Irregular Migration, Migrant Smuggling and Human Rights: Towards Coherence
DEFINITIONS

Definitions determine status which decides whether an individual is eligible, or not, to claim certain rights. Though states and legal regimes distinguish between migrants, this does not mean their distinctions are easy to apply consistently: indeed this explains the sense of injustice that surrounds many border enforcement procedures.

Migrant
In the absence of an internationally agreed definition, migrants may be defined as persons who are outside the territory of the state of which they are nationals or citizens, and who do not enjoy the status of refugee, permanent resident or similar status, or legal protection under diplomatic agreements. This definition applies to individuals who meet any of the above criteria, regardless of how they crossed the border, or whether their stay in a transit or destination country is legal.

Irregular migrant
A person who lacks legal status in a transit or host country; one who entered a state without authorisation, or entered a country legally but then lost permission to remain. Also undocumented migrant.

Refugee
One who, on grounds provided by the 1951 Refugee Convention, is outside his or her country of nationality and unable to seek its protection. People fleeing conflicts are usually considered refugees, though sometimes under other legal mechanisms than the 1951 Convention.

Asylum seeker
One who seeks international protection and whose claim has not been determined by the country in which it was made. All refugees are initially asylum seekers.

Trafficked person
One who is coerced to travel to another country for the purpose of exploitation.

Smuggled person
One who travels voluntarily but illegally to another country assisted by a third party.

“Illegal” migrant
This term is to be avoided because, juridically and ethically, an act can be legal or illegal but a person cannot. Entering a country in an irregular fashion, or staying with an irregular status, is not a criminal activity but an infraction of administrative regulations.
BACKGROUND

Some 214 million individuals are international migrants, about 3 per cent of the world’s population. The vast majority of the world’s people, therefore, do not migrate abroad. Of those who do, nearly 10 million were granted refugee status in 2007, and 30-40 million were irregular migrants. (For obvious reasons, exact figures are difficult to establish.)

Most irregular migrants will not have entered their country of destination secretly but will have become irregular after crossing the frontier. They include:

- Individuals who overstay a visa or residence permit.
- Persons whose employers withdraw an authorisation to work that is tied to immigration status.
- Persons deceived by recruiting agents, smugglers or traffickers into believing that they are entering or working in a regular manner.
- Asylum seekers who remain after they have been refused refugee status.
- Persons who entered clandestinely, including those smuggled or trafficked across the border.
- People who entered illegally or irregularly without using third parties.

Migrants have numerous reasons to move – and many fall in and out of irregular status during their journeys or after they settle abroad. Any policy framework to deal with migration therefore needs to look closely at the causes and contexts in which migration occurs and at the whole migratory journey:

- Before departure
- During transit
- At the border
- Within the country of destination
- On return to the country of origin

To address the causes of migratory movement a range of strategies will be required (on economic development, poverty alleviation, aid, trade, investment). This report does not consider these larger systemic questions, but they are relevant to, and set the context for, issues the report does discuss – notably the right to protection of irregular, including smuggled, migrants.
States are entitled to regulate movement across their frontiers. International collaboration to curb irregular migration includes a punitive law-enforcement aspect and a focus on human rights and protection.

Influenced by counter terrorism, migration policies have increasingly shifted from protection towards law enforcement. States have deployed many new tools to deter entry – defensive walls and barriers; demanding and expensive visa requirements; carrier sanctions; militarised border controls; detention; retinal and other biometric scanning techniques; international computerised data storage – and created new institutions and laws to strengthen intergovernmental regulation. These include the UN Convention against Transnational Organized Crime (UNCTOC, 2000), the International Convention on the Protection of All Migrant Workers and Members of Their Families (ICRMW, 2003), The Global Forum on Migration and Development (GFMD, 2007), and Regional Migration Consultative Processes (RCPs). These initiatives indicate the growing importance of migration on the international agenda.

