GLOBAL COMMISSION ON INTERNATIONAL MIGRATION (GCIM)

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THE SECRETARIAT

STATEMENT BY DR. R. K. JENNY

EXECUTIVE DIRECTOR
GLOBAL COMMISSION ON INTERNATIONAL MIGRATION

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Chairman,
Director General,
Ladies and Gentlemen

The Broader Picture of Migration

International migration –human mobility- is intrinsically inter-linked with the global economy, the demographic developments we are all familiar with, with international and national development, trade and financial policies, with good governance, and with human security and human rights.

In a time of profound global interdependence -and amazing technological developments- one could imagine a better quality of life for the majority of the world's people. And yet, the stories we read portray a growing divide between the rich and the poor, between peoples of the North and peoples of the South. A large number of the world's population lives in deprivation, a large number of others experience what is usually called 'relative poverty'. What many of them have in common is a feeling of being shut off from full economic and human development in the country and region where they live, but with enormous expectations and aspirations aroused by easy access to information about better life and economic opportunity abroad, by low cost travel and by communication with those fellow nationals who have made it to another country.

If we look at human mobility from this broader perspective of persistent economic disparities, rapid population growth in developing countries, persistent threats to human security, and failures in governance, we can also understand why so many people seek a better life elsewhere, and

this irrespective as to whether they can do this through formal and authorised channels or by entering another country without authorisation.

The increase we have seen in irregular migration over recent years is to a large extent the consequence of this complex mix of factors, one of them certainly being the fact that between 700 million to 1 billion young workers are expected to join the labour markets in developing regions over the next decade, many of whom will not find employment in their home country. Another figure I could use to illustrate the context of economic stagnation in developing regions is that the share of Africa in global exports, as an example, has declined from some 5% in 1980 to less than 2% at present.

Yes, the debate on migration has acquired a sense of urgency -as one IOM paper distributed here also suggests, and it indeed appears that the collective capacity by States and other actors to address the phenomenon is not really keeping pace with the developments I just mentioned.

Therefore, when discussing migration policy in this broader context of growing economic and other pressures in source countries, we cannot do this in isolation but should remain aware that coherent and sustained national and international policies and actions are required in a multitude of areas: Poverty reduction, economic development, trade and financial policies, ensuring full human security, and working towards good governance.

But let me briefly highlight some of the other priority areas the Commission is presently addressing.

Human Dimension of Migration and Valuing Migration

The Commission attaches particular importance to the human dimension of migration and the positive economic, cultural, social and professional contributions migrants can make in both destination countries and in origin countries.

We do look at the migrants as purposeful actors, as individuals who seek to meet their needs and aspirations, as 'strong people' who are often characterised by a particularly entrepreneurial spirit, a determination to succeed, and who are also prepared to sacrifice for their families and future generations.

As Dr. Ramphele mentioned earlier, the migrant can also be an important actor in development. While a large part of current migration, and I repeat it here, is the result of what we can call a 'development failure', it is also increasingly recognised that certain aspects of international migration have in fact become an integral part of the global development process.

We do of course recognise the specific vulnerability of certain categories of migrants, in particular women and children, those who experience difficult living and working conditions, are victims of human trafficking, and face human rights abuse and exploitation. The specific vulnerability of irregular migrants is also very much at the forefront of the Commission's deliberations.

I would like to offer one last comment here on the human dimension of migration. I think we all recognise and value the positive <u>economic</u> contribution by migrants. What is striking, however, is the <u>reluctance</u> by governments and established societies in certain destination countries to accept the migrant as a human being, as an individual with his and her own culture, habits and traditions. Reducing this <u>'distance' between the migrant as a human being and the beneficial economic consequences of his work</u> certainly represents a major challenge, not only in our day to day life, but also in national and international migration policy making: In other words, recognise the migrant as an individual, beyond the immediate economic asset he or she represents.

