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**MIGRANTS' RIGHTS
IOM POLICY AND ACTIVITIES**

IOM POLICY ON THE HUMAN RIGHTS OF MIGRANTS

I. INTRODUCTION

1. IOM is committed to the principle that humane and orderly migration benefits migrants and society. It acts to assist in meeting the operational challenges of migration, to advance understanding of migration issues, to encourage social and economic development through migration and to uphold the human dignity and well-being of migrants. IOM's mandate allows it to work with migrants, refugees, displaced persons and others in need of migration services or assistance. For the purposes of this document, the term "migrants" refers broadly to all the categories of persons within the IOM mandate.

2. "Underlying IOM's work since its inception has clearly been the recognition that, in the final analysis, all that it does is on behalf of individual human beings in need of international migration assistance, and towards whom the international community recognizes a responsibility. The disturbing rise in xenophobia and the tendency to target the foreigner as the scapegoat for any number of societal ills is in fundamental contradiction with the aims of such an organization. **Increasingly, then, IOM sees the need to use means and occasions available to stimulate awareness of the contributions migrants can and do make, the difficulties they often face, and the rights to which they are entitled as human beings. IOM also sees the need to help clarify with migrants their lawful obligations to the States offering them admission.**"¹ This quote reflects the reasoning behind IOM's objective "to work towards the effective respect for migrants' rights", acknowledged by the IOM Council in Resolution No. 923 (LXXI) of 29 November 1995.

3. As an international organization mandated to provide migration assistance, IOM recognizes its responsibility to act with its partners in the international community to assist migrants and governments in addressing migration issues. In all aspects of its work, IOM is committed to working towards effective respect for the human dignity and well-being of migrants. This commitment is reflected in its activities, projects and programmes.²

II. MANDATE

4. In international law, legal protection is based on a mandate, conferred by treaty or custom, which authorizes an organization to ensure the respect of rights by States. For migrants, these rights may include human rights, workers' rights or the rights of refugees, and can be found in

¹ IOM Strategic Planning: Toward the Twenty-first Century, MC/1842, paragraph 27, 9 May 1995 (emphasis added).

² Often, the safeguard of migrants' rights will ensue as a consequence of the assistance provided. At other times, IOM actively promotes migrants' rights through, for example, information campaigns.

various international instruments such as United Nations conventions and other instruments.³ IOM has no such formal mandate. Indisputably, however, the dignity and self-respect of migrants are fundamental concepts within all activities of IOM. They are stated in its Constitution, thus forging a link between the Organization and human rights. Furthermore, a broader meaning is nowadays attributed to the concept of protection. It includes not only legal protection, but also *de facto* protection, where an organization's activities in effect extend protection to persons assisted by the organization. In other words, the actual assistance rendered can constitute a form of protection, especially where it protects the life and physical well-being of persons at risk. Traditionally, the lack of a legal protection mandate has meant that an organization sees protection as falling outside its scope. The broader understanding of protection, however, means that protection and assistance are inextricably linked. IOM recognizes its responsibility to ensure that when providing assistance to migrants, its activities must obtain full respect for the rights of the individual, its activities must be non-discriminatory and must not diminish the human rights of others.

5. Many of IOM's activities contribute to protecting basic human rights. For example, by providing safe transportation or evacuation in conflict situations and related assistance, IOM protects the physical integrity of the migrants and contributes to the full realization of the right to leave any country and to return to one's country of nationality. IOM's provision of shelter and assistance to victims of trafficking protects the fundamental human right not to be held in slavery or servitude. IOM's special resettlement or emigration programmes in situations of internal strife contribute to the implementation of the right of all people to find safe haven abroad. IOM's medical programmes ensure migrants' fitness to travel and facilitate health care follow-up in receiving countries, thus promoting the right to an adequate standard of living, including health and well-being. These are only a few examples of how IOM *de facto* protects individuals falling under its mandate, and strives to ensure the link between protection of rights and the assistance it offers.

III. ACTIVITIES

6. In recognition that the changing pressures and patterns of migration call for new and dynamic responses, IOM is taking an increasingly active role in the promotion of migrants' rights. The growing number of migrants in an irregular situation and others who are not clearly protected by a specific legal regime, coupled with abuses of rights as a consequence of exploitation and discrimination, indicates that IOM should contribute more actively to promoting the effective respect for migrants' rights. Security concerns in today's global climate have also had negative repercussions on the perception of migrants. IOM feels strongly that, while the fight against terrorism is imperative, the vast majority of persons moving around the globe do so

³ Examples of these include: the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention Relating to the Status of Refugees and its Protocol; the Convention on the Rights of the Child; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery; the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others and various ILO instruments concerning migrant workers.

for valid reasons and many of them need international assistance. IOM is therefore committed to promoting better management of migration, highlighting the positive aspects of migration, reducing exploitation and xenophobia and ensuring migrants' access to equality of justice and civil liberties.

