



Migrants' Perspectives: Building Trust in Humanitarian Action

Briefing Paper 2: Implications of Migrants' Legal Status

► Executive summary

Given the vulnerabilities and risks many migrants face throughout their journeys, it is vital that humanitarian organisations are trusted to provide support when needed. Migrants' trust in humanitarian organisations is shaped by demographic factors such as disability, age, and legal status, as well as contextual factors – including migrants' histories of seeking and accessing humanitarian assistance and protection.

Drawing on survey data collected with migrants in vulnerable situations across 14 selected countries in the Americas, Africa, the Asia Pacific, and Europe, this briefing paper discusses the ways in which **legal status** – and the specific and exacerbated risks and vulnerabilities associated with it – affects migrants' ability to access humanitarian assistance and protection, and their trust in humanitarian organisations.

The data confirms that legal status is linked to specific humanitarian risks, needs and vulnerabilities; has a demonstrable impact on migrants' ability to access humanitarian assistance and protection; and impacts migrants' relationships with humanitarian organisations. While it is critical that humanitarian organisations are able to access, protect and assist all migrants in vulnerable situations irrespective of legal status, the findings emphasise that they must simultaneously consider, and respond to, the significant role of legal status in migrants' experiences and perspectives.

Recommendations

- 1** Humanitarian organisations should strengthen their advocacy efforts to ensure that all migrants, regardless of legal status, are able to access humanitarian assistance and protection when needed.
- 2** Humanitarian organisations should adopt practical steps to increase migrants' access to services and support: from improving migrants' access to information about their rights and available services, to developing strategies to reduce safety concerns among certain groups of migrants.
- 3** Where there is evidence that certain groups of migrants are particularly vulnerable, humanitarian organisations have a responsibility to advocate collectively on their needs and protection risks and on possible solutions to prevent and respond to these.
- 4** Humanitarian organisations should increase their commitment to build trust and respond to the specific needs of certain groups of migrants, including strengthening efforts to ensure migrants are not at risk of detention and/or deportation if they seek humanitarian assistance and protection.
- 5** Humanitarian organisations should provide training and sensitisation to staff and volunteers to ensure that all migrants, irrespective of legal status, are treated with respect and dignity.
- 6** Building on the existence of relatively positive perceptions among certain groups of migrants, humanitarian organisations should identify good practices that could be adapted to other contexts.

French Red Cross operates the 'Mobile support systems for migrants' project in the North of France. Credit: Louis Witter

Cover photo: The Gambia Red Cross Society provides information, food, water to migrants and helps them reconnect with family at fixed and mobile Humanitarian Service Points as part of the 'Assistance and Protection of the Most Vulnerable Migrants in West Africa' project, in partnership with Spanish Red Cross and funded by the European Union Trust Fund. Credit: The Gambia Red Cross Society

