

NOTE CONCERNING DOCUMENT MC/2210

At its Ninety-fourth Session the Council, by Resolution No. 1157 (XCIV), approved the Report on its Ninety-second Session without amendment.

To save the cost of reprinting the whole report, it is requested that the attached cover page be added to the original document MC/2210 dated 12 February 2007.

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NINETY-FOURTH SESSION

**REPORT ON THE
NINETY SECOND SESSION OF THE COUNCIL**

Geneva
28 November to 1 December 2006
Rapporteur: Ms. M. Sato (Japan)

MC/2210

**Original: English
12 February 2007**

NINETY-SECOND SESSION

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DRAFT REPORT ON THE NINETY-SECOND SESSION OF THE COUNCIL

INTRODUCTION

1. Pursuant to Resolution No. 1132 (LXXXVIII) of 2 December 2005, the Council convened for its Ninety-second Session on Tuesday, 28 November 2006, at the Palais des Nations, Geneva. The session was opened by Mr. Khan (Pakistan), the outgoing Chairperson, at 10.30 a.m. Eight meetings were held and the session ended on Friday, 1 December 2006 at 5.45 p.m.

ATTENDANCE ¹

2. The following Member States were represented:

Afghanistan	Croatia	Kenya	Senegal
Albania	Cyprus	Latvia	Serbia
Algeria	Czech Republic	Libyan Arab Jamahiriya	Slovakia
Angola	Denmark	Lithuania	Slovenia
Argentina	Democratic	Luxembourg	South Africa
Armenia	Republic	Madagascar	Spain
Australia	of the Congo	Mali	Sri Lanka
Austria	Dominican Republic	Malta	Sudan
Azerbaijan	Ecuador	Mauritania	Sweden
Bahamas	Egypt	Mauritius	Switzerland
Bangladesh	El Salvador	Morocco	Thailand
Belarus	Estonia	Mexico	Tunisia
Belgium	Finland	Moldova	Turkey
Belize	France	Montenegro ²	Uganda
Benin	Gabon	Nepal ²	Ukraine
Bolivia	Georgia	Netherlands	United Kingdom of
Bosnia and	Germany	New Zealand	Great Britain and
Herzegovina	Ghana	Nicaragua	Northern Ireland
Brazil	Greece	Nigeria	United Republic of
Bulgaria	Guatemala	Norway	Tanzania
Burkina Faso	Guinea	Pakistan	United States
Cambodia	Haiti	Panama	of America
Cameroon	Honduras	Paraguay	Uruguay
Canada	Hungary	Peru	Venezuela
Cape Verde	Iran (Islamic Republic of)	Philippines	(Bolivarian
Chile	Ireland	Poland	Republic of)
Colombia	Israel	Portugal	Yemen
Congo	Italy	Republic of Korea	Zambia
Costa Rica	Japan	Romania	Zimbabwe
Côte d'Ivoire	Jordan	Rwanda	

¹ See List of Participants (MC/2209).

² See paragraph 11.

3. Bhutan, Burundi, China, Cuba, Ethiopia, the Holy See, Indonesia, the Russian Federation and The former Yugoslav Republic of Macedonia were represented by observers.

4. The United Nations, the Office of the United Nations High Commissioner for Refugees, the United Nations Office for the Coordination of Humanitarian Affairs, the United Nations Conference on Trade and Development, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization, the United Nations Population Fund, the International Labour Organization, the International Bank for Reconstruction and Development, the Council of the European Union, the European Commission, the African Union, the Food and Agriculture Organization of the United Nations, the Islamic Educational, Scientific and Cultural Organization, the *Organisation internationale de la Francophonie*, the Organization for Economic Co-operation and Development, the Organization of the Islamic Conference and the Universal Postal Union were represented by observers.

5. The International Committee of the Red Cross and the Sovereign Military Order of Malta, as well as the following international non-governmental organizations, were represented by observers: Caritas Internationalis, International Islamic Relief Organization, Amnesty International, American Jewish Joint Distribution Committee (JDC) – Center for International Migration and Integration (CIMI), Center for Migration Studies of New York, *Fondation Hassan II pour les Marocains résidant à l'étranger*, Friends World Committee for Consultation, International Catholic Migration Commission, International Federation of Red Cross and Red Crescent Societies, International Organisation of Employers, Islamic Relief and Qatar Charity³.

OPENING OF THE SESSION

6. The outgoing Chairperson said that 2006 had been an important year for IOM and migration more broadly. A summary of the stimulating and wide-ranging International Dialogue on Migration held at the Ninetieth Session of the Council had been circulated at the United Nations High-Level Dialogue on International Migration and Development held in September 2006 in New York. The Dialogue had been an important and positive landmark which had sent a strong message that migration and development was a field in which all members of the international community had a responsibility to work together. Significant progress had also been made on the IOM strategy document, and it was hoped that an agreement on the first of its three sections would soon be reached. He left the office of Chair of the Council confident that the Organization had a bright future.

CREDENTIALS OF REPRESENTATIVES AND OBSERVERS

7. The Council noted that the Director General had examined the credentials of the representatives of the Member States listed in paragraph 2 and found them to be in order, and that he had been advised of the names of the observers for the non-member States and international governmental and non-governmental organizations listed in paragraphs 3 to 5.

³ See paragraph 14.

ELECTION OF OFFICERS

8. The Council elected the following officers:

Chairperson:	Ms. N. Al-Hajjaji (Libyan Arab Jamahiriya)
First Vice-Chairperson:	Mr. J. March (Spain)
Second Vice-Chairperson:	Mr. O. Carvallo (Bolivarian Republic of Venezuela)
Rapporteur:	Ms. M. Sato (Japan)

9. Assuming the Chair, Ms. Al-Hajjaji expressed thanks to the African Group for its continued confidence and to all members of the Council who had endorsed her nomination. Migrants, 80 per cent of them Arabs and the remainder Africans, now made up 20 per cent of Libya's population. While some considered Libya a country of destination, for others it was a point of transit to Europe. IOM had opened an office in Tripoli in 2006, and she expressed appreciation for its excellent work in coordinating and cooperating with the competent national authorities. The issue of migration was one of Libya's policy priorities, as evidenced by the recent establishment of the Ministry of Expatriate, Immigrant and Refugee Affairs, and by the country's ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (the Migrant Workers' Convention) on 18 July 2004. She thanked the Director General and Deputy Director General for the role they had played at the EU-African Ministerial Conference on Migration and Development held earlier in November in Tripoli.

ADOPTION OF THE AGENDA

10. The Council adopted the agenda as set out in document MC/2200/Rev.2.

ADMISSION OF NEW MEMBERS AND OBSERVER

(a) Applications by the Republic of Montenegro and Nepal for Membership of the Organization

11. The Council adopted by acclamation Resolutions Nos. 1138 and 1139 (XCII) admitting the Republic of Montenegro and Nepal, respectively, as Members of IOM.

12. The representative of the Republic of Montenegro said that his country saw membership of IOM as an opportunity further to develop its capacities to manage migration and respond to the new challenges and opportunities posed by independence. To better assist the country at that crucial stage, the Government formally requested that IOM open a mission and adequately staffed offices in Montenegro, and negotiate a new cooperation agreement. Since 2001, the Government and IOM had been cooperating closely on issues such as counter-trafficking, assistance to stranded migrants, refugees, internally displaced persons and the Roma population, and capacity building for police units and the judiciary. The Government planned to build on that cooperation, addressing issues related to downsizing of the military, police reform, labour migration and technical cooperation. Since the migration challenges faced by Montenegro had a clear cross-border dimension and needed to be addressed from a regional perspective, a direct link must be

established between the IOM mission in Montenegro and the Budapest Mission with Regional Functions. Through its IOM membership, Montenegro hoped to refine and further develop its migration policies in order to meet the criteria for membership of the European Union.

13. After thanking IOM and its Member States for accepting his country's application, the representative of Nepal said that his country had been associated with the various activities of IOM as an observer for several years, and that the Organization had provided critical support to Nepalese migrant workers in times of distress. Nepal had also been actively participating in the regional consultation process organized by IOM. It was confident that cooperation and support would be further expanded and consolidated in areas such as the dialogue on migration, capacity building and sharing of best practices in the migration field. Since Nepal had experienced a surge in both inward and outward migration in the past decade, it had been made palpably aware of the multifaceted implications of migration and therefore considered that the topic had to be mainstreamed and dealt with in a holistic manner.

(b) Application by Qatar Charity for Observership

14. Qatar Charity was granted observer status at meetings of the Council, in accordance with the terms of Resolution No. 1140 (XCII).

15. The Director General welcomed the new members, saying that he looked forward to strengthening and broadening the existing relationship between IOM and the two countries. He welcomed Qatar Charity as an observer, noting that it had already been very generous in funding programme activity for IOM, particularly during the Lebanon crisis.

INTERNATIONAL DIALOGUE ON MIGRATION

(a) Special Interactive Discussion with Members of the Global Migration Group (GMG)

16. The Director General, introducing the item, said that the Global Migration Group provided an excellent framework for interagency coordination. IOM had been a founding member of the Group in 2003, when it was known as the Geneva Migration Group. The present discussion provided an opportunity to engage with governments, in fulfilment of a key provision of the Group's terms of reference. It was indeed timely, as it came on the heels of the United Nations High-Level Dialogue on International Migration and Development.

17. The members present for the discussion were: Mr. Antonio Guterres, United Nations High Commissioner for Refugees (UNHCR) and current Chair of the Global Migration Group; Mr. Ibrahim Awad, Chief, International Migrant Branch, International Labour Organization (ILO); Ms. Lakshmi Puri, Director, Division on International Trade in Goods and Services, and Commodities, United Nations Conference on Trade and Development (UNCTAD); Ms. Odile Sorgho-Moulinier, Director, Office of the United Nations Development Programme (UNDP) in Geneva; Ms. Mari Simonen, Deputy Executive Director, United Nations Population Fund (UNFPA); Mr. Bacre Ndiaye, Director, Human Rights Procedure Division, Office of the United Nations High Commissioner for Human Rights (OHCHR); and Mr. Luca Barbone, Sector Director, Poverty Reduction Group, World Bank.

18. Mr. Guterres provided an update of the activities of the Global Migration Group under his Chairmanship. IOM and UNHCR were partners working together in many parts of the world with complementary mandates; they had recently issued a joint letter stating clearly how cooperation between the two organizations could be further developed. In Tanimpa Camp in Thailand, for example, they had cooperated on resettlement programmes, and in Lampedusa, Italy, they had worked with the Italian Government to ensure humane reception conditions and effective protection. The cooperation in Lampedusa was an example of how capacities could be combined to support government activities, something which should be done systematically. He expressed his pleasure at being at the IOM Council to encourage the good work the two agencies were doing together.

19. Migration was and would be a key issue in international political debates and in the life of the global community. Movements of people face much more daunting obstacles than movements of capital or goods and services, as they engage complex social, economic and rights problems requiring international cooperation and coordination among agencies that provided support to States. Furthermore, while national labour markets operated within their respective regulatory frameworks, there was no similar framework for the international labour market; hence, the impact of irregular migration on global society. Given that it was unlikely that a comprehensive or heavy regulatory framework for the international movement of people would emerge, it was important to develop dialogue to provide support for cooperation among States.

20. The initial activities of the GMG focused on:

- (a) Awareness-raising. The Global Migration Group comprised ten agencies and had received two further applications for membership. It had published one document describing its terms of reference. It had published a second document outlining the capacities and activities of each agency in the field of data collection and research.
- (b) It was currently focusing on identifying the capacities of each agency in specific areas, and on efforts to streamline its working methods and coordination mechanisms with a view to avoiding a heavy bureaucratic structure, and had decided to establish a rotating chairmanship with no secretariat.

21. The Group would be happy to cooperate with the Global Forum on Migration and Development to be held in Brussels in July 2007 and had made proposals to ensure effective interaction.

22. It was important that each of the Group's participating agencies **improve coordination** of its activities in relation to its governing bodies with a view to ensuring consistency and coherence in the work carried out by the Group and the support it provided to States individually and as a group.

23. **Capacity building** in the Group's agencies and in States was crucial. Migration was not exclusively a South to North movement – it was taking on global proportions. South-to-South migration was a growing trend, adding to the complexity of capacity building at the national, regional and international level.

24. Migration could be a key instrument in achieving a more harmonious, just and open global society and in contributing to the development of countries of origin and of destination, provided that efforts were made to make migration more humane.

25. Ms. Puri said that UNCTAD focused on the management of temporary trade-related migration or the movement of labour across borders with a view to promoting development and contributing to the discourse on migration and development. A key area of cooperation among the Group's agencies and within UNCTAD was the management of information such as databases and the conduct of empirical research and analysis aimed at bridging the knowledge and credibility gaps. UNCTAD also focused on the balanced advocacy of migration for development, addressing issues such as development spin-offs, employment, skills and human capital build-up, transfer of technology, pull-up and trickle-down effects, poverty reduction and the artificial competitiveness caused by the movement of natural persons. It was making an important contribution to the understanding of those matters within the Global Migration Group and among Member States, highlighting the link between the movement of natural persons, trade and other dimensions of the root causes of migration.

26. Another important task was managing expectations. Over-reliance on remittances and temporary labour movements, which led to the neglect of some protected sectors and hindered competitiveness, should be avoided. It was important to determine how to manage the benefits of trade- and migration-related development, how to reduce the cost of remittances, how to channel remittances into productive capacity building in home countries, how to use networks created through the movement of natural persons in order to promote trade and development, how to foster entrepreneurship, and how to reverse the transfer of technology. It was also necessary to pinpoint the negative aspects of migration and determine how to manage those disadvantages, such as converting brain drain into brain gain.

27. The Group was striving to do all those things from a different perspective, whether dealing with human rights, migrant rights or labour rights. Other important issues included aid for trade, aid for development and best practices in those fields, and how to counter rising protectionism. It was vital to determine how the temporary movement and formalized movement of labour could attenuate and pre-empt irregular and permanent migration flows. Other issues for consideration were: why the movement of natural persons was vital for trade and development throughout the world, how to deal with the release of one billion people from developing countries onto the labour market, how to build on existing complementarities, the complementarity between low-cost labour in developing countries and high-tech knowledge economies, and how to combine those two factors with a view to maximizing global competitiveness and economic prosperity. In short, UNCTAD was actively involved at all levels in support of capacity building.

28. Ms. Simonen said that UNFPA focused on three main activities: the regular sharing of information, research and data in order to identify gaps and enrich each agency's work within the Group, collaborative research aimed at promoting a better research network by avoiding duplication and overlaps, and capacity building for individuals, institutions and systems. There was much to be gained from the member agencies' different approaches to migration issues.

29. For Mr. Awad, the Group was a forum for information exchange and cooperation between member agencies and an instrument for capacity building. For example, ILO, with IOM and the

Organization for Security and Cooperation in Europe (OSCE) - not a GMG member - had produced a handbook on establishing effective labour migration policies. It had also worked with IOM on remittances and women migrant workers in Eastern and Central Europe, with UNHCR on refugees/migrants in Afghanistan, and with OHCHR on the promotion of human rights instruments. Collaboration through the Group allowed for the best use of the agencies' resources and avoided duplication of activities. ILO also addressed the root causes of migration in that it analysed labour markets, provided policy advice on the formulation and implementation of employment policy, and carried out technical cooperation projects on employment and skills acquisition policies.

30. A number of delegates commended IOM's leadership role in establishing and coordinating the Global Migration Group; this was appropriate since IOM was the only agency with migration as its core mandate. One speaker asked for examples of specific projects that would not have been possible had the Group not existed, and whether the Group had identified any new issues that the international community had yet to tackle. Her Government would welcome more discussion on anti-trafficking and the contribution the Group could make in that area. Two delegations wondered whether the Group had reflected on its optimal size.

31. Several delegations wished to know more about the Group's functioning, in particular its approach to capacity building as a key element of migration management, and how it intended to improve cooperation among its members. Would the Group's institutional wealth allow it to address the root causes of migration in a comprehensive and holistic manner? Two speakers said that it would be useful if the Group could provide an update on its activities and work, perhaps in the form of a written report, while another added that an end-of-year progress report would not be sufficient; it would be necessary to provide follow-up on the work performed.

32. Another delegate asked whether it was possible to develop a fully functional labour market at the international level. He wished to know the Group's views on global intergovernmental dialogue and international partnership, and wondered whether it had any specific programmes to enhance countries' capacity to effectively integrate migration issues into their development frameworks.

33. One speaker wondered how the Group ensured coherence and coordination with non-member agencies that also addressed migration issues. Given that the initial list of its members' activities was very long, he wished to know whether the Group planned to identify overlaps and work towards reducing duplication.

34. Mr. Guterres said that political leadership on migration issues must come from governments, and that it was for them to establish intergovernmental mechanisms for effective international cooperation in that area; such mechanisms were currently lacking, except at the regional level. There was a clear case for strengthened intergovernmental cooperation in areas such as opportunities for legal migration, targeting development cooperation for the most fragile areas of origin, maximizing the impact of migration on the development of countries of origin, effectively tackling the problems of trafficking and smuggling, and ensuring that protection concerns in relation to refugees, women victims of trafficking and unaccompanied minors were addressed properly. The Global Migration Group, although not a multilateral organization with regulatory powers, could provide support to embryonic governmental and intergovernmental efforts in

addressing these issues. By way of example, IOM had a very important International Migration and Development Initiative (“IMDI”) which it was then creating the conditions for others to embrace. Working in a light coordination mechanism, the agencies could identify gaps that needed to be filled and identify which agency was best suited to do so, as well as where overlaps might exist that needed to be eliminated. None of this replaced the need for political leadership nor provided the capacity to tackle these issues effectively and find adequate solutions on their own.