7. IOM's experience in the field of migration renders it particularly suited to be an agent permitting effective respect for the rights accorded to migrants by ensuring that respect for rights is an integral part of its programmes. IOM is developing training on human rights of migrants for its staff, to ensure that rights are respected and upheld in all its programme activities. Further, many of IOM's projects are being targeted at actively promoting respect for the rights of migrants. For example, IOM has organized workshops, seminars and information dissemination campaigns specifically directed at increasing awareness of the rights accorded to migrants. Information campaigns on the rights and duties of migrants and the realities of migration have been undertaken by IOM as a means of empowering migrants through the acquisition of knowledge. By providing migrants and other foreigners with knowledge of their rights, and procedures to implement these rights, respect for these rights is promoted, and practical steps against discriminatory practices can be initiated.

8. Research and information collection is a crucial element in identifying and addressing issues of migrants' rights, their violations and other migration-related areas of concern, and IOM has conducted a series of studies on the phenomenon of trafficking in women. Another activity carried out by IOM, which can contribute to furthering respect for the rights of migrants, is providing technical assistance, training and equipment to governmental authorities to promote the establishment of effective migration systems. Technical cooperation on migration builds the capacities of governments through such activities as the sharing of expertise, workshops, advisory services, training of officials, supply of technical equipment and information management systems. In implementing such activities, IOM is able to promote non-discrimination in access to rights and regularly incorporates such a component, particularly in terms of training migration officials.

9. An important aspect of all IOM's work, and particularly relevant in the area of rights, is ensuring that the particular needs of migrant women and children are adequately addressed. Recognizing that women are particularly vulnerable to exploitation, abuse and discrimination, IOM aims to mainstream its gender policy into all its projects and programmes. Many of its counter-trafficking activities are aimed at women vulnerable to sexual exploitation and abuse, and a key element in any IOM programme is working towards empowerment of women, through ensuring that their human rights are respected.

IV. PARTNERS

10. The success of IOM's initiatives depends on close and effective cooperation with States, other intergovernmental agencies, and especially with non-governmental organizations, both international and local. Given the global dimension of the problem of lack of respect for migrants' rights, cooperation is crucial to effectively and comprehensively promote observance of rights. IOM is an active member of the International Steering Committee of the Global

Campaign for the Ratification of the 1990 United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.⁴ The Committee was formed in March 1998 for the purpose of building and popularizing a global campaign to promote the ratification and entry into force of the Convention. Members include the Office of the United Nations High Commissioner for Human Rights, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization and a number of non-governmental organizations. The Convention is a significant move by the international community in the recognition and promotion of migrants' rights. It reflects a growing awareness of the problems and discriminatory treatment that faces many migrant workers, as well as an acknowledgement of the magnitude of the issue of irregular migration. In this way, the Convention is an important and worthy document. IOM sees its role in the global campaign as furthering its own objectives to uphold migrants' rights, as well as a contribution in IOM's quest to translate the Cairo Programme of Action into practice. IOM supports the objectives of the 1990 Convention whose imminent entry into force will be a very relevant contribution towards ensuring effective respect for migrants' rights. The core principles and standards of the Convention clearly link with the principles and objectives of IOM.

11. IOM cooperates closely with the United Nations Special Rapporteur on the Human Rights of Migrants in the fulfilment of her mandate, and works with other bodies concerned with human rights issues; for example, it has concluded an agreement with the Inter-American Commission on Human Rights, pledging cooperation in initiatives aimed at ensuring respect for the rights of migrants in general, and migrant workers in particular. IOM is also collaborating with WHO and others on a policy on "Health and Human Rights of Migrants".

V. CONCLUSION

12. IOM Member States have identified the challenge and have determined that a prime objective of the Organization is to "work towards the effective respect of migrants' rights". Measures are being taken and projects implemented in an effort to promote respect for migrants' rights, whether they be fundamental human rights or specific migrants' rights embodied in an international instrument. Traditionally providing migration assistance, IOM is now involved in various programmes actively focused on the effective respect for migrants' rights. The Organization is assuming a more dynamic role, raising awareness of rights, promoting dialogue and information sharing, acting as an intermediary between States, and between States and migrants, without transforming itself into a supervisory or monitoring agency for the application of international norms. Respect for migrants' rights is essential to ensure the dignity and well-being of migrants, an objective that is central to the spirit and philosophy of IOM.

⁴ The Convention reaffirms basic human rights norms in an instrument applicable to migrant workers and their families. It was recognized that this group of people are often in a vulnerable and unprotected position, especially given the added problems arising from clandestine movements and trafficking in workers. Its objective therefore, is to provide an instrument that recognizes the fundamental rights of migrant workers and members of their families, including those who are undocumented or in an irregular situation.

Annex

IOM ACTIVITIES IN THE FIELD

1. This section aims to provide a snapshot of selected IOM activities in 2002 which contribute to the active promotion of migrants' rights. It provides some examples of conferences and workshops directed at increasing awareness of rights and sensitizing actors involved with migration or directed at legislation and policy formulation. Some counter-trafficking activities with an explicit awareness-raising component have been included, as well as technical cooperation activities and research projects.

