



IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones

INTERNATIONAL DIALOGUE ON MIGRATION

INTERSESSIONAL WORKSHOP ON

EFFECTIVE RESPECT FOR THE HUMAN RIGHTS OF MIGRANTS: A SHARED RESPONSIBILITY

25 - 26 March 2009

AGENDA

25 March 2009 DAY I	
09:00 – 10:00	<i>Registration</i>
10:00 – 10:10	WELCOME REMARKS <ul style="list-style-type: none">• William Lacy Swing, Director General, International Organization for Migration
10:10 – 10:30	KEYNOTE ADDRESS <ul style="list-style-type: none">• Ngonlardje Mbaidjol, Special Advisor, UN Office of the High Commissioner for Human Rights
10:30 – 11:00	SETTING THE SCENE <ul style="list-style-type: none">• Michele Klein Solomon, Director, Migration Policy and Research Department, International Organization for Migration <p><i>Discussion of human rights and migration necessarily starts with an overview of the international framework of human rights as it derives from various sources of law. The opening presentation will introduce the major international human rights instruments and treaty monitoring bodies, the principle of non-discrimination, and the relevance of these for and applicability to migrants and migration. It will also consider other structures, such as regional and non-binding mechanisms underpinning the international human rights architecture. This presentation will also provide a conceptual backdrop to guide the discussions on policy and programming, by highlighting some key ideas, including the notion of shared responsibility, the link between legislation, policy-making and capacity building on migration, and the need for inter-State and multi-stakeholder cooperation.</i></p>

11:00 – 13:00	<p><u>Session I: Human Rights and Migrants: Frameworks and Implementation</u></p>
	<p><i>It is no longer disputed that human rights apply to migrants, regardless of their status. Ensuring effective respect for the human rights of migrants – including non-discriminatory practices – throughout all stages of the migration process, from departure through transit to entry, stay and return, therefore necessitates the cooperation between all countries involved in the process, and other relevant actors. At the national level, effective implementation of human rights depends, inter alia, on coherent policy on migration and capacity in the area of legislation, administration and enforcement. Similarly, migrants’ awareness of their rights through objective information and the availability of and access to effective remedies to redress violations are salient elements in addressing this issue. This session will look at the principal gaps and challenges in the implementation of human rights provisions for migrants and consider some of the measures that can be taken at national and international level to make human rights of migrants a practical reality.</i></p> <p>Moderator: Ositadinma Anaedu, Minister, Permanent Mission of the Federal Republic of Nigeria to the United Nations Office and Other International Organizations in Geneva</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Esteban B. Conejos Jr., Under-Secretary for Migrant Workers Affairs, Department of Foreign Affairs, The Philippines • Reyna Torres Mendivil, Deputy Director General, Deputy Directorate General for International Human Rights Policy, Directorate General for Human Rights and Democracy, Ministry of Foreign Affairs, Mexico • Corien Jonker, Chairperson, Committee on Migration, Refugees and Population, Parliamentary Assembly, Council of Europe • Johanna Suurpää, Ombudsperson for Minorities, Finland <p>The following questions are proposed to guide the discussion:</p> <ul style="list-style-type: none"> • How can human rights be integrated into coherent and coordinated legislation and policies on migration? • How can human rights provisions applicable to migrants be implemented effectively and practically in migration policy and programming? • What are the specific challenges and potential implementation gaps with respect to human rights in the context of migration? <p>General Discussion</p>
13:00 – 14:00	<i>Afternoon Break</i>

14:00 – 15:00	<p><i>Side Event: Migrants and their Right to Health</i></p> <p><i>The right to health is of fundamental importance, not only for migrants themselves, but also for the communities in which they live. This side event will focus on concrete and practical ways to address the right of migrants to health and health services and to promote the wellbeing and productivity of individual migrants as well as of communities. To this end, presentations by IOM and audiovisual materials will highlight IOM activities and programmes, implemented in partnership with governments, migrants, communities, and other relevant actors in various regions around the world, covering a range of migrant health issues and targeting different migrant populations.</i></p> <p>Please note that the side event will be held in English. Some of the audiovisual material presented may, however, be in other languages or carry subtitles.</p>
15:00 – 18:00	<p>Session II: Fighting Discrimination and Promoting Integration: Human Rights Challenges for Migrants and Societies</p>
	<p><i>Effective respect for human rights is an important element in ensuring harmonious and mutually beneficial relationships between migrants and societies. In managing these complex relationships, different partners, including civil society actors and migrants themselves, have distinct roles, rights and responsibilities. Practical expression needs to be given to the fundamental human rights principle of non-discrimination in everyday interactions between migrants and societies, especially as migrants are frequently faced with discrimination, racism and xenophobic attitudes. The access to and exercise of different rights, such as the right to access to adequate housing, education and health, social and welfare services as well as civil and political rights, will form an important part of the discussion. In this respect, there is room for innovative measures to be taken to enable migrants’ participation in decision-making processes, be it back home or in the destination country, for instance at local and regional level. This session will focus on the relevance of human rights in the realm of migrant – society relationships and consider in particular the role of non-State actors in ensuring the respect for the human rights of migrants.</i></p> <p>Moderator: Mariette Grange, Expert on human rights of migrants and board member of December 18</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Minelik Alemu, Director General, Directorate General for Legal and Consular Affairs, Ministry of Foreign Affairs, Ethiopia • Winfried Mengelkamp, Head, International Cooperation Group, Ministry for Intergenerational Affairs, Family, Women and Integration, North Rhine Westphalia, Germany • Andriy Yuriyovych Kasyanov, First Secretary, Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva, and Jeffrey Labovitz, Chief of Mission, IOM Ukraine (<i>joint presentation</i>) • Michele LeVoy, Director, Platform for International Cooperation on Undocumented Migrants (PICUM)

