

Compendium of Recommendations on
International Migration and Development:
The United Nations Development Agenda and the
Global Commission on International Migration Compared



United Nations

Department of Economic and Social Affairs

Population Division

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International Migration and Development:
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DESA

The Department of Economic and Social Affairs of the United Nations Secretariat is a vital interface between global policies in the economic, social and environmental spheres and national action. The Department works in three main interlinked areas: (i) it compiles, generates and analyses a wide range of economic, social and environmental data and information on which States Members of the United Nations draw to review common problems and take stock of policy options; (ii) it facilitates the negotiations of Member States in many intergovernmental bodies on joint courses of action to address ongoing or emerging global challenges; and (iii) it advises interested Governments on the ways and means of translating policy frameworks developed in United Nations conferences and summits into programmes at the country level and, through technical assistance, helps build national capacities.

Note

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PREFACE

The Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat is responsible for providing the international community with timely and reliable information on population and development. The Population Division provides guidance on population and development issues, including those related to international migration, to the General Assembly, the Economic and Social Council, and the Commission on Population and Development. In particular, the Population Division is responsible for the substantive preparation of the high-level dialogue on international migration and development that the General Assembly will conduct in September 2006.

In the United Nations, a series of inter-governmental conferences and summits convened mostly since 1990 have made a number of commitments and recommendations related to international migration. This report provides the complete set of texts relating to international migration, extracted from the outcome documents of the United Nations conferences and summits. Consequently, this compilation permits to assess in which areas there is already consensus regarding measures that can improve the benefits of international migration and address its drawbacks.

In addition, this report presents a comparison of the recommendations emanating from the United Nations conferences and summits with the recommendations made by the Global Commission on International Migration, an independent body set up at the initiative of a number of Governments. The Global Commission, composed of 19 expert commissioners serving in their personal capacity, proposed its recommendations as a framework for the formulation of a coherent, comprehensive and global response to the issues raised by international migration. These recommendations are one of the inputs to the high-level dialogue that the General Assembly will conduct in September 2006. The comparison included in this report is meant to provide Member States with a better sense of where and how the Global Commission's recommendations have broken new ground.

This report as well as other information on international migration and on the preparation of the high-level dialogue can be accessed on the world wide web site of the Population Division at www.unpopulation.org. For further information, please contact the office of Ms. Hania Zlotnik, Director, Population Division, United Nations, New York, NY 10017, USA.

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PART I. INTRODUCTION

INTRODUCTION

In September 2006 the General Assembly of the United Nations will conduct a high-level dialogue on international migration and development, the first major event in United Nations history focusing exclusively on international migration issues. The decision by Member States to conduct this dialogue confirms the relevance of international migration for international affairs and validates the view that addressing international migration issues is one of the major challenges facing the international community today, as highlighted by the Secretary-General in his 2002 report entitled "Strengthening the United Nations: an agenda for further change"¹.

Since 1990, the United Nations has convened a series of international conferences and summits where Governments have made a number of commitments and adopted a series of outcome documents calling for action in a number of domains with the objective of improving the well-being of the world's population and attaining sustained and sustainable development. Taken as a whole, the outcomes of the various conferences and summits constitute the United Nations Development Agenda.

Although no United Nations conference has as yet focused exclusively on international migration, most of the major United Nations conferences held in the 1990s addressed relevant aspects of the issue and, consequently, have set collectively the elements of a potential United Nations framework for addressing the issues and concerns raised by international migration, particularly as it relates to development.

This report has two objectives. The first is to provide the elements of the United Nations framework on international migration by extracting from the outcome documents of the various conferences and summits those parts that relate to international migration. Hence, this report presents a compilation of all the relevant principles, guidelines, commitments and recommendations for action in the area of international migration that have been adopted so far by Member States of the United Nations. Such a set constitutes the solid foundation on which the high-level dialogue on international migration and development can build.

The United Nations conferences and summits considered include: (a) the two world summits held since 2000; (b) all the intergovernmental conferences on population held since 1974, and (c) other major United Nations conferences and summits held since 1990 that contain recommendations relative to international migration.

In extracting text from the outcome documents of conferences and summits, the aim has also been one of comprehensiveness. All parts of the outcome documents dealing with international migration issues have been included in this report. In addition, parts that provide useful guidance regarding the formulation of policies in general, the organization of partnerships for development, the pursuit of technical cooperation or research, the conditions for action at the national or international levels, or the variants of international cooperation, and that may be relevant in addressing international migration issues, have also been included.

The second objective of this report is to compare the recommendations made by the Global Commission on International Migration (GCIM) with recommendations or commitments that Member States of the United Nations have already adopted by consensus in the various United Nations conferences and summits.

The Global Commission on International Migration is a government initiative launched in December 2003 to provide, *inter alia*, recommendations to the United Nations Secretary-General

¹ Report of the Secretary-General "Strengthening of the United Nations: An agenda for further Change" (A/57/387), 9 September 2002, para. 39.

and other stakeholders on how to strengthen the national, regional and global governance of international migration. The Global Commission consisted of 19 expert commissioners serving in their personal capacity. It was set up as an independent body following the initiative of the Governments of Sweden and Switzerland, joined by those of Brazil, Morocco and the Philippines. Other Governments interested in supporting the work of the Commission formed an open-ended Core Group which adopted the mandate of the Commission and acted as an informal consultative body for the Commission during its term of office. In August 2005, 32 Governments were part of the Core Group.

Working from January 2004 to July 2005 and with the assistance of a small secretariat located in Geneva, the Commission produced a report entitled *Migration in an Interconnected World: New Directions for Action*² which was launched at United Nations headquarters in New York on 5 October 2005 and was presented to the Secretary-General. The report provides a framework for the formulation of a coherent, comprehensive and global response to the issues raised by international migration. It contains a set of 6 principles and 33 recommendations to guide action on international migration.

The launching of the Global Commission coincided with the decision by Member States of the United Nations to hold a high-level dialogue on international migration in 2006. Consequently, the report and recommendations of the Global Commission have become an input in the preparation of the dialogue. According to General Assembly resolution A/C.2/60/L.16, the Assembly has taken note “of the submission to the Secretary-General of the report of the Global Commission on International Migration and looks forward to its consideration at the high-level dialogue” (para. 20). This decision makes it important to analyse the value added of the recommendations made by the Global Commission in light of the recommendations relative to international migration already adopted by Member States at the United Nations conferences and summits.

Such a comparison proves useful because it helps to distinguish the points where the Commission has truly broken new ground in addressing international migration, from those in which it has reiterated a long-standing consensus on the issue, perhaps with an additional nuance or change of emphasis. The comparison also serves to assess the comprehensiveness of the framework derived from the outcomes of the United Nations conferences and summits. Thus, in the extracted text from those outcome documents, the parts that are similar to the Global Commission’s recommendations have been highlighted so that the reader can see easily which parts do not have a counterpart in the Commission’s recommendations.

In undertaking the comparison of the Global Commission’s recommendations and those of the United Nations conferences and summits, the criteria used for inclusion of the latter in relation to each of the Commission’s recommendations have been fairly lax (see Part V). That is, selection of comparable text has not aimed at finding an exact match between each of the Global Commission’s recommendations and those in the United Nations outcome documents. Instead, United Nations text that is closely related but need not be identical in intent to that of the Global Commission’s recommendations has been presented. This practice permits the reader to assess how much further the Commission’s recommendations go on certain issues or whether and how they may fall short of what is already universally agreed at the United Nations. In many instances, the reader will find that there is strong reinforcement between the two sets of recommendations, with the Commission’s recommendations expressing yet again points of long-standing consensus in the international community. An earlier comparison between the Commission’s recommendations and those contained in the Programme of Action of the International Conference on Population and Development indicated that 14 of the 33 recommendations

² *Migration in an Interconnected World: New Directions for Action*, Report of the Global Commission on International Migration, Geneva, Switzerland, October 2005.

proposed by the Commission matched closely those already included in the Programme of Action.

Since 1990 the prominence of international migration on the international agenda has been rising, with the result that Governments have been actively seeking novel ways of addressing the issues and concerns it raises. In preparation for the high-level dialogue on international migration and development it is therefore of interest to consider the totality of principles, objectives, commitments and recommendations related to international migration that Member States have adopted. Clearly, as the world prepares to consider the relevance of international migration for development at the United Nations, easy availability of the material included in this report will prove useful. Furthermore, the compilation presented in this report proves that, in constructing the United Nations Development Agenda, Member States have continually accorded an important place to international migration issues and have already developed a solid basis for further action.

PART II. OUTCOMES OF THE RECENT WORLD SUMMITS

United Nations Millennium Declaration¹

[...]

V. Human rights, democracy and good governance

[...]

25. ***We resolve therefore:***

[...]

• ***To take measures to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in many societies*** and to promote greater harmony and tolerance in all societies.

[...]

VI. Protecting the vulnerable

26. We will spare no effort to ensure that children and all civilian populations that suffer disproportionately the consequences of natural disasters, genocide, armed conflicts and other humanitarian emergencies are given every assistance and protection so that they can resume normal life as soon as possible.

We resolve therefore:

[...]

• To strengthen international cooperation, including burden sharing in, and the coordination of humanitarian assistance to, countries hosting refugees and to help all refugees and displaced persons to return voluntarily to their homes, in safety and dignity and to be smoothly reintegrated into their societies.

[...]

¹ See General Assembly resolution 55/2 of 8 September 2000.

2005 World Summit Outcome

New York, 14-16 September 2005

The General Assembly

Adopts the following 2005 World Summit Outcome:²

[...]

II. Development

[...]

Migration and development

61. We acknowledge the important nexus between international migration and development and the need to deal with the challenges and opportunities that migration presents to countries of origin, destination and transit. We recognize that international migration brings benefits as well as challenges to the global community. We look forward to the high-level dialogue of the General Assembly on international migration and development to be held in 2006, which will offer an opportunity to discuss the multidimensional aspects of international migration and development in order to identify appropriate ways and means to maximize their development benefits and minimize their negative impacts.

62. We reaffirm our resolve to take measures to ensure respect for and protection of the human rights of migrants, migrant workers and members of their families.

63. We reaffirm the need to adopt policies and undertake measures to reduce the cost of transferring migrant remittances to developing countries and welcome efforts by Governments and stakeholders in this regard.

[...]

III. Peace and collective security

[...]

Transnational crime

111. We express our grave concern at the negative effects on development, peace and security and human rights posed by transnational crime, including the smuggling of and trafficking in human beings, the world narcotic drug problem and the illicit trade in small arms and light weapons, and at the increasing vulnerability of States to such crime. We reaffirm the need to work collectively to combat transnational crime.

112. We recognize that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response. To that end, we urge all States to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons to counter the demand for trafficked victims and to protect the victims.

[...]

² See General Assembly resolution 60/1 of 16 September 2005.

IV. Human rights and the rule of law

[...]

Refugee protection and assistance

133. We commit ourselves to safeguarding the principle of refugee protection and to upholding our responsibility in resolving the plight of refugees, including through the support of efforts aimed at addressing the causes of refugee movement, bringing about the safe and sustainable return of those populations, finding durable solutions for refugees in protracted situations and preventing refugee movement from becoming a source of tension among States. We reaffirm the principle of solidarity and burden-sharing and resolve to support nations in assisting refugee populations and their host communities.

[...]

Children's rights

141. We express dismay at the increasing number of children involved in and affected by armed conflict, as well as all other forms of violence, including domestic violence, sexual abuse and exploitation and trafficking. We support cooperation policies aimed at strengthening national capacities to improve the situation of those children and to assist in their rehabilitation and reintegration into society.

[...]

PART III. THE UNITED NATIONS CONFERENCES ON POPULATION

WORLD POPULATION PLAN OF ACTION³

The World Population Conference,

Having due regard for human aspirations for a better quality of life and for rapid socio-economic development,

Taking into consideration the interrelationship between population situations and socio-economic development,

Decides on the following World Population Plan of Action as a policy instrument within the broader context of the internationally adopted strategies for national and international progress:

A. BACKGROUND TO THE PLAN

[...]

10. For some countries international migration may be, in certain circumstances, an instrument of population policy. At least two types of international migration are of considerable concern to many countries in the world: the movement of migrant workers with limited skills, and the movement of skilled workers and professionals. Movements of the former often involve large numbers and raise such questions as the fair and proper treatment in countries of immigration, the breaking up of families and other social and economic questions in countries both of emigration and immigration. The migration of skilled workers and professionals results in a "brain-drain", often from less developed to more developed countries, which is at present of considerable concern to many countries and to the international community as a whole. The number of instruments on these subjects and the increased involvement of international organizations reflect international awareness of these problems.

[...]

C. RECOMMENDATIONS FOR ACTION

1. Population goals and policies

(a) *Population growth*

[...]

18. Countries which aim at achieving moderate or low population growth should try to achieve it through a low level of birth and death rates. Countries wishing to increase their rate of population growth should, when mortality is high, concentrate efforts on the reduction of mortality, and where appropriate, encourage an increase in fertility and encourage immigration.

[...]

³ *Report of the United Nations World Population Conference, 1974, Bucharest, 19-30 August 1974* (United Nations publication, Sales No. E.75.XIII.3).

United Nations World Population Conference

Bucharest, 19-30 August 1974

(e) *International migration*

51. It is recommended that Governments and international organizations generally facilitate voluntary international movement. However, such movements should not be based on racial considerations which are to the detriment of indigenous populations. The significance of international migration varies widely among countries, depending upon their area, population size and growth rate, social and economic structure and environmental conditions.

52. Governments which consider international migration to be important to their countries, either in the short or the long run, are urged to conduct, when appropriate, bilateral or multilateral consultations, taking into account the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the relevant resolutions of the United Nations system and other international instruments, with a view to harmonizing those of their policies which affect these movements. It is recommended that international organizations make available upon request co-ordinated technical and financial assistance to facilitate the settlement of people in countries of immigration.

53. Problems of refugees and displaced persons arising from forced migration, including their right of return to homes and properties, should also be settled in accordance with the relevant principles of the Charter of the United Nations, the Universal Declaration of Human Rights and other international instruments.

54. Countries that are concerned with the outflow of migrant workers and wish to encourage and assist those remaining workers or returning workers should make particular efforts to create favourable employment opportunities at the national level. More developed countries should co-operate, bilaterally or through regional organizations and the international community, with less developed countries, to achieve these goals through the increased availability of capital, technical assistance, export markets and more favourable terms of trade and choice of production technology.

55. Countries receiving migrant workers should provide proper treatment and adequate social welfare services for them and their families, and should ensure their physical safety and security, in conformity with the provisions of the relevant conventions and recommendations of the International Labour Organisation and other international instruments.

56. Specifically, in the treatment of migrant workers, Governments should work to prevent discrimination in the labour market and in society through lower salaries or other unequal conditions, to preserve their human rights, to combat prejudice against them and to eliminate obstacles to the reunion of their families. Governments should enable permanent immigrants to preserve their cultural heritage inter alia through the use of their mother tongue. Laws to limit illegal immigration should relate not only to the illegal migrants themselves but also to those inducing or facilitating their illegal action and should be promulgated in conformity with international law and basic human rights. Governments should bear in mind humanitarian considerations in the treatment of aliens who remain in a country illegally.

57. Since the outflow of qualified personnel from developing to developed countries seriously hampers the development of the former, there is an urgent need to formulate national and international policies to avoid the "brain drain" and to obviate its adverse effects, including the possibility of devising programmes for large-scale communication of appropriate technological knowledge mainly from developed countries to the extent that it can be properly adjusted and appropriately absorbed.

58. Developing countries suffering from heavy emigration of skilled workers and professionals should undertake extensive educational programmes manpower planning, and investment in scientific and technical programmes. They should also undertake other programmes and measures to better match skills with employment opportunities and to increase the motivation of such personnel to contribute to the progress of their own country. Measures should be taken to encourage the return of scientists and skilled personnel to specific job vacancies.

59. Foreign investors should employ and train local personnel and use local research facilities to the greatest possible extent in conformity with the policies of the host country. Subject to their consent, the location of research facilities in host countries may aid them to a certain extent in retaining the services of highly skilled and professional research workers. Such investment should, of course, in no circumstances inhibit national economic development. International co-operation is needed to improve programmes to induce skilled personnel to return to, or remain in, their own countries.

60. Where immigration has proved to be of a long-term nature, countries are invited to explore the possibilities of extending national civil rights to immigrants.

61. The flow of skilled workers, technicians and professionals from more developed to less developed countries may be considered a form of international co-operation. Countries in a position to do so should continue and increase this flow with full respect for the sovereignty and equality of recipient countries.

62. Countries affected by significant numbers of migrant workers are urged, if they have not yet done so, to conclude bilateral or multilateral agreements which would regulate migration, protect and assist migrant workers, and protect the interests of the countries concerned. The International Labour Organisation should promote concerted action in the field of protection of migrant workers, and the United Nations Commission on Human Rights should help, as appropriate, to ensure that the fundamental rights of migrants are safeguarded.

[...]

3. Promotion of knowledge and policies

[...]

(b) Research

78. This Plan of Action gives high priority to research activities in population problems (including unemployment, starvation and poverty) and to related fields, particularly to research activities that are important for the formulation, evaluation and implementation of the population policies consistent with full respect for human rights and fundamental freedoms as recognized in international instruments of the United Nations. Although research designed to fill gaps in knowledge is very urgent and important high priority should be given to research oriented to the specific problems of countries and regions, including methodological studies. Such research is best carried out in the countries and regions themselves and by competent persons especially acquainted with national and regional conditions. The following areas are considered to require research in order to fill existing gaps in knowledge:

(a) The social, cultural and economic determinants of population variables in different developmental and political situations, particularly at the family and micro levels;

[...]

United Nations World Population Conference

Bucharest, 19-30 August 1974

(f) The formulation, implementation and evaluation of population policies including: methods for integrating population inputs and goals in development plans and programmes; means for understanding and improving the motivations of people to participate in the formulation and implementation of population programmes; study of education and communication aspects of population policy; analysis of population policies in their relationship to other socio-economic development policies, laws and institutions, including the possible influences of the economic system on the social, cultural and economic aspects of population policies; translation into action programmes of policies dealing with the socio-economic determinants of fertility, mortality, internal migration and distribution, and international migration;

(g) The collection, analysis and dissemination of information concerning human rights in relation to population matters and the preparation of studies designed to clarify, systematize and more effectively implement those human rights;

(h) The review and analysis of national and international laws which bear directly or indirectly on population factors;

[...]

(m) Methods for the development of systems of social, demographic and related economic statistics in which various sets of data are inter linked, with a view to improving insight into the interrelationships of variables in these fields.

(n) The interrelations of population trends and conditions and other social and economic variables, in particular the availability of human resources, food and natural resources, the quality of the environment, the need for health, education, employment, welfare, housing and other social services and amenities, promotion of human rights, the enhancement of the status of women, the need for social security, political stability, discrimination and political freedom;

[...]

(q) Development of social indicators, reflecting the quality of life as well as the interrelations between socio-economic and demographic phenomena should be encouraged. Emphasis should also be given to the development of socio-economic and demographic models.

[...]

D. RECOMMENDATIONS FOR IMPLEMENTATION

[...]

99. The effect of national action or inaction in the fields of population may, in certain circumstances, extend beyond national boundaries; such international implications are particularly evident with regard to aspects of morbidity, population concentration and international migration, but may also apply to other aspects of population concern.

[...]

III. Recommendations for Action⁴

[...]

D. Population goals and policies

[...]

5. International migration

(a) General guidelines for formulating international migration policies

28. The general validity of the recommendations made in the World Population Plan of Action with respect to international movements is reaffirmed (paragraphs 51-62). However, recent developments regarding the trends of international migration flows demand greater attention from the international community, especially with regard to certain types of migrants, such as documented migrant workers, undocumented migrant workers and refugees. The guidelines set out below give due consideration to the basic fact that international migration is of concern to both the receiving countries and the countries of origin, particularly when the migration of skilled persons is involved. They reflect the bearing that international migration may have on the process of establishing a New International Economic Order and recognize that the effective safeguarding of the basic human rights and fundamental freedoms of all migrants, without discrimination on the basis of race, culture, religion or sex, is an essential prerequisite for the realization of their positive contributions to the host society.

Recommendation 45

International migration policies should respect the basic human rights and fundamental freedoms of individuals as set out in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other pertinent international instruments. In keeping with these documents, receiving countries should adopt measures to safeguard the basic human rights of all migrants in their territory and to ensure the respect of their cultural identity. Measures should also be taken to promote the mutual adaptation of both immigrant groups and the population of the receiving country.

Recommendation 46

In formulating policies on international migration, Governments of receiving countries should take into account not only their own country's economic and social needs but also the well-being of the migrants concerned and their families and the demographic implications of migration. Governments of countries of origin concerned with the continuing outflow of skilled workers and professionals should seek to retain those workers as well as encourage their return through, inter alia, the promotion of an economic environment favourable to the expansion of employment opportunities. To redress the existing imbalance of skills, Governments should try to identify alternative skill resources. Governments should formulate national and international measures to avoid the brain-drain from developing countries and to obviate its adverse effects. While pursuing these purposes in

⁴ Report of the International Conference on Population, 1984, Mexico City, 6-14 August 1984 (United Nations publication, Sales No. E.84.XIII.8) and corrigenda.

International Conference on Population

Mexico City, 6-14 August 1984

a manner consistent with respect for human rights, Governments are invited to conduct, inter alia, consultations or negotiations, on either a bilateral or a multilateral basis, with the support, upon request, of competent international organizations.

Recommendation 47

High priority should be placed on the rehabilitation of expelled and homeless people who have been displaced by natural and man-made catastrophes. In all cases, Governments are urged to co-operate fully in order to guarantee that the parties involved allow the return of displaced persons to their homes and ensure their right to possess and enjoy their properties and belongings without interference.

(b) *Documented migrant workers*

29. The World Population Plan of Action calls for the proper treatment of migrant workers and their families (paragraphs 55 and 56) whose migration has been promoted by countries facing labour shortages and who are referred to hereafter as "documented migrant workers". The Plan also addresses the concerns of countries of origin (paragraph 54) and suggests concerted action at the bilateral and multilateral levels (paragraphs 54 and 62). In 1979, recognizing that, despite the efforts made by the States involved, documented migrant workers were still not able to exercise their rights as defined by the relevant international instruments, the General Assembly called for the elaboration of an international convention on the protection of the rights of all migrant workers and their families (resolution 34/172 of 17 December 1979). Many of the following recommendations reflect the contents of the draft of this convention. It is hoped that upon adoption of the convention, it may serve as a guideline for the treatment of migrant workers and their families.

Recommendation 48

Governments of receiving countries should work towards extending to documented migrant workers and accompanying members of their families whose situation as regards stay and employment in the receiving country is regular, treatment equal to that accorded their own nationals with regard to the enjoyment of basic rights, including the equality of opportunity and treatment in respect of working conditions, social security, participation in trade unions and access to health, education and other social services. In achieving this aim, Governments are invited to use as guidelines all relevant international instruments, in particular, the ILO Convention concerning Migration for Employment (Revised) 1949 (No. 97) and the ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975 (No. 143), part II.

Recommendation 49

Governments of receiving countries that have not already done so are urged to consider adopting appropriate measures to promote the normalization of the family life of documented migrant workers in the receiving country concerned through family reunion. Demographic and other considerations should not prevent Governments from taking such measures.

Recommendation 50

Countries of origin and receiving countries should undertake information and education activities to increase the awareness of migrants regarding their legal position and rights and to provide realistic assessments of the situation of migrants, including the availability of job opportunities. Receiving countries should recognize the right of migrants to form associations so that they may participate more effectively in the receiving society while maintaining their cultural identity.

Recommendation 51

Governments of countries of origin and of receiving countries should encourage and promote the widest dissemination, inter alia, through the mass media, of information aimed at promoting public understanding of and preventing any activity prejudicial to the contribution of documented migrant workers to economic development and cultural interchange.

c) *Undocumented migrants*

30. The World Population Plan of Action recommends that Governments bear in mind humanitarian considerations in the treatment of undocumented migrants (paragraph 56). Owing to the irregularity of their situation, undocumented migrants are particularly vulnerable to exploitation and mistreatment. It is therefore urgent that their basic human rights and fundamental freedoms be universally recognized and that they enjoy international protection as well as the protection of receiving countries within the framework of bilateral conventions. The widest recognition of the rights of all migrant workers and the effective safeguarding of these rights will tend to discourage exploitation of undocumented migrants, particularly exploitation in the sphere of employment, by employers who wish to reap the benefits of unfair competition. For the purpose of the following recommendations, undocumented migrants are persons who have not fulfilled all the legal requirements of the State in which they find themselves for admission, stay or exercise of economic activity.

Recommendation 52

All measures adopted or implemented by countries of departure and of arrival to reduce the illegal entry, stay or employment of undocumented migrants (including amnesties, other regularization schemes, border controls and deportations) should respect their basic human rights.

Recommendation 53

In formulating laws and regulations to limit undocumented migration, Governments of receiving countries are invited to consider the guidelines set forth in the ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975 (No. 143), part I. To be effective, such laws and regulations should address the treatment not only of the undocumented migrants themselves but also of those persons inducing or facilitating undocumented migration.

d) *Refugees*

31. The World Population Plan of Action addresses the problems of refugees (paragraph 53). Since its adoption in 1974, refugees have been a source of growing concern to the international community because of their increasing numbers, the fact that a large proportion of them are from

International Conference on Population

Mexico City, 6-14 August 1984

the vulnerable groups – women, children and the aged – and particularly because most refugees originate and relocate in developing countries, which have had to cope with the added economic and social burdens imposed on them. This concern has resulted in programmes by developing countries, as well as by third countries of resettlement, generally developed countries, to alleviate the dislocation associated with the influx of refugees. There seems to be broad agreement that through international co-operation within the framework of the United Nations an attempt should be made to remove the causes of new flows of refugees, having due regard to the principle of non-intervention in the internal affairs of sovereign States. In view of the existing situation, the recommendations set out below emphasize the need for continued international co-operation in finding durable solutions to the problem of refugees and the provision of support and assistance to countries of first asylum.

[...]

Recommendation 55

Governments and international agencies are urged to find durable solutions to problems related to refugees and refugee movements and to work towards the elimination of the causes of these problems. Governments, international organizations and non-governmental organizations are urged to continue to promote the protection of refugees and to provide support and assistance to first asylum countries in satisfying the basic needs of refugees. Efforts towards the creation of conditions in which voluntary repatriation may take place should be pursued and assistance should be provided in rehabilitating returnees. The basic freedoms and human rights of returnees and their families should be guaranteed and assistance should be provided in developing opportunities for a return to a normal and productive way of living. In situations where neither voluntary repatriation nor resettlement in third countries appears to be feasible, Governments, international organizations and non-governmental organizations are urged to provide support and assistance to the countries of first asylum in developing the capacity of the national economic and social infrastructure to sustain and, subject to the full approval of the host countries, to integrate refugees.

[...]

International Conference on Population and Development (ICPD)

Cairo, 5-13 September 1994

PROGRAMME OF ACTION⁵

[...]

Chapter II

Principles

[...]

Principle 12

Countries receiving documented migrants should provide proper treatment and adequate social welfare services for them and their families, and should ensure their physical safety and security, bearing in mind the special circumstances and needs of countries, in particular developing countries, attempting to meet these objectives or requirements with regard to undocumented migrants, in conformity with the provisions of relevant conventions and international instruments and documents. Countries should guarantee to all migrants all basic human rights as included in the Universal Declaration of Human Rights.

Principle 13

Everyone has the right to seek and to enjoy in other countries asylum from persecution. States have responsibilities with respect to refugees as set forth in the Geneva Convention on the Status of Refugees and its 1967 Protocol.

[...]

Chapter IV

Gender Equality, Equity and Empowerment of Women

A. Empowerment and status of women

[...]

Actions

[...]

4.9. Countries should take full measures to eliminate all forms of exploitation, abuse, harassment and violence against women, adolescents and children. This implies both preventive actions and rehabilitation of victims. ***Countries should prohibit degrading practices, such as trafficking in women, adolescents and children and exploitation through prostitution, and pay special attention to protecting the rights and safety of those who suffer from these crimes and those in potentially exploitable situations, such as migrant women, women in domestic service and schoolgirls.*** In this regard, international safeguards and mechanisms for cooperation should be put in place to ensure that these measures are implemented.

⁵ Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

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[...]

B. The girl child

[...]

Actions

[...]

4.23. Governments are urged to take the necessary measures to prevent infanticide, prenatal sex selection, trafficking in girl children and use of girls in prostitution and pornography.

[...]

Chapter V

The Family, Its Roles, Rights, Composition and Structure

[...]

B. Socio-economic support to the family

Basis for action

5.7. Families are sensitive to strains induced by social and economic changes. It is essential to grant particular assistance to families in difficult life situations. Conditions have worsened for many families in recent years, owing to lack of gainful employment and measures taken by Governments seeking to balance their budget by reducing social expenditures. There are increasing numbers of vulnerable families, including single-parent families headed by women, poor families with elderly members or those with disabilities, refugee and displaced families, and families with members affected by AIDS or other terminal diseases, substance dependence, child abuse and domestic violence. Increased labour migrations and refugee movements are an additional source of family tension and disintegration and are contributing to increased responsibilities for women. In many urban environments, millions of children and youths are left to their own devices as family ties break down, and hence are increasingly exposed to risks such as dropping out of school, labour exploitation, sexual exploitation, unwanted pregnancies and sexually transmitted diseases.

[...]

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Chapter VI

Population Growth and Structure

[...]

E. Persons with disabilities

[...]

Actions

6.30. Governments at all levels should consider the needs of persons with disabilities in terms of ethical and human rights dimensions. Governments should recognize needs concerning, inter alia, reproductive health, including family planning and sexual health, HIV/AIDS, information, education and communication. Governments should eliminate specific forms of discrimination that persons with disabilities may face with regard to reproductive rights, household and family formation, and international migration, while taking into account health and other considerations relevant under national immigration regulations.

[...]

Chapter X

International Migration

A. International migration and development

Basis for action

10.1. International economic, political and cultural interrelations play an important role in the flow of people between countries, whether they are developing, developed or with economies in transition. In its diverse types, international migration is linked to such interrelations and both affects and is affected by the development process. International economic imbalances, poverty and environmental degradation, combined with the absence of peace and security, human rights violations and the varying degrees of development of judicial and democratic institutions are all factors affecting international migration. Although most international migration flows occur between neighbouring countries, interregional migration, particularly that directed to developed countries, has been growing. It is estimated that the number of international migrants in the world, including refugees, is in excess of 125 million, about half of them in the developing countries. In recent years, the main receiving countries in the developed world registered a net migration intake of approximately 1.4 million persons annually, about two thirds of whom originated in developing countries. Orderly international migration can have positive impacts on both the communities of origin and the communities of destination, providing the former with remittances and the latter with needed human resources. International migration also has the potential of facilitating the transfer of skills and contributing to cultural enrichment. However, international migration entails the loss of human resources for many countries of origin and may give rise to political, economic or social tensions in countries of destination. To be effective, international migration policies need to take into account the economic constraints of the receiving country, the impact of migration on the host society and its effects on countries of origin. The long-term

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manageability of international migration hinges on making the option to remain in one's country a viable one for all people. Sustainable economic growth with equity and development strategies consistent with this aim are a necessary means to that end. In addition, ***more effective use can be made of the potential contribution that expatriate nationals can make to the economic development of their countries of origin.***

Objectives

10.2. The objectives are:

- (a) To address the root causes of migration, especially those related to poverty;
- (b) To encourage more cooperation and dialogue between countries of origin and countries of destination in order to maximize the benefits of migration to those concerned and increase the likelihood that migration has positive consequences for the development of both sending and receiving countries;
- (c) To facilitate the reintegration process of returning migrants.

Actions

10.3. Governments of countries of origin and of countries of destination should seek to make the option of remaining in one's country viable for all people. To that end, efforts to achieve sustainable economic and social development, ensuring a better economic balance between developed and developing countries and countries with economies in transition, should be strengthened. It is also necessary to increase efforts to defuse international and internal conflicts before they escalate; to ensure that the rights of persons belonging to ethnic, religious or linguistic minorities, and indigenous people are respected; and to respect the rule of law, promote good governance, strengthen democracy and promote human rights. Furthermore, greater support should be provided for the attainment of national and household food security, for education, nutrition, health and population-related programmes and to ensure effective environmental protection. Such efforts may require national and international financial assistance, reassessment of commercial and tariff relations, increased access to world markets and stepped-up efforts on the part of developing countries and countries with economies in transition to create a domestic framework for sustainable economic growth with an emphasis on job creation. The economic situation in those countries is likely to improve only gradually and, therefore, migration flows from those countries are likely to decline only in the long term; in the interim, the acute problems currently observed will cause migration flows to continue for the short-to-medium term, and Governments are accordingly urged to adopt transparent international migration policies and programmes to manage those flows.

10.4. Governments of countries of origin wishing to foster the inflow of remittances and their productive use for development should adopt sound exchange rate, monetary and economic policies, facilitate the provision of banking facilities that enable the safe and timely transfer of migrants' funds, and promote the conditions necessary to increase domestic savings and channel them into productive investment.

10.5. Governments of countries of destination are invited to consider the use of certain forms of temporary migration, such as short-term and project-related migration, as a means of improving the skills of nationals of countries of origin, especially developing

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countries and countries with economies in transition. To that end, they should consider, as appropriate, entering into bilateral or multilateral agreements. Appropriate steps should be taken to safeguard the wages and working conditions of both migrant and native workers in the affected sectors. Governments of countries of origin are urged to facilitate the return of migrants and their reintegration into their home communities, and to devise ways of using their skills. Governments of countries of origin should consider collaborating with countries of destination and engaging the support of appropriate international organizations in promoting the return on a voluntary basis of qualified migrants who can play a crucial role in the transfer of knowledge, skills and technology. Countries of destination are encouraged to facilitate return migration by adopting flexible policies, such as the transferability of pensions and other work benefits.

10.6. Governments of countries affected by international migration are invited to cooperate, with a view to integrating the issue into their political and economic agendas and engaging in technical cooperation to aid developing countries and countries with economies in transition in addressing the impact of international migration. Governments are urged to exchange information regarding their international migration policies and the regulations governing the admission and stay of migrants in their territories. States that have not already done so are invited to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

10.7. Governments are encouraged to consider requests for migration from countries whose existence, according to available scientific evidence, is imminently threatened by global warming and climate change.

10.8. In cooperation with international and non-governmental organizations and research institutions, Governments should support the gathering of data on flows and stocks of international migrants and on factors causing migration, as well as the monitoring of international migration. The identification of strategies to ensure that migration contributes to development and international relations should also be supported. The role of international organizations with mandates in the area of migration should be strengthened so that they can deliver adequate technical support to developing countries, advise in the management of international migration flows and promote intergovernmental cooperation through, inter alia, bilateral and multilateral negotiations, as appropriate.

B. Documented migrants

Basis for action

10.9. Documented migrants are those who satisfy all the legal requirements to enter, stay and, if applicable, hold employment in the country of destination. In some countries, many documented migrants have, over time, acquired the right to long-term residence. In such cases, the integration of documented migrants into the host society is generally desirable, and for that purpose it is important to extend to them the same social, economic and legal rights as those enjoyed by citizens, in accordance with national legislation. The family reunification of documented migrants is an important factor in international migration. It is also important to protect documented migrants and their families from racism, ethnocentrism and xenophobia, and to respect their physical integrity, dignity, religious beliefs and cultural values. Documented migration is generally beneficial to the host country, since migrants are in general concentrated in the most productive ages and have skills needed by the receiving country, and their admission is congruent with the policies of the Government. The remittances of documented migrants to their countries of origin

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often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind.

Objectives

10.10. The objectives are:

- (a) To ensure the social and economic integration of documented migrants, especially of those who have acquired the right to long-term residence in the country of destination, and their equal treatment before the law;
- (b) To eliminate discriminatory practices against documented migrants, especially women, children and the elderly;
- (c) To ensure protection against racism, ethnocentrism and xenophobia;
- (d) To promote the welfare of documented migrants and members of their families;
- (e) To ensure the respect of the cultural and religious values, beliefs and practices of documented migrants, in so far as they accord with national legislation and universally recognized human rights;
- (f) To take into account the special needs and circumstances of temporary migrants.

Actions

10.11. Governments of receiving countries are urged to consider extending to documented migrants who meet appropriate length-of-stay requirements, and to members of their families whose stay in the receiving country is regular, treatment equal to that accorded their own nationals with regard to the enjoyment of basic human rights, including equality of opportunity and treatment in respect of religious practices, working conditions, social security, participation in trade unions, access to health, education, cultural and other social services, as well as equal access to the judicial system and equal treatment before the law. Governments of receiving countries are further urged to take appropriate steps to avoid all forms of discrimination against migrants, including eliminating discriminatory practices concerning their nationality and the nationality of their children, and to protect their rights and safety. Women and children who migrate as family members should be protected from abuse or denial of their human rights by their sponsors, and Governments are asked to consider extending their stay should the family relationship dissolve, within the limits of national legislation.

10.12. In order to promote the integration of documented migrants having the right to long-term residence, Governments of receiving countries are urged to consider giving them civil and political rights and responsibilities, as appropriate, and facilitating their naturalization. Special efforts should be made to enhance the integration of the children of long-term migrants by providing them with educational and training opportunities equal to those of nationals, allowing them to exercise an economic activity, and facilitating the naturalization of those who have been raised in the receiving country. Consistent with article 10 of the Convention on the Rights of the Child and all other relevant universally recognized human rights instruments, all Governments, particularly those of receiving

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countries, must recognize the vital importance of family reunification and promote its integration into their national legislation in order to ensure the protection of the unity of the families of documented migrants. Governments of receiving countries must ensure the protection of migrants and their families, giving priority to programmes and strategies that combat religious intolerance, racism, ethnocentrism, xenophobia and gender discrimination and that generate the necessary public sensitivity in that regard.

10.13. Governments of countries of destination should respect the basic human rights of documented migrants as those Governments assert their right to regulate access to their territory and adopt policies that respond to and shape immigration flows. With regard to the admission of migrants, Governments should avoid discriminating on the basis of race, religion, sex and disability, while taking into account health and other considerations relevant under national immigration regulations, particularly considering the special needs of the elderly and children. Governments are urged to promote, through family reunion, the normalization of the family life of legal migrants who have the right to long-term residence.

10.14. Governments should consider providing assistance and cooperation for programmes that would address the adverse social and economic consequences of forced migration.

C. Undocumented migrants

Basis for action

10.15. It is the right of every nation State to decide who can enter and stay in its territory and under what conditions. Such right, however, should be exercised taking care to avoid racist or xenophobic actions and policies. Undocumented or irregular migrants are persons who do not fulfil the requirements established by the country of destination to enter, stay or exercise an economic activity. Given that the pressures for migration are growing in a number of developing countries, especially since their labour force continues to increase, undocumented or irregular migration is expected to rise.

Objectives

10.16. The objectives are:

(a) To address the root causes of undocumented migration;

(b) To reduce substantially the number of undocumented migrants, while ensuring that those in need of international protection receive it; to prevent the exploitation of undocumented migrants and to ensure that their basic human rights are protected;

(c) To prevent all international trafficking in migrants, especially for the purposes of prostitution;

(d) To ensure protection against racism, ethnocentrism and xenophobia.

Actions

10.17. Governments of countries of origin and countries of destination are urged to cooperate in reducing the causes of undocumented migration, safeguarding the basic human rights of undocumented migrants including the right to seek and to enjoy in other

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countries asylum from persecution, and preventing their exploitation. Governments should identify the causes of undocumented migration and its economic, social and demographic impact as well as its implications for the formulation of social, economic and international migration policies.

10.18. Governments of both receiving countries and countries of origin should adopt effective sanctions against those who organize undocumented migration, exploit undocumented migrants or engage in trafficking in undocumented migrants, especially those who engage in any form of international traffic in women, youth and children. Governments of countries of origin, where the activities of agents or other intermediaries in the migration process are legal, should regulate such activities in order to prevent abuses, especially exploitation, prostitution and coercive adoption.

10.19. Governments, with the assistance of appropriate international organizations, should deter undocumented migration by making potential migrants aware of the legal conditions for entry, stay and employment in host countries through information activities in the countries of origin.

10.20. Governments of countries of origin of undocumented migrants and persons whose asylum claims have been rejected have the responsibility to accept the return and reintegration of those persons, and should not penalize such persons on their return. In addition, Governments of countries of origin and countries of destination should try to find satisfactory solutions to the problems caused by undocumented migration through bilateral or multilateral negotiations on, inter alia, readmission agreements that protect the basic human rights of the persons involved in accordance with relevant international instruments.

D. Refugees, asylum-seekers and displaced persons

Basis for action

10.21. In less than 10 years, from 1985 to 1993, the number of refugees has more than doubled, from 8.5 million to 19 million. This has been caused by multiple and complex factors, including massive violations of human rights. Most of those refugees find asylum in developing countries, often imposing great burdens on those States. The institution of asylum is under severe strain in industrialized countries for a variety of reasons, including the growing numbers of refugees and asylum-seekers and the misuse of asylum procedures by migrants attempting to circumvent immigration restrictions. While two thirds of all countries in the world have ratified the 1951 Convention relating to the Status of Refugees or the 1967 Protocol, which establish standards for the protection of refugees, there is a need to strengthen the support for international protection of and assistance to refugees, especially refugee women and refugee children, who are particularly vulnerable. Displaced persons, who do not qualify for refugee status and are in some cases outside their country, are also vulnerable and need international assistance. Regional agreements to provide protection to persons fleeing war should be considered.

Objectives

10.22. The objectives are:

(a) To reduce pressures leading to refugee movements and displacement by combating their root causes at all levels and undertaking related preventive action;

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- (b) To find and implement durable solutions to the plight of refugees and displaced persons;
- (c) To ensure effective protection of and assistance to refugee populations, with particular attention to the needs and physical security of refugee women and refugee children;
- (d) To prevent the erosion of the institution of asylum;
- (e) To provide adequate health, education and social services for refugees and displaced persons;
- (f) To integrate refugee and returnee assistance and rehabilitation programmes into development planning, with due attention to gender equity.

Actions

10.23. Governments are urged to address the root causes of movements of refugees and displaced persons by taking appropriate measures, particularly with respect to conflict resolution; the promotion of peace and reconciliation; respect for human rights, including those of persons belonging to minorities; respect for independence, territorial integrity and sovereignty of States. Moreover, factors that contribute to forced displacements need to be addressed through initiatives related to the alleviation of poverty, democratization, good governance and the prevention of environmental degradation. Governments and all other entities should respect and safeguard the right of people to remain in safety in their homes and should refrain from policies or practices that force people to flee.

10.24. Governments are urged to strengthen their support for international protection and assistance activities on behalf of refugees and, as appropriate, displaced persons and to promote the search for durable solutions to their plight. In doing so, Governments are encouraged to enhance regional and international mechanisms that promote appropriate shared responsibility for the protection and assistance needs of refugees. All necessary measures should be taken to ensure the physical protection of refugees - in particular, that of refugee women and refugee children - especially against exploitation, abuse and all forms of violence.

10.25. Adequate international support should be extended to countries of asylum to meet the basic needs of refugees and to assist in the search for durable solutions. Refugee populations should be assisted in achieving self-sufficiency. Refugees, particularly refugee women, should be involved in the planning of refugee assistance activities and in their implementation. In planning and implementing refugee assistance activities, special attention should be given to the specific needs of refugee women and refugee children. Refugees should be provided with access to adequate accommodation, education, health services, including family planning, and other necessary social services. Refugees are invited to respect the laws and regulations of their countries of asylum.

10.26. Governments should create conditions that would allow for the voluntary repatriation of refugees in safety and dignity. Rehabilitation assistance to repatriating refugees should, where possible, be linked to long-term reconstruction and development plans. The international community should provide assistance for refugee repatriation and rehabilitation programmes and for the removal of land mines and other unexploded devices that constitute a serious threat to the safety of returnees and the local population.

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10.27. Governments are urged to abide by international law concerning refugees. States that have not already done so are invited to consider acceding to the international instruments concerning refugees - in particular, the 1951 Convention and the 1967 Protocol relating to the Status of Refugees. Governments are furthermore urged to respect the principle of non-refoulement (i.e., the principle of no forcible return of persons to places where their lives or freedom would be threatened because of race, religion, nationality, membership in a particular social group, or political opinion). Governments should ensure that asylum-seekers in the Government's territory have access to a fair hearing and should facilitate the expeditious processing of asylum requests, ensuring that guidelines and procedures for the determination of refugee status are sensitive to the particular situation of women.

10.28. In cases of sudden and massive arrivals of refugees and displaced persons in need of international protection, Governments of receiving countries should consider according to them at least temporary protection and treatment in accordance with internationally recognized standards and with national law, practices and regulations, until a solution to their plight can be found. Persons in need of protection should be encouraged to stay in safe areas and, to the extent possible and as appropriate, near their countries of origin. Governments should strengthen protection mechanisms and provide aid to assist the population in such areas. The principles of collective cooperation and international solidarity should be followed in assisting host countries, upon their request.

10.29. The problems of refugees and displaced persons arising from forced migration, including their right to repatriation, should be settled in accordance with the relevant principles of the Charter of the United Nations, the Universal Declaration of Human Rights, other international instruments and relevant United Nations resolutions.

Chapter XI

Population, Development and Education

A. Education, population and sustainable development

[...]

11.2. Education is a key factor in sustainable development: it is at the same time a component of well-being and a factor in the development of well-being through its links with demographic as well as economic and social factors. Education is also a means to enable the individual to gain access to knowledge, which is a precondition for coping, by anyone wishing to do so, with today's complex world. ***The reduction of fertility, morbidity and mortality rates, the empowerment of women, the improvement in the quality of the working population and the promotion of genuine democracy are largely assisted by progress in education. The integration of migrants is also facilitated by universal access to education, which respects the religious and cultural backgrounds of migrants.***

[...]