Sovereignty of States and a Rights-based Approach to Migration

Another discussion the Commission has engaged in concerns the issue of State sovereignty in addressing migration and what is commonly called a 'rights-based approach to migration'.

Our preliminary conclusion in this respect is fairly simple. We believe that much of the current debate which in a way pits the rights of migrants against the rights of States is indeed misguided. There is no conceptual contradiction between State sovereignty and the rights of migrants. Sovereign states decide who is entitled to enter their territory, as much as sovereign States are responsible for the common good of a community of people, including migrants, and have to respect their human rights obligations vis-à-vis migrants.

A rights-based approach to migration, as we understand it, is anchored in applicable international human rights law, and is therefore not

inconsistent with the concept of State sovereignty based on which sovereign States have adopted, and ratified, relevant international law.

In this vein, we also consider that there exists no 'right to immigrate': People have a fundamental right to leave their country, and to return to it. They can also choose to enter any another country, but States have no obligation to extend right of entry. In other words, a strong stance towards treating migrants on the basis of existing international human rights law cannot translate into an endorsement of a world that would be based on free mobility, i.e. open borders. A rights-based approach to migration does not constitute an endorsement of the concept of 'free movement'

Regulating migration is as much about maintaining the possibility of refusing entry as it is about continuing to ensure entry. In other words, States must be able to say "no" to be able to say "yes", with the support of public opinion.

We also consider that there is probably no need for additional international human rights law governing the field of migration. What is needed is more clarity over the rights and obligations of States, and of migrants, and to promote the application and respect of existing and ratified international law. Clearly, States must afford fundamental human rights to all migrants, irrespective of their legal status.

Migrants in Society

My last comment refers to what we commonly call migrants in society. Clearly, one of the principal policy and political challenges posed by contemporary migration relates to its impact, in different forms, on host societies and cultures, and the potential tension that exists between social diversity on one hand, and social cohesion, or harmony, on the other. As we know, current government policies and practices related to integration, or non-integration, multiculturalism, transnationalism, citizenship, and so forth, differ widely in this regard.

Migration is an inherently emotive issue. Migrants themselves often retain a close attachment to people and events in their country and community of origin, and to other compatriots who are living abroad. On the other hand, established societies that experience the arrival of migrants often react in a hostile manner to the newcomers, especially in situations where there are important differences in culture, way of life, and also religion.

In many countries, and in <u>all</u> regions I would contend, this issue has triggered an intensive debate on the expectations that governments, societies and migrants can legitimately have of each other, and on the role, rights and responsibilities of migrants in society. Notions such as mutual acceptance and multi-cultural tolerance, but also other aspects, including the respect, by migrants, for national law and customs, equality in law and practice between men and women, prohibition of polygamy, pre-eminence of civil marriage over religious marriage, respect for the rights and physical integrity of children, the learning of the national language and, in some cases, the sharing and acceptance of basic values that prevail in host societies, are being discussed.

We believe that integration should be a dynamic two-way process of mutual accommodation where migrants respect the values of the host society and at the same time contribute with their own values to the evolution of their new society. While states have a right to determine their own policy with regard to the role of migrants in society, this must be done by respecting a number of universally applicable principals:

Migrants do not lose any of their human rights entitlements because they have moved from one country or region to another. In particular, they should be free of exploitation and discrimination, and enjoy equal treatment and due process under the law. Migrants should also be able to practice their own culture and way of life, within the confines of international conventions and domestic legislation.

Considering the difficulties that invariably emerge in situations where migrant communities and ethnic minorities become marginalised or alienated, and where established citizens react in a negative, sometimes also xenophobic manner towards new arrivals, particular emphasis should be placed on migrant education and training, access to employment, migrant participation in the social life of the adopted country, and of course on naturalisation and affordable access to citizenship. All concerned actors, governments, host societies and the migrants themselves are confronted here with a common responsibility, and a common interest, to ensure that integration can be achieved on the basis of mutual respect, acceptance and respect of domestic law, and social harmony.

Thank you.