► Background

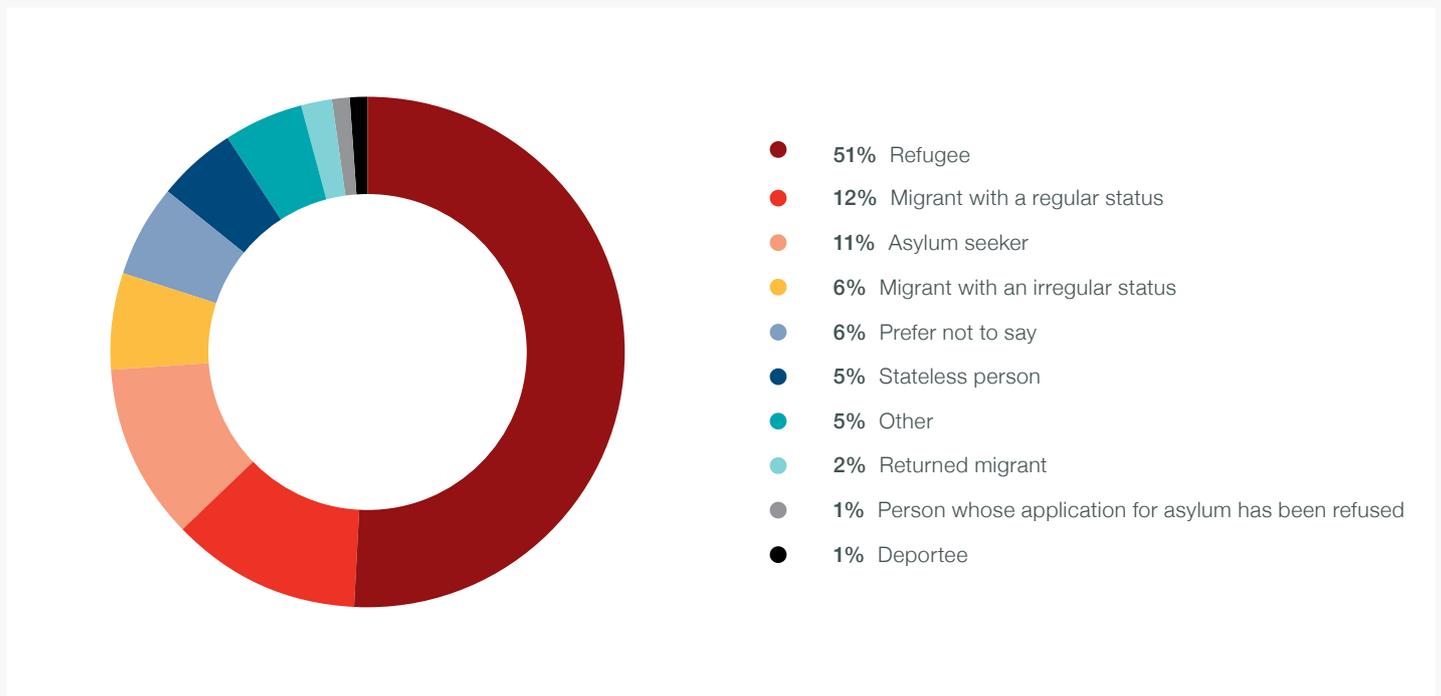
Trust is the foundation of humanitarian action. Without it, humanitarian organisations – like the International Red Cross and Red Crescent Movement (the Movement) – cannot reach or respond to the needs of the most vulnerable, including many migrants. Still, little is known about who migrants' trust and why and how this impacts migrants' ability and willingness to seek and access humanitarian protection and assistance at different stages of their journeys.

To gain further insights into migrants' lived experience and perceptions, the Red Cross Red Crescent Global Migration Lab conducted primary research – including interviews, focus groups, and face-to-face and online surveys – with over 16,000 migrants across 15 countries in the Americas, Africa, the Asia Pacific, and Europe in 2022.¹

While the initial findings of this project – including a detailed methodology and a discussion on the limitations of the data – have been previously published in a [global report](#), this briefing paper focuses specifically on key findings from the survey data – comparing migrants' perspectives and experiences based on their self-identified legal status, including as asylum seekers and refugees² (see **Figure 1**). The legal profile of migrants varied from country to country, and migrants were able to self-identify with one or more listed statuses or choose not to disclose their status.

This briefing paper only reports findings that are statistically significant across 14 selected countries.³ This means the findings reported here are unlikely to have occurred by chance: hence, some relationships that may appear of interest are not mentioned because their significance could not be proved across all 14 countries.⁴

