

**EIGHTY-FOURTH SESSION OF THE COUNCIL**

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**SUMMARY RECORD OF THE FOUR HUNDRED AND FORTY-SECOND MEETING**

held at the Palais des Nations, Geneva,  
on Monday, 2 December 2002, at 3.20 p.m.

Chairperson: H.E. Ms. A. MOHAMED (Kenya)

later: H.E. Mr. J. KARKLINS (Latvia)

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Agenda item 6 (continued)

INTERNATIONAL MIGRATION POLICY DIALOGUE (continued)  
(MC/INF/253, MC/INF/255, MC/INF/256, MC/INF/257)

1. Mr. APPAVE (Administration), speaking at the invitation of the Chairman, reminded those present that Member States had asked for a discussion based on their experience with the day-to-day realities of migration and introduced by senior policy-makers in that field. He therefore welcomed the two guest panellists, Mr. Farouk Ghoneim, Assistant Minister for Consular, Migration and Refugee Issues in the Ministry of Foreign Affairs of Egypt, and Mr. Peter van Wulfften Palthe, Director-General for Regional Policy and Consular Affairs in the Ministry of Foreign Affairs of the Netherlands.
2. Mr. GHONEIM (Assistant Minister for Consular, Migration and Refugee Issues, Ministry of Foreign Affairs, Egypt) thanked the Director General for launching the migration policy dialogue between countries of origin and countries of destination, in order to enhance understanding and cooperation and solve the problems related to migration.
3. He had been asked to present Egypt's experience as a country of origin and his colleague from the Netherlands had been asked to present his country's points of view and experience as a country of destination. That might suggest that there were some differences between them. On the contrary there was no such distinction, since both had common, rather than conflicting, interests as far as migration was concerned. One party suffered a shortage of labour, the other had an oversupply of it, and both definitely benefited from the process of migration.
4. In Egypt migration was a relatively recent phenomenon, as Egyptians, for historical and geographical reasons, were traditionally reluctant to emigrate. Until recently Egypt had been mainly an agricultural country, totally dependent on the waters of the River Nile. Its people had settled on the banks of the Nile for many thousands of years and built one of the earliest and greatest civilizations of the world. Over the years, its essentially rural population had developed a deep attachment to the land and if people migrated, they sought to return at the earliest opportunity.
5. Egypt was also a country of transit and destination. Owing to its central location at the crossroads of three continents, it had been used as a transit point for illegal immigration to Western Europe and the United States of America. The influx of migrants and refugees into Egypt was largely due to the less stringent legislation governing the entry and residence of foreigners and the characteristic hospitality and tolerance of the Egyptians. His country was deeply concerned, however, by the recent wave of illegal immigration, not only because of the social tensions and economic problems which it created, but also on account of its links with organized cross-border crime and corruption and of the physical and psychological abuse of its helpless victims. Every effort was therefore being made to control the inflow of irregular migrants.
6. As a social phenomenon in Egypt, migration dated back to the late 1950s when the pressures of rapid population growth and the resultant social and economic difficulties had led many people to seek better employment opportunities in the oil-rich Arab countries which needed migrant labour to meet the needs of their expanding economies. The Egyptians, in particular professional people (academics, accountants, managers and artists), had played a major role in supporting the

newly independent Arab States, but they regarded migration as a short-term necessity rather than a permanent choice.

7. Two main groups of ministries and government agencies were involved directly or indirectly in the management of migration in Egypt. One group included the Ministries of Manpower and Emigration, Foreign Affairs, the Interior, Social Affairs and Insurance, Finance and the Central Bureau of Statistics. The second group included the other ministries and State agencies which processed individual applications for employment abroad and collective applications from their counterparts in other countries. The latter group also included public sector companies, contractors and Egyptian consulates and diplomatic missions in destination countries. The Emigration Law No. 111 of 1983 had defined and regulated permanent and temporary emigration and called for the establishment of a higher inter-ministerial committee for emigration to be headed by the Minister of Emigration. That committee was concerned with migration affairs, including the training of potential emigrants, their registration, the provision of information on available migration opportunities and the strengthening of the migrants' spiritual and cultural links with their homeland.

8. Temporary emigration was regulated by Law No. 10 of 1991 which stated in Article 28 that the recruitment of Egyptians for work abroad should be restricted to employment agencies licensed by the Ministry of Manpower, as well as foreign embassies and consulates accredited in Egypt, if the labour contracts were made with their government departments and ministries or public corporations. Other cases were to be examined by the Minister of Manpower and Emigration. That law also authorized the Minister of Manpower to establish rules and criteria for the recruitment and employment of Egyptian workers abroad, in collaboration with the Ministers of Foreign Affairs and the Interior, in cases where no entry visas to the countries of destination were required. The law, which was aimed at ensuring that Egyptian workers were not exploited by brokers and middlemen, was implemented by the Ministry of Manpower and Emigration.