B. Population information, education and communication

11.11. Greater public knowledge, understanding and commitment at all levels, from the individual to the international, are vital to the achievement of the goals and objectives of the present Programme of Action. In all countries and among all groups, therefore, information, education and

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communication activities concerning population and sustainable development issues must be strengthened. This includes the establishment of gender- and culturally sensitive information, education and communication plans and strategies related to population and development. At the national level, more adequate and appropriate information enables planners and policy makers to make more appropriate plans and decisions in relation to population and sustainable development. At the most basic level, more adequate and appropriate information is conducive to informed, responsible decision-making concerning health, sexual and reproductive behaviour, family life, and patterns of production and consumption. ***In addition, more and better information about the causes and benefits of migration can create a more positive environment for societies to address and respond to migration challenges.***

[...]

Chapter XII

Technology, Research and Development

A. Basic data collection, analysis and dissemination

Basis for action

12.1. Valid, reliable, timely, culturally relevant and internationally comparable data form the basis for policy and programme development, implementation, monitoring and evaluation. While there have been marked improvements in the availability of population and related development data following important advances made during the past two decades in the methodologies and technology for data collection and analysis, many gaps remain with regard to the quality and coverage of baseline information, including vital data on births and deaths, as well as the continuity of data sets over time. Gender and ethnicity-specific information, which is needed to enhance and monitor the sensitivity of development policies and programmes, is still insufficient in many areas. Measurement of migration, particularly at the regional and international levels, is also among the areas least valid and least adequately covered. As a matter of principle, individuals, organizations and developing countries should have access, on a no-cost basis, to the data and findings based on research carried out in their own countries, including those maintained by other countries and international agencies.

[...]

Actions

[...]

12.9. All countries, with the support of appropriate organizations, should strengthen the collection and analysis of demographic data, including international migration data, in order to achieve a better understanding of that phenomenon and thus support the formulation of national and international policies on international migration.

[...]

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C. Social and economic research

[...]

Actions

[...]

12.25. Given the changing nature and extent of the spatial mobility of population, research to improve the understanding of the causes and consequences of migration and mobility, whether internal or international, is urgently needed. To provide a sound foundation for such research, special efforts need to be made to improve the quality, timeliness and accessibility of data on internal and international migration levels, trends and policies.

[...]

Chapter XIII

National Action

A. National policies and plans of action

[...]

13.2. While such success can be facilitated by developments in the overall social and economic context, and by success in other development efforts, population and development are intrinsically interrelated and progress in any component can catalyse improvement in others. The many facets of population relate to many facets of development. There is increased recognition of the need for countries to consider migration impacts, internal and international, in developing their relevant policies and programmes. There is also growing recognition that population-related policies, plans, programmes and projects, to be sustainable, need to engage their intended beneficiaries fully in their design and subsequent implementation.

[...]

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Chapter XIV

International Cooperation

A. Responsibilities of partners in development

Basis for action

14.1. International cooperation has been proved to be essential for the implementation of population and development programmes during the past two decades. The number of financial donors has steadily increased and the profile of the donor community has increasingly been shaped by the growing presence of non-governmental and private-sector organizations. Numerous experiences of successful cooperation between developing countries have dispelled the stereotyped view of donors being exclusively developed countries. Donor partnerships have become more prevalent in a variety of configurations, so that it is no longer unusual to find Governments and multilateral organizations working closely together with national and international non-governmental organizations and segments of the private sector. This evolution of international cooperation in population and development activities reflects the considerable changes that have taken place during the past two decades, particularly with the greater awareness of the magnitude, diversity and urgency of unmet needs. Countries that formerly attached minimal importance to population issues now recognize them at the core of their development challenge. International migration and AIDS, for instance, formerly matters of marginal concern to a few countries, are currently high-priority issues in a large number of countries.

[...]

Review and Appraisal of the Implementation of the ICPD Programme of Action (ICPD +5)

New York, 1 July 1999

[...]

Chapter IV

RECOMMENDATION OF THE AD HOC COMMITTEE OF THE WHOLE⁶

21. The Ad Hoc Committee of the Whole recommends to the General Assembly the adoption of the following draft resolution:

Proposals for key actions for the further implementation of the Programme of Action of the International Conference on Population and Development

The General Assembly

Adopts the key actions for the further implementation of the Programme of Action of the International Conference on Population and Development annexed to the present resolution.

Annex

Key actions for the further implementation of the Programme of Action of the International Conference on Population and Development

[...]

II. Population and development concerns

[...]

C. International migration

24. Governments in both countries of origin and countries of destination, including through international cooperation, are urged:

(a) To intensify efforts to protect the human rights and dignity of migrants irrespective of their legal status; provide effective protection for migrants; provide basic health and social services, including sexual and reproductive health and family-planning services; facilitate family reunification of documented migrants; monitor violations of the human rights of migrants; effectively enforce the laws applicable to the protection of human rights; and ensure the social and economic integration of documented migrants, especially of those who have acquired the right to long-term residence in the country of destination, and their equal treatment before the law. Non-governmental organizations should play a valuable role in meeting the needs of migrants;

(b) To prevent trafficking in migrants, in particular women and children subjected to forced labour or sexual or commercial exploitation; to develop clear penalties for such trafficking and migrant smuggling, backed by effective administrative procedures and laws, ensuring punishment of those who commit such crimes; and to finalize as soon as possible

⁶ Review and Appraisal of the Progress Made in Achieving the Goals and Objectives of the Programme of Action of the International Conference on Population and Development: 1999 Report (United Nations publication, Sales No. E.99.XIII.16).

**Review and Appraisal of the Implementation of the
ICPD Programme of Action (ICPD +5)**

New York, 1 July 1999

trafficking and smuggling protocols which are currently being negotiated by the United Nations Commission on Crime Prevention and Criminal Justice;

(c) To support and ensure effective follow-up of bilateral and multilateral initiatives, including regional and sub-regional consultation processes, where appropriate, to develop national policies and cooperative strategies to maximize the benefits and manage the challenges posed by international migration;

(d) To conduct public information campaigns on migration in both countries of origin and countries of destination so that racist and xenophobic attitudes in countries of destination are combated and so that potential migrants fully understand the implications of the decisions to move;

(e) To consider ratifying/acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, if they have not already done so.

25. The international community should extend assistance and support to programmes in developing countries that host the majority of refugees and displaced persons. Assistance should also be extended to programmes in countries lacking the capacity to manage large flows of migrants and displaced persons.

26. All States are encouraged to become parties to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and put in place effective asylum procedures.

27. Governments, with the assistance of the international community, should intensify their efforts to improve data collection and analysis, including gender-based analysis, in the areas of international migration and, in this context, promote the implementation of the United Nations recommendations on statistics of international migration; encourage studies designed to assess the causes of international migration and displacement and the positive contribution that migration makes to both countries of origin and countries of destination; and improve understanding of the links between relevant factors that have an impact on international migration.

28. The international community should channel adequate support to effective programmes to address the causes of movement of refugees and displaced persons.

29. In planning and implementing refugee assistance activities, special attention should be given to the specific needs of refugee women, children, and elderly refugees. Adequate and sufficient international support should be extended to meet the basic needs of refugee populations, including the provision of access to adequate accommodation, education, protection from violence, health services including reproductive health and family planning, and other basic social services, including clean water, sanitation, and nutrition. Refugees should respect the laws and regulations of their countries of asylum. Governments are urged to abide by international law concerning refugees, *inter alia*, by respecting the principle of non-refoulement. In acknowledging refugees' rights to repatriation, their return and integration should be facilitated in cooperation with relevant international organizations.

[...]

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III. Gender equality, equity and empowerment of women

[...]

C. Gender perspective in programmes and policies

[...]

48. Governments should give priority to developing programmes and policies that foster norms and attitudes of zero tolerance for harmful and discriminatory attitudes, including son preference, which can result in harmful and unethical practices such as prenatal sex selection, discrimination and violence against the girl child and all forms of violence against women, including female genital mutilation, rape, incest, trafficking, sexual violence and exploitation. This entails developing an integrated approach that addresses the need for widespread social, cultural and economic change, in addition to legal reforms. The girl child's access to health, nutrition, education and life opportunities should be protected and promoted. The role of family members, especially parents and other legal guardians, in strengthening the self-image, self-esteem and status and in protecting the health and well-being of girls should be enhanced and supported.

[...]

IV. Reproductive rights and reproductive health

The present section is especially guided by the principles of the Programme of Action.

A. Reproductive health, including family planning and sexual health

[...]

54. The United Nations system and donors should support Governments in the building of national capacity to plan, manage, implement, monitor and evaluate reproductive and sexual health services, including ensuring that all refugees and all other persons in emergency humanitarian situations, particularly women and adolescents, receive appropriate health care, including sexual and reproductive health care and information, and greater protection from sexual and gender-based violence. They should also ensure that all health workers in relief and emergency situations are given basic training in sexual and reproductive health care information and services.

[...]

VI. Mobilizing resources

[...]

93. All developing countries and countries with economies in transition are urged to strengthen their commitment to the goals and objectives of the Programme of Action of the International Conference on Population and Development, in particular its cost estimates, and to continue to make efforts to mobilize domestic resources. Developing and developed countries and countries with economies in transition are urged to promote international cooperation and to increase technical cooperation and transfer of technology through South-South cooperation, in order to fully implement the Programme of Action.

[...]

**PART IV. OTHER MAJOR UNITED NATIONS
CONFERENCES HELD SINCE 1990**

World Summit for Children

New York, 29-30 September 1990

CONVENTION ON THE RIGHTS OF THE CHILD⁷

World Declaration on the Survival, Protection and Development of Children

[...]

The commitment

20. We have agreed that we will act together, in international co-operation, as well as in our respective countries. We now commit ourselves to the following 10-point programme to protect the rights of children and to improve their lives:

[...]

(6) We will work for programmes that reduce illiteracy and provide educational opportunities for all children, irrespective of their background and gender; that prepare children for productive employment and lifelong learning opportunities, i.e. through vocational training; and that enable children to grow to adulthood within a supportive and nurturing cultural and social context.

(7) We will work to ameliorate the plight of millions of children who live under especially difficult circumstances - as victims of apartheid and foreign occupation; orphans and street children and children of migrant workers; the displaced children and victims of natural and man-made disasters; the disabled and the abused, the socially disadvantaged and the exploited. Refugee children must be helped to find new roots in life. We will work for special protection of the working child and for the abolition of illegal child labour. We will do our best to ensure that children are not drawn into becoming victims of the scourge of illicit drugs.

Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s

[...]

Children in especially difficult circumstances

22. Millions of children around the world live under especially difficult circumstances - as orphans and street children, as refugees or displaced persons, as victims of war and natural and man-made disasters, including such perils as exposure to radiation and dangerous chemicals, as children of migrant workers and other socially disadvantaged groups, as child workers or youth trapped in the bondage of prostitution, sexual abuse and other forms of exploitation, as disabled children and juvenile delinquents and as victims of apartheid and foreign occupation. Such children deserve special attention, protection and assistance from their families and communities and as part of national efforts and international co-operation.

[...]

⁷ United Nations Treaty Series, vol. 1577, no. 27531.

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[...]

Annex I

COPENHAGEN DECLARATION ON SOCIAL DEVELOPMENT⁸

[...]

B. Principles and goals

25. We heads of State and Government are committed to a political, economic, ethical and spiritual vision for social development that is based on human dignity, human rights, equality, respect, peace, democracy, mutual responsibility and cooperation, and full respect for the various religious and ethical values and cultural backgrounds of people. Accordingly, we will give the highest priority in national, regional and international policies and actions to the promotion of social progress, justice and the betterment of the human condition, based on full participation by all.

26. To this end, we will create a framework for action to:

[...]

(t) Create the political, legal, material and social conditions that allow for the voluntary repatriation of refugees in safety and dignity to their countries of origin, and the voluntary and safe return of internally displaced persons to their places of origin and their smooth reintegration into their societies;

[...]

C. Commitments

[...]

Commitment 1

We commit ourselves to creating an economic, political, social, cultural and legal environment that will enable people to achieve social development.

To this end, at the national level, we will:

[...]

(g) Create the comprehensive conditions to allow for the voluntary repatriation of refugees in safety and dignity to their countries of origin, and the voluntary and safe return of internally displaced persons to their places of origin and their smooth reintegration into their societies.

[...]

⁸ *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

Commitment 3

We commit ourselves to promoting the goal of full employment as a basic priority of our economic and social policies, and to enabling all men and women to attain secure and sustainable livelihoods through freely chosen productive employment and work.

To this end, at the international level, we will:

[...]

(j) Ensure that migrant workers benefit from the protections provided by relevant national and international instruments, take concrete and effective measures against the exploitation of migrant workers, and encourage all countries to consider the ratification and full implementation of the relevant international instruments on migrant workers;

[...]

Commitment 4

We commit ourselves to promoting social integration by fostering societies that are stable, safe and just and that are based on the promotion and protection of all human rights, as well as on non-discrimination, tolerance, respect for diversity, equality of opportunity, solidarity, security, and participation of all people, including disadvantaged and vulnerable groups and persons.

To this end, at the national level, we will:

[...]

(e) Formulate or strengthen measures to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in sectors of many societies, and to promote greater harmony and tolerance in all societies;

[...]

At the international level, we will:

[...]

(n) Further enhance international mechanisms for the provision of humanitarian and financial assistance to refugees and host countries and promote appropriate shared responsibility;

[...]

Commitment 6

We commit ourselves to promoting and attaining the goals of universal and equitable access to quality education, the highest attainable standard of physical and mental health, and the access of all to primary health care, making particular efforts to rectify inequalities relating to social conditions and without distinction as to race, national origin, gender, age or disability; respecting and promoting our common and particular cultures; striving to strengthen the role of culture in development; preserving the essential bases of people-centred sustainable development; and contributing to the full development of human resources and to social development. The purpose

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of these activities is to eradicate poverty, promote full and productive employment and foster social integration.

To this end, at the national level, we will:

[...]

(y) Intensify and coordinate international support for education and health programmes based on respect for human dignity and focused on the protection of all women and children, especially against exploitation, trafficking and harmful practices, such as child prostitution, female genital mutilation and child marriages.

[...]

Commitment 9

We commit ourselves to increasing significantly and/or utilizing more efficiently the resources allocated to social development in order to achieve the goals of the Summit through national action and regional and international cooperation.

To this end, at the national level, we will:

[...]

(m) Increase the flow of international resources to meet the needs of countries facing problems relating to refugees and displaced persons;

[...]

Annex II

PROGRAMME OF ACTION OF THE WORLD SUMMIT FOR SOCIAL DEVELOPMENT

[...]

Chapter I

AN ENABLING ENVIRONMENT FOR SOCIAL DEVELOPMENT

Basis for action and objectives

[...]

5. The economies and societies of the world are becoming increasingly interdependent. Trade and capital flows, migrations, scientific and technological innovations, communications and cultural exchanges are shaping the global community. The same global community is threatened by environmental degradation, severe food crises, epidemics, all forms of racial discrimination, xenophobia, various forms of intolerance, violence and criminality and the risk of losing the richness of cultural diversity. Governments increasingly recognize that their responses to changing circumstances and their desires to achieve sustainable development and social progress will require increased solidarity, expressed through appropriate multilateral programmes and strengthened international cooperation. Such cooperation is particularly crucial to ensure that

countries in need of assistance, such as those in Africa and the least developed countries, can benefit from the process of globalization.

[...]

B. A favourable national and international political and legal environment

14. To ensure that the political framework supports the objectives of social development, the following actions are essential:

[...]

(k) Taking measures, in cooperation with the international community, as appropriate, in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights, other international instruments and relevant United Nations resolutions, to create the appropriate political and legal environment to address the root cause of movements of refugees, to allow their voluntary return in safety and dignity. Measures should also be taken at the national level, with international cooperation, as appropriate, in accordance with the Charter of the United Nations, to create conditions for internally displaced persons to voluntarily return to their places of origin.

[...]

17. International support for national efforts to promote a favourable political and legal environment must be in conformity with the Charter of the United Nations and principles of international law and consistent with the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. Support calls for the following actions:

[...]

(b) Coordinating policies, actions and legal instruments and/or measures to combat terrorism, all forms of extremist violence, illicit arms trafficking, organized crime and illicit drug problems, money laundering and related crimes, trafficking in women, adolescents, children, migrants, and human organs, and other activities contrary to human rights and human dignity;

[...]

(e) Reinforcing the capacity of relevant national, regional and international organizations, within their mandates, to promote the implementation of all human rights and fundamental freedoms and the elimination of all forms of discrimination;

[...]

Chapter II

ERADICATION OF POVERTY

Basis for action and objectives

[...]

19. Poverty has various manifestations, including lack of income and productive resources sufficient to ensure sustainable livelihoods; hunger and malnutrition; ill health; limited or lack of access to education and other basic services; increased morbidity and mortality from illness; homelessness and inadequate housing; unsafe environments; and social discrimination and exclusion. It is also characterized by a lack of participation in decision-making and in civil, social and cultural life. It occurs in all countries: as mass poverty in many developing countries, pockets of poverty amid wealth in developed countries, loss of livelihoods as a result of economic recession, sudden poverty as a result of disaster or conflict, the poverty of low-wage workers, and the utter destitution of people who fall outside family support systems, social institutions and safety nets. Women bear a disproportionate burden of poverty, and children growing up in poverty are often permanently disadvantaged. Older people, people with disabilities, indigenous people, refugees and internally displaced persons are also particularly vulnerable to poverty. Furthermore, poverty in its various forms represents a barrier to communication and access to services, as well as a major health risk, and people living in poverty are particularly vulnerable to the consequences of disasters and conflicts. Absolute poverty is a condition characterized by severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education and information. It depends not only on income but also on access to social services.

[...]

D. Enhanced social protection and reduced vulnerability

[...]

39. Particular efforts should be made to protect children and youth by:

[...]

(e) Improving the situation and protecting the rights of children in especially difficult circumstances, including children in areas of armed conflict, children who lack adequate family support, urban street children, abandoned children, children with disabilities, children addicted to narcotic drugs, children affected by war or natural and man-made disasters, unaccompanied minor refugee children, working children, and children who are economically and sexually exploited or abused, including the victims of the sale and trafficking of children; ensuring that they have access to food, shelter, education and health care and are protected from abuse and violence, as well as provided with the necessary social and psychological assistance for their healthy reintegration into society and for family reunification consistent with the Convention on the Rights of the Child; and substituting education for child work;

[...]

Chapter III

*EXPANSION OF PRODUCTIVE EMPLOYMENT AND
REDUCTION OF UNEMPLOYMENT*

[...]

D. Enhanced employment opportunities for groups with specific needs

[...]

63. There is need for intensified international cooperation and national attention to the situation of migrant workers and their families. To that end:

(a) Governments are invited to consider ratifying existing instruments pertaining to migrant workers, particularly the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(b) In accordance with national legislation, Governments of receiving countries are urged to consider extending to documented migrants who meet appropriate length-of-stay requirements and to members of their families whose stay in the receiving country is regular, treatment equal to that accorded their own nationals with regard to the enjoyment of basic human rights, including equality of opportunity and treatment in respect of religious practices, working conditions, social security, participation in trade unions and access to health, education, cultural and other social services, as well as equal access to the judicial system and equal treatment before the law;

(c) Governments of countries of origin, transit countries and countries of destination are urged to cooperate in reducing the causes of undocumented migration, safeguarding the basic human rights of undocumented migrants and preventing their exploitation;

(d) Governments of both receiving countries and countries of origin should adopt effective sanctions against those who organize undocumented migration, exploit undocumented migrants or engage in trafficking in undocumented migrants;

(e) Governments of countries of origin are urged to facilitate the return of migrants and their reintegration into their home communities and to devise ways of using their skills. Governments of countries of origin should consider collaborating with countries of destination and engaging the support of appropriate international organizations in promoting the return on a voluntary basis of qualified migrants who can play a crucial role in the transfer of knowledge, skills and technology. Countries of destination are encouraged to facilitate return migration on a voluntary basis by adopting flexible policies, such as the transferability of pensions and other work benefits.

[...]

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Chapter IV

SOCIAL INTEGRATION

Basis for action and objectives

[...]

69. Furthermore, violence, in its many manifestations, including domestic violence, especially against women, children, older persons and people with disabilities, is a growing threat to the security of individuals, families and communities everywhere. Total social breakdown is an all too real contemporary experience. Organized crime, illegal drugs, the illicit arms trade, trafficking in women and children, ethnic and religious conflict, civil war, terrorism, all forms of extremist violence, xenophobia, and politically motivated killing and even genocide present fundamental threats to societies and the global social order. These are compelling and urgent reasons for action by Governments individually and, as appropriate, jointly to foster social cohesion while recognizing, protecting and valuing diversity.

[...]

C. Equality and social justice

74. Governments should promote equality and social justice by:

[...]

(h) Expanding basic education by developing special measures to provide schooling for children and youth living in sparsely populated and remote areas, for children and youth of nomadic, pastoral, migrant or indigenous parents, and for street children, children and youth working or looking after younger siblings and disabled or aged parents, and disabled children and youth; establishing, in partnership with indigenous people, educational systems that will meet the unique needs of their cultures;

[...]

E. Responses to specific social needs of refugees, displaced persons and asylum-seekers, documented migrants and undocumented migrants

76. In order to address the special needs of refugees, displaced persons and asylum-seekers:

(a) Governments are urged to address the root causes of movements of refugees and displaced persons by taking appropriate measures, particularly with respect to conflict resolution; the promotion of peace and reconciliation; respect for human rights, including those of persons belonging to minorities; and respect for the independence, territorial integrity and sovereignty of States. Governments and all other entities should respect and safeguard the right of people to remain in safety in their homes and should refrain from policies or practices that force people to flee;

(b) Governments are urged to strengthen their support for international protection and assistance activities on behalf of refugees and, as appropriate, displaced persons, and to promote the search for durable solutions to their plight. In so doing, Governments are encouraged to enhance regional and international mechanisms that promote appropriate shared responsibility for the protection and assistance needs of refugees. All necessary measures should be taken to ensure

the physical protection of refugees, in particular that of refugee women and refugee children and especially against exploitation, abuse and all forms of violence;

(c) Adequate international support should be extended to countries of asylum to meet the basic needs of refugees and to assist in the search for durable solutions. Refugee populations should be assisted in achieving self-sufficiency. Refugees, particularly refugee women, should be involved in the planning of refugee assistance activities and in their implementation. In planning and implementing refugee assistance activities, special attention should be given to the specific needs of refugee and displaced women and children. Refugees should be provided with access to adequate accommodation, education, health services, including family planning, and other necessary social services. Refugees should respect the laws and regulations of their countries of asylum;

(d) Governments and other relevant actors should create comprehensive conditions that allow for the voluntary repatriation of refugees in safety and dignity, and the voluntary and safe return of internally displaced persons to their homes of origin and their smooth reintegration into society;

(e) Governments are urged to abide by international law concerning refugees. States that have not already done so are invited to consider acceding to the international instruments concerning refugees, in particular the 1951 Convention relating to the Status of Refugees and the 1967 Protocol to the Convention. Governments are furthermore urged to respect the principle of non-refoulement, that is, the principle of no forcible return of persons to places where their lives or freedom would be threatened because of race, religion, nationality, membership in a particular social group or political opinion. Governments should ensure that asylum-seekers in the Government's territory have access to a fair hearing and should facilitate the expeditious processing of asylum requests, ensuring that guidelines and procedures for the determination of refugee status are sensitive to the particular situation of women;

(f) Governments and relevant actors should respect the right of people to seek and enjoy in other countries asylum from persecution.

