EIGHTY-FOURTH SESSION
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DRAFT REPORT ON THE

EIGHTY-FOURTH SESSION OF THE COUNCIL

Geneva

2-4 December 2002

Rapporteur: Mr. Tomita (Japan)

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DRAFT REPORT ON THE EIGHTY-FOURTH SESSION OF THE COUNCIL

INTRODUCTION

1.   Pursuant to Resolution No. 1060 (LXXXII) of 29 November 2001, the Council convened for its Eighty-fourth Session on Tuesday, 2 December 2002, at the Palais des Nations, Geneva. H.E. Mr. Kariyawasam (Sri Lanka), Chairman elected at the Eighty-second Session, opened the session. Six meetings were held and the session ended on Wednesday, 4 December 2002.[1]

ATTENDANCE [2]

2.   The following Member States were represented:

Albania			
Algeria	Democratic Republic		
Angola	of the Congo	Latvia	
Argentina	Dominican Republic	Lithuania	Sri Lanka
Armenia	Ecuador	Luxembourg	Sudan
Australia	Egypt	Madagascar	Sweden
Austria	El Salvador	Mali	Switzerland
Azerbaijan	Finland	Morocco	Thailand
Bangladesh	France	Mexico	Tunisia
Belgium	Germany	Netherlands	Uganda
Benin	Greece	Nicaragua	Ukraine
Bolivia	Guatemala	Nigeria[3]	United Kingdom
Bulgaria	Guinea	Norway	of Great Britain
Cambodia[3]	Haiti	Pakistan	and Northern
Canada	Honduras	Panama	Ireland
Cape Verde	Hungary	Paraguay	United Republic
Chile	Iran (Islamic	Peru	of Tanzania
Colombia	Republic of)	Philippines	United States
Congo	Ireland	Poland	of America
Costa Rica	Israel	Portugal	Uruguay
Côte d'Ivoire	Italy	Republic of Korea	Venezuela
Croatia	Japan	Romania	Yemen
Cyprus	Jordan	Rwanda[3]	Yugoslavia
Czech Republic	Kazakhstan[3]	Senegal	Zambia
Denmark	Kenya	Slovakia	Zimbabwe[3]
	Kyrgyzstan	Slovenia	
		South Africa	

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[1]   The discussions are reported in greater detail in the summary records of the meetings (MC/C/SR/441 to 446).

[2]   See List of Participants (MC/2096).

[3]   See paragraph 9.

3.   Belarus, Bhutan, Bosnia and Herzegovina, Burundi[4], China, Cuba, Estonia, Ethiopia, Ghana, Holy See, India, Indonesia, Jamaica, Libyan Arab Jamahiriya, Malta, Mauritania, Nepal, New Zealand, Russian Federation, San Marino, Spain, The former Yugoslav Republic of Macedonia, Turkey and Viet Nam were represented by observers, as well as the Sovereign Military and Hospitaler Order of Malta.

4.   The United Nations, the Office of the United Nations High Commissioner for Refugees, the Office for the Coordination of Humanitarian Affairs, the United Nations Conference on Trade and Development, the United Nations Development Programme, the United Nations High Commissioner for Human Rights, the United Nations Population Fund, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the United Nations Industrial Development Organization, the Council of Europe, the European Commission, the International Centre for Migration Policy Development, the African Union, the *Organisation internationale de la Francophonie* and the Southeast European Cooperative Initiative – Regional Center for Combating Transborder Crime were represented by observers.

5.   The International Committee of the Red Cross and the following international non-governmental organizations were represented by observers: International Confederation of Free Trade Unions, International Council of Voluntary Agencies, HIAS, International Catholic Migration Commission, International Islamic Relief Organization, International Rescue Committee, Fundación Paulino Torras Domenech, United Ukrainian American Relief Committee, World Council of Churches, Migrants Rights International, *Assistance Pédagogique Internationale*, Human Rights Watch[4] and Amnesty International[4].

CREDENTIALS OF REPRESENTATIVES AND OBSERVERS

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

ELECTION OF OFFICERS

7.   The Council elected the following officers:

Chairperson:	H.E. Mrs. A. C. Mohamed (Kenya)
First Vice-Chairperson:	H.E. Mr. J. Karklins (Latvia)
Second Vice-Chairperson:	H.E. Mr. G. Albin (Mexico)
Rapporteur:	Mr. K. Tomita (Japan)

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[4]   See paragraph 11.

ADOPTION OF THE AGENDA

8.   The Council adopted the agenda subsequently issued as document MC/2078/Rev.4.

NEW MEMBERS AND OBSERVERS

(a)   Applications for membership in the Organization

> (i)   <u>Federal Republic of Nigeria</u>
>
> (ii)   <u>Kingdom of Cambodia</u>
>
> (iii)   <u>Republic of Zimbabwe</u>
>
> (iv)   <u>Republic of Kazakhstan</u>
>
> (v)   <u>Rwandese Republic</u>

9.   At its 441st meeting the Council adopted Resolutions Nos. 1066, 1067, 1068, 1069 and 1070 (LXXXIV) admitting the Federal Republic of Nigeria, the Kingdom of Cambodia, the Republic of Zimbabwe, the Republic of Kazakhstan and the Rwandese Republic as Members of IOM.

10.   The representatives of the above new Member States made statements to the Council which are reported in detail in MC/C/SR/441. The representative of the Federal Republic of Nigeria, emphasizing IOM's leading role in promoting humane and orderly migration in the face of globalization and technological advancement, highlighted the need to find solutions for the migration situations arising from conflicts and poverty. The representative of the Kingdom of Cambodia welcomed the opportunity to consolidate his country's long-standing and rewarding collaboration with IOM, particularly with regard to the return of qualified nationals. The representative of the Republic of Zimbabwe expressed appreciation for the Return of Qualified African Nationals (RQAN) programme and the Migration for Development in Africa (MIDA) programme, particularly in relation to the problem of brain drain. The representative of the Republic of Kazakhstan stressed the importance of close inter-State collaboration, supported by assistance from international organizations, in solving migration-related problems. The representative of the Rwandese Republic, welcoming IOM's emergency assistance after the genocide of 1994, looked forward to further collaboration, particularly through the MIDA programme, to enhance her country's development.

(b)   Applications for representation by an observer

> (i)   <u>Republic of Burundi</u>
>
> (ii)   <u>Human Rights Watch</u>
>
> (iii)   <u>Amnesty International</u>

11.   At the Council's 441st meeting, the Republic of Burundi, Human Rights Watch and Amnesty International were granted observer status at meetings of the Council, in accordance with the terms of Resolutions Nos. 1071, 1072 and 1073 (LXXXIV).

12.   The new observers made statements to the Council which are reported in detail in MC/C/SR/441. The representative of the Republic of Burundi, welcoming the services already provided by IOM to her country under the MIDA project, expressed her Government's readiness to fulfil its obligations following the granting of observer status. The representative of Human Rights Watch expressed particular interest in IOM's policies and activities concerning internally displaced persons, emergency and post-conflict situations and trafficking in human beings. The representative of Amnesty International looked forward to enhanced collaboration with IOM, especially in the field of protection of the human rights of migrants.

13.   The Director General welcomed each of the new Members and observers and congratulated the Chairperson and officers on their election.