9. Remittances by Egyptian expatriates were estimated at approximately USD 3.7 billion annually. Egyptian expatriates had served as goodwill ambassadors to the host countries, providing a source of mutual inspiration and enlightenment. The Egyptian Government had encouraged them to keep in close, sustainable and functional contact with their homeland and to maximize their services and contribution to national development.

10. He then enumerated some of the main components of Egyptian migration management policy, which included: creating a database of persons wishing to work abroad, for use in foreign recruitment agencies and in Egyptian labour representation offices abroad; enhancing cooperation between government bodies and the Ministry of Manpower and Emigration to organize training programmes to meet the needs of foreign labour markets; deriving maximum benefit from Egypt's hard currency revenue from the remittances of Egyptian expatriates by facilitating money transfers and reducing corresponding bank commissions, and opening up better investment opportunities with higher interest for Egyptian expatriates in Egypt; drawing up programmes to help potential emigrants adjust to their new environment (for example, through information on local customs in the host countries, foreign language courses); exploring potential labour markets and identifying their development needs; upgrading the Egyptian labour representation offices abroad and opening new offices in potential labour markets; training staff to plan and supervise the required training programmes; modernizing the vocational training centres to meet the requirements of

foreign labour markets; introducing the necessary administrative legislation to enable workers seeking jobs abroad to take work leave without pay for unlimited periods; expanding the network of labour agreements with major countries of destination to protect the rights of Egyptian emigrants and regularize their status wherever necessary; increasing cooperation with Arab countries of destination through the Arab Labour Organization, to ensure favourable conditions for Egyptian workers; introducing new legislation in 1975 permitting dual nationality for Egyptian citizens; signing academic certificates' equivalence agreements with other countries to ensure that Egyptian academic degrees were recognized abroad; convening a biannual conference for Egyptian scientists and academics abroad to discuss Egypt's problems; creating a general federation for Egyptian emigrants in Cairo to represent and promote their interests and serve as a link with the Government; setting up the Supreme Committee for Migration - an inter-ministerial body concerned with all aspects of migration; and establishing a travel advisory unit at the Egyptian Foreign Ministry to provide advice to travellers and potential emigrants.

11. He paid tribute to IOM's Migration for Development in Africa (MIDA) programme which enhanced the role of African expatriates in the development of their countries of origin. The Egyptian Government was discussing with IOM support for such initiatives by the Egyptian Fund for Technical Cooperation with Africa at the Egyptian Foreign Ministry. The ongoing IOM-sponsored and Italian-funded programme to create a migration database in Egypt was a sound example of cooperation between two countries of origin and destination. He drew attention to the joint Regional Conference on Arab Migration in a Globalized World, to be sponsored by IOM and the League of Arab States in Cairo in April 2003 to provide a forum for Arab decision-makers and international experts to discuss policies with regard to migration issues in general and geographical mobility of human resources in particular, at the national and regional levels.

12. In conclusion, he said that migration had been a mixed blessing for Egypt, involving both challenges and opportunities. He highlighted IOM's indispensable role in helping to bridge the gaps and create a structural network of action-oriented cooperation for better, balanced, fair and mutually beneficial management of migration. He encouraged the IOM Administration and Member States to give further support to that timely policy dialogue.

13. Mr. VAN WULFFTEN PALTHE (Director-General for Regional Policy and Consular Affairs, Ministry of Foreign Affairs, the Netherlands) said that his country was unmistakably one of net immigration, with some 1.6 million non-Western ethnic minority residents, accounting for almost 10 per cent of the population. Whereas the total population of the Netherlands had risen by 3.5 per cent since 1997, non-Western ethnic minorities had grown eight times faster over the same period. Immigration had made the cities more lively and colourful, and it had also helped to ease the labour shortage and stimulate the rise in prosperity. However, immigration had also presented Dutch society with a number of problems, for example the appropriate action to be taken when immigrants failed to find jobs or to integrate in society or when young people from ethnic minorities turned to crime. About 60 per cent of primary school pupils in Amsterdam and other cities were now from ethnic minority backgrounds, which required a response from policy makers, schools and parents, as segregation and marginalization were no longer remote threats.

14. During the period when the economy was booming, such problems had remained below the surface, thus delaying public debate on immigration. In the mid-1990s a political controversy, widely reflected in the media, erupted among politicians as to whether or not to limit the number of immigrants the Netherlands could accept. More recently, reactions by ethnic minority groups to the events of 11 September 2001 had sparked off further controversy. Following the rise of the right-wing politician Pim Fortuyn, sharp reductions in the number of immigrants and asylum-seekers had been called for. After his assassination his party became the second biggest party in the Netherlands, but with short-lived success, with the result that the Netherlands now had a caretaker government, pending new elections in January 2003. If the elections led to a new centre-right government, policy on asylum and migration was likely to remain much the same.