IOM Albania

Migrant Assistance Centre

2. The Migration Assistance Centre (the "Centre") was opened on 5 May 2002 to offer a number of services to Albanian emigrants. The purpose of the Centre is to act as a "one stop shop" for actual and potential migrants, providing information on all elements of the migration process including exit, living in the host State and return. The Centre will eventually offer legal advice, advocacy and information on the immigration legislation of a number of countries of destination, as well as the new Albanian emigration legislation. It is anticipated, in particular, that the Centre will be able to offer legal advice to vulnerable migrants. The Centre will also offer information on the dangers of illegal migration and options for legal migration.

Selective Migration Flows from Albania to Italy

3. IOM Tirana collaborates closely with the Ministry of Labour and Social Affairs concerning the identification and selection of Albanian workers who are eligible for lawful employment in Italy. Within this framework, IOM provides counselling and referral to migrants concerning their rights and duties once in the receiving country; a similar scheme of cultural orientation is being run for successful would-be migrants bound for Canada.

Reintegration Centre for Albanian Victims of Trafficking (the "Shelter")

4. The Shelter started receiving victims of trafficking on 12 February 2002. By May 2002, 28 people had been assisted. The Shelter can accommodate up to 28 people at one time. Referrals to the Shelter have been made by local police, local non-governmental organizations (NGOs) and the IOM Rome and Pristina Offices. The age of those assisted is between 16 and 34 years. Stay at the Shelter is based on the free will of the person referred or, in the case of a minor, on the request and approval of the parent and at the request of the police.

5. The Assistance offered includes:

- (i) Immediate medical assistance: A doctor and a nurse are on 24-hour call. A clinic has been identified to make all routine examinations and provide treatment for the women in the programme.
- (ii) Information: The victims of trafficking are given detailed information on their rights and on the support provided at the Shelter and from other resources of the helping network.
- (iii) Legal assistance: A Women's Advocacy Centre meets the legal needs of the assisted. Social workers working with the women have been trained on legal issues relevant to the victims.
- (iv) Psychological assistance: Ten social workers are available to make assessments of the victims and provide counselling.
- (v) Job training and employment: Assessment of education and vocational skills and needs is being completed. Agreements have been reached with several potential employers and social business alternatives have been identified. Two of the women have started working and 13 women have started attending vocational training.

Activities carried out through the IOM 50th Anniversary Campaign and the Belgian Information Campaign

6. The theme of the IOM 50th Anniversary campaign was the "Human Rights of Migrants". This theme was taken to all the art schools in Albania. The students were given a presentation on the rights of migrants, including the principle of non-discrimination, and were then invited to participate in a painting contest entitled "Migrants Enjoy Their Rights". Over 100 paintings were submitted.

7. An information campaign, carried out from October to December 2001, also touched on the issue of migrants' rights, and included workshops, radio broadcasts, television advertisements and the distribution of information material. A workshop for journalists entitled "Migrants make news: the right to accurate and complete information versus freedom of information" dealt directly with migrants' rights. This workshop addressed a number of human rights issues, including the non-disclosure of the names of victims of trafficking, and the correct use of terminology when referring to mobile populations.

IOM Armenia

Training Course on Migration Legislation

8. A training course on migration legislation was conducted by IOM Armenia in February 2002. The course was held at the Border Management Training Centre, established by IOM in cooperation with the Department for Civil Aviation of Armenia.

9. The purpose of the training was to:
- (i) provide relevant knowledge and a basic understanding of the international principles and standards for the protection of migrants' rights when crossing the border of Armenia;
 - (ii) promote knowledge of relevant domestic legislation regulating this field in Armenia; and
 - (iii) highlight the gaps in Armenian legislation when compared with international instruments.

10. Representatives of the Ministries of Foreign Affairs, National Security and Internal Affairs, the Department for Migration and Refugees, as well as the UNHCR Yerevan Office were invited to make presentations.

IOM Austria

Campaign for People in Need of International Protection

11. IOM Vienna is implementing this awareness-raising campaign in Austria in close cooperation with UNHCR Vienna. The campaign includes the following activities:

- (i) Research activities: Prior to the campaign, IOM Vienna produced a country report on the perception of foreigners in Austria. The report was produced in cooperation with the National Focal Point from the "European Monitoring Centre on Racism and Xenophobia" in Vienna.
- (ii) Information dissemination to national and international media: IOM Vienna, in cooperation with UNHCR Vienna, has produced three fact sheets: Terminology of Migration; Perception of Asylum Seekers and Refugees in the European Union; and Information on Countries of Origin.
- (iii) Workshop: IOM Vienna organized a workshop for journalists in Upper Austria on "Language and Racism" on 21 May 2002, which focused on awareness-raising and sensitizing journalists when reporting on migration-related matters.
- (iv) Panel discussion: IOM, in conjunction with the European Commission (EC) and UNHCR organized a panel discussion on 10 June 2002 on the topic "Europe: A Continent for Immigration?". Participants included representatives from the Austrian Foreign Ministry, the EC, UNHCR Vienna and IOM.

Community Action to Combat Discrimination, 2001-2006, Transnational actions for the exchange of information and good practice

12. IOM Vienna was approached by the "Ludwig Boltzmann Institute for Human Rights" in Vienna to be a partner in the implementation of this project. Activities include:

- (i) Supporting the Boltzman Institute in the organization of a national conference on "Non-Discrimination of Migrants".
- (ii) In the second year of the project, it is planned that the Boltzmann Institute will organize a summer school for lawyers on the laws of non-discrimination. IOM Vienna will support the event by contributing a lecturer and providing input on migration matters.