Stringent border controls have not reduced the flow of migrants but have weakened their access to human rights protection and triggered the formation of increasingly sophisticated smuggling and trafficking networks. The new policies have affected virtually all types of legal migration (family reunification, temporary migration for study, visits for leisure and for business, asylum, permanent and seasonal work permits) and put irregular migrants at greater risk, directly and indirectly, without reducing the pressures and incentives that cause them to travel. Large numbers find themselves in precarious, dangerous or exploitative situations, during transit and increasingly after arrival. This is disastrous for migrants and for public policy and, in receiving countries, has created an impression in the public mind that governments have lost control over their borders and simultaneously relinquished their humanitarian obligations.

**KEY POINTS**

- States have authority over border crossing; but state sovereignty is conditioned by obligations of international law, including human rights protections.

- Coercive law enforcement is not effective in the face of determined attempts to cross borders. Without human rights protection it has led to arbitrary applications of law and morally unacceptable harm to migrants.

- Assessment of the situation of migrants should focus on risk of harm and protection of human rights, rather than solely on motives and purposes, even if definitional distinctions (asylum seeker, irregular, smuggled, trafficked) have some descriptive and legal value.
TRENDS IN ECONOMIC POLICY

Migrants contribute in a distinctive way to economic vitality. Often driven out of their own societies by lack of opportunity, they help maintain the competitiveness of the societies they adopt. A significant number of international migrants now also move between industrialising countries, where they tend to concentrate in agriculture, fishing, mining and manufacturing. In industrialised countries, the majority work in the service sector (construction, catering, health care, domestic service).

Migration benefits many migrants: they earn more, establish their families in a new country, or acquire skills which they can take home. Many others continue to live in insecurity, or penury, because they are injured or fall ill, cannot access their pensions or never receive social benefits.

Irregular migrants in particular are cast as a threat to local jobs and security, though most modern and industrialising economies lack semi-skilled and unskilled workers. Globalisation attracts people to economic opportunity but in most receiving countries irregular migrants work in a shadow economy, without effective regulation or protection. They tend to be paid badly, to work in insecure and unsafe conditions, and many face abuse and exploitation.

This should concern both employers and states. The standing of government and the reputation of companies both suffer when incidents of abuse and violence affecting migrant workers and their families occur. In addition, the entrenchment of a semi-legal employment market distorts the labour market, tax system and economy. Where whole industries depend on irregular migrants (as the garment industry and agriculture do in some countries, and the restaurant and hotel industries do in others), the regulation and protection of migrant workers raise more than ethical questions.

**Key points**

- Countries that lack labour have an interest in promoting migration, while ambitious individuals are drawn to economic opportunities abroad. Globalisation generates huge incentives and opportunities to move.

- Migration plays a vital role in most modern economies. Migrants do essential jobs and are willing to work for less money and less security.

- In the absence of protection, for the same reasons, migrants are particularly vulnerable to economic exploitation and various forms of harm.

- Governments and business have a rational interest in protecting migrants’ rights. Businesses desire to protect their reputation and operations. Governments have international legal obligations and wish to sustain the competitiveness of their economies and their reputations.
LEGAL FRAMEWORKS

Several bodies of international law define rights that migrants are entitled to claim. The report assesses how these bodies of law refer to migrants; an Appendix describes the content of international law in more detail.

**International human rights law.** Migrants are entitled to claim implicit and explicit protections enumerated in international human rights laws. Few of those contain specific references to migrants but their use of inclusive language implies their provisions must apply to all persons, regardless of their circumstances (except where stated otherwise). A number of civil and political rights (including the rights to life, freedom from torture, freedom from slavery and forced labour, equality before the courts, and equal protection of the law) can never be limited even with respect to non-nationals, including irregular or smuggled migrants.

International human rights law does not necessarily apply to migrants in the same manner or to the same degree as citizens, however. Differential treatment is sometimes permissible; discriminatory treatment is not.

The International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families (Migrant Workers Convention) is the only international human rights instrument that specifically addresses the rights of migrants. It is currently the least ratified of the nine major human rights treaties and most states that have ratified it are source or transit countries. The Convention is nevertheless an important source of international law.