15. He outlined the present Government's asylum policy, pointing out that the Netherlands regularly ranked among the European Union's top three countries in terms of numbers of immigrants; for the past two years, however, there had been a downward trend. The present Government had announced that the implementation of its asylum policy would be tightened up, so as to distinguish between asylum-seekers needing protection and migrants coming to the Netherlands for economic reasons. It was also in favour of taking a harder line with regard to asylum-seekers who made it difficult to establish their identity.

16. With regard to integration policy, immigrants with a different language, religion and culture were often in a weaker position than the native population and tended to be at a disadvantage in areas such as work and education - which had an impact on the second and even the third generations. The Government was therefore trying to ensure that newcomers learnt Dutch and became familiar with Dutch society through a special integration course, which was compulsory for immigrants who continued to have language difficulties and had failed to find work. A further factor hampering integration was that people from ethnic minorities frequently chose their spouses in their country of origin. The minimum age at which immigrants were able to bring in a partner from their country of origin had accordingly been raised from 18 to 21, and they also had to earn 130 per cent of the minimum wage.

17. His Government was also focusing on the return of people who were not entitled to stay in the Netherlands. Failure to return migrants led to a feeling of insecurity and had a negative impact on people's general willingness to accept migrants. The return of failed asylum-seekers would become a standard feature of bilateral agreements and the Government was considering taking measures against countries that consistently refused to accept their own nationals. The Netherlands, like other Western European countries, intended to pursue a more restrictive policy in future. That did not mean that the country was becoming more inward-looking, but rather that it was seeking to establish partnerships between countries of origin and countries of immigration, which involved rising above theories and tackling practical issues and projects. Reception in the region was one such issue which the Netherlands sought to improve, through international agreements. Already the vast majority of refugees received protection in Asia or Africa; but on the other hand, there was an imbalance in the money spent on refugees in the rich Western countries, as compared to that spent in the less prosperous South. It had been calculated that in 1998 twelve billion dollars had been spent on refugees who reached richer countries in the North as opposed to two million on those who, in much larger numbers, remained in the South. In 2001, the Netherlands' budget for asylum-seekers exceeded the budget of the United Nations High Commissioner for Refugees for the entire world.

18. His Government did not wish to undermine the right to protection, nor to avoid its international obligations, but would like a debate on whether protection had to be offered in the place where the asylum-seeker requested it. That debate should centre on matters such as how to offer global protection to as many people as possible, how to ensure that such protection was adequate and enabled people to return home once the situation had improved, how rich countries might provide less prosperous countries with financial and technical support for the care of refugees, and what role would be played by organizations such as UNHCR and IOM. Hoping to involve as many countries as possible, both rich and poor, the Netherlands considered that there were opportunities in the Convention Plus initiative launched by the UNHCR, which seemed to be the ideal platform for discussing reception in the region.

19. With a view to combating illegal immigration, the Netherlands participated with IOM in launching the cluster process in 2001, based on discussions between certain Western European countries and countries in the Southern Caucasus, known as the Regional Consultative Processes on Migration Management. Such meetings had facilitated a wider exchange of knowledge and information and greater understanding of the different countries' interests and problems in the regulation of migration flows. A visit by a group of Armenian, Azeri and Georgian technical migration experts to several Western European countries had certainly proved positive, but however laudable those initiatives, there was always a risk that they would result in nothing more than dialogue. There came a point where practicalities had to take the forefront. The Western European countries had therefore decided to place negotiations on readmission on their agenda, with a view to achieving practical solutions.

20. Another suitable subject for partnership was the return of refugees. Both France and the United Kingdom had recently concluded agreements with Afghanistan and the UNHCR on the return of Afghan nationals. Both agreements referred to voluntary and involuntary repatriation. Although the parts of the agreements concerning involuntary repatriation were couched in somewhat veiled terms, there seemed to be implicit recognition that people who no longer needed protection and had no residence permit had to return home. The Netherlands hoped to conclude a similar agreement with Afghanistan and UNHCR in the near future. That example might be extended to other countries, with the help of UNHCR and IOM. The Netherlands would welcome a more general debate on that subject.

21. His country had experienced a great deal of change in a very short space of time and the debate on immigration and integration was very much alive. On the one hand, the presence of the immigrant population had broadened horizons and enriched the Dutch culture, but on the other hand it had confronted the country with dilemmas and problems which went beyond national borders. Asylum and migration should be high on the international political agenda. Countries of origin, transit and immigration, as well as international organizations, would have to work more closely together in a spirit of openness and cooperation, ensuring that their partnership was grounded in everyday practicalities. He looked forward to hearing the reactions of Member States.

22. The CHAIRPERSON thanked the two panellists for their excellent and contrasting presentations and opened the floor for general discussion.

