2016 UN General Assembly High Level Plenary Meeting
On Addressing Large Movements of Refugees and Migrants
19 September 2016

IOM Position Paper

Introduction

The recent large movements and loss of life of refugees and migrants across the Mediterranean and the Andaman Seas have called attention to the global phenomena of large movements of persons and to protracted situations of displacement. The 19 September UN General Assembly High-level Plenary Meeting on Addressing Large Movements of Refugees and Migrants (“19 September Event”) provides an historic opportunity to identify measures and approaches that support comprehensive, collaborative action to address the conditions that create or exacerbate large movements of migrants, as well as to address migrant vulnerabilities and the risks to which migrants are exposed before departure, in transit and on arrival. It also provides a critical opportunity to forge and reinforce collaboration amongst governments in countries of origin, transit and destination of migrants as well as with international and civil society organizations, the private sector and social partners, migrants and their families, and diaspora, in the pursuit of safe, orderly, and regular migration.

The 19 September Event should highlight the global nature of migration, strike a balance between migrants and refugees, and acknowledge the common vulnerabilities of both in large flows. While the current discourse rightly highlights the importance of refugee status as a central aspect of ensuring protection, it is also critical to acknowledge that other migrants\(^1\) are also owed protections under human rights and other applicable law and have immediate needs to be addressed, regardless of whether they fit the criteria for refugee status.

The International Organization for Migration (IOM) seeks concrete, tangible outcomes for the 19 September Event. IOM recommends the following four key areas for migration policy attention at the 19 September Event:

1. Protect the Human Rights of All Migrants and Provide Assistance to Vulnerable Migrants in Transit and Upon Arrival

The 19 September Event provides an opportunity to reinforce commitments to the protection of the human rights of all migrants -- rights which apply to all persons, regardless of their status. The obligation

\(^1\) IOM defines a migrant as any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person’s legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is.
to respect, protect and fulfil the rights of individuals is paramount and applies to all individuals within a State’s territory or under its jurisdiction, regardless of nationality or migration status and without discrimination.

- **Needs-first, rights-based approaches to delivering life-saving assistance and reception** in transit and destination, with no discrimination based on legal status, are essential in responding to large movements of migrants. This includes delivering food, shelter and medical assistance without discrimination and without regard to legal status or means of arrival, and requires infrastructure and support for rescue at sea and over land along dangerous or isolated routes. It requires ensuring safe disembarkation, as well as migrant-sensitive reception services targeted to particular needs and in locations where large numbers of migrants arrive and reside. IOM-established transit and reception centres provide crucial support to these efforts.

- **Measures to ensure that migration is safe, orderly and dignified, including border procedures that balance humanitarian imperatives with security interests**, providing clear, pre-established direction for border officials on how to manage mass arrivals, directives on humane treatment, and referral systems for those in need. IOM’s humanitarian border management and assisted voluntary return and reintegration programmes (AVRR) provide needed support to governments in this regard.

- **Support to local governments and communities** by States, international and civil society organizations is needed in delivering assistance and assessing migrant needs, and ensuring continuity of care for those who need it beyond emergency phase assistance, through safe information sharing and referrals.

- **Status determinations need to be made quickly and efficiently**. Special attention should be paid to assisting and protecting those in vulnerable situations, such as unaccompanied migrant children and migrant victims of abuse, exploitation, and human trafficking.

- **Measures to combat trafficking in persons and smuggling of migrants** are essential to address criminal activity, while protecting and assisting the victims of these crimes. IOM’s assistance to vulnerable migrants programmes provide access to safety, needed psychosocial, medical and other counseling, and return home for those whose who wish to return, as well as measures to help them rebuild their lives.

2. **Counter Growing Xenophobia**

All actors – states, international and civil society organizations, and the private sector – must actively combat xenophobia, racism and discrimination, including through public campaigns. Communicating effectively about migration is critical to how migrants are perceived in society, and to creating needed policy space and options to manage the inevitable – and beneficial -- diversity that globalization brings.

- **Highlighting the overwhelmingly positive contributions of migrants and migration to the economic and social dynamism of their home and host societies** may be the single most important policy tool in all societies working to manage increasing diversity. This requires strong political leadership at all levels – global, regional, national, local and community.

- **Platforms for engaging migrants directly** to enable communication between migrants, local communities and local and national authorities are needed to ensure that migrants are empowered to contribute to their own well-being and to their home and host societies. IOM’s I
Am a Migrant Campaign\(^2\) is a platform for highlighting the personal stories of migrants, showing the human face of migration, and challenging the anti-migrant stereotypes and hate speech rampant in politics and many societies.

- The role of the media in combating xenophobic reactions and fears is paramount in shaping – or re-shaping – the public discourse and associated political response.
- IOM fully supports the Secretary General’s intention to launch a global campaign to counter xenophobia and will work with all relevant stakeholders at national, regional and global levels to help change the current toxic and inaccurate migration narrative.

3. A Global Compact for Safe, Regular and Orderly Migration

In the 2030 Agenda for Sustainable Development, States committed to cooperate internationally to facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies. Migration, including large movements, is best governed through evidence-based policies and a whole of government – indeed whole of society - approach. This includes addressing labour and skills shortages, meeting other economic and social objectives, and leveraging regional and international cooperation.

The 19 September Event provides a critical opportunity for States and the international community to:

- reduce the human and financial costs of migration;
- address the drivers of and find solutions for forced displacement;
- ensure that migration is mainstreamed in global, regional and national sustainable development and humanitarian policies and programmes; and
- work toward dignified migration as a matter of choice – not desperate necessity – through safe, regular and orderly channels.