IOM Azerbaijan

NGO Migration Sector Development Programme

13. Through this programme, IOM enables a key NGO to take a lead role in developing the capacities of other NGOs to work on migration issues. National NGOs have been provided support to build capacity to conduct research, provide direct services to vulnerable migrants, advise the Government and act in advocacy roles. In Baku, IOM has helped an NGO to set up a Migration Information Centre to meet potential migrants' needs for balanced and reliable information, to advise them on the legal options available, and to promote decision-making on the basis of accurate information. Smaller-scale information centres will also be set up to cover regions outside the capital in cooperation with local NGOs and authorities.

Study/Leaflets Relating to Migrants' Rights

14. Studies and leaflets produced by IOM Baku include:

- (i) "Away from Azerbaijan – Destination Europe" on irregular migration (June 2001);
- (ii) Applied Research in Trafficking in Human Beings (November 2001 – July 2002);
- (iii) Study on Return and Reintegration of Migrants in the Southern Caucasus Returning from Western Europe (November 2001 – March 2002);
- (iv) Study on trafficking "Shattered Dreams" (September 2002). This report is the basis for joint programming on a National Plan of Action for counter-trafficking supported by parliament, key ministries, Organization for Security and Cooperation in Europe (OSCE) and national NGOs;
- (v) Leaflet for female migrants with addresses and telephone numbers of NGOs, Azerbaijan diplomatic missions and IOM offices abroad (March 2002).

IOM Bangladesh

Awareness-Raising of Migrants' Rights

15. IOM Dhaka has been assisting the “Welfare Association of Repatriated Bangladeshi Employees (WARBE)” in organizing seminars and workshops to raise awareness of migrants’ rights. In 2001, IOM funded the following activities:

- (i) A day-long workshop on “Women Migrants' Reintegration: Problems to Prospects” organized in Gazipur on November 2001.
- (ii) A day-long “Conference on the occasion of the 50th anniversary celebration of IOM” in Dhaka in December 2001. The Vice-President of WARBE presented a paper on the “Rights of Migrants”.
- (iii) IOM funded a rally on Migrants' Day 2001 and financed the production of posters, festoons, banners, T-shirts and a newsletter for that event.

IOM in the Baltic States

Managing Asylum-Seeking and Human Rights in the Baltic States

16. The purpose of this joint IOM-UNHCR project has been to further enhance the administrative capacity of the Baltic States’ migration-related institutions, concentrating on two crucial areas: (1) protection of asylum seekers, refugees, and migrants in general; and (2) how effective migration management instruments and approaches contribute to humane and orderly migration and prevent the abuse of the rights of migrants. Within this framework, the Baltic States’ relevant national legal norms are being taken into account, especially in the context of law approximation with the Justice and Home Affairs *acquis*, and operational and practical implementation issues are being addressed in order to strengthen effective migration-related administrative capacity.

17. The aims of the project are to be achieved through a number of initiatives. These include:

- (i) Training seminars and workshops aimed at the transfer of expertise from European Union (EU) Member States. These activities are generally targeted at government officials of the Baltic States, whose daily work is related to migration management issues, and refugee and human rights protection. NGO workers from the Baltic States are included where relevant. Three major seminars have taken place: (1) “Asylum and Migration in a Diverse Enlarging Europe: a Baltic Perspective” in Riga, Latvia, addressed the general human rights’ framework relevant to migration, its contemporary agenda in Europe, and relevance to the Baltic States; (2) “Protection of Human Rights in the context of Asylum Seeking and Migration” in Tallinn, Estonia, concentrated on the issue of discrimination in migration and asylum-seeking; and (3) “Administrative Procedures for Detention, Pending

Expulsion and Expulsion” in Vilnius, Lithuania, highlighted the detention and expulsion dilemmas in contemporary European practice.

- (ii) Research entitled “Protection of Human Rights in the Baltic States with Special Relevance to Irregular Migration” is being carried out. Findings will be distributed to the participants of subsequent workshops, in order to contribute to informed discussions and follow-up. The findings will also be disseminated as publications, thus serving as useful references for policy makers, migration practitioners and academics.
- (iii) Study visits to the relevant agencies of EU Member States. Such visits consolidate theoretical training offered in the training workshops, offer first-hand experience of EU practices and enhance working professional relationships between Baltic migration officials and their counterparts in EU Member States.
- (iv) Institutional Strengthening Activities in the Refugee Reception Centre in Rukla and the Foreigners Registration Centre in Pabrade, Lithuania, are the final modules. Activities will include: advanced training related to community relations and networking; supervision for the staff of the Rukla Refugee Reception Centre in reception-related matters; local seminars and workshops for awareness-raising and for the prevention of racism and xenophobia; and implementation of a subproject to promote integration in Lithuania or reintegration into the country of origin. The purpose of the subproject is to create good practices for reception work by supporting asylum seekers/refugees to utilize waiting periods, thus preventing mental and social problems and avoiding institutionalization.

