

**United Nations Statistical Commission**

**Fifty-second session**

1–3 and 5 March 2021

Item 3 (g) of the provisional agenda

**Items for discussion and decision: migration statistics**

**Document E/CN.3/2021/11 – Report of the Secretary-General on migration statistics**

***Statement provided by:***

United Nations High Commissioner for Refugees (UNHCR)

***Statement:***

This statement from UNHCR refers to the Migration Statistics: Report of the Secretary-General Item 3 (g) E/CN.3/2021/11 and also refers to the Background document *Revised overarching conceptual framework and concepts and definitions on international migration produced by the Expert Group on Migration Statistics*.

1. We welcome strongly the updating of a conceptual framework for migration statistics, following global consultations. The 1998 Recommendations on Statistics of International Migration require updating to meet the modern demands of increased international migration and the monitoring requirements of international goals and obligations.
2. We support the concept of splitting populations into two distinct groups, the resident population and the temporary population, and the definition of migration as a change in the resident population (para. 24). However, we have concerns about the treatment of stateless and displaced populations in the Framework and have some queries about the inconsistencies between the *Migration statistics* report presented and the background document, *The Revised overarching conceptual framework and concepts and definitions on international migration*, as prepared by the Expert Group on Migration Statistics (referred to below as Overarching Framework report). Our concerns are summarised below.

**Resident Stock by citizenship**

3. We are concerned by the conceptual framework underpinning the classification of the resident stock which reconciles foreign-born and native-born, and foreign citizens and

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national citizens. While every person may have a country of birth, not every person has a citizenship or a proof of citizenship and may be neither a national nor a foreign citizen.

Figure III mixes legal and demographic concepts and seems to exclude from resident population stocks those who are either stateless or of undetermined nationality. The definitions provided in Annex I of the Migration Statistics report omits a useful definition included in the Overarching Framework document, where paragraph 56 defines the foreign citizen stock as follows,

*Foreign citizen population (stock) includes all persons who reside in the country at a particular time who do not hold national citizenship.*

4. This definition needs to be included in the Migration Statistics report, as well as the Overarching Framework background document. We would also prefer a change in the language used in the report, including Figure III, to divide the two populations from “Citizens” and “Foreign” citizens, to “Citizens” and “Non-citizens” of the country of measurement; alternatively, the word “foreigner” could be used which would include those non-citizens who are “stateless” or of “undetermined nationality”. These two categories are defined in our draft statistical framework for statelessness statistics.
5. The current wording appears to exclude stateless people from the stock estimates, even if that is not the intention, and could be misinterpreted during implementation to exclude completely all stateless people and those with undetermined nationality from the resident stock of a country. Many people who are born in countries with weak civil registration systems are unable to obtain citizenship for a variety of reasons and are therefore stateless or at risk of statelessness. These people should always be considered as part of the resident population.

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### Immigration definitions

6. The definition in Annex 1 of the Migration Statistics report includes a definition of the immigrant population stock that seems to include all stateless populations as immigrants. The majority of stateless persons were born in their current country of residence and will have had difficulties obtaining proof of citizenship due to real or perceived ties to another State without ever having migrated themselves. Therefore, relatively few will meet the paper's definition of migration as a change in the resident population. It is concerning that all stateless people would be defined as immigrants. This definition will concretise many discriminatory misconceptions that particular stateless groups of people belong to another State. The definition included in the Migration Report in Annex 1 is,

*Immigrant population (stock) refers to all persons who reside in the country of measurement at a given time and were born in another country or hold citizenship of another country or are stateless. Persons who were born in the country and hold the country's citizenship are therefore not considered part of the immigrant population, but may be considered part of the immigration flow if they returned and changed their country of residence within a given year<sup>1</sup>.*

7. The inclusion of stateless in the statement is confusing as a minority of stateless persons are immigrants. Most people who do not hold a country's citizenship are born in their country of residence and will never have migrated. The statement could simply omit "citizenship" and "stateless", and simply include as immigrants all those born in another country, regardless of citizenship which in any case may change over time.
8. We propose a definition for the immigrant stock that includes just those who were born in another country, and who have migrated over their lifetime. The proposed alternative wording might be:

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<sup>1</sup> Please note there is a slight difference in the definition contained in the Overarching Framework of the *Immigrant population (stock)*

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*Immigrant population (stock) refers to all persons who reside in the country of measurement at a given time and were born in another country. Persons who were born in the country are therefore not considered part of the immigrant population, but may be considered part of the immigration flow if they returned and changed their country of residence within a given year.*

9. The inclusion of stateless people in the flow definitions is not problematic.

#### **Temporary stocks and displaced people**

10. The Overarching Framework background document treats displaced people in a manner that is well aligned with the *International Recommendations on Refugee Statistics, 2018* (IRRS). We support the conclusions reached in paragraphs 39 to 40 that most refugees and persons in refugee-like situations can be expected to meet the minimum period required to become part of the resident population. We agree that the treatment of asylum seekers and the question of whether they should be included as part of the temporary non-resident population or the resident population is more problematic. Given that the intention to remain for more than the minimum period required to qualify for residence is clear, as the person is seeking asylum in the host country, we feel that asylum seekers other than those in transit to another country should be included as part of the resident population. We agree that para. 41 in the background document reflects the IRRS recommendations that “most asylum seekers can be assumed to have a stay intention of at least one year, regardless of the likelihood of success of their asylum application”.
11. We support the definition of *Asylum seekers in transit*, that refers to persons who travel to the country of measurement in transit with the intention to travel to another country to file an application for asylum (see also para. 68 in the Overarching Framework). We agree that this type of asylum seeker who is in transit should be included in the temporary non-resident stocks.

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12. The International Recommendations on Refugee Statistics para 145:

*“Refugees and asylum seekers, whether having commenced the formal procedures of asylum or not, should therefore be included in the total population count if they meet the criterion for usual residence [6/12 months], but distinguished as refugees or asylum seekers in any analysis. They should also be included in the total migrant count if they meet the criteria which define international migrants”.*

*“If a foreign person enters the host country for international protection reasons, with the intention of staying at least one year, this person should be considered as an immigrant”. (IRRS, para 84). And*

*“If they (asylum seekers) have the intention of staying in the country for a year then they should be included in the migrant count. Asylum seekers in transit to another country are excluded from the scope of these recommendations” IRRS para 85.*

13. From the IRRS (2018) the inclusion of resident population and migrant stock should not depend on reason for migration or visa/permit category, but on the duration or intended duration of stay (plus crossing a border and having been resident of another country before).

Refugees and asylum-seekers other than asylum seekers in transit should therefore be included in the migrant stocks and flows based on their factual movement and intended length of stay. This appears to be the intention in the Overarching Framework, but the treatment of refugees and asylum seekers requires further clarification in the Migration Statistics report.

14. For example, paragraph 39 of the Migration Statistics report includes refugees and asylum seekers in the international mobility framework covering temporary mobility, in category “(d) foreign citizens seeking asylum or protection as refugees”. This seems to contradict paragraphs 18, 19, 30, 39, 40, 41 in the Overarching Framework, which uses the intention to stay for the minimum period of residence as the criterion rather than the legal status mentioned here.

15. We request that category (d) is replaced with “asylum-seekers in transit” as defined in Annex I.

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16. Figure IV in the Migration Statistics report (Figure V in the Overarching Framework) is similarly confusing as it places “forcibly displaced people” in the temporary population with a length of stay of months. The other time periods in Figure IV use the text “asylum-seekers or migrants in transit” and is not problematic. We request the same text (“asylum-seekers or migrants in transit”) should be used for stays of months in Figure IV in the Migration Statistics report and Figure V in the Overarching Framework, for the reasons given above in paras. 14 and 15.

17. We also request that a paragraph clarifying the residence status of refugees and asylum seekers is added to the Migration Report, as without it their proposed treatment is not clear to readers. Part of paragraph 18 from the Overarching Framework might be added to the Migration Report to clarify the conclusions drawn in the former paper, and include that the intention to stay for the minimum period is the most important criterion, our suggestion is as follows,

*“The resident population should include persons who may be irregular or undocumented, as well as asylum seekers and persons who applied for or been granted refugee status or similar types of international protections, provided that they meet the [intention to stay for the] minimum duration requirement in the country.”*

18. We suggest changing para 19 of the Overarching Framework to remove reference to forcibly displaced persons, and to replace it solely with asylum seekers in transit. The latter part clarifying refugee duration of stay should be removed as it confuses rather than clarifies because it is applicable to resident populations intending to stay for at least the minimum period, rather than to temporary populations. Our suggestion is made below:

*Temporary population movements are, arguably, as important to measure as international migration and, likewise, may greatly influence the economic and social setting of a country. In our exposition of temporary population movements, we consider all international movements who stay less than the minimum duration of residency requirement, including for example, those associated with daily*

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*commuting, tourism, pilgrimage, business, medical treatment, visits to family or friends, seasonal labour, [add: asylum-seekers in transit] and education. These movements also include forcibly displaced persons, such as asylum seekers in transit, refugees who move to another country or return, and those who move for environment or climate-related reasons. It should be noted that displacement situations that are not quickly resolved may become protracted. Many of those in these situations seek solutions other than return, such as local integration or resettlement to another country. Additionally, there are many countries, especially developed countries, where refugee status is an effective pathway to citizenship. Once refugees are naturalized, they are no longer considered refugees, but remain part of the immigrant population or persons born in another country.*

This focuses the paragraph on the topic of temporary mobility and avoids potential confusion around the inclusion of displaced populations in the resident population.

19. We note that the Background document summarising the conclusions of the UN Expert Group Meeting on International Migration Statistics: Concepts, Definitions, Data and Indicators, held in June 2020 noted a list of topics needing further refinement (para 16) including stateless people, refugees, asylum seekers and other ‘hidden’ population groups, and request that this note be considered in making further amendments.
20. It should also be noted that the resident population is often defined by national laws which vary from country-to-country, particularly where a population register is operational. We would welcome guidance on the compilation of statistics in cases where national laws differ from international statistical recommendations.

Submitted on:

02/18/2021