Figure 1. Survey participants' self-identified legal status



- 1 Primary research took place in 2022 and was conducted in collaboration with 15 participating National Red Cross and Red Crescent Societies (National Societies), the International Federation of Red Cross and Red Crescent Societies (IFRC) and the International Committee of the Red Cross (ICRC). Data cleaning and analysis for this briefing paper has been conducted by Morgan Richards-Melamdir, Sector Lead for Poverty and Inequality, [Global Insight](#).
- 2 In line with the Movement's strictly humanitarian approach to migration that focuses on migrants' needs and vulnerabilities, irrespective of legal status, type, or category, the project covered a broad spectrum of migrants (i.e., persons who leave or flee their home to go to new places abroad to seek opportunities or safer and better prospects). This includes, but it is not limited to, migrants with a regular or irregular status, asylum seekers and refugees, people whose application for asylum has been refused, returned migrants, deportees, and stateless people, who at various stages of their journeys have accessed or needed different forms of humanitarian assistance and protection. For more on the Movement's approach to migration, see: International Federation of Red Cross and Red Crescent Societies (2009). 'Policy on Migration', [available online](#).
- 3 Migrants in the Maldives were surveyed a part of a larger needs assessment being conducted by Maldivian Red Crescent (MRC). MRC did not use the standard questionnaires employed across other countries and thus the results are not included in this briefing paper. The category 'other' includes a small number of supplementary countries – primarily Syria – where data was collected for the online survey.
- 4 Some relationships or findings that may appear starkly different in the descriptive statistics are not mentioned because (i) the sample of migrants (based on legal status) was too small to be confident about the finding or (ii) certain countries with comparatively large numbers of migrants with a particular legal status skewed the relationships present in other countries.

► Key findings and recommendations

The Movement works to promote the safety, dignity, and well-being of migrants, irrespective of legal status, type, or category. Yet, data gathered in this research project indicates clearly that migrants' lived experience and perceptions of humanitarian action varied significantly based on their self-reported legal status. In particular, data reveals a series of gaps between the experiences of migrants with a regular status, and those who self-identified as deportees or as people whose application for asylum had been refused by authorities.⁵ The findings reinforce a point that is well known to humanitarian practitioners: legal status is linked to specific and exacerbated humanitarian risks and vulnerabilities, and has a demonstrable impact on migrants' ability to access humanitarian assistance and protection and on migrants' relationships with humanitarian organisations.

FINDING 1: LEGAL STATUS INFLUENCES WHETHER MIGRANTS SEEK OR RECEIVE HUMANITARIAN SUPPORT

The data concerning migrants' access to any form of humanitarian assistance and protection, shows that migrants without a regular status were less likely to have received support at different stages of their journeys. For instance, while more than a third of migrants with a regular status (38%) reported receiving support at their destination, deportees (14%), people whose application for asylum had been refused (18%), and migrants with an irregular status (23%) were less likely to receive support in comparison. Likewise, migrants without a regular status were more likely to have needed and not received help at times of vulnerability. For instance, while fewer than one quarter of migrants with a regular status (22%) reported needing and not receiving help while in transit, this figure rises for other groups of migrants, including migrants with an irregular status (25%), asylum seekers (26%), returned migrants (27%), stateless people (30%) and people whose application for asylum had been refused (31%).



A volunteer from South African Red Cross Society interviews migrants to understand their humanitarian assistance and protection needs.
Credit: South African Red Cross Society

Key insight: Migrants without a regular status are less likely to have received humanitarian assistance and protection.

Recommendation 1

Humanitarian organisations should strengthen their advocacy efforts to ensure that all migrants, regardless of legal status, are able to access humanitarian assistance and protection when needed.

When asked why they had not received assistance, overall, migrants reported not knowing where to find support, or support not being available, as the most common barriers (see **Figure 2**). However, compared to migrants with a regular status (7%), people whose application for asylum had been refused (15%) and deportees (12%), more often identified safety concerns (associated with the place where support was available) as a barrier to accessing services. Compared to migrants with a regular status (7%), people whose application for asylum had been refused (14%), and deportees (13%), were also more likely to identify fear of authorities as a barrier to accessing services. For migrants with an irregular status, there was a lot of cross-national variation in these patterns. Across different countries, migrants with an irregular status identified key barriers such as ineligibility, fear of authorities or inaccessibility. These barriers – and other experiences of seeking or receiving support – varied from country to country, highlighting the importance of context in influencing vulnerabilities and risks faced by migrants with an irregular status.

