Global North severely restricted regular migration channels.

These developments had significant repercussions. While the original supply-demand dynamics remained, the regular channels for this movement of economic migrants no longer existed.⁶⁷ The only viable options for regular migration remained through family connections and through the asylum system.⁶⁸ This resulted in the number of asylum seekers in the EU and other areas of the Global North increasing during the 1980s and 1990s.⁶⁹ For example, Great Britain received 4,256 asylum applications in 1987.⁷⁰ By 1999 this number approached 50,000.⁷¹ This experience was echoed around the Global North. Asylum applications to Western Europe in the 1970s had averaged 13,000 and by 1992 asylum claims had increased to 690,000.⁷² While attributable to the lack of regular channels through which to migrate, this jump in asylum seekers was also the result of conflicts that had “engulfed entire regions”.⁷³ The outbreak of war between Eritrea and Ethiopia, civil war in Somalia and the war in former Yugoslavia during the 1990s reflect this dynamic.⁷⁴

The increase in number of asylum seekers to the Global North was accompanied by a steady rise in anti-immigration sentiment as well as increasing scepticism as to whether those claiming asylum were in fact “genuine” refugees.⁷⁵ Government officials, and many among the general public, expressed concern that a considerable number of asylum seekers were in reality economic migrants taking advantage of the international refugee system. In the Global North the image of the ‘bogus refugee’ gained prominence.⁷⁶ In the 1990s and early 2000s refugees and asylum seekers were often seen as part of the unwelcome increase in irregular migration.⁷⁷ In

⁶⁶ Castles and Miller, *The Age of Migration*, 17.

⁶⁷ Geddes Andrew. *The Politics of Migration and Immigration in Europe*. (London: Sage Publications, 2003), 17.

⁶⁸ Ibid., 17.

⁶⁹ Boswell and Geddes, *Migration and Mobility in the European Union*, 35.

⁷⁰ Scott Blinder, “Migration to the UK: Asylum,” Migration Observatory (2013), 2.

⁷¹ Blinder, “Migration to the UK: Asylum, Migration Observatory,” 7.

⁷² Gibney, *The Ethics and Politics of Asylum*, 3.

⁷³ Astride Zolberg, “Migration Theory for a Changing World,” vol. 23 no. 3 *International Migration Review* (1989), 414.

⁷⁴ Ibid, 414.

⁷⁵ Stephen Castles, “The politics of exclusion: asylum and the global order,” vol. 8 *Metropolis* (2008), 3.

⁷⁶ Long, Katy, “When refugees stopped being migrants: Movement, labour and humanitarian protection.” *Migration Studies* vol. 1 no. 1 (2013): 4; UNHCR, “Statement by Mr. Ruud Lubbers, United Nations High Commissioner for Refugees, to the Third Committee of the United Nations General Assembly,” New York, 19 November 2001, (accessed June 2014). <http://www.unhcr.org/3bfa5a624.html>

⁷⁷ Klaauw, “Refugee Rights in Times of Mixed Migration: Evolving Status And Protection Issues,” 60.

response to the jump in asylum applications and pressure to reform the asylum system, many governments took action. In 1993 the German Parliament amended the country's constitution in order to stem the arrival of asylum seekers.⁷⁸ In the United States the 1990s was marked by the refusal of entry to many fleeing Haitians.⁷⁹ The former British Prime Minister Tony Blair in 2003 announced that he would “cut asylum seeker entries by 30% to 40%”.⁸⁰ With widespread measures taking effect across the Global North, the number of refugees and asylum-seekers decreased significantly.⁸¹ In Europe, member-states worked closely together to tighten the EU's borders by implementing policies of return to ‘third-safe countries’ along the EU's borders as well as enforcing non-arrival policies and deterrent measures.⁸² Moreover, many states in the EU opted for restrictive interpretations of the definition of ‘refugee’, excluding persecution from non-state actors (e.g. the Taliban).⁸³ As Stephen Castles argues that during this period the asylum system transformed into a “non-entrée regime” in which barriers were actively established to hinder asylum seeker access to the Global North.⁸⁴ This was coupled with an extreme politicization of the migration and asylum issue.⁸⁵

While shifts in attitudes towards asylum seekers and migrants were prompted by numerous factors, scholars point to three critical turning points: the signing of the Schengen Agreement; the collapse of the Soviet Union; and the terrorist attacks on September 11th 2001. In many ways, the Schengen Agreement in 1985 liberalised movement within the EU and is associated with the reduction of borders and free mobility. However, it also ushered in numerous “compensating security measures” on the borders with non-EU-Schengen countries.⁸⁶ This was seen as critical to protecting free movement within the Schengen area.⁸⁷ Sabine Hess argues that one “spin-off effect” of the Schengen Agreement was the emphasis placed on the EU's external borders.⁸⁸ This extends migration management policies beyond the EU's immediate territory to neighbouring countries such as Libya and Morocco.⁸⁹

⁷⁸ Gibney, *The Ethics and Politics of Asylum*, 1

⁷⁹ Ibid., 1.

⁸⁰ Castles, “The politics of exclusion: asylum and the global order,” 4.

⁸¹ Castles and Miller, *The Age of Migration*, 18.

⁸² Castles, “The politics of exclusion: asylum and the global order,” 4.

⁸³ Ibid., 4..

⁸⁴ Castles, “The politics of exclusion: asylum and the global order,” 5.

⁸⁵ Castles and Miller, *The Age of Migration*, 17.

⁸⁶ Sabine Hess, “ICMPD: We are Facilitating States,” in *The Politics of International Migration Management* edited Martin Geiger and Antoine Pécoud (Hampshire: Palgrave Macmillan, 2010), 99.

⁸⁷ Boswell and Geddes, *Migration and Mobility in the European Union*, 58.

⁸⁸ Hess, “ICMPD: We are Facilitating States,” 99.

⁸⁹ Ibid., 99.

A few years after the signing of the Schengen Agreement, the migration and refugee systems were shaken by the fall of the Soviet Union in 1991. Key barriers to westward movement from Central and Eastern Europe were lifted.⁹⁰ This sparked fears that up to 25 million “desperate migrants would swamp Western European welfare systems and drag down living standards”.⁹¹ While the actual number was closer to 2.5 million, this period of fear and anti-immigrant sentiment provided a window through which greater restrictions on immigration to countries and regions in the Global North could be implemented.⁹² The dissolution of the Soviet Union also meant that the West could no longer present the image of it being the safe-haven for refugees fleeing the Communist world.⁹³ Therefore, refugees were no longer “celebrated” as anti-communist “heroes”.⁹⁴

More recently, the September 11th 2001 terrorist attacks have led to an increasing “securitisation” of migration and asylum discourse which centers on the need to protect national territory from “importing terrorists under the guise of a refugee or an asylum-seeker”.⁹⁵ UNHCR refuted this image of the refugee and argued that “asylum channels are among the most closely regulated of entry channels” and that the 1951 Convention had “built in provisions that effectively address states’ security concerns”.⁹⁶ Directly following the September 11th attacks the UNHCR High Commissioner Ruud Lubbers addressed the UN General Assembly. He called for all states to guard against allowing the “current climate of understandable anxiety about national and individual security” to make refugee and asylum seekers “convenient scapegoats”.⁹⁷ Thus, threats of terrorism reinforced feelings of anxiety towards asylum seekers, refugees and migrants while also emphasising a security perspective and rationale for greater restriction.⁹⁸ Accompanying these three critical moments in migration and asylum discourse was the overarching developments in communication and transportation. Over a relatively short period of time, far-off events could impact the Global North with unprecedented speed. This helped to cultivate a sense of insecurity that drove further migration and asylum restrictions.⁹⁹ The impact this view had on asylum applications was tangible. In 2000, only 20% of the asylum claims made

⁹⁰ Castle and Miller, *The Age of Migration*, 17.

⁹¹ *Ibid.*, 17.

⁹² Geddes, (London: Sage Publications, 2003), (274).

⁹³ Loescher, ‘The UNHCR and World Politics’ (Oxford University Press, 2001), 7.

⁹⁴ Castles, “The politics of exclusion: asylum and the global order”, 3.

⁹⁵ *Ibid.*, 4.

⁹⁶ UNHCR, “The State of the World’s Refugees: In Search of Solidarity,” (2012), 10.

⁹⁷ UNHCR, “Statement by Mr. Ruud Lubbers, United Nations High Commissioner for Refugees, to the Third Committee of the United Nations General Assembly,” November 2001, (accessed, June 2014).
<http://www.unhcr.org/3bfa5a624.html>

⁹⁸ Castles, “The politics of exclusion: asylum and the global order”, 3.

⁹⁹ Castles and Miller, *The Age of Migration*, 7.

in the EU were granted refugee status.¹⁰⁰ Many protested these dynamics and drew connections between the image of the contemporary ‘bogus asylum seeker’ and the perception of Jews fleeing to Western states in the 1930s as ‘economic migrants’ and thus refused entry.¹⁰¹

Such dramatic dynamics attracted the attention of scholars who advocated the inadequacy of the migrant classification system. Many vocally raised doubts as to whether the current refugee-migration system did justice to the complexity of factors driving the movement of people.¹⁰² Scholars explored the inter-linkages between ‘choice’ and ‘compulsion’ and concluded that “few migrants are wholly voluntary or wholly forced”.¹⁰³ They argued that the co-existence of poverty, conflict, environmental degradation and social and political inequality made mutually exclusive categories inadequate.¹⁰⁴ It was reasoned that classification systems are not based on “rigorous scientific categories” but are instead the result of “political negotiations and subject to divisions based on certain political and legal requirements”.¹⁰⁵ One critical scholar was Anthony Richmond who, in his 1994 publication ‘Global Apartheid: refugees, racism, and the new world’, argued that people on the move should be placed along a “continuum” between the category of forced and voluntary migrant.¹⁰⁶ Such an approach would take into account the significant number of people who “combine characteristics” of both categories.¹⁰⁷ Richmond highlighted that in the 1990s Ethiopian migrants represented a prime example of this as they were often motivated by a combination of political pressures, war and mass famine.¹⁰⁸ However, this discourse brought about few significant changes to the structure of the migrant classification system as policy makers focused on migrant control and the protection of borders.

The Asylum-Migration Nexus

In 2000 UNHCR declared a global ‘crisis’ in the international asylum-refugee system. It highlighted that “shrinking asylum space, mostly but not exclusively in the developed world” had led to increasing difficulty for UNHCR fulfil its mandate.¹⁰⁹ Many scholars highlighted the

¹⁰⁰ Gil Loescher and James Milner, “The Missing Link” *International Affairs* vol. 79 no. 3 (2003), 4.

¹⁰¹ Vicki Caron, 1999, ‘Uneasy Asylum: France and the Jewish Refugee Crisis, 1933-1942 (in Gibney, 10)

¹⁰² Van Hear, Brubaker and Bessa. “Managing mobility for human development: the growing salience of mixed migration,” (2009), 1.

¹⁰³ *Ibid.*, 1.

¹⁰⁴ *Ibid.*, 1.

¹⁰⁵ Stephen Castles and Nicholas Van Hear, *Developing DFID’s Policy Approach to Refugees and Internally Displaced Persons: Consultancy Report and Policy Recommendations*, The Refugee Studies Centre (2005), 27.

¹⁰⁶ Richmond, *Global Apartheid: Refugee, Racism, and the New World Order*, 55.

¹⁰⁷ *Ibid.*, 4.

¹⁰⁸ *Ibid.*, 223.

¹⁰⁹ UNHCR, “Statement by António Guterres, United Nations High Commissioner for Refugees, to the Third Committee of the General Assembly, 64th Session, United Nations Headquarters,” November 2009 (accessed June 2014). <http://www.unhcr.org/4af2e5249.html>.

“schizophrenia” of the Global North’s asylum policy that promoted the moral and legal responsibility of states to protect asylum seekers and refugees while simultaneously implementing preventative measures to them reaching state borders.¹¹⁰ The situation was compounded by the fact that many states in the Global South were threatening to restrict their policies towards refugees and asylum seekers in reaction to the Global North’s lack of ‘burden sharing’.¹¹¹ Ruud Lubbers, the Higher Commissioner for Refugees in 2002 argued that “while UNHCR supports measures to combat the misuse of asylum systems” the organisation is deeply concerned that “indiscriminate measures have led to non-admission, denial of access to asylum procedures, and even incidents of refoulement”.¹¹²

Within this tense environment the concept of the ‘asylum- migration nexus’ or simply the “nexus question” emerged.¹¹³ The asylum-migration nexus focused on the categories of migrant and asylum seeker and how the distinctions between the two were increasingly being blurred, or ignored, by states. The term was a key concept in UNHCR’s 2002 ‘Agenda for Protection’ in which it highlighted the clear separation between refugees and migrants.¹¹⁴ The asylum-migration nexus became a fixture in official policy documents, reports and conferences. It was a byword for threats posed to the asylum system by governments not recognising the legitimate claims to asylum of some people moving in irregular flows.¹¹⁵ The UNHCR High Commissioner stated that “protection is at the centre of the new emphasis given to... the asylum-migration nexus, where we have an obvious role to play”.¹¹⁶ In October 2003 the term ‘asylum-migration nexus’ took centre-stage in UNHCR’s report to the UN General Assembly. In the report UNHCR highlighted the growing restrictions on refugees claiming and receiving protection and called for international commitment to ensure that the asylum system is “kept in good working order and, where necessary, improved”.¹¹⁷ To address the complexities of the asylum-migration nexus

¹¹⁰ Gibney, “The Ethics and Politics of Asylum,” 2.

¹¹¹ Gil Loescher and James Milner, “UNHCR and the Global Governance of Refugees,” In *Global Migration Governance* 89-210 Alexander Betts edited (Oxford: Oxford University Press), 197

¹¹² United Nation, “Statement by Mr. Ruud Lubbers, United Nations High Commissioner for Refugees, to the Third Committee of the United Nations General Assembly,” November 2002 (accessed June 2014) <http://www.unhcr.org/3dcf8e0f4.html>.

¹¹³ Thomas Linde. “Mixed Migration – A Humanitarian Counterpoint.” *Refugee Survey Quarterly*, vol. 30, no. 1 (2011): 91; Crisp, “Beyond the Nexus,” 2.

¹¹⁴ UNHCR, “Agenda for Protection,” June 26th 2002, 11.

¹¹⁵ Crisp, “Beyond the Nexus,” 2

¹¹⁶ UNHCR, “Statement by Mr. António Guterres, United Nations High Commissioner for Refugees, to the Third Committee of the United Nations General Assembly, 61st Session,” November 2006, (accessed June 2014) <http://www.unhcr.org/46694da04.html>

¹¹⁷ UNHCR, “Statement by Mr. Ruud Lubbers, United Nations High Commissioner for Refugees, to the Third Committee of the United Nations General Assembly,” November 2003 (accessed June 2013) <http://www.unhcr.org/3fb0fa944.html>

UNHCR argued that the protection of refugees had to have a more coherent and comprehensive approach, based on the cooperation among key actors.¹¹⁸

In response, UNHCR declared that it would adjust both its “thinking and its programs so as to better manage both migration and refugee protection challenges, at the nexus where they intersect”.¹¹⁹ This focus of the asylum-migration nexus culminated in a report submitted in June 2007 by UNHCR to its governing body, the Executive Committee, titled ‘Activities Relating to the Asylum-Migration Nexus’.¹²⁰ However, 9 months after this report was released, UNHCR started to distance itself from the term and instead turned to the concept of ‘mixed migration’.¹²¹

A Switch in Terminology: Mixed Migration

The year 2007 marked a shift in UNHCR’s terminology from the ‘asylum-migration nexus’ to ‘mixed migration’. Jeff Crip in his 2008 ‘Research Evaluation for UNHCR’ noted the organisation’s “serious intentions in adopting this new vocabulary”.¹²² Crisp noted that the change in terminology, in part, was a reaction to the negative connotations that the ‘asylum-migration nexus’ had developed. The ‘nexus question’ had become a byword for flows of migrants and refugees from the Global South to the Global North.¹²³ To UNHCR’s dismay, the term was reinforcing the false perception in the Global North that the majority of people on the move were heading towards the “developed regions”.¹²⁴ In reality, many migrants and refugees stay within their regions-of-origin, often in the Global South.¹²⁵

Moreover, UNHCR’s decision to distance itself from the ‘asylum-migration nexus’ stemmed from the “sad conclusion” that the concept of ‘asylum’ had been contaminated in the eyes of governments and the general public.¹²⁶ It was believed that the term ‘asylum-seeker’ had become jaded as these people were often perceived as economic migrants taking advantage of the asylum system.¹²⁷ In addition, the ‘asylum-migration nexus’ was viewed by many as only representing the interests and concerns of the Global North. This term had come to denote

¹¹⁸ Ibid.

¹¹⁹ Erika Feller, “Migration and Development: Challenges for a World on the Move 2004,” SID Lecture Series Vrije Universiteit (January 2004), 1.

¹²⁰ Crisp, “Beyond the Nexus,” 2.

¹²¹ Ibid., 2.

¹²² Ibid., 2.

¹²³ Ibid., 2.

¹²⁴ Ibid., 2.

¹²⁵ Ibid., 2.

¹²⁶ Ibid., 2.

¹²⁷ Ibid., 2.

issues of irregular migration, border controls and admission of asylum seekers to their borders.¹²⁸ Thus, although the ‘asylum-migration nexus’ had been readily adopted by stakeholders, it had evolved from its original meaning to one which conflicted with UNHCR’s mandate and original intentions.¹²⁹ This change in meaning was noted by Roger Zetter who argued that labels “do not exist in a vacuum” but are transformed over time to reflect the reality and needs of a society.¹³⁰ The transformation in understanding of ‘asylum seeker’ and the ‘asylum-migration nexus’ demonstrates the malleability of labels to “fit into political agendas...and become incorporated in ostensibly neutral bureaucratic categories”.¹³¹ Thus, a concept generated by UNHCR to denote the crisis of the asylum system was turned into a concept that fit with the broader Global North focus on restricting migrant and refugee access to their territories.

Furthermore, others remarked that the term asylum-migration nexus was insufficient in encapsulating the wide variety of people moving in mixed migration situations and the challenges they posed to management and control systems. As one report noted, the shift to ‘mixed migration’ partly lay in the need for a “flexible framework open...to encompassing migrants arriving with other vulnerabilities and claims to rights, protection and assistance” in addition to the focus on the rights of refugees and asylum seekers.¹³² The “nexus” terminology had placed the focus predominantly on only one group of people moving within these complex and ‘mixed’ flows.¹³³

A key turning point came during the ‘Dialogue on Protection Challenges’ convened by UNHCR in December 2007.¹³⁴ Meeting with fellow stakeholders, UNHCR used the occasion to change the content of the debate. Under the banner of ‘refugee protection, durable solutions and international migration’ UNHCR asked participants to consider the challenges and solution of “today’s mixed movements of migrants and refugees”.¹³⁵ The move to incorporate ‘mixed migration’ into international migration-refugee discourse was epitomised by UNHCR’s core strategy to address refugee protection in mixed flows through its ‘Mixed Migration: 10 Point

¹²⁸ Ibid., 2.

¹²⁹ Van Hear, Brubaker and Bessa, “Managing mobility for human development,” 10.

¹³⁰ Roger Zetter. “More Labels, Fewer Refugees: Remaking the Refugee Label in an Era of Globalization.” *Journal of Refugee Studies* vol. 20, no. 2 (2007): 180.

¹³¹ Ibid., 185.

¹³² Alice Bloomfield and Jen Maman, “MayDay! Strengthening responses of Assistance and protection to ‘boat-people and other migrants arriving in Southern-Europe,” *International Catholic Migration Commission* (2011), 6.

¹³³ Ibid., 6.