23. Ms. d'HUART (France) said that it was obvious that migration was linked with a broad range of other spheres - political, economic and social, *inter alia*. Furthermore, the variety of participants and the number of initiatives demonstrated the need for more thorough consideration of the migration process. The main responsibility of States was, of course, to define a policy in line with national interests. It was clear, however, that that issue could not be considered solely at the national level and that there had to be joint reflection among States so as to compare and exchange experience at international level, as was already the case within the European Union. IOM was the appropriate forum for such an exercise, and her delegation accordingly welcomed the present initiative.

24. She also expressed appreciation for the holding of regional seminars and conferences, such as the recent 5+5 Dialogue (the Ministerial Conference on Migration in the Western Mediterranean, Tunis, 2002) through which a joint approach had been defined and prospects for more regular cooperation opened up. The aim was to strike a balance between the need for States to protect their borders, regulate population flows and seek migrant workers to expand their workforce, on the one hand, and the need for individuals to seek a better life, while still maintaining their rights, on the other. Her delegation took the view that IOM did not have a formal protection mandate but did contribute to protection by setting its action in the context of respect for human rights and fundamental freedoms. It was in that context that the policy to control migrant flows and to combat trafficking and irregular migration had to be considered. She welcomed the choice of topics for discussion at the workshops and hoped that a systematic examination of those topics would be placed on IOM's agenda for future meetings.

25. Mr. HUSSAIN (Pakistan), commenting on Mr. van Wulfften Palthe's statement, which contained some most interesting ideas regarding refugees, considered that it was unfair to lay undue stress on the large sums spent on refugees by developed countries in comparison with developing countries. That gave the impression that the developing countries were not doing enough, whereas Pakistan, for example, had hosted some 3.7 million refugees at the height of the Afghan crisis, at very considerable cost. The concomitant problems were not only financial: in Pakistan, meeting refugees' subsistence needs over a long period had led to deforestation and other environmental damage, and to an increase in drug abuse and gun-running. In drawing conclusions it was important to bear in mind the relative overall economic context of developed and developing countries and to avoid making comparisons which might make the contribution of developing countries look small.

26. Migration for economic reasons was based on supply and demand. The developed countries, with their ageing populations and declining fertility rate, required an inflow of labour from countries with a labour surplus in which economic opportunity was decreasing. However, unless a balance between supply and demand was achieved and a more humane migration framework put in place, irregular migration would continue. It was important to analyse the reasons why current measures to stem irregular migration had not been successful.

27. He considered that the involuntary return of Afghan refugees by developed countries would set a dangerous precedent because that country was still in a very difficult position and would set a very bad example for countries such as Pakistan, where there were still millions of refugees awaiting repatriation. A policy of compulsory return by developed countries which had the economic capacity and space to accommodate those refugees would have a negative effect on

other countries' policies. It would have serious implications both on local integration, which the United Nations High Commissioner for Refugees was strongly advocating, and on secondary movement, in the event of rejected migrants then being forced to seek refuge in their countries of first asylum.

28. Ms. POLLACK (United States of America) said that although much had changed since the tragic events of 11 September 2001, the United States remained a nation of immigrants, which had admitted some 1.5 million new immigrants in 2001 and close to that number in 2002. She endorsed IOM's identification of some key policy issues to be considered in coming years, including migrant security, the human rights and health of migrants and the link between migration and development. Her Government agreed that States were unable to tackle those issues alone and that a multilateral partnership, based on common interests and goals, was essential. As the panellists had pointed out, migration was beneficial to both sending and receiving countries.

29. It was important that governments should avoid adopting a "one box" or unidirectional approach to migration, concentrating on a single aspect of migration-related matters, such as border controls or protection concerns. Internal coordination between all government departments was, however, still a challenge for most countries, including her own - hence the difficulty of developing fully integrated national migration policies. It would be even harder to imagine States agreeing on a comprehensive global migration management system. An effort should be made to build upon existing international agreements, such as the Programme of Action of the United Nations International Conference on Population and Development (Cairo, 1994), that addressed migration in a comprehensive manner. She did not believe, however, that issues such as labour migration, migrant integration and citizenship, and the return of migrants in an irregular situation would be successfully advanced at the global level.

30. The most effective method for increasing cooperation on migration matters was one based on regional initiatives, focusing on the practical issues, rather than endeavouring to reach consensus on abstract principles or theoretical global frameworks. Her Government provided financial support for such regional migration dialogues in nearly every region of the world and would continue to direct resources to such initiatives and, as appropriate, to the concrete projects deriving from them. She endorsed the requests for improved statistical data on international migration and encouraged IOM's efforts in that field.