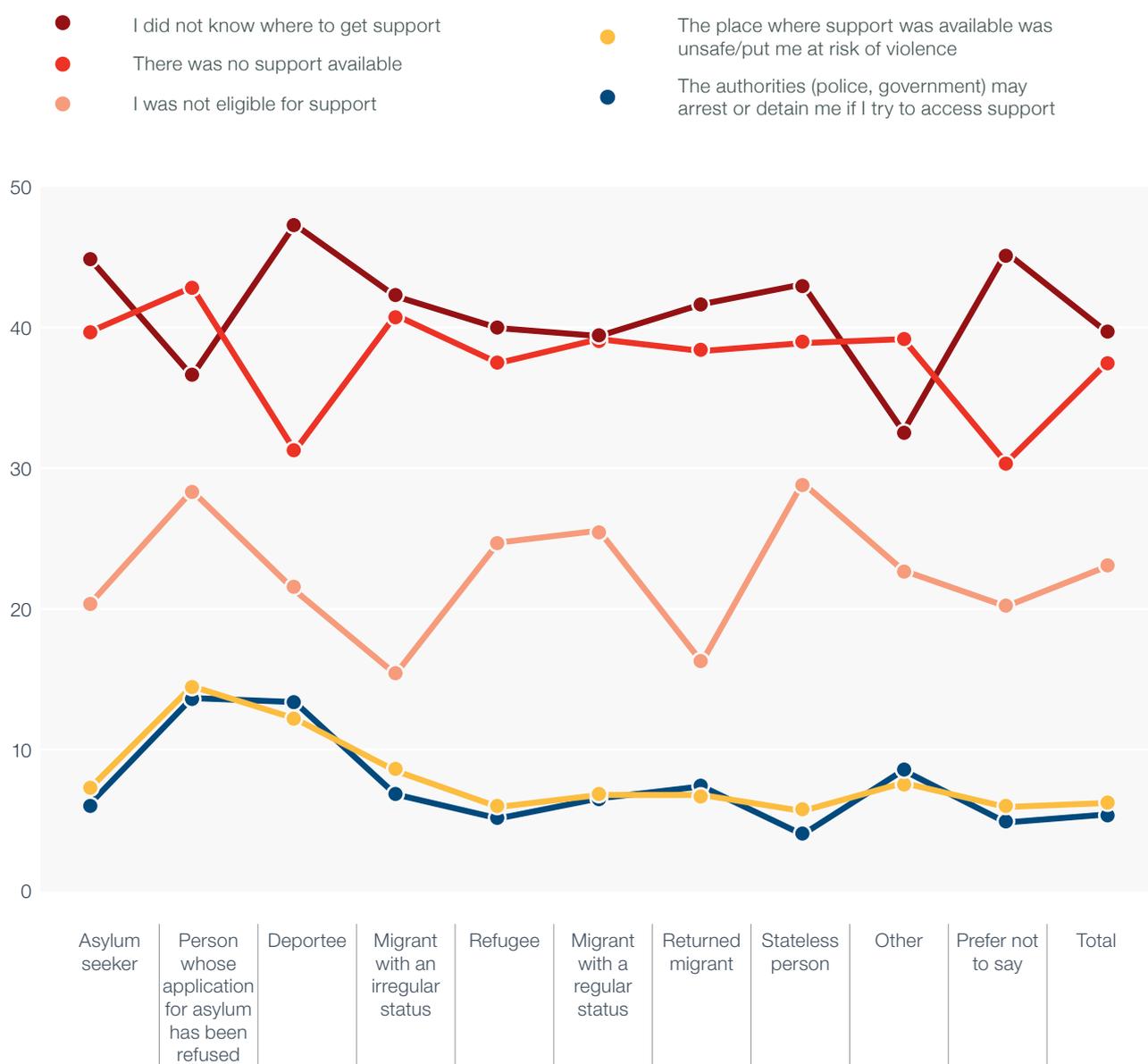
5 The working definition of a 'migrant with a regular status' is someone who 'has current documentation granting permission to enter and stay in this country and has followed the terms of this documentation (e.g. has a valid residence visa and has not engaged in work in violation of their visa)'.

