



# IOM'S INTERNATIONAL MIGRATION LAW UNIT

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental body, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration, advance understanding of migration issues, encourage social and economic development through migration, and work towards effective respect of the human dignity and well-being of migrants.

## THE CREATION OF THE INTERNATIONAL MIGRATION LAW UNIT IN BRIEF

The International Migration Law Unit was established within IOM to strengthen and promote the Organization's involvement in International Migration Law (IML).

A key objective of the Unit is to encourage dissemination and understanding both within IOM and amongst IOM counterparts of the international legal standards that govern migration and provide protection of the rights of individuals involved in migration. The Unit thereby promotes migration governance within the rule of law.



International Organization for Migration (IOM)

## IML FOCUS

Although there is no comprehensive legal instrument at the international level that establishes a framework for the governance of migration, a set of legal rules constrain, regulate, and channel state authority over migration. Such rules – which have been created through state-to-state relations, negotiations and practice – are enshrined in and multilateral and bilateral treaties, non-binding instruments, or have become part of customary international law. These rules constitute the framework for cooperative migration governance and reflect primarily the interests of states, their nationals and interstate relations. Recognition of the rights of migrants and the need for the promotion and protection of these rights in the exercise of state sovereignty has been present in IOM's constituent documents since the Organization's foundation. The IOM Constitution, certain Council decisions and policy documents provide the basis for IOM's involvement in promoting IML as part of its comprehensive migration management frameworks.

The International Migration Law Unit provides:

- **Training and Capacity Building in International Migration Law**  
Training and capacity building activities will help governments and other stakeholders in migration strengthen their capacity to govern migration more effectively and ensure consistency with international and regional law.
- **Migration Law Database**  
The database on migration law draws together relevant norms and instruments regulating migration at the international and regional levels.
- **Research & Publications on Migration Law**  
Various research activities and the compilation of migration law at the international, regional and national level contribute to increasing the understanding and awareness of IML among government policymakers, practitioners, academics, non-governmental organizations and other stakeholders in migration.

Furthermore, the Unit is the focal point for international law issues pertaining to the Organization. It represents IOM in relation to the International Steering Committee for Promotion of the Ratification of the UN Migrant Workers Convention and in the GMG Working Group (WG) on migration, human rights and gender. It cooperates with the UN Treaty Monitoring Bodies, in particular the Committee on Migrant Workers, the Special Procedures of the UN Human Rights Council and regional

human rights bodies and gives statements to the Human Rights Council. It advises on IML issues, both externally and internally. The Unit was also a member of the Expert Groups that developed the International Framework for Action to Implement the Trafficking in Person Protocol, the International Framework for Action to Implement the Migrant Smuggling Protocol and the Drafting Committee for the Frontex Fundamental Rights Strategy.

## IML FUNDING

IML's daily activities are funded out of IOM's core budget.

Additional projects such as legal research, development of new trainings and other IML-related projects have to be funded through voluntary and ad hoc donor contributions. These contributions can either be made directly to fund components of the IML field projects or components of the IML Unit in Geneva.

## TRAINING AND CAPACITY BUILDING

The Unit is providing training and capacity building for government officials, international organizations, civil societies and IOM staff on international migration law.

Two yearly Training Courses are conducted in:

- **Sanremo** in collaboration with the International Institute of Humanitarian Law (IIHL); and
- **Geneva** a four-day Geneva IML Course is designed for government officials, to familiarize them with the latest developments in the relevant international legal framework governing migration, including the rights and responsibilities of States and migrants.

Other trainings are delivered at the regional and country level upon request.

## Legislation Review

The Unit assists governments to develop and implement migration legislation and procedures consistent with applicable international and regional standards. The objective is to strengthen the capacity of governments to govern migration more effectively and consistent with the rule of law. In this context, the Unit offers advice and information to governments considering the ratification of relevant international or regional treaties and provides legal consultancy and



Participants at the 7th IML Course in Sanremo, 2011.

revision of national migration legislation for individual governments at their request. It offers advice on Migration Law also to other actors.

### Conferences and Workshops

The Unit conducts meetings and workshops on migration law at both the national and regional levels to facilitate and promote interdepartmental and inter-State awareness, dialogue and cooperation in the promotion of comprehensive migration management frameworks. Since its establishment in 2004, the International Migration Law Unit has also organized different seminars, conferences and round table discussions in different countries worldwide. The Unit conducts courses and events in the three main IOM official languages – English, French and Spanish – in different regions around the world. The Unit also delivers trainings in other languages, depending on resource availability.