18. The project is being executed jointly by IOM through its Regional Office in Helsinki, in coordination with IOM Offices in the Baltic States, and the UNHCR Liaison Office for the Baltic Countries. Its Steering Committee is chaired by the IOM Project Manager and is composed of representatives of UNHCR, relevant institutions of the Governments of Estonia, Latvia and Lithuania, and donors.

IOM Bosnia and Herzegovina

Migration Management Workshop

19. IOM Sarajevo and the Office of the High Representative (OHR) of Bosnia and Herzegovina, on the initiative of the Ministry of Human Rights and Refugees, conducted a workshop in Sarajevo on managing migration. Representatives of the various national institutions dealing with migration issues attended the workshop. IOM and OHR representatives gave a presentation to delegates on international standards protecting the rights of migrants.

IOM Programme for the Shelter, Return and Reintegration of Trafficked Women

20. IOM Sarajevo returns home girls and women who have been trafficked and are trapped in the sex industry and/or stranded *en route* to other countries. IOM also provides a network of safe houses in addition to shelter, counselling, medical care, education and vocational training for the girls and women while their travel documents are being processed for their return home. In addition, IOM provides reintegration assistance tailored to each person's situation. The project focuses on building long-term municipal, local NGO and national capacity to combat trafficking and provide humanitarian services for trafficked victims. Furthermore, IOM Sarajevo has begun conducting a review of its standard operating procedures in areas where legal and human rights issues exist. As one example, IOM Sarajevo has consolidated rules on the conduct of interviews into a *Protocol on the Conduct of Media Interviews*, which is distributed to the media in advance of the interview. The Protocol is aimed at ensuring that the rights of interviewees, for example those related to privacy and security, are understood in advance by all parties and are respected at all times.

IOM Costa Rica

Hemispheric Conference on International Migration: Human Rights and Trafficking in Migrants in the Americas

21. The United Nations Economic Commission for Latin America and the Caribbean and IOM, with the collaboration of the Office of the United Nations High Commissioner for Human Rights and the Inter-American Commission on Human Rights (IACHR) of the Organization of American States (OAS), will organize the Hemispheric Conference on International Migration: Human Rights and Trafficking in Migrants in the Americas, which is to take place in Santiago, Chile from 20 to 22 November 2002. This Conference will be co-sponsored by the United Nations Population Fund, the United Nations Children's Fund and the International Labour Organization.

22. The main objective of the Conference will be to identify activities and mechanisms for coordination that will give effect to the international mandates and agreements on the human rights of migrants. Within the context of preparing for the Conference, IOM San José initiated a series of successful exploratory discussions with the IACHR, as well as the OAS and United Nations Special Rapporteur on the Human Rights of Migrants, with respect to a cooperative effort in developing an Inter-American Programme within the OAS for the promotion and protection of migrants' rights. Through these and subsequent discussions, IOM and the IACHR jointly identified the Action Centre for Human Rights (ACHR), based in San José, Costa Rica, as an institution with the requisite experience and expertise for designing the Inter-American Programme.

Return and Social Reinsertion of Street Children and Children at Risk Affected by Migrant Trafficking: A Pilot Project

23. This project responds to the recommendations and activities contained in the Plan of Action approved in 1999 by the member States of the Regional Conference on Migration (the “Puebla Process”), as well as the results of the seminar “Migrant Women and Children”, held in El Salvador in February 2000. The general objective of the project is to contribute to protecting children’s rights through the return and social reinsertion of street children affected by or vulnerable to migrant trafficking. This objective will be fulfilled through four main components: (1) return; (2) family reintegration; (3) prevention in communities and schools; and (4) research.

24. The two-year project will be carried out by Casa Alianza, an international NGO with extensive experience working with street children in Latin America. The direct beneficiaries of this project are migrant children victims of trafficking in Central America.

Promotion of the Human Rights of Migrants in the Central American Region

25. This project aims to promote tolerance and solidarity among the Central American population by changing attitudes and prejudices related to migrant populations. The project aims to influence school programmes and curricula addressing migrants’ rights.

26. The project will last three years, during which it will foster democratic values and human rights to combat racism and xenophobia. The aim is to reach 250,000 children, adolescents and university students. In addition, 3,450 schoolteachers and 250 journalists will be targeted in an effort to promote awareness and attitude changes.

IOM Ethiopia

Countering-Trafficking through Information Dissemination

27. The overall objective of this information campaign is to provide support to the Ethiopian Government for the prevention of trafficking in human beings. It seeks to inform potential migrants and victims of trafficking, their families and the community at large on issues related to irregular migration and trafficking, as well as their rights as migrants, in order to enable them to make informed decisions in the migration context. This project also intends to raise the awareness of relevant government officials and NGOs working on the issue of migration and trafficking, and to build their capacity to develop sensitive counter-trafficking initiatives. The information will be provided through different channels, including brochures, educational drama followed by panel discussions, radio interviews, and national workshops.