77. To promote the equitable treatment and integration of documented migrants, particularly documented migrant workers and members of their families:

(a) Governments should ensure that documented migrants receive fair and equal treatment, including full respect of their human rights, protection of the laws of the host society, appropriate access to economic opportunities and social services; protection against racism, ethnocentrism and xenophobia; and protection from violence and exploitation. Language training should be provided, in recognition of the centrality of language acquisition to the effective integration of documented migrants, including those not destined for the labour market, in so far as resources permit. Early integration is the key to allowing documented migrants to contribute their skills, knowledge and potential to the development of countries of destination, and involves mutual understanding by documented migrants and the host society. The former need to know and respect the values, laws, traditions and principles of the host society, which in turn should respect the religions, cultures and traditions of documented migrants;

(b) Governments of receiving countries are urged to consider giving to documented migrants having the right to long-term residence, civil and political rights and responsibilities, as appropriate, and facilitating their naturalization. Special efforts should be made to enhance the integration of the children of long-term migrants by providing them with educational and training opportunities equal to those of nationals, allowing them to exercise an economic activity and facilitating the naturalization of those who have

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been raised in the receiving country. Consistent with article 10 of the Convention on the Rights of the Child and all relevant universally recognized human rights instruments, all Governments, particularly those of receiving countries, must recognize the vital importance of family reunification and promote its integration into their national legislation in order to ensure protection of the unity of the families of documented migrants. Governments of receiving countries must ensure the protection of migrants and their families, giving priority to programmes and strategies that combat religious intolerance, racism, ethnocentrism, xenophobia and gender discrimination, and that generate the necessary public sensitivity in that regard;

(c) Governments and relevant actors should encourage the international exchange of information on educational and training institutions in order to promote the productive employment of documented migrants through greater recognition of foreign education and credentials;

(d) Governments should encourage interracial harmony and cross-cultural understanding through educational programmes, where appropriate, including alternative dispute resolution and conflict prevention training in schools.

78. In order to address the concerns and basic human needs related to undocumented migrants:

(a) Governments are urged to cooperate in reducing the causes of undocumented migration, safeguarding the basic human rights of undocumented migrants, preventing their exploitation and offering them appropriate means of appeal according to national legislation, and punishing criminals who organize trafficking in human beings;

(b) Countries of destination, countries of transit and countries of origin should cooperate, as appropriate, to manage immigration flows, prevent undocumented migration, and, if appropriate, facilitate the return of migrants and their reintegration in their home communities;

(c) Governments are urged to cooperate to reduce the effects of undocumented migration on receiving countries, bearing in mind the special circumstances and needs of such countries, in particular developing countries;

(d) Governments are urged to promote effective measures to protect all undocumented migrants and members of their families against racism, ethnocentrism and xenophobia.

[...]

Annex

Further initiatives for social development⁹

I. Political declaration

[...]

5. We therefore reiterate our determination and duty to eradicate poverty, promote full and productive employment, foster social integration and create an enabling environment for social development. The maintenance of peace and security within and among nations, democracy, the rule of law, the promotion and protection of all human rights and fundamental freedoms, including the right to development, effective, transparent and accountable governance, gender equality, full respect for fundamental principles and rights at work and the rights of migrant workers are some of the essential elements for the realization of social and people-centred sustainable development. Social development requires not only economic activity but also reduction in the inequality in the distribution of wealth and more equitable distribution of the benefits of economic growth within and among nations, including the realization of an open, equitable, secure, non-discriminatory, predictable, transparent and multilateral rule-based international trading system, maximizing opportunities and guaranteeing social justice, and recognizing the interrelationship between social development and economic growth.

[...]

9. We reaffirm our pledge to place particular focus on, and give priority attention to, the fight against the worldwide conditions that pose severe threats to the health, safety, peace, security and well-being of our people. Among these conditions are: chronic hunger; malnutrition; illicit drug problems; organized crime; corruption; natural disasters; foreign occupation; armed conflicts; illicit arms trafficking; trafficking in persons; terrorism; intolerance and incitement to racial, ethnic, religious and other hatreds; xenophobia; and endemic, communicable and chronic diseases, in particular the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), malaria and tuberculosis.

[...]

*II. Review and assessment of the implementation of the outcome of the
World Summit for Social Development*

[...]

15. While in most countries the employment of women has increased steadily, gender inequalities, reflected in particular in the wage gap and a disproportionate share of family responsibilities, have remained obstacles to women's equal access to and participation in the labour market. Furthermore, in countries experiencing a lack of adequate employment and/or declining employment rates, women are often disproportionately affected and forced into the low-paid informal sector and out of social safety nets. In many parts of the world, this situation has also led to poverty and social exclusion, with inhuman consequences, such as forced prostitution, trafficking in women and children for the purposes of prostitution and sexual and other forms of exploitation, and the worst forms of child labour. At the same time, women's unpaid work remains unrecognized and unaccounted for in national accounts. To date, no universal measurement tools have been developed to evaluate women's unpaid work.

⁹ See General Assembly resolution S-24/2 of 1 July 2000, annex.

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[...]

22. The protection of immigrants and migrant workers required the adoption of a broad range of targeted policies. Governments were urged to ensure the protection of the human rights and dignity of migrants, irrespective of their legal status. Governments were also urged to intensify efforts to provide basic social services, facilitate family reunification of documented migrants, promote social and economic integration of documented migrants, and ensure their equal treatment before the law. There has not been enough accession and ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families for it to come into force. Since the Summit, progress in implementing international instruments on the protection of migrants has been limited and problems concerning the violation of the human rights of migrants have persisted. In many parts of the world, migrants have been subjected to discrimination and documented migrants have not received adequate social protection.

[...]

III. Further actions and initiatives to implement the commitments made at the World Summit for Social Development

1. Governments should adopt an integrated focus in order to ensure that social development objectives are incorporated in all areas of governmental decision making. In this connection, the General Assembly recommends taking the following further initiatives at the local, national, regional and international levels for the further implementation of the ten commitments adopted at the World Summit for Social Development as contained in the report of the Summit.

Commitment 1

To create an economic, political, social, cultural and legal environment that will enable people to achieve social development:

[...]

20. Create and improve conditions to allow for the voluntary repatriation of refugees in safety and dignity to their countries of origin, and the voluntary and safe return of internally displaced persons to their places of origin and their smooth reintegration into their societies.

[...]

Commitment 3

To promote the goal of full employment as a basic priority of economic and social policies, and to enable all men and women to attain secure and sustainable livelihoods through freely chosen productive employment and work:

[...]

38. Improve the quality of work and level of employment, inter alia, by:

[...]

b) Strongly considering the ratification and full implementation of other International Labour Organization conventions concerning the employment rights of minors, women, youth, persons with disabilities, migrants and indigenous people;

[...]

47. Ensure that migrant workers benefit from the protection provided by relevant national and international instruments, take concrete and effective measures against the exploitation of migrant workers, and encourage all countries to consider the ratification and full implementation of the relevant international instruments on migrant workers, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

[...]

Commitment 4

To promote social integration by fostering societies that are stable, safe and just and that are based on the promotion and protection of all human rights, as well as on non-discrimination, tolerance, respect for diversity, equality of opportunity, solidarity, security and participation of all people, including disadvantaged and vulnerable groups and persons:

[...]

68. Intensify efforts to ensure the protection of the human rights and dignity of migrants irrespective of their legal status, the social and economic integration of documented migrants, the provision of effective protection for migrants, particularly by implementing the relevant provisions of the Vienna Convention on Consular Relations, the provision of basic social services, the facilitation of family reunification of documented migrants and their equal treatment under the law.

69. Promote measures, at the national and international levels, to prevent trafficking and illegal transport of migrants and trafficking in persons, particularly women and children, for the purposes of prostitution, economic exploitation and any other form of exploitation, such as domestic servitude and bonded labour. Develop clear penalties for trafficking in persons and trafficking and illegal transport of migrants, backed by effective administrative procedures and laws, ensuring the punishment of those who have been convicted of such crimes.

70. Finalize as soon as possible the trafficking and smuggling protocols which are currently being negotiated in Vienna by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime.

[...]

75. Strengthen the capability of relevant United Nations bodies, within their respective mandates, to promote measures for social integration in their post-conflict management strategies and activities, including in their research, analyses, training and operational activities, so as to better address trauma recovery, rehabilitation, reconciliation and reconstruction in post-conflict

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situations, *inter alia*, by promoting participatory development initiatives. Greater attention should be given to children, including unaccompanied refugee minors, displaced children, children separated from their families, those acting as soldiers and those involved in armed conflicts.

[...]

[...]

Annex II

PLATFORM FOR ACTION¹⁰

[...]

Chapter II

GLOBAL FRAMEWORK

[...]

36. Global trends have brought profound changes in family survival strategies and structures. Rural to urban migration has increased substantially in all regions. The global urban population is projected to reach 47 per cent of the total population by the year 2000. An estimated 125 million people are migrants, refugees and displaced persons, half of whom live in developing countries. These massive movements of people have profound consequences for family structures and well-being and have unequal consequences for women and men, including in many cases the sexual exploitation of women.

[...]

CHAPTER IV

STRATEGIC OBJECTIVES AND ACTIONS

[...]

46. The Platform for Action recognizes that women face barriers to full equality and advancement because of such factors as their race, age, language, ethnicity, culture, religion or disability, because they are indigenous women or because of other status. Many women encounter specific obstacles related to their family status, particularly as single parents; and to their socio-economic status, including their living conditions in rural, isolated or impoverished areas. Additional barriers also exist for refugee women, other displaced women, including internally displaced women as well as for immigrant women and migrant women, including women migrant workers. Many women are also particularly affected by environmental disasters, serious and infectious diseases and various forms of violence against women.

¹⁰ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

Fourth World Conference on Women

Beijing, 4-15 September 1995

A. Women and poverty

[...]

Actions to be taken

58. By Governments:

[...]

(k) Ensure the full realization of the human rights of all women migrants, including women migrant workers, and their protection against violence and exploitation; introduce measures for the empowerment of documented women migrants, including women migrant workers, and facilitate the productive employment of documented migrant women through greater recognition of their skills, foreign education and credentials, and facilitate their full integration into the labour force;

(l) Introduce measures to integrate or reintegrate women living in poverty and socially marginalized women into productive employment and the economic mainstream, ensure that internally displaced women have full access to economic opportunities, and that the qualifications and skills of immigrant and refugee women are recognized;

[...]

60. By national and international non-governmental organizations and women's groups:

(a) Mobilize all parties involved in the development process, including academic institutions, nongovernmental organizations and grass-roots and women's groups, mobilize to improve the effectiveness of anti-poverty programmes directed towards the poorest and most disadvantaged groups of women, such as rural and indigenous women, female heads of households, young women and older women, refugees and migrant women and women with disabilities, recognizing that social development is primarily the responsibility of Governments;

[...]

B. Education and training of women

[...]

Actions to be taken

81. By Governments, national, regional and international bodies, bilateral and multilateral donors and non-governmental organizations:

(a) Reduce the female illiteracy rate to at least half its 1990 level, with emphasis on rural women, migrant, refugee and internally displaced women and women with disabilities;

[...]

82. By Governments, in cooperation with employers, workers and trade unions, international and non-governmental organizations, including women's and youth organizations, and educational institutions:

[...]

(k) Ensure access to quality education and training at all appropriate levels for adult women with little or no education, for women with disabilities and for documented migrant, refugee and displaced women to improve their work opportunities.

[...]

D. Violence against women

[...]

125. By Governments, including local governments, and community organizations, nongovernmental organizations, educational institutions, the public and private sectors, particularly enterprises, and the mass media, as appropriate:

[...]

(b) Establish linguistically and culturally accessible services for migrant women and girls, including women migrant workers, who are victims of gender-based violence;

(c) Recognize the vulnerability to violence and other forms of abuse of women migrants, including women migrant workers, whose legal status in the host country depends on employers who may exploit their situation;

[...]

(f) Recognize, support and promote the fundamental role of intermediate institutions, such as primary-health-care centres, family-planning centres, existing school health services, mother and baby protection services, centres for migrant families and so forth in the field of information and education related to abuse;

[...]

116. Some groups of women, such as women belonging to minority groups, indigenous women, refugee women, women migrants, including women migrant workers, women in poverty living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women, displaced women, repatriated women, women living in poverty and women in situations of armed conflict, foreign occupation, wars of aggression, civil wars, terrorism, including hostage-taking, are also particularly vulnerable to violence.

[...]

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Strategic objective D.1. Take integrated measures to prevent and eliminate violence against women

Actions to be taken

124. By Governments:

[...]

(g) Promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes related to violence against women; actively encourage, support and implement measures and programmes aimed at increasing the knowledge and understanding of the causes, consequences and mechanisms of violence against women among those responsible for implementing these policies, such as law enforcement officers, police personnel and judicial, medical and social workers, as well as those who deal with minority, migration and refugee issues, and develop strategies to ensure that the revictimization of women victims of violence does not occur because of gender-insensitive laws or judicial or enforcement practices;

[...]

126. By Governments, employers, trade unions, community and youth organizations and non-governmental organizations, as appropriate:

[...]

(d) Take special measures to eliminate violence against women, particularly those in vulnerable situations, such as young women, refugee, displaced and internally displaced women, women with disabilities and women migrant workers, including enforcing any existing legislation and developing, as appropriate, new legislation for women migrant workers in both sending and receiving countries.

[...]

128. By Governments, international organizations and non-governmental organizations:

Encourage the dissemination and implementation of the UNHCR Guidelines on the Protection of Refugee Women and the UNHCR Guidelines on the Prevention of and Response to Sexual Violence against Refugees.

[...]

E. Women and armed conflict

131. An environment that maintains world peace and promotes and protects human rights, democracy and the peaceful settlement of disputes, in accordance with the principles of non-threat or use of force against territorial integrity or political independence and of respect for sovereignty as set forth in the Charter of the United Nations, is an important factor for the advancement of women. Peace is inextricably linked with equality between women and men and development. Armed and other types of conflicts and terrorism and hostagetaking still persist in many parts of the world. Aggression, foreign occupation, ethnic and other types of conflicts are an ongoing reality affecting women and men in nearly every region. Gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of human rights continue to occur in different parts of the world. Such violations and obstacles include, as well as torture and

cruel, inhuman and degrading treatment or punishment, summary and arbitrary executions, disappearances, arbitrary detentions, all forms of racism and racial discrimination, foreign occupation and alien domination, xenophobia, poverty, hunger and other denials of economic, social and cultural rights, religious intolerance, terrorism, discrimination against women and lack of the rule of law. International humanitarian law, prohibiting attacks on civilian populations, as such, is at times systematically ignored and human rights are often violated in connection with situations of armed conflict, affecting the civilian population, especially women, children, the elderly and the disabled. Violations of the human rights of women in situations of armed conflict are violations of the fundamental principles of international human rights and humanitarian law. Massive violations of human rights, especially in the form of genocide, ethnic cleansing as a strategy of war and its consequences, and rape, including systematic rape of women in war situations, creating a mass exodus of refugees and displaced persons, are abhorrent practices that are strongly condemned and must be stopped immediately, while perpetrators of such crimes must be punished. Some of these situations of armed conflict have their origin in the conquest or colonialization of a country by another State and the perpetuation of that colonization through state and military repression.

[...]

133. Violations of human rights in situations of armed conflict and military occupation are violations of the fundamental principles of international human rights and humanitarian law as embodied in international human rights instruments and in the Geneva Conventions of 1949 and the Additional Protocols thereto. Gross human rights violations and policies of ethnic cleansing in wartorn and occupied areas continue to be carried out. These practices have created, inter alia, a mass flow of refugees and other displaced persons in need of international protection and internally displaced persons, the majority of whom are women, adolescent girls and children. Civilian victims, mostly women and children, often outnumber casualties among combatants. In addition, women often become caregivers for injured combatants and find themselves, as a result of conflict, unexpectedly cast as sole manager of household, sole parent, and caretaker of elderly relatives.

[...]

136. Women and children constitute some 80 per cent of the world's millions of refugees and other displaced persons, including internally displaced persons. They are threatened by deprivation of property, goods and services and deprivation of their right to return to their homes of origin as well as by violence and insecurity. Particular attention should be paid to sexual violence against uprooted women and girls employed as a method of persecution in systematic campaigns of terror and intimidation and forcing members of a particular ethnic, cultural or religious group to flee their homes. Women may also be forced to flee as a result of a well-founded fear of persecution for reasons enumerated in the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, including persecution through sexual violence or other gender-related persecution, and they continue to be vulnerable to violence and exploitation while in flight, in countries of asylum and resettlement and during and after repatriation. Women often experience difficulty in some countries of asylum in being recognized as refugees when the claim is based on such persecution.

137. Refugee, displaced and migrant women in most cases display strength, endurance and resourcefulness and can contribute positively to countries of resettlement or to their country of origin on their return. They need to be appropriately involved in decisions that affect them.

[...]

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Strategic objective E.5. Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women

Actions to be taken

147. By Governments, intergovernmental and non-governmental organizations and other institutions involved in providing protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women, including the Office of the United Nations High Commissioner for Refugees and the World Food Programme, as appropriate:

(a) Take steps to ensure that women are fully involved in the planning, design, implementation, monitoring and evaluation of all short-term and long-term projects and programmes providing assistance to refugee women, other displaced women in need of international protection and internally displaced women, including the management of refugee camps and resources; ensure that refugee and displaced women and girls have direct access to the services provided;

(b) Offer adequate protection and assistance to women and children displaced within their country and find solutions to the root causes of their displacement with a view to preventing it and, when appropriate, facilitate their return or resettlement;

(c) Take steps to protect the safety and physical integrity of refugee women, other displaced women in need of international protection and internally displaced women during their displacement and upon their return to their communities of origin, including programmes of rehabilitation; take effective measures to protect from violence women who are refugees or displaced; hold an impartial and thorough investigation of any such violations and bring those responsible to justice;

(d) While fully respecting and strictly observing the principle of non-refoulement of refugees, take all the necessary steps to ensure the right of refugee and displaced women to return voluntarily to their place of origin in safety and with dignity, and their right to protection after their return;

(e) Take measures, at the national level with international cooperation, as appropriate, in accordance with the Charter of the United Nations, to find lasting solutions to questions related to internally displaced women, including their right to voluntary and safe return to their home of origin;

(f) Ensure that the international community and its international organizations provide financial and other resources for emergency relief and other longer-term assistance that takes into account the specific needs, resources and potentials of refugee women, other displaced women in need of international protection and internally displaced women; in the provision of protection and assistance, take all appropriate measures to eliminate discrimination against women and girls in order to ensure equal access to appropriate and adequate food, water and shelter, education, and social and health services, including reproductive health care and maternity care and services to combat tropical diseases;

(g) Facilitate the availability of educational materials in the appropriate language - in emergency situations also - in order to minimize disruption of schooling among refugee and displaced children;

(h) Apply international norms to ensure equal access and equal treatment of women and men in refugee determination procedures and the granting of asylum, including full respect and strict observation of the principle of non-refoulement through, inter alia, bringing national immigration

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regulations into conformity with relevant international instruments, and consider recognizing as refugees those women whose claim to refugee status is based upon the well-founded fear of persecution for reasons enumerated in the 1951 Convention 28/ and the 1967 Protocol 29/ relating to the Status of Refugees, including persecution through sexual violence or other gender-related persecution, and provide access to specially trained officers, including female officers, to interview women regarding sensitive or painful experiences, such as sexual assault;

(i) Support and promote efforts by States towards the development of criteria and guidelines on responses to persecution specifically aimed at women, by sharing information on States' initiatives to develop such criteria and guidelines and by monitoring to ensure their fair and consistent application;

(j) Promote the self-reliant capacities of refugee women, other displaced women in need of international protection and internally displaced women and provide programmes for women, particularly young women, in leadership and decision-making within refugee and returnee communities;

(k) Ensure that the human rights of refugee and displaced women are protected and that refugee and displaced women are made aware of these rights; ensure that the vital importance of family reunification is recognized;

(l) Provide, as appropriate, women who have been determined refugees with access to vocational/professional training programmes, including language training, small-scale enterprise development training and planning and counselling on all forms of violence against women, which should include rehabilitation programmes for victims of torture and trauma; Governments and other donors should contribute adequately to assistance programmes for refugee women, other displaced women in need of international protection and internally displaced women, taking into account in particular the effects on the host countries of the increasing requirements of large refugee populations and the need to widen the donor base and to achieve greater burden-sharing;

(m) Raise public awareness of the contribution made by refugee women to their countries of resettlement, promote understanding of their human rights and of their needs and abilities and encourage mutual understanding and acceptance through educational programmes promoting cross-cultural and interracial harmony;

(n) Provide basic and support services to women who are displaced from their place of origin as a result of terrorism, violence, drug trafficking or other reasons linked to violence situations;

(o) Develop awareness of the human rights of women and provide, as appropriate, human rights education and training to military and police personnel operating in areas of armed conflict and areas where there are refugees.

[...]

148. By Governments:

(a) Disseminate and implement the UNHCR Guidelines on the Protection of Refugee Women and the UNHCR Guidelines on Evaluation and Care of Victims of Trauma and Violence, or provide similar guidance, in close cooperation with refugee women and in all sectors of refugee programmes;

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(b) Protect women and children who migrate as family members from abuse or denial of their human rights by sponsors and consider extending their stay, should the family relationship dissolve, within the limits of national legislation.

[...]

F. *Women and the economy*

[...]

Strategic objective F.5. Eliminate occupational segregation and all forms of employment discrimination

Actions to be taken

178. By Governments, employers, employees, trade unions and women's organizations:

[...]

(p) Facilitate the productive employment of documented migrant women (including women who have been determined refugees according to the 1951 Convention relating to the Status of Refugees) through greater recognition of foreign education and credentials and by adopting an integrated approach to labour market training that incorporates language training.

[...]

I. *Human rights of women*

[...]

225. Many women face additional barriers to the enjoyment of their human rights because of such factors as their race, language, ethnicity, culture, religion, disability or socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees. They may also be disadvantaged and marginalized by a general lack of knowledge and recognition of their human rights as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights.

226. The factors that cause the flight of refugee women, other displaced women in need of international protection and internally displaced women may be different from those affecting men. These women continue to be vulnerable to abuses of their human rights during and after their flight.

[...]

Strategic objective I.1. Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women

Actions to be taken

[...]

231. By relevant organs, bodies and agencies of the United Nations system, all human rights bodies of the United Nations system, as well as the United Nations High Commissioner for Human Rights and the United Nations High Commissioner for Refugees, while promoting greater efficiency and effectiveness through better coordination of the various bodies, mechanisms and procedures, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks:

[...]

(h) Establish effective cooperation between the United Nations High Commissioner for Human Rights and the United Nations High Commissioner for Refugees and other relevant bodies, within their respective mandates, taking into account the close link between massive violations of human rights, especially in the form of genocide, ethnic cleansing, systematic rape of women in war situations and refugee flows and other displacements, and the fact that refugee, displaced and returnee women may be subject to particular human rights abuse;

[...]

Strategic objective I.2. Ensure equality and non-discrimination under the law and in practice

Actions to be taken

232. By Governments:

[...]