### MIGRATION LAW DATABASE

The Unit maintains an online database of migration related instruments that draws together relevant norms regulating migration at the international and levels. The following sources of information are being included: relevant international, regional and bilateral treaties; international and regional resolutions, declarations and other instruments; national legislation. [www.imldb.iom.int](http://www.imldb.iom.int).

### RESEARCH & PUBLICATIONS

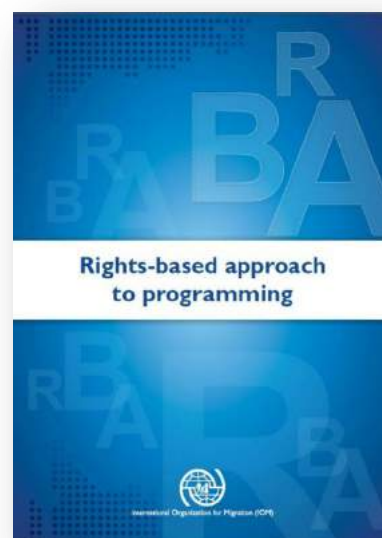
The International Migration Law Unit conducts research on migration law and current migration issues to analyse and evaluate the various facets and interplay of international, regional and national migration law. The Unit seeks for better governance of migration through research activities that improve awareness and knowledge of migration law. The Unit therefore is responsible for an International Migration Law

Series (Green Series), other legal publications, as well as information notes.

### LIST OF IML PUBLICATIONS

#### A Rights-Based Approach to Programming (2016)

This handbook has been developed to assist all IOM staff on how to take a rights-based approach (RBA) to programming. The handbook goes through each relevant stage of the project cycle and emphasizes that a RBA is focused just as much on the process of programming as it is on the results of the project. Furthermore, the Annexes include examples, tools and sources at the end of the handbook that may be of assistance and provide practical guidance for a variety of projects.



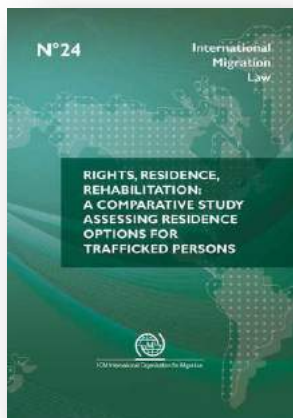
## Glossary on Migration (2016)

In its 3rd edition, the IOM 'Glossary on Migration' is as an accessible and comprehensive collection of migration-related terminology. Designed for all persons dealing with migration issues at the international level, the glossary aims at creating a common understanding of migration terms.

The governance of migration is multi-layered occurring at the national, regional and international levels, and in a world in which so many migration challenges and realities transcend national and regional borders, a common understanding of migration in order to effectively respond to such challenges is fundamental. At the foundation of any common understanding on migration is the use of a common 'language'. This glossary provides a wide-set of terms pertaining to conceptual, legal, theoretical or practical matters of migration. It is addressed at policy makers, practitioners, scholars, students as well as to anyone who is interested in migration issues. A 3rd edition of the glossary will be published in the summer of 2016; it will be made available in English, Spanish, French, and additional languages in due course.

## Rights, Residence, Rehabilitation: A Comparative Study Assessing Residence Options for Trafficked Persons (2010)

The last decade has witnessed an increase in legal and policy debate on the rights of trafficked persons, but should such rights extend to the right to residence in the host country?



## Migration and the Right to Health (2007 and 2009)

The objective of these two publications is primarily to promote respect by the State for the right to health for all those who migrate. Secondly, the publications aim more generally at guiding the reader through the myriad of norms and principles contained in instruments impacting at the European or international level on migrating persons' right to health.



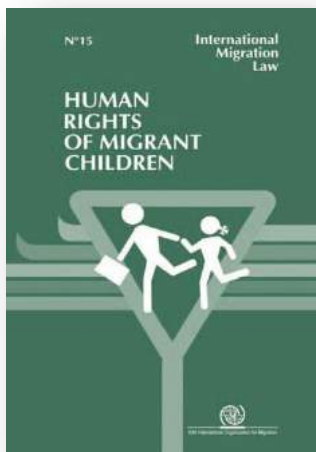
## Laws for Legal Immigration in the 27 EU Member States (2009)

IOM was commissioned by the European Parliament to conduct a comparative study of the laws in the 27 EU Member States concerning legal immigration. Also available in French.



