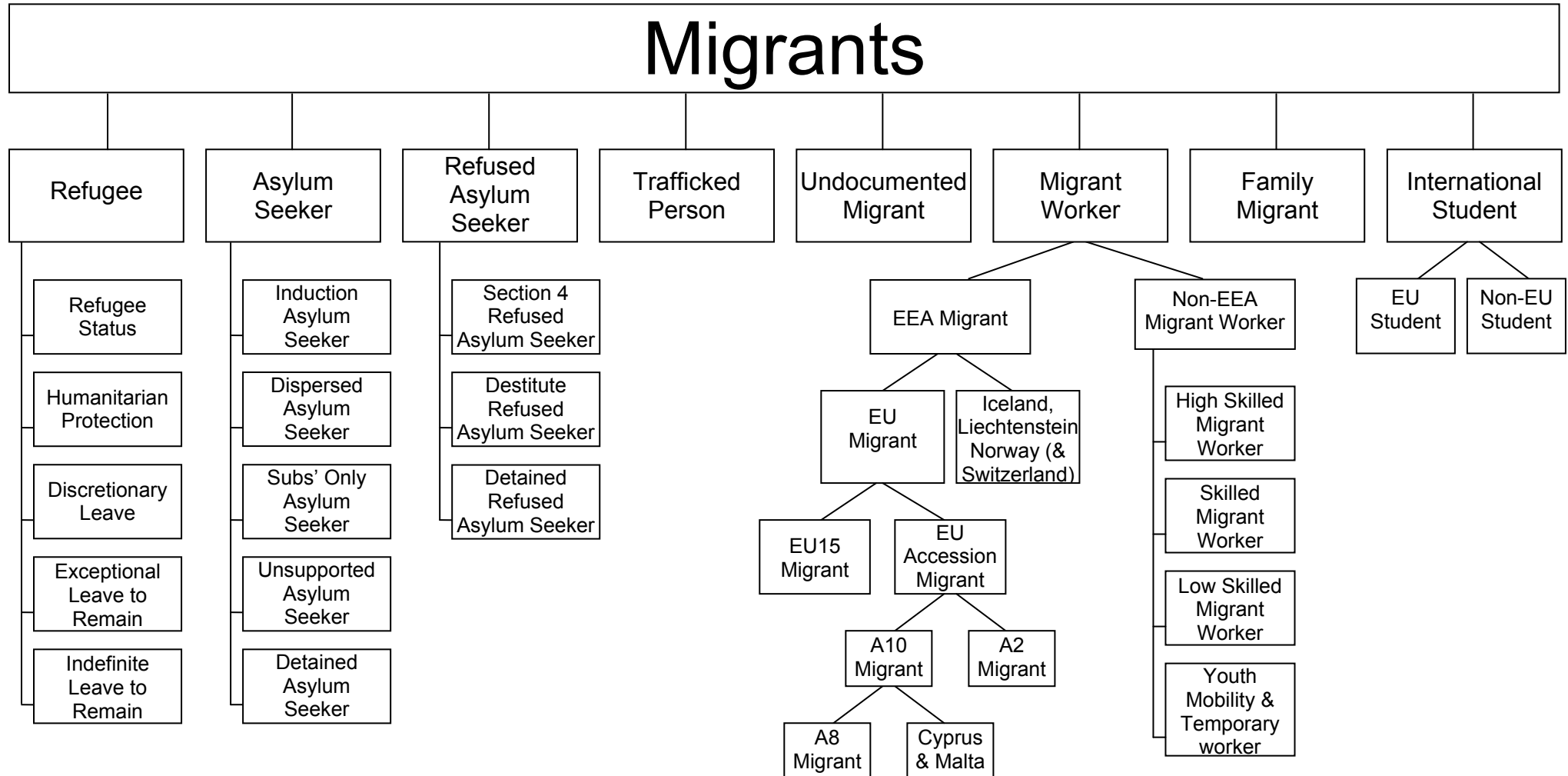


Who Are Migrants?



This document provides an easy-to-use guide to different 'types' of migrants in the UK.

Below is a diagram followed by definitions, as used by the Yorkshire & Humber Regional Migration Partnership (YHRMP) and our partners.