OPENING STATEMENTS BY THE DIRECTOR GENERAL AND THE DEPUTY DIRECTOR GENERAL

14.   The Director General made his opening statement (MICEM/7/2002, annexed to document MC/C/SR/441) at the Council's 441st meeting. His remarks focused on three topics: the scope and nature of migration management, IOM's approach to the future, and international institutional arrangements. Those topics were based on two fundamental propositions, namely: that migration was an essential, inevitable and potentially beneficial component of the economic and social life of every State and region; and that there was an emerging consensus that governments could and must manage migration through international cooperation and policy approaches which covered all its many facets.

15.   Regarding the scope and nature of migration management, a chart entitled "Managing Migration" had been sent to Member States on 25 October 2002 as a basis for the Council's discussions. The chart, which reflected the wide variety and scope of IOM's programmes and projects, identified four main areas in which migration management was required: migration and development, facilitated migration, migration control and forced migration, as well as a number of cross-cutting activities which were relevant to all those areas. The chart was intended to be thought-provoking, to show the complex and interconnected nature of migration management which touched on many areas of modern life and public policy, and to indicate, by its "four-box" presentation, that a "one-box" approach to migration was no longer feasible and that inter-ministerial cooperation within governments was required, in order to develop effective migration policies.

16.   IOM's approach to the future was based on the need to blend continuity and change – to preserve IOM's function as a flexible, responsive service organization, while at the same time devising new forms of assistance. IOM had demonstrated its strength in its tradition of activity-based funding, in the development of an inductive, grass-roots approach to migration management and in the transformation of successful projects into consolidated programmes. IOM should not seek to become a custodian of immutable migration doctrine, but should serve as a catalyst, helping governments to work together to find practical, humane and effective solutions to migration problems and encouraging international migration policy debate, in particular through the IOM Council. Much progress had been made in 2002 to consolidate the regional processes which were fundamental to IOM's approach. Regarding the rapid growth of IOM's membership,

concern had been expressed that political differences might begin to hamper the Organization's activities. On the contrary, it should be borne in mind that new members reflected the global reality of migration and strengthened IOM's ability to support regional arrangements and put forward effective solutions to complex migration challenges. Moreover, new structures such as the shift of certain administrative functions to Manila were being put in place to support the expanded membership without incurring major cost increases.

17.   The question of international institutional arrangements and IOM's relationship with the United Nations had been raised again as a result of the report by the Secretary General of the United Nations to the United Nations General Assembly entitled "Strengthening the United Nations: an agenda for further change" (A/57/387), in which migration had been identified as one of the issues acquiring greater attention by the United Nations. The United Nations was aware that there was a gap in coverage on an issue of topical importance. The Administration could regard the *status quo* as sustainable, as it allowed IOM to function within the framework of a well-developed set of links with the United Nations system, while retaining freedom of action and a light, flexible management structure, unhampered by bureaucratic entanglements. There were also disadvantages, however, which affected IOM's operational capacity: IOM had to work harder to gain acceptance, recognition or admission to processes, missions, and the legal status which came automatically to organizations within the United Nations family. As United Nations status came in many forms, such as that of a specialized agency or of a "related agency", careful consideration of Member States' views on the matter and of the opinion of the Secretary General of the United Nations concerning the possible options was required before proceeding further. In any case, IOM would continue to build closer strategic alliances with the various Specialized Agencies and programmes of the United Nations, including the Office of the United Nations High Commissioner for Refugees (UNHCR), the World Trade Organization (WTO), the International Labour Organization (ILO), the World Bank, the United Nations Development Programme (UNDP), the United Nations Conference on Trade and Development (UNCTAD), the World Health Organization (WHO) and the Joint United Nations Programme on HIV/AIDS (UNAIDS).

18.   All those topics required consistent follow-through, possibly with the help of an informal mechanism for continuing policy discussion on a more regular basis than once a year during the Council session. IOM was a dynamic, growing organization attuned to the needs of migrants and governments and able to help its partners adjust to the new realities of migration in a changing world.

19.   The Deputy Director General made her opening statement (MICEM/8/2002, annexed to document MC/C/SR/441) at the Council's 441st meeting. She strongly endorsed the Director General's views on the three issues of key importance to the future of IOM which he had highlighted. She drew attention to the paradox that, although migration was a matter of concern to many countries, only exceptionally did it form a specific agenda item at international discussions on globalization and its impacts. It was important to underscore the idea that well-managed migration could be beneficial to the international community and that migration was not solely a source of problems. Movement of human beings was a basic fact of the globalized world and the negative and positive aspects of migration should both be the subject of debate.

20.   While the developed countries were attracting qualified migrants to their territories in order to strengthen their economic situation, the resulting brain drain created development problems in the migrants' home countries. On the other hand, it had to be said that the countries affected by brain drain had not always taken the domestic measures required for genuine development. A number of recent major international conferences had highlighted aspects of migration which should be given greater emphasis: the need to facilitate and make better use of the substantial remittances transferred by migrants to their home countries, in order to increase national development; the need to take migration into account when analysing the economic performance and social development of different countries; the need to emphasize the linkage between migration and sustainable development through an endogenous approach involving the national community and the diaspora. It should be emphasized that migration issues were cross-cutting and universal, calling for a more coordinated, balanced and human approach by all those concerned.

21.   It was also important to find a comprehensive method of managing human capital flows which were having a considerable impact on development prospects, especially in the countries of Africa, Asia and Latin America. Measures must be taken to retain qualified professionals in their own countries or to create better links between the qualified professionals in the diaspora and their home countries, so as to achieve a better balance between the demand for human capital flows from Africa, Asia and Latin America towards the industrialized countries, on the one hand, and direct foreign investment in the developing countries on the other. IOM could play a key role in that area by disseminating information and promoting discussion between all entities concerned.

22.   The question of partnership should also be given emphasis. IOM already worked in close conjunction with partners in the field, not only within the United Nations system but also at other levels. It was essential to consolidate and extend regular coordination and information-sharing with relevant non-governmental organizations, as well as through regional dialogues and processes, and to encourage technical partnerships for capacity-building and development, with a view to achieving more global action plans. In many cases the satisfactory implementation of projects could only be ensured through appropriate adaptation by national political authorities and the relevant technical or administrative bodies. Sometimes lack of information exchange had led to misunderstandings, as for example when budgetary constraints arising from insufficient or tardy funding had made it necessary to contemplate measures as extreme as suspending activities or even closing a national office. Such steps were always damaging to future operations. As it was much easier to mobilize funding from the international community for emergency situations than for supporting long-term development processes, it was important to emphasize the migration and development facet of IOM's activities.

23.   IOM had embarked upon the strengthening of its advisory and expertise capabilities vis-à-vis Member States, especially through the continuation of the 1035 Facility in support of migration projects in developing countries and countries in transition. The 1035 Facility would be evaluated in 2003, especially with regard to the criteria and methods for selecting projects. Such processes were, however, greatly dependent upon Member States paying their assessed contributions in accordance with the IOM Constitution. Further efforts should therefore be made to find solutions best suited to the situation of countries which had fallen behind in their payments. Sound management of the Organization was not incompatible with a responsible examination of the possible options in that area, with a view to enabling IOM to fulfil its universal mission.