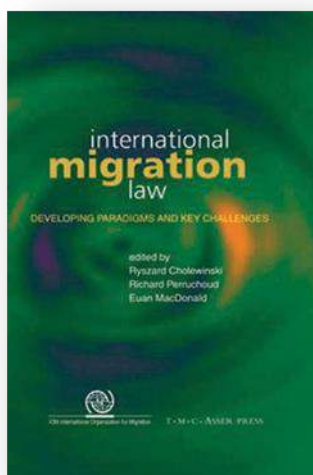
## Human Rights of Migrant Children (2008)

This report gives an overview of the international legal framework containing norm relevant to the protection of child migrants. Particular focus is on the International Convention on the Rights of the Child (CRC), since this widely ratified instrument constitutes the most all-encompassing basis for the protection of children, including children who are outside their State of origin



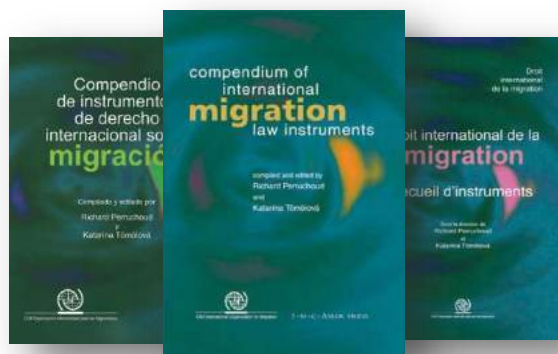
## International Migration Law: Developing Paradigms and Key Challenges (2007)

This publication examines developments of certain migration-related issues first addressed in the 2003 volume, as well as covering a range of new themes. Experts drawn from legal practice, academia and international organizations discuss topics of contemporary relevance, including human rights, State sovereignty and responsibility, trade and labour migration, forced migration and free movement regimes.



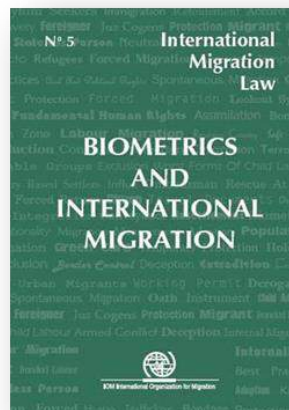
## Compendium of International Migration Law Instruments (2007-2008)

This volume in English is a companion to International Migration Law: Developing Paradigms and Key Challenges bringing together a comprehensive compilation of universal instruments relevant to international migration. The compilation includes instruments with varying degrees of legal force - such as international treaties, customary international law, and “soft law” - covering the rights of migrants, labour standards, diplomatic and consular protection, and the movement of service providers under GATS. The core documents regulating nationality and statelessness, trafficking and smuggling, State security, detention, and forced migration are presented, in addition to relevant legal instruments from international humanitarian law and international maritime law. Also available in French and Spanish.



## Biometrics and International Migration (2005)

Biometrics and International Migration focuses on the impact of the rapid expansion in the use of biometric systems in migration management on the rights of individuals; it seeks to highlight legal issues for consideration in implementing such systems, taking as the starting point that the security interests of the state and the rights of the individual are not, and should not be, mutually exclusive.



## Migraciones y protección de los derechos humanos (2005)

En el marco de sus actividades de capacitación y fortalecimiento institucional relativas al Derecho Internacional sobre Migración, la OIM organizó en febrero y marzo de 2004 unos cursos de capacitación y formación de instructores en Managua y en Bogotá. Dichos cursos se centraron en la promoción y en el respeto de los derechos humanos de todas las personas concernidas por la migración, y sirvieron para pasar revista a los distintos regímenes jurídicos y mecanismos de protección que rigen, actualmente, la circulación de las personas. Available only in Spanish

## Migrations et protection des droits de l'homme (2005)

Cet ouvrage contient les contributions présentées par divers juristes lors du Colloque " Migrations et protection des droits de l'homme ", organisé par l'OIM à Dakar, Sénégal, en octobre 2004. Il montre le spectre de tous les droits des personnes impliquées dans la migration, quelle que soit la cause du mouvement ou la qualification donnée à ces personnes au cours de leur pérégrination, du pays d'origine au pays de transit vers le pays de destination. Available only in French



International Organization for Migration (IOM)

### INFORMATION

If you are interested in organizing an IML event in your country, please contact us:

**International Migration Law Unit**  
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