Recommendation 2

Key insight: While most migrants report that lack of information or supply prevents them from accessing critical services, certain groups of migrants – including deportees and people whose application for asylum has been refused – face additional barriers such as safety and fear of authorities.

Humanitarian organisations should adopt practical steps to increase migrants' access to services and support: from improving migrants' access to information about their rights and available services, to developing strategies to reduce safety concerns among certain groups of migrants.

Figure 2. Reported barriers to access (% by legal status)



In terms of the provision of humanitarian assistance and protection, Red Cross and Red Crescent (RCRC) actors and United Nations (UN) actors were the most commonly mentioned providers of support, which is not unexpected given the project's sample.⁶ Although less frequently mentioned, differences also appeared in migrants' experiences with governments and local non-governmental organisations (NGOs) and community groups who provided support. Regarding government support, migrants with an irregular status (7%), people whose application for asylum had been refused (9%) and stateless people (12%) were all less likely to receive support, compared to migrants with a regular status (17%). Migrants with an irregular status (5%), returned migrants (9%) and stateless people (11%) were also less likely to tell others to seek out support from the government, compared to migrants with a regular status (15%). In terms of support from local NGOs or community groups, stateless people (5%), refugees (7%) and returned migrants (8%) were also less likely to receive support compared to migrants with a regular status (13%). Stateless people (5%) were also less likely to tell others to seek out support from local NGOs or community groups, compared to migrants with a regular status (9%).

Key insight: Migrants' experiences with governments, non-governmental organisations (NGOs) and community groups providing support vary, but some migrants, such as stateless people, are consistently less likely to receive support.

Recommendation 3

Where there is evidence that certain groups of migrants are particularly vulnerable, humanitarian organisations have a responsibility to advocate collectively on their needs and protection risks and on possible solutions to prevent and respond to these.