	<p>The following questions are proposed to guide the discussion:</p> <ul style="list-style-type: none"> • In what ways are human rights relevant for the interactions between migrants and societies? • How can governments promote the effective respect for the principle of non-discrimination towards non-nationals? • What roles can civil society and migrants themselves play in this regard? <p>General Discussion</p>
	<i>End of Day One</i>
26 March 2009 DAY II	
10:00 – 10:30	<p>Migrant’s Voice</p> <ul style="list-style-type: none"> • Charles Asante-Yeboah, President, African Center, Kyiv, Ukraine <p>General Discussion</p>
10:30 – 13:00	<u>Session III: Labour Mobility: Rights and Responsibilities</u>
	<p><i>One crucial realm for the implementation of human rights in the context of migration is the labour market, where international labour standards are also of particular relevance. Such provisions help govern relationships between migrant workers, governments, employers, recruiters and trade unions, making multi-stakeholder partnerships particularly relevant. Furthermore, there are certain types of employment which generate specific vulnerabilities and challenges for the effective respect for human rights of migrants, for instance temporary labour migration, domestic work and employment in unregulated sectors and in the informal labour market. Human rights standards and their effective implementation in the realm of recruitment and employment will constitute the main focus of this session, with a special view towards the role, rights and responsibilities of the private sector vis-à-vis migrant workers.</i></p> <p>Moderator: Ibrahim Awad, Director, International Migration Programme, International Labour Office</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Mohammed Hasan Mahmud, State Minister for Foreign Affairs, Ministry of Foreign Affairs, Bangladesh • Wael Ahmed Kamal Aboul Magd, Deputy Assistant Foreign Minister for Human Rights Affairs, Ministry of Foreign Affairs, Egypt • Paloma Iznola Bravo, Technical Advisor, Directorate General for Immigration, Ministry of Labour and Immigration, Spain, and Andreu Peix Massip, Advisor, <i>Fundació Pagesos Solidaris</i>, Spain (joint presentation) • Abdelhamid El Jamri, Chairperson, UN Committee on Migrant Workers

	<p>The following questions are proposed to guide the discussion:</p> <ul style="list-style-type: none"> • What human rights instruments and other mechanisms apply to the area of work and employment? • What contribution can different actors, and the private sector in particular, make to ensure the effective respect for the human rights of migrant workers? • What are some of the special vulnerabilities pertaining to the workplace and how can these be addressed? <p>General Discussion</p>
13:00 – 15:00	<i>Afternoon Break</i>
15:00 – 17:50	<u>Session IV: Realising the Human Rights of Migrants: Partnerships for Success</u>
	<p><i>Shared responsibility for the human rights of migrants implies a need for dialogue and partnerships between States at the bilateral, regional, inter-regional and global level as well as cooperation with and between non-State actors. Human rights issues arising during movement, stay and return are best addressed through collaborative efforts between the various countries and communities involved, including an important role also for the country of origin, a stakeholder sometimes overlooked in the debate surrounding human rights protection for migrants. There are today numerous innovative examples of cooperation in different parts of the world from which valuable lessons can be drawn and which may serve as models for other countries and regions experiencing similar situations. The objective of this final session is to illustrate specific models of cooperation, grounded in regional bilateral or international mechanisms and / or in relevant regional human rights instruments.</i></p> <p>Moderator: Jillyanne Redpath-Cross, Senior Legal Advisor, International Migration Law Department, International Organization for Migration</p> <p>Speakers:</p> <ul style="list-style-type: none"> • Carlos Ramiro Martínez Alvarado, Permanent Representative of the Republic of Guatemala to the United Nations Office and Other International Organizations in Geneva (in its capacity as Presidency Pro-Tempore of the Regional Conference on Migration) • Tony Luka Elumelu, Principal Programme Officer, Department of Free Movement of Persons, Economic Community of West African States • Helena Nygren-Krug, Health and Human Rights Adviser, Department of Ethics, Trade, Human Rights and Law, World Health Organization, and Davide Mosca, Director, Migration Health Department, International Organization for Migration (<i>joint presentation</i>) • Peder Michael Pruzan-Jorgensen, Managing Director for Europe, Business for Social Responsibility • William Gois, Regional Coordinator, Migrant Forum in Asia

	<p>The following questions are proposed to guide the discussion:</p> <ul style="list-style-type: none"> • What kind of partnerships have proven most useful and effective in protecting the human rights of migrants during the various stages of migration, including departure, transit, entry, stay and return? • How do mechanisms of bilateral and regional cooperation interact with and impact national-level policies and programming on migration and how do they relate to the capacity to effectively implement human rights provisions? • How can mutual trust and will be fostered among governments and other partners to engage in cooperation in the practical implementation of human rights of migrants? <p>General Discussion</p>
17:50 – 18:00	<i>Wrap-up and Closing Remarks</i>
	<i>End of Workshop</i>