



# ENDING VIOLENCE AGAINST MIGRANTS

CONCEPT NOTE

July 2019

By deliberately restricting its scope, EVAM aims to address one of the most disturbing aspect of migration: widespread violence.

ENDING  
VIOLENCE  
AGAINST  
MIGRANTS

EVAM

# Background

## Context | Rationale

### CONTEXT

The project was born from the observation that despite numerous initiatives trying to cope with migration, contributors consistently ended up in a deadlock situation in which human rights' defenders opposed and criticized policies developed to keep migrants at bay.

The process aimed at improving migration policies has been ongoing for a long time and took a significant turn after the height of the European migrants' crisis in 2015. Discussions on the Global Compacts largely contributed to take the measure of where we were globally.

Unfortunately, **the ability of these processes to translate into concrete change on the ground is likely to remain limited and remote in time.** The daily suffering of the multitude of people on the move, seeking for a safe haven or a better future, **calls for immediate action.**

The political environment in the global north does not encourage more exchanges nor promote permanent migration as possible opportunities. Efforts to challenge existing policies and practices are essential, but not enough. **What is truly needed, are initiatives that can bring some immediate relief now.**

What EVAM proposes is to look into migration issues through a new lens, the one of violence in its many forms affecting migrants, assuming that many — if not all — can agree that there is a global interest to reduce harm and suffering.

### RATIONALE

In an environment where positions seem often irreconcilable between the champions of migrants' fundamental rights and the defenders of states' sovereign rights to control their borders and regulate migration flows, EVAM does not take sides.

The United Nations General Assembly Resolution 67/185 "Promoting efforts to eliminate violence against migrants" and its technical report dated 2015, had already pointed to the *"continuing instances of criminal acts committed against migrants, migrant workers and their families in all regions of the world, including acts of violence"*, calling for states to *"strengthen their efforts to prevent and combat violence, prosecute its perpetrators and protect its victims"* (cf. UNODC/IFRC, Report, *Combatting Violence Against Migrants*, 2015).

The EVAM initiative has been designed to complement and reinforce these efforts aimed at better accompanying and managing migration schemes, specifically or globally (e.g., NY Declaration, GCM, UNGA Res. 67/185, OSCE Migration Report 2017). By deliberately restricting its scope to **violence — understood here as any use of force or power that results in harmful consequences for migrants —**, it aims to address one of the most disturbing and widespread by-products of migration.

**EVAM's central assumption is that no actor — or very few — might be reluctant to act to limit the harmful consequences of their policies or practices if these situations of violence are clearly known and identified, and if the proposed corrective measures put forward by EVAM do not contravene their objectives nor interests.**

It promotes a pragmatic approach that, instead of looking at the drivers of practices and policies in place, focuses exclusively on their harmful consequences for migrants.

# Concept

## Genesis | Vision

### GENESIS

Since 2016, a group of experts have gathered regularly in Brussels to test this assumption and discuss how it could be translated into concrete action — and all confirmed their belief that EVAM had the ability to deliver significant change in the lives of migrants in the short, medium as well as longer terms.

They exposed their views from their various standpoints as member states' representatives, trade unionists, directors of European institutions, human rights' activists, heads of aid agencies, academics and researchers.

EVAM was born from these consultations. **It is an ambitious process**, meant to be:

- **inclusive and transversal**, by enabling a wide range of public and private actors to engage in the process and become drivers of change;
- **global**, applied at every level involved in the migration process where action is required (e.g., international, national, and local levels);
- **effective and accountable**, by assessing the situation and taking stock of the results; and is finally meant to have a:
  - **multiplying effect**, as an action at one level may work on perceptions and trigger more initiatives in other domains, and at other levels.

### VISION

**Harm and violence inflicted on migrants vary in nature and intensity. To reach the objective of ending violence, the involvement of a wide range of stakeholders in a position to act on harmful situations is required.**

In the past, initiatives aimed at alleviating violence towards specific groups of people particularly exposed to harm and abuses (e.g., slaves, children, and women) required global mobilization. Nowadays, making progress towards less violence against migrants is likely to require dynamics similar to those previous enterprises that contributed to shape a more humane and dignified world, in accordance with human rights.

To ensure that eradication of all forms of violence against people on the move becomes an overarching priority and a collective endeavor, EVAM intends to involve a large diversity of stakeholders at every relevant level, including states, municipalities or public services, but also trade unions, commercial companies, non-governmental or community-based organizations.