35. The Group was working to combine various individual agency training programmes into training packages for capacity building, to extend the individual initiatives of each agency to the other members in order to achieve greater synergies and take more effective action, and to coordinate migration-related research. Each agency would continue to act within its mandate, but the Group had to eliminate overlaps and fill gaps. It was too early to expect results, but the Group had a clear idea of how it wished to proceed.

36. Ms. Sorgho-Moulinier said that one of UNDP’s most important contributions to the Group was its broad country presence and country-level focus. UNDP’s specific aim was to provide policy advice and capacity-building support to developing country governments, particularly in the preparation of pro-development migration strategies. The Group believed the international community should place greater emphasis on the gender perspective. UNDP considered gender particularly critical in discussions on remittances which, together with brain drain, were the main focus of its migration work, and it planned to work closely with UNFPA in that area in particular.

37. The Global Migration Group was the ideal platform for partnership among the member agencies, an example of which was a joint UNDP/IOM project in Tajikistan to assess the scope of remittances and develop strategies to channel them. As to how the Group worked with non-member organizations, one example was a project between UNDP and the United Nations Children’s Fund in Moldova to assess the household and community-level impact of migration. At the country level, the United Nations Development Assistance Framework was an excellent instrument, under which all the Group’s members were collaborating closely with United Nations country teams. The TOKTEN (Transfer of Knowledge Through Expatriate Nationals) programme made it possible to tap into the knowledge and experience of expatriates by sending them back to their countries of origin for short periods in order to help solve crucial issues.

38. Mr. Ndiaye said that the need for capacity building and a holistic approach applied to the countries of the North as well as those of the South, and steps had to be taken to discover why the political will was so weak in that regard. One source for such an approach was to be found in the universal human rights treaties, whose provisions should be implemented in domestic legislation. In that respect, the 8th International Conference of National Human Rights Institutions, held in October 2006, had addressed the theme of migration and had noted that, although the Migrant Workers’ Convention had been ratified by relatively few States (34), other international instruments ratified by many countries provided sufficient basis for migrants to benefit from decent treatment and the rights which all persons should enjoy, and enabled States to criminalize trafficking. Consideration should be given to how the Report of the Secretary-General’s High-Level Panel on System-wide Coherence could be used to make migration a key theme. Migration should not be regulated at the bilateral level, between strong and weak countries, as a growing number of bilateral agreements were being drawn up at the expense of migrant workers.

39. The Global Migration Group's interaction with States was of interest to a number of delegates, who asked what mechanism would be used to establish a formal link enabling interaction with States, since there was no secretariat, and what added value the Group represented for States. One representative said that the Group's rotating chairmanship should be used to ensure greater involvement of States, while another wished to know what bodies States could consult on specific problems such as the rights of migrants, migrant repatriation and capacity building. Mr. Guterres replied that the rotating chairmanship would resolve the issue of coordination, facilitating contacts with States, and Ms. Sorgho-Moulinier said that governments could consult the United Nations country team, in particular the United Nations Resident Coordinator, which would forward requests for assistance to the appropriate bodies.

40. One representative said that the Global Migration Group could provide added value through its joint approach to migration, in particular by shaping the public's perception of migration. He was concerned about what the Group could do to balance development and respect for human rights in the migration field, and asked what OHCHR was doing to promote ratification of the Migrant Workers' Convention, which could serve as a basis for handling migration in a humane manner. Mr. Guterres said that the Group's main asset was that it was composed of agencies that were involved in both development and human rights. Mr. Ndiaye pointed out that the Committee monitoring implementation of the Migrant Workers' Convention had considered the reports of four States, and that a Special Rapporteur on the Human Rights of Migrants had been designated. A steering committee, composed of representatives of ILO, IOM, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and OHCHR, had been set up to promote the Convention, and OHCHR was planning to hold regional seminars to that end as well.

41. Another delegate said that migration should not be viewed mainly in economic terms and advocated a multilateral approach to migration management in order to introduce global regulations that would help national regulations achieve coherency. He felt that the Group's main asset lay in the fact that it encompassed the different aspects of migration, and asked how the Group could strike a balance between issues such as gender, intolerance and human rights. The Director General said the Group provided a meeting place where people became well acquainted with each other and explored ways of working together, fostering solidarity among agencies, promoting a spirit of cooperation and breeding partnerships, which outweighed size considerations. The Director General also stressed that the Group fostered practical outcomes through the formation of spontaneous alliances, citing the ILO, IOM, OSCE labour migration handbook which resulted from connections formed through the GMG, and the International Migration and Development Initiative ("IMDI"), which began between IOM and the World Bank and now had the engagement of most GMG agencies.

42. Another delegation was interested in how the Group would handle South-South migration, in particular irregular migration, since some countries lacked the necessary resources to integrate and/or expel irregular immigrants. In reply, Ms. Sorgho-Moulinier said that South-South migration was indeed a priority and that UNDP had set up a special South-South cooperation unit which studied migration issues, in particular remittances, skills retention and capacity building at the country level.

43. Another delegate was concerned about the contradiction between measures facilitating migration – waiver of visa requirements, for example – and the promotion of human and migrant

rights at the United Nations on the one hand, and the growing government restrictions on immigration, on the other. He wondered whether the Global Migration Group would take steps to reduce that contradiction and whether there was a political will to do so.

44. One representative asked whether the Group distinguished between long-term and short-term migration and addressed the two phenomena differently, and what kind of research was being conducted on the latter. The Director General replied that long-term and in particular short-term migration were indeed among the Group's standing concerns. Short-term or cyclical migration could be the main engine for development for many sending countries. Asia, in particular the Gulf States, had developed a fixed-contract system for foreign workers, and the Republic of Korea was in the process of setting up a temporary employment system for foreigners as well.

45. One delegation wondered whether the Global Migration Group had considered specific themes for discussion, such as irregular migration, children, women or mixed flows. It also wished to know whether the Group had considered means of encouraging managed migration flows, for example capacity-building measures. Mr. Awad replied that the borders between long-term or settlement migration and short-term migration were blurred because of advances in communication and transport technology. With regard to discrimination, the integration of migrant workers and the recognition of their skills were important issues related to short-term migration that were being addressed under ILO's mandate. ILO was working on the rights of migrant workers, who represented 50 per cent of all migrants in the world. The rights of irregular migrant workers and the fruits of their work should be protected. Today irregular migration could best be absorbed by expanding regular migration, which ILO did by promoting skills policies and decent work. Furthermore, it was essential to protect both migrants and non-migrants from discrimination.

46. Mr. Barbone said that the World Bank was interested in working with other agencies on migration because of the important financial, economic and social ramifications of migratory flows, such as brain drain, remittances and social and humanitarian considerations. The effects of migration at the country level needed to be studied, and a rigorous impact assessment of migration policies carried out as a collaborative interagency effort. The International Migration and Development Initiative ("IMDI") could make resources available to countries and agencies interested in increasing capacity, in understanding the consequences of migratory flows, and in maximizing the positive development impact of migration while minimizing the negative impacts. Ms. Simonen said that the Group's added value and strength lay in the broad-ranging perspectives that such a group could offer, reaching different audiences. The Group aimed to maintain an open dialogue, and build consensus and political will through a holistic approach to migration problems.

47. Ms. Puri said that UNCTAD focused primarily on short-term labour movements with regard to Mode 4 of the WTO General Agreement on Trade in Services (GATS). Cross-border trade in labour was a reality but was riddled with many non-trade-related restrictions, and there was a gap between liberalization and regulation of labour movements, and market realities. The Global Migration Group was designed to promote international cooperation. Although it was up to Member States to demonstrate political will, it was up to the Group to show the way by bridging the information gap. It could achieve soft coherence, build consensus in policy areas, bring together policy makers and stakeholders from different organizations and help create multidisciplinary focal points on migration and development at local and regional levels. Other

aims could include the development of best practices, experience-sharing, problem-solving, regulation with facilitation, and the adoption of sound traditional and innovative approaches.

48. Mr. Guterres added that it would not be possible to curb irregular migration without offering opportunities for legal migration, especially through managed migration. The global labour market would have to work legally if possible, illegally if necessary. Markets were effective ways of allocating resources, but they did not solve all fairness problems, hence the need for an effective multilateral, regulatory framework for the international labour market. However, since it was unlikely that such a framework would be forthcoming in the near term, progress could be made by taking small steps, such as engaging in intergovernmental dialogue, namely at the Global Forum on Migration and Development, in coordinating interagency action through the Global Migration Group and in building on the synergies arising from their interaction.

(b) Partnerships In Migration: Engaging Business and Civil Society

(i) Opening presentation

49. The Director of Migration Policy, Research and Communications (MPRC) gave a presentation on partnerships in migration, specifically between governments, on the one hand, and with business and civil society, on the other. The flow of migrants had risen steadily in recent decades, making governments more aware of the need to manage migration and leading to an increase in the number of stakeholders in the migration management process. Where once migration management had been essentially the concern of governments, it now also involved the private sector, non-governmental organizations (NGOs) and civil society, migrants themselves, both as groups (diasporas) and as individuals, and the mass media. In each case there were numerous possibilities for partnership with government; indeed, certain functions that had previously been the exclusive remit of governments were now more efficiently performed by civil society structures.

50. The private sector, for example, was one of the principal recruiters of migrants; it had a finger on the pulse of labour market developments and thus had an important impact on migration policies and related quota systems. The government and the private sector could pool their resources and increase investment in human resource development. Together, for example, they could engage migrant workers so as to minimize or remedy the problem of “brain drain” and promote “brain circulation”, take action to mitigate the potential downward pull of immigrant labour on wages, highlight the valuable contributions migrants make to host societies, and facilitate the economic and social integration of migrants into the local community.

51. Because NGOs, for their part, often were the main interface between migrants and their countries of origin and destination, because they had experience of the day-to-day realities faced by migrants, they could work with governments to provide migrants with reliable information and realistic expectations about the migration process. As an invaluable source of information for migrants at home and abroad, they could help governments tailor their programmes and policies to real needs, and serve as a network for interacting with migrants. Some countries had set up broad-based consultative mechanisms involving businesses, NGOs and civil society members; IOM found such mechanisms to be a useful means of building broad public support for sustainable migration policies.

52. Diasporas constituted the main post-arrival and long-term support structure fostering integration in the host country, but also played a substantial role in relations with the home country. They were in a position to influence the decision to migrate, and were another major source of information on migration realities and procedures. They could work with governments in both home and host countries to create an environment that was conducive to investment and the creation of businesses at home, and to the transfer of skills and know-how; they could provide suggestions to migrants on the transfer of remittances. The essential ingredients for such partnerships were government policies and incentives, respect for the priorities of diasporas and mutual trust.

53. Individual migrants could also help put the migrant at the heart of migration policies and processes, allowing for enhanced protection of the human rights of migrants and, just as importantly, facilitating more orderly migration processes.

54. Last but not least, the mass media were the main conveyors of information between governments and public opinion, and to some extent also shaped policy and public opinion. They should work with governments to provide better information on migration policy, with a view to fostering a more informed public debate on the issue, promoting more balanced views of migration and enhancing the perception of migrants' roles in their home and host countries.

55. Partnerships in migration were destined to become an essential and enduring feature of the migration management landscape. Identifying effective partnerships, particularly with business, civil society and migrants would be crucial to good governance of migration.

(ii) High-level plenary presentations and discussion

The panellists were:

- **Arturo Brion**, Labour and Employment Secretary, Philippines
- **David Arkless**, Executive Board Member, Manpower, and a member of the IOM Director General's Business Advisory Board
- **Thomas McCarthy**, President of Ghanacoop, Italy and **Jerry Oware**, Manager of Migrants for GhanAfrica, Ghana
- **Rafael Hurtado**, President of the *Federación de Clubes Zacatecanos del Sur de California*

The discussion was moderated by **Imogen Foulkes**, a journalist in Geneva.

56. Mr. Brion spoke about the linkages between the State and business and civil society from the point of view of a government of a labour-sending country. The migration policy of the Philippines was to regulate activity in order to protect both the sending and receiving countries, but most of all to protect temporary migrants originating from the Philippines. Business and civil society were already active participants in implementing that policy.

57. In his country, labour markets were identified and workers recruited primarily by the private sector, in particular by recruitment agencies. The Philippine Overseas Employment Administration (POEA) regulated the recruitment agencies. In turn, the regulated sector, unions and women sent elected representatives to the POEA Governing Board. The membership of the Consultative Council for Overseas Filipino Workers covered the full range of private sector actors with significant stakes in migration. The Government relied on the Council and its members for necessary information to drive its policy. A network consisting of local government organizations, the Church, academia and NGOs disseminated pre-employment information to potential migrants, and the recruitment agencies ran country-specific pre-departure orientation seminars in partnership with accredited NGOs and the Government. Partnerships existed with church groups, NGOs and Filipino associations overseas providing protection and welfare services to migrants. The country's embassies, consulates and labour attachés overseas contributed actively to this work.

58. Some partnerships existed with businesses other than recruitment agencies, and included a link with a major bank involved in issuing identification documents to workers overseas in order to facilitate remittance transfers. Two major telephone companies (the Philippine Long Distance Telephone Company and Globe Telecom) were actively engaged in the campaign against illegal recruitment. More partnerships were expected to develop.

59. An enhanced reintegration centre would be activated in February 2007, with the purpose of establishing a closer link between migration and development and enabling business and civil society to play a greater role in the implementation of State policy. The reintegration programme would comprise three main areas. In the first - personal reintegration - NGOs would play a major role in assisting returnees to secure employment or other livelihood activity in ways which would optimize the utility to the country of the knowledge and experience they had acquired abroad. The State would assist both NGOs and migrants by facilitating training and providing access to funds. Secondly, the State would facilitate links between migrants and their local communities. An example of a partnership based on such a link was the Classroom Galing sa Mamamayang Pilipino Abroad (CGMA) Project, under which overseas workers raised money to build classrooms, while another civil society group, the Fil-Chinese Chamber of Commerce, undertook the construction at reduced cost; the funds were managed by a bank, and the project was monitored by the State. Thirdly, the State would foster the economic reintegration of migrants by intervening to lower remittance costs, and provide investment assistance in partnership with banks and other financial institutions. Those measures would encourage migrants to remit monies through legal channels, and to save and manage their funds effectively.

60. Mr. Arkless, representing the private sector, noted that his organization was the world's largest non-government employer. It employed 4.5 million people every year, and moved half a million of those across borders.

61. He believed partnerships in migration, in particular a tripartite form of cooperation involving business, the international organizations and civil society, were necessary for the sake of the world economy. In his role as a representative of the private sector, he had approached 100 of the top 500 companies in the world for their views on migration management, and all had stressed that their positions were entirely commercial. The global corporate sector already required access to a more numerous and diverse labour force than was available locally. Indeed, in no country in the developed world was the active working population growing at the rate required for its economic

survival. Migration was therefore a necessity. A universally-accepted international legislative framework to process migration was required; possibly even a system to enforce/police its functioning was needed. He appealed to the international agencies to collaborate with the business community in order to create the necessary tools with which business could operate.

62. The business sector embraced the efforts being made by IOM and the international community in terms of on-going dialogue, GATS Mode 4 negotiations, and the Global Forum on Migration and Development. However, management of the unwieldy and inefficient processes involved in migration was inherently challenging. Stakeholders were jostling for position. It was essential to introduce coordination, process and accountability into the area.

63. At the High-Level Dialogue on International Migration and Development he had been gratified to find that the senior labour leader present, the ILO Director-General, had agreed with him, as the representative of the business sector, on the future paradigm for international labour migration. He considered the fact that the official United Nations record of that meeting had failed to record that concurrence of views a manifestation of the institutional barriers to be overcome.

64. The world needed an over-arching organization responsible for migration. IOM should be strengthened and its work publicized more effectively. The International Migration and Development Initiative (IMDI) would be crucial in dealing with labour migration for development. The business community would seek to play a role in the control and correct flow processing of global migration. He appealed to every country and every agency to emulate IOM's initiative in involving the business community. However, if there was an inadequate response at the multilateral international level, corporations would concentrate on work at the bilateral level and take action on the issues as a community.

65. Moving to a local migration and development project, Mr. McCarthy explained that GhanaCoop had been set up in May 2005 by Migration for Development in Africa (MIDA) - Italy as a pilot project promoted by IOM with the support of the Italian Ministry of Foreign Affairs in order to promote the role of the sub-Saharan diaspora in Italy by identifying self-sustaining development projects. The goal of GhanaCoop was to enhance sustainable development in rural communities in Ghana by promoting links between expatriates residing in Italy and communities in Ghana, working in partnership with State and non-State actors.

66. There were four signatories to the initial agreement establishing GhanaCoop, namely IOM, the Ghana Nationals Association, the Municipality of Modena, and the Union of Cooperatives of Modena. The cooperative consisted of 15 individual Ghanaians and three corporate bodies, namely the Ghana Nationals Association, representing the 4,000 Ghanaians living in the Province of Modena, Arcadia, a social cooperative which had planned the start-up of the cooperative, and Emil Banca, a cooperative credit institution involved in a range of activities related to migration and development.

67. GhanaCoop imported fruit and agricultural produce from the country of origin on the basis of Fair-Trade principles. It had created and was managing a farm named "Migrants for Ghana-Africa" in the village of Gomoa Simbrofo, 90 km from Accra, with the objective of improving the living conditions of rural communities through job creation, environmentally friendly policies, and respect for worker rights. GhanaCoop also provided consultancy services to Ghanaian migrants

concerning job opportunities and local market requirements, worked to raise public awareness of Ghanaian and sub-Saharan culture in Italy, promoted solidarity events, and helped poor Ghanaian communities to solve social problems.

68. Global measures taken to date to create an equitable framework of development had so far proved inadequate. Brain drain to the industrialized countries was accelerating and impoverishing the developing countries. The MIDA model, which was based on helping diasporas, might well prove to be the best means of promoting the development process. However, MIDA projects could be implemented by diasporas only with the involvement of host countries and the collaboration of civil society.