FINDING 2: LEGAL STATUS AFFECTS TRUST IN HUMANITARIAN ACTION

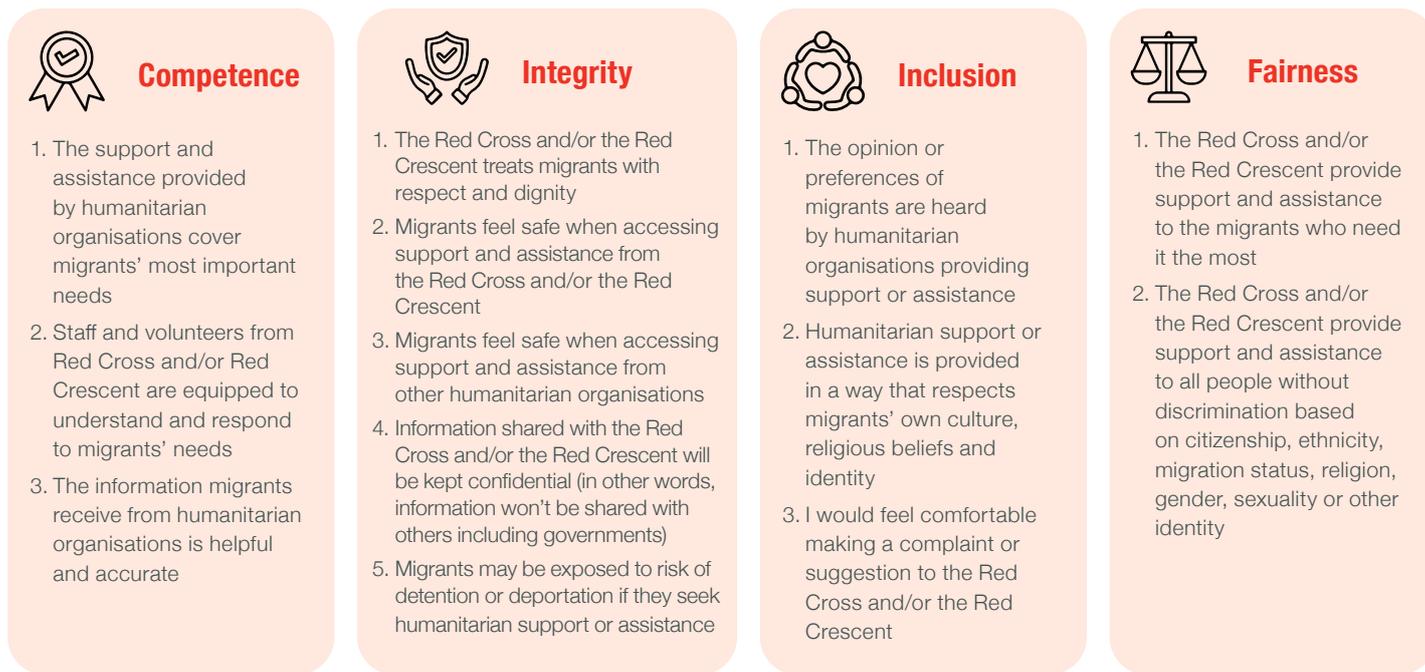
Legal status further impacts migrants' perspectives of, and trust in, humanitarian action. In this project, trust is assessed in relation to four key indicators of competence, fairness, integrity, and inclusion (see **Figure 3**). Based on an index combining questions on these indicators, with the range being 1 (low) to 5 (high),⁷ people whose applications for asylum had been refused, and deportees rated their perceptions of humanitarian action slightly – but statistically significantly – lower than migrants with a regular status.⁸ This was particularly the case for questions on the integrity index. In contrast, asylum seekers tended to have more positive perceptions than migrants with a regular status, with higher overall scores, and especially for questions on the competence, fairness, and inclusion indexes.⁹



Swedish Red Cross volunteers greet refugees arriving on ferries from Ukraine at Nynäshamns harbour. Credit: Marie Sparréus

- 6 As noted in footnote 2 above, the projects' sample consists of migrants in vulnerable situations who, at one or various stages of their journeys, have accessed or needed different forms of humanitarian assistance and protection.
- 7 For example, to create the integrity index, each response option (strongly disagree to strongly agree) for the individual perception questions on integrity was assigned a number (1-5). Then, the numbers from each individual's response were averaged to create an integrity 'score' for that individual. Subsequently, the average score for each individual was averaged to get a measure of migrants' overall average perception of integrity across the entire survey sample. The same process was done for each of the other indicators individually and combined for trust. Scores run from 1 to 5, with 1 representing the lowest score (i.e., completely negative perception); 3 representing a neutral score; and 5 representing the highest score (i.e., entirely positive perception).
- 8 With mean, or average, scores of 3.58 (people whose applications for asylum had been refused), 3.59 (deportees) and 3.62 (migrants with a regular status).
- 9 With mean scores of 3.7 (asylum seekers) and 3.62 (migrants with a regular status).

Figure 3. Indicators of trust: questions on competence, integrity, fairness and inclusion



For people whose applications for asylum had been refused, this lower score is largely driven by differences in migrants' perceptions of integrity (see **Figure 4**). Compared to migrants with a regular status, this group reported lower scores for most of the individual questions in the integrity index. For instance, people whose application for asylum had been refused were less likely to believe that 'the Red Cross and/or the Red Crescent treats migrants with respect and dignity'. People whose application for asylum had been refused were also less likely to disagree with the statement that 'migrants may be exposed to risk of detention or deportation if they seek humanitarian support or assistance' (from any humanitarian actor), meaning that people whose application for asylum had been refused were more likely to believe that seeking support may expose them to risk.¹⁰



The Gambia Red Cross Society operates mobile and fixed Humanitarian Service Points to offer humanitarian assistance and protection to migrants in transit throughout the country. Credit: The Gambia Red Cross Society