31. Mr. JEMAI (Tunisia) said that migration was becoming an increasingly acute, urgent and sensitive issue comprising new risks and threats which had to be faced with real determination and international cooperation based on solidarity. There was an obvious demographic imbalance between North and South, which, combined with the structural crisis in the countries of the South, had led to a sharp increase in migration towards the North. As long as the inequalities continued to exist between North and South, with no move towards economic convergence, migration towards other countries would continue. Possible measures to ensure that migration matters brought people together rather than alienating them might include: the encouragement of direct, long-term, foreign investment in the countries of the South, to develop employment, technology and growth; the establishment of an organized, coordinated migration policy between countries of origin and destination, taking account of the qualitative and quantitative needs of both countries - an area in which IOM could provide invaluable assistance; measures to combat irregular migration (through the collective efforts of countries of origin and destination, in both North and South), while safeguarding the rights of legally established migrants. In addition to bilateral



agreements and conventions, regional processes were important. In his country such measures included the conclusion of an agreement in 1995 between Tunisia and the European Union concerning the protection of the rights of Tunisian nationals in Europe, active participation in the Euro-Mediterranean process launched in Barcelona in 1995, and participation in the recent 5+5 Dialogue which had led to the Tunis Declaration. That Declaration was of key importance at regional level in areas such as migration and development, labour and vocational training, migration flows, migration and health, and gender equality. It was important that IOM should be provided with the means to adjust its objectives to those new challenges.

32. Mr. SHEN (Observer for China) said that, in considering ways of improving migration management, migration should be regarded as a social and economic phenomenon reflecting a natural human urge to seek more congenial living conditions. The problem was how to manage the resulting migration movements. Although migration policy-making was mainly a national issue, a managed migration system called for international cooperation. His delegation hoped that developed countries would adopt a more open attitude to immigration, readjust their migration policies and provide greater opportunities for legal immigrants – measures which would reduce irregular migration and benefit countries of origin and destination alike. IOM could play an important role in that area.

33. In combating irregular migration, efforts should be made to take a practical, coordinated approach aimed at reaching solutions, rather than lay blame on others or politicize the matter. His country would participate actively in IOM's programmes for capacity-building and mass information in developing countries which, it was to be hoped, would receive more financial support. Noting the contrasting aspects of migration reflected in the presentations by the panellists, he said that he would welcome further details from the panellist from the Netherlands concerning that country's policy toward legal migrants, as compared to migrants in an irregular situation.

34. Mr. DEMBRI (Algeria) stressed the importance, in considering coordinated management of migration flows, of making a clear distinction between different categories of migrants, for example, between asylum-seekers and refugees, on the one hand, and migrant workers and their rights, on the other. Any effective partnership should also be based on the principles embodied in the Universal Declaration of Human Rights and reasserted in the Final Act of the Conference on Security and Cooperation in Europe (Helsinki 1975), in particular concerning the rights to freedom of movement and residence. It should be borne in mind that, since 1975, in many countries the right of nationality or the right of residence had depended largely on manpower requirements, with a view to extending the labour force where necessary. In the current world situation, reflection on a collective partnership should be set in a long-term context and should therefore not take into account pressures from racist or xenophobic groups in any country. Nor should such reflection be influenced by individual national preferences or cultural tensions in multicultural societies. It was essential to achieve a harmonious balance between cultures, otherwise constructive dialogue would be superseded by a mere juxtaposition of monologues. The Euro-Mediterranean Ministerial Conference (Barcelona, 1995) had underlined the importance of a partnership based on voluntary return, with respect for the rights acquired by workers of all nationalities. IOM could provide valuable assistance in facilitating voluntary return and improving integration of migrants in host countries, with a view to eliminating the risk of confrontation.

35. Mr. TOMITA (Japan), describing his country's position regarding managed migration, highlighted three concepts: cooperation, integration and development. Japan had made efforts to receive migrants in a smooth and steady manner and had taken steps to prevent irregular migration, within a context of international cooperation. As trafficking and irregular migration was transnational and transregional in nature, affecting countries of origin, transit and destination, the establishment of a cooperative international framework was particularly important. For example, the prompt issuing of identification papers and passage arrangements by the consular services of the country of origin would be useful for the return of migrants in an irregular situation. As integration was an important factor in migration management, steps had also been taken to raise certain restrictions on the residence of foreigners in Japan, encouraging communities to accept migrants so as to avoid social instability or cultural conflict.

36. Regarding migration and development, education and vocational training were essential factors in the long-term development of a country. Japan accepted foreign workers with expertise and high-level skills, sent Japanese technical experts to developing countries and received trainees from those countries, thus reflecting the importance of migrants as a valuable human resource.

37. Mr. MIDDLEMISS (United Kingdom) welcomed the panellists' presentations which set out some of the problems and responsibilities common to many countries in the European Union and also gave insight into the potential benefits of migration for all States, whether they were countries of origin, transit or destination. IOM provided an appropriate forum for cooperation and the establishment of best migration practices, but should not, however, develop into a standard-setting body which might alter the currently positive atmosphere of cooperation.