69. Mr. Oware described the work of Ghanital, GhanaCoop's sister cooperative in Ghana, which had been established to plan and manage all economic, commercial and social activities of GhanaCoop in Ghana, such as the import and sale of Italian food and beverages, the coordination and supervision of pineapple exports to Italy for distribution by GhanaCoop, the organization of responsible tourism, and the development of the Gomoa Simbrofo farm for the cultivation of pineapples. Proceeds were used to provide essential services in selected villages and periodically to distribute school and sports materials. A solar power plant had been installed in Gomoa Simbrofo in order to improve the standard of living. A cheque for EUR 2,000 donated by the Ghana Nationals Association in Italy in collaboration with GhanaCoop had been presented by Ghanital to the Ministry of Health to fund work for malaria prevention. The GhanaCoop experience was new but already producing impressive and inspiring results.

70. Switching continents to the Americas and to one of the oldest and very first diaspora organizations, Mr. Hurtado wished to share the experience of his Federation's migrant members. The Federation was made up of 75 migrants' clubs, or hometown associations, that had invested USD 100 million in about 2,000 basic infrastructure projects (hospitals, schools, drains, drinking water networks, roads, etc.) in their communities of origin in the Mexican state of Zacatecas in the previous seven years.

71. The first hometown associations had been founded in the 1960s, in order to improve living conditions in communities of origin. The "one for one" programme had been launched in 1986, with the state government contributing one dollar for every dollar raised by the hometown association towards the cost of a given project. In 1992 the programme had been extended to include the Federal Government in what was known as the "two for one" approach. The "three for one" approach, involving the Federal, state and municipal governments, was introduced in 1999, but only in the Zacatecas state. At the Federation's instigation, a national programme was launched in 2001, so that all Mexican states could participate.

72. Under the national programme, USD 80 million were invested nationwide every year, USD 20 million of which were contributed by migrants. By working in partnership with governments at all levels, the migrants had become part of the solution; they were convinced that their participation in the decision-making process helped promote development and reduce poverty. Former migrants had become members of government at all three levels, and had a particularly keen understanding of the needs of migrants and communities of origin. They worked to implement government policies and those of the association.

73. Because the migrants made every effort to improve conditions in their communities of origin, the Federation was taken seriously by all three levels of government, which involved it in discussions of government budgets and programmes. It had other programmes as well, including student exchanges between universities in California and in Zacatecas for the purpose of teaching migrants' children about their roots and enlisting their cooperation.

74. The Moderator opened the interactive part of the programme by asking the panel whether migration management was a realistic goal, and how it might be achieved.

75. Mr. Brion replied that migration management was essential. The coming population implosion in the West and the parallel population explosion in the Asian countries were dangerous. He had been pleased to hear Mr. Arkless say that business was involved in migration for commercial reasons, as the profit motive provided the best incentive for effective management. He hoped, for example, that business would compensate for his own country's weakness in locating markets. Sending countries were sharing their precious human resources when they sent migrant workers, and he appealed to the business sector to provide education and training for migrants, so that the migration process should be mutually beneficial. Business profits should trickle down to migrant workers. Tripartite contact between management, unions and government of the type described by Mr. Arkless was the right way to manage migration. Finally, he was grateful to IOM for the humanitarian assistance it had provided in the context of the problems in Lebanon. However, he believed that institutions like IOM and business in general should make specific development assistance available to countries which strived to help themselves.

76. Mr. Arkless insisted that labour migration should and could be regulated. The scale of the phenomenon required it. (Within the next 24 hours 36,000 people would be trafficked against their will, and 176,000 people would move across borders for work purposes). It was essential to start immediately. The business community wished to play a positive role in the process.

77. Mr. McCarthy thought that the social problems associated with the unregulated arrival of migrants could be mitigated by making emigration conditional on presentation of an invitation to immigrate. Measures were needed to promote the social and economic integration of second generation immigrants. The tendency for new arrivals to join self-sufficient immigrant communities was not conducive to integration.

78. Mr. Hurtado felt that while migration could not be stopped short, migrant communities and in particular governments could do much to stem certain migratory flows by creating companies in countries of origin. For example, a "four-for-one" programme to which Western Union had also contributed had already allowed eight small productive projects to get off the ground in Zacatecas state at a cost of USD 444,000.

79. One delegate referred to the two components of Philippine migration policy and asked for further information on the protection aspect and whether the diaspora was involved in drawing up the regulatory measures prepared by the State. How did the State ensure that Philippine migrants participated in the preparation of those measures? What tangible difficulties had the Philippine Government encountered in applying its migration policy?

80. Mr. Brion presented the whole package of protection measures for Philippine migrants: a pre-employment information campaign to advise would-be migrants what to expect; compulsory pre-departure seminars on the culture, weather, politics and language of countries of destination; activities by Philippine embassies, consulates and labour attachés, combined with bilateral dialogue with countries of destination; and personal, community and economic reintegration programmes for returning migrants.

81. The most important step the Philippine Government had taken to involve diasporas in the preparation of regulatory measures was to ensure that expatriates were able to vote in Philippine elections. It also regularly consulted the expatriate community, and afforded its members the opportunity to take part in local Philippine affairs.

82. Migration policy had come across three stumbling blocks. The first was illegal recruitment by unlicensed agencies that took advantage of the demand for Filipino workers, making huge profits at the expense of migrant Filipinos. The second was undocumented Filipino workers abroad. Unfortunately, the same countries that wanted the Philippines to fight trafficking in people gave employment to Filipinos who were within their borders without authorization. Short of reaching bilateral or international agreements, it was hard to see how the problem could be solved. The third problem was abuse of workers, in particular domestic staff. To combat this scourge, the minimum wage for domestic helpers had recently been doubled and the countries concerned asked to take action as well.

83. Another delegate asked whether GhanaCoop members in Italy had other jobs, or whether they took part only in GhanaCoop activities, given that one of GhanaCoop's objectives was to enhance the skills of Ghanaians in Italy. Since GhanaCoop was a cooperative, its members had presumably contributed to its capital. How did they distribute the profits, if there were any? How were funds transferred from Italy for the activities in Ghana? Another of GhanaCoop's aims being reintegration in Ghana, what was the cooperative's policy for reintegrating members of the diaspora who returned to Ghana on a permanent basis?

84. Mr. McCarthy replied that GhanaCoop had only two full-time employees; the other Ghanaians who were members of the cooperative were volunteers with jobs elsewhere. The cooperative did not plan to pay dividends; rather all profit would be reinvested in activities in Ghana. The funds required were usually transferred through Ghanaians themselves. The cooperative had no policy on permanent return, believing that to be an individual decision. It was more concerned to transfer skills and know-how acquired in Italy to Ghana. In that respect, Mr. Oware added, it aimed to create enabling environments in Ghana so as to discourage rural inhabitants from migrating to towns and cities, and urban inhabitants from migrating abroad. One delegate noted that the same problem of rural exodus had already occurred in European countries. Stemming the exodus implied directing technical assistance and cooperation where it was most needed, by means of modern instruments such as cooperatives and limited liability, self-managed companies. Another delegate, also referring to enabling environments, suggested that more open migration policies in countries of destination were predicated on a visible commitment to stay-at-home policies by countries of origin.

85. Three delegates referred to labour migration in particular. Given the inherent conflicts between the needs of business for labour, government foreign policy interests and public attitudes

towards migrants, how could businesses, governments and migrants work together as equal partners, in particular when the issue was exploited politically? In the case of qualified migrants (Ghanaian doctors came to mind), the problem posed was brain drain. In this respect, one of the delegates asked what guidelines business applied to avoid draining the best brains for the least money from developing countries.

86. Mr Arkless said that Manpower had just completed a survey of the top thousand corporations, almost all of which had moved towards a “go-to” rather than a “take-from” strategy. Their aim was to develop intellectual property and development centres using local human resources in the new emerging consumer markets of the world. The Philippines, for their part, anticipated that most migrant workers would eventually return, and the thrust of its policies was therefore reintegration, a kind of “counter-brain drain”. Workers who had acquired experience of a given country were subsequently employed, on their return to the Philippines, in providing services to investors from that country in the Philippines.

87. As some Member States pointed out, other problems arose with semi-qualified or unqualified labourers, many of them women, who migrated in irregular conditions and were exploited by unscrupulous intermediaries acting outside the law. The solution in both cases was training: countries of origin had to train unqualified labourers so that they could obtain decent work abroad, to use the terminology introduced by the ILO Director-General, and destination countries had to train migrant workers so as to enable them to return home as qualified labour. Such an approach had the advantage of linking countries of origin and destination in a common goal. Mr. Brion and Mr. McCarthy felt that countries of destination “draining brains” from countries of origin should help the latter train replacement staff, for example by funding local technical schools and universities in the countries of origin. One delegate felt that businesses also had a key role to play; as migrant employers, they could enlighten public opinion and describe the positive contribution of migrants to the production process.

88. The panellists agreed that the business-government-migrant partnership was a difficult balancing act, but did not think that the different objectives of business and government precluded the two from working towards the same ultimate goal. Certainly many economies would no longer be able to function without migrant labour – the Swiss tourism industry was the perfect example – and business had to get that message across. If, as had been suggested, migration were regulated in an overarching process carried out at global level, local politicians would have some political cover for unpopular but necessary legal migration policies. In that respect, one delegate pointed out that the Global Forum on Migration and Development could produce such an overarching process 20-25 years in the future. In addition, the “market place” that might be organized in tandem with the Forum would provide an ideal opportunity for countries shopping, for example, for a blueprint for legislation, for guarantees for a micro financing system or for reductions in the cost of transferring remittances, to link up with the business community.

89. A further distinction had to be made for civil society. GhanaCoop, for example, had found that its dealings with non-commercial members of civil society usually resulted in social activities, whereas its dealings with business tended to be driven by economic concerns. In addition, businesses tended to have a good approach when it came to individual migrants, but had so far failed properly to address the needs of diasporas. Businesses, in particular financial institutions, had to involve diasporas in the planning and design of the projects funded. One delegate pointed

out that one of most successful strategies for linking diasporas to home communities involved the Mexican hometown associations. The development benefits of such associations could be amplified when the migrants' contributions were supplemented with contributions from the country of origin. Mr. Hurtado, for his part, felt that businesses and politicians always tried to benefit from migrants. The wall currently being built between the United States and Mexico would not stem the flow of migrants; the number of migrants would only fall once people had jobs and decent wages in Mexico.

90. One delegate agreed, noting that the presentations had clarified a number of aspects of migration, in particular the distinction between humanitarian assistance and development assistance. It was only once all concerned defined such concepts in the same way that coordinated solutions could be found to the genuine problems posed by migration, the ultimate aim being to enable people to find work in their own countries.

91. Two delegates raised the issue of diversification of human resources and the need for integration. How was business responding to that need? Mr. Arkless replied that major corporations around the world were now moving to new models of integration, as were governments.

92. One delegate asked how governments could assist countries with remittances, so as to help societies develop. Mr. Hurtado said that his Federation ensured that remittances were used wisely by participating in projects, not just financially but also physically, to make sure they were transparent. Mr. Brion said that the Philippine approach was to advocate the value of savings, to teach migrants to invest their earnings in productive endeavours, in particular the education of their children, rather than in non-productive purchases.

93. Two Member States spoke of partnerships in terms of managed migration. For Canada, the challenge was to maximize the human capital of migrants and at the same time maximize profits. One promising programme in Toronto had brought together employers, trade unions, credential regulation bodies, schools, community groups and all three levels of government (federal, provincial and municipal). Most employers in the West were reluctant to recognize the credentials of, and thus to hire, skilled migrants. The Toronto programme had matched skilled migrants with employers in a four-month internship programme that had reduced the level of risk taken by employers. In fact, however, in 80 per cent of cases the immigrants had ended up being offered a permanent contract with the employer. What were governments currently doing wrong that prevented them from maximizing the benefits of migration for everyone?

94. Australia tried to balance the various expectations of the community and business, and the need to take account of cultural, social, environmental, economic and security considerations, through an annual consultation process in which the government talked to business councils and industry about their needs and expectations. The challenge was to get the right evaluations and research tools so that all expectations and needs, in particular as concerned schools and employment, were balanced. To turn the Canadian question around, how could business influence the political discussion on migration? How did business see its role in mentoring newly-arrived immigrants by providing them with on-the-job training and other programmes that would enable them to make the transition from one cultural and regulatory setting to another and to integrate into their new communities more easily?

95. Mr. Arkless agreed that getting the balance right was crucial, and said that he thought that Australia had one of the best consultative mechanisms for doing so in the world. He also agreed absolutely that credentials and equivalency of qualifications was a real problem for business. Another concern was that governments were trying to push responsibility for social security (pension plans, medical benefits) on to the private sector. Governments had to realize that corporations preferred to use their profits to heighten efficiency, by investing in training, development, equivalency of qualifications and a good system of getting skills from one place to another. Many corporations throughout the world were doing sensible things for new immigrants. For example, the British Government, PriceWaterhouseCoopers, Manpower and Microsoft had formed a partnership called Working Links in the UK, whereby Manpower temporarily placed non-English-speaking, newly arrived and in some cases migrants in an irregular status, at the cost of the Government and the placement company, then, after a period of cultural assimilation, moved them into the normal work force. About 15 other countries had similar semi-commercial arrangements with governments to integrate newly arrived workers into the working population.

96. Mr. Hurtado, for his part, said that many years earlier, the Government had routinely erred in assessing the costs of projects, and ultimately nothing had been achieved. The problem had been solved, and many government mistakes prevented, because the Federation now worked closely with all levels of government, to ensure funds and remittances were properly spent. The Federation itself had a training centre in California for arriving migrants, where they were taught English and local rules of conduct. It was also working with the Mexican consulate to provide migrants with a form of identity card so that at least their names were known.

97. In view of GhanaCoop's experience, Mr. McCarthy considered that industry and business had to invest more in training, especially in respect of migrants' associations. They could also provide migrants with the seed money for new projects. It was indeed hard for migrants to put their savings into a cooperative or business, as their aim in leaving home was, after all, to save money to go back.

98. Mr. Brion said that Filipino businesses should participate more in apprenticeship and training programmes. They could, for example, become more involved in the new Filipino "ladderized" education programme, which combined study and work.

99. The Director General wrapped up the discussion by reporting on the conclusions of the latest meeting of the Business Advisory Board on the business community's potential contribution to migration management. An important distinction existed between businesses that "used migrants" and those that "migrants used." Almost all businesses fell into the former category, and only a proportion of the activities involved could be relocated to sending countries. Businesses that migrants used constituted a potential growth sector and most of them had been identified in the course of the meeting. They included: recruitment, an area in which some regulation appeared to be required; travel services; documentation services, albeit government-controlled; transfer and investment of earnings, an area in which creative alternatives were required to the traditional forms of investment in education and housing; health insurance for migrants; the creation of a portable pension provision for migrants; training in language skills and professional skills; and certification, albeit under license. These were all examples of business opportunities in connection with the trend towards international employment.

(c) An International Migration and Development Initiative

(i) Opening presentation

100. The Director of MPRC gave a presentation based on document MC/INF/284, International Migration and Development Initiative: Labour Mobility for Development. The goals of the International Migration and Development Initiative (IMDI) were threefold: to make it easier to match labour supply and demand, to enhance the positive impact of migration on development, and to ensure safer, more humane and orderly labour movements.

101. The Initiative would entail the use of shared expertise and common tools and resources, and the development of joint sustainable programmes; it would be a voluntary open alliance of migration stakeholders working within a practical framework for cooperation on labour migration and development issues.

102. IOM had been prompted to develop the initiative by the recognition that the international community needed a new strategic capacity building tool to address the multidimensional and wide-ranging needs in the labour migration realm, and by the recommendations made by the Global Commission on International Migration in October 2005 for greater interagency cooperation, particularly in this field. IOM has been working with the World Bank since early 2006 on the concept, and has engaged the other members of the Global Migration Group since mid-2006 in the development of a draft concept paper entitled “A Proposal for an International Migration and Development Initiative (IMDI)” to Increase the Development Benefits of Labour Migration.

103. The Initiative would enable contributing agencies, governments, private sector or civil society entities to provide their own expertise to create a coherent view of the issue and to strengthen the link between labour migration and development. It was intended to involve a broad alliance of stakeholder resources and capacities reflecting the multidimensional aspects of labour migration and development. It had clear objectives and desired outcomes, and would be inclusive so as to determine the most efficient means of operation. The two main components comprised (1) core objectives and activities which were international in scope — best done at an international level because they were crosscutting and drawn from various resources — and (2) *ad hoc* projects to be carried out primarily at the country level, with intergovernmental agencies, national governments, the private sector, NGOs and other parties identifying projects. Both core activities and *ad hoc* projects would be funded on a voluntary basis by governments and the private sector.

104. The Initiative’s common resource base of core objectives and activities would include databases on labour migration trends, a collection of policies and examples of programmes such as best practices in labour mobility and development policies and projects, regional and national migration legislation, assessment tools and mechanisms and indicators of the impact of migration on development. These resources would be pooled from intergovernmental organizations, governments, the private sector, civil society and diasporas, and would be made readily available to Member States and others for use. The intention would not be to recreate or duplicate existing materials but rather to pool existing resources, make existing materials more readily available, and identify and fill gaps in a coordinated manner through a flexible structure designed to evaluate the best means of meeting identified needs to avoid duplication and obtain the best results most

efficiently. Examples of activities include providing information and capacity building on immigration legislation procedures, capacity building for human resource development and foreign employment, diaspora mobilization and direct services such as assistance in preparing workers for employment abroad.

105. The Initiative's benefits would include better defined common objectives in labour migration and development, quicker, wider consultation and better sharing of information among a broad representative circle of stakeholders and players and ultimately, better documented, more responsive labour migration and development policy and more efficient sustainable response mechanisms and programmes. More efficient needs- and capacity-based cooperation, migration expertise capability and operational resources, and a broader funding base would be essential.