INTERNATIONAL MIGRATION POLICY DIALOGUE

24.   An international migration policy dialogue was organized during part of the 441st meeting, the 442nd and 443rd meetings and part of the 444th meeting (see MC/C/SR/441, MC/C/SR/442 and MC/C/SR/444).   The dialogue was divided into four main parts: (a) a presentation by the Administration on migratory trends and migration policy trends;   (b) plenary discussion on elements of a managed migration system, based on presentations by two guest panelists;   (c) three simultaneous workshops for policy-makers on the following specific management components: (i) integration;   (ii) comprehensive and solutions-oriented approaches to addressing irregular immigration;   (iii) diaspora support to migration and development;   (d) reports from the workshops, followed by discussion.

(a)   Presentation by the Administration on migratory trends and migration policy trends

25.   Introducing the first part of the international migration policy dialogue, the Administration made a multimedia presentation on migratory trends and migration policy (see MC/C/SR/441) on the basis of consultations with Member States in 2002, at which the concept of partnership had been identified as the unifying theme for the dialogue.   The presentation was also based on material assembled by a large number of IOM colleagues as well as external contributors during the preparation of the second edition of the *World Migration Report*.   Migration specialists widely held the view that the end of the 20th century coincided with considerable changes in migratory behaviour.   There was much debate as to whether the factors contributing to those changes were political, infrastructural, technological, social, economic or legal and administrative.   Focus on those factors, however, should not overshadow the fundamental reality that contemporary international migration had a dynamic of its own, with both positive and negative aspects.   The challenge for the international community was to manage it effectively, cooperatively and comprehensively.

26.   In the presentation three aspects were highlighted: global migration trends in statistical terms, regional trends and concerns, and specific policy patterns.   Statistics were provided reflecting global migration trends, showing *inter alia* the percentage of the world population represented by migrants and their wide distribution in all regions of the world.   An overview of regional concerns was then given.   In Africa, particular emphasis was placed on internal displacement, crossborder issues, labour migration, including the management of remittances, migration and health, and migration and development.   In Asia, labour migration was one of the main policy preoccupations, as well as refugee and asylum-seeker flows.   In Western Europe asylum remained a key concern, followed by topics such as population ageing, labour market needs and family reunion provisions.   In Eastern Europe new migration challenges were emerging, as regions of transit were also becoming regions of destination.   In Latin America and the Caribbean, migration was heavily influenced by changing economic conditions, emigration towards north America was substantial and the relationship between migration and development was a priority topic.   The United States of America, Canada, Australia and New Zealand all had a comprehensive approach to migration management, with particular emphasis on selection of skills, complemented by humanitarian programmes.   There was no part of the world in which migration was not of major political interest.   The emergence of regional consultative processes was important and revealed considerable convergence in key policy concerns.   However, there was not

yet any comprehensive international policy framework for migration matters, although the Berne Initiative and the Hague Process might be useful in the development of such an instrument.

27.   Regarding global policy trends and challenges, there had been a gradual disappearance of the traditional distinction between countries of origin, transit and destination, which were increasingly confronted by similar problems requiring similar solutions. Migratory patterns were tending to show greater mobility and complexity. There was an increasing need to establish links with a broad range of other related policy areas and to manage migration through a comprehensive, coordinated approach. It was also necessary to develop effective cooperative partnerships among all stakeholders, both internally at national level, and internationally. While migration management was basically a prerogative of sovereign States, there was growing recognition that individual States could manage their migratory situations only through cooperation at national, regional and international levels.

28.   Seven delegates commented on the presentation, sometimes highlighting the main features of their countries' approach to migration management. In one country a system of large-scale managed migration over a fifty-year period had considerably improved the country's economic situation and prosperity. The delegate of that country described the balance which had been sought between business, trade unions, civil society, environmental and non-governmental interests, in order to achieve a positive contribution to the national migration programme. It was important that government decisions should take into account the results of consultation with all relevant stakeholders. It should also be borne in mind that effective border management and controls were vital to achieving community support and ensuring the credibility of a managed migration system.

29.   Another speaker did not agree, however, that increased border controls were likely to stem migration flows. New problems were arising on account of globalization, as the resulting free flow of capital and goods was not always accompanied by a free flow of persons, in a context of international cooperation. It was not IOM's task to encourage the setting-up of measures to prevent migration but rather to consider how greater cooperation and solidarity could ensure the welfare and development of all concerned.

30.   The matter of integration was stressed by another delegate who mentioned the recent successful conference in the European Union on integration on the labour market. Integration policies to allow ethnic minorities to take an active part in the working and social life of a country on equal terms with the rest of the population, were essential. Migration policies should be based on equal rights, obligations and opportunities, while respecting cultural diversity and common values.

31.   Action to combat trafficking in people, especially women and young girls, was another topic which was stressed, with particular reference to measures currently being taken in the Baltic area and the European Union. The need for a comprehensive European policy on human trafficking and for more stringent regulations to combat irregular migration was emphasized.

32.   One delegate considered that insufficient progress had been made in working to eliminate the root causes of migration such as conflicts, natural catastrophes and unemployment. Efforts should be made to encourage developed countries to engage in debt relief initiatives or direct foreign investment in the developing countries which were one of the main sources of migrants. IOM's future reports might give greater emphasis to that aspect, as comprehensive solutions to migration problems were only possible if the root causes, including administrative and legal aspects, were given proper consideration.

33.   It was obvious that the need to improve internal coordination at national level between all entities concerned with migration and cooperation between countries at regional and international levels was becoming increasingly important. The value of regional coordination and comparison of best practices in the various countries was emphasized in that respect.

(b)   Elements of a managed migration system

34.   At the 442nd meeting the Council held a discussion on elements of a managed migration system, based on presentations by two senior policy-makers in the field of migration: Mr. Ghoneim, Assistant Minister for Consular, Migration and Refugee Issues, Ministry of Foreign Affairs, Egypt, and Mr. Van Wulfften Palthe, Director General for Regional Policy and Consular Affairs, Ministry of Foreign Affairs, Netherlands. The two presentations provided material for contrast and comparison of experiences.   The presentations are reported in document MC/C/SR/442.

35.   Mr. Ghoneim outlined the historical background to Egyptian migration. Throughout their history Egyptians had been mainly sedentary and reluctant to emigrate. In the 1950s, however, the pressures of rapid population growth and the resultant social and economic difficulties had led many people to seek better employment opportunities in other countries, mainly in the Arab States. Furthermore, Egypt had also become a country of transit and destination, owing to its geographical position at the crossroads of three continents. The influx of migrants and refugees into Egypt was largely due to the less stringent legislation governing the entry and residence of foreigners and the characteristic tolerance of the Egyptians. His country was deeply concerned, however, by the recent wave of illegal immigration, not only because of the social tensions and economic problems which it created, but also on account of its links with organized transborder crime and corruption. Every effort was being made to control the inflow of migrants in an irregular situation.