**Conventions of the International Labour Organization** (ILO) address the rights of workers. Most also deal with migrants incidentally or insofar as migrants find themselves in exploitative situations or belong to specific groups. Though ILO Conventions are not protection instruments, they make important references to rights. The ILO Declaration on Fundamental Principles and Rights at Work (1998) requires all member states to comply with core labour principles, including the rights to freedom of association and collective bargaining, the elimination of forced or compulsory labour, the prohibition of discrimination in employment and occupation, and the prohibition of slavery. They also address child labour and the responsibilities of private employment agencies. In 2004 the ILO issued a Plan of Action on Labour Migration which reaffirmed the human rights of migrants. Its Multilateral Framework on Labour Migration (2006) provides guidance on decent work and the protection of migrant workers.
In summary, all migrants regardless of their status have the right to:

- protection from life-threatening, unsafe or highly painful or demeaning forms of transport;
- equal access to justice;
- procedural protection (particularly after arrest and detention); and due process (in an inquiry into the lawfulness of their presence in the territory);
- protection from coercive, unsafe or inhumane working conditions;
- payment of fair compensation for work performed;
- organise for the protection of their employment interests;
- protection from physical or sexual abuse;
- education, particularly for migrant children;
- adequate housing; protection against grossly inadequate housing conditions, and access to private or non-state subsidised housing where available;
- health; publicly-funded emergency health care, where available in the state;
- other forms of social assistance necessary to preserve life;
- leave the country under safe and humane conditions;
- consular protection.

They also have the right not to be:

- held for administrative reasons when adequate alternatives for verifying identity or ensuring availability for removal exist;
- subject to prolonged or indefinite administrative detention for illegal entry;
- returned to conditions where they risk torture or ill-treatment (non-refoulement).

**International criminal law.** Though states have accepted certain responsibilities for non-nationals (in respect of witnesses and victims, for example), criminal law provides few protections for migrants. Most international criminal law measures deal with irregular migration by strengthening border controls and criminalising the facilitators. They concentrate on prevention and interception and focus on two points in time (when a journey starts, and when a migrant crosses the border), leaving other aspects of the migrant’s experience to national criminal law, or human rights or labour law. The most relevant recent international criminal law instrument is the UN Convention on Transnational Organized Crime (UNCTOC), which includes two protocols (the Palermo Protocols) that address human trafficking and human smuggling respectively.
THE PALERMO PROTOCOLS

The Palermo Protocols (2000) were constructed around three distinctions:

- between coercion and consent;
- between irregular (smuggled) migrants and (trafficked) victims; and
- between victims and agents.

A further moral distinction is implicit: between innocence and guilt.

Applied together, they divide the field: one part addresses the protection needs of innocent and deserving victims of criminal activity (victims of trafficking) and focuses particularly on the traditional targets of protective concern, women and children. The other addresses the situation of culpable and complicit actors who are eventually considered satisfied clients (smuggled “illegals”). These are considered less deserving of protection and support because of their original motive – their decision to choose to migrate illegally. The distinction has since become central and has caused states to divide migrants neatly into the deserving “forced” and the undeserving “voluntary”.

Both protocols require State Parties to: criminalise the conduct of traffickers or smugglers; establish and implement domestic law enforcement mechanisms; and cooperate with other states in the above. Both also stipulate that migrants should not be subject to criminal prosecution for their illegal entry, though the Smuggling Protocol does not prohibit states from imposing punitive measures on smuggled migrants for breaching immigration regulations.

The Trafficking Protocol considers trafficked persons to be victims of the crime of trafficking who require protection. If domestically enacted, adequately funded and enforced, its provisions will bring trafficked people significant benefits.

The Smuggling Protocol also refers to the protection needs of smuggled persons, but more sparingly. It affirms “the need to provide migrants with humane treatment and full protection of their rights”, includes several provisions that protect rights, and affirms that international humanitarian and human rights law, and international refugee law, apply to smuggled migrants. States Parties are required to protect the right to life, and prevent torture or cruel, inhuman, or degrading treatment or punishment. Combined with the prohibition on criminalisation of migrants, this represents an important international commitment to a basic level of protection. Though it falls short of international human rights norms, its standards provide a basic floor of protection for smuggled migrants who, in common with trafficked and other irregular migrants, enjoy the protection of international human rights law by virtue of their common humanity.
CONCEPTUAL SHORTCOMINGS

This said, the Protocols fail to distinguish “trafficked” from “smuggled” persons cleanly. As a result, when status is allocated, they do not determine objectively whether individuals belong to one category or the other. This matters greatly because allocation has important practical repercussions on their access to human rights protection.

