



International Organization for Migration (IOM)
Organisation internationale pour les migrations (OIM)
Organización Internacional para las Migraciones (OIM)

IOM's International Migration Law



The creation of IML in Brief

The International Migration Law Unit, formally a part of the International Migration Law and Legal Affairs Department, has been 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 of IML matters both within IOM and amongst IOM counterparts, thereby promoting IML as a vital component of comprehensive migration management frameworks.

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 non-binding instruments and multilateral and bilateral treaties, 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 human 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 and certain Council decisions provide the basis for IOM's involvement in promoting IML as part of its comprehensive migration management frameworks.

The International Migration Law Unit is focusing on:

- **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.
- **Research 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.
- **Migration Law Database**
The database on migration law draws together relevant norms and instruments regulating migration at the international, regional and national levels.

IML Funding

IML's daily activities are funded out of IOM's core budget. Additional projects such as research, development of new trainings and other IML-related projects has 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.

IML Training and Capacity Building

The Unit is providing training and capacity building for government officials, civil society, international governmental and non-governmental organizations 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
- New York in cooperation with United Nations Institute for training and Research (UNITAR). Background, learning objectives, content and structure, methodology of and other information on this Course are available at <http://www.unitar.org/event/migration-and-development-series-course-international-migration-law>.

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

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 consultancy and revision of national migration legislation for individual governments at their request.

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 has also conducted trainings in other languages, depending on resource availability.

- Technical workshops on the development of migration legislation for government officials and legal experts.
- Analysis of specific needs and possible gaps in national migration law. Recommendations for improvement and development of those laws.
- Awareness-raising activities concerning migrants' rights.
- Training for lawyers specialized in legal assistance to migrants.
- Conferences, seminars and other activities facilitating the exchange of information, best practices and experiences among governments and other stakeholders on migration law.

IML Research



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. Future legal research will focus on:

1. The international protection of migrant women; 2. The international protection of migrants with disabilities; 3. Migration in crisis situations; 4. Environmentally induced migration and the protection of migrants' rights; 5. Migrants and right to liberty: non-custodial measures as an alternative to detention; 6. Border management and human rights; 7. Access to justice for migrants; 8. Political rights for migrants; 9. Protection of family unity and right to reunification; 10. Economic and social rights.

- Maintain a database of migration related instruments that draws together relevant norms regulating migration at the international, regional and national 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.
- Conduct, coordinate and facilitate research activities on IML in cooperation with relevant service areas in fields such as:
 - the international protection of migrant women
 - the international protection of migrants with disabilities
 - migration in crisis situations
 - environmentally-induced migration and the protection of migrants' rights
 - migrants and the right to liberty: non-custodial measures as an alternative to immigration detention
 - border management and human rights
 - access to justice for migrants
 - political rights for migrants
 - protection of family unity and right to reunification

- economic and social rights
- Develop handbooks on IML for government officials, NGOs and law students.
- Issue regular information notes on developments in international, regional and national migration law.

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. It cooperates with the UN Treaty Monitoring Bodies, the Special Procedures of the UN Human Rights Council and regional human rights bodies. It advises on IML issues, both externally and internally. It participates, inter alia, in the Inter-Agency Standing Committee Working Group on Climate Change and Migration and in the Inter-Agency Working Group on Rescue at Sea. It was a member of the Expert Group Meeting to review draft material that will be included in the forthcoming International Framework for Action to Implement the Migrant Smuggling Protocol. The Unit was also a member of the Expert Group that developed the International Framework for Action to Implement the Trafficking in Person Protocol and the Drafting Committee for the Frontex Fundamental Rights Strategy.



IML Information

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

Contact: iml@iom.int • International Migration Law Unit •
<http://www.iom.int/jahia/Jahia/international-migration-law/lang/en>
International Organization for Migration (IOM) • 17 route des Morillons • CH-1211 Geneva

IML Publications



The Organization also produces an International Migration Law (“Green Series”) publication series which seeks to promote the understanding and awareness of the legal norms and principles relevant to migration. Information and documents relating to the IML are consistently stored on the IOM website:

<http://www.iom.int/jahia/Jahia/international-migration-law/lang/en>.

More information on the International Migration Law Series can be found at:

<http://www.iom.int/jahia/Jahia/international-migration-law/research-migration-law> and IML publications can be obtained via the IOM Bookstore at <http://publications.iom.int/bookstore>.