(i) Provide gender-sensitive human rights education and training to public officials, including, inter alia, police and military personnel, corrections officers, health and medical personnel, and social workers, including people who deal with migration and refugee issues, and teachers at all levels of the educational system, and make available such education and training also to the judiciary and members of parliament in order to enable them to better exercise their public responsibilities;

[...]

Strategic objective I.3. Achieve legal literacy

Actions to be taken

233. By Governments and non-governmental organizations, the United Nations and other international organizations, as appropriate:

[...]

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(i) Take appropriate measures to ensure that refugee and displaced women, migrant women and women migrant workers are made aware of their human rights and of the recourse mechanisms available to them.

[...]

Further actions and initiatives to implement the Beijing Declaration and Platform for Action

New York, 10 June 2000

Annex

Further actions and initiatives to implement the Beijing Declaration and Platform for Action¹¹

I. Introduction

[...]

5. The Platform for Action recognizes that women face barriers to full equality and advancement because of such factors as their race, age, language, ethnicity, culture, religion or disability, because they are indigenous women or of other status. Many women encounter specific obstacles related to their family status, particularly as single parents, and to their socio-economic status, including their living conditions in rural, isolated or impoverished areas. Additional barriers also exist for refugee women, other displaced women, including internally displaced women, as well as for immigrant women and migrant women, including women migrant workers. Many women are also particularly affected by environmental disasters, serious and infectious diseases and various forms of violence against women.

[...]

II. *Achievements in and obstacles to the implementation of the twelve critical areas of concern of the Beijing Platform for Action*

[...]

E. *Women and armed conflict*

15. *Achievements.* There is a wider recognition that the destructive impact of armed conflict is different on women and men and that a gender-sensitive approach to the application of international human rights law and international humanitarian law is important. Steps have been taken at the national and international levels to address abuses against women, including increased attention to ending impunity for crimes against women in situations of armed conflict. The work of the International Tribunals for the former Yugoslavia and Rwanda has been an important contribution to address violence against women in the context of armed conflict. Also of historical significance is the adoption of the Rome Statute of the International Criminal Court, which provides that rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and other forms of sexual violence are war crimes when committed in the context of armed conflict and also under defined circumstances, crimes against humanity. The contribution of women in the areas of peace-building, peacemaking and conflict resolution is being increasingly recognized. Education and training in non-violent conflict resolution have been introduced. Progress has been made in the dissemination and implementation of the guidelines for the protection of refugee women, and in addressing the needs of displaced women. Gender-based persecution has been accepted as a basis for refugee status in some countries. There is recognition by Governments, the international community and organizations, in particular the United Nations, that women and men experience humanitarian emergencies differently, and there is a need for a more holistic support for refugee and displaced women, including those who have suffered all forms of abuse, including gender specific abuse, to ensure equal access to appropriate and adequate food and nutrition, clean water, safe sanitation, shelter, education, social and health services, including reproductive health care and maternity care. There is greater

¹¹ See General Assembly resolution S-23/3 of 10 June 2000, annex.

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recognition of the need to integrate a gender perspective in the planning, design and implementation of humanitarian assistance and to provide adequate resources. Humanitarian relief agencies and civil society, including non-governmental organizations, have played an increasingly important role in the provision of humanitarian assistance, as well as in the design, where appropriate, and implementation of programmes to address the needs of women and girls, including refugee and displaced women and girls in humanitarian emergencies, and in conflict and post-conflict situations.

16. *Obstacles.* Peace is inextricably linked to equality between women and men and development. Armed conflicts and conflicts of other types, wars of aggression, foreign occupation, colonial or other alien domination, as well as terrorism, continue to cause serious obstacles to the advancement of women. The targeting of civilians, including women and children, the displacement of people, and the recruitment of child soldiers in violation of national or international law, by State and/or non-State actors, which occur in armed conflicts, have had a particularly adverse impact on gender equality and women's human rights. Armed conflict creates or exacerbates the high level of female-headed households, which in many cases are living in poverty. The under representation, at all levels, of women in decision-making positions, such as special envoys or special representatives of the Secretary-General, in peacekeeping, peace-building, post-conflict reconciliation and reconstruction, as well as lack of gender awareness in these areas, presents serious obstacles. There has been a failure to provide sufficient resources, to distribute adequately resources and to address the needs of increasing numbers of refugees, who are mostly women and children, particularly in developing countries hosting large numbers of refugees; international assistance has not kept pace with the increasing number of refugees. The growing number of internally displaced persons and the provision for their needs, in particular women and children, continue to represent a double burden to the affected countries and their financial resources. Inadequate training of personnel dealing with the needs of women in situations of armed conflict or as refugees, such as a shortage of specific programmes that address the healing of women from trauma and skills training, remains a problem.

[...]

I. Human rights of women

[...]

27. *Obstacles.* Gender discrimination and all other forms of discrimination, in particular racism, racial discrimination, xenophobia and related intolerance continue to cause threat to women's enjoyment of their human rights and fundamental freedoms. In situations of armed conflict and foreign occupation, human rights of women have been extensively violated. Even though a number of countries have ratified the Convention on the Elimination of All Forms of Discrimination against Women, the goal of universal ratification by the year 2000 has not been achieved, and there continue to be a large number of reservations to the Convention. While there is an increasing acceptance of gender equality, many countries have not yet implemented fully the provisions of the Convention. Discriminatory legislation as well as harmful traditional and customary practices and negative stereotyping of women and men still persist. Family, civil, penal, labour and commercial laws or codes, or administrative rules and regulations, still have not fully integrated a gender perspective. Legislative and regulatory gaps, as well as lack of implementation and enforcement of legislation and regulations, perpetuate *de jure* as well as *de facto* inequality and discrimination, and in a few cases, new laws discriminating against women have been introduced. In many countries, women have insufficient access to the law, resulting from illiteracy, lack of legal literacy, information and resources, insensitivity and gender bias, and lack of awareness of the human rights of women by law enforcement officials and the judiciary,

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who in many cases fail to respect the human rights of women and the dignity and worth of the human person. There is insufficient recognition of women's and girls' reproductive rights, as well as barriers to their full enjoyment of those rights, which embrace certain human rights as defined in paragraph 95 of the Beijing Platform for Action. Some women and girls continue to encounter barriers to justice and the enjoyment of their human rights because of such factors as their race, language, ethnicity, culture, religion, disability or socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees.

[...]

III. *Current challenges affecting the full implementation of the Beijing Declaration and Platform for Action*

[...]

41. The patterns of migratory flows of labour are changing. Women and girls are increasingly involved in internal, regional and international labour migration to pursue many occupations, mainly in farm labour, domestic work and some forms of entertainment work. While this situation increases their earning opportunities and self-reliance, it also exposes them, particularly the poor, uneducated, unskilled and/or undocumented migrants, to inadequate working conditions, increased health risk, the risk of trafficking, economic and sexual exploitation, racism, racial discrimination and xenophobia, and other forms of abuse, which impair their enjoyment of their human rights and, in some cases, constitute violations of human rights.

[...]

IV. *Actions and initiatives to overcome obstacles and to achieve the full and accelerated implementation of the Beijing Platform for Action*

[...]

A. Actions to be taken at the national level

By Governments:

[...]

68.

[...]

(i) Mainstream a gender perspective into national immigration and asylum policies, regulations and practices, as appropriate, in order to promote and protect the rights of all women, including the consideration of steps to recognize gender related persecution and violence when assessing grounds for granting refugee status and asylum;

[...]

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D. Actions to be taken at the national and international levels

By Governments, regional and international organizations, including the United Nations system, and international financial institutions and other actors, as appropriate:

[...]

92.

[...]

(b) Develop with the full participation of all countries an international consensus on indicators and ways to measure violence against women, and consider establishing a readily accessible database on statistics, legislation, training models, good practices, lessons learned and other resources with regard to all forms of violence against women, including women migrant workers;

[...]

97.

[...]

(c) As appropriate, pursue and support national, regional and international strategies to reduce the risk to women and girls, including those who are refugees and displaced persons, as well as women migrant workers, of becoming victims of trafficking; strengthen national legislation by further defining the crime of trafficking in all its elements and by reinforcing the punishment accordingly; enact social and economic policies and programmes, as well as informational and awareness-raising initiatives, to prevent and combat trafficking in persons, especially women and children; prosecute perpetrators of trafficking; provide measures to support, assist and protect trafficked persons in their countries of origin and destination; and facilitate their return to and support their reintegration into their countries of origin.

[...]

98.

[...]

(b) Promote and protect the human rights of all migrant women and implement policies to address the specific needs of documented migrant women and, where necessary, tackle the existing inequalities between men and women migrants to ensure gender equality;

[...]

99.

[...]

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(g) Improve and strengthen the capacity of women affected by situations of armed conflict, including women refugees and displaced women, by, *inter alia*, involving them in the design and management of humanitarian activities so that they benefit from these activities on an equal basis with men;

[...]

(h) Invite the Office of the United Nations High Commissioner for Refugees, other relevant United Nations agencies, within their respective mandates, and other relevant humanitarian organizations as well as Governments to continue to provide adequate support to countries hosting large numbers of refugees and those with displaced persons, in their efforts to provide protection and assistance, paying particular attention to the needs of refugees and other displaced women and children;

[...]

(m) Take measures to ensure the protection of refugees, especially women and girls, and their access to and the provision of gender-sensitive appropriate basic social services, including education and health.

[...]

World Conference on Human Rights

Vienna, 14-25 June 1993

VIENNA DECLARATION AND PROGRAMME OF ACTION, ADOPTED ON 25 JUNE 1993 BY THE WORLD CONFERENCE ON HUMAN RIGHTS¹²

The World Conference on Human Rights,

[...]

Solemnly adopts the Vienna Declaration and Programme of Action.

[...]

21. The World Conference on Human Rights, welcoming the early ratification of the Convention on the Rights of the Child by a large number of States and noting the recognition of the human rights of children in the World Declaration on the Survival, Protection and Development of Children and Plan of Action adopted by the World Summit for Children, urges universal ratification of the Convention by 1995 and its effective implementation by States parties through the adoption of all the necessary legislative, administrative and other measures and the allocation to the maximum extent of the available resources. In all actions concerning children, non-discrimination and the best interest of the child should be primary considerations and the views of the child given due weight. National and international mechanisms and programmes should be strengthened for the defence and protection of children, in particular, the girl-child, abandoned children, street children, economically and sexually exploited children, including through child pornography, child prostitution or sale of organs, children victims of diseases including acquired immunodeficiency syndrome, refugee and displaced children, children in detention, children in armed conflict, as well as children victims of famine and drought and other emergencies. International cooperation and solidarity should be promoted to support the implementation of the Convention and the rights of the child should be a priority in the United Nations system-wide action on human rights.

The World Conference on Human Rights also stresses that the child for the full and harmonious development of his or her personality should grow up in a family environment which accordingly merits broader protection.

[...]

23. The World Conference on Human Rights reaffirms that everyone, without distinction of any kind, is entitled to the right to seek and to enjoy in other countries asylum from persecution, as well as the right to return to one's own country. In this respect it stresses the importance of the Universal Declaration of Human Rights, the 1951 Convention relating to the Status of Refugees, its 1967 Protocol and regional instruments. It expresses its appreciation to States that continue to admit and host large numbers of refugees in their territories, and to the Office of the United Nations High Commissioner for Refugees for its dedication to its task. It also expresses

¹² A/CONF.157/24 (Part I), chap. III.

its appreciation to the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

The World Conference on Human Rights recognizes that gross violations of human rights, including in armed conflicts, are among the multiple and complex factors leading to displacement of people.

The World Conference on Human Rights recognizes that, in view of the complexities of the global refugee crisis and in accordance with the Charter of the United Nations, relevant international instruments and international solidarity and in the spirit of burden-sharing, a comprehensive approach by the international community is needed in coordination and cooperation with the countries concerned and relevant organizations, bearing in mind the mandate of the United Nations High Commissioner for Refugees. This should include the development of strategies to address the root causes and effects of movements of refugees and other displaced persons, the strengthening of emergency preparedness and response mechanisms, the provision of effective protection and assistance, bearing in mind the special needs of women and children, as well as the achievement of durable solutions, primarily through the preferred solution of dignified and safe voluntary repatriation, including solutions such as those adopted by the international refugee conferences. The World Conference on Human Rights underlines the responsibilities of States, particularly as they relate to the countries of origin.

In the light of the comprehensive approach, the World Conference on Human Rights emphasizes the importance of giving special attention including through intergovernmental and humanitarian organizations and finding lasting solutions to questions related to internally displaced persons including their voluntary and safe return and rehabilitation.

In accordance with the Charter of the United Nations and the principles of humanitarian law, the World Conference on Human Rights further emphasizes the importance of and the need for humanitarian assistance to victims of all natural and man-made disasters.

24. Great importance must be given to the promotion and protection of the human rights of persons belonging to groups which have been rendered vulnerable, including migrant workers, the elimination of all forms of discrimination against them, and the strengthening and more effective implementation of existing human rights instruments. States have an obligation to create and maintain adequate measures at the national level, in particular in the fields of education, health and social support, for the promotion and protection of the rights of persons in vulnerable sectors of their populations and to ensure the participation of those among them who are interested in finding a solution to their own problems.

[...]

28. The World Conference on Human Rights expresses its dismay at massive violations of human rights especially in the form of genocide, "ethnic cleansing" and systematic rape of women in war situations, creating mass exodus of refugees and displaced persons. While strongly

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condemning such abhorrent practices it reiterates the call that perpetrators of such crimes be punished and such practices immediately stopped.

[...]

II

[...]

B. Equality, dignity and tolerance

[...]

2. Persons belonging to national or ethnic, religious and linguistic minorities

[...]

Migrant workers

33. The World Conference on Human Rights urges all States to guarantee the protection of the human rights of all migrant workers and their families.

34. The World Conference on Human Rights considers that the creation of conditions to foster greater harmony and tolerance between migrant workers and the rest of the society of the State in which they reside is of particular importance.

[...]

**World Conference against Racism, Racial Discrimination,
Xenophobia and Related Intolerance**
Durban, 31 August – 8 September 2001

**DURBAN DECLARATION AND PROGRAMME OF ACTION ADOPTED BY THE WORLD
CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND
RELATED INTOLERANCE¹³**

CHAPTER I. DOCUMENTS ADOPTED BY THE CONFERENCE

Declaration

[...]

General issues

[...]

12. We recognize that interregional and intraregional migration has increased as a result of globalization, in particular from the South to the North, and stress that policies towards migration should not be based on racism, racial discrimination, xenophobia and related intolerance;

Sources, causes, forms and contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance

[...]

16. We recognize that xenophobia against non-nationals, particularly migrants, refugees and asylum-seekers, constitutes one of the main sources of contemporary racism and that human rights violations against members of such groups occur widely in the context of discriminatory, xenophobic and racist practices;

[...]

Victims of racism, racial discrimination, xenophobia and related intolerance

[...]

38. We call upon all States to review and, where necessary, revise any immigration policies which are inconsistent with international human rights instruments, with a view to eliminating all discriminatory policies and practices against migrants, including Asians and people of Asian descent;

[...]

46. We recognize the positive economic, social and cultural contributions made by migrants to both countries of origin and destination;

47. We reaffirm the sovereign right of each State to formulate and apply its own legal framework and policies for migration, and further affirm that these policies should be consistent with applicable human rights instruments, norms and standards, and designed to ensure that they are free of racism, racial discrimination, xenophobia and related intolerance;

¹³ A/CONF.189/2 and Corr.1, chap.1.

World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

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48. **We** note with concern and strongly condemn the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants and the stereotypes often applied to them; **reaffirm the responsibility of States to protect the human rights of migrants under their jurisdiction and** reaffirm the responsibility of States **to safeguard and protect migrants against illegal or violent acts, in particular acts of racial discrimination and crimes perpetrated with racist or xenophobic motivation by individuals or groups; and stress the need for their fair, just and equitable treatment in society and in the workplace;**

49. We highlight the importance of creating conditions conducive to greater harmony, tolerance and respect between migrants and the rest of society in the countries in which they find themselves, in order to eliminate manifestations of racism and xenophobia against migrants. We underline that family reunification has a positive effect on integration and emphasize the need for States to facilitate family reunion;

50. We are mindful of the situation of vulnerability in which migrants frequently find themselves, owing, inter alia, to their departure from their countries of origin and to the difficulties they encounter because of differences in language, customs and culture, as well as economic and social difficulties and obstacles to the return of migrants who are undocumented or in an irregular situation;

51. We reaffirm the necessity of eliminating racial discrimination against migrants, including migrant workers, in relation to issues such as employment, social services, including education and health, as well as access to justice, and that their treatment must be in accordance with international human rights instruments, free from racism, racial discrimination, xenophobia and related intolerance;

52. We note with concern that, among other factors, racism, racial discrimination, xenophobia and related intolerance contribute to forced displacement and the movement of people from their countries of origin as refugees and asylum-seekers;

53. We recognize with concern that, despite efforts to combat racism, racial discrimination, xenophobia and related intolerance, instances of various forms of racism, racial discrimination, xenophobia and related intolerance against refugees, asylum-seekers and internally displaced persons, among others, continue;

54. We underline the urgency of addressing the root causes of displacement and of finding durable solutions for refugees and displaced persons, in particular voluntary return in safety and dignity to the countries of origin, as well as resettlement in third countries and local integration, when and where appropriate and feasible;

55. We affirm our commitment to respect and implement humanitarian obligations relating to the protection of refugees, asylum-seekers, returnees and internally displaced persons, and note in this regard the importance of international solidarity, burden-sharing and international cooperation to share responsibility for the protection of refugees, reaffirming that the 1951 Convention relating to the Status of Refugees and its 1967 Protocol remain the foundation of the international refugee regime and recognizing the importance of their full application by States parties;

[...]

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Measures of prevention, education and protection aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at the national, regional and international levels

[...]

89. We note with regret that certain media, by promoting false images and negative stereotypes of vulnerable individuals or groups of individuals, particularly of migrants and refugees, have contributed to the spread of xenophobic and racist sentiments among the public and in some cases have encouraged violence by racist individuals and groups;

[...]

Programme of Action

[...]

II. Victims of racism, racial discrimination, xenophobia and related intolerance

[...]

Migrants

24. Requests all States to combat manifestations of a generalized rejection of migrants and actively to discourage all racist demonstrations and acts that generate xenophobic behaviour and negative sentiments towards, or rejection of, migrants;

25. Invites international and national non-governmental organizations to include monitoring and protection of the human rights of migrants in their programmes and activities and to sensitize Governments and increase public awareness in all States about the need to prevent racist acts and manifestations of discrimination, xenophobia and related intolerance against migrants;

26. Requests States to promote and protect fully and effectively the human rights and fundamental freedoms of all migrants, in conformity with the Universal Declaration of Human Rights and their obligations under international human rights instruments, regardless of the migrants' immigration status;

27. Encourages States to promote education on the human rights of migrants and to engage in information campaigns to ensure that the public receives accurate information regarding migrants and migration issues, including the positive contribution of migrants to the host society and the vulnerability of migrants, particularly those who are in an irregular situation;

28. Calls upon States to facilitate family reunification in an expeditious and effective manner which has a positive effect on integration of migrants, with due regard for the desire of many family members to have an independent status;

29. Urges States to take concrete measures that would eliminate racism, racial discrimination, xenophobia and related intolerance in the workplace against all workers, including migrants, and ensure the full equality of all before the law, including labour law, and further urges States to eliminate barriers, where appropriate, to: participating in

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vocational training, collective bargaining, employment, contracts and trade union activity; accessing judicial and administrative tribunals dealing with grievances; seeking employment in different parts of their country of residence; and working in safe and healthy conditions;

30. Urges States:

(a) To develop and implement policies and action plans, and to reinforce and implement preventive measures, in order to foster greater harmony and tolerance between migrants and host societies, with the aim of eliminating manifestations of racism, racial discrimination, xenophobia and related intolerance, including acts of violence, perpetrated in many societies by individuals or groups;

(b) To review and revise, where necessary, their immigration laws, policies and practices so that they are free of racial discrimination and compatible with States' obligations under international human rights instruments;

(c) To implement specific measures involving the host community and migrants in order to encourage respect for cultural diversity, to promote the fair treatment of migrants and to develop programmes, where appropriate, that facilitate their integration into social, cultural, political and economic life;

(d) To ensure that migrants, regardless of their immigration status, detained by public authorities are treated with humanity and in a fair manner, and receive effective legal protection and, where appropriate, the assistance of a competent interpreter in accordance with the relevant norms of international law and human rights standards, particularly during interrogation;

(e) To ensure that the police and immigration authorities treat migrants in a dignified and non-discriminatory manner, in accordance with international standards, through, inter alia, organizing specialized training courses for administrators, police officers, immigration officials and other interested groups;

(f) To consider the question of promoting the recognition of the educational, professional and technical credentials of migrants, with a view to maximizing their contribution to their new States of residence;

(g) To take all possible measures to promote the full enjoyment by all migrants of all human rights, including those related to fair wages and equal remuneration for work of equal value without distinction of any kind, and to the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond their control, social security, including social insurance, access to education, health care, social services and respect for their cultural identity;

(h) To consider adopting and implementing immigration policies and programmes that would enable immigrants, in particular women and children who are victims of spousal or domestic violence, to free themselves from abusive relationships;

31. Urges States, in the light of the increased proportion of women migrants, to place special focus on gender issues, including gender discrimination, particularly when the multiple barriers faced by migrant women intersect; detailed research should be undertaken not only in respect of human rights violations perpetrated against women

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migrants, but also on the contribution they make to the economies of their countries of origin and their host countries, and the findings should be included in reports to treaty bodies;

32. Urges States to recognize the same economic opportunities and responsibilities to documented long-term migrants as to other members of society;

33. Recommends that host countries of migrants consider the provision of adequate social services, in particular in the areas of health, education and adequate housing, as a matter of priority, in cooperation with the United Nations agencies, the regional organizations and international financial bodies; also requests that these agencies provide an adequate response to requests for such services;

Refugees

34. Urges States to comply with their obligations under international human rights, refugee and humanitarian law relating to refugees, asylum-seekers and displaced persons, and urges the international community to provide them with protection and assistance in an equitable manner and with due regard to their needs in different parts of the world, in keeping with principles of international solidarity, burden-sharing and international cooperation, to share responsibilities;

35. Calls upon States to recognize the racism, racial discrimination, xenophobia and related intolerance that refugees may face as they endeavour to engage in the life of the societies of their host countries and encourages States, in accordance with their international obligations and commitments, to develop strategies to address this discrimination and to facilitate the full enjoyment of the human rights of refugees. States parties should ensure that all measures relating to refugees must be in full accordance with the 1951 Convention relating to the Status of Refugees and its 1967 Protocol;

36. Urges States to take effective steps to protect refugee and internally displaced women and girls from violence, to investigate any such violations and to bring those responsible to justice, in collaboration, when appropriate, with the relevant and competent organizations;

Other victims

37. Urges States to take all possible measures to ensure that all persons, without any discrimination, are registered and have access to the necessary documentation reflecting their legal identity to enable them to benefit from available legal procedures, remedies and development opportunities, as well as to reduce the incidence of trafficking;

38. Recognizes that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance. States shall ensure that all measures taken against trafficking in persons, in particular those that affect the victims of such trafficking, are consistent with internationally recognized principles of non-discrimination, including the prohibition of racial discrimination and the availability of appropriate legal redress;

[...]

47. Urges States to guarantee the rights of persons belonging to national or ethnic, religious and linguistic minorities, individually or in community with other members of their group, to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference, and to participate effectively in the cultural, social,

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economic and political life of the country in which they live, in order to protect them from any form of racism, racial discrimination, xenophobia and related intolerance that they are or may be subjected to;

48. Urges States to recognize the effect that discrimination, marginalization and social exclusion have had and continue to have on many racial groups living in a numerically based minority situation within a State, and to ensure that persons in such groups can exercise, as individual members of such groups, fully and effectively, all human rights and fundamental freedoms without distinction and in full equality before the law, and to take, where applicable, appropriate measures in respect of employment, housing and education with a view to preventing racial discrimination;

49. Urges States to take, where applicable, appropriate measures to prevent racial discrimination against persons belonging to national or ethnic, religious and linguistic minorities in respect of employment, health care, housing, social services and education, and in this context forms of multiple discrimination should be taken into account;

50. Urges States to incorporate a gender perspective in all programmes of action against racism, racial discrimination, xenophobia and related intolerance and to consider the burden of such discrimination which falls particularly on indigenous women, African women, Asian women, women of African descent, women of Asian descent, women migrants and women from other disadvantaged groups, ensuring their access to the resources of production on an equal footing with men, as a means of promoting their participation in the economic and productive development of their communities;

51. Urges States to involve women, especially women victims of racism, racial discrimination, xenophobia and related intolerance, in decision-making at all levels when working towards the eradication of such discrimination, and to develop concrete measures to incorporate race and gender analysis in the implementation of all aspects of the Programme of Action and national plans of action, particularly in the fields of employment programmes and services and resource allocation;

[...]

III. Measures of prevention, education and protection aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at the national, regional and international levels

[...]

64. Urges States to devise, enforce and strengthen effective measures at the national, regional and international levels to prevent, combat and eliminate all forms of trafficking in women and children, in particular girls, through comprehensive anti-trafficking strategies which include legislative measures, prevention campaigns and information exchange. It also urges States to allocate resources, as appropriate, to provide comprehensive programmes designed to provide assistance to, protection for, healing, reintegration into society and rehabilitation of victims. States shall provide or strengthen training for law enforcement, immigration and other relevant officials who deal with victims of trafficking in this regard;

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A. National level

1. *Legislative, judicial, regulatory, administrative and other measures to prevent and protect against racism, racial discrimination, xenophobia and related intolerance*

[...]

67. Urges States to design or reinforce, promote and implement effective legislative and administrative policies, as well as other preventive measures, against the serious situation experienced by certain groups of workers, including migrant workers, who are victims of racism, racial discrimination, xenophobia and related intolerance. Special attention should be given to protecting people engaged in domestic work and trafficked persons from discrimination and violence, as well as to combating prejudice against them;

[...]

69. Urges States to enact and implement, as appropriate, laws against trafficking in persons, especially women and children, and smuggling of migrants, taking into account practices that endanger human lives or lead to various kinds of servitude and exploitation, such as debt bondage, slavery, sexual exploitation or labour exploitation; also encourages States to create, if they do not already exist, mechanisms to combat such practices and to allocate adequate resources to ensure law enforcement and the protection of the rights of victims, and to reinforce bilateral, regional and international cooperation, including with non-governmental organizations that assist victims, to combat this trafficking in persons and smuggling of migrants;

[...]

Ratification of and effective implementation of relevant international and regional legal instruments on human rights and non-discrimination

[...]

78. Urges those States that have not yet done so to consider signing and ratifying or acceding to the following instruments:

[...]

(b) International Labour Organization Migration for Employment Convention (Revised), 1949 (No. 97);

(c) Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949;

(d) Convention relating to the Status of Refugees of 1951, and its 1967 Protocol;

[...]

(i) International Labour Organization Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143);

[...]

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(k) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990;

[...]

(m) United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention of 2000;

[...]

80. Urges States to seek full respect for, and compliance with, the Vienna Convention on Consular Relations of 1963, especially as it relates to the right of foreign nationals, regardless of their legal and immigration status, to communicate with a consular officer of their own State in the case of arrest or detention;

81. Urges all States to prohibit discriminatory treatment based on race, colour, descent or national or ethnic origin against foreigners and migrant workers, inter alia, where appropriate, concerning the granting of work visas and work permits, housing, health care and access to justice;

[...]

89. Urges States to carry out comprehensive, exhaustive, timely and impartial investigations of all unlawful acts of racism and racial discrimination, to prosecute criminal offences ex officio, as appropriate, or initiate or facilitate all appropriate actions arising from offences of a racist or xenophobic nature, to ensure that criminal and civil investigations and prosecutions of offences of a racist or xenophobic nature are given high priority and are actively and consistently undertaken, and to ensure the right to equal treatment before the tribunals and all other organs administering justice. In this regard, the World Conference underlines the importance of fostering awareness and providing training to the various agents in the criminal justice system to ensure fair and impartial application of the law. In this respect, it recommends that anti-discrimination monitoring services be established;

[...]

2. Policies and practices

Data collection and disaggregation, research and study

[...]

96. Invites States to promote and conduct studies and adopt an integral, objective and long-term approach to all phases and aspects of migration which will deal effectively with both its causes and manifestations. These studies and approaches should pay special attention to the root causes of migratory flows, such as lack of full enjoyment of human rights and fundamental freedoms, and the effects of economic globalization on migration trends;

97. Recommends that further studies be conducted on how racism, racial discrimination, xenophobia and related intolerance may be reflected in laws, policies, institutions and practices

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and how this may have contributed to the victimization and exclusion of migrants, especially women and children;

[...]

Employment

105. Urges States to give special attention, when devising and implementing legislation and policies designed to enhance the protection of workers' rights, to the serious situation of lack of protection, and in some cases exploitation, as in the case of trafficked persons and smuggled migrants, which makes them more vulnerable to ill-treatment such as confinement in the case of domestic workers and also being employed in dangerous and poorly paid jobs;

[...]

3. Education and awareness-raising measures

[...]

Human rights education for public officials and professionals

133. Urges States to develop and strengthen anti-racist and gender-sensitive human rights training for public officials, including personnel in the administration of justice, particularly in law enforcement, correctional and security services, as well as among health-care, schools and migration authorities;

[...]

138. Urges States to strengthen the human rights training and awareness-raising activities designed for immigration officials, border police and staff of detention centres and prisons, local authorities and other civil servants in charge of enforcing laws, as well as teachers, with particular attention to the human rights of migrants, refugees and asylum-seekers, in order to prevent acts of racial discrimination and xenophobia and to avoid situations where prejudices lead to decisions based on racism, racial discrimination, xenophobia or related intolerance;

139. Urges States to provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of victims, including protecting the victims from the traffickers. The training should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society;

4. Information, communication and the media, including new technologies

[...]

144. Urges States and encourages the private sector to promote the development by the media, including the print and electronic media, including the Internet and advertising, taking into account their independence, through their relevant associations and

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organizations at the national, regional and international levels, of a voluntary ethical code of conduct and self-regulatory measures, and of policies and practices aimed at:

- (a) Combating racism, racial discrimination, xenophobia and related intolerance;
- (b) Promoting the fair, balanced and equitable representation of the diversity of their societies, as well as ensuring that this diversity is reflected among their staff;
- (c) Combating the proliferation of ideas of racial superiority, justification of racial hatred and discrimination in any form;
- (d) Promoting respect, tolerance and understanding among all individuals, peoples, nations and civilizations, for example through assistance in public awareness-raising campaigns;
- (e) *Avoiding stereotyping in all its forms, and particularly the promotion of false images of migrants, including migrant workers, and refugees, in order to prevent the spread of xenophobic sentiments among the public and to encourage the objective and balanced portrayal of people, events and history;***

[...]

V. Strategies to achieve full and effective equality, including international cooperation and enhancement of the United Nations and other international mechanisms in combating racism, racial discrimination, xenophobia and related intolerance and follow-up

[...]

175. Encourages States, in cooperation with non-governmental organizations, to undertake campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, so as to enable everyone, in particular women, to make informed decisions and to prevent them from becoming victims of trafficking;

[...]

Regional/international cooperation

[...]

182. Encourages States to participate in regional dialogues on problems of migration and invites them to consider negotiating bilateral and regional agreements on migrant workers and designing and implementing programmes with States of other regions to protect the rights of migrants;

183. Urges States, in consultation with civil society, to support or otherwise establish, as appropriate, regional, comprehensive dialogues on the causes and consequences of migration that focus not only on law enforcement and border control, but also on the promotion and protection of the human rights of migrants and on the relationship between migration and development;

184. Encourages international organizations having mandates dealing specifically with migration issues to exchange information and coordinate their activities on matters involving racism, racial

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discrimination, xenophobia and related intolerance against migrants, including migrant workers, with the support of the Office of the United Nations High Commissioner for Human Rights;

185. Expresses its deep concern over the severity of the humanitarian suffering of affected civilian populations and the burden carried by many receiving countries, particularly developing countries and countries in transition, and requests the relevant international institutions to ensure that urgent adequate financial and humanitarian assistance is maintained for the host countries to enable them to help the victims and to address, on an equitable basis, difficulties of populations expelled from their homes, and calls for sufficient safeguards to enable refugees to exercise freely their right of return to their countries of origin voluntarily, in safety and dignity;

186. Encourages States to conclude bilateral, subregional, regional and international agreements to address the problem of trafficking in women and children, in particular girls, as well as the smuggling of migrants;

[...]

Office of the High Commissioner for Human Rights

[...]

196. Requests the Office of the High Commissioner for Human Rights to pay special attention to violations of the human rights of victims of racism, racial discrimination, xenophobia and related intolerance, in particular migrants, including migrant workers, to promote international cooperation in combating xenophobia and, to this end, to develop programmes which can be implemented in countries on the basis of appropriate cooperation agreements;

[...]

Decades

[...]

201. Recommends that the General Assembly consider declaring a United Nations year or decade against trafficking in persons, especially in women, youth and children, in order to protect their dignity and human rights;

[...]

International Conference on Financing for Development

Monterrey, Mexico, 18-22 March 2002

Chapter I

*Resolutions adopted by the Conference*¹⁴

[...]

II. *Leading actions*

A. *Mobilizing domestic financial resources for development*

[...]

18. Microfinance and credit for micro-, small and medium-sized enterprises, including in rural areas, particularly for women, as well as national savings schemes, are important for enhancing the social and economic impact of the financial sector. Development banks, commercial and other financial institutions, whether independently or in cooperation, can be effective instruments for facilitating access to finance, including equity financing, for such enterprises, as well as an adequate supply of medium- and long-term credit. In addition, the promotion of private-sector financial innovations and public-private partnerships can also deepen domestic financial markets and further develop the domestic financial sector. The prime objective of pension schemes is social protection, but when those schemes are funded they can also be a source of savings. Bearing in mind economic and social considerations, efforts should be made to incorporate the informal sector into the formal economy, wherever feasible. ***It is also important to reduce the transfer costs of migrant workers' remittances and create opportunities for development-oriented investments, including housing.***

[...]

¹⁴ *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. 1, resolution 1, annex.

**PART V. THE RECOMMENDATIONS OF THE GLOBAL COMMISSION ON INTERNATIONAL
MIGRATION COMPARED WITH THE UNITED NATIONS RECOMMENDATIONS
ON INTERNATIONAL MIGRATION**

Principles for Action

I. Migrating out of choice: Migration and the global economy

Women, men and children should be able to realize their potential, meet their needs, exercise their human rights and fulfill their aspirations in their country of origin, and hence migrate out of choice, rather than necessity. Those women and men who migrate and enter the global labour market should be able to do so in a safe and authorized manner, and because they and their skills are valued and needed by the states and societies that receive them.

II. Reinforcing economic and developmental impact

The role that migrants play in promoting development and poverty reduction in countries of origin, as well as the contribution they make towards the prosperity of destination countries, should be recognized and reinforced. International migration should become an integral part of national, regional and global strategies for economic growth, in both the developing and developed world.

III. Addressing irregular migration

States, exercising their sovereign right to determine who enters and remains on their territory, should fulfill their responsibility and obligation to protect the rights of migrants and to re-admit those citizens who wish or who are obliged to return to their country of origin. In stemming irregular migration, states should actively cooperate with one another, ensuring that their efforts do not jeopardize human rights, including the right of refugees to seek asylum. Governments should consult with employers, trade unions and civil society on this issue.

IV. Strengthening social cohesion through integration

Migrants and citizens of destination countries should respect their legal obligations and benefit from a mutual process of adaptation and integration that accommodates cultural diversity and fosters social cohesion. The integration process should be actively supported by local and national authorities, employers and members of civil society, and should be based on a commitment to non-discrimination and gender equity. It should also be informed by an objective public, political and media discourse on international migration.

V. Protecting the rights of migrants

The legal and normative framework affecting international migrants should be strengthened, implemented more effectively and applied in a non-discriminatory manner, so as to protect the human rights and labour standards that should be enjoyed by all migrant women and men. Respecting the provisions of this legal and normative framework, states and other stakeholders must address migration issues in a more consistent and coherent manner.

VI. Enhancing governance: Coherence, capacity and cooperation

The governance of international migration should be enhanced by improved coherence and strengthened capacity at the national level; greater consultation and cooperation between states at the regional level, and more effective dialogue and cooperation among governments and between international organizations at the global level. Such efforts must be based on a better appreciation of the close linkages that exist between international migration and development and other key policy issues, including trade, aid, state security, human security and human rights.

Global Commission on International Migration

Recommendation 1

The number of people seeking to migrate from one country and continent to another will increase in the years to come, due to developmental and demographic disparities, as well as differences in the quality of governance. States and other stakeholders must take due account of this trend in the formulation of migration policies.

International Conference on Population and Development (Cairo, 1994)

[...] The economic situation in [developing] countries [and countries with economies in transition] is likely to improve only gradually and, therefore, migration flows from those countries are likely to decline only in the long term; in the interim, the acute problems currently observed will cause migration flows to continue for the short-to-medium term, and Governments are accordingly urged to adopt transparent international migration policies and programmes to manage those flows. (*Programme of Action*, para. 10.3)

Global Commission on International Migration

Recommendation 2

States and other stakeholders should pursue more realistic and flexible approaches to international migration, based on a recognition of the potential for migrant workers to fill specific gaps in the global labour market.

Global Commission on International Migration

Recommendation 3

States and the private sector should consider the option of introducing carefully designed temporary migration programmes as a means of addressing the economic needs of both countries of origin and destination.

International Conference on Population and Development (Cairo, 1994)

Governments of countries of destination are invited to consider the use of certain forms of temporary migration, such as short-term and project-related migration, as a means of improving the skills of nationals of countries of origin, especially developing countries and countries with economies in transition. To that end, they should consider, as appropriate, entering into bilateral or multilateral agreements. Appropriate steps should be taken to safeguard the wages and working conditions of both migrant and native workers in the affected sectors. [...] (*Programme of Action*, para. 10.5)

Global Commission on International Migration

Recommendation 4

The GATS Mode 4 negotiations on the movement of service providers should be brought to a successful conclusion. Given the linkage between international trade and international migration, greater efforts should be made to foster a dialogue between officials and experts dealing with the two issues.

Global Commission on International Migration

Recommendation 5

Governments and employers should jointly review current barriers to the mobility of highly educated professionals, with a view to removing those which are unnecessarily hindering economic competitiveness.

World Conference against Racism (Durban, 2001)

Urges States: [...] (f) To consider the question of promoting the recognition of the educational, professional and technical credentials of migrants, with a view to maximizing their contribution to their new States of residence; [...] (*Programme of Action, para. 30*)

Global Commission on International Migration Recommendation 6

Greater efforts should be made to create jobs and sustainable livelihoods in developing countries, so that the citizens of such states do not feel compelled to migrate. Developing countries and the industrialized states should pursue economic policies and implement existing commitments that enable this objective to be achieved.

International Conference on Population and Development (Cairo, 1994)

Governments of countries of origin and of countries of destination should seek to make the option of remaining in one's country viable for all people. To that end, efforts to achieve sustainable economic and social development, ensuring a better economic balance between developed and developing countries and countries with economies in transition should be strengthened. It is also necessary to increase efforts to defuse international and internal conflicts before they escalate; to ensure that the rights of persons belonging to ethnic, religious or linguistic minorities, and indigenous people are respected; to respect the rule of law, promote good governance, strengthen democracy and promote human rights. Furthermore, greater support should be provided for the attainment of national and household food security, for education, nutrition, health and population-relevant programmes, and to ensure effective environmental protection. Such efforts may require national and international financial assistance, reassessment of commercial and tariff relations, increased access to world markets and stepped up efforts on the part of developing countries and countries with economies in transition to create a domestic framework for sustainable economic growth with an emphasis on job creation. [...] (*Programme of Action, para. 10.3*)

World Population Conference (Bucharest, 1974)

Countries that are concerned with the outflow of migrant workers and wish to encourage and assist those remaining workers or returning workers should make particular efforts to create favourable employment opportunities at the national level. More developed countries should co-operate, bilaterally or through regional organizations and the international community, with less developed countries, to achieve these goals through the increased availability of capital, technical assistance, export markets and more favourable terms of trade and choice of production technology. (*Plan of Action, para. 54*)

Global Commission on International Migration Recommendation 7

Cooperative relationships between labour rich and labour-poor countries are required to promote human capital formation and the development of a global pool of professionals. Providing appropriate pay, working conditions and career prospects in order to retain key personnel must be an integral component of such strategies.

World Population Conference (Bucharest, 1974)

Countries that are concerned with the outflow of migrant workers and wish to encourage and assist those remaining workers or returning workers should make particular efforts to create favourable employment opportunities at the national level. More developed countries should co-operate, bilaterally or through regional organizations and the international community, with less developed countries, to achieve these goals through the increased availability of capital, technical assistance, export markets and more favourable terms of trade and choice of production technology. (*Plan of Action, para. 54*)

The flow of skilled workers, technicians and professionals from more developed to less developed countries may be considered a form of international co-operation. Countries in a position to do so should continue and increase this flow with full respect for the sovereignty and equality of recipient countries. (*Plan of Action, para. 61*)

Global Commission on International Migration Recommendation 8

Remittances are private money and should not be appropriated by States. Governments and financial institutions should make it easier and cheaper to transfer remittances and thus encourage migrants to remit through formal transfer systems.

Financing for Development (Monterrey, 2002)

[...] It is also important to reduce the transfer costs of migrant workers' remittances and create opportunities for development-oriented investments, including housing. (*Leading Actions, para. A.18*)

World Summit 2005 (New York, 2005)

We reaffirm the need to adopt policies and undertake measures to reduce the cost of transferring migrant remittances to developing countries and welcome efforts by Governments and stakeholders in this regard. (*World Summit Outcome, para. 63*)

Global Commission on International Migration Recommendation 9

Measures to encourage the transfer and investment of remittances must be combined with macro-economic policies in countries of origin that are conducive to economic growth and competitiveness.

International Conference on Population and Development (Cairo, 1994)

Governments of countries of origin wishing to foster the inflow of remittances and their productive use for development should adopt sound exchange rate, monetary and economic policies, facilitate the provision of banking facilities that enable the safe and timely transfer of migrants' funds, and promote the conditions necessary to increase domestic savings and channel them into productive investment. (*Programme of Action, para. 10.4*)

Global Commission on International Migration Recommendation 10

Diasporas should be encouraged to promote development by saving and investing in their countries of origin and participating in transnational knowledge networks.

International Conference on Population and Development (Cairo, 1994)

[...] more effective use can be made of the potential contribution that expatriate nationals can make to the economic development of their countries of origin. (*Programme of Action, para. 10.1*)

Global Commission on International Migration Recommendation 11

States and international organizations should formulate policies and programmes that maximize the developmental impact of return and circular migration.

International Conference on Population and Development (Cairo, 1994)

[...] Governments of countries of origin are urged to facilitate the return of migrants and their reintegration into their home communities, and to devise ways of using their skills. Governments **of countries of origin should consider collaborating with countries of destination and engaging the support** of appropriate international organizations in promoting the return on a voluntary basis of qualified migrants who can play a crucial role in the transfer of knowledge, skills and technology. Countries of destination are encouraged to facilitate return migration by adopting flexible policies, such as the transferability of pensions and other work benefits. (*Programme of Action, para. 10.5*)

Global Commission on International Migration
Recommendation 12

States and other stakeholders should engage in an objective debate about the negative consequences of irregular migration and its prevention.

Global Commission on International Migration
Recommendation 13

Border control policies should form part of a long-term approach to the issue of irregular migration that addresses the socio-economic, governance and human rights deficits that prompt people to leave their own country. This approach must be based on interstate dialogue and cooperation.

World Summit for Social Development (Copenhagen, 1995)

[...] (c) Governments of countries of origin, transit countries and countries of destination are urged to cooperate in reducing the causes of undocumented migration, safeguarding the basic human rights of undocumented migrants and preventing their exploitation; [...] (Programme of Action, para. 63)

[...] (a) Governments are urged to cooperate in reducing the causes of undocumented migration, safeguarding the basic human rights of undocumented migrants, preventing their exploitation and offering them appropriate means of appeal according to national legislation, and punishing criminals who organize trafficking in human beings; [...] (Programme of Action, para. 78)

[...] (b) Countries of destination, countries of transit and countries of origin should cooperate, as appropriate, to manage immigration flows and prevent undocumented migration [...] (Programme of Action, para. 78)

[...] (c) Governments are urged to cooperate to reduce the effects of undocumented migration on receiving countries, bearing in mind the special circumstances and needs of such countries, in particular developing countries; [...] (Programme of Action, para. 78)

International Conference on Population and Development (Cairo, 1994)

Governments of countries of origin and countries of destination are urged to cooperate in reducing the causes of undocumented migration, safeguarding the basic human rights of undocumented migrants including the right to seek and to enjoy in other countries asylum from persecution, and preventing their exploitation. Governments should identify the causes of undocumented migration and its economic, social and demographic impact as well as its implications for the formulation of social, economic and international migration policies. (*Programme of Action, para. 10.17*)

Global Commission on International Migration

Recommendation 14

States should address the conditions that promote irregular migration by providing additional opportunities for regular migration and by taking action against employers who engage migrants with irregular status.

Global Commission on International Migration

Recommendation 15

States should resolve the situation of migrants with irregular status by means of return or regularization.

International Conference on Population and Development (Cairo, 1994)

Governments of countries of origin of undocumented migrants and persons whose asylum claims have been rejected have the responsibility to accept the return and reintegration of those persons, and should not penalize such persons on their return. In addition, Governments of countries of origin and countries of destination should try to find satisfactory solutions to the problems caused by undocumented migration through bilateral or multilateral negotiations on, inter alia, readmission agreements that protect the basic human rights of the persons involved in accordance with relevant international instruments. (*Programme of Action, para. 10.20*).

International Conference on Population (Mexico City, 1984)

All measures adopted or implemented by countries of departure and of arrival to reduce the illegal entry, stay or employment of undocumented migrants (including amnesties, other regularization schemes, border controls and deportations) should respect their basic human rights. (*Recommendations for Action, Recommendation 52*)

Global Commission on International Migration Recommendation 16

States must strengthen their efforts to combat the distinct criminal phenomena of migrant smuggling and human trafficking. In both cases, perpetrators must be prosecuted, the demand for exploitative services eradicated and appropriate protection and assistance provided to victims.

World Conference against Racism (Durban, 2001)

Urges States to devise, enforce and strengthen effective measures at the national, regional and international levels to prevent, combat and eliminate all forms of trafficking in women and children, in particular girls, through comprehensive anti-trafficking strategies which include legislative measures, prevention campaigns and information exchange. It also urges States to allocate resources, as appropriate, to provide comprehensive programmes designed to provide assistance to, protection for, healing, reintegration into society and rehabilitation of victims. States shall provide or strengthen training for law enforcement, immigration and other relevant officials who deal with victims of trafficking in this regard; (*Programme of Action, para. 64*)

Urges States to enact and implement, as appropriate, laws against trafficking in persons, especially women and children, and smuggling of migrants, taking into account practices that endanger human lives or lead to various kinds of servitude and exploitation, such as debt bondage, slavery, sexual exploitation or labour exploitation; also encourages States to create, if they do not already exist, mechanisms to combat such practices and to allocate adequate resources to ensure law enforcement and the protection of the rights of victims, and to reinforce bilateral, regional and international cooperation, including with non-governmental organizations that assist victims, to combat this trafficking in persons and smuggling of migrants; (*Programme of Action, para. 69*)

Urges States to provide or strengthen training for law enforcement, immigration and other relevant officials in the prevention of trafficking in persons. The training should focus on methods used in preventing such trafficking, prosecuting the traffickers and protecting the rights of victims, including protecting the victims from the traffickers. The training should also take into account the need to consider human rights and child- and gender-sensitive issues and it should encourage cooperation with non-governmental organizations, other relevant organizations and other elements of civil society; (*Programme of Action, para. 139*)

Further Actions and Initiatives for Social Development (Geneva, 2000)

Promote measures, at the national and international levels, to prevent trafficking and illegal transport of migrants and trafficking in persons, particularly women and children, for the purposes of prostitution, economic exploitation and any other form of exploitation, such as domestic servitude and bonded labour. Develop clear penalties for trafficking in persons and trafficking and illegal transport of migrants, backed by effective administrative procedures and laws, ensuring the punishment of those who have been convicted of such crimes. (*Further actions and initiatives, para. 69*)

Global Commission on International Migration

Recommendation 16 *(continued)*

States must strengthen their efforts to combat the distinct criminal phenomena of migrant smuggling and human trafficking. In both cases, perpetrators must be prosecuted, the demand for exploitative services eradicated and appropriate protection and assistance provided to victims.

Further Actions and Initiatives to Implement the Beijing Declaration and Platform for Action (New York, 2000)

[...] (c) As appropriate, pursue and support national, regional and international strategies to reduce the risk to women and girls, including those who are refugees and displaced persons, as well as women migrant workers, of becoming victims of trafficking; strengthen national legislation by further defining the crime of trafficking in all its elements and by reinforcing the punishment accordingly; enact social and economic policies and programmes, as well as informational and awareness-raising initiatives, to prevent and combat trafficking in persons, especially women and children; prosecute perpetrators of trafficking; provide measures to support, assist and protect trafficked persons in their countries of origin and destination; and facilitate their return to and support their reintegration into their countries of origin. [...] (*Further actions and initiatives, para. 97*)

Review of the International Conference on Population and Development (New York, 1999)

Governments in both countries of origin and countries of destination, including through international cooperation, are urged: [...] (b) To prevent trafficking in migrants, in particular women and children subjected to forced labour or sexual or commercial exploitation; to develop clear penalties for such trafficking and migrant smuggling, backed by effective administrative procedures and laws, ensuring punishment of those who commit such crimes; and to finalize as soon as possible trafficking and smuggling protocols which are currently being negotiated by the United Nations Commission on Crime Prevention and Criminal Justice; [...] (*Key actions, para. 24*)

World Summit for Social Development (Copenhagen, 1995)

[...] (b) Coordinating policies, actions and legal instruments and/or measures to combat terrorism, all forms of extremist violence, illicit arms trafficking, organized crime and illicit drug problems, money laundering and related crimes, trafficking in women, adolescents, children, migrants, and human organs, and other activities contrary to human rights and human dignity; [...] (*Programme of Action, para. 17*)

[...] (d) Governments of both receiving countries and countries of origin should adopt effective sanctions against those who organize undocumented migration, exploit undocumented migrants or engage in trafficking in undocumented migrants; [...] (*Programme of Action, para. 63*)

Global Commission on International Migration

Recommendation 16 *(continued)*

States must strengthen their efforts to combat the distinct criminal phenomena of migrant smuggling and human trafficking. In both cases, perpetrators must be prosecuted, the demand for exploitative services eradicated and appropriate protection and assistance provided to victims.

International Conference on Population and Development (Cairo, 1994)

[...] Countries should prohibit degrading practices, such as trafficking in women, adolescents and children and exploitation through prostitution, and pay special attention to protecting the rights and safety of those who suffer from these crimes and those in potentially exploitable situations, such as migrant women, women in domestic service and schoolgirls.[...] (*Programme of Action, para. 4.9*)

Governments are urged to take the necessary measures to prevent infanticide, prenatal sex selection, trafficking in girl children and use of girls in prostitution and pornography. (*Programme of Action, para. 4.23*)

Governments of both receiving countries and countries of origin should adopt effective sanctions against those who organize undocumented migration, exploit undocumented migrants or engage in trafficking in undocumented migrants, especially those who engage in any form of international traffic in women, youth and children. Governments of countries of origin, where the activities of agents or other intermediaries in the migration process are legal, should regulate such activities in order to prevent abuses, especially exploitation, prostitution and coercive adoption. (*Programme of Action, para. 10.18*)

International Conference on Population (Mexico City, 1984)

In formulating laws and regulations to limit undocumented migration, Governments of receiving countries are invited to consider the guidelines set forth in the ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975 (No. 143), part I. To be effective, such laws and regulations should address the treatment not only of the undocumented migrants themselves but also of those persons inducing or facilitating undocumented migration. (*Recommendations for Action, Recommendation 53*)

World Population Conference (Bucharest, 1974)

[...] Laws to limit illegal immigration should relate not only to the illegal migrants themselves but also to those inducing or facilitating their illegal action and should be promulgated in conformity with international law and basic human rights. Governments should bear in mind humanitarian considerations in the treatment of aliens who remain in a country illegally. (*Plan of Action, para. 56*)

Global Commission on International Migration Recommendation 17

In their efforts to stem irregular migration, States must respect their existing obligations under international law towards the human rights of migrants, the institution of asylum and the principles of refugee protection.

World Conference against Racism (Durban, 2001)

Requests States to promote and protect fully and effectively the human rights and fundamental freedoms of all migrants, in conformity with the Universal Declaration of Human Rights and their obligations under international human rights instruments, regardless of the migrants' immigration status; (*Programme of Action, para. 26*)

Urges states: [...] (d) To ensure that migrants, regardless of their immigration status, detained by public authorities are treated with humanity and in a fair manner, and receive effective legal protection and, where appropriate, the assistance of a competent interpreter in accordance with the relevant norms of international law and human rights standards, particularly during interrogation; [...] (*Programme of Action, para. 30*)

Urges States to seek full respect for, and compliance with, the Vienna Convention on Consular Relations of 1963, especially as it relates to the right of foreign nationals, regardless of their legal and immigration status, to communicate with a consular officer of their own State in the case of arrest or detention; (*Programme of Action, para. 80*)

International Conference on Population and Development (Cairo, 1994)

The objectives are: [...] (b) To reduce substantially the number of undocumented migrants, while ensuring that those in need of international protection receive it; to prevent the exploitation of undocumented migrants and to ensure that their basic human rights are protected; [...] (*Programme of Action, para. 10.16*)

International Conference on Population (Mexico City, 1984)

International migration policies should respect the basic human rights and fundamental freedoms of individuals as set out in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other pertinent international instruments. In keeping with these documents, receiving countries should adopt measures to safeguard the basic human rights of all migrants in their territory and to ensure the respect of their cultural identity. Measures should also be taken to promote the mutual adaptation of both immigrant groups and the population of the receiving country. (*Recommendations for Action, Recommendation 45*)

All measures adopted or implemented by countries of departure and of arrival to reduce the illegal entry, stay or employment of undocumented migrants (including amnesties, other regularization schemes, border controls and deportations) should respect their basic human rights. (*Recommendations for Action, Recommendation 52*)

Global Commission on International Migration Recommendation 18

While recognizing the right of States to determine their own policies in relation to the situation of migrants in society, all migrants must be able to exercise their fundamental human rights and benefit from minimum labour standards.

World Conference against Racism (Durban, 2001)

Urges States: [...] (b) To review and revise, where necessary, their immigration laws, policies and practices so that they are free of racial discrimination and compatible with States' obligations under international human rights instruments; [...] (*Programme of Action, para. 30*)

Urges States: [...] (g) To take all possible measures to promote the full enjoyment by all migrants of all human rights, including those related to fair wages and equal remuneration for work of equal value without distinction of any kind, and to the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond their control, social security, including social insurance, access to education, health care, social services and respect for their cultural identity; (*Programme of Action, para. 30*)

We reaffirm the sovereign right of each State to formulate and apply its own legal framework and policies for migration, and further affirm that these policies should be consistent with applicable human rights instruments, norms and standards, and designed to ensure that they are free of racism, racial discrimination, xenophobia and related intolerance; (*General issues, para. 47*)

We reaffirm the necessity of eliminating racial discrimination against migrants, including migrant workers, in relation to issues such as employment, social services, including education and health, as well as access to justice, and that their treatment must be in accordance with international human rights instruments, free from racism, racial discrimination, xenophobia and related intolerance; (*General issues, para. 51*)

Further Actions and Initiatives for Social Development (Geneva, 2000)

Intensify efforts to ensure the protection of the human rights and dignity of migrants irrespective of their legal status, the social and economic integration of documented migrants, the provision of effective protection for migrants, particularly by implementing the relevant provisions of the Vienna Convention on Consular Relations, the provision of basic social services, the facilitation of family reunification of documented migrants and their equal treatment under the law. (*Further actions and initiatives, para. 68*)

Review of the International Conference on Population and Development (New York, 1999)

Governments in both countries of origin and countries of destination, including through international cooperation, are urged: (a) To intensify efforts to protect the human rights and dignity of migrants irrespective of their legal status; [...] (*Key actions, para. 24*)

Global Commission on International Migration

Recommendation 18 *(continued)*

While recognizing the right of States to determine their own policies in relation to the situation of migrants in society, all migrants must be able to exercise their fundamental human rights and benefit from minimum labour standards.

World Summit for Social Development (Copenhagen, 1995)

To this end, at the international level, we will: [...] (e) Formulate or strengthen measures to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in sectors of many societies, and to promote greater harmony and tolerance in all societies; [...] (*Declaration, Commitment 4*)

International Conference on Population and Development (Cairo, 1994)

Governments of countries of destination should respect the basic human rights of documented migrants as those Governments assert their right to regulate access to their territory and adopt policies that respond to and shape immigration flows. [...] (*Programme of Action, para. 10.13*)

International Conference on Population (Mexico City, 1984)

International migration policies should respect the basic human rights and fundamental freedoms of individuals as set out in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other pertinent international instruments. In keeping with these documents, receiving countries should adopt measures to safeguard the basic human rights of all migrants in their territory and to ensure the respect of their cultural identity. Measures should also be taken to promote the mutual adaptation of both immigrant groups and the population of the receiving country. (*Recommendations for Action, Recommendation 45*)

World Population Conference (Bucharest, 1974)

Specifically, in the treatment of migrant workers, Governments should work to prevent discrimination in the labour market and in society through lower salaries or other unequal conditions, to preserve their human rights, to combat prejudice against them and to eliminate obstacles to the reunion of their families. [...] (*Plan of Action, para. 56*)

Global Commission on International Migration Recommendation 19

Authorized and long-term migrants should be fully integrated in society. The integration process should value social diversity, foster social cohesion and avert the marginalization of migrant communities.

World Conference against Racism (Durban, 2001)

Urges States to recognize the same economic opportunities and responsibilities to documented long-term migrants as to other members of society; (*Programme of Action, para. 32*)

World Summit for Social Development (Copenhagen, 1995)

[...] (b) Governments of receiving countries are urged to consider giving to documented migrants having the right to long-term residence, civil and political rights and responsibilities, as appropriate, and facilitating their naturalization. [...] (*Programme of Action, para. 77*)

Fourth World Conference on Women (Beijing, 1995)

[...] (l) ensure [...] that the qualifications and skills of immigrant and refugee women are recognized; [...] (*Platform for Action, para. 58*)

[...] (b) Establish linguistically and culturally accessible services for migrant women and girls, including women migrant workers, who are victims of gender-based violence; [...] (*Platform for Action, para. 125*)

International Conference on Population and Development (Cairo, 1994)

Countries receiving documented migrants should provide proper treatment and adequate social welfare services for them and their families, and should ensure their physical safety and security, bearing in mind the special circumstances and needs of countries, in particular developing countries, attempting to meet these objectives or requirements with regard to undocumented migrants, in conformity with the provisions of relevant conventions and international instruments and documents.[...] (*Programme of Action, Principle 12*)

Governments of receiving countries are urged to consider extending to documented migrants who meet appropriate length-of-stay requirements and to members of their families whose stay in the receiving country is regular treatment equal to that accorded their own nationals with regard to the enjoyment of basic human rights, including the equality of opportunity and treatment in respect of religious practice, working conditions, social security, participation in trade unions, access to health, education, cultural and other social services and to the judicial system and equal treatment before the law. Governments of receiving countries are further urged to take appropriate steps to avoid all forms of discrimination against migrants, including eliminating discriminatory practices concerning their nationality and the nationality of their children, and to protect their rights and safety. [...] (*Programme of Action, para. 10.11*)

In order to promote the integration of documented migrants having the right to long-term residence, Governments of receiving countries are urged to consider giving them civil and political rights and responsibilities, as appropriate, and facilitating their naturalization. [...] (*Programme of Action, para. 10.12*)

Global Commission on International Migration

Recommendation 19 *(continued)*

Authorized and long-term migrants should be fully integrated in society. The integration process should value social diversity, foster social cohesion and avert the marginalization of migrant communities.

Review of the International Conference on Population and Development (New York, 1999)

Governments in both countries of origin and countries of destination, including through international cooperation, are urged: (a) [...] To ensure the social and economic integration of documented migrants, especially of those who have acquired the right to long term residence in the country of destination, and their equal treatment before the law. [...] (*Key actions, para. 24*)

World Conference on Human Rights (Vienna, 1994)

The World Conference on Human Rights considers that the creation of conditions to foster greater harmony and tolerance between migrant workers and the rest of the society of the State in which they reside is of particular importance. (*Declaration, para. 34*)

International Conference on Population (Mexico City, 1984)

Governments of receiving countries should work towards extending to documented migrant workers and accompanying members of their families whose situation as regards stay and employment in the receiving country is regular, treatment equal to that accorded their own nationals with regard to the enjoyment of basic rights, including the equality of opportunity and treatment in respect of working conditions, social security, participation in trade unions and access to health, education and other social services. In achieving this aim, Governments are invited to use as guidelines all relevant international instruments, in particular, the ILO Convention concerning Migration for Employment (Revised) 1949 (No. 97) and the ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975 (No. 143), Part II. (*Recommendations for Action, Recommendation 48*)

World Population Conference, (Bucharest, 1974)

Where immigration has proved to be of a long-term nature, countries are invited to explore the possibilities of extending national civil rights to immigrants. (*Plan of Action, para. 60*)

Global Commission on International Migration Recommendation 20

Local and national authorities, employers and members of civil society should work in active partnership with migrants and their associations to promote the integration process. Migrants should be properly informed of their rights and obligations and encouraged to become active citizens in the country to which they have moved.

World Conference against Racism (Durban, 2001)

Invites international and national non-governmental organizations to include monitoring and protection of the human rights of migrants in their programmes and activities and to sensitize Governments and increase public awareness in all States about the need to prevent racist acts and manifestations of discrimination, xenophobia and related intolerance against migrants; (*Programme of Action, para. 25*)

Urges States: [...] (a) To develop and implement policies and action plans, and to reinforce and implement preventive measures, in order to foster greater harmony and tolerance between migrants and host societies, with the aim of eliminating manifestations of racism, racial discrimination, xenophobia and related intolerance, including acts of violence, perpetrated in many societies by individuals or groups; [...] (*Programme of Action, para. 30*)

Urges States: [...] (c) To implement specific measures involving the host community and migrants in order to encourage respect for cultural diversity, to promote the fair treatment of migrants and to develop programmes, where appropriate, that facilitate their integration into social, cultural, political and economic life; [...] (*Programme of Action, para. 30*)

We highlight the importance of creating conditions conducive to greater harmony, tolerance and respect between migrants and the rest of society in the countries in which they find themselves, in order to eliminate manifestations of racism and xenophobia against migrants. [...] (*General issues, para. 49*)

International Conference on Population and Development (Cairo, 1994)

In order to promote the integration of documented migrants having the right to long-term residence, Governments of receiving countries are urged to consider giving them civil and political rights and responsibilities, as appropriate, and facilitating their naturalization. [...] (*Programme of Action, para. 10.12*)

International Conference on Population (Mexico City, 1984)

Countries of origin and receiving countries should undertake information and education activities to increase the awareness of migrants regarding their legal position and rights and to provide realistic assessments of the situation of migrants, including the availability of job opportunities. Receiving countries should recognize the right of migrants to form associations so that they may participate more effectively in the receiving society while maintaining their cultural identity. (*Recommendations for Action, Recommendation 50*)

Global Commission on International Migration Recommendation 21

Particular attention should be given to the empowerment and protection of migrant women, as well as ensuring that they are actively involved in the formulation and implementation of integration policies and programmes. The rights, welfare and educational needs of migrant children should also be fully respected.

World Conference against Racism (Durban, 2001)

Urges States, in the light of the increased proportion of women migrants, to place special focus on gender issues, including gender discrimination, particularly when the multiple barriers faced by migrant women intersect; detailed research should be undertaken not only in respect of human rights violations perpetrated against women migrants, but also on the contribution they make to the economies of their countries of origin and their host countries, and the findings should be included in reports to treaty bodies; (*Programme of Action, para. 31*)

Urges States to incorporate a gender perspective in all programmes of action against racism, racial discrimination, xenophobia and related intolerance and to consider the burden of such discrimination which falls particularly on indigenous women, African women, Asian women, women of African descent, women of Asian descent, women migrants and women from other disadvantaged groups, ensuring their access to the resources of production on an equal footing with men, as a means of promoting their participation in the economic and productive development of their communities; (*Programme of Action, para. 50*)

Further Actions and Initiatives to Implement the Beijing Declaration and Platform for Action (New York, 2000)

[...] (b) Develop with the full participation of all countries an international consensus on indicators and ways to measure violence against women, and consider establishing a readily accessible database on statistics, legislation, training models, good practices, lessons learned and other resources with regard to all forms of violence against women, including women migrant workers; [...] (*Further actions and initiatives, para. 92*)

[...] (b) Promote and protect the human rights of all migrant women and implement policies to address the specific needs of documented migrant women and, where necessary, tackle the existing inequalities between men and women migrants to ensure gender equality; [...] (*Further actions and initiatives, para. 98*)

World Summit for Social Development (Copenhagen, 1995)

[...] (h) Expanding basic education by developing special measures to provide schooling for children and youth [...] of nomadic, pastoral, migrant or indigenous parents; [...] (*Programme of Action, para. 74*)

[...] (b) [...] Special efforts should be made to enhance the integration of the children of long-term migrants by providing them with educational and training opportunities equal to those of nationals, allowing them to exercise an economic activity and facilitating the naturalization of those who have been raised in the receiving country. [...] (*Programme of Action, para. 77*)

Global Commission on International Migration

Recommendation 21 *(continued)*

Particular attention should be given to the empowerment and protection of migrant women, as well as ensuring that they are actively involved in the formulation and implementation of integration policies and programmes. The rights, welfare and educational needs of migrant children should also be fully respected.

Fourth World Conference on Women (Beijing, 1995)

[...] (k) Ensure the full realization of the human rights of all women migrants, including women migrant workers, and their protection against violence and exploitation; introduce measures for the empowerment of documented women migrants, including women migrant workers; facilitate the productive employment of documented migrant women through greater recognition of their skills, foreign education and credentials, and facilitate their full integration into the labour force; [...] (*Platform for Action, para. 58*)

[...] (a) Mobilize all parties involved in the development process, including academic institutions, non-governmental organizations and grass-roots and women's groups, to improve the effectiveness of anti-poverty programmes directed towards the poorest and most disadvantaged groups of women, such as rural and indigenous women, female heads of household, young women and older women, refugees and migrant women and women with disabilities, recognizing that social development is primarily the responsibility of Governments; [...] (*Platform for Action, para. 60*)

[...] (a) Reduce the female illiteracy rate to at least half its 1990 level, with emphasis on rural women, migrant, refugee and internally displaced women and women with disabilities; [...] (*Platform for Action, para. 81*)

[...] (k) Ensure access to quality education and training at all appropriate levels for adult women with little or no education, for women with disabilities and for documented migrant, refugee and displaced women to improve their work opportunities. [...] (*Platform for Action, para. 82*)

World Summit for Children (New York, 1990)

[...] (6) We will work for programmes that reduce illiteracy and provide educational opportunities for all children, irrespective of their background and gender; that prepare children for productive employment and lifelong learning opportunities, i.e. through vocational training; and that enable children to grow to adulthood within a supportive and nurturing cultural and social context. [...] (*The Commitment, para. 20*)

International Conference on Population and Development (Cairo, 1994)

[...] Women and children who migrate as family members should be protected from abuse or denial of their human rights by their sponsors, and Governments are asked to consider extending their stay should the family relationship dissolve, within the limits of national legislation. (*Programme of Action, para. 10.11*)

[...] Special efforts should be made to enhance the integration of the children of long-term migrants by providing them with educational and training opportunities equal to those of nationals, allowing them to exercise an economic activity, and facilitating the naturalization of those who have been raised in the receiving country. Consistent with Article 10 of the Convention on the Rights of the Child and all other relevant universally recognized human rights instruments, all Governments, particularly those of receiving countries, must recognize the vital importance of family reunification and promote its integration into their national legislation in order to ensure the protection of the unity of the families of documented migrants. [...] (*Programme of Action, para. 10.12*)

[...] The reduction of fertility, morbidity and mortality rates, the empowerment of women, the improvement in the quality of the working population and the promotion of genuine democracy are largely assisted by progress in education. The integration of migrants is also facilitated by universal access to education, which respects the religious and cultural backgrounds of migrants. (*Programme of Action, para. 11.2*)

Global Commission on International Migration Recommendation 22

While temporary migrants and migrants with irregular status are not usually granted the right to integrate in the society where they are living, their rights should be fully respected and they should be protected against exploitation and abuse.