38. Mr. BERG (Germany) emphasized the growing interrelationship of all aspects of migration which created new challenges and made it necessary to coordinate action at national, regional and international levels. A new and comprehensive immigration bill had recently been passed in Germany covering the integration of migrants, the current national economic and labour situations, humanitarian obligations, and residence, employment and integration regulations. At regional level - that of the European Union - the need for a comprehensive approach to migration, covering political, human rights and development aspects in countries of origin and transit, had been stressed. Linked to that was the need to combat poverty, improve living conditions and prevent conflict and tensions. Respect for human rights and the rights for minorities, women and children had also been emphasized. His Government endorsed the conclusions of the Tampere European Council (October 1999) and underlined the need to harmonize European policy regarding asylum, refugees and immigration, including the question of irregular migration and readmission. At international level, Germany had always participated actively in discussions on migration policy within the United Nations and its Specialized Agencies and at many other fora. It had also repeatedly drawn on IOM's efficient facilities in implementing its own migration policies. He stressed that the question of migration and development in the European Union was becoming increasingly important.

39. Mr. LONG VISALO (Cambodia), stressing the need to combat irregular migration, said that the main solution to migration problems in Cambodia lay in the strict application of national law and of international conventions. In that application, it was important, however, to make a clear distinction between traffickers and the victims of trafficking. Victims should receive humanitarian assistance and traffickers should be sanctioned in accordance with the principles upheld in the Manila Process, the Bangkok Declaration on Irregular Migration and the Bali Ministerial

Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime. Solutions to the problem of people trafficking could not be achieved by each country in isolation; regional and international cooperation were essential. Cambodia's current cooperation with IOM showed that reintegration policies were of key importance to the victims of trafficking, otherwise those victims would continue to be exploited by traffickers. Steps should also be taken to assist countries of origin to combat poverty, in order to stem the flow of emigrants.

40. Mr. KARKLINS (Latvia) said that a clear distinction should be made in the discussion between migration and asylum-seeking – all migrants were not asylum-seekers. The question of migrants' rights and responsibilities should also be addressed, in particular that of whether migrants in an irregular situation had the same rights as migrants who had gone through legal channels. Increasing irregular migration from Latvia to European Union countries, mainly for economic reasons, had recently led to government action to discourage potential emigrants from Latvia through major information campaigns, and to trace companies which advertised in local papers promising a better life in other countries. Those measures had proved effective in stemming irregular migration. It was the responsibility of each government to take similar steps.

41. Mr. DIOP (Senegal) welcomed the new Members, especially those from African countries, which reflected IOM's growing importance. Migration questions were in the forefront as globalization, conflict and underdevelopment forced people to migrate. Senegal, as a country of both origin and destination, attached great importance to migration questions, which should be approached in a comprehensive manner, taking account also of the positive aspects of migration. His Government had recently launched a programme to enable the country to benefit from the skills and experience of its nationals abroad. He welcomed the regional approach encouraged by IOM, which had been reflected in the recent subregional workshop in Dakar on migration-related questions. Topics for future discussion might also include integration, the positive contribution of the diaspora and the advantages and effects of migration. He announced that he had just received confirmation from the Ministry of the Economy of Senegal that the necessary steps had been taken to settle the full amount of Senegal's assessed contributions to IOM.

Mr. Karklins (Latvia) took the chair

42. Mr. GERBER (Switzerland) said that although migration policies were a matter of national prerogative, reflecting different interests according to whether the country was one of origin, transit or destination, the complexity of migratory flows and the increasing number of migrants made it necessary to establish closer cooperation between States. The difficulties reflected in the panellists' presentations were leading governments to change their migration policies, but that could not be done in isolation. As no global system for orderly migration had yet been established, inter-State cooperation based on respect for the rights of countries of origin and destination and for the fundamental rights of migrants was now essential if irregular migration and its harmful effects on security, trade and inter-State relations were to be kept under control. Even if States wished to manage migration within their sovereign territory, as Switzerland did, they certainly would not wish to lose control of migration movements nor suffer the consequences of irregular migration. It was therefore essential to establish a more appropriate framework for legal migration movements. He proposed that a consultative process be established between States based on the principles underlying the Berne Initiative, and aimed at enhancing understanding of all migration-related matters and thereby achieving better management of migration at regional and global levels, for

the benefit of all States, whether of origin, transit or destination. As it was difficult to impose any restrictive regulations at international level on account of the sensitivity of migration issues, the principles to be established should be based on best practices and existing agreements. The regionalization of international consultative and cooperative measures was important as a basis for worldwide cooperation. Experience had shown that such cooperation could only be built up gradually on the basis of understanding and determination. IOM, through its Migration Policy and Research Programme (MPRP) in particular, was providing expertise and knowledge to help develop migration management at all levels.