IML Publications since 2004

Year	Overarching theme	Description
2011	International Migration Law N°27 - Glossary on Migration (Vietnamese)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.
2011	International Migration Law N°26 - Glossary on Migration (Korean)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.
2011	International Migration Law N°25 - Glossary on Migration	Since its publication in 2004, the IOM Glossary on Migration continues to meet its objectives in being a valuable tool for practitioners, government migration officials, students and others and has been effectively utilized in regional and international fora discussing migration issues.
2010	International Migration Law N°24 – Rights, Residence, Rehabilitation: A Comparative Study Assessing Residence Options for Trafficked Persons	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?
2010	International Migration Law N°23 - Glossary on Migration (Macedonian)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.
2010	Direito Internacional da Migração N° 22 - Glossário sobre Migração	Tem vindo a ser reconhecido que a migração é um problema que necessita de uma abordagem global e respostas coordenadas. Os Estados não debatem as questões migratorias apenas no plano bilateral, mas tambem no plano regional e, mais recentemente, no palco global.
2009	International Migration Law N°20 - Glossary on Migration (Greek)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.
2009	International Migration Law N°19 - Migration and the Right to Health: A Review of International Law	The objective of this publication is primarily to promote respect by the State for the right to health for all those who migrate. Secondly, the publication aims more generally at guiding the reader through the myriad of norms and principles contained in international instruments impacting on migrating persons’ right to health.

2009	International Migration Law N°18 - Glossary on Migration (Turkish)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.
2009	Droit International de la migration N° 17 - Législations relatives à l'immigration légale dans les 27 Etats membres de l'UE	Le Département du Droit international de la migration et des Affaires juridiques a été chargé par le Parlement européen de conduire une étude comparative de la législation des 27 Etats membres de l'Union européenne en matière d'immigration légale.
2009	International Migration Law N°16 - Laws for Legal Immigration in the 27 EU Member States	The International Migration Law and Legal Affairs Department has been commissioned by the European Parliament to conduct a comparative study of the laws in the 27 EU Member States concerning legal immigration.
2008	International Migration Law N°15 - Human Rights of Migrant Children	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.
2008	Droit international de la migration N°14 - Recueil d'instruments	Si vous étiez persuadé que les Etats avaient toute discrétion pour traiter des questions de migration et que les migrants n'étaient pas protégés par le droit international, vous devez lire ce livre !
2008	International Migration Law N°13 - Glossary on Migration (Chinese)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.
2007	International Migration Law: Developing Paradigms and Key Challenges	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.
2007	Compendium of International Migration Law Instruments	This volume 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.
2007	International Migration Law N°12 - Migration and the Right to Health: A Review of European Community Law and Council of Europe Instruments	This study aims at providing a legal perspective on migration health in Europe through a review of European Community Law and Council of Europe instruments.
2007	International Migration Law N°11- Glossary on Migration (Bosnian)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.

2007	International Migration Law N°10 - Glossary on Migration (Albanian)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.
2007	Droit international de la migration N°9 – Glossaire de la migration	De plus en plus, la migration apparaît comme une problématique exigeant une approche globale et des réponses coordonnées. Les Etats ne se contentent plus de traiter des questions migratoires dans le cadre de relations bilatérales mais en débattent désormais au plan régional et, plus récemment, mondial.
2006	International Migration Law N°8 - Glossary on Migration (Slovenian)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.
2006	Derecho Internacional sobre Migración N°7 - Glosario sobre Migración	La migración se está convirtiendo en una cuestión que exige una perspectiva global y respuestas coordinadas. Los Estados no sólo debaten las cuestiones migratorias a nivel bilateral, sino también a nivel regional y, recientemente, en esferas de carácter mundial.
2005	International Migration Law N°6 - Glossary on Migration (Arabic)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.
2005	International Migration Law N°5 - Biometrics and International Migration	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.
2005	Derecho Internacional sobre Migración N°4 - Migraciones y protección de los derechos humanos	En el marco de sus actividades de capacitación y fortalecimiento institucional relativas al Derecho Internacional sobre Migración, la OIM organizó.
2004	International Migration Law N°2 - Glossary on Migration (Russian)	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.
2004	International Migration Law N°1 - Glossary on Migration	Migration is increasingly being acknowledged as an issue that needs a global approach and coordinated responses. States are not only discussing migration issues at the bilateral level, but also regionally and lately in global arenas.