The definitions of “trafficked” and “smuggled” are not exclusive or conceptually comparable. The key tests of smuggling are illegal border crossing (and enabling irregular residence) and payment; but trafficking also breaches migration law and many trafficked persons make payments when they cross borders. Trafficking tests focus on violations of rights, but rights are often violated in the course of smuggling. Exploitation, a key element in trafficking, can be present during a smuggling process. The definitions are thus not exclusive.

Second, smuggling is considered an event (occurring at borders) and trafficking an ongoing relational process that violates rights. Because the premises of the definitions draw on different legal principles, they are not comparable. In these circumstances, allocating individuals to one or the other category in a hard and fast manner is certain to create inconsistencies and injustice.

Vulnerability does not end at the border. For officials, smuggled migrants become merely irregular once they have crossed the border, though many remain at risk because they have continued obligations to those who smuggled them.

The distinction between “consent” and “coercion” is problematic. The Protocols distinguish “deserving victims” who are trafficked from “complicit” migrants who allow themselves to be smuggled. This distinction depends on a flawed conception of human agency and presupposes that migrants’ motivational states are fixed as well as measurable.

In fact, migrants’ motives and circumstances are fluid during their journey and after arrival. A person who is consensually transported at one time may subsequently be coercively trafficked; consent granted in one context may be withdrawn in another.

Finally, the definitions consider irregular migrants, even smuggled ones, to have incomplete or no autonomy of decision. Yet many are true agents who determine their own lives and are the opposite of passive. The decision of women to migrate, in particular, can represent an explicit attempt to escape oppressive situations.

The same logic applies to employment decisions. Migrants will accept work that is dangerous, badly paid, insecure and lacks social protection. It is plainly simplistic to evaluate such contracts only in terms of the smuggling standard (consent) or the trafficking standard (exploitation).
TOWARDS COHERENT POLICIES

RECOMMENDATIONS

The current policy regime fails to provide protection, particularly to irregular migrants. What might a policy regime that provided better protection look like?

General

- Governments should review policies that seek solely to suppress migration, because they are likely to be operationally unachievable.
- They should avoid policies that criminalise migration: they are inappropriate and unachievable, and prejudice the rights and dignity of migrants.
- They should create channels for legal migration and, since unequal access to opportunity drives irregular migration, address incentives that cause it.
- They should improve inter-ministerial coordination, vital for anti-smuggling policies, because divergent ministerial priorities are likely to create protection gaps.
- “Management” approaches to migration prioritise control and containment: they should begin from the principle that migrants are human beings with rights, entitled to protection.
- Public communication strategies should assess migration rationally and emphasise its benefits as well as costs. Governments should explain the obligations in law they have accepted, which provide certain protections to migrants, noting that these are fundamental to the freedom and wellbeing of everyone in the territory.
- States should gather more complete and reliable migration data; apply stringent data protection standards; respect the right of migrants to privacy.

International cooperation

- States should ratify and implement international instruments that protect migrants’ rights, including the International Convention on Migrant Workers.
- Migrant communities, non-governmental organisations and businesses should be encouraged to participate in the formation of migration policies. Cooperation and partnerships are essential.
- Via agreements with sending countries, countries of employment should ensure that returning migrants can claim unpaid wages, social benefits and pensions.
- Countries of origin should accept their responsibility to inform, train and protect their citizens at all stages of migration, including after return.
- Anti-trafficking and anti-smuggling information campaigns should protect fundamental rights, including the right to freedom of movement.
Training and regulation

- Law enforcement and other public officials, including subcontractors, should be trained in human rights standards applicable to migrants, and specific groups such as women, children and smuggled migrants. Training should emphasise the protection of all persons regardless of status.

- Border officials who breach human rights standards should be sanctioned.

- Recruitment agencies should not be permitted to recruit or place migrant workers in jobs that subject them to unacceptable hazards or risk or human rights abuse. Charges for recruitment and placement should not be borne, directly or indirectly, by migrant workers. Recruitment agencies that violate the rights of clients should be sanctioned.

- National Human Rights Institutions should be mandated to investigate and strengthen the human rights situation of migrants.