43. Ms. HOCHSTETTER (Guatemala) stressed the importance of regional processes such as the Puebla Process - the Regional Conference on Migration - which had eleven participating countries in her region. She drew attention to the seventh Regional Conference on Migration which had been held in May 2002 under the temporary chairmanship of Guatemala, and to the workshop on migration management and inter-State cooperation organized in Guatemala City under the auspices of Guatemala and Canada, to examine the question of migration management through open flexible dialogue. The workshop had covered topics such as border control, labour migration, counter-trafficking and counter-smuggling measures, the rights of migrant workers and aspects of security, development, demography, trade and health which related to migration. It had been agreed that the main responsibility for effective migration management lay at national level. Governments should develop viable strategies covering border control, the issuing of visas, the verification of documents and the provision of residence and work permits. In order to achieve that, governments should adopt a comprehensive approach, coordinating the activities of all those engaged in the various aspects of migration management, ranging from legislation to public information and education campaigns. International cooperation in that area was of fundamental importance.

44. High priority areas for such cooperation had been identified: the exchange of information, trafficking and smuggling of human beings, the management of labour migration, the return of migrants, capacity-building and technical cooperation. With regard to trafficking and smuggling of persons, emphasis was placed on the importance of exchange of information through formal and informal channels and the aligning of national legislations.

45. The discussion concerning migrant workers had covered the transfer of remittances, a better balance between labour supply and demand and the possibility of concluding agreements on the rights of migrant workers. As regards return, emphasis was placed on the importance of bilateral, multilateral, regional and extra-regional readmission agreements and of documentation for effective cooperation in that field. The workshop had reflected Member States' willingness to find effective strategies and new areas for regional and international cooperation in migration management, accompanied by improved mechanisms for communication and exchange of information. She was sure that Mexico, which now chaired the Puebla Process, would sustain and consolidate the work accomplished.

46. Mr. SMITH (Canada) stressed the need to build up an understanding of migration as a shared global experience, not as a North-South competitive process. Migration was indeed a global phenomenon and there was far more migration between the countries of the South than from South to North. International migration had traditionally played a major role in nation-building. Canada was a country of immigration and one that respected its original inhabitants. Immigration had strengthened the Canadian economy, political institutions and society in general

and had shaped his country's identity as a multicultural country. At the same time, it did happen that immigrants overstayed their visas, worked without authorization, or committed crimes and the authorities did return people to their countries of origin. It had become apparent, however, that a well-managed legal migration system could contribute to the full political, social and economic development of individuals, communities and nations. There was, however, a need to move away from the rigid categories of sending, transit or receiving countries, as it was becoming obvious that most countries fulfilled all three functions. Regional processes had an important part to play in understanding migration phenomena, as the recent Puebla Process meeting had shown. Canada considered that it would be valuable to further develop similar processes in other regions, in Asia and Africa for example, so as to provide more opportunity for dialogue and recognition of common migration challenges.

47. Mr. SAMVELIAN (Armenia), noting Mr. van Wulfften Palthe's reference to the cluster process which, on IOM's initiative, had established in 2001 a dialogue between Western countries and those of the South Caucasus region, said that, although his colleagues from Georgia and Azerbaijan were not present at the Council to confirm it, he wished to reassure Mr. van Wulfften Palthe that his country was actively engaged in the negotiation process to reach conclusions on readmission agreements. His Government was fully committed to finalizing and signing those readmission agreements as soon as possible with all the countries concerned.

Ms. Mohamed resumed the chair

48. Mr. ALBIN (Mexico) said that the increasing importance of migration matters in international affairs undoubtedly called for greater coordination between IOM and the organizations in the United Nations system. It was important not to confuse migration and refuge, migration and asylum, which were two totally different phenomena. The patterns of migratory flows had changed considerably during past decades, mainly as a result of economic, political, social and cultural globalization, so that migratory policies had to be redefined and adjusted accordingly. More consistency was required between the needs of international markets and legislation on migration, as it became increasingly difficult to explain why greater freedom of movement of capital, goods and services should be encouraged, whereas that principle did not apply to persons.

49. He expressed concern about references to the concepts of "illegal" or "irregular" migration, because in the past they had been associated with violations of human rights and fundamental freedoms of migrants. The protection of those rights was an inseparable part of any systemic approach to migration. He therefore preferred the term "undocumented" migration which was used in other fora. Furthermore, it was alarming to see the emergence of restrictive migratory policies which, far from reducing undocumented migration, would inevitably encourage trafficking and the use of high-risk routes. Hence cooperation in a spirit of shared responsibility was the most important principle on which to base joint action and coordinated approaches to the solution of migration problems.

50. It was also important to emphasize the close links between development and migration, as had been reflected in a recent IOM study of the contribution of migrants to their countries of origin. Migrants' remittances worldwide totalled some USD 100,000 million, a sum which exceeded the total amount of official development aid. Mexican migrants, mainly resident in the

United States of America, contributed some USD 10,000 million annually to the Mexican economy.

51. Responding to the statement by the delegate of Guatemala, he said that Mexico upheld its staunch commitment to the Puebla Process and looked forward to hosting the next regional meeting in 2003.