¹³⁴ Crisp, “Beyond the Nexus,” 3.

¹³⁵ UNHCR, “High Commissioner’s Dialogue on Protection Challenges: Refugee protection and durable solutions in the context of international migration,” (2007), 3.

Plan of Action’.¹³⁶ This move signaled the centrality of ‘mixed migration’ as a concept that would play a pivotal role in addressing contemporary challenges derived from “new patterns of movement... that are not addressed by international refugee law”.¹³⁷

By approaching the relationship between refugee movements and international migration through the lens of ‘mixed migration’, UNHCR argued that it would facilitate dialogue among a “broader range of topics”.¹³⁸ This new discourse moved to include a more diverse array of actors, beyond the principal players of UNHCR, the IOM and state governments.¹³⁹ As Thomas Linde notes, the term mixed migration drew on “wider circles involving new institutions, publics, and interest holders”.¹⁴⁰ This was a strategic and public move that signaled UNHCR’s serious intention of moving past the narrow set of issues and interests that had become represented by the asylum-migration nexus terminology.¹⁴¹ The shift to the concept of mixed migration also stemmed from a desire to forge a more positive connotation of migrants and asylum seekers. Instead of migration being presented as a confrontation or nexus between asylum seekers and migrants, people were depicted as moving as a ‘mix’.¹⁴² This allowed for the “recognition of the potentially positive impact that migration policies and strategies could have on the implementation of refugee protection standards”.¹⁴³ Mixed migration thus marked UNHCR’s efforts to alter the focus of the discourse surrounding the relationship between refugee protection and international migration.¹⁴⁴

Despite this pointed shift in terminology, the challenge to refugee and asylum seeker protection that UNHCR is trying to address remains relatively similar as to that under the asylum-migration nexus. During the 2007 Dialogue on Protection Challenges, the High Commissioner mentioned that the ‘asylum-migration nexus’ denoted “issues that arise in mixed movement situations, where refugees and migrants are travelling alongside each other, often by irregular means”.¹⁴⁵ In comparing this definition to the official UNHCR definition for mixed

¹³⁶ Ibid., 6.

¹³⁷ Ibid., 23.

¹³⁸ Ibid., 6.

¹³⁹ Linde, “Mixed Migration – A Humanitarian Counterpoint,” 91.

¹⁴⁰ Ibid., 92.

¹⁴¹ Crisp, “Beyond the Nexus,” 4.

¹⁴² Zetter, “More Labels, Fewer Refugees: Remaking the Refugee Label in an Era of Globalisation,” 178.

¹⁴³ Klaauw, “Refugee Rights in Times of Mixed Migration,” 63.

¹⁴⁴ Crisp, “Beyond the Nexus,” 3.

¹⁴⁵ UNHCR, “High Commissioner’s Dialogue on Protection Challenges: Refugee protection and durable solutions in the context of international migration,” 6.

migration the similarities are apparent.¹⁴⁶ Thus, the switch in terminology does not highlight a radical shift in migration-refugee challenges but rather an attempt to reset the discourse and lens through which these issues are viewed.

This shift in 2007 to the concept of mixed migration, led by UNHCR, was followed by many key actors. The next two sections examine in greater detail the role and motives for UNHCR's use of the concept of mixed migration as well as investigate how the IOM has interpreted and adopted this relatively new term to fit its own work. The Foucauldian analytics of governmentality will be applied as one lens through which to view these developments.

¹⁴⁶ UNHCR defines mixed migration as “people travelling in an irregular manner along similar routes, using similar means of travel, but for different reasons. They may affect a number of different countries along particular travel routes” (Tim Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned,” UNHCR (2012), 3.

II. United Nations High Commissioner for Refugees (UNHCR)

The Development of UNHCR

The United Nations High Commissioner for Refugees (UNHCR) is the “center piece of international refugee protection today”.¹⁴⁷ As an organisation based on humanitarian and apolitical principles, the UNHCR is charged with supervising the implementation of the 1951 Refugee Convention.¹⁴⁸ UNHCR was originally established in 1950 as only a temporary agency responsible for assisting people displaced and stateless following WWII. With its mandate rooted in the 1951 Convention Relating to the Status of Refugees, UNHCR was established as a means of mitigating the potential instability that was caused by the mass displacement of people following the war. The Convention defines a refugee as someone who, due to a “well-founded fear of 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 or, owing to such fear, is unwilling to avail himself of the protection of that country”.¹⁴⁹ The Convention is founded on the 1948 Universal Declaration of Human Rights in which Article 14 upholds the belief that “everyone has the right to seek and enjoy in other countries asylum from persecution”.¹⁵⁰ To this day, the Refugee Convention it is one of the strongest existing “formalised cooperation” agreements with regards to the movement of people.¹⁵¹ Nevertheless, the definition of refugee has raised some questions. Previous criticism has centred on the Refugee Office’s initial focus on cross-border movement as well as having too narrow an understanding of ‘persecution’.¹⁵² Moreover, up until the Protocol of 1967, UNHCR’s jurisdiction only extended to European refugees who were forced to flee due to events within Europe occurring before January 1st 1951.¹⁵³

This changed however, in the 1960 as wars of independence and other upheavals in Africa, Asia and Latin America created mass refugee situations. UNHCR was given the mandate to respond to these crises through the 1967 Protocol.¹⁵⁴ This was a major turning point in the Refugee Office’s history as the 1967 Protocol effectively deleted the “geographic and time

¹⁴⁷ UNHCR, “Convention and Protocol Relating to the Status of Refugees,” (2010), 1.

¹⁴⁸ Scheel and Ratfisch, “Refugee Protection Meets Migration Management: UNHCR as a Global Police of Populations,” 1; UNHCR, ‘Mission Statement: World Refugee Report 2012’ and UNHCR World Report, 11.

¹⁴⁹ UNHCR, “Convention and Protocol Relating to the Status of Refugees,” 14.

¹⁵⁰ Gil Loescher and James Milner, “UNHCR and the Global Governance of Refugees,” 191.

¹⁵² Gibney, “The Ethics and Politics of Asylum,” 6.

¹⁵³ Loescher, “The UNHCR and World Politics,” 75.

¹⁵⁴ Loescher, “The UNHCR and World Politics,” 92.

limitations” imposed by the 1951 Convention.¹⁵⁵ With the expansion of its mandate, there was a period when UNHCR enjoyed a “monopoly” with regard to all matters relating to refugees and asylum seekers.¹⁵⁶ However, this altered dramatically in the 1980s and 1990s due to a growing lack of confidence in UNHCR by governments, primarily in the Global North.¹⁵⁷ This was coupled by their growing restriction on migrants and their increasing resistance to hosting refugees.¹⁵⁸ Such changes in state approaches greatly impacted UNHCR. Gil Loescher in his book ‘The UNHCR and World Politics: A Perilous Path’ writes that while UNHCR’s focus is on refugee protection, it ultimately operates in a global political system dominated by states.¹⁵⁹ Within this environment UNHCR is forced to “walk a tight-rope” between refugee protection and respecting state sovereignty.¹⁶⁰ Although UNHCR has an explicitly humanitarian-based agenda, Gil Loescher contends that its position in relation to states makes UNHCR’s work to some extent political.¹⁶¹ Despite these challenges, as of April 2011 there were 144 state signatories to the 1951 Convention and 145 states signatories to the 1967 Protocol, and UNHCR plays a central and pivotal role in the wider global refugee regime.¹⁶² Appreciating UNHCR’s place within the framework of refugee and asylum-seeker protection is critical to understanding UNHCR’s role in the development of the concept mixed migration and its subsequent approach.

UNHCR and the Mixed Migration Discourse

The term mixed migration is a relatively new concept that straddles both refugee and migration discourse. It was UNHCR which first conceptualised the term mixed migration and has since played a pivotal role in promoting its widespread use. The ‘World Migration Report’ published in 2010 by the International Organisation for Migration (IOM) notes that the concept of mixed migration is essentially the “construct” of UNHCR.¹⁶³ Mixed migration is understood by UNHCR as “individuals or groups of persons travelling generally in an irregular manner along similar routes and using similar means of travel, but for different reasons. They may affect a number of different countries along particular travel routes”.¹⁶⁴ Central to UNHCR’s

¹⁵⁵ Ibid., 124.

¹⁵⁶ Ibid., 5.

¹⁵⁷ Ibid., 247.

¹⁵⁸ Ibid., 5.

¹⁵⁹ Ibid., 2.

¹⁶⁰ Ibid., 2.

¹⁶¹ Ibid., 2.

¹⁶² Regional Mixed Migration Secretariat, “Legal Documents: 1951 Convention Relating to the Status of Refugees & the relating 1967 Protocol 2.doc,” (accessed June 2014) <http://www.regionalmms.org/index.php?id=23>; Loescher and Milner, “UNHCR and the global Governance of Refugees,” 189.

¹⁶³ IOM, “Irregular Migration and Mixed Flows,” World Migration Report Background Paper, (2010), 6.

¹⁶⁴ Tim Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned,” UNHCR, 3.

understanding of mixed migration is that migrants are “fundamentally different from refugees”.¹⁶⁵ They argue that the mixed nature of migration flows, consisting of various groups of people on the move, complicates refugee and asylum seeker protection as refugees may be lost or ignored within the larger flows of migrants. Key regions where challenges of mixed migration are especially visible, according to UNHCR, include: the Mediterranean Basin, the Gulf of Aden, Central America and the Caribbean, South-East Asia and the Balkans.¹⁶⁶

UNHCR has vocally remarked on the increasing difficulty with which asylum seekers are able to access safe territory and claim refugee status. Erika Feller, former UNHCR Assistant High Commissioner for Protection, argued that this ‘protection gap’ points to a flaw in the system as mixed migration has not changed the “characterization of the person as a refugee, but rather the context in which protection and solutions have to be realised”.¹⁶⁷ One highly publicised example of such issues was demonstrated in the 2012 European Supreme Court ruling on the *Hirsi Jamaa and Others v. Italy* case. Italy was found guilty of committing *refoulement* when a boat full of irregular migrants arrived at its shores. The Court argued that border management efforts had failed to recognise the “mixed nature” of the migration flows and thus had denied the right of access to those in need of international protection.¹⁶⁸ The judge concluded that “a person does not become a refugee because of recognition, but is recognised because he or she is a refugee”.¹⁶⁹

However, the UNHCR also recognises the challenges of trying to “unravel” the motivations of those on the move since poverty and human rights violations frequently overlap.¹⁷⁰ Nevertheless, it argues that “high-quality refugee status determination procedures, supported by accurate and timely country of origin information” allow for a clear separation between those requiring international protection and those who do not.¹⁷¹ Without this, Erika Feller argues, refugees and asylum seekers risk being taken as a “sub-species of migrant” and not afforded their legal right to protection.¹⁷² Within this dynamic, UNHCR sees its role as mainly

¹⁶⁵ UNHCR, “Mixed Migration: Refugee Protection and Mixed Migration,” 2014 (accessed June – July 2014) <http://www.unhcr.org/pages/4a16aac66.html>

¹⁶⁶ *Ibid.*

¹⁶⁷ Feller, “Are Refugees Migrants? A Dangerous Confusion,” 3.

¹⁶⁸ *Hirsi Jamaa and Others v. Italy* Judgment no. 27765/09 European Supreme Court (2012) 9-10; 49.

¹⁶⁹ *Ibid.*, 63.

¹⁷⁰ UNHCR, “Refugee Protection and Durable Solutions in the Context of International Migration,” 9

¹⁷¹ *Ibid.*, 9.

¹⁷² Feller, “Are Refugees Migrants? A Dangerous Confusion,” 3.

one of “convenor”.¹⁷³ It argues that its strength lies in the Refugee Office’s ability to bring together relevant actors needed to preserve the asylum space.

Discussion on mixed migration also marked a new step for UNHCR into the international migration discourse. Since its inception, UNHCR had consciously maintained its distance from wider migration related issues as to underline the special status and protection needs of refugees.¹⁷⁴ This position steadily changed, however, first under the asylum-migration nexus debate as challenges to refugee and asylum protection increased.¹⁷⁵ The Refugee Office has since argued that it is essential it enter broader migration discourse as it struggles to keep “asylum meaningful” within the context of mixed migration.¹⁷⁶

Mixed Migration and UNHCR’s Mandate

However, UNHCR’s entry into the migration debate through the mixed migration discourse raised questions regarding the boundaries of the Refugee Office’s mandate.¹⁷⁷ On the one hand, UNHCR must highlight the distinctness of refugees and their legal right to protection. On the other, the character of mixed migration, UNHCR argues, requires it to enter into migration debates and action in as far as they impact refugee and asylum seeker protection. Some scholars warn that UNHCR must tread carefully. The Office, they argue, should not become a quasi-migration agency.¹⁷⁸ This argumentation holds that UNHCR’s involvement in migration discourse through the concept of mixed migration risks blurring the separation between refugees and migrants in the minds of officials and the general public.¹⁷⁹ Such concerns surfaced during UNHCR’s meeting on the Dialogue for Protection Challenges convened in 2007. As one observer noted, following the end of the meeting one participant remarked that “UNHCR started this meeting by telling us that they do not want to become a migration organisation, and then spend the next two days trying to convince us that’s exactly what they should become”.¹⁸⁰ Some remarked that mixed migration discourse provided UNHCR with increased scope to

¹⁷³ Crisp, “Beyond the Nexus,” 9-10.

¹⁷⁴ Ibid., 1.

¹⁷⁵ Van Hear, Brubaker and Bessa, “Managing mobility for human development,” 10.

¹⁷⁶ UNHCR, “The State of the World’s Refugees,” 11.

¹⁷⁷ Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned,” 21.

¹⁷⁸ Scheel and Ratfisch, “Refugee Protection Meets Migration Management: UNHCR as a Global Police of Populations” 3-4.

¹⁷⁹ Crisp, “Beyond the Nexus,” 7.

¹⁸⁰ Ibid., 7.

engage in the migration field which had been the area of work the IOM, state-governments and others.¹⁸¹

UNHCR commented on these points of criticism. It highlighted that mixed migration poses complex questions which indeed go beyond the strict boundaries of the refugee regime. However, the Refugee Office is nevertheless required to “alert states to these problems and to help find answers to the new challenges they present”.¹⁸² This point was further emphasised by the current High Commissioner, António Guterres, who reassured the international community that UNHCR had no intention of becoming a migration agency. At the same time, the Refugee Office argued that addressing mixed migration fits “squarely” within its mandate.¹⁸³ The High Commissioner summed up UNHCR’s position in a speech to the UN General Assembly:

“We know the difference between a migrant and a refugee and we don’t want to become a migration management agency. But we are witnessing more and more movements with the character of mixed flows, where the large majority are migrants but where there are also people in need of international protection. Our role is to help create the environment where these people can be identified and afforded protection... Measures aimed at curbing illegal migration must never be allowed to call those rights into question”.¹⁸⁴

As mixed migration became a primary focus for UNHCR it also developed a corresponding response. The Dialogue for Protection Challenges, convened by UNHCR in 2007, unveiled and promoted the ‘Refugee Protection and Mixed Migration: 10-Point Plan of Action’.¹⁸⁵ It provides governments, NGOs, international organisations and other actors with a systematic protection-based response to mixed flows. The Plan of Action’s structured method, based on 10 areas of operation, presents refugee protection within mixed flows as a “manageable task” that all stakeholders can employ.¹⁸⁶ UNHCR views its Plan of Action as a “blue-print” rather than a set guideline on how to approach mixed migration. Accompanying the Plan of Action, UNHCR compiled 200 examples from over 110 countries of ‘best practices’ for its

¹⁸¹ Scheel and Ratfisch, “Refugee Protection Meets Migration Management: UNHCR as a Global Police of Populations,” 1.

¹⁸² Crisp, “Beyond the Nexus,” 1.

¹⁸³ UNHCR, “High Commissioner’s Dialogue on Protection Challenges: Chairman’s Summary,” 2007, (accessed July 2014). <http://www.unhcr.org/476146702.html>.

¹⁸⁴ UNHCR, “Statement by Mr. António Guterres, United Nations High Commissioner for Refugees, to the Third Committee of the United Nations General Assembly,” 2006 (accessed June 2014), <http://www.unhcr.org/46694da04.html>.

¹⁸⁵ The 10 action points are: 1) cooperation among key partners; 2) data collection and analysis; 3) protection-sensitive entry systems; 4) reception arrangements; 5) mechanisms for profiling and referral; 6) differentiated processes and procedures; 7) solutions for refugees; 8) addressing secondary movements; 9) return of non-refugees and alternative migration options; and 10) information strategy.

¹⁸⁶ Klaauw, “Refugee Rights in the Times of Mixed Migration,” 79.

implementation.¹⁸⁷ In addition, the Refugee Office frequently brings together informal working groups made up of various actors that examine mixed migration and how best to address “questions of existing gaps”.¹⁸⁸ At the regional level UNHCR has also provided further guidance on the application of its 10-Point Plan of Action through a series of regional meetings.¹⁸⁹ This has resulted in the development of tailored 10-Point Plans of Action for Central America, Western Africa, Eastern Africa and Southern Asia.¹⁹⁰

The 10-Point Plan of Action has become the corner-stone for UNHCR’s engagement in refugee protection within mixed migration.¹⁹¹ Motivating this action is also UNHCR’s desire to “develop and define” the Refugee Office’s “interest and role in the broader field of international migration”.¹⁹² The UNHCR argues that the 10-Point Plan of Action does not only protect refugees but that it also assists other migrants moving within mixed flows who may be vulnerable.¹⁹³ Therefore, the 10-Point Plan of Action can be seen as assisting to address human rights needs of those moving within mixed flows but who do not fall under the protection of the Refugee Convention.¹⁹⁴ The broad scope of the 10-Point Plan of Action is witnessed in the wide ranging focus area of the individual 10 Points as they centre on themes from data collection to protection sensitive entry systems.¹⁹⁵ In its wide scope, the 10-Point Plan creates a space for collaboration among actors such as the IOM and the ILO in addressing mixed migration. The emphasis UNHCR specifically placed on cooperation with other actors is reflected in the 10-Point Plan. The first point of action is “Cooperation among key partners” referred to as those with “relevant mandates” at the national, regional and international level.¹⁹⁶ This was part of a strategic effort as UNHCR understood that it could not address the challenges posed by mixed migration alone. Therefore, collaboration was a key pillar of the 10-Point Plan of Action.¹⁹⁷ With this understanding, one can view the 10-Point Plan not only as a strategy but also a means of engaging other actors in UNHCR’s led mixed migration discourse and action. This speaks to the

¹⁸⁷ Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned,” 14.

¹⁸⁸ Crisp, “Beyond the Nexus,” 9 - 10.

¹⁸⁹ UNHCR, “The State of the World’s Refugees,” 10.

¹⁹⁰ Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned,” 4.

¹⁹¹ *Ibid.*, 4.

¹⁹² *Ibid.*, 26.

¹⁹³ UNHCR and IOM, “A long and winding road,” Background Paper Regional Conference Dar Es Salaam (2010), 29.

¹⁹⁴ Regional Conference on Refugee Protection and International Migration “Mixed Movements and Irregular Migration from the East and Horn of Africa and Great Lakes Region to Southern Africa: Summary Report,” (2010), 4.

¹⁹⁵ UNHCR, “Refugee Protection and Mixed Migration: A 10-Point Plan of Action,” (2007), 1.

¹⁹⁶ *Ibid.*, 2.

¹⁹⁷ Tim Howe, (former UNHCR Consultant), interviewed by Caitlin Vito Skype/ July 15th 2014.