About this document

This document has been produced by the Yorkshire & Humber Regional Migration Partnership (YHRMP). The types of migrants included are those which either currently exist or those planned under new immigration rules, at the time of writing. It is intended to be an easy-to-use guide rather than an entirely accurate representation of immigration law. This is also a fast changing policy and legislative environment and information can quickly become out of date. Therefore this information should be used appropriately and checked with an expert if in doubt.

Definitions of 'types' of migrants

Below are definitions of the terms for different types of migrants included in the diagram (p.1).

- **A2 Migrant** – A person from the A2 countries that joined the EU (European Union) in January 2007. The A2 members are: Bulgaria and Romania.
- **A8 Migrant** – A migrant from the A8 countries that joined the EU (European Union) in May 2004. These countries are: Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia. The A8 are all members of the A10.
- **A10 Migrant** – A person from the A10 countries that joined the EU (European Union) in May 2004, including the A8 Cyprus and Malta. The A10 includes: Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.
- **Asylum Seeker** – A person who has applied for protection under the UN Convention¹ and is awaiting a decision on this application (including those who are at different appeal stages).
- **Cyprus & Malta** – A person from Cyprus and Malta that joined the EU (European Union) in May 2004. Cyprus and Malta are members of the A10.
- **Destitute Refused Asylum Seeker** – A refused asylum seeker who is destitute, and does not receive Section 4 Support.
- **Detained Asylum Seeker** – A person who is detained during the asylum process. This usually occurs as part of the 'fast-track' process.
- **Detained Refused Asylum Seeker** – A refused asylum seeker who is detained. This is usually prior to deportation.
- **Discretionary Leave** – A person who receives leave to remain in the UK as a refugee, granted if a person does not meet the strict criteria of the UN Convention, but for reasons including family reasons and medical cases.
- **Dispersed Asylum Seeker** – An asylum seeker receiving housing n dispersal accommodation and subsistence (financial) support. This is officially called Section 95 Support.
- **EEA Migrant** – A person from countries that are members of the EEA (European Economic Area) which includes the EU plus Iceland, Liechtenstein and Norway. The members of the EEA are: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom. Switzerland, although not actually a member of the EEA is often also included in policies applying to EEA members.
- **EU 15 Migrant** – A person from the 15 countries that were EU (European Union) members before the EU Accession countries joined in 2004 and 2007. The EU 15 includes: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, United Kingdom.

¹ United Nations, 1951 Convention Relating to the Status of Refugees

- **EU Accession Migrant** – A person from one of the countries that joined the EU (European Union) in 2004 (A10) and 2007 (A2). The accession countries are: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia.
- **EU Migrant** – A person from an EU (European Union) member state, including the EU 15 and the EU Accession countries. The 27 EU states are: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom.
- **EU Student** – A student from the EU (European Union). This often also refers to people from the EEA (and Switzerland) who have similar rights as members of the EU to financial support.
- **Exceptional Leave to Remain** – A person receiving leave to remain as a refugee, granted if the person does not meet the strict criteria of the UN Convention. It was replaced in 2003 by Humanitarian Protection and Discretionary Leave.
- **Family Migrant** – A person who has come to the UK to join a member of their family, and given a right to live in the UK. This term does not normally apply to EU migrants as they are able to enter the UK in their own right, nor does it normally apply to the family of refugees who are given the same status as the person they are joining, and therefore also classed as refugees.
- **Highly Skilled Migrant Worker** – A person who has entered and can work in the UK under ‘Tier 1’ of the ‘points-based system’ (introduced earlier in 2008). This applies to a person who is seeking highly skilled employment in the UK or are self-employed or setting up a business.
- **Humanitarian Protection** – A person who receives leave to remain in the UK as a refugee, granted if a person does not meet the strict criteria of the UN Convention but faces a real risk of serious harm.
- **Iceland, Liechtenstein, Norway (& Switzerland)** – EEA migrants who are from countries that are not members of the EU. This applies to the following EEA members: Iceland, Liechtenstein and Norway. Switzerland is often also included in policies applying to EEA members.
- **Indefinite Leave to Remain** – A person who receives leave to remain in the UK as a refugee, granted for a number of reasons including programmes to clear backlogs in the asylum system (e.g. ‘Family ILR Exercise’ and ‘Case Resolution’).
- **Induction Asylum Seeker** – An asylum seeker receiving who is in Initial Accommodation (Induction Centre), before being dispersed. This is officially called Section 98 Support.
- **International Student** – A person from outside the UK, who is a student in the UK.
- **Low Skilled Migrant** – A person who has entered and can work in the UK under ‘Tier 3’ of the ‘points-based system’. This applies to low skilled workers to fill specific labour shortages. At the time of writing this was ‘suspended for the foreseeable future’.
- **Migrant** – A person who leaves one country and resides in another. In the UK this refers to all people who have entered and live in the UK (i.e. immigrants). In Y&H, the working definition of ‘migrant’ includes all groups in the diagram (p.1).
- **Migrant Worker** – A person who has left their country of origin to work in another. In the UK, this includes people entering as EEA migrants and those part of the new points-based system.
- **Migration** – The movement of people between different countries. In the UK this is often used in the context of all migrants coming to live in the UK (i.e. immigrants).
- **Non-EEA Migrant Worker** – A migrant worker from outside of the EEA. Non-EEA migrant workers will enter the UK under the points-based system.
- **Non-EU Student** – A student from outside the EU. This may also be used to apply to students from outside of the EEA (and Switzerland). Non-EU students enter and can study in the UK under ‘Tier