A Global Compact for Safe, Regular and Orderly Migration could draw on existing tools and policies such as IOM’s Migration Governance Framework (MIGOF)\(^3\) and IOM’s Migration Crisis Operational Framework (MCOF),\(^4\) both adopted by IOM’s Governing Council, to give effect to Target 10.7 of the 2030 Sustainable Development Agenda.

- **IOM’s Migration Governance Framework**: The essential elements for facilitating orderly, safe, regular and responsible migration and mobility of people through planned and well-managed migration policies (MIGOF)-- provides a coherent, comprehensive and balanced set of principles for well-run migration systems, and can be used by States to assess their migration policies and programmes, identify gaps and challenges, and determine priorities for their improvement. More specifically, the MIGOF promotes migration and human mobility that is humane and orderly and benefits migrants and society:
  a) Based on: (i) adherence to international standards and fulfilment of migrants’ rights; (ii) formulation of policy using evidence and “whole-of-government” approaches; (iii) engaging with partners;

\(^2\) http://iamamigrant.org/
\(^4\) http://www.iom.int/mcof
b) It seeks to: (i) advance the socioeconomic well-being of migrants and society; (ii) effectively address the mobility dimensions of crises; (iii) and ensure that migration takes place in a safe, orderly and dignified manner.

- As outlined in the MIGOF objectives, a Global Compact could include:
  - Adopting labour migration opportunities, including permanent, temporary and circular migration, for migrants of various skill levels;
  - Facilitating international student migration and family unification;
  - Facilitating the recognition of skills and qualifications;
  - Ensuring migrants have fair and non-discriminatory access to the labour market, and integration into their new communities. This requires strong, results-focused integration and social cohesion programmes, including for returning migrants or displaced persons, who often need reintegration assistance;
  - Ensuring migrants have appropriate access to health care, psychosocial support, social services, education, basic public services and housing, regardless of gender, age or other diversity characteristics;
  - Making social benefits – including pensions, health and other benefits – portable, and ensuring regulations support employers in doing so;
  - Ensuring migrants and displaced persons have access to legal recourse, including for land and property claims;
  - Facilitating low-cost channels for remittances and supporting opportunities for investment in home communities;
  - Taking action against private actors that charge unreasonable fees for migration services and regulating recruiters and recruitment agencies;
  - Regulating employers and inspecting labour conditions so that employers of migrants fulfil their obligations to migrant employees;
  - Investing in data capacity-building and communication of migration data, including tools such as IOM’s Displacement Tracking Matrix (DTM) to track and monitor population displacement, and inform operational response, programming, and advocacy;
  - Preparing national migration reports or profiles on a regular basis to assess and raise awareness about the impact of migration and contribute to improving policy coherence;
  - Establishing stronger public-private partnerships to make use of “big data” and new technologies, as envisioned by IOM’s new Global Migration Data Analysis Centre in Berlin.

- **IOM’s Migration Crisis Operational Framework (MCOF)** is a practical operational tool to improve and systematize how IOM supports its Member States and partners to better prepare for and respond to migration crises, at the pre-crisis preparedness, emergency and post-crisis recovery phases. It can be used by States to evaluate and determine their own approaches to addressing large movements of migrants and migration crises. It draws on IOM’s humanitarian activities and migration management services in 15 sectors of assistance.

### 4. Inter-State and Multi-Stakeholder Cooperation

By its very nature, migration requires international cooperation. It also requires the engagement of multiple stakeholders – countries of origin, transit and destination of migrants; international and civil society organizations; private sector employers, recruiters and service providers; social partners; migrants
themselves and their organizations. Important strides have been made in bilateral, regional and global cooperation on migration, and these require reinforcement and further development:

- **Bilateral and regional labour mobility and economic integration efforts**, including through the regional economic communities, facilitate planned and managed migration and need to be deepened and strengthened;
- **Regional Consultative Processes on Migration (RCPs) and inter-regional fora** foster critical dialogue and cooperation on the full range of migration challenges and warrant reinforcement;
- **Global migration dialogue** through the annual Global Forum on Migration and Development, IOM’s regular International Dialogue on Migration, and the periodic General Assembly High-Level Dialogue on International Migration and Development, all form important parts of the migration governance architecture and should be strengthened;
- **Member States should welcome** the principles, guidelines and practices developed by the government-led, inclusive, multi-stakeholder Migrants in Countries in Crisis (MICIC) Initiative, for which IOM serves as Secretariat, to better protect and assist migrants caught in countries experiencing natural disasters or conflict, and the Nansen Initiative’s Protection Agenda on addressing cross-border movements as a result of natural disasters and climate change. These initiatives define for states and other stakeholders measures they could adopt to improve how they support and assist migrants.
- **Building on these, longer-term approaches could include** initiating a process to develop guidelines on supporting and assisting vulnerable migrants in a wider range of circumstances, using a government-led, inclusive consultation process that would culminate in the adoption of such guidelines by the next UN General Assembly High Level Dialogue on International Migration and Development (to take place no later than 2019) or other relevant forum.

There has been considerable progress in recent years in recognizing migration and migrants, their needs, rights and capacities, in multilateral processes and frameworks including the Sendai Framework for Disaster Risk Reduction, the United Nations Framework Convention on Climate Change, and the World Humanitarian Summit. In adopting the 2030 Agenda for Sustainable Development, UN Member States agreed that States must work to facilitate safe, orderly and regular migration, recognizing that, if governed well, migration benefits migrants and society. It is time to work together to give effect to these commitments.

9 May 2016