High Commissioner's statement that that UNHCR's strategy to address mixed migration is ultimately an "effective partnership mechanism".¹⁹⁸

One of UNHCR's key partners working in the field of mixed migration is the IOM. With their "separate but complementary" mandates, UNHCR views the IOM as a strategic partner in efforts to address refugee protection within mixed migration.¹⁹⁹ In the 2012 Review of its 10-Point Plan of Action, it was noted that the IOM is UNHCR's most important partner with regard to implementing the Plan of Action.²⁰⁰ This stems from the inherent inter-linkages that the issue of mixed migration draws between the IOM's responsibility for migration management and the UNHCR's mandate for refugee protection. Alexander Betts argues that this dynamic will continue to drive further collaboration between UNHCR and the IOM, especially in source regions for refugees and migrants.²⁰¹ This was reiterated during a 2008 Regional Conference on the 10-Point Plan of Action as the High Commissioner noted that "the increasingly 'mixed' nature of migratory movements... means that UNHCR must continue to intensify its cooperation with the IOM in an expanding number of theatres".²⁰²

However, while both organisations recognised the need for partnership, the IOM expressed concern regarding the scope of the 10-Point Plan of Action and UNHCR's overall role in the migration field, which had expanded under the mixed migration discourse.²⁰³ Areas of contention surrounded whether the 10-Point Plan of Action should be referenced in joint documents and the exact terminology to be used when discussing refugee protection within mixed migration situations.²⁰⁴ The 2012 Review of the 10-Point Plan of Action noted that while concerns for UNHCR's work in the field of migration are "ongoing" it is addressing these issues with a "high level of sensitivity".²⁰⁵ Tim Howe, author of the 2012 Review of the 10-Point Plan, elaborated that such efforts have included executive level meetings between officials from the two organisations. UNHCR officials have sought to convince colleagues from the IOM that it is in their interest to adopt the language of mixed migration as well as the 10-Point Plan of

¹⁹⁸ UNHCR, "High Commissioner's Dialogue on Protection Challenges: Chairman's Summary," 2007, (accessed July 2014). <http://www.unhcr.org/476146702.html>.

¹⁹⁹ UNHCR, "101 Session of the IOM Council" Remarks by José Riera (2011), 1.

²⁰⁰ Howe, "Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned," 9.

²⁰¹ Alexander Betts, "Towards a Mediterranean Solution? Implications for the Region of Origin," *International Journal of Refugee Law* vol. 18 no. 3 (2006): 675.

²⁰² Howe, "Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned," 9.

²⁰³ *Ibid.*, 21.

²⁰⁴ *Ibid.*, 21.

²⁰⁵ *Ibid.*, 21.

Action.²⁰⁶ However, as demonstrated, there seemed to be little substantial difference between what was defined as the ‘asylum-migration nexus’ and the term ‘mixed migration’. This hesitation then, it could be argued, could stem from a certain level of cautiousness on the part of the IOM that the term mixed migration would lead to encroachment on its sphere of institutional jurisdiction. One can speculate that the IOM’s initial caution partly stemmed from the fact that the concept had the word ‘migration’ in it but was obviously developed by UNHCR.²⁰⁷ This may have been perceived as a threat to the IOM’s leading role in the migration field.

While mixed migration debates initially raised concerns, it has ultimately led to close cooperation between the two international organisations. They are frequently collaborating on regional conferences related to mixed migration as well as staff training.²⁰⁸ The use of the concept of mixed migration has created a bridge between the separate objectives of the two organisations. This has manifested in joint efforts in the Horn of Africa as a region highly impacted by mixed migration. The UNHCR and the IOM in 2010 convened the ‘Regional Conference on Refugee Protection and International Migration: Mixed Movements and Irregular Migration from the East and Horn of Africa and Great Lakes Region to Southern Africa’.²⁰⁹ In addition, the two organisations continue to jointly monitor mixed migration from and within the region and hold teleconferences with regional stakeholders.²¹⁰ Other avenues of cooperation have emerged through joint projects. UNHCR and the IOM are both involved in the Mixed Migration Task Force (MMTF), which has multiple offices throughout the Horn of Africa and Yemen. It forms an inter-agency platform to assist with timely and effective responses to mixed migration in the region.²¹¹

As such, the relatively frequent and in-depth collaboration efforts between UNHCR and the IOM in the field of mixed migration has, according to the 2012 Review of the 10-Point Plan of Action, helped to develop a positive dynamic between the two organisations.²¹² Moreover, it has focused the collaborative efforts of UNHCR and the IOM under the concept of mixed migration. Although mixed migration was a source of tension between the two international organisations when the term first emerged around 2007, Time Howe argues that in recent years

²⁰⁶ Tim Howe, (former UNHCR Consultant), interviewed by Caitlin Vito Skype/ July 15th 2014.

²⁰⁷ Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned,” 21.

²⁰⁸ Regional Conference on Refugee Protection and International Migration “Mixed Movements and Irregular Migration from the East and Horn of Africa and Great Lakes Region to Southern Africa: Concept Note,” (2010), 2.

²⁰⁹ Ibid., 2.

²¹⁰ Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned, 12.

²¹¹ Mixed Migration Task Force Online. “Yemen Mixed Migration Task Force: Homepage,” (accessed June 2014), <http://mmyemen.org/>

²¹² Ibid., 16.

they have been able to map out and acknowledge their separate areas of jurisdiction both on the ground and at the executive level.²¹³ Such developments have been critical in facilitating their many joint initiatives.

Managing Mixed Migration

As mixed migration brought UNHCR into areas of migration discourse, the Refugee Office also touched upon issues of migration management. However, it must be noted that UNHCR is not a migration management organisation. That being said, within the sphere of mixed migration the Refugee Office draws a connection between refugee protection and comprehensive migration management. First elaborated on in 1993 by Bimal Ghosh, the term migration management is generally encapsulated by the idea of “regulated openness”.²¹⁴ However, there are various understandings of migration management. The IOM refers to migration management as the “orderly and humane management for cross-border migration, particularly managing the entry and presence of foreigners within the borders of the state and the protection of refugees and others in need of protection”.²¹⁵ In contrast, the scholars Martin Geiger and Antoine Pécoud argue that migration management must be understood as part of a “global policy discourse that seeks to counter security-oriented...policies by inserting and lobbying for an economic, neoliberal and more pragmatic rationale into migration policies”.²¹⁶

The UNHCR acknowledged that the “major challenge for countries today is the management of complex flows of refugees, asylum seekers, economic migrants and other people on the move”.²¹⁷ During its Dialogue on Protection Challenges, the Refugee Office underlined the “distinct and different functions” of refugee protection and migration management, but also emphasised that UNHCR “adheres to the principle that they should be undertaken in a complementary and mutually reinforcing manner”.²¹⁸ UNHCR argued that protection sensitive migration management offered assistance in mixed migration situations to ensure that the individual rights of all migrants are upheld and that refugees and asylum seekers are provided protection.²¹⁹ Thus, refugee protection and comprehensive migration management are not

²¹³ Tim Howe, (former UNHCR Consultant), interviewed by Caitlin Vito Skype/ July 15th 2014.

²¹⁴ Martin Geiger and Antoine Pécoud, “The Politics of International Migration Management,” 2.

²¹⁵ IOM Glossary 2014 (accessed June 2014) <http://www.iom.int/cms/en/sites/iom/home/about-migration/key-migration-terms-1.html#Migration-management>

²¹⁶ Geiger and Pécoud “The Politics of International Migration Management,” 8-9.

²¹⁷ UNHCR, “Refugees in a Globalized World” Ditchley Foundation Annual Lecture, by Mr. Ruud Lubbers (2002) [http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=3d2ea6764&query=thailand%](http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&docid=3d2ea6764&query=thailand%20)

²¹⁸ UNHCR, “Refugee protection and durable solutions: Discussion Paper,” (2007), 5.

²¹⁹ Ibid., 5.

mutually exclusive but dependent on one another.²²⁰ This speaks to the UNHCR High Commissioner's argument that one of its key concerns with regard to mixed migration is to work with states and current migration management systems as to ensure that they respect the rights of migrants and the rights of refugees to seek protection.²²¹ It is only in this way that UNHCR can "more effectively exercise its mandate for refugee protection and solutions".²²²

The failure to properly negotiate these two efforts, according to UNHCR, results in protection gaps.²²³ This can lead to refugee and asylum seekers not receiving the protection which they are guaranteed by international law due to migration management mechanisms put in place by governments and regional actors.²²⁴ Thus, only a "holistic approach" matching refugee protection and migration management can lead to the success of both endeavours.²²⁵ During the 2010 East and Horn of Africa Regional Conference this sentiment was reiterated. Participants called for UNHCR to increase its "operational engagement" in state efforts to manage mixed migration.²²⁶ Furthermore, this discourse builds upon the linkages UNHCR made between refugee protection and migration management during earlier debates surrounding the asylum-migration nexus. In 2003 UNHCR released a report to the UN General Assembly stating:

"Although different in scope and nature, efforts to develop better systems for migration and for asylum go hand in hand. Asylum systems cannot function effectively without well-managed migration; and migration management will not work without coherent systems and procedures for the international protection of refugees. Asylum and managed migration systems should, however, be based on a clear distinction between the different categories of persons".²²⁷

Many scholars commented that this stance was pivotal in placing UNHCR within the wider migration discourse.²²⁸ Moreover, it demonstrated the "extent to which UNHCR had endorsed the related and wider notion of migration management".²²⁹ The concept of mixed migration and its surrounding discourse to some extent bridged refugee protection and migration

²²⁰ Crisp, "Beyond the Nexus," 4.

²²¹ UNHCR, "Refugee protection and durable solutions: Discussion Paper," (2007), 10.

²²² Crisp, "Beyond the Nexus," 4.

²²³ UNHCR, "Refugee protection and durable solutions in the context of international migration," Chairman's Summary (2007), 1.

²²⁴ Ibid., 1.

²²⁵ Regional Conference on Refugee Protection and International Migration "Mixed Movements and Irregular Migration from the East and Horn of Africa and Great Lakes Region to Southern Africa: Concept Note," (2010), 9 and 12.

²²⁶ Ibid., 9; Howe, "Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned," 26.

²²⁷ UNHCR, "Report to the UN General Assembly," (2003) 11 in Van Hear, Brubaker and Bessa, "Managing mobility for human development," 7 – 8.

²²⁸ Van Hear, Brubaker and Bessa, "Managing mobility for human development," 8.

²²⁹ Ibid., 8.

management. Following from the 2007 Dialogue for Protection, UNHCR concluded that the participants had recognised the role of the 10-Point Plan in assisting to manage issues related to migration and refugees.²³⁰ Thus, the 10-Point Plan of Action was in part designed to assist states in negotiating migration management and refugee protection. Despite these efforts, in a 2013 statement the High Commissioner stressed that refugees and asylum seekers still “find it difficult to access safety, hampered by border management policies lacking safeguards for people in need of international protection”.²³¹

However, UNHCR is also careful to balance criticism of state migration management systems with its support for a state sovereignty and state prerogative for control over its borders.²³² It argues that through protection sensitive migration management policies, these two aims of state territorial sovereignty and refugee protection are compatible. Both UNHCR and the IOM recognise that the arrival of irregular mixed flows “is of a growing concern to states... who regard it as a violation of their national laws as well as a threat to their sovereignty”.²³³ For this reason, UNHCR argues that recognising the importance of state borders within the framework of refugee protection is one aspect of its approach to mixed migration.²³⁴ UNHCR’s Concept Note from the Regional Conference for East and Horn of Africa and Great Lakes Region to Southern Africa highlights that mixed migration “raises legitimate questions concerning the sovereign prerogative and duty to regulate the entry” to their territories.²³⁵ As such, UNHCR positions itself as a partner to states in assisting them to ensure refugee protection within the context of migration management systems.

Negotiating a Shifting Landscape

These shifts within UNHCR have also attracted critical reflection. Tim Howe noted that the mixed migration concept was also a product of UNHCR’s struggle to navigate the changing international field and to settle its place within this system.²³⁶ Some critics have argued that UNHCR’s discussions of issues of migration, migration management and state sovereignty are

²³⁰ UNHCR, “Refugee protection and durable solutions in the context of international migration,” Chairman’s Summary (2007), 27.

²³¹ UNHCR, “Statement by António Guterres, United Nations High Commissioner for Refugees, Third Committee of the General Assembly,” 68th Session/ Agenda Number 62, 2013 (accessed June 2014) <http://www.unhcr.org/52a83ce99.html>.

²³² Loescher, “The UNHCR and World Politics: A Perilous Path,” (2001), 2.

²³³ UNHCR and IOM, “A long and winding road,” Background Paper Regional Conference Dar Es Salaam (2010), 2.

²³⁴ Ibid., 24; Crisp, “Beyond the Nexus,” 9.

²³⁵ Regional Conference on Refugee Protection and International Migration “Mixed Movements and Irregular Migration from the East and Horn of Africa and Great Lakes Region to Southern Africa: Concept Note,” (2010), 2.

²³⁶ Tim Howe, (former UNHCR Consultant), interviewed by Caitlin Vito Skype/ July 15th 2014.

directly related to UNHCR's efforts to "make itself relevant" to states.²³⁷ As areas of security and migration management have become core concerns for states, one could argue that UNHCR is responding to these "shift in concerns" by entering into areas of international migration and migration management.²³⁸ Thus, UNHCR is putting itself within these dominant discourses through the concept of mixed migration as a means of tying in refugee protection into discussion of state sovereignty and migration management. As the organisation with the mandate to protect refugees, this is placing UNHCR at an important meeting point between refugee protection, international migration, migration management and border security.

It is also highlighting the continued need for UNHCR and for it to be flexible within the rapidly evolving system of migration governance and refugee protection. The need to demonstrate its relevancy is something which Gil Loescher argues that UNHCR has been required to do "from its inception".²³⁹ As an organisation that started out with only a temporary mandate, it continually had to maintain and demonstrate its relevancy to states and other actors. It can be argued that this is something still felt acutely by UNHCR as a plethora of private, national and regional actors join the migration and refugee arena. Alexander Betts argues that UNHCR has responded to the "wider competitive environment" by engaging in issues of international migration.²⁴⁰ However, Betts notes that by adapting its area of focus in this way, UNHCR could risk this having "potentially perverse consequences for refugee protection".²⁴¹

The need for caution argued by Betts is echoed by other scholars who see the term 'mixed migration' as a dangerous bridge between refugee protection and migration management. They highlight the tension between UNHCR's role as the primary refugee protection body and its involvement in the migration management discourse. Scholars Stephan Scheel and Philipp Ratfisch remark that mixed migration as a concept has enabled UNHCR to enter into the "promotion, planning and implementation of migration management systems" that in practice can hinder a refugee's access to asylum.²⁴² Since mixed migration and the surrounding discourse present comprehensive migration management as a tool for refugee protection, some view the concept as a "crucial link" in justifying stricter migration management policies.²⁴³ Others argue that UNHCR's recognition of the validity of migration management system is part of their

²³⁷ Betts, Alexander. "Institutional Proliferation and the Global Refugee Regime." vol. 7 no. 1 *Symposium* (2009): 55.

²³⁸ *Ibid.*, 55.

²³⁹ Loescher, *UNHCR and World Politics: A Perilous Path*, 61.

²⁴⁰ Betts, "Institutional Proliferation and the Global Refugee Regime," 56.

²⁴¹ *Ibid.*, 56.

²⁴² Scheel and Ratfisch, "Refugee Protection Meets Migration Management: UNHCR as a Global Police of Populations," 1

²⁴³ *Ibid.*, 3-4; 6.

efforts to engage with states and direct their actions toward ensuring greater refugee protection measures.²⁴⁴ This is a difficult balance. Alexander Betts contends that UNHCR may be “legitimizing many of the control mechanisms that undermine Southern refugees’ access to protection in the North”.²⁴⁵

While discourse on mixed migration has facilitated UNHCR’s engagement in new areas of discussion, further questions may arise if there is another shift in terminology. It will be of interest to see if current events, such as the refugee crisis in Syria, trigger the use of new concepts by UNHCR. As demonstrated, such changes in terminology can reflect broader dynamics and have implications for a wide array of actors. One can speculate as to how this would manifest in policy. However, speaking with Tim Howe, it was noted that mixed migration is still very much on the agenda of UNHCR.²⁴⁶

By examining the development and use of the concept of mixed migration by UNHCR, one can observe that UNHCR is in the midst of placing itself within an ever-shifting international landscape of stakeholders and influencing factors. Changes in terminology reflect this dynamic. However, it is something UNHCR must navigate carefully.²⁴⁷ To understand these broader dynamics, the following section turns to examine UNHCR’s key partner in the mixed migration discourse, the IOM.

²⁴⁴ Betts, “Institutional Proliferation and the Global Refugee Regime,” 56.

²⁴⁵ *Ibid.*, 55.

²⁴⁶ Tim Howe, (former UNHCR Consultant), interviewed by Caitlin Vito Skype/ July 15th 2014.

²⁴⁷ Klaauw, “Refugee Rights in Times of Mixed Migration,” 61.

V. International Organisation for Migration (IOM)

The International Organisation for Migration (IOM) is an important and influential player in global migration governance. While not a UN organisation, its scope and clout in the migration field is evident. This is reflected in the prominent role the IOM plays in discourse and action surrounding mixed migration. The IOM counts 156 states among its members and presents “promoting the humane and orderly migration for the benefit of all” as at the core of its Constitution.²⁴⁸ With headquarters in Genève and 460 Country Offices and Sub-offices worldwide, the IOM’s growth has been significant since its establishment in 1951 as a temporary, Europe-centred organisation responsible for assisting states to “manage and structure” migration”.²⁴⁹ Since its founding, the the IOM has expanded its focus to facilitating and assisting migration management internationally.²⁵⁰ The IOM is active in government capacity building projects and voluntary return programmes.²⁵¹ It is a key source of migration research while also advising governments on migration related policy.²⁵² However, the IOM has faced some criticism for its policies with some arguing that the organisation is influenced by governments of the Global North, on whom the IOM is dependent for the majority of its funding.²⁵³ Nevertheless, the IOM fills a critical role in the global governance system as it describes itself a leading international organisation working with a wide array of partners in “promoting humane and orderly migration”.²⁵⁴

As such, the IOM has proven a key collaborator for numerous UN agencies. One such partner is UNHCR. While UNHCR is responsible for the movement and safety of involuntary migrants, the IOM’s jurisdiction covers the management of voluntary migrants. Jérôme Elie argues that the mandates of these two international organisations are “designed to be complementary, creating potential grounds for cooperation”.²⁵⁵ This was reiterated by the IOM

²⁴⁸ “Members and Observers,” IOM (accessed July 2014) <http://www.iom.int/cms/en/sites/iom/home/about-iom-1/members-and-observers.html>

²⁴⁹ Martin Geiger and Antoine Pécoud, “International Organisations and the Politics of Migration,” *Journal of Ethnic and Migration Studies* vol. 40 no. 6 (2013), 868; Jérôme Elie, “The Historical Roots of Cooperation,” *Global Governance* vol. 16 no. 3 (2010), 350.

²⁵⁰ Franck Düvell, “Irregular Migration” in *Global Migration Governance* edited Alexander Betts (Oxford: Oxford University Press, 2011), 91

²⁵¹ Ibid., 91.

²⁵² Ibid., 92.

²⁵³ Martin Geiger and Antoine Pécoud, “Mobility, Development, Protection, EU-Integration! The IOM’s National Migration Strategy for Albania,” in *The Politics of International Migration Management* edited Martin Geiger and Antoine Pécoud, (Basingstoke” Palgrave Macmillan, 2010), 151.

²⁵⁴ “What We Do: Home Page,” IOM (accessed July 2014) <http://www.iom.int/cms/activities>.

²⁵⁵ Elie, “The Historical Roots of Cooperation,” 346.

Permanent Observer to the UN, Solomon Klein, who stated that “since the establishment of the two organizations in 1951, UNHCR and IOM have worked side-by-side...with a clear allocation of roles and responsibilities in a manner that emphasizes the strengths of each organization”.²⁵⁶

This dynamic has pervaded discourse and action on mixed migration. While mixed migration draws on a plethora of actors, the IOM has continuously been UNHCR’s main partner in this sphere. This is facilitated by the IOM’s Constitution which recognises that refugees constitute part of international migration and who are also “in need of migration services”.²⁵⁷ Although the organisation does not have a protection-based mandate, UNHCR and the IOM both remark that the IOM’s efforts in the area of mixed migration act as “de facto protection”.²⁵⁸ This relationship has been further strengthened in recent years as the two organisations have worked to maintain the distinction between voluntary and involuntary migration in the eyes of governments and the general public.²⁵⁹

The IOM’s Entry in the Mixed Migration Discourse

While UNHCR initially conceived of the term ‘mixed migration’ and the corresponding 10-Point Plan of Action, the IOM has been critical in promoting the concept and in advancing the surrounding discourse and action. In the years following UNHCR’s 2007 Dialogue on Protection Challenges, the IOM developed its own documents on mixed migration which laid out how the IOM saw its position within this discourse. The 2008 Ninety-Sixth Session report focused on the issue of mixed migration as did the subsequent 2009 report in which the IOM defined mixed migration as “complex population movements including refugees, asylum seekers, economic migrants and other migrants”.²⁶⁰ The following year the IOM published its report ‘Irregular Migration and Mixed Flows: IOM’s Approach’. In 2010 the IOM released its World Migration Report titled ‘Irregular Migration and Mixed Flows’. These documents formed the basis of the IOM’s approach to mixed migration. Furthermore, while doing research for this

²⁵⁶ IOM. “UN General Assembly Report of the UN High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian question,” 68th Session/Agenda Item 62, 2013. (accessed July 2014) <http://www.iom.int/cms/en/sites/iom/home/news-and-views/speeches/speech-listing/statement-68th-session-of-the--5.html>.

²⁵⁷ IOM, “Irregular Migration and Mixed Flows: IOM’s Approach,” Ninety-Eighth Session (2009), 2.

²⁵⁸ UNHCR and IOM, “A long and winding road,” Background Paper Regional Conference Dar Es Salaam (2010), 29.

²⁵⁹ UNHCR and IOM. “Refugee Protection and Migration Control: Perspectives from UNHCR and IOM,” Global Consultations on International Protection (2001), 1.

²⁶⁰ IOM, “Challenges of Irregular Migration: Addressing Mixed Migration Flows,” Ninety-Sixth Session (2008), 2.

study, officials from the IOM Regional Office in Vienna referred to these reports as important documents that outline how the IOM understands and approaches mixed migration.²⁶¹

Moreover, the term's continued relevance within the IOM is evident when reading through its recent Regional Strategy reports. In the reports, mixed migration is stated as one of the IOM's 'Areas for Strategic Intervention'.²⁶² The IOM specifically notes in its 2013 report for the East and Horn of Africa that mixed migration often occurs in irregular channels and that these flows comprise a wide array of groups of people. These include: refugees, asylum-seekers, displaced persons, as well as migrants pursuing family reunification, education, or employment.²⁶³ In addition to these reports, the IOM promotes the use of the term mixed migration through the regional meetings it hosts with UNHCR. The continued use of the term was demonstrated recently during the IOM and UNHCR's May 2014 meeting in which they worked with regional stakeholders in Mozambique to discuss issues of mixed migration.²⁶⁴

The IOM's adoption of the term mixed migration can also be seen in the organisation's Global 12-Point Strategy. It was developed in 2007 to enable the IOM to address the increasing challenges of migration through a "holistic" approach that would provide the IOM with institutional flexibility to further integrate collaboration with strategic partners into its practices.²⁶⁵ It is interesting to note that in the same year that UNHCR brought forward its 10-Point Plan of Action to address mixed migration, the IOM also marked a time of transition through its Global 12-Point Strategy.²⁶⁶ The IOM notes that the Global 12-Point Strategy implemented the needed changes to ensure that the IOM maintained its position as the leading global organisation in migration management.²⁶⁷ One can speculate that as UNHCR entered migration discourse through the concept of mixed migration, the IOM sensed the need to quickly adapt to the new migration governance landscape. This included adopting the new terminology and developing its institutional approach. Within the Global 12-Point Strategy the IOM refers specifically to mixed migration.²⁶⁸ Through these references, the IOM demonstrates how the challenge of mixed migration fits directly with its sphere of work as laid out in its

²⁶¹ IOM Email Communications Adel-Naim Reyhani (IOM Vienna Office) June 25th 2014.

²⁶² IOM Regional Office for East and Horn of Africa, "Regional Strategy 2013-2014," (2013), 3.

²⁶³ *Ibid.*, 10.

²⁶⁴ "IOM, UNHCR Organize Mixed Migration Meeting in Mozambique: Press Room," IOM May 27th 2014 (accessed June 2014). <https://www.iom.int/cms/en/sites/iom/home/news-and-views/press-briefing-notes/pbn-2014/pbn-listing/iom-unhcr-organize-mixed-migrati.html>.

²⁶⁵ IOM, "Review of the IOM Strategy," Ninety-Ninth Session (2010), 1.

²⁶⁶ *Ibid.*, 1.

²⁶⁷ *Ibid.*, 1.

²⁶⁸ *Ibid.*, 10.

Constitution. The IOM has positioned itself as the organisation which is able to help address mixed migration through a “comprehensive approach” that takes into account protection, assistance and service needs.²⁶⁹

Although the concept of mixed migration was first developed by UNHCR, the IOM has since adopted this term and has subsequently highlighted how the challenges of mixed migration fit directly with its work of “assisting migrants and supporting governments” in migration management.²⁷⁰ The IOM has also cited that its extensive experience in the field of migration, frequently working with complex migration phenomena, forms a solid base on which to develop its approach to mixed migration.²⁷¹ The IOM placed itself firmly behind the term, declaring in a 2010 report that the “future of migration is mixed”.²⁷²

Mixed Migration: The IOM’s Approach

In its 2009 Ninety-Eighth Session report the IOM presented its global response to mixed migration. The report shed light on the IOM’s official needs-based protection approach which had two core areas of emphasis.²⁷³ Its first focus was on directly assisting vulnerable migrants within the context of mixed flows.²⁷⁴ Secondly, to “provide support and services to governments and other relevant actors to assist in their responses to the challenges posed by mixed migration.”²⁷⁵ This response breaks down further into five main areas of work. They include: everyday assistance to vulnerable migrants; supporting and advising government policy development; training government officials and other stakeholders; disseminating information to migrants and host communities; and cooperation and partnership.²⁷⁶

The creation of this systematic approach to mixed migration was in response to concerns raised in the previous IOM 2008 report which demanded that the organisation develop a “more than ad hoc” response to mixed migration.²⁷⁷ In developing and implementing its strategy, the IOM notes that all steps in the “migration life-cycle” of mixed flows are taken into account.²⁷⁸

²⁶⁹ Ibid., 23.

²⁷⁰ IOM, ‘Pamphlet: What is Mixed Migration?’ (2010), 1.

²⁷¹ IOM, “Irregular Migration and Mixed Flows: IOM’s Approach,” Ninety-Eighth Session, (2009), 1.

²⁷² IOM, “What is Mixed Migration?” IOM Nairobi - Regional Office for the East and Horn of Africa (accessed June 2014). <http://www.iom.int/files/live/sites/iom/files/Country/docs/Mixed-Migration-HOA.pdf>

²⁷³ IOM, “Irregular Migration and Mixed Flows: IOM’s Approach,” Ninety-Eighth Session, 1.

²⁷⁴ Ibid., 2.

²⁷⁵ Ibid., 2.

²⁷⁶ UNHCR and IOM, “A long and winding road,” (2010), 29.

²⁷⁷ IOM, “Challenge of Irregular Migration: Addressing Mixed Migration Flows Discussion Note,” International Dialogue on Migration Ninety-Sixth Session (2008), 1.

²⁷⁸ IOM, “Irregular Migration and Mixed Flows: IOM’s Approach,” Ninety-Eighth Session, (2009), 3.

This means understanding the motives within the source-region for initial departure, the routes taken, as well as the situation in transit and destination-countries. On the ground, the IOM's approach to mixed migration translates into responsibility for attending to the basic needs of all vulnerable migrants in mixed migration situations by providing shelters, counseling and medical care regardless of legal category. In addition, the organisation works on voluntary return and country of origin reintegration.²⁷⁹

As with UNHCR, a critical aspect of the IOM's approach to mixed migration is its collaboration with relevant partners. This occurs through various avenues, including regional consultations, joint reports and cooperation with UNHCR in refugee and vulnerable migrant identification.²⁸⁰ However, while mixed migration brings the UNHCR and IOM into close collaboration, it also highlights their different points of reference. The IOM, guided by its Constitution, approaches mixed migration from a perspective of migration management. In the 2010 'World Migration Report' the IOM notes the differing departure points. It stresses that in comparison to the IOM's migration management focus, the UNHCR's main concern is with the presence of asylum-seekers and refugees within mixed migration situations.²⁸¹ Moreover, UNHCR's 10-Point Plan of Action is focused on the protection gaps with "respect to refugees and other people of concern to UNHCR".²⁸² However, only a portion of mixed migrants are refugees and asylum seekers. In contrast, the IOM's attention is focused on the "diverse groups of other migrants who may be particularly vulnerable".²⁸³ The IOM's assistance and focus on vulnerable migrants leaves the organisation with a broader scope to work as many various groups fall under its jurisdiction. These include: migrants moving for economic reasons, smuggled and stranded migrants, unaccompanied minors, those suffering from trauma and psychological distress, the elderly and those in need of medical treatment.²⁸⁴

Moreover, even the IOM's definition of mixed migration reflects the organisation's different area of jurisdiction. It understands mixed migration as "complex population movements including refugees, asylum seekers, economic migrants, and other migrants".²⁸⁵ Thus, while UNHCR highlights the "different reasons" for movement, the IOM stresses the complex

²⁷⁹ Ibid., 3.

²⁸⁰ IOM, "Challenge of Irregular Migration: Addressing Mixed Migration Flows Discussion Note," 'International Dialogue on Migration' Ninety-Sixth Session (2008)), 5.

²⁸¹ Ryszard Cholewinski, "Irregular Migration and Mixed Flows," IOM Background Paper World Migration Report. (2010), 6.

²⁸² IOM, "Irregular Migration and Mixed Flows: IOM's Approach," Ninety-Eighth Session, (2009), 2.

²⁸³ Cholewinski, "Irregular Migration and Mixed Flows," IOM (2010), 6.

²⁸⁴ Ibid., 6.

²⁸⁵ Ibid., 5.

nature of the flows and emphasises the “many groups of migrants with differentiated needs and profiles”.²⁸⁶ In a 2010 joint report, the IOM and UNHCR acknowledged that “mixed migratory movements often involve people who, while not having a valid claim to refugee status, nevertheless find themselves in situations of vulnerability and at risk of human rights violations”.²⁸⁷ It is in this area that the IOM sees its place and where it argues it is needed.

The IOM also maintains that migration management, within the context of mixed migration, is a critical tool to help uphold state sovereignty and human rights obligations. In its 2008 Ninety-Sixth Session report, the IOM highlighted that mixed migration creates challenges to a state’s ability to fulfil its responsibilities to both manage migration to their territory while also protecting the rights of migrants and refugees.²⁸⁸ The IOM’s Deputy Director in 2013 highlighted that a key question facing all stakeholders impacted by mixed migration was how to “manage such complex migration flows in a way that brings together the needs of the state with the protection of individual rights and freedoms”.²⁸⁹

In adapting to these needs, the IOM stresses that a well-developed and proper migration management system is essential to “uphold[ing] obligations under human rights and refugee law, while also ensuring due respect for the sovereign prerogative to regulate the entry and stay of foreign nationals on a State’s territory”.²⁹⁰ As the IOM is the primary migration management organisation, the dynamic of mixed migration emphasises the IOM’s centrality in negotiating this balance. The IOM presents itself as offering assistance to migrants and refugees while also upholding state sovereignty. The IOM’s 2010 ‘World Migration Report’ argues that when managed in a holistic way the need to respect state sovereignty and protect human rights within the context of mixed migration are not mutually exclusive goals but reinforce one another.²⁹¹ This also resonates with the IOM’s ‘triple win strategy’ that presents migration management as

²⁸⁶ IOM, “Challenge of Irregular Migration: Addressing Mixed Migration Flows Discussion Note,” International Dialogue on Migration Ninety-Sixth Session (2008), 2.

²⁸⁷ UNHCR and IOM, “A long and winding road,” 3.

²⁸⁸ IOM, “Challenge of Irregular Migration: Addressing Mixed Migration Flows Discussion Note,” International Dialogue on Migration Ninety-Sixth Session (2008), 2.

²⁸⁹ IOM, “Welcome Remarks: Ministerial Session of the Regional Conference on Asylum and Migration from the Horn of Africa to Yemen,” November 13th 2013 (accessed July 2014) <http://www.iom.int/cms/en/sites/iom/home/news-and-views/speeches/speech-listing/welcome-remarks-ministerial-sess.html>

²⁹⁰ Regional Conference, “Horn of Africa and Great Lakes Region to Southern Africa on Refugee Protection and International Migration: Concept Note,” (2010), 3.

²⁹¹ Cholewinski, “Irregular Migration and Mixed Flows,” IOM (2010), 5.

facilitating migration that can be beneficial for the sending and receiving states as well as for the migrants.²⁹²

Adapting to the Field of Mixed Migration

However, the concept and discourse surrounding mixed migration initially raised serious questions for the IOM. Early reaction to the new UNHCR terminology was hesitation and suspicion. The UNHCR Review of the 10-Point Plan of Action highlights the concerns raised by governments and partner organisations with regard to UNHCR's role as a “relatively ‘new’ actor in international migration”.²⁹³ The IOM is mentioned in particular as expressing concern about UNHCR's new role.²⁹⁴ This hesitation could have stemmed from questions surrounding how the two international organisations would work out which areas of mixed migration fell under their separate jurisdictions. UNHCR's move into the area of international migration could be viewed by the IOM as posing a significant threat since UNHCR is a well-established organisation with an official mandate. In contrast, the IOM does not have a mandate but rather basis its work on its Constitution. This dynamic is reflected in the freedom and confidence the UNHCR has to openly criticise states for their policy, while the IOM generally does not. It should also be noted that the IOM is a project-based organisation, meaning that it is funded on a project-by-project basis. One can speculate that UNHCR's entry into the area of mixed migration could potentially lessen state investment in IOM projects. Such a development would risk limiting or cutting the IOM's life-line. Even the external perception that UNHCR could address some areas of migration might diminish the IOM's relevancy to states and lessen its role in the international system.

While the IOM's first response to the concept of mixed migration was one of hesitation, it has since come to actively use the term and engage in the surrounding discourse and action. This shift speaks to the increasing confidence the IOM has gained in the last few years.²⁹⁵ Tim Howe commented that the IOM has gone through considerable changes since the term mixed migration first appeared.²⁹⁶ Of great importance is that migration issues play a much more prominent role both in national and international agendas. This observation is supported by the scholar Sarah Kalm who argues that migration has developed into an area of key concern at all

²⁹² Geiger and Pécoud, *The Politics of International Migration Management*, 11.

²⁹³ Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned,” (2012), 21.

²⁹⁴ Ibid., 21.

²⁹⁵ Tim Howe (Former UNHCR Consultant), interview by Caitlin Vito, July 15th 2014.

²⁹⁶ Ibid.

levels of governance.²⁹⁷ One of these concerns is mixed migration. As the IOM is the primary organisation responding to migration issues it has been working with many governments, implementing projects and regularly convening regional migration conferences.²⁹⁸ In such an environment, one can argue that the IOM has established a secure place in the international system. Moreover, the UNHCR Review of the 10-Point Plan of Action notes that the IOM's concerns surrounding the concept of mixed migration and the 10-Point Plan were approached with sensitivity by UNHCR.²⁹⁹ UNHCR emphasised that they sought collaboration with the IOM and that they aimed to bring the expertise of the two organisations together to address mixed migration.

As such, one can see that the concept of mixed migration went from being seen as a potential threat to the IOM to one which was understood as supporting the IOM's work on migration management. The IOM argues that its role as a migration management actor is pivotal to addressing mixed migration flows as it is a means of balancing protection and assistance for those in need while also respecting the sovereignty of states.³⁰⁰ Thus, similarly to UNHCR, the term of mixed migration helps the IOM to navigate the complex field of migration and refugee issues. In such an environment, the IOM argues that comprehensive migration management offers a way forward that is beneficial to all parties involved. The IOM focuses on the connection between mixed migration and the need to implement mechanisms to assist the "orderly and humane management of migration".³⁰¹ In facing such "complex migration management situations" the IOM argues that the best response will come from further developing migration management policies that place the "mixed flows phenomenon in the broader context of migration management".³⁰²

The mixed migration discourse may also signal a move beyond the IOM's initial role as a service provider to states focused on migration management. As the current migration and refugee systems become ever more complex, mixed migration offers a framework through which the IOM can continue its function as a migration management organisation but also address other issues of growing concern. Moreover, the significance of the mixed migration challenges,

²⁹⁷ Kalm, Sarah. "Liberalizing Movements? The Political Rationality of Global Migration Management," In *The Politics of International Migration Management* edited by Martin Geiger and Antoine Pécoud (2010), 21.

²⁹⁸ Tim Howe (Former UNHCR Consultant), interview by Caitlin Vito, July 15th 2014.

²⁹⁹ Tim Howe, "Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned," (2012), 21.

³⁰⁰ Challenge of Irregular Migration: Addressing Mixed Migration Flows Discussion Note," International Dialogue on Migration Ninety-Sixth Session (2008), 7.

³⁰¹ IOM, "About: IOM" (accessed June 2014) <http://www.iom.int/cms/about-iom>

³⁰² IOM, "Irregular Migration and Mixed Flows: IOM's Approach," Ninety-Eighth Session, (2009), 3.

structured around a comprehensive migration management approach, helps to place the IOM at the centre of discourse and action. Thus, it remains a primary partner for UNHCR, states and other relevant actors. The following section will examine how this dynamic, along with the role of UNHCR, plays out in relation to the European Union which is a key supporter of mixed migration initiatives.

VI. The European Union

The EU and Mixed Migration Discourse

Although UNHCR and IOM are the primary actors shaping debate and policy on mixed migration, the role of the European Union within this discourse also deserves attention. In fact, it was through researching UNHCR and the IOM that the engagement of the EU became apparent. Many UNHCR and IOM reports, projects and conferences cite the EU as both a key participant and funder. Due to its support for UNHCR and the IOM in this field, the following section will attempt to illustrate the EU as a secondary actor that is responding and working within the framework of mixed migration. However, it must be noted that speaking of the EU as a signal actor faces significant challenges. The EU is a complex regional body made-up of 28 member-states. In matters of migration each of these member states, to varying degrees, still holds primary jurisdiction. Thus, referring to a unified EU approach towards mixed migration is difficult. However, the EU's role in mixed migration discourse and action in as far as it works with UNHCR and the IOM merits further investigation. Furthermore, this study refers to the EU when speaking of all bodies, agencies and organisations which receive their mandate from the European Commission.

To understand the EU's involvement in the mixed migration discourse it is essential to appreciate how the EU sees mixed migration and where its concerns lie. In 2006, the European Commission noted that mixed migratory flows consist of persons attempting to enter the EU who are moving for a "plethora of reasons... including for international protection" and that this phenomenon presents "member states with an array of challenges".³⁰³ Looking for further clarity on the EU's understanding of mixed migration, the Directorate for Migration and Asylum from the DG EU Home Affairs was contacted by email. The official response from Diane Schmitt, Head of the Migration and Integration Unit, states that "mixed migration is not an official term used in legal texts of the European Union" and nor is it mentioned in the 'Asylum and Migration Glossary' produced by the European Migration Network (EMN).³⁰⁴ Ms. Schmitt refers instead to the official definition provided by the IOM. With reference to how mixed migration impacts the EU, the official reply notes that the "expression mixed migration or mixed migration flow just describes the fact that the migrants currently arriving to the European Union

³⁰³ European Commission, "Communication from the Commission on Policy priorities in the fight against illegal immigration of third-country nationals," (2006), 3.

³⁰⁴ Ms. Diane Schmitt, Email Communications, "Reply to Ms. Vito - Mixed Migration in the EU," June 13th 2014.

mainly via the Mediterranean region belong to various different groups”.³⁰⁵ The absence of an official EU definition of the term mixed migration is noteworthy as it seems to contrast with the EU’s involvement with projects and strategies that use the concept. By citing the IOM definition, it demonstrates a reliance on the understanding of mixed migration as developed by international partners, in this case the IOM. This common framework helps to form the basis of many of the collaborative efforts between the EU, UNHCR and the IOM. The official response may suggest that the role of the EU in the mixed migration discourse is primarily a funder and that it leaves discussion and analysis surrounding the meaning of the term to other actors, such as UNHCR and the IOM.

The official response from the EU Directorate for Migration and Asylum also highlights the EU’s concerns with mixed migration as it currently faces challenges with irregular mixed migration flows coming to its borders. The EU approaches the issue of mixed migration from the reference point of being on the receiving end of these mixed migration situations. While many ultimately stay in countries of transit for various reasons, a significant number moving in mixed migration situations attempt to enter the EU through irregular channels. The main routes to the EU are over the Mediterranean, through Turkey and Europe’s Eastern borders as well as through Morocco to Spain. As such, the EU has adopted the language of mixed migration. As the EU Rapporteur in the 2013 report on asylum and migration noted “it should not be forgotten that the European Union is the main pull factor for these mixed migration flows”.³⁰⁶ The continuous news reports on the arrivals of mixed flows of irregular migrants to the EU, often through life threatening means, has maintained pressure on the EU to address mixed migration.³⁰⁷ Pressure is also maintained by member-states which are most directly impacted by the arrival of irregular migrants moving in mixed migration situations. One such country is Italy which declared that these challenges are a “European problem” that must be responded to by the European Union.³⁰⁸

Mixed Migration: The Structuring of an EU Challenge

Within this understanding, the EU’s responses to mixed migration are guided by its desire to protect its territorial sovereignty while also adhering to international human rights

³⁰⁵ Ibid.

³⁰⁶ Andrea Rigoni, “Management of mixed migration and asylum challenges beyond the European Union’s eastern border,” European Parliamentary Assembly (April 2013), 18.

³⁰⁷ Ian Traynor, Lizzy Davies and Chris Stephen, “EU urged to tackle boat people crisis in Mediterranean,” *The Guardian*, October 13th 2013 (accessed July 2014), <http://www.theguardian.com/global-development/2013/oct/13/eu-boat-people-crisis-mediterranean>.

³⁰⁸ Ibid.

principles. This is referenced in a Council of Europe report which noted that within these “mixed migration flows are refugees and asylum seekers towards whom states have special responsibilities under international law, including the obligation to safeguard against refoulement”.³⁰⁹ This leaves the EU in a difficult position as it must negotiate the desire to implement greater border controls while not violating protection and assistance rights of those moving in mixed flows. The 2007 Mediterranean Transit Migration Dialogue, of which the EU is a partner, issued a report on mixed migration that argued for the issue to be addressed in a “comprehensive and holistic manner” which both improves “control of mixed migration” while adhering to international human rights law.³¹⁰

Despite these statements, the EU has faced repeated criticism for its approach to mixed migration. The EU Rapporteur on asylum and migration argued in 2013 that in the face of such large-scale mixed migration the EU had consistently proven itself “unprepared”.³¹¹ This lack of readiness to address the human rights needs of those moving within mixed migration situations to the EU’s borders has come under increased scrutiny. Thomas Hammerberg, former Commissioner for Human Rights of the Council of Europe, condemned actions taken by EU member-states which he said demonstrated that the prevention of migration had superseded “saving lives”.³¹² In such a dynamic “something has gone dramatically wrong”.³¹³ Johannes van der Klaauw supports this argument in his article ‘Refugee Rights in Times of Mixed Migration’. He states that there has been an “erosion” of standards on refugee protection within the EU due to a lack of protection safeguards in migration management efforts.³¹⁴ Others noted that with regard to mixed migration, the EU’s policies are “resulting in further restrictions in the protection regime within the European Union”.³¹⁵ Thus, one of the main challenges the EU faces, as conceptualised by EU officials and non-EU officials alike, is mixed migration. It is commonly acknowledged that mixed migration poses difficulties to the EU as it brings the EU’s desire for border control into conflict with its adherence to international protection norms.

³⁰⁹ Morten Østergaard “Europe’s boat-people: mixed migration flows by sea into southern Europe,” Council Of Europe Parliamentary Assembly (July 2008), 2.

³¹⁰ Mediterranean Transit Migration (MTM) Dialogue, “Arab and Partner States Working Document on the Joint Management of Mixed Flows,” (2007), 9.

³¹¹ Rigoni, “Management of mixed migration and asylum challenges beyond the European Union’s eastern border,” (2013), 18.

³¹² Thomas Hammarberg, Council of Europe Press Release, “African Migrants are Dying in the Mediterranean,” 2011, (accessed July 2014) <https://wcd.coe.int/ViewDoc.jsp?id=1797705&Site=COE>.

³¹³ Ibid.

³¹⁴ Klaauw, “Refugee Rights In Times Of Mixed Migration: Evolving Status And Protection Issues,” 63.

³¹⁵ Danish Refugee Council, “Policy on Mixed Migration,” (2008 and Revised May 2009), 2.

The EU's Response to Mixed Migration

Such criticism, coupled with the continuing flow of people trying to enter the EU in mixed migration flows has forced the EU to seek answers to such issues. These first took shape under the 'asylum-migration nexus' label and later became framed within the 'mixed migration' terminology. One of the EU's early responses to such challenges emerged in 1999. The EU established a High Level Working Group on Asylum and Migration (HLWG) with the objective of forging "comprehensive" asylum and migration policy designed to protect the EU's borders and ensure that the rights of migrants and refugees are respected.³¹⁶ In practice, however, scholars argue that the HLWG only resulted in extending the EU's policy of containment.³¹⁷ It focused on persuading countries of origin and transit through aid to take steps towards stemming the movement of people to Europe altogether. Processing of migrants was sometimes moved to third regions.³¹⁸ Moreover, immigration and asylum were subsequently often conflated in major EU policy statements.³¹⁹

More recent EU attempts to address migration and refugee challenges have incorporated the language of mixed migration. The International Catholic Migration Commission (ICMC) argued that the EU has been working "towards harmonising aspects of the migration and asylum framework" of member states and to recognise the needs of vulnerable migrants and refugees.³²⁰ The ICMC Report also suggested that these efforts help to offset the EU's "security oriented approach".³²¹ A core aim was to ensure that border controls did not prevent access to protection and assistance for those in need, such as refugees and other vulnerable groups.³²² Moreover, in the report by the EU's Special Report on Migration, Refugees and Displaced Persons, the Rapporteur Andrea Rigoni highlighted that the EU sees UNHCR as a strategic partner.³²³ Furthermore, the report stated that although EU member states may be "anxious" to keep mixed flows from reaching their territory, they must also work towards ensuring the protection of all groups of people traveling in mixed flows.³²⁴ Recently, a March 2014 European Commission

³¹⁶ Düvell, 'Irregular Migration' (2011), 83; In Betts, 'Global Migration Governance'.

³¹⁷ Stephen Castles and Nicolas Van Hear, "Developing DFID's Policy Approach to Refugees and Internally Displaced Persons," Refugee Studies Centre. (2005), 73.

³¹⁸ Ibid., 73.

³¹⁹ Van Hear, Brubaker, Bessa, "Managing mobility for human development," (2009), 8

³²⁰ International Catholic Migration Commission, "MayDay! Strengthening responses of Assistance and protection to 'boat-people and other migrants arriving in Southern-Europe" (2011), 21.

³²¹ Ibid., 21.

³²² Ibid., 21.

³²³ Rigoni, "Management of mixed migration and asylum challenges beyond the European Union's eastern border," (2013), 16.

³²⁴ Rigoni, "Management of mixed migration and asylum challenges beyond the European Union's eastern border," (2013), 6.

report ‘An Open and Secure Europe: Making It Happen’ further noted that mixed migration poses key challenges to the EU and individual member states.³²⁵

A pivotal element of the EU’s efforts to address mixed migration lies in its collaboration with identified strategic partners, specifically UNHCR and the IOM. Through their partnership these three actors are working on initiatives both within and beyond the EU’s territory. The EU’s engagement marks its conscious effort to participate in an international “network of initiatives aiming at comprehensively addressing issues and challenges linked to mixed migration management”.³²⁶ As UNHCR and the IOM are the leading actors on mixed migration, the EU has actively engaged with them, cooperating in multiple fields and funding numerous mixed migration initiatives. One EU representative at the Gulf of Aden 2008 Regional Conference, hosted by UNHCR and the IOM, assured participants of the EU’s support in forging a “comprehensive response” to the “immense challenges of mixed migratory movement”.³²⁷

However, it appears that the EU plays mostly a supporting role in action and discourse on mixed migration. Primarily, it seems that international organisations and NGOs lead in action on mixed migration. In a 2010 report, the IOM noted that efforts to address mixed migration have in large part been motivated by international organisations.³²⁸ It continues that actions by other stakeholders have been “generally weak or ambivalent, including in those developed parts of the world experiencing mixed flows”.³²⁹ Thus, while UNHCR and the IOM supported discourse on mixed migration has brought major actors, such as the EU into the debate, inciting action and real policy changes appears more difficult.

Nevertheless, the EU has been active in funding conferences and projects in this field, notably the various Regional Conferences addressing international migration and protection challenges that are convened regularly by UNHCR and the IOM. One key project that the EU has engaged with as a partner of UNHCR and IOM is the Mediterranean Transit Migration Dialogue (MTM) established in 2007. The MTM Dialogue joins representatives from the EU, Sub-Saharan Africa, North Africa and various international organisations to discuss and take

³²⁵ European Commission, “An open and secure Europe: making it happen,” 2011, (accessed July 2014), <http://www.refworld.org/topic,50ffbce4132,50ffbce4135,532aefba4,0,,,html>

³²⁶ Mediterranean Transit Migration (MTM) Dialogue, “Arab and Partner States Working Document on the Joint Management of Mixed Flows,” (2007), 9.

³²⁷ Regional Conference on Refugee Protection and International Migration in the Gulf of Aden, Address of Mr. Cervone d’Urso, 2008, 2 (accessed June 2014).

³²⁸ IOM, “Irregular Migration and Mixed Flows,” World Migration Report Background Paper, (2010), 5.

³²⁹ Ibid., 5.

action on migration related issues. UNHCR and the IOM are both officially MTM partner agencies and the EU is a key funder.³³⁰ This initiative is described as a platform through which key actors can discuss migration related issues which have “evolved into one of the most important issues on the European, Mediterranean and sub-Saharan political agendas”.³³¹

The MTM Dialogue placed a central focus on mixed migration. The 2007 working document for the MTM Dialogue ‘Towards Comprehensive Response to Mixed Migration Flows’ noted that while international attention has been focused on migration and development, the EU and African partner states have decided to focus on areas of mixed and irregular migration.³³² It also highlighted the specific role of the EU. The report calls for the EU to increase its efforts to gather resources, promote knowledge sharing and encourage the development of protection sensitive and comprehensive approaches to the management of mixed flows.³³³ Moreover, the 2012 follow-up review of the MTM Dialogue emphasised the continuing challenges of mixed migration as well as the need to assist vulnerable migrants.³³⁴ The report used the opportunity to promote the use of UNHCR’s 10-Point Plan of Action as a method for addressing the mixed flows arriving at the EU’s borders.³³⁵ Thus, the MTM Dialogue proved one forum through which the understanding of mixed migration developed. Such a platform is central to framing challenges of mixed migration faced by the EU and other stakeholders

The EU has been active in the mixed migration discourse through its support for UNHCR and IOM mixed migration strategies and projects. For example, EU funding has gone towards the UNHCR’s 10-Point Plan of Action. Specifically, it has supported the implementation of UNHCR’s 10-Point Plan of Action addressing mixed migration in Central America, Western Africa, Eastern Africa and Asia.³³⁶ Moreover, UNHCR’s 2012 Review of its 10-Point Plan of Action was partly funded by the European Union as was the implementation of the 10-Point Plan in many regions.³³⁷ Moreover, the EU contributed to UNHCR’s compilation

³³⁰ Mediterranean Transit Migration (MTM) Dialogue, “Arab and Partner States Working Document on the Joint Management of Mixed Flows,” (2007), 5.

³³¹ Ibid., 4.

³³² Ibid., 17.

³³³ Ibid., 61.

³³⁴ Mediterranean Transit Migration (MTM) Dialogue, “MTM Dialogue 2002-2012: A Multifaceted Approach” (2012), 17.

³³⁵ Ibid., 17.

³³⁶ UNHCR, “UNHCR’s 10-Point Plan in Central America, Western Africa, Eastern Africa and Asia – a three-year project,” (2010), 1.

³³⁷ UNHCR, ‘Refugee Protection and Mixed Migration: the 10-Point Plan in Action’ (2011), 5.

of best practices for the 10-Point Plan of Action.³³⁸ The EU's Special Rapporteur Andrea Rigoni for Migration, Refugees and Displaced Persons called on EU member-states impacted by mixed migration to implement the UNHCR's 10-Point Plan of Action for Refugee Protection and Mixed Migration as a framework for addressing mixed migration flows in a collaborative way that focuses on the protection of refugees and the assistance of vulnerable migrants.³³⁹

Collaboration has been further facilitated between the EU and IOM through their 2012 'Strategic Partnership' plan which is meant to "build on a shared interest in bringing the benefits of well managed international migration to migrants and society".³⁴⁰ Moreover, the EU is financing the IOM's Tanzania's Mixed Migration Unit.³⁴¹ This demonstrates what the IOM referred to as a "growing strategic cooperation" between the IOM and EU.³⁴² This study does not present an exhaustive list of all collaborative measures but rather highlights the significant role that the EU plays in supporting UNHCR and IOM mixed migration discourse and action. Such investment demonstrates that the EU conceptualises many of the challenges it faces with regards to migration and refugee protection through the framework of mixed migration.

The Challenge of Mixed Migration beyond the EU's Borders

This dynamic also plays out in the EU's involvement in addressing mixed migration beyond its borders. As Loescher and Milner note in their article 'The Missing Link', that although "we may prefer to focus our attention closer to home" the issue of irregular mixed migration does not allow for the EU to disengage from the "conditions" within the source regions that are causing these mixed flows.³⁴³ In this regard, the Horn of Africa in particular has received increasing attention as a source region for mixed flows. Many of those making their way across the Mediterranean to the EU's borders are of Eritrean and Somali nationality.³⁴⁴ In 2013, the UNHCR reported that of the 32,000 irregular migrants who arrived on Italy's shores, 7,500

³³⁸ Ibid., 5.

³³⁹ Rigoni, "Management of mixed migration and asylum challenges beyond the European Union's eastern border," European Parliamentary Assembly (April 2013), 4.

³⁴⁰ "FAQ on EU-IOM strategic partnership," July 2012, (accessed June 2014) http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/2013/docs/20130502_eu_iom_faq_en.pdf.

³⁴¹ IOM, "Tanzania's Mixed Migration Unit," 2012, (accessed July 2014) <https://www.iom.int/files/live/sites/iom/files/Country/docs/IOM-Info-Sheet-MMU-221012-Final.pdf>

³⁴² IOM, "Recommendations to the Danish Presidency of the Council of the European Union," January – June 2012, (accessed June 2014). http://www.emnbelgium.be/sites/default/files/attachments/iom_recommendations_to_danish_presidency_final.pdf

³⁴³ Loescher and Milner, "The Missing Link," 23.

³⁴⁴ Gavin Hewitt, "Italy boat sinking: Hundreds feared dead off Lampedusa," *BBC Online*, October 3rd 2013. (accessed June 2014), <http://www.bbc.com/news/world-europe-24380247>.

were Eritrean.³⁴⁵ Consequently, EU efforts to address mixed migration at its source has manifested through support for the UNHCR and IOM's conferences, projects and Mixed Migration 10-Point Plan of Action. However, Alexander Betts argues that the amount of funding that has been invested by the EU in source regions with the purpose of addressing irregular migration is "tokenistic" in comparison to the funding spent on border control and bilateral agreements.³⁴⁶

Despite this support, there are limitations to the EU's funding. The UNHCR noted that one of its 2010 project proposals was unsuccessful as the European Commission indicated "informally" that it would not finance the project since it did not meet the EU's "new preference for funding regional rather than Headquarters-level activities".³⁴⁷ Such examples demonstrate that the EU, to some degree, influences UNHCR and IOM discourse and action relating to mixed migration. This dynamic was further demonstrated by the 2010 UNHCR and IOM joint report which remarked that research on mixed migration has "tended to focus on irregular arrival in North Africa and Southern Europe as much of the funding comes from the EU or EU-based organisations".³⁴⁸ Consequently, the two organisations argued that this has left a research deficit on source-regions and mixed migration within the Global South. In response, UNHCR and the IOM called for a more concerted effort to fund research on the source-regions themselves.³⁴⁹ This highlights that influence is a two-way dynamic. While UNHCR and the IOM created the discourse of mixed migration with which the EU actively engages, the EU's role as funder gives it considerable power to influence UNHCR and IOM mixed migration action. Therefore, the EU cannot be seen as simply adopting and receiving the discourse and responses to mixed migration as problematized by UNHCR and the IOM. Instead it is also contributing to how mixed migration is viewed, understood and even addressed by directing its funding towards specific proposals.

However, it is ultimately the UNHCR and IOM constructed discourse of mixed migration that has helped to shape EU perception of its current challenges within the field of migration and refugees. As demonstrated in official speeches and documents, this terminology now pervades EU debates. For example, the numerous references to the "immense challenges of

³⁴⁵ Traynor, Davies and Stephen, "EU urged to tackle boat people crisis in Mediterranean," (accessed July 2014), <http://www.theguardian.com/global-development/2013/oct/13/eu-boat-people-crisis-mediterranean>.

³⁴⁶ Betts, 'Towards a Mediterranean Solution' (2006), 664.

³⁴⁷ Howe, "Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned," UNHCR (2012), 25.

³⁴⁸ UNHCR and IOM, "A long and winding road," 4.