Border protection

- Given the vulnerability of smuggled and irregular migrants, protection should be a central objective. Procedures should avoid automatic detention and deportation. Counter-trafficking policies should address a range of abuses, such as forced labour, in addition to sexual exploitation. Anti-smuggling operations should not further endanger the lives and dignity of those caught up in them. Law enforcement agencies should not prosecute persons who assist asylum seekers to seek international protection. Border enforcement procedures should be scrupulously non-discriminatory.

- Extradition, deportation and expulsion should always be preceded by individual examination of a migrant's circumstances. Procedural guarantees in the context of expulsion include inter alia: prohibition of mass or collective expulsions; entitlement to challenge individually decisions to deport; access to competent interpretation and legal counsel; access to a review (ideally judicial) of negative decisions.

- Wherever possible, administrative detention should be avoided in favour of less intrusive methods of border control. This is particularly important in the case of migrants with particular protection needs, such as children.

- States should interdict discrimination against migrants in society.

Complaints and access to justice

- Governments should bring those who violate migrant workers’ rights promptly to justice. Migrants who lay complaints should not be subject to deportation.

Regularisation

- Governments should address migrants’ lack of legal status. Potential solutions include regularisation and the creation of avenues for legal migration that include low- and semi-skilled migrants.
**Employment and social policies**

- Temporary labour schemes should not merely exploit migrants. At the end of temporary contracts, migrant workers should be entitled to remain to obtain unpaid wages or redress for violations of their rights.

- Domestic labour legislation (on maternity protection, wages, occupational safety and health) should apply to all migrant workers. Regardless of status, migrants should enjoy decent, safe working conditions, a humane workload and hours, adequate salaries, sufficient leisure time, annual leave.

- The right of association should be protected, including the right to form and join trades unions.

- Governments should ensure work permits are not tied to one employer.

- Governments should inspect and regulate all workplaces impartially; prosecute abusive employers; and protect whistleblowers from reprisals, regardless of status. Workplace inspections should not aim to detect irregular migrants in order to deport them.

- Policies that require health professionals, police officers or other public officials to report undocumented migrants should be rescinded.

- Governments should include all migrants, regardless of status, in national plans for the provision of public services, including housing, water and sanitation, health care, and education.

- Human rights law recognise a family’s right to live together: as the fundamental unit of society, it is entitled to respect, protection, assistance and support, and should not be denied to migrants.

**Gender and age**

- Women migrant workers are often subject to multiple layers of discrimination. Governments should give specific attention to their protection.

- Male migrants are disproportionately singled out for scrutiny at borders and subject to arbitrary ill-treatment or detention, and many work in dangerous conditions. Governments should give attention to this aspect of protection.

- Child migrants are highly vulnerable to abuse. States should ensure that the law and administrative practices protect children from abuse, do not render stateless any child born to irregular migrants, and that all children have access to primary education, health care and essential food and shelter.

- States should protect the rights of elderly migrants, and ensure that pensions, including old age and disability pensions, are fully portable.

**Domestic and care workers**

- Many domestic workers suffer intimidation and violence, without contracts, on low incomes, lacking freedom of movement. They should be protected in law and practice; domestic work should be recognised as “work”.

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CONCLUSION

Irregular Migration, Migrant Smuggling and Human Rights: Towards Coherence argues that government policies are not internally consistent. They include increasingly draconian policies to contain migration and enforce return, alongside programmes which promote open economies and require migrant workers. A tension exists between a political incentive to deter migration (especially of low- or semi-skilled migrants) and an economic incentive to encourage (though not necessarily to recognise or regulate) it.

Politically and morally this is a cul de sac. No amount of political rhetoric will stop the movement of people when the forces and incentives that cause migrants to travel remain in place. Draconian law enforcement is unlikely to succeed either: it has failed in countries across the globe at a dreadfully high human cost. Yet, if migration is perceived to be ungovernable, political leaders will continue to come under public pressure to introduce increasingly tough regulations and border controls. This vicious cycle of ineffective repression endangers the civil liberties of migrants (and sometimes of the citizens of countries to which they move) but does not remove the economic need for migrant labour. As a result, migrants continue to be drawn towards opportunity, but their conditions of employment – as well as the journeys they make – become more dangerous, more secretive and more subject to criminalisation.