Preventing Trafficking through Counselling Services

28. Under this project, IOM Addis Ababa proposes pre-departure counselling aimed at empowering potential migrants by providing information about the realities of irregular migration, and in particular the risks for women. Such risks include negative health consequences, exploitation, violence and abuse. In addition, the project would provide counselling on human rights, financial management and health issues to potential migrants and their families. Such counselling would enable the beneficiaries to make better-informed decisions related to migration, as well as to facilitate their socio-economic integration in the country of destination. The project would also provide hotline support to give anonymous counselling services. The pre-departure counselling would complement the above IOM information campaign. The Ethiopian Government, through the Ministry of Social and Labour Affairs, has shown interest and commitment to this project.

IOM Guatemala

Investigations and Studies

29. IOM Guatemala has published a series of working notebooks on migration, on the following subjects:

- (i) evolution of the juridical protection of migrant workers in international law;
- (ii) elements for a human rights approach to the phenomenon of forced migration flows; and
- (iii) commercial sexual exploitation of girls, boys and adolescents in Guatemala.

Publication of Posters and a Bulletin

30. IOM has undertaken a number of information dissemination activities in 2002 to promote the rights of migrants:

- (i) In coordination with the Office of the Defender of Migrants and Uprooted Populations of the Ombudsman, IOM has disseminated the following posters entitled “Migrant Friend: You Have Rights” and “Human Rights are Everyone’s Rights”.
- (ii) For the Day of the Migrant, IOM, in conjunction with the Human Mobility Pastoral Office of the Catholic Church, published posters with the motto: “The Migrant’s Dream: A Life with Dignity – Every Person’s Right”.
- (iii) The bulletin “Dreams, Pathways and Borders” was published in conjunction with the Centre for Attention to Migrants, with the title: “Migrant: Protect Your Life, Defend Your Rights”.

Protection and Defence of the Human Rights of Migrants

31. An agreement has been signed between IOM and the Ombudsman's Office to support the opening of offices to assist migrants at the border between Mexico and Guatemala. The main objectives of the assistance offices are to:

- (i) assist the migrant population by providing guidance and mediation;
- (ii) receive and follow up on complaints on alleged violations of human rights;
- (iii) inform migrants about their rights and obligations; and
- (iv) promote and disseminate knowledge of human rights of the migrant population and their families.

32. Furthermore, IOM Guatemala, in coordination with the Ombudsman, the House of the Migrant, and the General Directorate of Migration (GDM), is implementing workshops on Migration and Human Rights of Migrants for the personnel of the GDM and the national police who work in the border areas with Mexico, El Salvador and Honduras.

IOM Indonesia

Regional Cooperation Model Programme in Indonesia

33. The programme aims to assist the Government in handling interdicted migrants in an irregular situation. It deals with migrants' rights in two ways. Upon interdiction, the authorities inform IOM, which then provides health care, finds lodging and makes arrangements for food. IOM then also explains to the migrants their situation and counsels them on their options, which include applying for refugee status. If they choose to apply for this status, a referral to UNHCR is made. IOM is working with the Indonesian authorities to ensure these migrants are granted their basic rights.

34. The activity is included in IOM's Cooperation Agreement with Indonesia. IOM cooperates with the Department of Justice and Human Rights, the Indonesian Police and UNHCR.

35. IOM has also begun working with the Department of Justice and Human Rights to strengthen its capacity in protection monitoring and reporting. A first training workshop on the Guiding Principles on Internal Displacement, protection monitoring and conflict resolution was held in Surabaya in July 2002 for officials from the three provinces dealing with the displacement of Madurese. Oxfam and Common Ground participated with IOM. The Department of Justice and Human Rights and IOM are currently following up on the workshop results through community reconciliation activities in Central Kalimantan. A protection capacity-building programme to cover all provinces concerned with internal displacement is in the final stages of development for implementation in 2003.

IOM Italy

The Migrant Image in Italy through Media, Civil Society and the Labour Market

36. IOM, Caritas Rome and the Archive of Immigration have joined efforts to develop a project aimed at preventing and combating discrimination, exclusion and inequalities in the labour market and civil society in general. The EU-funded project aims at contributing to the improvement of the perception of immigrant communities in Italy, while at the same time promoting and supporting the self-representation of immigrants themselves. The project began in June 2002 and will last 26 months.

37. The project has the following main goals:

- (i) to provide more balanced and correct information related to the presence of immigrants;
- (ii) to improve knowledge, perception and self-representation of immigrant communities in Italy and promote more consistent integration between immigrants and Italian citizens;
- (iii) to improve the social and work-related integration of immigrants and enhance the use of public services for immigrants, through sensitization and training activities involving local bodies, employment services, employers and unions associations, schools, etc. Social workers and employment personnel will be provided with material to be used in their daily work with immigrants.

38. IOM is the lead agency in the project. A total of 21 national partners, covering the whole Italian territory, include Caritas Rome, Statistical Immigration Dossier, Archive of Immigration, CENSIS (research institute), RAI (Italian State television) and RAI NEWS 24, the Intercultural Centre of the City of Turin, the Centre for Intercultural Education of the Province of Mantua, the immigrants' associations Abusuan, Baobab, Bota Shqiptare, Capoverde Women in Italy, Filipino Women's Council, NODI-Our Rights, the NGOs COSPE and UCSEI, the training institutions Forema-Padua, Cefal-Bologna, ENFAP-Pescara, ESCLA-Matera and IRSEA-Bari, and the Ergon Sistemi company.