³⁴⁹ Ibid., 4.

mixed migration” in the speech by EU Special Envoy Michele Cervone d'Urso at the Regional Conference on Refugee Protection and International Migration in the Gulf of Aden provide insight into the use of this discourse within the European Union.³⁵⁰ The adoption of this terminology speaks to UNHCR and the IOM's ability to shape a phenomenon in a specific way through discourse.³⁵¹ The impact has been tangible. Mixed migration discourse has translated into real action through the numerous UNHCR and IOM mixed migration initiatives supported by the EU. One such example is the ‘UNHCR's 10-Point Plan in Central America, Western Africa, Eastern Africa and Asia’ which is funded by the European Union.³⁵² Moreover, numerous EU policy documents make reference to the challenges of mixed migration. The report by the EU Committee on Migration, Refugees and Displaced Persons to the EU Parliamentary Assembly uses the language of mixed migration to encapsulate the difficult balance the EU faces in regulating its borders and protecting human rights.³⁵³

Moreover, the collaboration in the field of mixed migration between UNHCR, the IOM and individual EU member-states is frequently cited. While beyond the scope of this study, it is worth further investigation into how individual states are responding to the mixed migration problematic. Another area of interest is the EU Italian presidency from July – December 2014. As Italy is particularly impacted by mixed migration, the Italian presidency could prove a time for further collaboration between these three actors in addressing mixed migration. However, it will take time to understand if EU leadership under the Italians will have any direct impact on mixed migration discourse and action. This study will turn to examine how the dynamics explored above plays out in practice. The Regional Mixed Migration Secretariat, based in Nairobi, Kenya, is taken as a case study through which to investigate this further.

³⁵⁰ Michele Cervone d'Urso, “Regional Conference on Refugee Protection and International Migration in the Gulf of Aden,” (2008), 2.

³⁵¹ Merlingen, “Governmentality: Towards a Foucauldian Framework for the Study of IGOs,” 367.

³⁵² UNHCR, “UNHCR's 10-Point Plan in Central America, Western Africa, Eastern Africa and Asia – a three-year project,” (2010), 1.

³⁵³ Rigoni, “Management of mixed migration and asylum challenges beyond the European Union's eastern border,” European Parliamentary Assembly (April 2013), 4.

IV Case Study: Regional Mixed Migration Secretariat

In trying to address the concerns regarding mixed migration from Sub-Saharan Africa to the EU, Alexander Betts posed the question “who is coming, and why?”³⁵⁴ This is one of the key issues facing all stakeholders trying to contend with the multi-level challenges caused by mixed migration. Many initiatives have been established to provide insight into these flows as well as to propose strategic responses. Bram Frouws, a migration researcher and independent consultant, noted during an interview that the term mixed migration has special resonance with the reality of migratory movement within and from the Horn of Africa.³⁵⁵ This region encompasses the countries of Ethiopia, Djibouti, Eritrea and Somalia and is geographically situated at the most eastern point of the African continent.³⁵⁶ The following chapter will first briefly describe migration flows from the Horn of Africa as an example of mixed migration. It will then turn attention to the founding of the Regional Mixed Migration Secretariat (RMMS). The organisation will act as a case study into how the concept of mixed migration and surrounding debate is manifesting in concrete action. This investigation will also provide insight into how UNHCR and IOM led projects are being supported by the EU and how this dynamic plays out in practice.

Dynamics of Mixed Migration in the Horn of Africa

Recent data illustrates the increasing levels of migration both within and from the Horn of Africa. This is often driven by political, economic, environmental, health and cultural factors.³⁵⁷ Many leave the region through the identified four primary routes: the western route via Sudan, into Libya and across the Mediterranean; the northern route through Egypt and into Israel (severely restricted since mid-2012); the southern route down towards South Africa; and the eastern route to Yemen and Saudi Arabia (restricted since November 2013).³⁵⁸

Instability in Eritrea is one source for mixed migration within and outside of the region. In one month, it is estimated that approximately 4000 Eritreans flee the country.³⁵⁹ Many end up in the Sudan and Ethiopia, with the two neighbouring countries registering 80,000 Eritrean

³⁵⁴ Betts, “Towards a Mediterranean Solution? Implications for the Region of Origin,” (2006), 656.

³⁵⁵ Bram Frouws (Independent Research Consultant for Regional Mixed Migration Secretariat) interviewed by Caitlin Vito, January 30th 2014.

³⁵⁶ Encyclopaedia Britannica Online, “Horn of Africa,” (accessed July 2014)
<http://www.britannica.com/EBchecked/topic/8135/Horn-of-Africa>

³⁵⁷ IOM, “Dimensions of Crisis on Migration in Somalia,” Working Paper (February 2014), 17.

³⁵⁸ Regional Mixed Migration Secretariat, “The Letter of the Law: regular and irregular migration in Saudi Arabia in a context of rapid change,” (April 2014), 11.

³⁵⁹ UNfeed, “Eritrea Human Right: UN Special Rapporteur on the situation of human rights in Eritrea,” June 2014, (accessed June 2014), <http://www.unmultimedia.org/tv/unifeed/2014/06/geneva-eritrea-human-rights/>.

refugees each.³⁶⁰ Ethiopia is an important host-country in the region. As of June 2014 it had registered 407,646 refugees and asylum seekers.³⁶¹ This number has jumped from 290,250 in 2011.³⁶² Refugee camps in Ethiopia have also been a source of onward movement, with some people leaving the camps for destinations outside of the region. Meanwhile, Somalia hosts roughly 13,000 mostly Ethiopian refugees.³⁶³ However, the political instability and lack of overall security in Somalia has made it also a significant source for refugees and migrants. With a 60% youth unemployment rate, many Somalis decide to move to the Middle-East, North Africa or Europe to seek safety and greater employment opportunity.³⁶⁴ Due to the continuing instability in Somalia, as of 2013 neighbouring states hosted over 1,000,000 Somali refugees.³⁶⁵ The high levels of migration in the region have also made it a particularly lucrative business and human trafficking and smuggling have become key concerns.³⁶⁶

Volatility in the Horn of Africa is impacting other regions, including South Africa, the Gulf States, North Africa and Europe. For example, an IOM report highlighted that in 2012 over 14,000 Somalis applied for asylum in the European Union, many of whom arrived to the EU through irregular channels.³⁶⁷ Many people from the Horn of Africa also moved eastwards through Yemen to the Gulf States in the hopes of finding work or asylum. Recently however, usual channels towards the Middle East have been disrupted as Saudi Arabia, a main destination-point for employment, cracked-down on all irregular migrants in November 2013. This resulted in a mass repatriation of nationals forced to return from Saudi Arabia.³⁶⁸ For example, since November 2013 the Ethiopian government and the IOM Special Liaison Office in Addis Ababa have together repatriated over 150,000 Ethiopian migrant workers expelled from Saudi Arabia.³⁶⁹ Since the original factors driving migration remain however, this event will not stem the flow of people leaving the country. Speaking with Michael Adams, Director of the Danish Refugee

³⁶⁰ Regional Mixed Migration Secretariat, "Country Profile: Eritrea," (accessed June 2014), <http://www.regionalmms.org/index.php?id=14>

³⁶¹ UNHCR, "2014 UNHCR Country Profile – Ethiopia," (accessed June 2014) <http://www.unhcr.org/pages/49e483986.html>

³⁶² Regional Mixed Migration Secretariat, "Migrant Smuggling in the Horn of Africa and Yemen: the social economy and protection risks," (2013), 17.

³⁶³ Ibid., 16.

³⁶⁴ Regional Mixed Migration Secretariat, "Country Profile: Somaliland," (accessed June 2014), <http://www.regionalmms.org/index.php?id=18>

³⁶⁵ Regional Mixed Migration Secretariat, "Migrant Smuggling in the Horn of Africa and Yemen: the social economy and protection risks," (2013), 16.

³⁶⁶ Ibid, 16.

³⁶⁷ IOM, "Dimensions of Crisis on Migration in Somalia" (February 2014), 13.

³⁶⁸ Ahmed Maher, "Saudi crackdown on illegal workers sparks heated debate," November 29th 2013 <http://www.bbc.com/news/world-middle-east-25127368>

³⁶⁹ IOM, "Ethiopian returnees from Saudi Arabia top 151,000," *Special Liaison Office in Ethiopia*, 2013, (accessed June 2014). <http://iomethiopia.org/news/138-ethiopian-returnees-from-saudi-arabia-top-151000.html>.

Council in Ethiopia (DRC), it was noted that many of the returnees from the Gulf States to Ethiopia will likely try to migrate again.³⁷⁰

As illustrated briefly above, the combination of high political insecurity, poor employment opportunities, coupled with rapidly growing populations have created an environment in which forced and voluntary migration are highly prevalent in the region. It remains unknown, however, the exact number, motives and overall situation of the people migrating. This information deficit is mentioned by most migration reports on the region as a key factor hindering effective responses to mixed migration.³⁷¹ Consequently there have been recent efforts to develop platforms through which stakeholders can share data and coordinate responses. These efforts speak to recommendations made by the UNHCR 10-Point Plan of Action. As Points 1 and 2 in the Action Plan focus on ‘Cooperation among Key Partners’ and ‘Data Collection and Analysis’, these two elements are seen as pivotal to any comprehensive response to mixed migration.³⁷² Within a region where mixed migration is highly prevalent but, where there is a general lack of information, steps have been taken to fill this knowledge gap and facilitate stakeholder collaboration.

The Regional Mixed Migration Secretariat (RMMS)

Within this dynamic the Regional Mixed Migration Secretariat (RMMS) was established in 2011. The RMMS was formed in response to key recommendations made during the Regional Conferences on mixed migration in the Gulf of Aden that were held in Yemen (2008) and Djibouti (2009).³⁷³ These were attended by various agencies and authorities from the region and international community.³⁷⁴ The conference was convened by UNHCR in cooperation with the Mixed Migration Task Force Somalia and was funded by the European Commission.³⁷⁵ One of the objectives of the gathering was to forge a regional platform that would help form a long-term plan of action on refugee protection and mixed migration from the Horn of Africa through the

³⁷⁰ Michael Adams (Country Director Ethiopia, Danish Refugee Council) interview by Caitlin Vito, January 27th 2014.

³⁷¹ IOM, “Dimensions of Crisis on Migration in Somalia,” (2014), 21

³⁷² UNHCR, “Refugee Protection and Mixed Migration: A 10-Point Plan of Action,” (2007), 1.

³⁷³ Bram Frouws, Email Communications, June 6th 2014.

³⁷⁴ Ibid.

³⁷⁵ UNHCR, “Regional Conference on “Refugee Protection and International Migration in the Gulf of Aden,” May 2008, (accessed June 2014), <http://www.unhcr.org/4a252c786.html>.

Gulf of Aden.³⁷⁶ It called on actors to come together to “discuss...the humanitarian challenges involved in the increasing number of refugees and migrants traveling through the Horn”.³⁷⁷

The participants of the Regional Conference concluded that a nodal-point was required to help coordinate stakeholder responses. While the Mixed Migration Task Force (MMTF) formed in 2007 was given as an example of a regional ‘best practice’ model, the MMTF was seen as unable to become a coordinating figure among agencies.³⁷⁸ Therefore, a “coordination mechanism” was required to provide systematic “linkages and information-sharing” among actors in the region.³⁷⁹ Such a tool would allow for stakeholders to take a more offensive approach to the challenges of mixed migration, as opposed to one which was “primarily reactive”.³⁸⁰ This tool would assist in forming a “comprehensive regional strategy” towards mixed migration.³⁸¹ The critical concern for the high death rates among migrants crossing from the Horn of Africa through the Gulf of Aden to Yemen was a key driving factor in the push for such a platform.³⁸²

However, it was not until a meeting in Djibouti in March 2011 that the concept of a regional mixed migration platform was put into practice.³⁸³ The meeting was called to specifically consult on the establishment of the Regional Mixed Migration Secretariat. Thereafter, the RMMS developed in relatively quick succession.³⁸⁴ Following the March 2011 meeting, a Secretariat Coordinator was hired by June 2011 and in mid-July the Secretariat formally commenced its work.³⁸⁵ Moreover, it is worth noting that the RMMS came to fruition around the time of the Arab Spring. This event in North Africa sent many people, some of whom were originally from the Horn of Africa, fleeing the conflict to Europe. This brought the issue of irregular migration to international attention and made it of immediate concern within the EU. Although no direct connection is made between the two events, one can speculate that the upsurge in irregular mixed migration placed added impetus for the creation of a platform that would address mixed migration in their source-regions. Thus, plans for a regional organisation were put into practice.

³⁷⁶ Ibid.

³⁷⁷ UNHCR, “Regional Conference on Refugee Protection and International Migration in the Gulf of Aden: Summary Report,” (2008), 1.

³⁷⁸ Ibid.

³⁷⁹ Mixed Migration Task Force. “Mixed Migration through Somalia and across the Gulf of Aden,” April 2008, 20.

³⁸⁰ Ibid.

³⁸¹ Regional Conference for the Gulf of Aden, ‘Summary Report’ 3

³⁸² Chris Horwood (Director of the Regional Mixed Migration Secretariat), interview by Caitlin Vito, June 18th 2014.

³⁸³ Bram Frouws, Email Communications, June 6th 2014.

³⁸⁴ Ibid.

³⁸⁵ Ibid.

The RMMS presents itself as a key element working as part of a broader mixed migration protection strategy focused on the human rights, protection and the assistance of migrants moving within and from the Horn of Africa and Yemen.³⁸⁶ The organisation has been cited as an example of how “multi-stakeholder bodies working on these issues, such as the Regional Mixed Migration Secretariat... can also play a supporting role - providing policymakers with analysis on migration dynamics and facilitating data exchange among states and other stakeholders”.³⁸⁷ The regional focus of the RMMS also adds a unique dimension to its work as it is presented as a regional hub in which critical coordination, analysis, information management, advocacy and data synthesis take place.³⁸⁸ In this capacity, RMMS connects key actors who would be otherwise unlikely to engage with one another directly.³⁸⁹ Its unique role was reaffirmed in 2013 during the Regional Conference in Yemen which called for an “enhanced role and capacity” for the RMMS as an instrument of regional and international cooperation.³⁹⁰ However, discussions with the Director of the RMMS, Chris Horwood, reveal that as of June 2014 no efforts have been made to act on these statements.³⁹¹

Both UNHCR and the IOM are on the Steering Committee of the RMMS, as is the Danish Refugee Council (DRC). The other members of the Steering Committee include Intersos and the Mixed Migration Task Force of Yemen and one donor representative which in the first two years has been the Swiss Development Cooperation (SDC).³⁹² The current director of the RMMS is Chris Horwood and the office is composed of a two Project Officers, both of whom are based in Nairobi.³⁹³ A Project Manager is now based in Ethiopia and there is a Senior Independent Research Consultant based in Nairobi. The RMMS has also recently hired a Project Manager for its new project 4Mi (Mixed Migration Monitoring Mechanism Initiative) which works to collect data on the clandestine movement of mixed migrants in the region.³⁹⁴ Thus, while the office is growing, it still remains relatively small. Although the RMMS does not have a strategic document or mission statement, its website lays out clearly the objectives of the

³⁸⁶ Regional Mixed Migration Secretariat Online, “About: RMMS,” (accessed June – July 2014) <http://www.regionalmms.org/index.php?id=59>;

³⁸⁷ UNHCR, “Refugees and Asylum-Seekers in Distress at Sea – how best to respond?” Expert Meeting in Djibouti 2011, 6-7th (accessed June 2014), <http://www.refworld.org/pdfid/4ede0d392.pdf>.

³⁸⁸ Regional Mixed Migration Secretariat Online, “About: RMMS,” (accessed June – July 2014) <http://www.regionalmms.org/index.php?id=59>;

³⁸⁹ UNHCR, “RMMS: Presentation: Structure and role of RMMS, Movement in the region, Research initiative,” Slide 8 2012, (accessed June 2014) <http://www.unhcr.org/4ef337879.pdf>.

³⁹⁰ Regional Conference on Asylum and Migration, “Sana’a Declaration,” November 11-13 2013, 5.

³⁹¹ Chris Horwood (Director of the Regional Mixed Migration Secretariat), interview by Caitlin Vito, June 18th 2014.

³⁹² Regional Mixed Migration Secretariat Online, “About: RMMS,” (accessed June – July 2014) <http://www.regionalmms.org/index.php?id=59>;

³⁹³ Bram Frouws, Email Communications, June 6th 2014.

³⁹⁴ Ibid.

organisation: to support and coordinate; synthesise and analyse research; information and data management as well as advocacy.³⁹⁵ As an “agent provocateur” in the area of mixed migration, the RMMS sees its role as a combination of raising awareness as well as being a source and platform for information sharing.³⁹⁶

The RMMS presents its understanding of the term mixed migration on its website by referencing the definitions provided by UNHCR and the IOM.³⁹⁷ The prominence given to both definitions reflects the RMMS’s development under the auspices of UNHCR and the IOM. In speaking with the RMMS Director, Chris Horwood, he noted that the RMMS understands two types of ‘mixedness’ in migration flows. This refers to both the different groups of people using the same channels as well as the mixed and evolving motives for migration.³⁹⁸ Moreover, Horwood commented that mixed motives are frequently witnessed in the Horn of Africa. People fleeing conflict and persecution are also likely to have fled due to poor economic situations, a lack of opportunities as well as the influence of friends and relatives who encourage migration and point to others who have successfully made the journey.³⁹⁹

Furthermore, the Regional Mixed Migration Secretariat oversees an extensive and frequently updated website. This speaks to its role as a region-wide platform on issues related to mixed migration. The website is configured as a central data bank for relevant mixed migration documents and multi-media sources. Moreover, it offers ‘Country Profiles’ on Djibouti, Ethiopia, Eritrea, Putland, Somaliland, Somalia-South-Central and Yemen. Due to their key links as destination countries for mixed migration, the RMMS also provides country profiles of Saudi Arabia and Israel.⁴⁰⁰ In addition, the website offers monthly summaries of mixed migration trends in the Horn of Africa and Yemen. Under the ‘Resources’ section of the website, anyone can access key documents pertaining to mixed migration, such as the 1951 Convention, 1967 Protocol and the Universal Declaration of Human Rights. Reflecting the organisation’s objective to be a source of synthesised information, the RMMS provides alongside each of these seminal documents an analysis on how and why these materials are pivotal to understanding and

³⁹⁵ Regional Mixed Migration Secretariat Online, “About: RMMS,” (accessed June – July 2014) <http://www.regionalmms.org/index.php?id=59>; Bram Frouws, Email Communications, June 6th 2014.

³⁹⁶ Regional Mixed Migration Secretariat Online, “About: RMMS,” (accessed June – July 2014); <http://www.regionalmms.org/index.php?id=59>; Swiss Development Cooperation (accessed July 2014), http://www.sdc.admin.ch/en/Home/Projects/Project_Detail?projectdbID=224404#form2

³⁹⁷ Regional Mixed Migration Secretariat Online, “What is Mixed Migration?” (accessed June – July 2014) <http://www.regionalmms.org/index.php?id=60>

³⁹⁸ Chris Horwood (Director of the Regional Mixed Migration Secretariat), interview by Caitlin Vito, June 18th 2014.

³⁹⁹ Ibid.

⁴⁰⁰ Regional Mixed Migration Secretariat Online, “Country Profile: Kingdom of Saudi Arabia?” (accessed June – July 2014) <http://www.regionalmms.org/index.php?id=21>.

addressing mixed migration.⁴⁰¹ Moreover, their website features articles profiling individual migrants, as well as a section on ‘Media Watch Listings’ where an assortment of mixed migration articles from various online sources from around the world are offered.⁴⁰² Maps of the region with explanations of migration flows are also available. The wide array of materials and its understandable structure makes the information on its website accessible to a broad audience. Their succinct overview on relevant documents, reports, news and media demonstrates the RMMS’s conscious effort to be a nodal point to whoever requires information on mixed migration. Furthermore, the working language of the website is English which again speaks to its transnational design.

The RMMS’s role as a resource for a broad range of regional and international stakeholders is also supported by the fact that its monthly reports are distributed now to over 1,200 “agencies, academic institutions, donors, embassies, journalists, government officials/ departments, international and multi-national organisations and related non-government organisations”.⁴⁰³ This out-reach has grown significantly. In July 2012 the RMMS’s monthly updates were sent to 520 agencies.⁴⁰⁴ The organisation’s relevance in the region with major stakeholders was also apparent while undertaking research for this study. During discussions on mixed migration one official from the EU Delegation to Ethiopia made reference to the RMMS’s report ‘Migrant Smuggling in the Horn of Africa and Yemen’ published June 2013. The RMMS reports were also referred to by an official from the International Labour Organisation’s office in Addis Ababa, Ethiopia.⁴⁰⁵ With a wide audience, among which are some of the major stakeholders, the RMMS can also be seen as holding significant influence in regional mixed migration discourse. The RMMS notes that it makes its “own independent editorial decisions as to what sections and what data is included” in the monthly updates as well as other materials it

⁴⁰¹ Regional Mixed Migration Secretariat Online, “Resources” (accessed June – July 2014)
<http://www.regionalmms.org/index.php?id=4>

⁴⁰² Regional Mixed Migration Secretariat Online, “Mediawatch Listings” (accessed June – July 2014)
<http://www.regionalmms.org/index.php?id=36>

⁴⁰³ Regional Mixed Migration Secretariat, “Regional Mixed Migration Summary for April 2014,” 5, (accessed July 2014),
http://www.regionalmms.org/fileadmin/content/monthly%20summaries/April_2014_RMMS_Monthly_Summary.pdf.

⁴⁰⁴ Regional Mixed Migration Secretariat, “Regional Mixed Migration Summary for July 2012,” 5, (accessed June – July 2014), 5.
http://www.regionalmms.org/fileadmin/content/monthly%20summaries/RMMS_Monthly_Summary_July_2012.pdf

⁴⁰⁵ Aida Awel (Chief Technical Adviser on Domestic Migrant Workers, ILO Country Office for Ethiopia and Somalia) interview by Caitlin Vito, January 27th 2014; Birgitte Hagelund (Governance and Civil Society, EU Delegation to Ethiopia), interview by Caitlin Vito, January 17th 2014.

provides.⁴⁰⁶ Thus, information received by EU, UN and other officials is, to some extent, influenced by the RMMS's decisions as to the content of its reports.

Moreover, with staff participating in high profile meetings as well as speaking at regional and national conferences, the RMMS is active in key forums addressing mixed migration.⁴⁰⁷ Chris Horwood remarks that their reports reach a wide audience, including officials both within and outside the region. They are widely circulated and have become a key reference point for many actors.⁴⁰⁸ This makes the RMMS one of the main authorities in the region on mixed migration. Horwood states that this is because it is the only institution of its kind specifically focusing on the Horn of Africa and Yemen and now extending its analysis to Egypt, Libya, Saudi Arabia and Israel.⁴⁰⁹ It has the added benefit of being located in the region in Nairobi, Kenya.

Thus, the RMMS can be seen as filling the knowledge vacuum on mixed migration in this region. Moreover, the RMMS takes on a collaborative and research intensive role that other organisations, such as UNHCR, do not have the “resources to develop” further.⁴¹⁰ Its contribution was highlighted during the Regional Conference on Asylum and Migration in Sana’a, Yemen held November 2013. The current UNHCR Director of International Protection, Volker Türk, stressed the importance of collaboration and stated that “the Regional Mixed Migration Secretariat... [is] already a key actor in data collection, profiling, communication and information-sharing”.⁴¹¹ He urged stakeholders to “commit to supporting the development of such institutions”.⁴¹²

Moreover, the RMMS's data analysis is rooted in an approach based on protection and assistance. This approach contrasts with the majority of migration analysis which Geiger and Pécoud argue is security and border control focused.⁴¹³ Thus far, the RMMS has published

⁴⁰⁶Regional Mixed Migration Secretariat, “Regional Mixed Migration Summary for April 2014,” (accessed July 2014), 5.

http://www.regionalmms.org/fileadmin/content/monthly%20summaries/April_2014_RMMS_Monthly_Summary.pdf

⁴⁰⁷ Chris Horwood (Director of the Regional Mixed Migration Secretariat), interview by Caitlin Vito, June 18th 2014.

⁴⁰⁸ Ibid.

⁴⁰⁹ Ibid.

⁴¹⁰ Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned,” UNHCR (2012), 23.

⁴¹¹ UNHCR. “Statement by Volker Türk,” Regional Conference on Asylum and Migration from the Horn of Africa to Yemen: Opening Statement. November 11-13th 2013. 3 (accessed June 2014), <http://www.unhcr.org/52838dd19.html>

⁴¹² Ibid., 3.

⁴¹³ Geiger and Pécoud, “International Organisations and the Politics of Migration,” (2013), 876; Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned,” UNHCR (2012), 23.

numerous reports on mixed migration from the Horn of Africa and Yemen. While these in-depth reports touch on a variety of subjects, from policies on mixed migration in the Horn of Africa and Yemen to future migration scenarios, one of the most recent reports published in June 2014 turns its focus to westward migration flows. The research and writing of the report ‘Going West: contemporary mixed migration trends from the Horn of Africa to Libya and Europe’ was funded by the European Commission and British Foreign and Commonwealth Office. However, the report makes clear that the contents do not reflect the views of the FCO or the EC.⁴¹⁴ The EU’s direct support for this report points to a certain level of investment and interest in producing data and analysis on mixed migration in the region with a special emphasis on flows heading towards the EU.

This report also hints at a recent shift in the RMMS’s orientation and focus. Originally, the organisation had a primary focus on migration flows across the Gulf of Aden into Yemen and into the Gulf States.⁴¹⁵ A secondary focus was given to the Western route through Sudan, to North Africa and potentially further onward to Europe. However, its attention appears to be shifting towards a greater emphasis on westward movements to Europe. The ‘Going West’ report states that the focus on migration westward is due to significant trends reported in the region of people deciding to take the westward route.⁴¹⁶ As routes to the Gulf States were cut off in November 2013, the RMMS argues that “alternative routes of migration will swell” as the impetus to migrate still remains.⁴¹⁷ People migrating from the Horn of Africa will therefore increasingly turn to the “southern route towards South Africa as well as the western route through Libya to Europe”.⁴¹⁸ This shift in focus was confirmed speaking with Chris Horwood. He noted that the RMMS is evolving from an organisation primarily looking towards Yemen and the Gulf States to one which investigates flows from the Horn of Africa to all receiving regions. Horwood stated that since migrants from the Horn of Africa are migrating towards all points of the compass, the RMMS’s area of focus has extended to cover western, southern, northern as well as the eastern routes.⁴¹⁹

⁴¹⁴ Ibid., 1.

⁴¹⁵ Regional Mixed Migration Secretariat Online, “About: RMMS,” (accessed June – July 2014) <http://www.regionalmms.org/index.php?id=59>.

⁴¹⁶ Regional Mixed Migration Secretariat, “Going West: contemporary mixed migration trends from the Horn of Africa to Libya & Europe,” (June 2014), 12.

⁴¹⁷ Ibid., 12.

⁴¹⁸ Regional Mixed Migration Secretariat, “Law of the Land: regular and irregular migration in Saudi Arabia in a context of rapid change,” (April 2014), 11.

⁴¹⁹ Chris Horwood (Director of the Regional Mixed Migration Secretariat), interview by Caitlin Vito, June 18th 2014.

Another shift that Horwood stresses is that there is a growing intensity in the level of migration and ‘mixedness’ of the flows.⁴²⁰ Horwood argued that in this region the main driver of migration is inequality. This can be in terms of social, economic or health inequality or inequalities in employment opportunities, individual freedom, security and education.⁴²¹ This reality, coupled with the unprecedented speed with which knowledge is spread, has created a dynamic of intense mixed migration flows. This is a unique and influential factor of the current era of migration.⁴²² He argues that such a situation presents a complex field for the Global North to navigate.⁴²³ More than ever, it must anticipate mixed migration and must respond accordingly. Horwood contends that the Horn of Africa will remain a significant source-region for mixed migration.⁴²⁴ As such, the proper instruments and policies must be put in place to address the complex web of issues arising from this dynamic.

The Role of UNHCR, the IOM and EU

The challenges of mixed migration have created key concerns for UNHCR and the IOM in the region. Their roles on the RMMS’s Steering Committee can be seen as one facet of their efforts to navigate this complex field. However, in the day-to-day activities of the RMMS, the two international organisations provide the RMMS with considerable scope. The Director of the RMMS noted that while both international organisations are part of the Steering Committee of the RMMS, they have little day-to-day control or management of the organisation. The Steering Committee of RMMS meets every six months in which the RMMS briefly outlines its current projects and where other agencies, including UNHCR and the IOM have an active chance to guide the direction of RMMS’s work.⁴²⁵ The RMMS is not required to send final reports to the Steering Committee members and, overall, the RMMS has a high degree of independence. Chris Horwood also noted an interesting dynamic between the RMMS, UNHCR and the IOM whereby RMMS staff are regularly requested to assist UNHCR and the IOM in training activities. These are often in relation to trafficking, smuggling, international law and media training.⁴²⁶ While the Swiss Development Cooperation has been funding much of RMMS’s work, the other agencies play even less of a role in RMMS’s day-to-day activities.

⁴²⁰ Ibid.

⁴²¹ Ibid.

⁴²² Ibid.

⁴²³ Ibid.

⁴²⁴ Ibid.

⁴²⁵ Ibid.

⁴²⁶ Ibid.

This relatively hands-off approach has given the RMMS a considerable amount of liberty. Although being officially supervised by larger actors, it is an independent body while existing as a unit very much within the Danish Refugee Council's regional office. Within this structure, one can argue that the RMMS has the licence to speak on delicate issues with greater freedom than UNHCR or the IOM. As such, while UNHCR and the IOM can support the research and advocacy of the RMMS, they are also able to distance themselves from more controversial stands that the RMMS may take. One could argue that such a dynamic gives the RMMS the capacity to freely advocate. This appears to be a dynamic working for all actors involved.⁴²⁷

It was also noted that the organisation with which the RMMS works most closely is the NGO the Danish Refugee Council (DRC). The RMMS is located within the Danish Refugee Council's regional office for East and Horn of Africa based in Nairobi, Kenya.⁴²⁸ While a separate unit, the RMMS is under the administrative management of the DRC through which it receives administrative, procurement and logistical support.⁴²⁹ Moreover, the DRC is a key source for information sharing and research collaboration.⁴³⁰

The RMMS website also highlights that the European Union is a key funder. Its Director explained the organisation's specific appeal to the EU. The 2013 External Evaluation highlighted the efficiency of the RMMS as it is a small office which yet still effectively functions as a platform that both produces and collects information for stakeholders.⁴³¹ In addition, it is a collaborative endeavour which speaks to the EU's call for partnership among key actors in the sphere of mixed migration.⁴³² Ultimately, Chris Horwood notes that the EU's funding for the RMMS and other regional initiatives working on mixed migration stems from a long political process that originates in Brussels and in the political discussions within member-states.⁴³³ With regard to the challenges of mixed migration, these discussions have identified that 'something' needs to be done.⁴³⁴ Many call for action not only at the EU's borders but also within source-regions. One can understand then that funding the RMMS is part of the EU's response to such calls as it demonstrates that the EU is acting on this politically sensitive issue.

⁴²⁷ Ibid.

⁴²⁸ Email Communications, June 6th 2014.

⁴²⁹ Ibid.

⁴³⁰ Ibid.

⁴³¹ Chris Horwood (Director of the Regional Mixed Migration Secretariat), interview by Caitlin Vito, June 18th 2014.

⁴³² Ibid.

⁴³³ Betts, "A Mediterranean Solution? Implications for the Region of Origin," (2006), 654.

⁴³⁴ Chris Horwood (Director of the Regional Mixed Migration Secretariat), interview by Caitlin Vito, June 18th 2014.

This has translated practically into the European Commission's financial support for the RMMS. Its development was part of the EU's 2, 5 million Euro contributions (2010 - 2012) to projects working in the Horn of Africa focusing on migrant, refugee and asylum seeker protection.⁴³⁵ The Swiss Agency for Development and Cooperation (SDC) is another key funder of the RMMS. The SDC has allocated part of the 5,500,000 CHF to go towards the development of RMMS during the current 'Phase 2' stretching from July 1st 2013 – June 30th 2015. This forms part of the organisation's broader work on mixed migration.⁴³⁶ Other donors for specific RMMS reports have included the British Foreign Commonwealth Office and the Intergovernmental Authority on Development (IGAD).

However, speaking with Chris Horwood, it became apparent that the EU plays a relatively minor role in the RMMS's activities. While the EU has committed involvement to issues of migration, asylum and mixed migration, Horwood describes the EU as having a minimal presence in this region outside of ECHO, its humanitarian relief arm, which he indicated was very active.⁴³⁷ However, in the area of mixed migration in the Horn of Africa, he notes that the EU is not active to the same extent of UNHCR and the IOM.⁴³⁸ This is despite the many EU reports discussing the issue of mixed migration as well as the EU's considerable funding for research, conferences and various initiatives related to the mixed migration. While the EU does not actively engage in the work of the RMMS, its funding of the organisation does indicate its engagement in the mixed migration issue.

Therefore, through the efforts of UNHCR, the IOM, the EU and various other actors, the RMMS is now an active organisation addressing mixed migration in the Horn of Africa. Its presence can be seen as a direct result of a broader discourse initiated by UNHCR and promoted along with the IOM. Funding from the EU has helped to turn this discourse into concrete action. The following section will examine this dynamic through Foucault's theory of governmentality.

The RMMS provides an example of how the problematization of mixed migration by UNHCR and the IOM, with support from the EU, is resulting in concrete initiatives.

⁴³⁵ European Commission Memo, "EU action in the fields of migration and asylum," Press Release October 9th 2013, 12 (accessed July 2014) http://europa.eu/rapid/press-release_MEMO-13-862_en.htm.

⁴³⁶ Swiss Development Cooperation (accessed July 2014) http://www.sdc.admin.ch/en/Home/Projects/Project_Detail?projectdbID=224404#form2.

⁴³⁷ Chris Horwood (Director of the Regional Mixed Migration Secretariat), interview by Caitlin Vito, June 18th 2014.

⁴³⁸ Ibid.

Specifically, the RMMS provides an example of UNHCR's influence on discourse and action. It has refocused the energies of major actors around the concept of mixed migration. The IOM's presence on the Steering Committee of the RMMS reflects this, as does the EU's financial contributions. This discourse has now materialised into a fully operational organisation focused on mixed migration which appears influential in the field. Examined through the lens of governmentality, the RMMS demonstrates the power of discourse to formulate a 'political rationality' around which many major actors rally.⁴³⁹ While UNHCR initially constructed the mixed migration discourse, the RMMS highlights that the IOM and EU are also greatly contributing to the discussion and action on mixed migration.

However, in speaking with Chris Horwood it became clear that the RMMS is given considerable freedom by UNHCR, the IOM and the EU. Despite this hands-off approach, the fact that UNHCR and the IOM are on the Steering Committee of the RMMS highlights the central role of the two international organisations in the mixed migration action and discourse. In addition, the RMMS reflects the fact that UNHCR and the IOM are at the centre of much of the knowledge production surrounding mixed migration.

The RMMS also draws attention to the role of the EU in the mixed migration discourse as it is a key funder of the organisation. However, the EU's involvement, outside of ECHO, only appears to extend to funding. While on the one hand this provides the RMMS with considerable freedom, it also reflects a criticism levelled by Alexander Betts that despite EU's vocal interest in addressing migration issues outside of the EU's immediate sphere, its actual engagement remains negligible.⁴⁴⁰ While the RMMS promotes an approach to mixed migration that focuses on protection and assistance to people in mixed migration situations, many scholars argue that such an approach this is not mirrored in much of the EU's own practices towards irregular mixed migration.⁴⁴¹ The EU, some contend, has maintained a security focused approach that centres of border control. As irregular migration flows are often mixed, this may indicate that the mixed migration discourse is not shifting the EU's approach in practice despite its engagement in the mixed migration discourse. The recent French led initiative speaks to this observation. President Francois Hollande in June 2014 called for a "greater focus on the surveillance of Schengen's

⁴³⁹ Scheel and Ratfish, "Refugee Protection Meets Migration Management: UNHCR as a Global Police of Populations," (2013), 926.

⁴⁴⁰ Betts, "Towards a Mediterranean Solution? Implications for the Region of Origin" (2006), 653.

⁴⁴¹ Stephen Castles, "Why migration policies fail," *Ethnic and Racial Studies* vol. 27 no. 2 (2004), 220.

external borders” and for the EU to enhance its border security.⁴⁴² This may reflect broader limitations UNHCR and the IOM face in influencing EU policy.

Therefore, although they share the same discourse and initiatives on mixed migration, this is not necessarily translating into real policy shifts for the EU. Understanding why this is occurring would require examining the internal dynamics of the EU and individual member-states. This is beyond the scope of this study. However, it is interesting to note that on the one hand the EU has adopted UNHCR and the IOM discourse. This speaks to Merlingen’s analysis of international organisations “conducting the conduct” of countries or governance bodies.⁴⁴³ On the other hand, the control over conduct is not guaranteed and is subject to influences from internal and external factors alike. The RMMS can be seen as mirroring this broader dynamic.

The RMMS also provides insight into the role of NGOs in mixed migration discourse and action. The Danish Refugee Council, as one of the primary collaborators with the RMMS, is a case in point. The DRC shares resources, data and offices with the RMMS. One can speculate that even the physical proximity of the staff from the two organisations facilitates immense knowledge sharing. Thus, while the study examined the prominent roles of UNHCR, the IOM and the EU in mixed migration discourse, a fuller analysis will require the examination of the roles of NGOs. Moreover, as there are multiple stakeholders on the RMMS’s Steering Committee, this organisation reflects the emphasis placed on inter-agency collaboration by UNHCR.

One could also argue that this indicates a broader dynamic in which the UNHCR and the IOM must respond to a migration and refugee field populated by many new actors. Within the last decade the EU has established an array of organisations to address migration and refugee issues. These include FRONTEX (2004), the European Agency for Fundamental Rights (2007) and the European Asylum Support Office (2010).⁴⁴⁴ Alexander Betts highlights that the current “institutional proliferation” has a direct impact on UNHCR as the Refugee Office is “fundamentally redefining its strategy in order to become more relevant to Northern states”.⁴⁴⁵

⁴⁴² Euroactiv, “France campaigns for EU border guards,” June 26th 2014. (accessed July 2014), <http://www.euractiv.com/sections/global-europe/france-campaigns-eu-border-guards-303100>

⁴⁴³ Merlingen, “Governmentality: Towards a Foucauldian Framework for the Study of IGOs,” (2003), 362.

⁴⁴⁴ International Catholic Migration Commission, “MayDay! Strengthening responses of Assistance and protection to ‘boat-people and other migrants arriving in Southern-Europe,” (2011), 21.

⁴⁴⁵ Betts, *Institutional Proliferation and the Global Refugee Regime.* (2009), 53.

One could argue that UNHCR's focus on collaboration with other actors in addressing mixed migration is part of these efforts.

Therefore, examining the RMMS offers insight into the broader developments within the mixed migration discourse and it highlights some of the key actors involved. Moreover, it demonstrates the influence that UNHCR and the IOM exert through the establishment of a specific discourse. As Merlingen argues, this is a “molecular form of power”.⁴⁴⁶ This molecular power has concrete impact as it sets a discourse, formulates the ‘political rationality’ of mixed migration and has established a network of actors around this discourse. One could argue that the Regional Mixed Migration Secretariat is the concrete result of this process. While this is a simplified version of an obviously complex dynamic, the theory of governmentality does offer an overarching framework which provides one lens through which to understand how a concept established by UNHCR has manifested in concrete action in the Horn of Africa.

Conclusion

Despite being developed less than a decade ago, the term mixed migration now forms the basis for numerous strategies, projects and initiatives. As the development of the RMMS demonstrates, the mixed migration discourse has had a considerable impact on the understanding of issues concerning international migration and refugee protection. Examining the roles of UNHCR, the IOM and EU in the mixed migration discourse through the lens of Foucault's theory of governmentality allows one to explore the power dynamics that this discourse constructs. The scholars Siegfried Jäger and Florentine Maier define discourse as “an institutionalised way of talking that regulates and reinforces action and thereby exerts power”.⁴⁴⁷ It is an influential tool which is able to frame and influence modes of thinking, talking and acting.⁴⁴⁸ Thus, discourse can significantly shape perception and action towards a given subject or phenomena.⁴⁴⁹ Analysing the mixed migration discourse, one must pay attention to the frequency with which the term ‘mixed migration’ is used, with what concepts it is associated, the actors it targets as well as the actions it elicits.

⁴⁴⁶ Merlingen, “Governmentality: Towards a Foucauldian Framework for the Study of IGOs,” (2003), 362.

⁴⁴⁷ Siegfried Jäger and Florentine Maier, “Theoretical and methodological aspects of Foucauldian critical discourse analysis and dispositive analysis,” in *Methods for Critical Discourse Analysis Introducing Qualitative Methods Series*, ed. Ruth Wodak and Michael Meyer (London: SAGE Publications, 2009), 35.

⁴⁴⁸ Ibid., 35.

⁴⁴⁹ Ibid., 37.

Foucault's theory of governmentality offers a means of understanding how UNHCR's construction of the mixed migration discourse provides a particular framework through which to understand international migration and refugee protection issues. One of the founding UNHCR documents on mixed migration is the 2007 Mixed Migration 10-Point Plan of Action. As its title suggests, and the frequency of the term's use demonstrates, addressing the issues of mixed migration is a focal point for the Refugee Agency. The 10-Point Plan both problematizes mixed migration while also offering a systematic approach to address its challenges with a specific emphasis on refugee protection. Although developed by UNHCR, the 10-Point Plan is directed towards a wide range of actors. With purposefully general points of action, it stresses the "full cooperation amongst...affected states, governmental bodies, regional and international organizations with relevant mandates".⁴⁵⁰ The relevancy of the mixed migration discourse and 10-Point Plan of Action to a diverse array of actors constitutes a powerful element of this discourse. The result is that migration and refugee challenges for numerous stakeholders are framed through the mixed migration discourse. The various organisations on the Steering Committee of the RMMS reflect the mixed migration discourse's ability to draw in multiple actors.

The 10-Point Plan of Action also conveys a sense of urgency for multi-stakeholder cooperation, stressing the "imperative for the international community to address this phenomenon in a more coherent and comprehensive manner".⁴⁵¹ Thus, through official materials, such as the 10-Point Plan, UNHCR is able to convey the importance it attributes to mixed migration challenges and to encourage stakeholders to not only act, but to act quickly in implementing the prescribed approach.

Furthermore, the mixed migration discourse is connected to other influential discourses. This speaks to Jäger and Maier's description of the "entanglement of various discursive strands".⁴⁵² Mixed migration touches upon many strands of previously existing discourses, among which are human rights, migration management and state sovereignty. The 10-Point Plan of Action directly draws on the powerful human rights discourse. In this way, UNHCR is able to link state response to mixed migration with human rights, state "honour" and "collective interest".⁴⁵³ In addition, UNHCR ties state sovereignty into mixed migration challenges by

⁴⁵⁰ UNHCR, "Refugee Protection and Mixed Migration: A 10-Point Plan of Action," (2007), 1.

⁴⁵¹ Ibid., 1.

⁴⁵² Jäger and Maier, "Theoretical and methodological aspects of Foucauldian critical discourse analysis and dispositive analysis," 35.

⁴⁵³ UNHCR, "Refugee Protection and Mixed Migration: A 10-Point Plan of Action," 1.

making reference to the “legitimate concerns of states” over control of their borders.⁴⁵⁴ In a 2009 review of the 10-Point Plan, UNHCR highlights that one of the key “objectives” of the 10-Point Plan is to develop “migration strategies that address States’ legitimate sovereignty and security concerns, but that also consider human rights”.⁴⁵⁵ It argues that effectively responding to mixed migration will also address state sovereignty concerns.⁴⁵⁶ By connecting multiple discourse strands, UNHCR creates a “discursive plane” which draws on various discourses but where the emphasis is placed on refugee protection.⁴⁵⁷

As the primary architect of the concept of mixed migration, UNHCR plays an influential role in shaping the way in which society and governments “interpret reality” and subsequently “organise further discursive and non-discursive practices” to address mixed migration.⁴⁵⁸ This places UNHCR in a powerful position within the broader mixed migration discourse. To understand this dynamic, one can turn to Foucault’s analysis which highlights that a key “function of discourse is to legitimise and secure dominance”.⁴⁵⁹ Through this lens, one can interpret UNHCR’s framing of the mixed migration discourse as part of securing its position in the international governance of the refugee field. The 10-Point Plan of Action reinforces UNHCR’s leading role by emphasising the “ten key areas in which UNHCR has an interest and a potential role to play”.⁴⁶⁰ Thus, by establishing and guiding the mixed migration discourse, whose wide-spread acceptance is demonstrated by the term’s frequent use by key actors, the Refugee Agency is able to use this discourse to reaffirm its position among states, international organisations and other relevant actors.

It is important to note, however, that the power of this discourse is not based on the “removal of liberty or options available” to stakeholders.⁴⁶¹ Instead, Foucault argues that discourse forms an “empowerment” or “responsibilisation” in which one feels compelled to act.⁴⁶² Although governments, including the EU, ultimately act of their own free will, the specific construction of the mixed migration discourse produces a political rationality which guides government practices as to adhere to the model set by UNHCR, such as employing the 10-Point

⁴⁵⁴ Ibid., 1.

⁴⁵⁵ UNHCR, “Refugee Protection and Mixed Migration: The 10-Point Plan in Action,” (2009), 7.

⁴⁵⁶ Ibid., 1.

⁴⁵⁷ Jäger and Maier, “Theoretical and methodological aspects of Foucauldian critical discourse analysis and dispositive analysis,” 51.

⁴⁵⁸ Ibid., 37.

⁴⁵⁹ Ibid., 35.

⁴⁶⁰ UNHCR, “Refugee Protection and Mixed Migration: A 10-Point Plan of Action,” 2.

⁴⁶¹ Thomas Lemke, “Foucault, Governmentality, and Critique,” *Rethinking Marxism: A Journal of Economics, Culture & Society* vol. 14 no. 3 (2002), 5.

⁴⁶² Ibid., 5.

Plan of Action.⁴⁶³ Consequently, a “coordinated response to mixed migration influxes” has become a key part of the EU’s migration and refugee related policy.⁴⁶⁴ Moreover, the mixed migration terminology appears frequently in EU official documents. In a speech by EU Special Envoy Michele Cervone d’Urso, he references the “immense challenges of mixed migration” while highlighting the EU’s “continued support to implement the UNHCR’s 10-Point Plan”.⁴⁶⁵ Moreover, the EU’s adoption of the term is seen in its funding of mixed migration initiatives, such as the Regional Mixed Migration Secretariat and the implementation of UNHCR’s 10-Point Plan in Central America, Western Africa, Eastern Africa, and Asia.⁴⁶⁶ The UNHCR led mixed migration discourse is actively shaping EU vocabulary and action. This speaks to Rose and Miller’s observation that discourse is where “problems...are delineated and accorded significance”.⁴⁶⁷ It is through the mixed migration discourse that UNHCR is able, to some degree, to ‘conduct the conduct’ of states.⁴⁶⁸

However, the power generated by this discourse is not unlimited or one directional. Closer examination reveals that the EU also influences mixed migration discourse. As a key funder, the EU exerts control over which projects are implemented and what areas of research are further developed. This dynamic was noted in the UNHCR Review of the 10-Point Plan of Action in which it reported that a mixed migration project proposal was rejected by the EU and thus not further pursued.⁴⁶⁹ In contrast, the Regional Mixed Migration Secretariat was considered an ‘attractive’ project for the EU and it did receive funding.⁴⁷⁰ The RMMS is now a prominent actor in its field. The result has been an organisation which is highly focused on mixed migration in the Horn of Africa and Yemen. However, there may have been other projects with alternative focal points which did not receive EU funding and thus did not come to fruition. As such, the EU cannot be seen as simply receiving the mixed migration discourse as structured by UNHCR. By funding only certain projects, the EU wields significant influence over the data produced and initiatives developed.

⁴⁶³ Ibid., 5.

⁴⁶⁴ European Commission, “An open and secure Europe: making it happen,” COM 154 (2014), 2.

⁴⁶⁵ Michele Cervone d’Urso, “Regional Conference on Refugee Protection and International Migration in the Gulf of Aden,” (2008), 1.

⁴⁶⁶ UNHCR, “UNHCR’s 10-Point Plan in Central America, Western Africa, Eastern Africa and Asia – a three-year project,” (2010), 1.

⁴⁶⁷ Rose and Miller, “Political Power beyond the State: Problematics of Government,” 177.

⁴⁶⁸ Merlingen, “Governmentality: Towards a Foucauldian Framework for the Study of IGOs,” 362.

⁴⁶⁹ Howe, “Refugee Protection and International Migration: Achievements, Challenges, and Lessons Learned,” UNHCR (2012), 25.

⁴⁷⁰ Horwood interviewed (Director of RMMS), by Caitlin Vito, Skype/June 18th 2014.

Moreover, the IOM plays a significant role in promoting mixed migration discourse. The IOM places the concept of mixed migration at the centre of key official documents and reinforces the connections made by UNHCR between mixed migration and other discursive strands. The IOM's 2008 Ninety-Sixth Session Report links migration management, refugee protection and human rights by emphasising that "humane migration" in the context of mixed migration is best achieved through the "comprehensive management of mixed flows [which] gives effect both to refugee protection obligations and to migration management objectives".⁴⁷¹ Furthermore, the IOM echoes UNHCR's emphasis on the need for "collaborative" and "comprehensive" approaches to mixed migration.⁴⁷² The IOM's World Migration Report for 2010 links wider discourse on state sovereignty to mixed migration by highlighting the "ongoing challenges... to [state] sovereignty" posed by irregular mixed migration.⁴⁷³

Although the IOM does not have the power to direct state action, it is able through the mixed migration discourse to "encourage states to...address mixed migration flows", by emphasising its importance and interconnectedness with other pivotal issues.⁴⁷⁴ One can view the IOM's specific "play of statements" relating to mixed migration as providing it with a certain degree of governance and power over the practices of states.⁴⁷⁵ As such, the IOM is able to delineate its role alongside, but separate from UNHCR. In its mixed migration discourse, the IOM emphasises that the "vast majority" of people moving in mixed flows do not "fit" the refugee label and it stresses that the IOM's pivotal role lies in addressing the needs of this majority.⁴⁷⁶ This speaks to Foucault's analysis that the "fragile link" between government and those it governs relies on various mechanisms, such as discourse, to reinforce its legitimacy. Foucault describes this as the "art of governing".⁴⁷⁷ One could interpret the IOM's adoption and promotion of the mixed migration discourse as a means of reinforcing its own international role in the migration field.

The added value of exploring the mixed migration discourse through Foucault's theory of governmentality lies in its ability to navigate the power dynamics generated by this discourse

⁴⁷¹ IOM, "Challenge of Irregular Migration: Addressing Mixed Migration Flows Discussion Note," Ninety-Sixth Session Report on Addressing Mixed Migration Flows, (2008), 7.

⁴⁷² Ibid., 1.

⁴⁷³ IOM, "World Migration Report: Irregular Migration and Mixed Flows," 5.

⁴⁷⁴ IOM, "Challenge of Irregular Migration: Addressing Mixed Migration Flows Discussion Note," Ninety-Sixth Session, 3.

⁴⁷⁵ Michel Foucault, "Truth and Juridical Forms," in *Power: The Essential Works of Foucault 1954-1984*, ed. James Faubion, trans. Robert Hurley, (New York: New Press, 2001), 87.

⁴⁷⁶ IOM, "Challenge of Irregular Migration: Addressing Mixed Migration Flows Discussion Note," Ninety-Sixth Session, 2.

⁴⁷⁷ Foucault, "Governmentality," 205.

with regards to UNHCR, the IOM and the EU. It highlights how UNHCR and the IOM's direction of the mixed migration discourse enables the two international organisations to shape in what way migration and refugee challenges faced by governments, such as the EU, are perceived and addressed. Guided by Merlingen's extension of the theory of governmentality to international organisations, this study explores discourse as a tool used by international organisations in shaping government action. This offers a unique perspective on state and international organisation power relations as conventional international relations theories are often concerned with how states exert power over international organisations.⁴⁷⁸

It should also be noted that Foucault emphasises that the act of 'problematizing' a subject does not mean that this issue is purely constructed. Instead, it demonstrates that there is "precisely some real existent in the world which was the target of social regulation at a given moment".⁴⁷⁹ Thus, as stakeholders face complex challenges concerning international migration and refugee protection, terminology and discourse is developed to understand and address these issues. These discourses are not false but rather frame the phenomenon in a particular way.⁴⁸⁰ Awareness of this dynamic requires a degree of critical distance to be maintained when using specific discourses and corresponding terminology.

Moreover, following the "genealogy" of the mixed migration discourse, this study highlights how discourse and terminology are not static but are continually evolving.⁴⁸¹ By tracing the shift from the 'asylum-migration nexus' to 'mixed migration', one is able to witness how knowledge expressed through a particular discourse can shift over time.⁴⁸² Thus, it is likely that at some point in the future the concept of mixed migration will be replaced by new terminology and discourse. While the changing of terminology is not unique to the migration and refugee fields, it is essential to acknowledge the evolution and construction of these discourses as they structure the language, thought and action of scholars and practitioners in the migration and refugee fields. The language and conceptualisation of these phenomena must themselves be subject to critique as well as the actors, such as international organisations, who frame these discourses.

⁴⁷⁸ Antje Vetterlein, "The discursive power of international organisations," in *Analysing Social Policy Concepts and Language: Comparative and Transnational Perspectives* ed. Daniel Béland and Klaus Peterson (Bristol: Policy Press, 2014), 102.

⁴⁷⁹ Michel Foucault, "Discourse and Truth. The Problematization of Parrhesia," in Thomas Lemke, "Foucault, Governmentality, and Critique," *Rethinking Marxism: A Journal of Economics, Culture & Society* vol. 14 no. 3 (2002), 8.

⁴⁸⁰ Vetterlein, "The discursive power of international organisations," 102.

⁴⁸¹ Jäger and Maier, "Theoretical and methodological aspects of Foucauldian critical discourse analysis and dispositive analysis," 51.

⁴⁸² *Ibid.*, 51.

As a relatively recent concept, mixed migration deserves further attention as to how the mixed migration discourse is framed and specifically how it is shaping stakeholder thought and practice. As Foucault notes, a discourse's power lies in its ability to produce a certain reality and that this "reality induces such particular effect...in the ways men 'direct', 'govern' and 'conduct' themselves and others".⁴⁸³ Being aware of the construction of this discourse and the power dynamics it produces is critical to informing current scholarship and action in the migration and refugee fields. Such awareness allows for current action be understood, learned from and, hopefully, improved upon. This study has offered one such analysis on the mixed migration discourse and it builds on a wide array of critical reflections offered by many scholars working in international migration and refugee protection. It presents a reflection on one particular aspect of a much broader discourse which deserves further exploration.

⁴⁸³ Foucault, "Governmentality," 233.

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CURRICULUM VITA

Caitlin Vito

Millergasse 37/9, Vienna, Austria

Date of Birth: 11. 10. 1989

Nationality: Canadian/Italian

Email: caitlin.vito@gmail.com

Tel: +43-664-377-2132



Education and Training

10. 2012 – 11. 2014 **Erasmus Mundus Global Studies Masters**
Joint Degree from University of Leipzig and University of Vienna
10. 2012 – 08. 2013 University of Leipzig (Leipzig, Germany)
10. 2013 – 02. 2014 Exchange: Institute for Peace and Security Studies, Addis Ababa University (Addis Ababa, Ethiopia) DAAD 'Welcome to Africa' Scholarship Recipient
03. 2014 – 11. 2014 University of Vienna (Vienna, Austria)
- Regional specialisation: Europe and Africa
 - Thematic focus: migration, refugees, peace and security, human rights
09. 2008 – 06. 2012 **Baccalaureate of Arts, European Studies (Graduated with Distinction)**
University of Guelph (Guelph, Canada)
08. 2010 – 08. 2011 Academic Exchange: University of Konstanz (Konstanz, Germany)
- Thematic focus: European politics, history, literature and gender
 - Minor in German
09. 2004 – 06. 2008 **High School Diploma**
Assumption Secondary School (Burlington, Canada)
08. 2006 – 07. 2007 **International Rotary Youth Exchange Program**
Landrat-Lucas-Gymnasium (Leverkusen, Germany)
- Lived with a German host-family and attended the local gymnasium

Publications

Vito, Caitlin. "The 'Randomness' of Area Studies: A Decentralized Approach to Area Studies at the University of Guelph." In *Universities as Portals of Globalization - Crossroads of Internationalization and Area Studies*. Ed. Claudia Baumann. Centre for Area Studies, Leipzig: University of Leipzig, 2014.

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Ohlsen, G., Vito, C., and Noordermeer, E. 2013, 'Plan B: Bringing Peace to Afghanistan', *Esprit de Corps Magazine*, February 2013.

Work Experience

09. 2014 – Present **United Nations High Commissioner for Refugees Liaison Office to the OSCE and Vienna-based UN Agencies, Internship**
(Vienna, Austria)
10. 2013 – 01. 2014 **Ethiopian Ministry of Education**
(Addis Ababa, Ethiopia)
- Assisted in the organisation of workshops and peer reviews for Ethiopian directors of Institutes of Technology held in cooperation with the German Development Organization (GIZ)
09. 2014

02. 2013 – 06. 2013 **Centre for Area Studies (CAS)**
University of Leipzig (Leipzig, Germany)
- Collaborated with an international group of colleagues to author a booklet on the internationalisation of higher education published April 2014
05. 2012 – 06. 2012 **Jean Monnet Centre for European Studies (CEuS) University of Bremen**
(Bremen, Germany)
- Worked in a German/Canadian research team preparing lesson plans and materials on aspects of the European Union for schools throughout Germany in the EU Commission sponsored project 'CEuS macht Schule'

Volunteer Work

02. 2014 – Present **Academic Council of United Nations Systems (ACUNS)**
(Vienna, Austria)
- Collaborating with ACUNS members, UN officials and other external experts to host a conference on human rights issues
07. 2012 – Present **Researcher/Social Media Coordinator for Afghanistan: Pathways to Peace**
Non-governmental organisation (Ottawa, Canada)
- Raise awareness of the humanitarian situation in Afghanistan using social media and published articles and highlight the role of women in a comprehensive peace process
07. 2012 – 09. 2013 **Environmental Youth Conference Organiser for Burlington Green**
Non-profit environmental organisation (Burlington, Canada)
- Organised environmentally themed workshops and conferences to raise community environmental awareness

Conferences Attended

08. 2014/
08. 2013 **European Forum Alpbach (EFA)**
(Alpbach, Austria)
03. 2014 **Harvard World Model United Nations 2014, WorldMUN**
(Brussels, Belgium)
05. 2013 **European Model United Nations 2013, EuroMUN**
(Maastricht, Netherlands)

Language Skills

Mother Tongue

German

French

English

Listening: C2

Reading: C2

Speaking: C2

Writing: C1

Listening: A2

Reading: A2

Speaking: A2

Writing: A1