52. The CHAIRPERSON invited the two panellists to respond to some of the questions which had been raised.

53. Mr. VAN WULFFTEN PALTHE (Director General for Regional Policy and Consular Affairs, Ministry of Foreign Affairs, the Netherlands) agreed that there was a need to distinguish between refugees, asylum-seekers and migrants. However, it was hard to see what should be done in the Netherlands, for example, where about 90 per cent of asylum-seekers had proved not to be in need of protection but had simply come to the Netherlands in search of a better life. His country could not accommodate all the people concerned, and once asylum-seekers had been rejected on the grounds that they did not require protection in accordance with the Refugee Convention, their status became irregular. The Netherlands, like most Western European countries, did not have a migration policy. Even if such a policy were to exist and certain categories of migrants were offered job opportunities, he was not convinced that that would solve the problem of people abusing the asylum system in order to gain entry to a country. It would therefore be interesting to hear from countries which did have a migration policy, perhaps a European Union country or the United States of America or Canada, whether the number of asylum-seekers in their countries had declined.

54. Replying to the delegate of Pakistan, he said that his reference to the large sums of money spent by developed countries on refugees had not been intended to reflect self-satisfaction: on the contrary, it reflected his belief that the money would be much better spent on migrants in the countries of origin or transit than in the richer Western countries. There was also an element of discrimination involved, in that migrants who managed to reach the West were given a much better reception than those who were unable to leave the area. He would rather that the money were spent in countries which received great numbers of refugees in Asia and Africa, rather than in the Netherlands.

55. Mr. GHONEIM (Assistant Minister of Foreign Affairs for Consular, Migration and Refugee Issues, Ministry of Foreign Affairs, Egypt) said that the relationship between developed and developing countries was crucial to any migration policy. The main reason why people emigrated was to improve their standard of living. At the same time, development aid to Third World countries had been diminishing over the years, making economic life more difficult and therefore creating more and more migration. The development aid policy to Third World countries should therefore be reconsidered, with a view to reducing irregular immigration. Moreover, it was distressing that with globalization, there were fewer barriers to the movement of capital and goods, whereas the movement of persons was increasingly restricted. It was essential to achieve some harmonization and a better balance between developed and developing countries.

56. After the collapse of the Soviet Union and as a result of increasing numbers of conflicts in Africa and Asia, the Third World countries rather than the developed countries had borne the brunt of the refugee burden. In Liberia, for example, one-third of the population had become refugees as a result of the civil war, and one-third was displaced internally. Thus it was not accurate to say that the developed countries were particularly affected, and they should be encouraged to adopt a more liberal immigration policy, especially for legal immigrants, who often had integration difficulties. It was to be hoped that greater dialogue and understanding between developed and developing countries could be achieved so as to establish more effective migration policies.

57. Mr. APPAVE (Administration) welcomed the open and honest exchange of views among Member States that had taken place, shedding light on their different experiences in the field of migration. Highlighting certain points raised in the discussion, he noted that there had been general agreement that international cooperation was essential to effective migration management in future. That presupposed a willingness to tackle issues in very practical terms through a form of cooperation that did not amount merely to establishing a system of regulations. Emphasis had been placed on the importance of exchanging experiences and understanding migration problems in different parts of the world by sharing best practices.

58. It should also be borne in mind that relevant legislation did already exist, including elements of international law, which should be used as a basis for future action. There had been unanimity over the value of consultation aimed at reaching practical solutions. Many speakers had emphasized the importance of regional consultations such as the 5 + 5 Dialogue, the Puebla Process meetings, the subregional seminar in Dakar, and the Cluster process. IOM remained strongly committed to the development of those regional processes.

59. He noted the reference to the Berne Initiative and the suggestions concerning best practices. Other points raised were the need for more orderly migration in future - orderly, not in the sense that it should be constrained, but on the contrary that it should be managed to positive effect, and particularly in the field of labour migration. Careful attention should also be paid to the sensitive issue of integration, which could be a positive, constructive process but also a difficult one, involving social tensions. Adaptation was needed both on the part of the migrants and of the receiving society.

60. Many references had been made to the problem of irregular migration or undocumented migrants, often linked with that of trafficking and smuggling in people. It would be necessary to take practical action against smugglers and traffickers, while at the same time developing a sensitive approach in providing assistance to victims.

61. Other questions highlighted were: return and repatriation, the links between migration and protection of migrants with both irregular and regular status; the community debate on migration management, including aspects relating to xenophobia and discrimination, which must be combated through better understanding of the migration process as a whole and migrants in particular; and the resources being allocated to migration-related matters.

62. There was a need to address the root causes of migration and the links between migration and development, including aspects such as the management of migrants' remittances. In that connection, IOM's MIDA programme was a pioneering effort aimed at ensuring that the migration

and development linkage worked to the benefit of all. Finally, he stressed the importance of improving statistical systems in order to gain a clearer understanding of migration throughout the world, based on reliable data.

The meeting rose at 5.50 p.m.