39. The project envisages two transnational partnerships on specific issues: (1) on media issues with the Netherlands, United Kingdom, Greece and Italy; and (2) on service operators' capacity-building, with IOM Athens and Portugal.

IOM Kazakhstan

Legal Assistance to Migrants

40. IOM Almaty began implementation of the “Legal Assistance to Migrants” project in November 2000. The main partner in the implementation of this project is the Kazakhstan Bureau for Human Rights and Rule of Law (the “Bureau”). The lawyers of the Bureau provide legal assistance to migrants in seven locations throughout Kazakhstan. The assistance includes:

- (i) legal counselling;
- (ii) assistance in writing administrative appeals; and
- (iii) assistance in the preparation of court appeals and defence of the rights of migrants in court.

41. The project aims to inform migrants and relevant governmental authorities of their rights and obligations. The project partners have drafted the “Brochure on Rights and Obligations of Migrants in Kazakhstan” and presented it to the Kazakhstan Inter-ministerial Working Group on Elaboration and Implementation of Migration Policy for comments. In addition, IOM and the Bureau have conducted workshops and seminars for government agencies on migrants’ rights, including:

- (i) A four-day “Human Rights Course for the Prosecutors of Kazakhstan”, jointly organized by OSCE, UNHCR and IOM. IOM gave a one-day course on migrants’ rights, migration legislation development and prevention of trafficking (October 2001).
- (ii) A “Fraudulent Document Training” course, organized jointly by IOM, the British Immigration Service and the United States Embassy in Kazakhstan. IOM conducted training on migrants’ rights and prevention of trafficking (April 2002).

Under the project, the partners have provided legal assistance to more than 300 migrants.

42. In February 2002, IOM, together with the Bureau, conducted a round table for the officials of Kokshetau oblast in order to brief them on the aims of the project and define ways of mutual cooperation in protecting migrants’ rights. All relevant oblast agencies dealing with migration participated, as well as NGOs and representatives of the mass media. The round table material was published by IOM in April 2002 in Russian.

43. IOM Almaty is now developing a new 18-month phase of the project which, in addition to the mentioned activities, will also include dissemination activities and the provision of legal assistance to migrants in detention.

IOM Morocco

Resource Centre for Moroccan Migrants' Rights

44. In cooperation with the Ministry for Human Rights and local NGOs, IOM aims to establish a resource centre for migrants' rights. Moroccan migrants will be informed of their rights and responsibilities under the legislation of the country of destination, as well as receive cultural information on the country of destination to help foster intercultural understanding. The project also aims to strengthen the capacities of the Moroccan Government and NGOs to defend the rights of migrants.

IOM Nicaragua

Migrants and Undocumented Nicaraguans in Costa Rica

45. This project involves the production of a short, documentary video on the reality of migration between Nicaragua and Costa Rica. The video deals with the institutional and legal issues relevant to such migration, the social and personal problems of the migrants, and the impact of migration on the destination society and the lives of the migrants. It is expected to be shown on both Nicaraguan and Costa Rican television, as well as in schools, universities, theatres, markets, and churches.

IOM Russian Federation

Database of Russian Counter-Trafficking NGOs

46. In the autumn of 2002, IOM Moscow began this project to:

- (i) create a database of Russian NGOs engaged in counter-trafficking work; and
- (ii) train Russian NGOs in establishing effective cooperation with the Government authorities.

47. To date, IOM has completed the first phase of the project, resulting in the development of the above-mentioned database and an analytical report identifying the areas in which the surveyed NGOs would benefit from financial support and capacity-building programmes.

48. In June 2002, IOM Moscow organized a training seminar with a primary focus on advocacy techniques for NGOs to promote government awareness of the risks that trafficking poses to the victims' basic human rights, and to promote decision-making that protects and supports trafficking victims, and prevents new cases of trafficking.

49. One of the presentations during the training specifically discussed ways of sensitizing government authorities to the victims' vulnerability and the need to observe and protect their rights during the rehabilitation period. The underlying idea of this discussion was that the Government's commitment to protect the women will translate into specific activities aimed at assisting the victims in coping with the traumatic consequences of trafficking and building their confidence in the Russian law enforcement system.

IOM Tunisia

Pilot Programme to Promote the Development of Out-Migration Areas in Tunisia “PROCHE”

50. This integrated local development programme will include a component aimed at launching a regular migration information campaign in four targeted “emigration-prone locations” in the Tunisian region of Kasserine. Potential migrants will be made aware of existing mechanisms and requirements for regular migration abroad in order to avoid the possible dangers of irregular migration, as well as to inform them of their rights and obligations in receiving countries. An office disseminating relevant and updated information will be established.

51. IOM will be leading, implementing and executing the project in close coordination with the local government of Kasserine, as well as the *Office des Tunisiens à l'Etranger*.