36.   After outlining the internal regulation of migration matters in his country by the various ministries and government departments, he enumerated some of the main components of Egyptian migration management policy, which included: the creation of databases of potential migrants, training programmes to meet the needs of foreign labour markets, information campaigns and language training to improve integration in the host country; measures to facilitate the transfer and management of remittances from Egyptian expatriates, and the improvement of administration and legislation relating to various aspects of migration. IOM was to be commended on its Migration for Development in Africa (MIDA) programme which enhanced the role of African expatriates in the development of their countries of origin. Regional activities were also important, as for example the forthcoming Regional Conference on Arab Migration in a Globalized World, to be sponsored by IOM and the League of Arab States in April 2003.

37.   Migration had been a mixed blessing for Egypt, involving both challenges and opportunities. IOM played an indispensable role in helping to bridge the gaps and create a structural network of action-oriented cooperation for better, balanced, fair and mutually beneficial management of migration.

38.   Mr. Van Wulfften Palthe gave a presentation outlining the situation in his country which was one of net immigration, with some 1.6 million non-Western ethnic minority residents, accounting for almost 10 percent of the population. Whereas the total population of the Netherlands had risen by 3.5 percent since 1995, non-western ethnic minorities had grown eight times faster over the same period. Immigration had made the cities more lively and colourful and had helped to ease the labour shortage and stimulate prosperity. However, it had also created new problems connected with unemployment or integration in the local communities. Such difficulties tended to create social instability. Since the mid 1990s, such problems had become the subject of political controversy on the question of whether or not to limit the number of immigrants the Netherlands could accept. There had been a tendency among political decision-makers to tighten up asylum policy, making a distinction between asylum-seekers in need of protection and migrants coming to the Netherlands for economic reasons. Efforts had been made to improve integration by providing special integration and language courses for new immigrants.

39.   The Government was focusing on the return of people who were not entitled to stay in the Netherlands, as failure to return migrants created feelings of insecurity in the local population, which could give rise to discrimination against migrants or to their marginalization. The Netherlands intended to pursue a more restrictive policy in future. The return of failed asylum seekers would become a standard feature of bilateral agreements and the government was considering taking measures against countries that consistently refused to accept the return of their own nationals. It was important to establish partnerships between countries of origin and countries of destination which rose above theories and tackled practical issues and projects. Further international debate was required on the issue of protection, covering questions as to whether protection had to be offered in the place where the asylum-seeker requested it, and how to enable people to return home once the situation had improved. Both France and the United Kingdom had recently concluded agreements with Afghanistan and the UNHCR on the return of Afghan nationals – an example which might be extended to other countries.

40.   Regarding measures to combat illegal immigration, it was important that the discussions carried out in regional consultative processes on migration management, such as the Cluster initiative, be followed up by practical measures. Countries of origin, transit and destination as well as international organizations would have to work together more closely in a spirit of cooperation to ensure that their partnerships were grounded in everyday practicalities.

41.   The debate which followed the presentations reflected Member States' different experiences in the field of migration management, highlighting specific points of concern. There was general agreement that international cooperation would be essential to effective migration management in future. Issues should be tackled in practical terms, however, through a form of cooperation that did not amount merely to establishing a system of regulations. The sharing of best practices was also underlined as a means of increasing understanding of migration problems and furthering joint reflection.

42.   On account of the growing links between migration and many other fields, the need for a comprehensive approach, coordinating action at national, regional and international levels was stressed. It was important that governments avoid focusing on a single aspect of migration, such as border control or protection concerns. However, internal coordination between government departments was still a challenge for many countries, which made it difficult to develop fully integrated national migration policies. It would be even more difficult for States to agree on a comprehensive global management system. One speaker stressed that IOM should not develop into a standard-setting body.

43.   Several speakers emphasized the effectiveness of regional cooperation and regional consultations such as the Ministerial Conference on Migration in the Western Mediterranean (the 5+5 Dialogue), the Puebla Process or the Cluster initiative, in achieving practical solutions to common problems.

44.   At international level it was proposed by one speaker that a consultative process be established between States, based on the principles underlying the Berne Initiative aimed at enhancing understanding of migration-related matters and achieving better management of migration at the regional and global levels. As it was difficult to impose any restrictive regulations at international level on account of the sensitivity of migration issues, the principles to be established should be based on best practices and existing agreements. Existing international legislation and frameworks such as the Plan of Action of the United Nations International Conference on Population and Development (Cairo, 1994), or the Euro-Mediterranean Process launched in Barcelona in 1995, were important in that connection.

45.   Many references were made to the problem of irregular migration or undocumented migrants, often linked with that of trafficking and smuggling in people. Two speakers stressed the need to make a clear distinction between different categories of migrants, for example, between asylum seekers and refugees on the one hand, and migrant workers on the other. The question of migrants' rights and responsibilities should also be addressed, in particular that of whether migrants in an irregular situation had the same rights as migrants who had gone through legal channels.

46.   One speaker pointed out that if policies of compulsory return of refugees were established by developed countries, there would be considerable negative effects on local integration and on secondary movement of rejected migrants, who would then be forced to seek refuge in their countries of first asylum. The involuntary return of Afghan refugees by developed countries, for example, would set a most unfortunate precedent, as the situation in Afghanistan was still very difficult.

47.   Another delegate stressed the continuing inequalities between North and South, with no move towards economic convergence, which perpetuated South-North migration. More than one speaker advocated the encouragement of long-term, foreign investment in the countries of the South, so as to develop technology, growth and employment, thus improving population stability.

48.   Another delegate, however, stressed the need to build up understanding of migration as a shared global experience, not as a North-South competitive process. There was, in fact, far more migration between the countries of the South than from South to North. It was also important to move away from the rigid categories of sending, transit or receiving countries, as most countries now fulfilled all three functions.

(c)   <u>Simultaneous workshops for policy-makers on specific migration management components</u>

49.   Three workshops were held simultaneously on the morning of 3 December (443rd meeting) on the following themes: (i) integration; (ii) comprehensive and solutions-oriented approaches to addressing irregular migration; and (iii) diaspora support to migration and development. A record of the proceedings is being issued as a separate document.

(d)   <u>Reports from the workshops</u>

50.   At the 444th meeting, the Rapporteurs of the three simultaneous workshops on specific migration management components presented their reports to the Council.

51.   In the Workshop on integration, chaired by Mr. Lugris (Uruguay), the question of establishing a clear definition of integration of migrants in society and of whether countries had specific policies concerning integration of migrants had been discussed, with emphasis on the different ways in which migrants participated in the life of the receiving societies. A number of integration models had been cited, including the model of assimilation in the new culture, the model of multicultural societies and models of separation, in which migrants were to some extent excluded from society because they were unsure how long they would stay in the country. There had been an interesting debate on the difference between assimilation and integration, highlighting the importance of a form of integration which preserved diversity. It had been agreed that integration was an ongoing two-way process which required efforts on the part of the migrants and of the receiving society. The difference between integration of migrants and integration of refugees had been raised, as well as the need to ascertain the causes of migration in order to provide appropriate assistance. Migration flows and the dynamics of migration had been discussed: at present they seem to be mostly from South to North, but in the recent past there had been a strong flow from North to South, particularly to Latin America, where certain integration experiences could serve as models. The respective responsibilities of the receiving States, countries of origin, civil society, migrants' associations, trade unions, *inter alia*, had been highlighted. One of the key topics for debate had been the need for cooperation between countries of origin and of destination and examples of best practices in various countries had been cited. Another point discussed was the challenge of integration not only for current migrants but also for the second and third generations.

52.   The Workshop had also studied the ways in which States could measure the effectiveness of integration: objective criteria related to matters such as salary and education levels and participation in the new society, while subjective criteria included migrants' feelings about their integration. The process began with economic integration, of which work was a fundamental element. It had been pointed out also that nationality or citizenship should be considered as an integral part of the integration process, not as the culminating point of integration. Emphasis had been laid on the protection of the rights of migrants particularly in connection with the United

Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, with the work of ILO in that area and with the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 2001). Emphasis had been laid on the importance of combating negative attitudes and enabling migrants to maintain their cultural identity and their religion, and also on the need for in-depth study on the integration of migrant women.

53. The Workshop on comprehensive and solutions-oriented approaches to addressing irregular migration, chaired by Mr. Alexandru (Romania), had begun with a political and ideological discussion on the possibility of the solidarity of the welfare State being undermined by immigration and the challenges entailed. The fact that irregular migration and criminal activity were often linked together in the public mentality risked undermining the much-needed public support for migrants and regular migration programmes. The importance of public tolerance as an indicator of a community's capacity for absorbing migrants was stressed. At the same time, respect for the human rights and dignity of migrants had to be upheld. The debate had emphasized the value of dialogue between government and private sectors to improve national migration policies as a whole; the need to study the root causes of migration; and the role of information campaigns for potential migrants. The respective rights and obligations of receiving States and of immigrants had been discussed, as well as the protection of migrants in an irregular situation and the possibility of issuing temporary visas for temporary migrants. The asylum-migration nexus had been mentioned in connection with the protection of genuine refugees, with reference to the Global Consultations on International Protection organised by UNHCR in 2001, the Agenda for Protection and the joint IOM-UNHCR paper on the asylum-migration nexus.

54. One delegation had suggested a nine-point description of a properly managed migration system, as follows: regular migration in accordance with national laws; reasonable opportunities for people to have access to lawful permanent and temporary migration; support for migration programmes within receiving States; protection for people in need, including resettlement where appropriate; prompt return to their country of nationality for people who had no permission to remain in other States; respect for the human rights and dignity of migrants; aid and development possibilities providing alternatives to irregular migration; strong institutional systems in terms of staff and technology; and effective bilateral and multilateral cooperation in managing specific migration flows.

55. It had been suggested that dialogue concerning the establishment of a managed migration system should include not only States, but also non-governmental organizations and international institutions, and that solutions must be comprehensive, covering both regular and irregular migration, protection and enforcement. The important issues in that regard were capacity-building, to enable States to establish viable migration management systems, and cooperation at all levels to form new partnerships through which migration could become beneficial to all concerned.

56. The Workshop on diaspora support to migration and development, chaired by Mr. Longo (Italy), had defined a diaspora as the displacement of persons from a country of origin to a receiving country under the influence of economic, social and political factors which affected all layers of society and all countries. That process had been exacerbated by globalization and, in the case of brain drain, by the advancement of science.

57.   There had been general agreement that the diaspora was a positive factor in development for the countries of origin. The discussion had focused on the way in which the diaspora could be used, from the two points of view of transfer of remittances and transfer of knowledge, as means of contributing to the development of the country of origin. In order to achieve that, however, the diaspora needed to be supported by public institutions and States.

58.   In the transfer of remittances, the role of the State was important for channelling the investments of the diaspora which would otherwise remain dispersed. The preliminary steps could be to institutionalize and rationalize transfer methods, to channel the transfers towards local development projects, to make an arrangement such as the Mexican "3 for 1" programme, involving the State, local communities and migrants' associations, to follow the Tunisian system of loans and donations through lines of credit, and to reach agreement with banking institutions on the reduction of commission on all transfers of income to countries of origin.

59.   With regard to transfer of knowledge, several solutions had been considered, with a view to deriving benefit from translocation of skills. They included the Migration for Development in Africa (MIDA) programme; conferences and meetings for expatriates both in the countries of origin and in the receiving countries so as to maintain closer contact with them; and the organization of short visits for expatriate university lecturers, enabling them to supervise dissertations or to give specific university courses in their country of origin, as had been done in Benin and Tunisia.

60.   Discussions had also covered the question of increased aid and financial contributions and methods of improving the linkage between migration and development in countries of origin. There had been general support for the idea that the MIDA and other similar programmes might be expanded by applying them to subregions. At European level, the European Commission had recently issued a communiqué concerning the relationship between migration and development with a view to promoting intensive dialogue with developing countries in a spirit of partnership. It had been suggested that regional consultations might provide an operational framework for putting migration and development initiatives into practice simultaneously and that training opportunities should be increased for expatriate nationals from developing countries.

61.   Regarding the Workshop on integration, one delegate laid particular emphasis on the two-directional nature of integration – it should be borne in mind that both receiving countries and migrants had responsibilities as well as rights.

62.   Another speaker drew attention to the fact that there are had been tacit agreement in the Workshop on irregular migration that practical programmes and projects tended to function more effectively at bilateral and at regional levels rather than at international level. IOM's capacity-building role was also important, as it enabled countries to establish comprehensive migration management programmes, including legal, administrative and protection aspects.

63.   With regard to the Workshop on the diaspora, it was suggested that insurance schemes might be set up in countries of origin, covering financial, legal and other assistance for expatriate nationals.

64.   The Director General thanked all those who had participated in the plenary discussion on the previous day, the three workshops and two informal lunch-time meetings on the rights of migrants and the Berne Initiative. He also thanked all members of the Administration who had designed, prepared and organized the migration management policy dialogue. It should be borne in mind that the process of building consensus on international migration policy would take time and effort and would perhaps require the establishment of some kind of informal mechanism to continue the debate on a more frequent basis.

GENERAL DEBATE, INCLUDING IOM-UN RELATIONSHIP

65.   The general debate, including discussion of IOM's relationship with the United Nations and the future status of the Organization, took up part of the 444th meeting, the whole of the 445th meeting and part of the 446th meeting (see MC/C/SR/444, MC/C/SR/445 and MC/C/CR/446).

66.   Most delegates considered that, on account of the increase in the scope and complexity of migration, migration management now touched upon a broader range of legal, economic, social and humanitarian concerns, which called for a more comprehensive approach. The fact that aspects of migration were connected with, for example, economy and trade, labour and social affairs, environment and development, security and justice, human rights and health, involved political decision-making in many areas and called for greater cooperation at national level between the relevant ministries concerned, and at regional and international levels, between States. Many speakers expressed the view that no single State had sufficient capacity to solve its migration problems alone and that coordinated measures were required in order to cope with migration issues more effectively, if possible within a more coherent global framework. More than one delegate, however, considered that the best approach was one based on practical cooperation between individual States rather than on an attempt to establish a global framework, and that IOM should not become involved in international standard-setting activities which might only lead to dissension. One speaker pointed out that it was important, especially for countries in transition, to align their legal standards on those already existing in other countries in the same region.