106. The Initiative's activities were well grounded in IOM's Constitution and expertise, and the Initiative itself is a direct response to the needs of the Organization's growing membership; it addressed developing countries' concerns relating to migration and development and developed countries' needs to develop labour migration policies in view of demographic realities. It was the first concrete proposal to have been put before the Global Migration Group and the first technical assistance and capacity-building activity taken up collectively by its agencies. It was intended to be an action-, programme- and outcome-oriented tool for the international community, but not in any way to replace or compete with the Global Forum on Migration and Development. The Initiative's interagency working group was making progress, and the Initiative had been endorsed by the IOM Director General's Business Advisory Board. The next step was to engage governments and work closely with the private sector.

(ii) High-level presentations and discussion

The panellists were:

- **Konstantin O. Romodanovskiy**, Director, Federal Migration Service, Russian Federation
- **Kan Oye Fong Weng-Poorun**, Permanent Secretary of the Office of the Prime Minister, Mauritius
- **Antonio Peñalosa**, Secretary-General, International Organization of Employers (IOE)
- **Austin T. Fragomen, Jr.**, Chairman of the Board for the Executive Committee, Fragomen, Del Rey, Bernsen & Loewy, LLP
- **Luca Barbone**, Sector Director, Poverty Reduction Group, World Bank

107. Mr. Romodanovskiy praised IOM as an established forum which enabled all international stakeholders to maintain an active dialogue on migration issues, and as an organization engaged in a wide range of practical projects in the framework of its broad mandate, which covered all aspects of international migration.

108. Globalization of the world economy and expansion of commercial and financial links between countries had been accompanied by greater integration of national labour markets and increasing labour migration. Such migration was growing faster than the capacity of nations to manage the processes involved. There was a need for all States to coordinate their management of migration, particularly as uncontrolled migration was damaging to national security. Irregular migration led to tightening of legislative frameworks and lower tolerance of migrants, processes whose momentum took many years to halt.

109. The Russian Federation was actively seeking modern approaches to migration issues in order to find both long-term and short-term solutions. On the regional level it was engaged within the Eurasian Economic Community in the creation of an international system for the recruitment and employment of foreign workers based on concepts akin to those found in the International Migration and Development Initiative. They included collecting data on foreign labour markets, creating databases and registering potential migrant workers. His country was drafting a new programme on regulation of the national market in skilled labour, which would develop an automated integrated labour exchange, maintain databases on labour demand in Russia, and provide legal and practical assistance to foreign workers seeking employment in the country. A migration coordination council being set up by the Parliamentary Assembly of the Commonwealth of Independent States would be concerned with managing related activities in the framework of that broader community. It was important to develop and improve national legislation governing migration, and to standardize stakeholders' approaches to migration, with regional processes being the driving force behind the conclusion of multilateral and bilateral instruments and agreements.

110. In general, the Russian Federation endorsed the outcome of the High-Level Dialogue in New York. The International Migration and Development Initiative was intended to promote social and human development related to labour migration and to provide reference points for international cooperation. It was implicit in the Initiative that the development of a mechanism to match supply and demand in the international labour market would require standardization and harmonization of approaches to the issue. His country wished to participate in discussions concerning further development of those concepts and the mechanisms involved, and in their implementation.

111. Ms. Fong Weng-Poorun said that migrants had been settling in Mauritius, originally an uninhabited island, since the fifteenth century, and the country now had an ethnically mixed population of 1.2 million. The economic situation, and consequently the employment rate, had fluctuated since independence in the 1960s. There had been corresponding effects on migration, including substantial emigration when the unemployment rate reached 11.8 per cent in 1970, and large-scale temporary import of skilled labour for the manufacturing, construction and hotel sectors after 1989. Most recently, as a result of globalization, a need had developed for expertise in services, offshore activities and information and communication technologies.

112. The economic situation was currently critical, due to structural problems, recent price shocks (oil, sugar), and the expiry of the Multi-Fibre Agreement. Unemployment had risen, from 6.7 per cent in 2000 to 9.5 per cent in 2005, and could exceed 13 per cent in 2010. Unemployment among women was particularly high, and growing among young people. Conversely, substantial numbers of skilled workers were being lost through migration, especially in the health sector, and currently doctors were being brought over from India. A new facility, the Occupation Permit, had been

introduced to encourage immigration of foreigners whose presence could promote development, including persons with specific skills, investors, self-employed professionals, and pensioners.

113. The Government was taking action in response to the economic situation, with the result that some 12,000 jobs would be lost in the sugar and textile industries in the coming three years. The development potential of the diaspora had to be tapped. A symposium had been held in July 2006 attended by over 1,000 representatives of the diaspora. In an effort to promote the knowledge economy and contribute to job creation, the University of Mauritius was creating a database of professionals who could address students. The Prime Minister had made an appeal to emigrants to contribute their skills and invest in their country's development.

114. The Government had requested IOM to carry out a study of the Mauritian diaspora. The study's aims would be to assess the number and diversity of emigrants, to identify a mechanism to facilitate interaction between the diaspora and Mauritius, and to investigate the potential for mutually beneficial strategies and programmes. A temporary migration programme was envisaged under which unemployed skilled workers would have the opportunity to spend some years abroad. The benefits of such a programme would include capacity building and greater remittance flows, which would enhance its development impact.

115. The High-Level Dialogue on International Migration and Development had recognized that migration issues should be considered in a coordinated, focused and well-structured manner. The International Migration and Development Initiative was laudable and should be encouraged. As a small country on which migration had had a significant impact, Mauritius could provide a suitable environment in which a controlled case-study could be organized within the framework of the new initiative. This would constitute an opportunity for it to acquire expertise in migration management and develop a positive approach to migration management issues. She hoped a joint project with IOM could be organized in the near future.

116. Mr. Peñalosa praised the International Migration and Development Initiative for its balanced focus and inclusive spirit. The IOE coordinated 143 national employers' organizations and was the largest employer network in the world. The private sector played a key role in migration because it stood to gain the most from the new labour supply in domestic markets. IOE member organizations took an active part in many countries in designing and developing national migration policies pertaining to labour market needs, the origin or destination of migratory flows, enhanced departure, entry, recruitment and voluntary return procedures, length of work permits and skills training. The international community in particular was poorly informed about the private sector's efforts to support migration policies; it would therefore be useful to draw up a compendium of best practices outlining the different types of cooperation between company representatives and the authorities, and the outcomes thereof; the IOE stood ready to help establish such a compendium.

117. To bridge the information gap, particularly in countries of origin, the International Migration and Development Initiative could serve as a coordinating forum or a venue for the discussion of migration issues. There was also a pressing need for increased cooperation between agencies, and for those agencies to adopt more efficient, up-to-date instruments. International labour conventions relating to migration, in particular ILO Conventions Nos. 97, 143 and 157, had had little impact worldwide as they had not been widely ratified. It was essential to engage in a major

international debate leading to an ILO convention reflecting the current realities of migration and serving as a reference for all.

118. Migration policy should be comprehensive, with clear rules, a light bureaucracy and streamlined mechanisms enabling the regular entry of migrants. The authorities of host and home countries should cooperate and coordinate their efforts. Migrants, particularly undocumented migrants, were vulnerable people, as they were subject to exploitation and abuse, and their rights should be protected as stated in basic ILO conventions. He called upon governments to join the Initiative, which did not pose a threat to their sovereignty; it was a voluntary, flexible coordination tool facilitating orderly labour movements and represented a step towards the elimination of serious migration problems worldwide. The IOE stood ready to cooperate at the national and international levels and to seek solutions to migration problems, as well as to help IOM implement the Initiative and other projects.

119. Mr. Fragomen described the international business community's mobility needs. Employers needed access to qualified workers on all levels where those needs could not be met domestically. The globalization of the labour market continued apace, for various reasons: an aging and declining population in much of the developed world, a lack of workers with adequate skills in areas such as science, mathematics, engineering and technology, a trend to recruit a diverse work force reflecting language proficiency and cultural acclimation appropriate to their geographical dispersion, a healthy competition to recruit the brightest candidates with strong skills, and the corporate tendency to place the most qualified person in each position regardless of nationality while carefully planning human resources development. The employer community experienced great frustration with the current migration laws restricting the ability of global employers to accomplish those human resource goals.

120. National governance of international migration had been hindered by poor implementation and a lack of coherence and resources. National security concerns coupled with labour market protectionism created barriers to mobility that frequently ran counter to country interests and reflected an unrealistic appraisal of the social and economic impact of labour migration. For example, the failure to address widespread labour needs in low-skilled occupations was a principal cause of irregular migration. Employers sought migration systems that granted access to human resources in ways that were transparent, efficient and predictable. They recognized that global leadership was necessary for that purpose. Although States had the authority to determine migration policy, they were poorly equipped to address the issue on their own because it extended beyond their borders. In addition, businesses recognized that domestic and political concerns resulted in immigration systems that only partially met employer needs. The disparity between systems resulted in global corporations with extensive world-wide operations having to cope with a voluminous body of laws, regulations and procedures to transfer employees. The global corporate community had focused on bilateral and multilateral treaties, usually with an emphasis on trade, to standardize and liberalize global mobility restrictions; however, trade agreements alone could not cope effectively with the manifold aspects of global migration. Labour migration policy should be expanded to extend the full benefits of a well-designed system to both countries of origin and of destination.

121. The International Migration and Development Initiative would ensure the proper structure for cooperation between countries of origin and destination and between governments, the private

sector and civil society to facilitate labour migration policy and programme design. Key components included capacity building and the assembly and dissemination of data. Essential activities should include gathering information on national and regional migration legislation and administrative practices; preparing reports on the efficiency of national and regional migration programmes; commissioning studies on programmes; serving as a repository of best practices of government programmes; offering consultative services to governments or regional authorities in order to design or modify immigration policy; and training governments and the private sector in the structure and implementation of migration policy. The Initiative could provide expertise, information and consulting services to governments with a view to helping them implement and administer migration programmes in a cost-effective and efficient manner.

122. Concomitantly, the business and legal communities could help the Initiative gather and organize comprehensive information about the immigration systems of the world and provide information about misapplications of the law and policy dysfunctions. They could analyse best practices reflected in programmes designed and developed by various countries to determine whether a programme facilitated mobility. The business sector, as the main user of government migration services, also had extensive experience with the application of the law.

123. The most successful concepts could be extrapolated from a variety of different countries' migration programmes and serve as a basis for building a comprehensive approach to migration, leading to a core of policies and procedures that had been vetted and proven to be sustainable, and ultimately, to model immigration laws transcending the parochial interests of particular countries. Treaties could be proposed to deal with cross-border regional issues where parties shared common interests. The business and legal communities could also contribute to the Initiative by building consensus across borders to facilitate multi-State projects.

124. The Initiative would thus be key in facilitating liberal migration policies. The business community had been underutilized as an ally in supporting the objective of migration policy and its relation to development. Minimum standards of labour practices towards migrant workers by countries of destination should be imposed on companies employing persons outside their country of origin as a condition of employment of the worker in the host country. Countries should be encouraged to adopt minimum standards of social benefits and those benefits could be provided by the employer as appropriate under domestic law.

125. Mr. Barbone noted first that the Initiative was centred on issues of migration and development, and was timely because of the growing consensus that coordinated treatment of migration issues had great potential benefits for all concerned. Second, although a multiplicity of actors on the international scene dealt with migration issues, increased coordination and joint programmes could lead to something that was more than the sum of its parts. The Initiative should therefore be perceived and organized as a means of leveraging the capacities and competences of the individual agencies participating in it. Thirdly, it was important for current political and high-level initiatives to be reinforced and complemented by actual projects and the Initiative could play such a role. Fourth, it was appropriate to be humble and remain aware that some of the activities proposed were experimental in nature and would have to start as small projects, not all of which would prove feasible. If the Initiative came to fruition, there would be a period of some three to five years of experimentation, the results of which would then need further evaluation. Finally, the

Council constituted an important opportunity for States to ask questions. If the consensus was that the Initiative was welcome, resources would have to be mobilized in order to make it a reality.

126. The Director General agreed that the Initiative would be built up over time, project by project, starting with the needs and finding ways to address them in a coherent framework. The panellists had indicated that those needs should be addressed by promoting development of an efficient international labour market and serving the interests of all the players.

127. The representative of Luxembourg, pointing out that migrants constituted 40 per cent of his country's population, said that Luxembourg was most interested in cooperation and partnership in the area of migration management. As proposed in the Initiative, it was vital to create secure legal avenues for migration, to combat irregular migration, and to protect the human rights of migrants. He congratulated IOM on its involvement in promoting micro finance. Luxembourg was developing a project by which remittances of Cape Verde migrants would be used to fund micro finance projects. His country was also helping several West African countries set up and develop technical and vocational training. Financial support for further training in Europe might draw on the expertise of the private sector. IOM had proved it possessed sound operational abilities, and he was sure it would be successful in mobilizing energies and resources for the benefit of migration and migrants, in particular through the Initiative.

128. Unequivocal expressions of support included a statement by one speaker that the Initiative was fundamentally relevant to work on labour migration and development. Another said that it would be vital for securing avenues for migration, combating irregular migration and protecting the human rights of migrants, and a third thought that it contained many good ideas and touched on key issues of interest. Two representatives spoke of the proposal as a complex, impressive and ambitious project. One delegate said it was nevertheless regrettable that Member States had not been consulted earlier with regard to it.

129. One delegation said that his government was carefully examining the Initiative. The Initiative sought to support selective migration but did not appear to take into account the complex nature of the dynamics of migration. Moreover, it was difficult to gauge the political will needed to recognize the existence of the demand for foreign labour, which was perhaps impossible to quantify and predict. Market requirements should not be the only consideration when tackling the challenges of migration. The human dimension was essential, especially with regard to regular migration, where all individuals should be able to make a decision to migrate based on choice, not need. Migration management should not be based on a cost-benefit analysis – migrants brought with them a series of rights to which they were entitled; they should not be seen as goods. It was therefore important to put people at the centre of analyses and solutions, and to employ a dual and complementary approach, focusing on the root causes of migration and the protection of migrant rights. Development needs should not be seen from the perspective of migration's contribution to development, but from the perspective of national and international policies aimed at building an environment to promote decent work in the countries of origin, as this was essential to ensure respect for human rights and promote comprehensive solutions. The Initiative suggested the adoption of a series of basic management measures, some of which were unclear, such as the certification system designed for the private sector and governments. It should be further discussed and negotiated in July 2007 at the Global Forum on Migration and Development.

130. Several delegates asked for a clearer definition of the Initiative. What exactly would the Initiative do that IOM did not and how would it be done differently? Another delegate urged IOM to ensure that the International Dialogue on Migration and the proposals under the Initiative complemented the United Nations High-Level Dialogue. Intensive consultations among Member States on the Initiative should continue. Another delegation wished to know how the Initiative would address irregular migration, migrant human and labour rights, the shared responsibility of States and the root causes of migration and labour mobility.

131. The Director General said that the Initiative was designed to produce a fairer, more rational labour market by helping people leave the irregular migration sector and join the regular sector.

132. One Member State asked about the relationship between the Initiative and the 1035 Facility. The Director General replied that the 1035 Facility would not be affected by the Initiative, which would not replace or compete with the Fund; indeed, it was to be hoped that the 1035 Facility would continue to grow. Since the Initiative would have greater resources owing to support from, among others, the private sector, it would be able to carry out projects similar to those under the 1035 Facility on a longer-term basis, and others as well.

133. Remittances were one of the key benefits of migration but it would be necessary to determine what the industrialized countries could contribute to migration. The World Bank representative was asked to comment on the linkage between growing migration in Latin America and the application of World Bank economic policies aimed at privatizing strategic centres and liberalizing markets, and the different scenario of the labour market. Would the Initiative adopt the World Bank's approach to those issues? One delegate suggested that the Initiative could be part of the answer to previous questions relating to the added value of the Global Migration Group. Member States should work closely together on it, on a step-by-step basis, choosing preliminary bilateral or regional pilot projects. He urged IOM to discuss areas of cooperation with governments to determine the Initiative's feasibility. Another delegate wished to have the Global Migration Group's view, agency by agency, of the synergy to be developed with other intergovernmental organizations within the framework of the Initiative. Would the Initiative's work in data collection and information systems extend to migration legislation, country migration needs and the root causes of migration? Mr. Peñalosa said that the Spanish National Employers' Federation of the Tourism Sector and the Spanish Government had developed a programme with the Colombian Government aimed at ensuring orderly migration and providing training in the workers' home countries, thus benefiting both workers and the countries themselves. The Initiative would serve as an excellent vehicle for that type of project. The communication gap between sending and receiving countries was traditionally not an international problem, and communication had been poor between business and government. As a result it had become clear that some order needed to be put into the labour market and that readjustments were necessary. In his view, the Initiative provided a mechanism that governments could use if they so wished.

134. Several delegates expressed concern about the impact which the programme could have on the resources of IOM itself, in particular on the Administration and the Administrative Part of the Budget. There would clearly be funding implications. Clarification was requested concerning the funding of the Initiative, its decision-making mechanisms, the staffing implications, whether it would be managed within IOM or have a separate secretariat, and what governance structure was envisaged.

135. Doubts were raised concerning the relevance of the programme to IOM's essential activities. One speaker emphasized that development should not be IOM's top priority, while another, who called for IOM to concentrate on project implementation for States rather than on policy initiatives, said that the Initiative concerned basically development and as such lay outside the scope of IOM. That view was disputed by another speaker, who said that the primary focus of the programme was the management of economic migration, a central IOM topic, and that the programme had only a distant connection with development.

136. Several speakers asked about the relationship between the Initiative and the work of existing institutions. One referred to the Initiative as a Global Migration Group mechanism, while another advocated that, if it was accepted, it should become a GMG project. It was not known how the Global Forum and the Initiative would complement one another and that should be made explicit in the draft concept paper (MC/INF/284, Annex). They stressed that it was important the Initiative should not duplicate the work of regional fora and institutions or of the Global Forum. Further, it should not get ahead of the Global Forum.

137. On the subject of the Initiative's structure, one speaker asked what the role of States would be. Another wanted to know at what stage States and other actors would become involved in the process. In the immediate future, how would the Initiative fit in with the theme of IOM's International Dialogue on Migration for 2007, *Managing Migration in an Evolving Global Labour Market*?

138. The Director General said that the Initiative was still at the consultation stage. As progress was made, more parties would be invited to contribute. The Initiative was meant to be a tool of implementation. He hoped it would be discussed by the Global Forum in July 2007. The two were different and highly complementary.

139. Mr. Barbone said that the Initiative was being discussed by a joint task force of members of the Global Migration Group. The structure envisaged was that of a global partnership, in other words an entity or trust fund which could be hosted by the World Bank. The World Bank could make contributions through its development grant facility, which was targeted at global activities that could have high added value and involve the concerted effort of multiple partners. Resources would have to be leveraged through voluntary contributions from a variety of sources. Global partnerships were generally organized so that contributors of funds had a voice. The administrative structure should be light and just sufficient to run the facility and ensure projects selected were in line with the terms of reference and that procurement practices conformed to international standards. As for the issue of mandate and focus on development, the Initiative would involve several development partners, but also agencies concerned with a wide variety of issues.

140. The Director of MPRC specified that, in addition to the World Bank and IOM, the GMG agencies who were full partners in the Initiative were ILO, UNCTAD and UNHCR. UNFPA and UNDP were observers.

141. Mr. Fragomen said that immigration procedures raised complicated and politically sensitive issues, and that it should be possible to draw on the relevant body of experience available around the world. One of the Initiative's important roles would be to pull together reliable information

about the efficacy of migration programmes in different countries, to determine their applicability to other countries or regions, and to provide consultative services accordingly.

142. Ms. Fong Weng-Poorun added that Small Island States were very vulnerable in the context of globalization, and she thought that initiatives like IMDI, or even IOM itself, could be of great help to a fragile economy such as that of her country.

143. The Director of MPRC added that the draft concept paper would be revised in the light of comments received by the Administration, in particular those made during the current Council session, and any observations contributed before the end of the year. The States had a role to play in developing the concept through such remarks. In addition, if a development grant facility were created, States contributing to the facility would automatically be entitled to shape the governance structure of the mechanism. She welcomed the suggestion made by two delegates that States should propose small pilot projects which could be launched under the Initiative.

144. She agreed that some of the Initiative's ideas would apply to migration agency projects, and that some would apply to development agency projects. The IMDI mechanism was specifically designed to allocate projects to the relevant type of agency, and draw agencies together in more efficient collaboration. Therein lay the added value of the idea.

145. The Initiative was directly related to the theme selected as the focus of both the International Dialogue on Migration for 2007 and the World Migration Report for 2007. Intersessional workshops would be held on labour mobility in an evolving global economy as well as on free movement in regional integration regimes, and the Initiative would figure in part of that work. The work plan had been designed to achieve internal coherence, make efficient use of resources, and avoid placing a burden on the Administrative Part of the Budget.

(d) The Year in Review – Selected Highlights

The panellists were:

- **Kevin O'Sullivan**, Director of Immigration Policy, Irish National Immigration Service, Department of Justice, Equality and Law Reform, Ireland
- **María Elisa Berenguer**, Ambassador, Deputy Secretary General of the Ibero-American Secretariat (SEGIB)
- **Régine de Clercq**, Ambassador for Migration and Asylum Policies, Federal Public Service for Foreign Affairs, Belgium

The Moderator was **Peter Bosch**, Head, Immigration and Asylum Unit, European Commission, Directorate-General for Justice, Freedom and Security.

146. Mr. O' Sullivan, reporting on the **comprehensive review of migration policy undertaken by the Irish Government**, said that until the early to mid-1990s, Ireland had been a country characterized by emigration. Since then, however, improved economic conditions had caused a reversal in the trend, and Ireland had experienced net inward migration and a growing population,

fuelled initially by Irish emigrants returning home, but subsequently by economic migrants. It was estimated that foreign nationals made up 10 per cent of the population, and that figure was rising. Initially, applications for entry to the country had been managed on an individual basis rather than as part of an overarching policy, and the only significant piece of relevant legislation had been the Aliens Act of 1935. Migration had originally come to the fore in terms of public awareness and policy making in the 1990s through applications from asylum-seekers, many of whom had been economic migrants in disguise. In 1992 there had been between 20 and 30 asylum cases, but by 2002 that figure had reached 10,000 annually. In order to respond to the pace of change and the volume of persons coming to Ireland, substantial resources had been deployed, new agencies established, accommodation found and legislation enacted.

147. It was only in 2001 that the Department of Justice, Equality and Law Reform had begun an initial consultation process with stakeholders on developing an immigration system adapted to the new circumstances. IOM had been commissioned to carry out a study on the international experience of, and make recommendations as to the advantages and disadvantages inherent in, the systems in place in other countries. The consultation process had stalled for a time, but in 2005 a very comprehensive public process, involving more than 120 organizations, had been undertaken on the basis of a policy document entitled *Immigration and Residence in Ireland*. The core principles underpinning the policy included maintaining the safety and security of the State and its residents, managing migration in an orderly fashion to serve the economic and social needs of the State and its residents, protecting human rights, ensuring equal treatment of persons, protecting and developing Ireland's international relations, and achieving satisfactory standards of transparency and service.

148. The outcome of the consultation process, the *Immigration, Residence and Protection Bill*, would be presented to Parliament in early 2007. It provided a statutory framework for immigration aimed at achieving a balance between transparency on the one hand, and flexibility and ministerial discretion on the other. Within that framework, the Government would, from time to time, issue statements of its immigration policies as they applied to different categories of foreign nationals. Those statements would direct officials in the way they were to manage cases, while retaining the Minister's discretion. One of the main objectives of the legislation was to create the status of long-term resident, which was aimed at encouraging people with sought-after qualifications or skills to consider Ireland as a destination for permanent migration. Policy statements, informed by NGO consultations and feedback from immigration staff, would set out in detail issues such as eligibility, entitlements, family reunification and study visits. At the core of the new legislation was the concept of lawful residence: foreign nationals would not be lawfully resident in the State unless they had a valid current residence permit.

149. The second major development was the 2006 *Employment Permits Act*, which provided the statutory framework for a responsive, managed and skills-based immigration policy, protected individual worker's rights, and supported employment standards. That legislation provided for a new green card-type system for occupations in which strategic skills shortages existed that could not be met from within the European Union. Permits would be issued for two years initially, but would normally provide a pathway to long-term or permanent residency.

150. The National Economic and Social Council, which reported to the Prime Minister on strategic social and economic issues, had published a study on economic migration in Ireland, and

IOM had also prepared, on the Council's behalf, a social and economic report on managing economic migration in Ireland. Both studies had found that the impact of migration on Ireland had been largely beneficial – there was little indication to date that migration was lowering wage rates for Irish workers – that migrants were primarily young, single, well educated and located in major urban centres, particularly Dublin, that there was a need for greater policy coherence between the various government and non-governmental agencies and ongoing policy-oriented research, that it would be advisable to create a permanent or long-term migration channel, particularly for skilled migration, and that an active integration policy was key to successful migration management.

151. IOM's experience, worldwide presence and access to expertise provided considerable research advantages. IOM's research and advisory role supplements its other work. IOM was also working on a number of projects in the area of assisted voluntary return and reintegration and provided logistical support for Ireland's participation in the UNHCR refugee resettlement programme. UNHCR was specifically recognized in the legislation and had been providing high quality training for staff involved in the asylum determination process.

152. Finally, the Government was acutely aware that a key challenge ahead was integration. Ireland must find the approach best suited to its circumstances, drawing, where necessary, on the lessons of other societies as there is no "one size fits all" solution. Although it must provide leadership, structures and resources, the Government could not dictate integration, which involved collaboration between all stakeholders in society and mutual understanding between citizens and newcomers.

153. The Moderator said that a number of other European Union Member States were also currently rethinking their migration policies. Most of the increase in Europe's population was due to migration, and if the continent was to develop economically it would continue to need inward migration. Although the debate in Europe generally centred on immigration, Member States actually had increasing levels of emigration. The Commission was therefore keen to gain a better understanding of migration flows in its 25 Member States. He commended the consultation process conducted by the Irish Government, as it was necessary to engage with all stakeholders, including migrants themselves, to gain a better understanding of migration realities. In order to achieve policy coherence, the Irish Government had brought together the ministries responsible for various policy areas; similarly, the Commission had recently established a group of commissioners responsible for migration policy or areas that had an influence on migration, such as development policy, employment and external relations. The European Union's focus for the next year would be on Africa; a EUR 40 million programme on migration and development would be launched early in 2007 and a consultation process initiated with African countries.

154. One representative asked whether, in drafting migration policy, the Irish Government had held consultations with the countries of origin of economic migrants in order to find solutions to the root causes of the phenomenon. Mr. O'Sullivan replied that regular consultations with the governments concerned were carried out on a bilateral basis through the individual embassies.

155. Two questions were asked with regard to fees for work and other permits: was there a fee schedule, and what were the fees for specific services. Mr. O'Sullivan replied that the fee for work permits was not specific to a particular type of employment or profession. He did not have the exact figures, but a work permit cost in the region of EUR 750, and registration card renewal

EUR 100. The Government was considering revising its fees, introducing a new fee for long-term residents. Visa fees were considered standard, and had not been found to be an active deterrent to coming to Ireland. He would forward a full list of fees to IOM.

156. The Director of MPRC said that IOM believed that many States would be going through fundamental changes similar to those experienced by Ireland in the coming years, and considered the process undertaken there, particularly the inclusive consultations, to be one to emulate. A broad stakeholder model had been adopted, involving many segments of society, in order to build broad public support for change.

157. One observer asked whether there were any particular industries in which there had been a massive flow of irregular migrant workers, and, if so, whether the Irish Government had taken any steps to address that need in the economy with policy to regularize irregular immigrants. Mr. O'Sullivan said that, given Ireland's geographic location, it was quite difficult to enter the country irregularly, and there was no significant evidence of large numbers of irregular migrants. There had therefore been no regularization process, and no sectors had been particularly affected. If irregular migration became a problem in the future, it would be addressed by means of a simplified status that would be set out in the new legislation. Significant investments were being made in information technology in order to enhance understanding of the composition of the population. He stressed that Ireland did not see itself as a model for other countries, and much of the progress made had been the result of trial and error rather than any particular insight.

158. One delegate, referring to the challenge of integration, agreed that mutual understanding between locals and newcomers was essential. In addition to immigrants being required to integrate into their host society, locals must consider them as forming part of that society in order to facilitate dialogue between the two communities. Efforts should be oriented towards reinforcing capacity for dialogue between cultures, which would benefit host communities, countries of origin and migrants.

159. The Moderator agreed, adding that the European Commission would engage with the African, Caribbean and Pacific States on the basis of the Cotonou Agreement. The Commission had already had a positive first exchange of views with Senegal on migration issues, and it would be important to extend that dialogue to other countries, particularly for the programming of the tenth European Development Fund. The European Commission attached great importance to the consultation process with African countries, and encouraged delegates to contact the European Commission delegation in their countries so that an open dialogue on migration and related issues such as integration could commence.

160. Mr. O'Sullivan said that integration was only one of the major challenges faced by Ireland. The country was currently in the early stages in terms of policy analysis of integration, and part of the difficulty in assessing future integration needs was that at the current stage of the migration flow, it was not known whether migrants planned to stay temporarily or long term. The biggest flow in the recent past had been from countries of Eastern Europe following EU accession, primarily Poland, but also Lithuania, Latvia and Slovakia. Outside the EU, the top four countries of origin were China, Nigeria, India and the Philippines.

161. The representative of Australia said that, in her country's experience, a successful migration programme had to be underpinned by robust integration services which supported the migrant's settlement process and transition into a new society and culture. She asked whether the Irish Government would be following a similar process in terms of stakeholder engagement in integration policy. Mr. O' Sullivan replied that, since Ireland was entering uncharted territory, it did not yet have a definite plan as to how it would address integration. However, the Government did recognize the need for engagement with migrant communities and, from its limited experience to date, it appeared that much was achieved locally, between migrant organizations and community groups. Ireland had a very active civil society in which both migrant groups and Irish NGOs working on migrant issues were represented; they would undoubtedly be involved in the process.

162. The representative of Spain said that his country and Ireland shared very similar experiences in terms of migration, and the percentage of the population composed by migrants was similar in both countries. He wished to know whether a social agreement existed between the Government and the social partners in Ireland, similar to the one in place in Spain prior to regularization of immigrants.

163. Mr. O'Sullivan replied that the wide-ranging National Social Partnership agreement involved the Government and all the major stakeholders in society. Although the partnership had originally had an economic focus, it now covered many State matters, particularly wage rates, employment rights and social insurance. Migration featured in the new agreement concluded recently, in relation to the enforcement of labour standards. The underlying concern of one of the main social partners, the trade union movement, was that unregulated migration or excessive numbers of migrants could influence wage rates. However, there had also been cases in which the trade unions had intervened on behalf of migrants whose rights were being violated by employers. Regularization was not yet an issue and was not referred to in any of the social partnership agreements.

164. Ms. Berenguer, reporting on **Ibero-American migration developments**, said that the Ibero-American Conference of Heads of State and Government had laid the groundwork for its position on migration at the 15th Ibero-American Summit, held in Salamanca in 2005. Paragraph 7 of the Salamanca Declaration discussed the impact of migration on the political, economic, social and cultural configuration of all Ibero-American societies, whether they were countries of origin, transit or destination. It referred to the challenges of migration in terms of acceptance of diversity, socio-economic integration, development of human capital and processing of remittances, and to the fact that in several Ibero-American countries many of the groups concerned were indigenous or of African descent. The Declaration went on to state that successful management of migration depended on the ability of the countries concerned to devise an Ibero-American framework for migration that was based on the orderly channelling and intelligent regularization of migratory flows, to cooperate against people trafficking and smuggling, and to develop national public policy in that regard. The Declaration's signatories had undertaken to coordinate policies for the orderly processing of migratory groups, to develop, with the support of civil society, a programme of public action to promote respect for migrant rights, to foster the value of diversity, to eradicate all forms of discrimination against immigrants, to promote development projects connecting immigrants with efforts to enhance development in their places of origin, and to develop common

policies shared by countries of origin, transit and destination, including for temporary labour migrants.

165. In order to meet those commitments, and with a view to drawing up an Ibero-American convention on social security, the Ibero-American Secretariat (SEGIB) had organized the Ibero-American Meeting on Migration and Development held in Madrid in July 2006. The Meeting had reached a number of conclusions. First, the Ibero-American community was strongly characterized by migration on both sides of the Atlantic and the experience thus gained had resulted in best practices and managed migration policies that could serve as a model for the entire international community. Second, migration had to be considered from a global, integrated point of view, and a shared international agenda prepared on the basis of the relevant challenges. Third, any migratory policy, whether domestic or international, had to place the migrant at the heart of all decisions, in full compliance with the migrant's human and labour rights, such as access to decent work, health, education and social security on an equal footing with citizens of the country of destination. Fourth, special priority should be granted to the most vulnerable groups and individuals, such as indigenous migrants, children and adolescents, and women migrants. Fifth, policies were urgently required to enhance the benefits of remittances, by reducing their costs and thereby enabling them to constitute a medium-term social, economic and productive contribution. Sixth, in the face of the harmful effects of brain drain, domestic conditions should be improved so as to encourage trained people to stay at home, and agreements reached between countries of origin and destination on technical and occupational exchanges.

166. Those conclusions had served as input for the 16th Ibero-American Summit, which had been held in Montevideo earlier in November 2006 and had focused on migration and development. The Summit had acknowledged the positive impact of migration and recognized that the challenge was how to render migration compatible with the right of States to regulate the entry and stay of foreigners on their territories. It had adopted the Montevideo Commitment on Migration and Development, which incorporated the principles underpinning the action to be taken, such as the need to situate the migrant at the heart of migration programmes and projects, and drew a close connection between migration and underdevelopment. The most interesting part of the commitment, however, was the practical section, which comprised a list of 24 specific actions. They included strengthening the human rights of migrants as the central component of migratory policy and practices, recognition of the need fully to comply with labour legislation, the social integration of migrants, preventing people smuggling and trafficking, the vulnerability of indigenous migrants and African descendants, strengthening inter-regional and multilateral dialogue (including by means of the Global Forum on Migration and Development) and the inclusion of migratory issues as cross-cutting topics on international trade, development, environmental and cooperation agendas. In addition, the Secretariat had been commissioned to conduct two studies: one on migration and development, including remittances, with contributions from ECLAC (Economic Commission for Latin America and the Caribbean), IOM, the South American Conference on Migration, the Regional Conference on Migration (Puebla Process) and others, the other, to be carried out with ECLAC, on the social and economic impact of integrating migrants in their countries of destination. The Secretariat had also been asked to organize an Ibero-American forum on migration and development in Ecuador in 2008.

167. Migration within the Ibero-American community had several specificities: there was no language problem, as all countries shared the same cultural substratum, and that facilitated

integration; migrants had moved in both directions, at times seeking better lives in Latin America, at others greater opportunities in Europe, and this had enhanced understanding of the human dimension of migration. In short, migration between the two sides of the Atlantic had always and would continue to constitute an engine of economic growth and an agent of social momentum, both in countries of origin and destination.

168. The Moderator, pointing out that 2006 had been rich in dialogue, welcomed the Secretariat's initiative, in particular because of the wealth of experience on which it was based. The agenda on migration was being set not only on a regional, but also on a global scale. The risk was that at some point someone would ask what had been accomplished by all the declarations adopted. The European Commission had therefore decided to invest heavily at the national level, which in its view was the most important, and in the coming years would help countries put in place or reinforce comprehensive migration strategies that had a balanced agenda. The Commission felt particularly strongly that before policies were put in place and implemented there had to be clarity on the rights of migrants. To that end, it would submit a set of migrants' rights to its Member States in 2007.

169. Ms. Berenguer pointed out that the Secretariat also had close ties with the European Union Member States, and also sought a balanced agenda. Summits were often accused of being strong on rhetoric and short on concrete action. The Montevideo Commitment had been negotiated with that in mind. Furthermore, the connection between migration and development was clear: most migrants left home in search of better lives; if the conditions were created for them to stay at home, there would be fewer migrants. The Montevideo Summit had basically said that societies wanted migration to be a matter of choice, rather than an obligation. The matter was closely wrapped up with the question of qualified migrants, who in many cases represented a loss of basic development resources to the developing countries. The point was not to keep people from migrating, but rather to create ties between migrants and their communities of origin, networks that would take advantage of what was being developed in other countries and would eventually, if that was desired, allow the migrant to return.

170. One delegate underscored the importance of the Montevideo Commitment in guaranteeing a multidisciplinary focus within the framework of international cooperation and in situating migrants at the heart of migratory policies and programmes. She asked for further information on the Secretariat's plans for the future. Another asked whether specific measures had been planned within the framework established in Salamanca to regularize the situation of emigrants in the Ibero-American zone, particularly short-term migrants that did not return to their countries of origin.

171. In addition, the Ibero-American Conference had acknowledged the existence of what it called undocumented migrants and had clearly recognized that such migrants had rights as human beings. The Salamanca Declaration was not a legal text, it was a political commitment; indeed, it would be difficult for countries such as Spain and Portugal, which were EU members, to enter into an agreement in the Ibero-American context, although bilateral agreements did exist. The Conference's aim, however, was to establish a regulatory framework and an open and frank dialogue enabling the States concerned to reach a consensus. In that connection, the Secretariat's plans for the future were to conduct the two studies mentioned earlier, and to work with the very active Secretariat for Ibero-American Cooperation.

172. One delegate asked about the tie between indigenous groups and migration. How were such groups considered vulnerable?

173. Ms. Berenguer said that such problems might be specific to Latin America, which had indigenous populations with specific migration issues. The Montevideo Commitment specified that due consideration should be taken, when drawing up migratory policy, of the vulnerable and underprivileged conditions affecting indigenous people and African descendants. The problem also varied from country to country. In Brazil, for example, people of African descent were well integrated and very few migrated, whereas some Andean countries had numerous indigenous people who migrated in unfavourable conditions for economic reasons.

174. One delegate pointed out that the Ibero-American social security convention proposed by the Conference was unique in that it recognized contributions to pension plans made at different times in different countries, and asked what the next steps were in that respect and in respect of the Montevideo Commitment.

175. Ms. Berenguer agreed that the social security convention was almost unique. Negotiations to finalize it were being conducted by the Ibero-American Social Security Organization, and it was hoped the final version would be ready before the next summit. In respect of the Montevideo Commitment, the Secretariat was responsible for follow-up to the Member States and would focus on the cross-cutting nature of migration topics in all areas of Ibero-American cooperation.

176. The Director General added that the Montevideo meeting had been exceptionally interesting. IOM had good relations with the Secretariat, and would continue to work with it because the Ibero-American zone was an important migration axis.

177. The Director General reported briefly on the **EU-Africa Ministerial Conference on Migration and Development** held in Tripoli earlier in November. The Conference was part of a process that also included the Ministerial Euro-African Conference on Migration and Development held in Rabat in July, the African Union expert meeting that had decided on a common African position on migration and development, held in Algiers earlier in the year, and the African Union Summit of Heads of State and Government, held in Banjul in July 2006, which had endorsed the common position.

178. The Conference had been a success in that the 70-odd countries represented were in broad agreement on most points, in particular that migration needed to be considered in development strategy, that closer attention had to be paid to training and country profiles, and that the cost of remittances had to be lowered and remittances put to better use. The view that the Conference had not been a total success was perhaps due to the fact that several tangible proposals had not been accepted. While the African request for the establishment of a fund had not, it was true, been accepted, the process had resulted in the European Commission setting aside EUR 40 million for migration and development projects. European requests for readmission agreements had not been accepted either, but there were alternatives to such agreements, such as IOM's voluntary assisted return programmes. The Conference reflected another interesting development, namely the emergence of a useful region-to-region dialogue to supplement dialogue at the national and global levels.

179. One delegate, recalling the African Group's insistence that Africa benefit from a bigger share of the IOM Budget and the interest of African countries in migration and development issues, pointed to IOM's substantive programmes in that field, including the flagship programme Migration for Development in Africa (MIDA). The meetings mentioned by the Director General had been important in garnering political support, but the time had now come for implementation. One message to be conveyed to the European Commission was that the Group would like to see it show a practical interest in IOM's migration and development work, specifically in Africa.

180. Ms. de Clercq, reporting on the **Brussels Conference on Migration and Development and on the Global Forum on Migration and Development**, said that, in the context of globalization, migration was henceforth considered a human, social, economic, political and cultural reality of concern to all States, to several ministries within those States, to international organizations and to civil society. Among the many efforts made to inform all stakeholders, first and foremost political decision makers, about research and studies pertaining to migration, the Brussels Conference of March 2006 had, it was generally agreed, enhanced understanding of the interconnections between various aspects of migration, above all between migration and development, and had thus proven that greater account had to be taken of the contribution of migration to development and poverty reduction.

181. The whole issue of migration and development opened a new field for cooperation, with the possibility for action in both countries of origin and countries of destination, but implied financial mediation in terms of remittances. Such mediation could run the gamut from reduced costs for transfers to the establishment of a European fund whereby migrant contributions would be matched by equivalent contributions from donor countries, on condition the funds were invested in development projects.

182. The Brussels Conference had also highlighted the need to tackle the root causes of migration. The steps being taken to fulfil the Millennium Development Goals might affect some structural causes, again pointing to the importance not only of development policy, but also of trade, employment, education and agricultural policies.

183. The Brussels Conference had also considered the negative effects of migration for development, in particular brain drain. It had proved innovative in that it had brought together, perhaps for the first time on such a scale, the representatives of governments, international organizations, civil society (NGOs, universities and research institutes), the diasporas and migrant organizations.

184. Thanks to its multidimensional approach and the involvement of all the stakeholders, the Brussels Conference had also shown that there could be genuine dialogue between North and South and between the players. That positive experience had been repeated at the High-Level Dialogue on International Migration and Development in New York, where the participants had agreed that the Dialogue was not an end in itself but rather the start of a process of international coordination and cooperation, the first step of which would be the Global Forum on Migration and Development hosted by Belgium in Brussels in July 2007.

185. The Global Forum was proof of the States' growing awareness that migration issues, in particular migration and development, could no longer be handled only at national, bilateral or

even regional level, but had to be tackled internationally. It would not be a new organization but the start of a process driven by United Nations Member States. It was informal and open to any State that wished to participate. It would give rise to no negotiations or binding conclusions. It was a platform intended to allow countries and regions to identify best practices, exchange experiences, share knowledge and pool existing expertise. The International Migration and Development Initiative should be part of the follow-up to the Global Forum and respect the orientations decided by it. The Global Forum was intended to be concrete, operational and action-oriented; it could also be a source of fresh replies to some of the most complex aspects of migration and development.

186. So that the Global Forum would lead to greater coherence at national and international level, Belgium had asked each government to appoint a focal point with the requisite political authority to gather together all the players concerned. The Global Forum was also intended to heighten awareness in private and public development circles of the challenges migration posed in terms of development. Ultimately, it was to become the structural base for international reflection and work.

187. Belgium was committed to organizing the Global Forum in a process of absolute transparency and close cooperation with other governments. It had sent out a questionnaire asking governments to select and formulate the questions to be considered as a priority. The draft agenda for the Global Forum would be drawn up on the basis of the replies received and submitted for further consultation to a volunteer group of States known as the “Friends of the Forum”. The group was open to all States and might also establish a longer-term work plan; it would first meet in late January 2007. Consultations had also been held with the United Nations Secretary-General’s Special Representative for Migration, with the Global Migration Group and with the various regional processes.

188. The Global Forum would be held over three days, starting with one day of discussions with civil society representatives, followed by two days of intergovernmental sessions (some in plenary but for the most part in the form of round table discussions to foster dialogue). Participation was limited to three members per delegation, and it was hoped that the delegations would be high level, comprising ministers and people with responsibility for and specific knowledge of the topics dealt with by the Global Forum. If sufficient interest was expressed, Belgium would also consider hosting, in tandem with the Global Forum, a kind of “marketplace” at which to discuss and match offers with tangible requests for assistance and best practice.

189. Belgium believed that the Global Forum was crucial for the future of global dialogue on migration and development. It wished to work with other countries, including developing countries, in ensuring the Forum’s success, and thanked those countries that had already expressed an interest or indicated their willingness to provide financial support, such as Sweden, Switzerland and the Netherlands.

190. Member States asked a number of practical questions about the Global Forum’s organization. Where would the Friends of the Forum meet? What would be the Forum’s working languages? What channels had been used to distribute the questionnaire and had the official invitations been sent? Would any regional meetings be held in the run-up to the Forum? Would the Forum’s ties with the United Nations be limited to contact with the Special Representative?

191. Ms. de Clercq replied that the Friends of the Forum would meet, first in Brussels, and later in Geneva. Since the Global Forum was an informal mechanism, it would be organized in French and English only, although the questionnaire was also available in Spanish. Belgium would need assistance if the decision were made to hold the Forum and provide the documentation in Spanish as well. The questionnaire had been sent via the Belgian embassies in the countries concerned (and should be returned via the same channel), with a copy for information to the Permanent Missions in Geneva and New York. The official invitation would be sent once the agenda had been finalized, probably in April or May. Belgium did not plan to hold any regional meetings in preparation for the Forum, but there was nothing to prevent other organizations from doing so.

192. The Global Forum's ties with the United Nations were not for Belgium, but rather for United Nations Member States to decide. Of course, in preparing the Forum Belgium would remain in touch with the Special Representative, and with the Global Migration Group, most of whose members were United Nations agencies. The Forum had also been discussed, however, by the Second Committee of the United Nations General Assembly in New York, which had decided it would consider how to structure the follow-up to the High-Level Dialogue in two years.

193. A question was also raised in connection with the possibility of a Global Forum trust fund. Developing countries would not be able to cover the costs of organizing an event such as the Global Forum, and would need to draw on the proposed trust fund. Ms. de Clercq replied that the trust fund would be established by the United Nations, not Belgium. She nevertheless believed that it was in the process of being established and that one donor had already pledged EUR 250,000. The trust fund was not the only source of financing, however. Countries could provide direct assistance to the Forum organizers, either in cash or by making available high-level experts and advisors. The question of money should not deter any developing country from offering to host the second edition of the Forum, as spontaneous offers of help were very likely to be made.

194. The Moderator added that the European Commission would be following the initiative very closely, as it provided a good opportunity to learn what governments wanted in respect of migration policy.

195. The Director of MPRC reiterated that the agencies that were part of the Global Migration Group were very willing to provide support to Belgium and to all States in preparing for the Global Forum, and that as the Group's Chair from January to June 2007, IOM would do its utmost to assist in making the Forum a success.

196. The Director General confirmed that IOM would support the Forum in any way it appropriately could, including perhaps by seconding experts to help in the preparation, as a successful outcome in Brussels was in everybody's interests. The discussion of some of the year's events had focused attention on the various levels of debate on migration and development issues. Since national governments alone could not resolve the problems posed by migration management, which needed to be dealt with internationally, discussions had begun at the regional level – examples included the Europe-Africa conferences, the Ibero-American meetings and the ministerial consultations between Asian countries of origin and destination, including the Gulf Cooperation Council – and they appeared to be working relatively well despite some legitimate doubts about their tangible results. He was hopeful that the dialogue emerging at the global level would prove equally fruitful.

GENERAL DEBATE

(a) Statements by the Director General and the Deputy Director General

197. The Director General expanded on the statement reproduced as Annex I to this report.

198. The Deputy Director General delivered the statement reproduced as Annex II to this report.

199. One Member State, referring to what the Director General had said about IOM's plans to open offices in Beijing and Panama, noted that those decisions were neither politically nor administratively neutral. In that connection, it would be interesting to hear what the Organization's strategy was in respect of its geographical expansion. That strategy should probably first be discussed with the Council, also in the light of the new priorities, such as migration and development, emerging on the international scene. Another Member State agreed; given that the European Union and its Member States were among the Organization's biggest donors, and that the African Group was the Organization's largest regional group in terms of number, logically IOM should take greater account of the EU's strategic interests which, as concerned migration, focused on migration and development issues involving Africa and Eastern Europe, and of African needs. Those realities should be reflected whenever IOM's global network of Field Offices was reviewed, and in its strategy. A third Member State nevertheless pointed out that the Organization had to meet the needs of all regions, especially as concerned migration and development, since there were Member States in all regions.

(b) IOM Strategy

200. Mr. Khan, Chairperson of the Ninetieth Session of the Council, recalled that the Council had last endorsed the Organization's Strategy in Resolution 923 (LXXI) of 29 November 1995 approving "the comprehensive approach and broad directions for activity" set out in document MC/1842, Strategic Planning: Toward the Twenty-first Century. In December 2002, Member States had expressed an interest in discussing IOM's strategy in the light of changed migration realities and the Organization's broader membership and more extensive range of activities and field presence. In response, in November 2003 the Administration had submitted document MC/INF/262 to the Eighty-sixth Session of the Council for discussion. Pursuant to that discussion, in November 2004 the Administration had submitted another document, MC/INF/274, to the Eighty-eighth Session of the Council, and provided additional information in Conference Room Paper 15. The Chairperson of the Eighty-eighth Session had then decided to hold a series of consultations throughout 2005, the outcome of which was Conference Room Paper 18, which had been distributed to the Ninetieth Session of the Council in November 2005 and was divided into three sections: strategy, governing bodies, and programme and budget. Following the Council's discussion of that paper, he had asked one of his Vice-Chairmen to conduct further consultations on the strategy. Those consultations had resulted in the following conclusions:

- the Member States were highly appreciative of the work of IOM and strongly committed to its future;
- discussions of the strategy should be concluded in 2006;

- it was unlikely that progress could be made on the strategy before the results of the United Nations High-Level Dialogue on International Migration and Development were known;
- it was unlikely that agreement could be reached on a single strategy paper covering all three sections, but progress could be made on all three if dealt with separately;
- it should be possible to express a common vision of the Organization's future in a short document, and indeed IOM would certainly benefit from such a document.

201. He had subsequently chaired a series of informal consultations on the strategy, held on 26 October and 9 and 16 November 2006. In addition, on 13 and 20 November an informal, open-ended working group of States had deliberated under its own chairmanship on the language of the draft text drawn up as a result of those consultations. That text, on the first section of the strategy, was dated 23 November 2006 and had been circulated to all Member States in the meantime.

202. At the informal consultations, the Member States had agreed that they would work on the principle that they supported IOM's flexibility in responding to needs and would therefore avoid proposals that would unduly limit that flexibility. They further agreed that the strategy should reflect the need for effective coordination and cooperation between the various organizations working in the field of migration, that IOM should contribute actively to that effort, and that they would work specifically on the first section, the activities on which IOM should focus in the coming five years, drawing on paragraph 17 of Conference Room Paper 18, which contained proposals based on paragraphs 28 and 29 of MC/INF/274. It was clearly understood that all three sections, or "pillars", were linked, but that progress was more likely to be made if the membership set itself a narrower task to start the process. A clear understanding had also emerged that even if agreement was reached on the first section, that section would not be formally adopted by the Council until all three sections were ready for adoption together.

203. The membership had worked extremely hard and efficiently, producing a text that was very near completion but not yet mature for adoption. It should be possible to complete the work on the first section early in the new year at the latest. The momentum should be maintained and a deadline of June 2007 set for agreement on all three sections; it was also important that work on the strategy should continue under the authority of the Council.

204. He thanked the Administration, in particular the Director General and Deputy Director General, for their support and professionalism, and expressed gratitude to the representatives of Australia, Mexico, Morocco and Ireland for their hard work and substantive contributions.

205. The Council expressed its deep appreciation to Mr. Khan and the other former members of the Bureau whose leadership had proved so effective in taking work on the strategy forward.

206. For many Member States, completion of the strategy had to be a priority, and several were optimistic that a consensus would soon be reached on the first section. The Council should therefore undertake to complete its work on that section by March 2007 and on the other two sections by no later than June 2007. The resources of both Member States and IOM had been tied up for too long in an exercise that would soon outrun the normal five-year shelf life of a strategy. With this in mind, several delegations asked the Chairperson to establish a work plan and a

timetable so that all Member States wishing to participate could plan accordingly. One delegation pointed out that a deadline of June 2007 (the presumed date of the next (Special) Session of the Council) implied that the entire process had to be completed one month earlier, in order to allow time for all documents to be translated into the Organization's three official languages.

207. Numerous delegations spoke about the points the strategy should cover. For some, the strategy should optimize the Organization's assets: its expertise in the area of migration, as exemplified by the International Dialogue on Migration it had launched in 2001, and its operational flexibility. Several delegations nevertheless stressed that operational flexibility should be maintained within a clear framework as established by the Constitution. Unlimited flexibility would lead to uncontrolled growth, a watering down of know-how, and a fall in quality.

208. The strategy should also define IOM's relations with the Global Migration Group and other agencies, so as to maximize synergies and avoid overlap, and with the United Nations. It should clearly recognize the mandates of other international organizations, in order to facilitate effective interagency coordination. For example, the distinction had to be made between economic migration and other movements of people, such as asylum and internal displacement: the term migration did not apply everywhere.

209. The strategy should list all of the Organization's strategic objectives, but not in order of priority, so that the programmes adopted by the governing bodies were approved with a view to maintaining a balance in the implementation of those priorities. It should recognize IOM's decisive role in promoting a comprehensive approach to migration, one centred on providing capacity to developing countries, ensuring respect for the human rights of migrants and placing migrants at the heart of migration policies and debates. Indeed, migration should not be seen from the point of view of the labour market needs of countries of destination alone, but also from that of the migrants themselves and the countries of origin.

210. The strategy should also take account of the recent emergence of a global dialogue on migration and development as an international priority, and of its implementing mechanism, the Global Forum on Migration and Development. It should give priority to assistance, in the form of programmes and projects, for State efforts to combat human trafficking and smuggling. The importance of strengthening the Organization's governing bodies was also mentioned.

211. Many Member States agreed with Mr. Khan that the three sections of the strategy should each be discussed, but not adopted, separately; they were all linked and therefore had to be adopted together.

212. Reference was also made to the financial implications of the strategy. The African Group, noting that no strategy could be successful without the financial resources needed to implement it, pointed out that funding for the Operational Part of IOM's Budget was projectized. A recently launched process of consultation with donor countries would, it was hoped, heighten their awareness of the priorities of African countries, in particular as concerned migration and development. It was unrealistic to suppose, however, that the two groups' priorities would always coincide. The pressing needs in developing countries could require the kind of free and flexible funding that was not possible under IOM's current operational budget structure. The 1035 Facility, which had been established by Council Resolution 1035 (LXXX) in 2000, was at present

the only mechanism for providing a partial response to such needs, and while it was certainly a source of satisfaction for many developing countries, the amounts it could make available (USD 1.5 million for 81 eligible Member States) no longer enabled it properly to meet the rising demand for assistance. In revising its strategy, IOM should give itself the means of implementing it.

213. Several delegates insisted that the process leading up to adoption of the strategy should be open and transparent, conducted within the existing governing structures, and include the active involvement of IOM. Indeed, the Administration should play a more proactive role in the discussions on strategy, as it knew better than all the Member States what were the Organization's possibilities and limits, its strengths and weaknesses. They asked the Administration to submit its views, in writing, and on the first section specifically, as to what it considered a coherent and realistic strategy, for three specific purposes:

- (a) to enable the Member States to know the Organization's position on the objectives they had negotiated, so as to determine to what extent they were in keeping with the provisions of the Constitution and current needs;
- (b) to help define the limits between the mandate of IOM and that of other organizations, in particular those making up the Global Migration Group;
- (c) to obtain a clear picture of what could realistically be achieved given the resources available and the project-oriented nature of contributions to the Operational Part of the Budget.

214. In that connection, another delegate, while not opposed to the Administration submitting its views in writing, said that those views would be only one input into the strategy discussion as a whole, it being up to the Member States to define the Organization's strategy.

215. Another delegate suggested that while the strategy overall should be evaluated within five years, progress on individual objectives should be reviewed more frequently, possibly every twelve months.

216. The membership expressed its willingness to work with the Chairperson in 2007 and encouraged her to make good use of the work accomplished by previous Council Chairpersons.

217. The Chairperson said that she had noted all the comments made and assured the Council that she and her Bureau would inform the membership as soon as possible about the next steps in the process and the deadlines to be met.

218. The Council decided to continue working on the strategy under the leadership of the Chairperson, with the aim of having the strategy document adopted by the Ninety-third (Special) Session of the Council.

(c) IOM/UN Relationship

219. The Director General, introducing document MC/INF/285, IOM/UN Relationship, noted that the Council had first discussed the relationship between IOM and the United Nations three years earlier, with a view to improving the status quo. Owing to developments in recent years, namely the findings of the Global Commission on International Migration in 2005, the preparations undertaken for the High-Level Dialogue, and the plans for the Global Forum, the Member States and the Administration had considered it timely to reconsider that position.

220. In response to a letter he had written to the Secretary-General, the United Nations Secretariat had stated that, on an institutional level, IOM could move closer to the United Nations only by seeking specialized agency status through existing procedures; other association arrangements existed, such as that of the World Trade Organization, but they were not possible for IOM.

221. He was not convinced that the only options were for IOM to become a UN specialized agency or to maintain the status quo, or that the IOM/UN relationship was fundamentally a legal question. It was, rather, a policy matter, and in that respect the attitude of the new Secretary-General and his understanding of the range of options open to IOM would be crucial. The Director General intended to meet him at an early stage.

222. The discussion under agenda item 6 (b), on IOM Strategy, had revealed that most Member States viewed IOM as the lead organization on migration. Moreover, its membership would soon be broad enough to qualify it as a universal organization (the World Tourism Organization had used that argument when it reached 120 members). For those two reasons, it had a place in the spectrum of organizations that could not be challenged. The question was how best to go forward: within the United Nations system or in close cooperation with it.

223. It was his understanding that some Member States feared IOM's incorporation into the United Nations system would cut into its flexibility and effectiveness on the ground; others believed that its capacities would be enhanced by the increased credibility lent by its being part of a global system. For his part, he believed both were possible: to maintain IOM's efficiency and creativity while giving it the added stature of UN agency status.

224. Several delegations agreed that IOM was or should strive to be the lead organization in the field of migration, although one felt that its position would be challenged if it became a member of the United Nations system. They pointed to its present strengths, including its flexibility in carrying out operations, its efficiency and project-based activities, its focus on migrants, and its broad mandate and responsiveness, and stressed that the need to preserve those strengths had to be borne in mind during discussions of the Organization's relationship with the United Nations.

225. One delegate did not support the Administration's action in reopening the issue in 2006, and considered that a clear position had been established in 2003 which it was inappropriate to change without putting forward very good reasons. Another thought that IOM would not gain in stature by joining the global system, as that stature was a function of its own strengths and achievements. Several delegations expected the Global Migration Group to have a positive impact on IOM and its relationship with the United Nations, and one stressed that any problems of collaboration with the United Nations should be tackled without changing the formal nature of the relationship.

between the two organizations. Several delegations thought that the current status quo was viable, and should be maintained for the present. It could be reviewed periodically in the light of change in the statutes or situation of the two organizations, as a consequence of UN reform, or should the United Nations ever approach IOM. Some delegations were concerned that closer association with the United Nations could have negative effects on IOM, citing the more bureaucratic nature of the global organization and the higher costs of its projects. One delegate stressed that the outcome of the High-Level Dialogue and the debate on IOM strategy should be considered before any steps were taken, while another stated that she was in favour of IOM remaining outside the global system, and called for more information about forms of closer association which would preserve the Organization's existing strengths.

226. Several delegations welcomed the review of IOM's relationship with the United Nations on the grounds that both organizations were in the process of changing and adapting, that it would be to IOM's long-term advantage to draw closer to the United Nations, as increased integration would enable it to be involved in United Nations activities as a primary partner, and that the work of IOM was increasingly affected by United Nations decisions and activities. Other reasons for closer integration into the international system were the size of IOM's membership and the scope of its work, as well as its involvement in discussions on migration at international level, including with the United Nations.

227. One speaker said that IOM was currently the only Organization with a comprehensive migration mandate, and experience and knowledge of all aspects of migration and development; furthermore, it was already strongly linked to the United Nations and had partnership agreements with virtually all the agencies. It was in an ideal position to envisage membership of the UN system and the time was ripe to take action. Another suggested that, if a decision were eventually taken to seek institutional change, it would present a challenge in terms of modernization and an opportunity to turn IOM into a twenty-first century organization; a cautious approach was therefore required.

228. Several delegations agreed with the Director General that there might be other options available to IOM. Some of them spoke in favour of further exploration of the issue, while others considered that the Administration should present a document to the Member States outlining the different options available, and evaluating those options against specific criteria, including efficiency and transparency. It was suggested that a suitable working document could be produced by updating the working group report of 2003, MC/INF/263. The Group of Latin American and Caribbean States proposed that in 2007, strategy and institutional issues should be studied in open session to ensure transparency and enable all Member States to participate.

229. Some delegations reminded the Administration that the issue of the IOM/UN relationship was highly political and that the Member States should be informed and consulted concerning approaches to the United Nations and overarching policy issues. They asked the Director General to elaborate on the discussion he intended to have with the new Secretary-General. One delegate, noting that traditionally IOM decisions had been made by consensus, said that such an outcome was desirable in this case as well.

230. In response to a query, the Director General said that paragraph 9 of MC/INF/285 was intended to convey that there would be flexibility in the event of a decision to enter negotiations

with the Economic and Social Council concerning specialized agency status. Points for negotiation could include a clause to safeguard the IOM Constitution or to protect IOM project funds from external interference by any United Nations body. If he was not mistaken, the agreement between the World Bank and the United Nations contained a comparable provision relating to the Bank's lending decisions.

231. He agreed that an updated options paper could be produced in the light of changed circumstances. It should take into account what could be learned about the views and attitudes of the enlarged membership, and the anticipated approach of the new Secretary-General. The work should not be rushed, but could perhaps be completed in time for the paper to be considered before the next regular session of the Council. It was certainly essential for the United Nations to show reciprocal interest, and as yet it had not done so. It was also essential that work on IOM's strategy advance as rapidly as possible; it should therefore not be held hostage to a decision on the IOM/UN relationship.

232. The Council noted that the Administration would produce an updated version of document MC/INF/285, IOM/UN Relationship.

(d) Statements by Members and Observers

233. Statements were made by the following Members listed in alphabetical order:^{*} Afghanistan, Algeria, Angola, Argentina (for GRULAC), Argentina, Australia, Azerbaijan, Bangladesh, Belarus, Benin, Brazil, Canada, Cape Verde, Chile, Colombia, Costa Rica, Democratic Republic of the Congo, Egypt, Finland (for the European Union), France, Greece, Guatemala, Iran (Islamic Republic of), Italy, Japan, Kenya, Latvia, Malta, Mexico, Morocco (for the African Group), Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Pakistan, Panama, Peru, the Philippines, Poland, Republic of Korea, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, Tunisia, United Kingdom, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of) and Yemen.

234. Statements were made or submitted by the following observers:^{*} Ethiopia, the Holy See, the Russian Federation, African Union, European Commission, Sovereign Military Order of Malta and Universal Postal Union.

235. The membership welcomed the new IOM Members and observer. Three Member States proposed that the Director General hold an annual or biannual high-level briefing for heads of delegation to discuss the issues and challenges facing IOM, taking as a model the briefings conducted by the President of the International Committee of the Red Cross.

236. Several delegations, citing as examples the recent armed conflicts in Lebanon and the Gulf, proposed the establishment of a permanent and renewable emergency evacuation fund to help IOM Member States in need of emergency assistance to evacuate stranded migrants. During the July 2006 Lebanese crisis in particular, IOM's humanitarian emergency operations had been hampered by the lack of such a fund, whose creation deserved to be further explored owing to its timeliness

^{*} Texts of the above statements, as and if received from the Members and observers, are accessible to Member States on the IOM website at www.iom.int.

in the broader context of international migration. Trafficking activities also led to emergency situations calling for assistance to stranded individuals. Indeed, such a fund would enhance the Organization's flexibility to respond expeditiously to such situations, and the Administration was therefore urged to submit its views and proposals in that regard to the Ninety-fourth Session of the Council.

237. Numerous African Member States reiterated their request for the opening of regional capacity-building centres in Africa. It was to be hoped that a concrete proposal would be put forward in the Programme and Budget for 2008. One speaker said that developing countries in Africa needed to boost their capacity in migration issues through training if they were to reap the maximum benefits from migration.

238. Several Member States referred to the transition plan for the San José Mission with Regional Functions, which had been circulated several days before the Council. They endorsed the Administration's efforts to open the Panama Administrative Centre, but considered that IOM had provided insufficient information on the implications for MRF-San José, in particular since it had indicated during the Ninety-sixth Session of the Subcommittee on Budget and Finance that the Centre's opening was unrelated to IOM's presence in Costa Rica, and had not properly evaluated the consequences for regional programmes and managed migration coherence in Central America. They did not agree that the MRF should be downgraded to a Country Office. Migration was a priority concern for governments in the region, which had to deal with hundreds of thousands of migrants, many of them undocumented or victims of trafficking, and billions of dollars in remittances. They did not wish to see the efforts made to date to develop and implement regional programmes financed solely through project-oriented funding, and were concerned that the contributions which had previously been used for the benefit of countries in the region would now be used for the benefit of the membership as a whole.

239. After the last delegation had spoken, the Director General commented on a number of points raised during the General Debate and the International Dialogue on Migration.

240. First, the transition plan for MRF-San José had not been finalized but was part of a process on which discussions were ongoing. That process included a review of all Field Offices charged to the Administrative Part of the Budget. In addition, the Panama Administrative Centre was intended to provide support throughout the hemisphere and worldwide. The Administration could not be certain, at present, how it would grow and what scope it would eventually attain. A distinction ought to be made between regional activities in Central America, such as the technical secretariat of the Puebla Process, which would continue to be based in San José, and administrative support, which could be more efficiently provided from Panama.

241. He recalled a proposal from a delegation to hold periodic sessions with heads of delegations in order to keep them up to date. He met regularly with the Group of Latin American and Caribbean Countries, the African Group and the European Union, but it might be useful to include other groups as well. He expressed the hope to come back to this suggestion. IOM would also take steps to establish an emergency evacuation fund for stranded migrants.

242. With regard to the IOM strategy, the Director General hoped that all three sections of the strategy document would be completed by June 2007 and he put the resources of the

Administration at the disposal of the Council Chair to help complete the project. He welcomed all constructive budget changes, including that proposed in Conference Room Paper/18 whereby contributions of new Member States would be used to reinforce the Administrative Part of the Budget. He concluded this aspect by stressing the need to work together and emphasizing that he personally and everyone at IOM would do everything possible to conclude the strategy document.

243. The Council had held a meaningful discussion on the relationship between IOM and the United Nations. The next step would be to refine the options paper and present a new version for the membership to consider, at an informal consultation, if desired.

244. It had also reached a broad consensus regarding the goals of the International Migration and Development Initiative, but questions remained regarding how it would be structured and operate. He suggested that a new version of the concept paper be drawn up with further input from GMG partners and any States who wish to provide comments.

245. There had been a constructive discussion on the Global Forum on Migration and Development. As the next Chair of the Global Migration Group, IOM would use this position to support the Forum in any way States wish.

246. IOM was committed to capacity building in Africa, and would redouble its efforts in that area. Missions with Regional Functions in Pretoria and Dakar would be reinforced with capacity-building specialists. Significant capacity-building components were contained in the MIDA programme, the International Migration and Development Initiative and in agreements reached at the EU-Africa Ministerial Conference on Migration and Development. Furthermore, capacity-building consultations would be held with the African Group to determine how to structure capacity building in Africa – would it be advisable to establish a single training centre for the whole continent, or to regionalize it further by language or geographical groups?

247. The Deputy Director General suggested that the General Debate format should be reviewed owing to the growing membership of the Organization, in order to give more opportunity for dialogue among Member States and observers. The panel discussions had provided the Member States with a useful opportunity to share their experiences. From the discussions, it had emerged that the Member States wanted IOM to play a larger role in the debate on international migration.

DRAFT REPORTS ON THE NINETIETH SESSION AND THE NINETY-FIRST (SPECIAL) SESSION OF THE COUNCIL

248. The Council adopted Resolution No. 1141 (XCII) approving the reports on its Ninetieth Session (MC/2186 and MC/2186/Corr.1) and Ninety-first (Special) Session (MC/2198).

REPORT ON THE HUNDRED AND THIRD SESSION OF THE EXECUTIVE COMMITTEE

249. Through its Resolution No. 1142 (XCII), the Council endorsed the decisions taken by the Executive Committee at its Spring Session and took note of the report on the Hundred and third Session of the Executive Committee (MC/2201).

SUMMARY UPDATE ON THE PROGRAMME AND BUDGET FOR 2006

250. The Rapporteur of the Subcommittee on Budget and Finance reported on the level of activities implemented by the Organization since the Programme and Budget for 2006 and the subsequent revision had been produced. The Administrative Part of the Budget had remained unchanged at CHF 37.1 million, and the Administration had provided a detailed list of how cost and statutory increases of CHF 992,000 had been absorbed in 2006. The Operational Part of the Budget had increased from USD 612.8 million to USD 770.8 million, mainly because of the Organization's activities in emergency and post-emergency situations, various new migration and development initiatives and technical assistance.

251. The Administration had highlighted the importance of strengthening internal control mechanisms to safeguard the Organization's assets and ensure high standards in financial reporting. Work was under way to replace the outdated financial system with SAP software.

252. Having reviewed the document, the Subcommittee had recommended that the Council take note of the Summary Update on the Programme and Budget for 2006 (MC/2202).

253. The Council took note of the Summary Update on the Programme and Budget for 2006 (MC/2202).

STATUS REPORT ON OUTSTANDING CONTRIBUTIONS TO THE ADMINISTRATIVE PART OF THE BUDGET

254. The Rapporteur of the Subcommittee on Budget and Finance reported that the Administration had highlighted that the issue of outstanding contributions to the Administrative Part of the Budget continued to pose a challenge to the efficient financial management of the Organization and had outlined the efforts made to encourage payment by Member States in arrears. Total outstanding contributions stood at about CHF 5.6 million. At the time of the Subcommittee's meeting, 15 Member States had been subject to the provisions of Article 4 of the Constitution. A number of Member States had expressed concern at the level of outstanding contributions, and one donor country had indicated its intention not to support non-emergency activities in countries subject to Article 4 provisions. The Deputy Director General had confirmed that Member States subject to Article 4 would be invited to provide explanations at the Council, and had indicated that the Administration and the Subcommittee's newly elected Bureau would be working together to find ways to help those Member States meet their financial obligations.