Regional Ministerial Meeting on “Cooperation Dialogue on Migration in the Western Mediterranean”

52. This initiative aims to launch a platform for regular, multilateral consultations on migration with a view to sharing experiences and best practices in the Western Mediterranean. Representatives of Western Mediterranean Governments (Algeria, Morocco, Libya, Mauritania, Tunisia, Spain, France, Italy, Malta and Portugal) participated in a ministerial meeting held on 16 and 17 October 2002. The meeting dealt with three cross-cutting topics:

- (i) migration policies and management;
- (ii) integration policies and the role of national and local players in receiving and sending countries; and
- (iii) links between migration and development.

53. With regard to human and migrants' rights, this initiative directly enhances regional cooperation on the promotion of different issues related to the rights of migrants in the Western Mediterranean region. As a result of the ministerial meeting, a process of regular consultations in the Western Mediterranean will be initiated, including projects and specific activities on migrants' rights, especially in the field of fighting xenophobia, facilitating integration and promoting migrants' rights in receiving countries, informing migrants on rights and obligations, and addressing the needs of the various target groups (for example, women, children and seasonal workers).

54. The “Tunis Declaration” was adopted at the conclusion of the meeting. It calls on States to jointly strive, *inter alia*, to “ensure effective adherence to the fundamental rights of all migrants in the Western Mediterranean region”.

Institutional Strengthening of Migration Management Capacities of Tunisian Trainers for a Better Socio-professional Integration of Tunisian Emigration Candidates

55. This pilot project is being implemented throughout the second semester of 2002 and allows for the establishment of a permanent mechanism of socio-professional training and orientation for the pre-departure orientation and preparation of emigration candidates. Training covers essential topics including: language and culture, relevant legislation, insertion into the job market, and job seeking techniques. The project promotes awareness of both rights and obligations on issues such as: entry and residency permits, labour and health legislation, social protection systems, and access to social services (education, health and housing). Women are specifically targeted and training modules incorporate women’s specific needs.

56. IOM is leading, implementing and coordinating the project with the Tunisian Ministry of Employment, as well as other specialized agencies. In addition, IOM plays a pivotal role to facilitate contacts with receiving countries/regions.

Technical Capacity-Building Seminar on Tunisian Migration to Europe

57. This three-day seminar, held in September 2002, dealt with three issues:

- (i) legal aspects of Tunisian migration to Europe;
- (ii) migration policies and strategies related to integration, citizenship, migrants' rights and responsibilities; and
- (iii) the establishment of a permanent mechanism managing migration in the Euro-Mediterranean area.

58. The issue of migrants’ rights was mainly addressed in the first two topics. Recommendations emanating from the debates were compiled and published by IOM in a final report distributed widely among participants, interested institutions, IOM Headquarters and relevant Field Offices.

59. The aim was to promote awareness of the need to exchange information, and jointly plan and coordinate activities carried out by origin and receiving countries to safeguard migrants' rights. The seminar was attended by some 50 officers appointed by 13 Tunisian ministries and specialized agencies dealing with migration issues, as well as academics, experts, and some 15 government officers and independent experts from Belgium, France, Italy, Spain and the European Commission.

60. IOM carried out the activity in close coordination with the Tunisian Ministry of Social Affairs. Other concerned ministerial departments were consulted for the conceptualization and preparation of the workshop.

IOM U.S.A.

Graduate Certificate Programme

61. IOM Washington has co-created a postgraduate certificate programme on Women's and Children's Issues in International Migration with Trinity College, Washington, D.C. IOM contributes staff to teach the compulsory course: A World in Motion and its Impact on Women: The Feminization of International Migration. Within this semester-long course, one session focuses specifically on the rights of migrants, especially migrant women under international law. Another session focuses on gender and asylum issues, and the growing recognition of gender-based persecution.

Panels/Statements

62. In November 2001, during the annual debate on human rights' issues in the Third Committee of the United Nations General Assembly, the IOM United Nations Observer Office in New York delivered a formal statement regarding respect for migrants' rights. On the same occasion, IOM, ILO and the High Commissioner for Human Rights (UNHCHR) co-sponsored a panel discussion on "Migration, Xenophobia and Human Rights" and IOM participated on the panel with the High Commissioner for Human Rights, the Mexican Permanent Representative to the United Nations in Geneva, and officials from ILO and the International Confederation of Free Trade Unions (ICFTU). Copies of "International Migration, Racism, Discrimination and Xenophobia", a document prepared jointly by IOM, ILO and UNHCHR for the World Conference on Racism, were made available to those attending the panel discussion.

Information/Publications

63. The IOM publication "The Human Rights of Migrants" was released in 2001, and disseminated to key contacts within the United Nations Secretariat. The publication was for sale in the UN bookshop in New York. Fliers for its purchase were also distributed during the Third Committee debate and the panel discussion mentioned above.

64. Throughout 2002, the IOM United Nations Observer Office regularly disseminated information within the United Nations Secretariat on trafficking in human beings. This topic, in particular trafficking in women, is a regular feature in presentations made by the IOM United Nations Observer Office. In 2002, IOM was again a guest lecturer on smuggling and trafficking at the Centre for Refugee Studies' Summer Course at York University in Toronto, Canada. Migrants' rights were a specific theme covered in the lecture and ensuing discussion.