4' of the 'points-based system' (to be introduced in March 2009).

- **Points-Based System** – New system for migrants from outside of the EEA, to work train or study in the UK. The points-based system contains five tiers which have different conditions, entitlements and entry-clearance checks. There is a points-based assessment to decide if a person qualifies. The five Tiers are: (1) highly skilled migrants, (2) skilled migrants, (3) low skilled migrants, (4) students and youth mobility and (5) temporary workers. The points-based system will be introduced in phases beginning in 2008.
- **Refugee** – A person given leave to remain in the UK as a result of a process which began with a claim and/or assessment for protection under the UN Convention. In Y&H this includes people receiving the following statuses: Refugee Status, Humanitarian Protection, Discretionary Leave, Exceptional Leave to Remain and Indefinite Leave to Remain².
- **Refugee Status** – A person who has been given leave to remain in the UK as a refugee due to meeting the criteria in the UN Convention.
- **Refused Asylum Seeker** – A person who was previously an asylum seeker, whose claim for protection and subsequent claims and appeals have been refused, with all appeal rights exhausted (ARE). They are also sometimes referred to as failed asylum seekers. This includes people who are on Section 4 Support' and people who are 'destitute'.
- **Section 4 Refused Asylum Seeker**– A refused asylum seeker who accesses Section 4 Support. This consists of housing and (subsistence) vouchers.
- **Skilled Migrant Worker** – A person who has entered and can work in the UK under 'Tier 2' of the 'points-based system' (from 27th November 2008). This applies to 'skilled people' with a job offer who are looking for employment in the UK, or are self-employed or setting up a business.
- **Sub's Only Asylum Seeker** – An asylum seeker who accesses 'Subsistence Only Support'. This is subsistence (financial) support without housing.
- **Trafficked Person** – A person who is a victim of Human Trafficking, and in this context moved from another country to the UK. The UN defines trafficking in persons as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation"³.
- **Undocumented Migrant** – A person who does not have a valid immigration status either through entering the UK without permission, or because they entered under another status and have stayed beyond the period of time allowed.
- **Unsupported Asylum Seeker** – An asylum seeker who does not access any housing or subsistence (financial) support.
- **Youth Mobility and Temporary Worker** – A person allowed to work in the UK for a limited period of time to satisfy primarily non-economic objectives under 'Tier 5' of the 'points-based system' (from 27th November 2008) .

For further information please contact:



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² For further detail of statuses and categories of refugees, see Brown, 2008, 'Status and Category Matter: refugee types, entitlements and integration support', YHRMP <http://www.migrationyorkshire.org.uk/?Page=yhrmpreports>

³ United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons