INTERNATIONAL MIGRATION AND DEVELOPMENT KEY ASPECTS FOR THE HIGH-LEVEL DIALOGUE 2006

United Nations Educational, Scientific and Cultural Organization

Migration has become one of the major issues of concern in the world in the last few years. The accelerated pace and impact of international migration on countries of origin, transit and destination is a phenomenon foreseen to continue: international migration is likely to further develop itself as a part of the global transformations affecting today's world. Migration can be a chance, notably by fostering development and increasing intercultural relationships. However, migration is often understood as a problem. And, indeed, the increased population flows across borders of individuals from diverse cultural backgrounds give rise to a number of challenges in both host States and States of origin. It is becoming increasingly clear that unilateral approaches will not be sufficient to address these challenges and that the international community must collectively find ways of making the most of migration.

The basic premise of United Nations Educational, Scientific and Cultural Organization (UNESCO)'s work in the field of migration is that human rights should be at the core of any approach to human mobility. All initiatives taken to address the challenges of migration should above all consider the priority of the human rights of migrants. There is abundant evidence that migrants represent a highly vulnerable group of people. Not being nationals of the country in which they live, they seldom have the same degree of legal protection as national citizens. They are made further vulnerable because of the frequent but erroneous belief that only national citizens are entitled to the full protection of human rights law.

Moreover, migrants who find no legal channel to migrate often become undocumented, becoming exposed to a very high degree of vulnerability. They are notably the main victims of severe human rights violations such as trafficking. For them, migration may even have fatal consequences, as many die on their way to receiving countries. Such tragic outcomes of migration flows are incompatible with human rights and with the core values of the international community. They call for an approach of migration based on an international dialogue that will better ensure the respect for human rights.

It is vital to stress that promoting the respect for the human rights of migrants is not only a matter of improving their living and working conditions. It is also a matter of fostering their harmonious integration in receiving societies, which will ultimately guarantee social cohesion and the respect for core values such as peace and democracy. The respect for the basic human rights of all persons in each society is an essential basis for addressing and resolving the tensions and potential conflicts between people who have different interests and sociocultural backgrounds. In a world in which more and more people are on the move, ignoring migrants' rights would seriously jeopardise the welfare, not only of migrants, but of all human beings. Ensuring the full application of human rights to migrants is therefore an essential step in ensuring global justice and social cohesion.

Along with human rights, UNESCO also stresses that migration has a crucial cultural dimension that should not be ignored. **Migrants are not only workers but are also human beings, and migratory flows therefore have social and cultural implications.** This is why addressing the challenges of migration includes promoting the respect for cultural diversity. Migrants often come from different socio-cultural backgrounds and there is a need to envisage their harmonious incorporation into the culture of the host society. Failure to do so may lead to frustration among both migrants and members of the host society, as well as to racism and xenophobia. Along with human rights, respect for diversity is an essential component of successful migration management. UNESCO's Universal Declaration on Cultural Diversity represents a major step in the international community's awareness of the value of cultural diversity and of the need to protect it.

Promoting cultural diversity also requires finding a balance between the need for social cohesion, on the one hand, and the respect for cultural diversity on the other hand. Respect for cultural diversity and for migrants' different socio-cultural background must indeed be balanced with the need for social cohesion. Receiving countries must be able to incorporate migrants in a way that enables all countries to maintain the degree of social cohesion that is necessary to the respect of core values such as democracy.

Successfully addressing the issues of migrants' human rights and of cultural diversity calls for the development of new approaches to international migration that enable a multilateral and harmonious management of people flow. The likelihood of continued international migration indeed calls for the elaboration of such new frameworks, which require, among other things, imaginative thinking about the future of migration. Migration is a fast-evolving process and the international community must be prepared to address the challenges raised by human mobility in the next decades. Successful policies also need to adapt to the changes that constantly take place in the nature and direction of migration flows. UNESCO therefore stipulates that the international community should devote time and energy in the elaboration of scenarios on the future of migration. Only by critically challenging conventional wisdom will it be possible to envisage solutions to migration developments in the twenty-first century.

UNESCO further believes that cooperation between international agencies concerned with migration is indispensable to achieve migration management. As was stated in the report on International migration: implications for the World Bank "there is unanimous consensus […] that there is currently no lead agency for international migration, [...]."[1] Given the international character of migration, national migration strategies developed in isolation are unlikely to result in effective migration management. Recognising the scale of the challenge and task, United Nations partners, including UNESCO, are to work closely together within the United Nations system as well as with other multilateral and bilateral stakeholders. We should aim at a greater level of cooperation between partners and international bodies in order to foster a better management and policy making in international migration to make it a truly beneficial process for all—receiving countries, sending countries and migrants themselves.

UNESCO has two main priorities in the field of international migration. First, it aims at promoting the respect for the human rights of migrants, notably through the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Second, it aims to developing scenarios for the future of international migration, in order to better understand the directions the migration phenomenon may take in the following decades and to prepare policies that can cope with ongoing trends.

A. MAIN PRIORITIES

1. The human rights of migrants

Migrants represent one of the most vulnerable groups in society. UNESCO therefore recognises the need to better understand the specificity of the human rights situation of migrants. In recent decades, the international community has acknowledged the need to develop human rights instruments addressing specifically the situation of particularly vulnerable groups, such as women, children, and victims of discrimination and torture. With the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, migrants have been among the last category recognised as vulnerable and deserving special protection. Because of this recent recognition, little analysis has been dedicated to this issue and there is a need to better analyse the specificity of their situation. Migration is a fast-evolving process and changes in migration patterns modify the ways in which migrants are vulnerable to human rights violations. Such evolutions call for careful examinations of migration developments and of their impact on the human rights of migrants. UNESCO plays a role in promoting research, intellectual reflection and debate on obstacles preventing the full implementation of human rights in the field of migration. The results of these activities should serve to inform policy-makers at all levels and support standard-setting, capacity-building and technical assistance.

In this respect, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families plays a key role. It was adopted by the United Nations General Assembly in 1990 and entered into force on 1 July 2003. Recently the commitment of the United Nations system to better protect the human rights of migrants was also affirmed by the General Assembly's declaration of December 18 as the International Migrants Day in order to make the special situation of migrants more visible, including their grave human rights' problems. In 1999, a Special Rapporteur on Human Rights of Migrants was appointed within the Office of the High Commissioner for Human Rights.

Acceptance and implementation of the Convention is a strategic objective for UNESCO in close co-operation with other United Nations partners. UNESCO participates, with ILO, IOM, the OHCHR, and several NGOs, in the Steering Committee for the Global Campaign to co-ordinate activities both at the international and national levels to promote further ratifications of the Convention. UNESCO will continue to promote the ratification of the Convention through research and analysis of obstacles to its implementation and through advocacy activities, awareness raising and training. It will also foster the implementation of the Convention, through support to Member States for the incorporation of the Convention provisions in their national laws, and by providing training, up-to-date information and examples of best practices in the field of migration.

UNESCO established research networks on migration in several regions of the world. Scholars from some fifty Member States participate in these international networks, which constitute partners in the development of research and analysis on issues surrounding migration. These networks have already proved very effective in the research undertaken on the human rights of migrants and in the elaboration of policy-oriented studies on the obstacles to the ratification of the United Nations Convention on migrants' rights.

2. Develop scenarios for the future of international migration

Migration is a fast evolving process that is undergoing substantial changes. Successful policies therefore require an understanding of the possible future developments that will affect migration processes. In order to help prevent future policies from being based on ill defined conceptions, which could worsen the situation, policy-making capacities need to be strengthened. In this respect, UNESCO plays a role in supporting research and providing training on migration policies to decision-makers. UNESCO is to contribute with visions on migration at an international level, stimulating debate and innovation. This calls for substantial analysis and research on the contemporary state of migration and of the possible future directions of human flows, as well as for constant exchange of information and debate. UNESCO recognises the need to investigate scenarios for the future of migration in order to inform migration policies.

Future developments include notably the possible elaboration of an international framework of migration management. They also include the emergence of increased freedom of movement, at the regional or the world level. In recent decades, regional initiatives for increased freedom of movement have for example been taken by the European Union (EU) and by the Economic Community of West African States (ECOWAS). These initiatives recognise the need to lessen restrictions on migration flows in accordance with the aim of regional integration. Human mobility is indirectly recognised by the Universal Declaration of Human Rights, in which article 13-2 states that 'everyone has the right to leave any country, including his own, and to return to his country'.

Very little thinking has so far been devoted to the scenarios along which patterns of international migration will evolve. So far, no single United Nations agency has taken up this major issue of social transformations. There is therefore a need for the elaboration of creative thinking on possible evolutions of international migration.

The elaboration of scenarios for the future of migration requires debates between all stakeholders, including academics and researchers, non-governmental organisations and policy-makers, with the purpose of bringing together their views and of sharing their experiences. UNESCO functions as an intellectual

platform for these debates and the exchange of views, thus enabling the elaboration of scenarios for the future of migration.

B. OTHER PRIORITIES

1. Promote a balance between cultural diversity and social integration in multicultural societies

As a consequence of cross-border population flows many countries have a growing number of immigrant populations that differ widely, both from a cultural, religious or linguistic point of view, from the native population. Many countries have seen an increase in xenophobia and racism at various levels of the society, effecting foreigners as well as immigrants who have become nationals. This situation calls for policies that respect the rights of migrants, underscore the benefits of diversity and at the same time promote social cohesion. UNESCO is already heavily engaged in a number of initiatives promoting pluralism, tolerance and cultural diversity, as shown amongst others by the recent adoption of the Universal Declaration on Cultural Diversity, and its work on racism, xenophobia and discrimination.

2. Contribute to the fight against human trafficking and exploitative migration

Despite increased spending on enforcement measures in major destination countries, the number of migrants in an irregular situation has not declined and trafficking of humans remain a global reality. Trafficked persons are victims of serious human rights' violations. Smuggling and trafficking also undermines security because of links with organised crime, violence and corruption. In addition, irregular migrants are often stereotyped and regarded as criminals.

3. Strengthen the capacity, sustainability and effectiveness of diaspora networks

Since the beginning of the 1960s, brain drain has been identified as a serious problem affecting developing countries in their capacity for development. Recently, however, there is a strong emphasis on the potentials to reverse this trend and achieve brain gain, based on the idea that the expatriate skilled population may be considered as a potential asset instead of a definite loss. Migrants' international experience, which includes notably the acquisition of skills and of foreign languages, can be very useful to sending countries. While distance has long been an obstacle to migrants' implication in their country of origin, today's information and communication technologies bring the opportunity to empower diaspora networks and enhance their impact on international co-operation policies.

4. Improve statistical data on migration related to higher education

The increasing globalisation of higher education, the new trade in higher education services, the use of distance learning and overseas campuses are leading to more demand for data and statistics on student mobility, mobility of educators and related issues. Furthermore the strong impact of migration on 'brain drain' and 'brain gain' requires well documented statistical data to allow monitoring and analysis.

NOTE

[1]Russell, S.S. (2002). International Migration: Implications for the World Bank, p.15.