67.   Greater cooperation between countries of origin and host countries was particularly important in fields such as labour migration. Globalization, trade liberalization and world economic integration had created sharp economic disparities between countries and regions, causing people to move from poorer to richer areas in search of employment and better working and living conditions. Migrant workers were not, however, always welcomed by the local population in the host countries and information campaigns in countries of origin and of destination would be useful. Discrimination and xenophobia could be discouraged and integration of migrants facilitated by emphasizing the positive aspects of migration as an important factor in economic, social and human development. It should also be borne in mind that remittances from migrant workers in the diaspora were a substantial source of income for countries of origin.

68.   The increasing flow of migrants in an irregular situation also tended to undermine public support for admission and integration of legal migrants and it was suggested that IOM could play a greater role in organizing public information campaigns in the countries of origin to emphasize the risks connected with irregular migration, and also in facilitating the return of irregular migrants.

69.   Many speakers expressed particular concern about the problem of smuggling and trafficking in human beings, especially women and children, which was often, though not always, connected with irregular migration. Governments, civil society and international organizations should join forces to combat exploitation and trafficking, insecurity, organized crime, violence and corruption. It was also pointed out that over-restrictive immigration policies tended to encourage people to use illegal channels. Several speakers commended IOM on its counter-trafficking activities.

70.   Emphasis was also laid on the value of regional cooperation in combating irregular migration and trafficking, and the positive impact of a number of recent major conferences such as the Ministerial Regional Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali, 2002), the Intergovernmental Asia Pacific Consultations on Refugees, Displaced Persons and Migrants (APC), and the Manila Process, all of which were important for Asia-Pacific region. The recent European Conference on Preventing and Combating Trafficking in Human Beings (Brussels, 2002), was a significant step towards achieving a coordinated European approach to the problem, and the fact that the Southeast European Cooperative Initiative (SECI) now had observer status on the IOM Council was important in dealing with irregular migration in the South-East European region.

71.   Another topic which was highlighted was that of the human rights of migrants which were not always respected in migration management. It was suggested that IOM should consider the question more specifically in policy discussions, so as to avoid such situations as separation of families or arbitrary detention of migrants. Concern was also expressed about current measures in some countries to strengthen State security which resulted in tighter border controls, stricter immigration policies and unfair racial profiling of migrants. It was suggested that IOM should strengthen its links with the World Trade Organization (WTO) in connection with migrants' rights. Two speakers appealed to Member States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, so as to ensure its entry into force as rapidly as possible. The importance of disseminating information on health problems connected with migration, in particular with regard to the spread of HIV/AIDS, was also emphasized.

72.   Considerable stress was laid on the increasing effectiveness of regional processes and frameworks in solving migration problems, as had been demonstrated in the Latin American region, (for example, the Puebla Process), in the African region (the MIDA Programme), in the Mediterranean region (the Ministerial Conference on Migration in the Western Mediterranean – the 5+5 Dialogue, Tunis, 2002) and the South Caucasus (the Cluster initiative). Delegates from the African and Latin American regions also reaffirmed their support for the 1035 Facility, the functioning of which should be streamlined, especially through discussion with national authorities and the Permanent Missions in Geneva.

73.   Delegates from the African region in particular commended IOM on the success of its programmes for facilitating the return and reintegration of qualified nationals to their countries of origin, which stimulated economic development in those countries. IOM's expertise in effecting the return and resettlement of internally displaced persons and demobilized soldiers was also welcomed.   The MIDA programme, which had proved particularly valuable in promoting migration as a factor of development and encouraging cooperation and partnerships between governments, civil society, private and public sectors in countries of origin and destination, deserved further support and funding. Three speakers suggested that the programme might be extended to include cooperation with the New Partnership for Africa's Development (NEPAD).

74.   There was broad support for the Council as an appropriate forum for international dialogue on migration policy. The current Council session had reflected Member States willingness to seek cooperative solutions to migration management problems. Appreciation of the organization of the three workshops and the ensuing dialogue was also expressed and IOM was commended by several speakers on the quality of the information documents which provided background material for those discussions. One member considered that such policy discussions were useful, provided that the debate was then followed up by practical action. Three speakers considered that the Berne Initiative could usefully be taken into consideration in working towards a more structured form of inter-State cooperation in the field of migration management. One member stressed that legal and administrative measures alone would not stem the flow of migrants, but that the creation of a sustainable structure for economic cooperation between developed and developing countries, ensuring more equitable distribution of resources, would undoubtedly do so.   Support was expressed for the proposal that a mechanism might be set up to continue policy discussions on a more regular basis between Council sessions.

75.   Several delegates stressed that IOM should concentrate on its main priority, which was to provide quality performance in its main service areas. Care should be taken to avoid dispersing IOM's activities over too broad a range of fields. Two speakers considered that IOM should not allow itself to be drawn into humanitarian activities having a distant connection with the Organization's core mandate. One group of countries felt that IOM should assess its own capacity and resources before taking on new programmes, especially in complex emergency situations, as there could be serious consequences if programmes came to an abrupt halt owing to lack of resources, as had happened in Afghanistan. Two speakers underlined the importance of IOM maintaining an adequate level of emergency-preparedness, so as to increase the rapidity of its response to emergency situations.

76.   One of the main points of discussion was IOM's relationship with the United Nations. The majority of speakers were in favour of maintaining the *status quo*, which was both functional and sustainable, until the matter of IOM's future status had been given thorough consideration. Many Members expressed appreciation of IOM's current performance and its status as a leading operational support agency for the movement of people throughout the world. The advantage of IOM's independence, flexibility and responsiveness and its activity-based and grass-roots approach was emphasized by several delegates who felt that any incorporation into the United Nations system should not slow up IOM's work, complicate administration and financing and create additional bureaucracy. Two speakers considered that IOM, which already had observer status in the United Nations, should go ahead with an application to become a Specialized Agency.

77.   Most delegates felt that a careful assessment should be made of the advantages and disadvantages of such a step, avoiding hasty decisions. It was suggested that the Administration provide substantial relevant information and make an in-depth analysis of migration trends and any deficiencies in the existing international system, of the direct and indirect consequences of the options proposed.   Further clarification was requested concerning the statutory rights and obligations for Member States that might arise from the "related agency" status referred to by the Director General. Consideration should also be given to the legal and institutional aspects of the matter; to the effect on programming, personnel and governance in the broad sense; and to cost-effectiveness and budgetary implications, including the effect on Member States' assessed contributions.

78.   A number of speakers suggested that IOM might establish closer links with relevant organizations and bodies within the United Nations system and possibly set up strategic alliances with certain United Nations organizations such as UNHCR, ILO, the Office of the United Nations High Commissioner for Human Rights (UNCHCR) and the United Nations Conference on Trade and Development (UNCTAD).   One delegate considered that the time had come to review and clarify the respective fields of competence of all the United Nations organizations and bodies involved in the various aspects of migration, so as to avoid duplication of work and to improve cooperation.

79.   A possible merger between IOM and UNHCR was considered unadvisable as any merger would mean a loss of the strength that had made IOM successful. It was pointed out that the two organizations had different mandates, areas of expertise and perspectives, but that in well-defined areas such as asylum and involuntary migration, where the mandates of the two organizations overlapped, resources could be pooled in order to create genuine synergy.

80.   There was considerable support for the proposal to establish a steering group in Geneva to follow up the discussions concerning IOM's relationship with the United Nations and its future status, generate ideas, assess the implications of any change in status and report back to IOM's governing bodies.

81.   Five speakers expressed their intention to support the Director General's candidacy for re-election as Director General for a second term of office.

82.   The Director General welcomed the richness of the contributions made by governments and non-governmental bodies during the debate on the future of migration policy and the role of the Organization. He welcomed the expressions of support for IOM as an Organization well suited to meet the growing challenges of migration management and characterized by a flexible, responsible and pragmatic approach. It was important to ensure that IOM did not lose its special character. He noted that the Council had supported the idea to continue the migration policy dialogue and to create an informal mechanism to discuss migration policy questions between Council sessions. The regional dimension of IOM's work would be given greater emphasis and IOM's strategic alliances with other agencies would be strengthened, particularly with UNHCR and ILO. Following suggestions from many delegations, a working group on institutional arrangements concerning IOM's relations with the United Nations would be established, chaired by Ambassador Amina Mohamed, in which all Member States would have the opportunity to contribute to the debate. The working group would explore the comparative advantages of the different options,

with their costs and benefits and report thereon to the Council. For that purpose an in-depth, comprehensive study would be prepared, drawing upon independent experts.

ROLE OF IOM IN EMERGENCY AND POST-CONFLICT SITUATIONS

83.   The Administration introduced an information document (MC/INF/260), based on the discussion of an earlier document (MC/INF/249) on IOM's responses to population displacement in emergencies and post-conflict situations over the past decade. The report had been prepared in order to meet Member States' requests for information concerning IOM's emergency and post-conflict strategy, the comparative advantage of such interventions, IOM's coordination with other agencies and the sustainability of its action.

84.   One delegate considered that IOM's role in emergency and post-conflict situations should be strengthened. He enumerated proposals for increasing IOM's emergency-preparedness, including the monitoring of situations which might develop into catastrophes with serious humanitarian implications, the development of contingency plans beforehand, and the identification of possible donors to finance those plans. Instead of waiting for a conflict situation to arise and then approaching Member States for funding, IOM should develop a more proactive approach, so as to ensure more rapid and timely intervention.

85.   Another member spoke with concern of the situation in Afghanistan. IOM's active participation in facilitating the smooth return of Afghan migrants was much appreciated, but the Organization could perhaps do more in the field of post-conflict activities in Afghanistan; for example, carrying out projects for vocational training in host countries at the pre-departure phase and providing returnees with vocational kits containing tools for work, at the post-arrival stage. Such short-term reintegration activities were of critical importance in facilitating the sustainable return of migrants and would ultimately help to control population movements throughout Afghanistan. It was important in general to ensure the sustainability of IOM's action.

86.   Several speakers stressed the need to clarify IOM's overall strategy with regard to emergency and post-conflict situations, as its work in that area had tended to evolve in response to specific situations in certain countries rather than as a result of conscious policy decisions. While IOM clearly had an important role to play in crisis situations, particularly regarding voluntary population movement or resettlement, humanitarian assistance seemed to have only a distant connection with IOM's core mandate – a matter for further discussion.

87.   It should also be ensured that IOM's interventions were carried out only in the specific areas in which IOM had a comparative advantage, and did not overlap with the work of other organizations active in the field, such as UNHCR, ILO or the International Committee of the Red Cross (ICRC). Coordination of IOM's activities with other agencies and organizations, in particular within the framework of the Inter-Agency Standing Committee (IASC) was welcomed. Two speakers also welcomed IOM's increasing participation in the United Nations Consolidated Appeal Process (CAP), although the Organization's exact position in that process and its priorities might be more clearly defined.

88.   The Director General welcomed the proposals for more thorough discussion of IOM's role in emergencies and post-conflict situations.   As the nature of emergency work required improvisation, the Organization was sometimes obliged to move rapidly without prior discussion in the Council.   IOM did not claim to be a lead agency in the field of emergency humanitarian action, but rather a gap-filler.   It had, however, participated in most of the combined appeals under the CAP process.   He noted the proposals and suggestions that had been made with regard to emergency-preparedness and also the remarks made concerning Afghanistan.   IOM was, in fact, well ahead with regard to preparedness in connection with a potential crisis in Irak.   IOM would continue its dialogue with Member States to secure adequate funding so as to enable the Organization to carry out reintegration work in several regions.   IOM would make every effort to coordinate its action with that of other organizations in the field.

89.   At its 446th meeting, the Council took note of the report on the role of IOM in emergency and post-conflict situations (MC/INF/260).

DRAFT REPORTS ON THE EIGHTY-SECOND SESSION AND THE EIGHTY-THIRD (SPECIAL) SESSION OF THE COUNCIL

90.   As there had been no proposal to amend the draft reports on its Eighty-second Session (MC/2059) and its Eighty-third (Special) Session (MC/2067), the Council, at its 446th meeting, adopted Resolution No. 1074 (LXXXIV) approving those reports.

REPORT ON THE NINETY-NINTH SESSION OF THE EXECUTIVE COMMITTEE

91.   By Resolution No. 1075 (LXXXIV) adopted at its 446th meeting, the Council endorsed the decisions taken by the Executive Committee at its spring session, took note of the Report on the Ninety-ninth session of the Executive Committee (MC/2081) and of the Report of the Director General on the work of the Organization for the year 2001 (MC/2080), and approved the Financial Report for the year ended 31 December 2001 (MC/2079).

SUMMARY UPDATE ON THE PROGRAMME AND BUDGET FOR 2002

92.   The Council examined the Summary Update on the Programme and Budget for 2002 (MC/2082) after the Rapporteur of the Subcommittee on Budget and Finance had reported on the relevant discussions in the Subcommittee at its Eighty-eighth session (see MC/2088).

93.   At its 446th meeting, the Council took note of the Summary Update for the Programme and Budget for 2002 (MC/2082).

PROGRAMME AND BUDGET FOR 2003

94.   The Council examined the Programme and Budget for 2003 (MC/2083) at its 446th meeting, after the Rapporteur of the Subcommittee on Budget and Finance had given a summary of the Subcommittee's discussions and recommendations (see MC/2088).   Those discussions had focused, *inter alia,* on an increase of 3.1 per cent in the Administrative Part of the Budget proposed by the Administration to meet certain essential needs, including partial coverage of the UNSECOORD fees.   As the Subcommittee had not approved the inclusion of the UNSECOORD fees in that part of the Budget, Document MC/2083/Amdt.1 had been prepared for submission to the Council, proposing an increase of only 2.54 percent, which did not include provision for those fees.   The Subcommittee had, however, recommended that the Council approve an increase from 9.5 per cent to 12 per cent in the project-related overhead rate, to cover the increase in UNSECOORD fees.   A separate document, *Migration Initiatives 2003* (MC/INF/250), contained project proposals which had not yet obtained sufficient funding but were of priority interest to Member States.

95.   One delegate, representing a regional group, expressed concern at the decrease in the budget for her region in comparison with previous years, whereas migration levels in the region were rising.   The resources allocated were insufficient to cover implementation of the necessary activities and programmes and the Regional and Country Offices required more funding support. It was also to be hoped that the 1035 Facility would be strengthened.   The countries in her region supported the proposal to increase the Administrative Part of the Budget by 2.54 percent, on the understanding that the principle of zero nominal growth would be applied in future, especially as certain countries in the region were undergoing serious economic crises.   The countries in her region also supported the proposed increase in the overhead rate from 9.5 percent to 12 percent in the Operational Part of the Budget to cover the increase in the UNSECOORD fees, subject to further review by the Subcommittee on Budget and Finance, possibly accompanied by a mechanism to manage the income from that 2.54 percent increase in a transparent manner.

96.   Several Members raised questions concerning the delocation to Manila of certain administrative and information technology functions and of the Staff Security Unit, and requested a review over the next 3 to 5 years of the effectiveness of that arrangement, including information on the financial and staff implications.   One speaker welcomed the delocation on account of its cost-effectiveness.

97.   In response to a request for clarification concerning the current level of donor interest in the projects listed in *Migration Initiatives 2003* and the steps taken to obtain financing after their publication in that list, the Administration emphasized IOM's intention to work with Member States through its Field Offices to develop joint plans for funding.   The mid-year report published in the summer of 2002 had provided an update on the progress or lack of progress concerning the projects listed.   Although funding often depended on donor preferences and other restrictions, every effort would be made to ensure implementation of as many projects as possible.

98.   The Director General said that cost saving was the main reason for moving core support services to Manila – attempting to do more with the same amount of money. The 2.54 percent increase in the Administrative Part of the Budget gave welcome relief but did not cover all IOM's needs. Manila was, of course, not the only location to which services could be decentralized. Efforts would be made to secure more funding for regional programmes and to strengthen the 1035 Facility.

99.   At its 446th meeting the Council adopted Resolution No. 1076 (LXXXIV) on the Programme and Budget for 2003.

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

100.   The Rapporteur of the Subcommittee on Budget and Finance reported on the discussions on a number of other items.   Concerning a systemic solution for the use of surplus in the Administrative Part of the Budget – a question upon which agreement had been long awaited – several rounds of informal consultations had taken place in the course of 2002, as a result of which a draft resolution representing a compromise solution had been recommended by the Subcommittee for approval by the Council.

101.   At its 446th meeting, the Council adopted Resolution No. 1077 (LXXXIV) on the systemic solution for the use of surplus in the Administrative Part of the Budget.

102.   Regarding the question of outstanding contributions to the Administrative Part of the Budget, which totalled some CHF 5.46 million, the Subcommittee had expressed serious concern over the current situation. It had been proposed that informal consultations on that subject be held to discuss the application of Article 4 of the Constitution, including possible penalties and incentives.   The Deputy Director General said that the Chairperson of the Subcommittee on Budget and Finance had agree to chair informal consultations on the most appropriate method for settling the matter of outstanding contributions as rapidly as possible.

103.   The delegate of Senegal informed the Council that he had received confirmation from the Ministry of the Economy of Senegal that the necessary steps had been taken to settle the full amount of Senegal's assessed contributions to IOM.

104.   At its 446th meeting, the Council took note with appreciation of the efforts made by some Member States to pay their arrears, but took note with concern that the large amount of contributions outstanding had an impact on the capacity of the Administration to manage the programmes for which it was responsible. The Council urged all Member States, particularly those with contributions outstanding for two or more years, to pay their contributions in full or to agree to a repayment plan, making a first payment as soon as possible. The Council agreed that informal consultations, led by the Chairperson of the Subcommittee on Budget and Finance, be held to discuss ways and means of improving the situation.

105. After hearing a summary by the Rapporteur of the Subcommittee on Budget and Finance of the Subcommittee's discussions on IOM's human resources policy, which had focused on effecting improvements in selection and recruitment practices, working conditions, staff development, training and security, the Council took note of the Human Resources Report (MC/INF/251).

106. As the Staff Association Committee (SAC) had been unable to present its statement to the Subcommittee on Budget and Finance due to unavoidable circumstances, the Chairperson of the Staff Association was invited to make a statement to the Council, which is reported in detail in document MC/C/SR/446.

107. The Chairperson of the Staff Association highlighted a number of issues of particular concern to the staff. Regarding staff security, it was important that adequate funding be provided to ensure the safety of the staff in the framework of UNSECOORD, as the rapid expansion of IOM's operations had not been accompanied by a corresponding increase in resources for security purposes.

108. More constructive and transparent dialogue between the SAC and the Administration was required and progress needed to be achieved in a number of areas. Although in response to the SAC's concern, some improvement had been made with regard to the filling of vacant staff positions, the Human Resources Report had been received by the SAC too late to permit in-depth analysis. It was important that recommendations made by the Appointments and Posting Board be given a proper consideration, that the requirement, experience and expertise for each vacant post be respected and that positions should not be filled by external recruits when qualified internal candidates were available. IOM's staff rotation situation, aimed at exposing staff to different processes and cultures and different regional and country situations, had become uneven and should be reviewed. Further clarification of the working of the Improving Organizational Behaviour Committee (IOB) should be provided, as many staff world-wide did not fully understand that new process. While the concepts of streamlining and flexibility were frequently referred to within the context of IOM's limited resources, the SAC was concerned that inadequate application of those concepts might lead to inequalities in treatment of staff and possible deterioration of conditions of service.

109. The SAC was working with the Department of Human Resources Management to revise the Staff Regulations and Staff Rules with a view to adjusting them to the current times and realities and to ensuring their fair application. One of IOM's greatest strengths was its staff and transparency, goodwill and increased dialogue between the staff and the Administration was essential for meeting the challenges ahead.

110. The Director General welcomed the comprehensive and sensible statement made by the Chairperson of the Staff Association and looked forward to thorough and open dialogue with the Staff Association Committee.

111. The Council took note of the statement by the representative of the Staff Association Committee.

112. After hearing a summary of the points raised in the Subcommittee on Budget and Finance concerning support for developing Member States and Member States in transition (1035 Facility), the Council endorsed the proposal that in future the 1035 Facility should be presented as a separate agenda item at meetings of the Subcommittee on Budget and Finance; that broader consultations should be held with Member States' national authorities and their Permanent Missions in Geneva in the development of projects which drew on funding from the 1035 Facility; that an evaluation of the 1035 Facility be made; and that the criteria of the 1035 Facility be reviewed and the projects funded from the 1035 Facility be closely linked to those criteria.

ANY OTHER BUSINESS

113. There was no other business.

DATE AND PLACE OF THE NEXT SESSIONS

114. By Resolution No. 1078 (LXXXIV), adopted at its 446th meeting, the Council decided to hold its next regular session from 2 to 5 December 2003[5] and invited the Executive Committee to hold its 100th Session on 11 and 12 June 2003 in the Palais des Nations, Geneva. The 89th Session of the Subcommittee and Finance was scheduled to be held on 6 and 7 May 2003 and the 90th Session on 4 and 5 November 2003 at the Palais des Nations, Geneva.

115. By Resolution No. 1079 (LXXXIV), adopted at its 446th session, the Council decided to hold its 85th (Special) Session for the election of a Director General on 13 June 2003 at the Palais des Nations, Geneva.

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[5]   The date of the next regular session of the Council was subsequently changed from 2 to 5 December to **9 to 12 December 2003.**