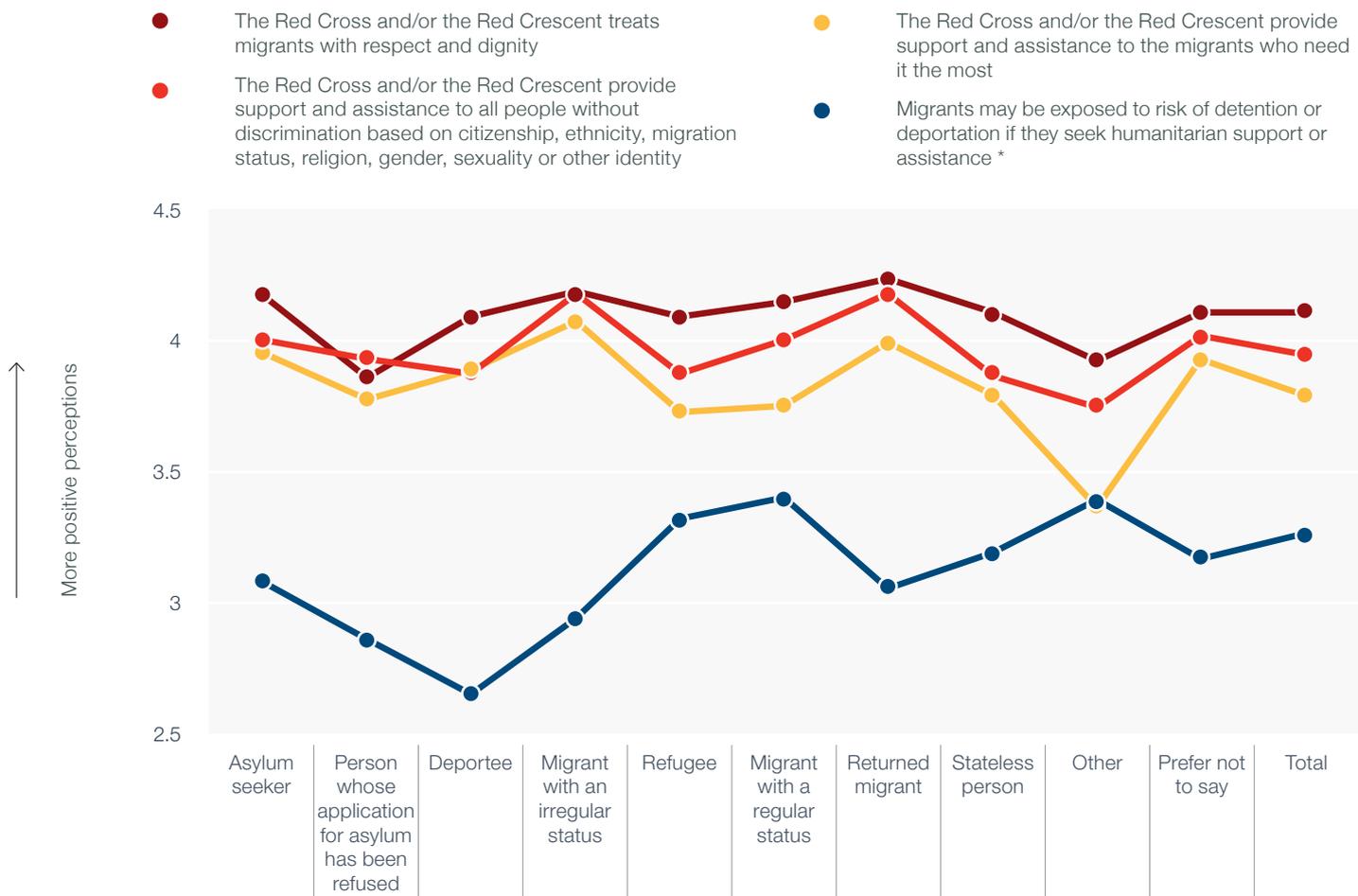
Recommendation 4

Humanitarian organisations should increase their commitment to build trust and respond to the specific needs of certain groups of migrants, including strengthening efforts to ensure migrants are not at risk of detention and/or deportation if they seek humanitarian assistance and protection.