**Through this multi-stakeholders' approach, EVAM aims to demonstrate that anyone might act towards, and eventually succeed in, reducing or eliminating violence against migrants.**

# Methodology

## Tracks | Phases

### TRACKS

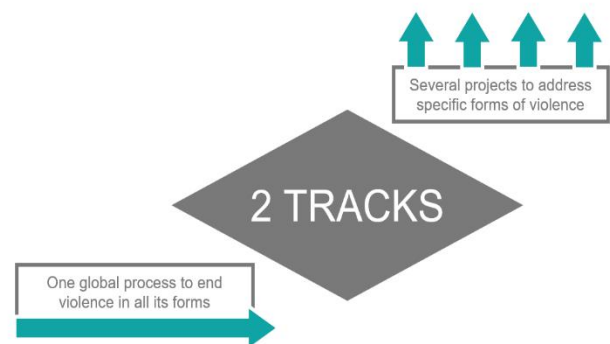
To cover the scope of the problem, EVAM develops a **two-track approach**: the declination of projects aimed at identifying and addressing specific situations of violence, and the systematization of the process to enable further impact on other situations of violence.

The first track is **project-based**. EVAM is fundamentally a bottom-up approach. It finds its legitimacy in its ability to bring effective well-being to migrants. Therefore, each project developed is selected and implemented with one very specific and circumscribed role — the reduction of violence.

At the same time, and in addition to the immediate benefits brought to their beneficiaries, each of these projects contributes to validate EVAM's postulate that, by making violence visible and mobilizing targeted actors, harmful situations can be fixed or improved.

In that sense, they also serve a greater purpose and call for a more global impact and approach: to make *all* situations of violence against migrants visible.

projects. The global approach will also lead to the development of tools and the promotion of mechanisms adapted to a more holistic response.



### PHASES

Both the project-based and the global approaches follow the same sequence of documentation, mobilization, institutionalization and formalization phases.

#### STEP 1 — DOCUMENTATION

Monitor the causes of violence and prioritize the response.

The first step of the initiative is to document acts of violence perpetrated against migrants in order to identify where progress can be made in reducing the occurrence of these acts.

Specific situations of violence are documented **through dedicated projects**. In support of these projects, EVAM can operate **indirectly** with the support of Médecins du Monde Belgique (MDM-BE) and other partners already operational where the situations of violence occur. It then promotes and supports its partners in the implementation of its methodology to document harmful behaviors and situations of violence. In a Belgian pilot for instance, the



The second track is **global**: by systematizing the collection of data, **EVAM's global demarche sheds light on trends and supports a priority process** that will lead to the identification of situations that require EVAM's immediate attention and the development of new



stakeholder targeted was the Belgian Police, but the action took place through the work of the medical consultations of MDM-BE.

**Direct intervention** requesting from the main stakeholder to document situation of violence can also be conceived. EVAM provides then guidance and methodological support in the documentation process.

**At a global level**, a more systematic documentation of abuses is organized. Allegations of harmful behaviors are collected from EVAM's projects, partners (e.g., human and migrants rights organizations), witnesses or victims of abuses.

The gathered elements will feed into a **global monitoring matrix** at an early stage of the process. The matrix will be enriched through time to ensure efficiency and accuracy of the approach. All relevant actors, witnesses and victims will be invited to contribute to the documentation and assessment of violence.

The matrix will set a typology of the main trends of violence and harmful situation affecting migrants. **The information reported will be crosschecked and verified. It will lead to a prioritization process following several criteria, such as:**

- the **frequency** of the abuse;
- the **intensity** of the reported harmful behavior, taking into account the vulnerability of the victims (e.g., unaccompanied minor, persons with disabilities, etc.);

- the **capacity to identify** the main **causes(s)** of the reported behavior;
- the **ability to influence** some of these **source(s)** through mobilization.

The protection of the personal data related to the victims of violence will be carefully organized and guaranteed throughout the process.

## STEP 2 — MOBILIZATION

### Eliminate identified causes of violence.

Once the assessment is delivered, **the second step of the initiative is to mobilize all stakeholders in capacity to improve the situation and reduce the levels of violence** inflicted to migrants.

**Through dedicated projects**, relevant stakeholders are identified, encouraged to acknowledge the situation and to act to prevent and eliminate harm. When feasible, EVAM makes concrete propositions to allow the main stakeholder to reduce violence without challenging its goals.

**To promote a more global approach** and ensure the widest possible impact, the initiative also proposes to all stakeholders potentially in a position to influence violence to **sign a charter promoting the reduction of violence against migrants**. Those committing to this charter will be encouraged to take measures to eliminate identified violence based on an action-plan tailored to their specific situation and goals.

The charter will operate like a declaration of intent and formalize the acknowledgement by relevant actors of

the need to consider the potential negative impact of their decisions and acts on migrants. The first expected effect of this charter will be to raise awareness and increase vigilance towards possible harmful behaviors. As well, it is likely, on the long term, to have a positive spillover effect and contribute to global awareness.

**The mobilization process:**

- **Formalize the initiative through a list of commitments gathered in a charter**, which will remind the main rights and principles applicable to all, and specifically to migrants. It will as well recommend a series of measures aiming at eliminating violence and harmful situations against migrants. Recommendations and proposed approaches will be precise enough to provide guidance but sufficiently open to allow each stakeholder to find its own ways to address problems specific to its field of activity.
- **Pro-actively approach stakeholders** that have been identified as in a position to reduce or eliminate harmful situations that have been previously documented. EVAM will propose concrete actions to address the documented situation and seek their adhesion to a global demarche aiming at reducing violence against migrants, based on the main principles and commitments of the charter. Stakeholders perceived as more likely to endorse the principles and recommendations of the charter will be prioritized.
- **Accompany and support stakeholders** that have adopted the charter and are committed to act to reduce or eliminate violence against migrants.

**The multi-stakeholder approach is an essential component of the initiative—as inclusive.** It requires as well to adapt the approach to the various type of actors targeted.

**STEP 3 — INSTITUTIONALIZATION**

**Request public authorities to lead and promote the process.**

States, regional and local authorities have a primary responsibility to protect populations living on their territory. By acting to protect migrants from all forms of violence, public authorities contribute to reduce tensions between communities, restore migrant rights, and enhance their integration capacities.

**Like-minded authorities at local, national or regional levels will be sensitized on the need to promote measures aimed at reducing harmful situation against migrants.**

The initiative recommends the constitution of **coordination bodies** at local and national levels, in charge of the promotion and implementation of action plans for the prevention and the eradication of violence against migrants.

EVAM will also offer its support as a consultative body to accompany the development and implementation of these action plans.

**STEP 4—FORMALIZATION**

**Promote a normative frame to prevent and eliminate violence against migrants.**

At a later stage, migrants should be included amongst the categories of individuals that need specific protection, and the formalization of a normative framework to fight trends of violence and harmful behaviors against them. These protective norms can be developed at all necessary levels: local, national, international.

To ensure long terms benefits from specific projects, ad hoc corrective measures should be completed by the adaptation of the rules and regulations that constitute the **immediate normative environment** where migrants have been confronted to violent situations. Existing norms should be amended in order to create a more protective environment, better adapted to the risks identified.

More globally, in an environment dominated by negative narratives against refugees and migrants, the promotion of an **international convention** to prevent and eliminate violence against migrants will work as a strong incentive to eradicate violence, amend perspectives and correct perceptions.

Partnerships will be developed with academics and international bodies, such as the Council of Europe, to develop a project of international convention, and seek for the buy-in of key actors (e.g., IOM) and potential signatory states to support and promote the initiative.

# Additional benefits

## Social | Political

### SOCIAL

While preventing and reducing harm is in the obvious interest of migrants, the benefits outspread much beyond. Aiming at ending violence responds to essential political considerations and can work as a strong social incentive.

Setting the objective to eradicate all forms of violence against migrants is a transversal goal that covers all categories of migrants whether they qualify to a refugee status or not. **The reduction or elimination of harm is not an exclusively migrant-centered approach, it also responds to the economic, social and political interests of hosting states and populations.**

**Successful social integration improves perceptions of migrants and reinforce the sense of social belonging** that constitutes an important factor for integration<sup>1</sup>.

A contrario, poor access to resources, decent conditions of living or to basic services fuels a destructive cycle, negative narratives, and exacerbates hostility between host societies and migrant communities. Similarly, excluding irregular migrants from access to healthcare can put their lives and well-being in danger, increase the cost of future emergency care and may also present a health risk for the population<sup>2</sup>.

### POLITICAL

States are often reluctant to be blamed and identified as unscrupulous in terms of protection: they seek political credibility vis-à-vis the international community and are generally receptive to arguments allowing them to implement a moderate migration policy.

This may include, for example, the development of policies to implement a set of international standards on detention or return. This can also be seen in the desire to align international standards with measures to reduce harm. For example, one may seek to establish an effective return policy that is not violent or to identify measures to better implement the principle of non-refoulement.

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<sup>1</sup>Eze Vincent, Kiarie Benard, *Perceptions and Experiences of Social Integration among Adult Immigrants*, Thesis, Faculty of Health and Occupational Studies, University of Gävle, 2016. Last consulted October 18th 2018 on: <http://www.diva-portal.org/smash/get/diva2:1033632/FULLTEXT02>.

<sup>2</sup>FRA, Report 2011, *L'accès aux soins de santé des migrants en situation irrégulière dans 10 États membres de l'Union européenne*. Last consulted October 18th 2018 on: [https://fra.europa.eu/sites/default/files/fra-2011-fundamental-rights-for-irregular-migrants-healthcare\\_fr\\_0.pdf](https://fra.europa.eu/sites/default/files/fra-2011-fundamental-rights-for-irregular-migrants-healthcare_fr_0.pdf).

# EVAM

## HAS NOW ENTERED ITS PILOT PHASE

with studies and projects circumscribed to a sector and limited geographical area.

In 2018, EVAM launched its first pilot project in Belgium focusing on police violence against migrants, first reported through MDM-BE's medical facilities in Zeebrugge, Ostend and Brussels.

The pilot demonstrated marked interest of the Belgian authorities and proved the ability of the EVAM approach to create rapid and concrete changes on the ground.

Preliminary insights revealed by this first pilot should inspire future perspectives and projects.

**CONTACT US**

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