World Conference against Racism (Durban, 2001)

Urges States: [...] (g) To take all possible measures to promote the full enjoyment by all migrants of all human rights, including those related to fair wages and equal remuneration for work of equal value without distinction of any kind, and to the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond their control, social security, including social insurance, access to education, health care, social services and respect for their cultural identity; [...] (*Programme of Action, para. 30*)

Further Actions and Initiatives for Social Development (Geneva, 2000)

Intensify efforts to ensure the protection of the human rights and dignity of migrants irrespective of their legal status, the social and economic integration of documented migrants, the provision of effective protection for migrants, particularly by implementing the relevant provisions of the Vienna Convention on Consular Relations, the provision of basic social services, the facilitation of family reunification of documented migrants and their equal treatment under the law. (*Further actions and initiatives, para. 68*)

World Summit for Social Development (Copenhagen, 1995)

[...] (c) Governments of countries of origin, transit countries and countries of destination are urged to cooperate in reducing the causes of undocumented migration, safeguarding the basic human rights of undocumented migrants and preventing their exploitation; [...] (*Programme of Action, para. 63*)

[...] (d) Governments are urged to promote effective measures to protect all undocumented migrants and members of their families against racism, ethnocentrism and xenophobia. [...] (*Programme of Action, para. 78*)

Review of the International Conference on Population and Development (New York, 1999)

Governments in both countries of origin and countries of destination, including through international cooperation, are urged: (a) [...] To ensure the social and economic integration of documented migrants, especially of those who have acquired the right to long term residence in the country of destination, and their equal treatment before the law. [...] (*Key actions, para. 24*)

Global Commission on International Migration

Recommendation 22 *(continued)*

While temporary migrants and migrants with irregular status are not usually granted the right to integrate in the society where they are living, their rights should be fully respected and they should be protected against exploitation and abuse.

International Conference on Population and Development (Cairo, 1994)

Governments of receiving countries are urged to consider extending to documented migrants who meet appropriate length-of-stay requirements and to members of their families whose stay in the receiving country is regular treatment equal to that accorded their own nationals with regard to the enjoyment of basic human rights, including the equality of opportunity and treatment in respect of religious practice, working conditions, social security, participation in trade unions, access to health, education, cultural and other social services and to the judicial system and equal treatment before the law. Governments of receiving countries are further urged to take appropriate steps to avoid all forms of discrimination against migrants, including eliminating discriminatory practices concerning their nationality and the nationality of their children, and to protect their rights and safety. [...] (*Programme of Action, para. 10.11*)

Governments of countries of origin and countries of destination are urged to cooperate in reducing the causes of undocumented migration, safeguarding the basic human rights of undocumented migrants including the right to seek and to enjoy in other countries asylum from persecution, and preventing their exploitation. Governments should identify the causes of undocumented migration and its economic, social and demographic impact as well as its implications for the formulation of social, economic and international migration policies. (*Programme of Action, para. 10.17*)

Global Commission on International Migration

Recommendation 23

Those individuals and organizations that have an influence on public opinion must address the issue of international migration in an objective and responsible manner.

World Conference against Racism (Durban, 2001)

Invites international and national non-governmental organizations to include monitoring and protection of the human rights of migrants in their programmes and activities and to sensitize Governments and increase public awareness in all States about the need to prevent racist acts and manifestations of discrimination, xenophobia and related intolerance against migrants; (*Programme of Action, para. 25*)

Encourages States to promote education on the human rights of migrants and to engage in information campaigns to ensure that the public receives accurate information regarding migrants and migration issues, including the positive contribution of migrants to the host society and the vulnerability of migrants, particularly those who are in an irregular situation; (*Programme of Action, para. 27*)

We note with regret that certain media, by promoting false images and negative stereotypes of vulnerable individuals or groups of individuals, particularly of migrants and refugees, have contributed to the spread of xenophobic and racist sentiments among the public and in some cases have encouraged violence by racist individuals and groups; (*General issues, para. 89*)

Urges States and encourages the private sector to promote the development by the media, including the print and electronic media, including the Internet and advertising, taking into account their independence, through their relevant associations and organizations at the national, regional and international levels, of a voluntary ethical code of conduct and self-regulatory measures, and of policies and practices aimed at: [...] (e) Avoiding stereotyping in all its forms, and particularly the promotion of false images of migrants, including migrant workers, and refugees, in order to prevent the spread of xenophobic sentiments among the public and to encourage the objective and balanced portrayal of people, events and history; [...] (*Programme of Action, para. 144*)

Encourages States, in cooperation with non-governmental organizations, to undertake campaigns aimed at clarifying opportunities, limitations and rights in the event of migration, so as to enable everyone, in particular women, to make informed decisions and to prevent them from becoming victims of trafficking; (*Programme of Action, para. 175*)

International Conference on Population and Development (Cairo, 1994)

[...] Governments of receiving countries must ensure the protection of migrants and their families, giving priority to programmes and strategies that combat religious intolerance, racism, ethnocentrism, xenophobia and gender discrimination and that generate the necessary public sensitivity in that regard. (*Programme of Action, para. 10.12*)

[...] In addition, more and better information about the causes and benefits of migration can create a more positive environment for societies to address and respond to migration challenges. (*Programme of Action, para. 11.11*)

Global Commission on International Migration

Recommendation 23 *(continued)*

Those individuals and organizations that have an influence on public opinion must address the issue of international migration in an objective and responsible manner.

Review of the International Conference on Population and Development (New York, 1999)

Governments in both countries of origin and countries of destination, including through international cooperation, are urged: [...] (d) To conduct public information campaigns on migration in both countries of origin and countries of destination so that racist and xenophobic attitudes in countries of destination are combated and so that potential migrants fully understand the implications of the decisions to move; [...] (*Key actions, para. 24*)

International Conference on Population (Mexico City, 1984)

Governments of countries of origin and of receiving countries should encourage and promote the widest dissemination, inter alia, through the mass media, of information aimed at promoting public understanding of and preventing any activity prejudicial to the contribution of documented migrant workers to economic development and cultural interchange. (*Recommendations for Action, Recommendation 51*)

Global Commission on International Migration

Recommendation 24

States must protect the rights of migrants by strengthening the normative human rights framework affecting international migrants and by ensuring that its provisions are applied in a non-discriminatory manner.

World Conference against Racism (Durban, 2001)

Requests all States to combat manifestations of a generalized rejection of migrants and actively to discourage all racist demonstrations and acts that generate xenophobic behaviour and negative sentiments towards, or rejection of, migrants; (Programme of Action, para. 24)

Urges States: [...] (b) To review and revise, where necessary, their immigration laws, policies and practices so that they are free of racial discrimination and compatible with States' obligations under international human rights instruments; [...] (Programme of Action, para. 30)

Urges States: [...] (e) To ensure that the police and immigration authorities treat migrants in a dignified and non-discriminatory manner, in accordance with international standards, through, inter alia, organizing specialized training courses for administrators, police officers, immigration officials and other interested groups; [...] (Programme of Action, para. 30)

We reaffirm the sovereign right of each State to formulate and apply its own legal framework and policies for migration, and further affirm that these policies should be consistent with applicable human rights instruments, norms and standards, and designed to ensure that they are free of racism, racial discrimination, xenophobia and related intolerance; (General issues, para. 47)

We [...] reaffirm the responsibility of States to protect the human rights of migrants under their jurisdiction and [...] to safeguard and protect migrants against illegal or violent acts, in particular acts of racial discrimination and crimes perpetrated with racist or xenophobic motivation by individuals or groups; and stress the need for their fair, just and equitable treatment in society and in the workplace; (General issues, para. 48)

Urges States to design or reinforce, promote and implement effective legislative and administrative policies, as well as other preventive measures, against the serious situation experienced by certain groups of workers, including migrant workers, who are victims of racism, racial discrimination, xenophobia and related intolerance. Special attention should be given to protecting people engaged in domestic work and trafficked persons from discrimination and violence, as well as to combating prejudice against them; (Programme of Action, para. 67)

Urges all States to prohibit discriminatory treatment based on race, colour, descent or national or ethnic origin against foreigners and migrant workers, inter alia, where appropriate, concerning the granting of work visas and work permits, housing, health care and access to justice; (Programme of Action, para. 81)

Urges States to develop and strengthen anti-racist and gender-sensitive human rights training for public officials, including personnel in the administration of justice, particularly in law enforcement, correctional and security services, as well as among health-care, schools and migration authorities; (Programme of Action, para. 133)

Urges States to strengthen the human rights training and awareness-raising activities designed for immigration officials, border police and staff of detention centres and prisons, local authorities and other civil servants in charge of enforcing laws, as well as teachers, with particular attention to the human rights of migrants, refugees and asylum-seekers, in order to prevent acts of racial discrimination and xenophobia and to avoid situations where prejudices lead to decisions based on racism, racial discrimination, xenophobia or related intolerance; (Programme of Action, para. 138)

Global Commission on International Migration

Recommendation 24 *(continued)*

States must protect the rights of migrants by strengthening the normative human rights framework affecting international migrants and by ensuring that its provisions are applied in a non-discriminatory manner.

World Summit for Social Development (Copenhagen, 1995)

[...] (b) In accordance with national legislation, Governments of receiving countries are urged to consider extending to documented migrants who meet appropriate length-of-stay requirements and to members of their families whose stay in the receiving country is regular, treatment equal to that accorded their own nationals with regard to the enjoyment of basic human rights, including equality of opportunity and treatment in respect of religious practices, working conditions, social security, participation in trade unions and access to health, education, cultural and other social services, as well as equal access to the judicial system and equal treatment before the law; [...] (*Programme of Action, para. 63*)

[...] (a) Governments should ensure that documented migrants receive fair and equal treatment, including full respect of their human rights, protection of the laws of the host society, appropriate access to economic opportunities and social services; protection against racism, ethnocentrism and xenophobia; and protection from violence and exploitation. [...] (*Programme of Action, para. 77*)

World Conference on Human Rights (Vienna, 1994)

Great importance must be given to the promotion and protection of the human rights of persons belonging to groups which have been rendered vulnerable, including migrant workers, the elimination of all forms of discrimination against them, and the strengthening and more effective implementation of existing human rights instruments. States have an obligation to create and maintain adequate measures at the national level, in particular in the fields of education, health and social support, for the promotion and protection of the rights of persons in vulnerable sectors of their populations and to ensure the participation of those among them who are interested in finding a solution to their own problems. (*Declaration, para. 24*)

The World Conference on Human Rights urges all States to guarantee the protection of the human rights of all migrant workers and their families. (*Declaration, para. 33*)

International Conference on Population (Mexico City, 1984)

International migration policies should respect the basic human rights and fundamental freedoms of individuals as set out in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other pertinent international instruments. In keeping with these documents, receiving countries should adopt measures to safeguard the basic human rights of all migrants in their territory and to ensure the respect of their cultural identity. Measures should also be taken to promote the mutual adaptation of both immigrant groups and the population of the receiving country. (*Recommendations for Action, Recommendation 45*)

United Nations Millennium Declaration (New York, 2000)

We resolve therefore: [...] To take measures to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in many societies [...] (*United Nations Millennium Declaration, para. V.25*)

Global Commission on International Migration
Recommendation 25

All States must ensure that the principle of state responsibility to protect those on their territory is put into practice, so as to reduce the pressures that induce people to migrate, protect migrants who are in transit and safeguard the human rights of those in destination countries.

International Conference on Population and Development (Cairo, 1994)

Governments of countries of origin and of countries of destination should seek to make the option of remaining in one's country viable for all people. To that end, efforts to achieve sustainable economic and social development, ensuring a better economic balance between developed and developing countries and countries with economies in transition should be strengthened. It is also necessary to increase efforts to defuse international and internal conflicts before they escalate; to ensure that the rights of persons belonging to ethnic, religious or linguistic minorities, and indigenous people are respected; to respect the rule of law, promote good governance, strengthen democracy and promote human rights. Furthermore, greater support should be provided for the attainment of national and household food security, for education, nutrition, health and population-relevant programmes, and to ensure effective environmental protection. Such efforts may require national and international financial assistance, reassessment of commercial and tariff relations, increased access to world markets and stepped up efforts on the part of developing countries and countries with economies in transition to create a domestic framework for sustainable economic growth with an emphasis on job creation. [...] (*Programme of Action, para. 10.3*)

Global Commission on International Migration Recommendation 26

Governments and employers must ensure that all migrants are able to benefit from decent work as defined by the ILO and are protected from exploitation and abuse. Special efforts must be made to safeguard the situation of migrant women domestic workers and migrant children.

World Conference against Racism (Durban, 2001)

Urges States to take concrete measures that would eliminate racism, racial discrimination, xenophobia and related intolerance in the workplace against all workers, including migrants, and ensure the full equality of all before the law, including labour law, and further urges States to eliminate barriers, where appropriate, to participating in vocational training, collective bargaining, employment, contracts and trade union activity; accessing judicial and administrative tribunals dealing with grievances; seeking employment in different parts of their country of residence; and working in safe and healthy conditions; (*Programme of Action, para. 29*)

Urges States: [...] (h) To consider adopting and implementing immigration policies and programmes that would enable immigrants, in particular women and children who are victims of spousal or domestic violence, to free themselves from abusive relationships; [...] (*Programme of Action, para. 30*)

Urges States to design or reinforce, promote and implement effective legislative and administrative policies, as well as other preventive measures, against the serious situation experienced by certain groups of workers, including migrant workers, who are victims of racism, racial discrimination, xenophobia and related intolerance. Special attention should be given to protecting people engaged in domestic work and trafficked persons from discrimination and violence, as well as to combating prejudice against them; (*Programme of Action, para. 67*)

Urges States to give special attention, when devising and implementing legislation and policies designed to enhance the protection of workers' rights, to the serious situation of lack of protection, and in some cases exploitation, as in the case of trafficked persons and smuggled migrants, which makes them more vulnerable to ill-treatment such as confinement in the case of domestic workers and also being employed in dangerous and poorly paid jobs; (*Programme of Action, para. 105*)

Further Actions and Initiatives for Social Development (Geneva, 2000)

[...] (b) Strongly considering the ratification and full implementation of other International Labour Organization conventions concerning the employment rights of minors, women, youth, persons with disabilities, migrants and indigenous people; [...] (*Further actions and initiatives, para. 38*)

Ensure that migrant workers benefit from the protection provided by relevant national and international instruments, take concrete and effective measures against the exploitation of migrant workers, and encourage all countries to consider the ratification and full implementation of the relevant international instruments on migrant workers, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. (*Further actions and initiatives, para. 47*)

Global Commission on International Migration

Recommendation 26 *(continued)*

Governments and employers must ensure that all migrants are able to benefit from decent work as defined by the ILO and are protected from exploitation and abuse. Special efforts must be made to safeguard the situation of migrant women domestic workers and migrant children.

World Summit for Social Development (Copenhagen, 1995)

[...] To this end, at the international level, we will: [...] (j) Ensure that migrant workers benefit from the protections provided by relevant national and international instruments, take concrete and effective measures against the exploitation of migrant workers, and encourage all countries to consider the ratification and full implementation of the relevant international instruments on migrant workers; [...] (*Declaration, Commitment 3*)

Fourth World Conference on Women (Beijing, 1995)

[...] (k) Ensure the full realization of the human rights of all women migrants, including women migrant workers, and their protection against violence and exploitation; introduce measures for the empowerment of documented women migrants, including women migrant workers; facilitate the productive employment of documented migrant women through greater recognition of their skills, foreign education and credentials, and facilitate their full integration into the labour force; [...] (*Platform for Action, para. 58*)

International Conference on Population and Development (Cairo, 1994)

[...] Women and children who migrate as family members should be protected from abuse or denial of their human rights by their sponsors, and Governments are asked to consider extending their stay should the family relationship dissolve, within the limits of national legislation. (*Programme of Action, para. 10.11*)

World Population Conference (Bucharest, 1974)

Countries receiving migrant workers should provide proper treatment and adequate social welfare services for them and their families, and should ensure their physical safety and security, in conformity with the provisions of the relevant conventions and recommendations of the International Labour Organisation and other international instruments. (*Plan of Action, para. 55*)

Global Commission on International Migration Recommendation 27

The human rights component of the UN system should be used more effectively as a means of strengthening the legal and normative framework of international migration and ensuring the protection of migrant rights.

World Conference against Racism (Durban, 2001)

Requests the Office of the High Commissioner for Human Rights to pay special attention to violations of the human rights of victims of racism, racial discrimination, xenophobia and related intolerance, in particular migrants, including migrant workers, to promote international cooperation in combating xenophobia and, to this end, to develop programmes which can be implemented in countries on the basis of appropriate cooperation agreements; (*Programme of Action, para. 196*)

World Summit for Social Development (Copenhagen, 1995)

[...] (a) Governments are invited to consider ratifying existing instruments pertaining to migrant workers, particularly the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; [...] (*Programme of Action, para. 63*)

International Conference on Population and Development (Cairo, 1994)

[...] States that have not already done so are invited to consider ratifying the Convention on the Rights of All Migrant Workers and Members of Their Families. (*Programme of Action, para. 10.6*)

International Conference on Population (Mexico City, 1984)

International migration policies should respect the basic human rights and fundamental freedoms of individuals as set out in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other pertinent international instruments. In keeping with these documents, receiving countries should adopt measures to safeguard the basic human rights of all migrants in their territory and to ensure the respect of their cultural identity. Measures should also be taken to promote the mutual adaptation of both immigrant groups and the population of the receiving country. (*Recommendations for Action, Recommendation 45*)

Global Commission on International Migration
Recommendation 28

All States should establish coherent national migration policies that are based on agreed objectives, take account of related policy issues and are consistent with international treaty law, including human rights law. Governance at the national level should be effectively coordinated among all concerned ministries and should also involve consultation with non-state actors.

World Conference against Racism (Durban, 2001)

We call upon all States to review and, where necessary, revise any immigration policies which are inconsistent with international human rights instruments, with a view to eliminating all discriminatory policies and practices against migrants, including Asians and people of Asian descent; (*General issues, para. 38*)

International Conference on Population (Mexico City, 1984)

International migration policies should respect the basic human rights and fundamental freedoms of individuals as set out in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other pertinent international instruments. In keeping with these documents, receiving countries should adopt measures to safeguard the basic human rights of all migrants in their territory and to ensure the respect of their cultural identity. Measures should also be taken to promote the mutual adaptation of both immigrant groups and the population of the receiving country. (*Recommendations for Action, Recommendation 45*)

Global Commission on International Migration
Recommendation 29

The international community should support the efforts of States to formulate and implement national migration policies through the contribution of resources, appropriate expertise and training.

International Conference on Population and Development (Cairo, 1994)

Governments of countries affected by international migration are invited to cooperate, with a view to integrating the issue into their political and economic agendas and engaging in technical cooperation to aid developing countries and countries with economies in transition in addressing the impact of international migration. Governments are urged to exchange information regarding their international migration policies and the regulations governing the admission and stay of migrants in their territories.[...] (*Programme of Action, para. 10.6*)

In cooperation with international and non-governmental organizations and research institutions, Governments should support the gathering of data on flows and stocks of international migrants and on factors causing migration, as well as the monitoring of international migration. The identification of strategies to ensure that migration contributes to development and international relations should also be supported. The role of international organizations with mandates in the area of migration should be strengthened so that they can deliver adequate technical support to developing countries, advise in the management of international migration flows and promote intergovernmental cooperation through, inter alia, bilateral and multilateral negotiations, as appropriate. (*Programme of Action, para. 10.8*)

Review of the International Conference on Population and Development (New York, 1999)

The international community should extend assistance and support to programmes in developing countries that host the majority of refugees and displaced persons. Assistance should also be extended to programmes in countries lacking the capacity to manage large flows of migrants and displaced persons. (*Key actions, para. 25*)

Global Commission on International Migration

Recommendation 30

Bilateral agreements are a valuable means of addressing migration issues that affect two States. They must always respect the normative framework affecting international migrants and thereby safeguard migrant rights.

World Conference against Racism (Durban, 2001)

Encourages States to participate in regional dialogues on problems of migration and invites them to consider negotiating bilateral and regional agreements on migrant workers and designing and implementing programmes with States of other regions to protect the rights of migrants; (*Programme of Action, para. 182*)

Encourages States to conclude bilateral, subregional, regional and international agreements to address the problem of trafficking in women and children, in particular girls, as well as the smuggling of migrants; (*Programme of Action, para. 186*)

International Conference on Population (Mexico City, 1984)

Governments should formulate national and international measures to avoid the brain-drain from developing countries and to obviate its adverse effects. While pursuing these purposes in a manner consistent with respect for human rights, Governments are invited to conduct, inter alia, consultations or negotiations, on either a bilateral or a multilateral basis, with the support, upon request, of competent international organizations. (*Recommendations for Action, Recommendation 46*)

World Population Conference, (Bucharest 1974)

Governments which consider international migration to be important to their countries, either in the short or the long run, are urged to conduct, when appropriate, bilateral or multilateral consultations, taking into account the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the relevant resolutions of the United Nations system and other international instruments, with a view to harmonizing those of their policies which affect these movements. It is recommended that international organizations make available upon request co-ordinated technical and financial assistance to facilitate the settlement of people in countries of immigration. (*Plan of Action, para. 52*).

Countries affected by significant numbers of migrant workers are urged, if they have not yet done so, to conclude bilateral or multilateral agreements which would regulate migration, protect and assist migrant workers, and protect the interests of the countries concerned. [...] (*Plan of Action, para. 62*)

Global Commission on International Migration Recommendation 31

Additional efforts are required to ensure that regional consultative processes on migration have worldwide coverage, engage civil society and the private sector, and are not focused solely on migration control. Greater interaction between the different processes is essential given the global nature of migration.

World Conference against Racism (Durban, 2001)

Urges States, in consultation with civil society, to support or otherwise establish, as appropriate, regional, comprehensive dialogues on the causes and consequences of migration that focus not only on law enforcement and border control, but also on the promotion and protection of the human rights of migrants and on the relationship between migration and development; (*Programme of Action, para. 183*)

Review of the International Conference on Population and Development (New York, 1999)

Governments in both countries of origin and countries of destination, including through international cooperation, are urged: [...] (c) To support and ensure effective follow up of bilateral and multilateral initiatives, including regional and subregional consultation processes, where appropriate, to develop national policies and cooperative strategies to maximize the benefits and manage the challenges posed by international migration; [...] (*Key actions, para. 24*)

International Conference on Population and Development (Cairo, 1994)

[...] The role of international organizations with mandates in the area of migration should be strengthened so that they can deliver adequate technical support to developing countries, advise in the management of international migration flows and promote intergovernmental cooperation through, inter alia, bilateral and multilateral negotiations, as appropriate. (*Programme of Action, para. 10.8*)

Global Commission on International Migration**Recommendation 32**

The new willingness of a range of States, institutions and non-governmental stakeholders to take global initiatives on international migration is welcome. The UN General Assembly High-Level Dialogue provides an opportunity for greater interaction and coherence between these initiatives, and to ensure that their momentum is maintained. The ongoing UN reform process provides a window of opportunity to realize this momentum through a revision of current institutional arrangements.

Global Commission on International Migration**Recommendation 33**

The Commission proposes to the UN Secretary-General the immediate establishment of a high-level inter-institutional group to define the functions and modalities of, and pave the way for, an Inter-agency Global Migration Facility. This Facility should ensure a more coherent and effective institutional response to the opportunities and challenges presented by international migration.

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