Key insight: People whose application for asylum had been refused and deportees are more likely to associate seeking humanitarian support with the risk of detention and deportation.

¹⁰ The statement 'migrants may be exposed to risk of detention or deportation if they seek humanitarian support or assistance' represents the only mean *disagreement* score in the indexes, with the range being 1 (low) to 5 (high). In other words, the lower score, the less likely migrants are to disagree with this statement.

Figure 4. Selected questions on integrity and fairness (mean agreement/disagreement, by legal status)



* This value represents the only mean disagreement score in the indexes, meaning that the lower score, the less likely migrants were to disagree with this statement.

For deportees, scores on both the integrity and fairness indexes were significantly lower than for migrants with a regular status (although the difference for the fairness index does not appear in the global averages) (see **Figure 4** above). For the integrity index, negative perceptions among deportees were also driven primarily by lower scores on the statement ‘migrants may be exposed to risk of detention or deportation if they seek humanitarian support or assistance’, meaning that deportees were more likely to believe that seeking support may expose them to risk. For the fairness index, scores on the statement, ‘the Red Cross and/or the Red Crescent provide support and assistance to all people without discrimination based on citizenship, ethnicity, migration status, religion, gender, sexuality or other identity’ were lower among deportees than migrants with a regular status – meaning that deportees were less likely to believe that assistance is provided without discrimination. Additionally, scores on several individual questions on the competence and inclusion indexes were statistically significantly lower for deportees.

Key insight: When asked about respect and discrimination, some groups of migrants have significant concerns regarding the integrity and fairness of humanitarian action.

Recommendation 5

Humanitarian organisations should provide training and sensitisation to staff and volunteers to ensure that all migrants, irrespective of legal status, are treated with respect and dignity.

Asylum seekers, on the other hand, tended to have more positive perceptions, compared to migrants with a regular status (see **Figure 5** below). In terms of competence, positive perceptions among asylum seekers were driven primarily by significantly higher scores on the statements ‘the support and assistance provided by humanitarian organisations cover migrants’ most important needs’ and ‘the information migrants receive from humanitarian organisations is helpful and accurate’ – in both cases asylum seekers were more likely to believe that humanitarian assistance (including information) meets migrants’ expectations and needs.

In terms of fairness, positive perceptions among asylum seekers were driven primarily by significantly higher scores – or levels of agreement – on the statement ‘the Red Cross and/or the Red Crescent provide support and assistance to the migrants who need it the most’; while in terms of inclusion, positive perceptions were driven primarily by significantly higher scores on ‘the opinion or preferences of migrants are heard by humanitarian organisations providing support or assistance’.

Figure 5. Selected questions on competence and inclusion (mean agreement, by legal status)



Recommendation 6

Building on the existence of relatively positive perceptions among certain groups of migrants, humanitarian organisations should identify good practices that could be adapted to other contexts.

Key insight: In terms of competence, asylum seekers were more likely to believe that humanitarian assistance (including information) meets migrants’ expectations and needs.

► Conclusion

As the scope and scale of humanitarian need relating to migration continues to grow, and migrants face specific vulnerabilities associated with their legal status, humanitarian organisations must actively listen and respond to, migrants' thoughts, fears, and concerns about their situations, and about the humanitarian assistance and protection they seek and receive. Migrants' contrasting experiences of seeking and

receiving support, and their varying perspectives on the competence, fairness, integrity, and inclusiveness of humanitarian action, not only offer important lessons on how humanitarian organisations can build and maintain trust, but also on how their work can adapt to better respond to migrants' priorities, needs and vulnerabilities – including those associated with their legal status.



Honduran Red Cross provides humanitarian assistance - including food, water, information and medical care - to migrants throughout their journeys. Credit: Johannes Chinchilla/IFRC