255. The Subcommittee had taken note of the efforts made by some Member States to pay their outstanding contributions and had urged those with contributions outstanding for two or more consecutive years to pay their contributions in full or agree to a repayment plan and to report to the Council on efforts to honour their financial obligations.

256. The Administration provided a brief update on the situation regarding contributions since the Subcommittee meeting. The situation had improved slightly, with 20 Member States having paid either 2006 or prior contributions. They were: Albania, Armenia, Belgium, Ecuador, Egypt, Haiti, Honduras, Israel, Kazakhstan, Lithuania, Mali, Moldova, Panama, Paraguay, Peru, the Philippines, Senegal, the United Kingdom, Venezuela (Bolivarian Republic of) and Zambia. Member States were encouraged to enter into dialogue with the Administration to discuss settling their outstanding contributions through a repayment plan or payment in local currencies. The situation remained serious, with a total of CHF 9.3 million outstanding.

257. The delegate of the Democratic Republic of the Congo announced that she had received confirmation from her Government that it had just settled its entire debt and would forward the official documents in due course.

258. The representative of Cape Verde said that his Government intended to present a repayment plan to settle its outstanding contributions very shortly.

259. The delegate of Benin announced that, due to an unfortunate clerical error, the full payment of arrears made by his Government in August 2005 had not reached IOM. The Government apologized for the inconvenience caused, but assured the Council that all necessary measures had been taken to ensure that the payment would be received by IOM as soon as possible.

260. Several delegates expressed serious concern that the problem of outstanding contributions had negative ramifications for the Administrative Part of the Budget, and that the situation was made more acute by the rapid expansion of the Organization. They urged Member States subject to Article 4 provisions to work together with IOM to find a way to resolve what was an unsustainable situation.

261. One delegate said that any suggestions to withdraw the Organization's services or close its offices in developing countries with outstanding contributions should be rejected, as to do so would penalize the countries most in need of such services. Another encouraged IOM to use the contributions of new Member States to reinforce the Administrative Part of the Budget, particularly as the contributions of those States would continue to be calculated according to the United Nations scale of assessments.

262. The Deputy Director General said that the issue of unpaid contributions remained a serious concern, and thanked the Member States that had discussed their financial situations and announced payment plans.

263. The Council took note of the efforts made by some Member States to pay their outstanding contributions and urged those with contributions outstanding for two or more consecutive years to pay their contributions in full or agree to a repayment plan.

PROGRAMME AND BUDGET FOR 2007

264. The Rapporteur of the Subcommittee on Budget and Finance reported that the Administration had highlighted various changes in the Programme and Budget for 2007 (MC/2203): the increase in the Administrative Part of the Budget to a zero real growth level, the establishment of the Panama Administrative Centre to further strengthen administrative support structures in the Field, particularly in the Western Hemisphere; the funding of two technical cooperation specialist positions in Africa, one of which was new; support for programme development and implementation targeting English and French-speaking countries in Africa; and the establishment of a team providing logistic, procurement, administration, finance, information technology and communications, and security support in emergency operations.

265. Despite the budgetary increases, the individual assessed contributions for all Member States would be reduced because of the additional contributions of new Member States. Delegations had expressed their views on the proposed zero real growth budget and some had indicated the need to review the use of Discretionary Income and Administrative Budget resources to fund core functions. There had been a broad consensus among delegations to accept the Administration's proposal to increase the Administrative Part of the Budget by CHF 926,000 to CHF 38,045,000 to cover cost and statutory increases.

266. The Operational Part of the Budget stood at USD 438.5 million and included only those activities for which funding had already been committed or could be reasonably anticipated. A few delegations had cautioned IOM against expanding into programme areas where it did not have a clear comparative advantage and which came also under the mandate of other multilateral organizations within the United Nations system. The Administration had explained that all IOM activities had been carried out at the request of Member States and had been funded by donors, most of whom were members of the Organization.

267. Having reviewed document MC/2203, the Subcommittee had recommended to the Council that it approve the Programme and Budget for 2007.

268. The Council adopted Resolution No. 1143 (XCII) on the Programme and Budget for 2007.

APPOINTMENT OF THE EXTERNAL AUDITORS FOR THE PERIOD 2007-2009

269. The Council endorsed the Subcommittee's recommendation and adopted Resolution No. 1144 (XCII) reappointing the Auditor General of Norway as external auditors to the Organization for the years 2007, 2008 and 2009.

OTHER ITEMS ARISING FROM THE REPORT OF THE SUBCOMMITTEE ON BUDGET AND FINANCE

270. The Rapporteur of the Subcommittee on Budget and Finance reported on a number of other items discussed by the Subcommittee. The Chairperson of the Staff Association Committee (SAC) had expressed satisfaction about the Committee's cooperation with the Administration on

some issues, but concern about the deteriorating working conditions at all levels of the Organization; he had called for more meaningful cooperation between the Committee and the Administration. The Committee had commented on the Administration's failure to engage the Staff Association effectively on matters of legitimate concern to staff and had referred to numerous complaints from staff about the lack of resources linked to the principle of zero nominal growth imposed by Member States under the Administrative Part of the Budget.

271. The Director General had responded to those concerns in a statement that had been read on his behalf, recognizing the excellent work performed by IOM staff worldwide and the effect on staff of the Administrative Part of the Budget being held to zero nominal growth over a number of years. He had highlighted a current initiative to move forward on key policy issues in human resources, noted that rotation had provided significant benefits for the Organization and staff, and announced his intention to have a working group consider the issue of income tax reimbursements. He had reiterated his commitment to addressing the concerns raised by the Staff Association Committee for the benefit of all staff.

272. The Subcommittee had taken note of the statement by the Chairperson of the Staff Association Committee and the Director General's response.

273. The Subcommittee had examined document SCBF/292 (Support for Developing Member States and Member States with Economy in Transition - 1035 Facility). The Administration had presented a status report (SCBF/292) covering the period from 1 January to 30 September 2006 and had reiterated its commitment to ensure equitable regional distribution of funds. The Administration had requested feedback from countries that had benefited from the Facility on an individual, subregional or regional basis, describing the impact the projects had had on their countries, particularly on migration management. The Administration had thanked the Government of Morocco for its generous contribution and had requested other delegations to consider making similar voluntary contributions to the Facility.

274. The Subcommittee had taken note of document SCBF/292.

275. The Administration had provided an update on the Manila Administrative Centre indicating that the Centre had continued to expand its support in the fields of information technology, accounting, human resource management, web management, staff security, treasury and project information functions. The Centre was engaged in a programme to streamline procedures and enhance efficiency, and was working to consolidate its structures and scale up its management capacity in order to become more autonomous from Headquarters. The Administration had reassured Member States that best practices from the Manila Administrative Centre would be transferred to the Panama Administrative Centre and that all efforts would be made to avoid duplication of functions.

276. The Subcommittee had taken note of document SCBF/291.

277. The Administration had provided an overview of major human resource developments over the past year and had informed the Subcommittee that a task group had been established by the Director General with a view to streamlining human resource procedures and establishing policies. It had pointed out that human resource management processes had not kept pace with

developments after several years of zero nominal growth, particularly with the increasingly complex human resource challenges posed by a growing organization. The African Group had expressed renewed concern that Africans continued to be underrepresented among IOM staff, to which the Administration had responded that the issue was being reviewed by the task group.

278. The Subcommittee had taken note of the Human Resources Report (MC/INF/282).

279. Referring to the Staff Association Committee's statement, the Director General acknowledged that some criticisms had been well founded. He was committed to dealing with personnel problems in a fair way and would do his best to consult the staff more frequently on issues of concern. He was reviewing key policy issues such as staff rotation, promotion, retention and development and performance evaluation. Deteriorating working conditions were also related to budgetary constraints; it was therefore in everyone's best interests that Member States pay their assessed contributions on time. He thanked the staff for its dedication and work, and expressed his willingness to find a way to improve working conditions.

280. The Council took note of the documents and endorsed the recommendations of the Subcommittee.

OTHER BUSINESS

281. There was no other business.

DATE AND PLACE OF THE NEXT SESSIONS

282. The Council adopted Resolution No. 1145 (XCII) concerning its next regular session and inviting the Executive Committee to meet in June 2007. Tentative dates were: 27 to 30 November 2007 for the Council and Wednesday, 6 June and the morning of Thursday, 7 June 2007 for the Executive Committee. Provisional dates for the Ninety-seventh and Ninety-eighth Sessions of the Subcommittee on Budget and Finance were 9 May, and 30 to 31 October 2007 respectively.

283. The date proposed for a possible Ninety-third (Special) Session of the Council was the afternoon of Thursday, 7 June 2007.

Annex I

DIRECTOR GENERAL'S REMARKS

Distinguished delegates, ladies and gentlemen,

1. This has been a year in which migration took on even greater prominence as a subject of international and multilateral policy, focusing attention on IOM's issues and activities.
2. IOM continued to grow, attaining the significant level of 120 Member States.
3. The High-Level Dialogue in September marked the rebirth of attention to the links between migration and development.
4. IOM and partner agencies developed a proposal – IMDI – that could serve to give practical effect to a number of M & D issues on which broad consensus was evident at the HLD.
5. The expansion of the Geneva Migration Group represented a significant improvement in interagency coordination on migration.
6. Regional migration fora continued active and inter-regional contacts multiplied, the Ibero-American Summit on Migration and the Euro-African Ministerial Conference on Migration and Development being but two examples. MIDSA, the Southern Africa process, this year established links with Puebla, Bali and the Western Mediterranean Five Plus Five and will work next year with the Colombo Process.
7. IOM reacted promptly to the Lebanon emergency, evacuating 13,000 stranded foreign workers.
8. The decision was taken to establish a second administrative centre in Panama.
9. We opened a liaison office in Beijing and look forward to interesting programme work in China.
10. Real progress is within reach on IOM's Strategy, to provide vision, direction and guidance for the Organization at a time of profound change in global consideration and governance of migration.

11. Looking ahead, significant challenges present themselves. We shall need next year to
- Complete ongoing codification of personnel policy, including rotation, staff development and tenure policies;
 - Review our system of regional missions and other offices paid for out of the Administrative Part of the Budget;
 - Work to translate the positive momentum of the HLD into concrete results that realize the development potential of migration, together with interested Governments and partner agencies; and
 - Undertake a dialogue with the new Secretary General regarding the UN-IOM relationship.

Annex II

STATEMENT BY THE DEPUTY DIRECTOR GENERAL

Ministers, Ambassadors, Distinguished Delegates,

1. I am pleased to address you during this session of the Council and I welcome your active participation in our debates and dialogue as we seek to address collectively the challenges of managing migration in an increasingly globalized world.
2. I want to extend my warm thanks to Ambassador Khan who has so ably served as Chairman of the Council, and to the other officers of the Bureau for their support and assistance over the past year. I also wish to congratulate the Chairman and the newly elected Bureau. Your leadership and guidance are critical to our success in positioning IOM for the future.
3. I also warmly welcome our two new Member States, Montenegro and Nepal. By joining the Organization, you highlight the importance of IOM and your own attention to migration issues.

Mr. Chairman,

4. 2006 has been a busy year and while I will not detail all of the important work we have been engaged in, I do want to highlight a few key events and activities.
5. In the past year migration and development truly took centre stage as an issue of importance within the international community and among our Member States. The High Level Dialogue on Migration and Development in September was the culmination of a number of regional efforts to address the nexus between migration and development. In Africa, leaders meeting in Algiers, Rabat and finally Banjul, adopted a Common Position on migration for the first time. In Benin, IOM assisted in bringing together a landmark conference on remittances and the positive role they can play in development.
6. With the Government of Belgium, we brought together global practitioners to review the challenges and opportunities for development through migration. And in Rabat, European and African leaders committed themselves to a dialogue to build a basis for tackling migration challenges.
7. Regional consultative processes in Latin America, Asia and Africa have provided further opportunities for governments to discuss the multiple dimensions of modern migration.
8. In New York, for the first time at the United Nations a clear consensus was revealed. States recognized the urgent need to work collectively to tackle migration challenges and all underscored the direct linkages between migration and development. I was also struck by the number of speakers who chose to focus on the potential positive aspects of migration. This is something that we have continued to press through our migration and development programmes, most notably through the Migration and Development in Africa (MIDA) programme.

9. I am pleased to say that since the High Level Dialogue in September, attention has not waned. Last week's Ministerial of African Union and European Union officials on migration and development which the Director General and I attended reinforced the commitment to continue developing these important linkages. The forthcoming Global Forum to be hosted by Belgium in July 2007 will maintain this momentum.

10. I also want to highlight an area I remain passionate about - gender. Our Working Group on Gender Issues (WGGI) has proven successful at raising awareness of gender issues within IOM, our operations and more broadly. It has moved beyond education to developing its own projects and ensuring that gender issues and sensitivity are mainstreamed throughout the Organization and its operations. In addition, heightened collaboration with UNFPA and OSAGI, to name but two, have contributed to an expanded understanding of migration and gender issues among stakeholders. As ever greater numbers of women migrate, special attention is required to ensure that we always remain vigilant to their needs and opportunities.

Ladies and gentlemen,

11. While this has been a critical year for migration, it has also been an important year for IOM as an organization. After seven years at IOM, I can clearly state that the Organization has reached a crossroads.

12. At the same time that migration has been moving up the priority list in the international community, IOM has grown and expanded the operations in which it is engaged. Some of this reflects a conscious effort to address gaps in activities and to broaden the Organization's relevance. Some of this growth, however, results from the flexibility and responsiveness for which many of you value IOM. In part, it also reflects the growing complexity of migration in a global world. The high profile attention now being given to migration and the efforts to address it in a more coherent manner ensures that demand for IOM services will remain high.

13. But at the same time, the structure of the organization and its governance has not changed at the same pace. The stresses from this are evident. We struggle to manage effectively and efficiently a global organization with over 5,000 employees, almost 300 offices and an operational budget of over USD 750 million with the same basic structure with which IOM was endowed over 50 years ago. While we have adopted some modern tools and technology, the core approaches have changed little. Even as the Organization has more than doubled in size – in membership and operations over the past 8 years – the basic management structure has only been added to through delocalization and an increase in regional and liaison offices. Today, IOM growth relies on a continuous effort to find and fund new projects and programmes, as well as IOM speed at implementing large scale emergency operations.

14. I believe it is time for us all, but most importantly you, our Member States to reflect on and address the future of the Organization: Is IOM to be the pre-eminent intergovernmental organization in the migration field? Is IOM to be the primary repository for knowledge and experience in meeting migration challenges? Is IOM to be the leading operational responder in assisting migrants? Is IOM to advance its efforts in assisting countries in capacity building in migration? Is IOM to be at the cutting edge of integrating migration into the full range of security, development, economic and social policy questions we face in the 21st century?

15. I pose these questions not to divide us, but to challenge you to envisage and build today the foundation for the Organization that you want IOM to be for the rest of this century. The challenges we face and the services we provide today are very different from those that IOM was set up to address. I believe it is now time to look at providing IOM with the structures and tools to meet those challenges.

16. None of this comes as news to those of you who have closely followed the Organization. Indeed in my work with the Subcommittee on Budget and Finance, this has become a recurring theme. We do not always address it as such but it lies at the centre of our ongoing discussions about strategy and mandate, governance structures and budget levels. I want to take a moment here to acknowledge the work done by Ambassador de Alba, Ambassador Whelan and continued by Ambassador Khan over the past few years to bring the membership to consensus on IOM's strategy and mandate. I know that this is continuing with a goal to make real progress in the coming months and I encourage you in this effort.

Ladies and Gentlemen,

17. While the differing views on these issues have been clearly stated, it is now time to find common ground and purpose.

18. Colleagues, the future of the Organization and how it serves its Members demands that we tackle these issues with extra resolve. The Administration, with the support of Member States has made a number of adjustments over the past eight years to accommodate this growth in scope and breadth of activities. In addition to delocalization to do more with less, we have also sought to give more responsibility and discretion to officers in the Field. Headquarters has become leaner with more support functions provided from Manila and elsewhere.

19. As many of you are aware, the Organization is increasingly funded from Discretionary Income and project financing and less and less from assessed contributions to the Administrative Budget. In part due to the focus on financial stringency, the management structures have not expanded to reflect the growth in the Organization. Indeed in some respects as resources are stretched, management functions have been pared back even further.

20. While I think we should all applaud IOM's efforts and commitment to financial prudence, I think we also need to recognize the costs and risks it has placed on the Organization. Internal controls, staff resources and morale, operational efficiency, and focus are all under tremendous pressure. Issues of coordination, coherence of approach, and transparent decision-making across a widespread Organization also add to the challenges staff face. Financial resources are part of the answer, but more importantly, to be well placed in the future, the Organization needs a clear and strong mandate from Member States. The institutional and governance reforms to allow IOM to fulfil this mandate should be considered a similar priority.

21. As a number of Member States have made clear in the discussions on budget and strategy, these are linked issues and include governance as well. Yes, we must examine them sequentially, but I challenge you collectively that the first step is to define a vision or goal for what you want IOM to be in the coming years.

22. In my view, IOM needs to be more than a collection of the projects that we design and/or implement. At the core of the Organization is our vast experience in flexibly assisting Member States to manage migration challenges in a wide variety of areas. At the same time, we have built up a depth in migration policy unparalleled in other intergovernmental organizations. But the challenges we face in the 21st century will call for even greater focus in order to remain relevant.

23. Now is the time to firmly address these issues and set a course for IOM in the future. In a few years, both the Director General and I will likely have moved on to other challenges. It behoves us, and you the Member States, to leave the Organization clearly positioned to assume its role as a leader in migration for the benefit of all for the next 55 years.