The current policy framework is also flawed intellectually because it frames behaviour atomically, in terms of individual responsibility. Yet context is essential. While it is obvious that migrants are individually responsible for the decisions they make – to migrate in search of work, to employ the services of smugglers, to live or not clandestinely – to analyse migration only in these terms is the equivalent of attributing the rise in obesity solely to the moral weakness of individual consumers. Migrants are human beings who are responsible for their behaviour, but at the same time they are actors in much larger social and economic processes, which provide incentives for such behaviour.

The dangers of encouraging simplistic approaches are all too evident. In the past two decades, xenophobic and discriminatory attitudes towards migrants have moved in many societies from the edge towards the centre of the political agenda. Anxieties generated by the “war on terror” have encouraged thinly veiled racism and even explicit discrimination against migrants and their communities, especially those from particular national and ethnic backgrounds.

On these and other grounds Irregular Migration, Migrant Smuggling and Human Rights: Towards Coherence argues that, to establish a sound foundation for policy and resist a pernicious drift to political intolerance, policy-makers and governments should give more attention to the protection of migrants, and to do so should draw more explicitly upon human rights standards that they have already committed to uphold.
A comprehensive, effective and coherent approach will need to balance three strands of policy: law enforcement, economic interest and protection. In this context, protecting rights should be seen not just as a legal duty but as sound policy. Commitments to protect migrants from abuse are not in contradiction with a government's commitment to law enforcement or a country's economic interest. On the contrary, such policies are in the interests of the state and its citizens, as well as migrants. All states have human rights obligations, whether derived from treaty or customary law. Attempts to interdict migration through law enforcement policies without giving adequate attention to the situation and inherent rights of migrants, are destined to end in disarray. International human rights law provides a rich source of norms and standards upon which states can draw in order to respond, in a consistent, legal and humane manner, to the various situations of irregular and smuggled migrants.

Governments have a similar responsibility to build economic institutions that are efficient, competitive and sustainable. This enterprise requires governments to give attention *inter alia* to relevant human rights (regarding education, health, safe working conditions, rights of association, the prohibition of discrimination, etc.). Wherever migrant labour is needed by societies to sustain their economies, it is sound policy to ensure that migrants are not drawn into exploitative and dangerous labour ghettos, that migrants as well as other residents are educated and healthy, and that economic markets remain open and transparent rather than illicit and criminalised.

One important step towards developing a more balanced and integrated approach would be to revise forms of classification that do not correspond to the dynamic and fluid nature of the migration process. Many of the legal definitions in current use cannot be applied objectively in practice. Migration situations often blur definitional differences and produce overlaps, so that a migrant can fall into more than one category at the same, or at different times.

Above all, the criminalisation of irregular migration is an excessive response to what is essentially an administrative infraction. Migration is part of mankind's lived heritage – an experience shared by all societies and a responsibility of all governments, whether they are countries of origin, destination or transit, or all three at once. If this can be accepted, it may become possible to craft policies that respect the contributions and rights of all those who are involved in migration and its consequences.
ABOUT THE COUNCIL

The International Council on Human Rights Policy was established in Geneva in 1998 to conduct applied research into current human rights issues. Its research is designed to be of practical relevance to policy-makers in international and regional organisations, in governments and inter-governmental agencies, and in voluntary organisations of all kinds. The Council is independent, international in its membership, and participatory in its approach. It is registered as a non-profit foundation under Swiss law.

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Migration policies across the world are driven by three core concerns: law and border enforcement, economic interest, and protection. This report argues that official policies are failing partly because one of these concerns, protection, has been marginalised. Intensified efforts to suppress migration have not deterred people from seeking security or opportunity abroad but drive many into clandestinity, while the promotion of open economic markets has attracted millions of people to centres of prosperity but tolerated widespread exploitation. As a political consequence, discussion of migration is widely polarised and distorted by xenophobia and racism.

The report suggests that it is in governments’ interest to affirm their legal and moral responsibility to protect everyone, including migrants. Human rights law provides a baseline of essential protection for migrants, and also some key components of a more balanced and rational policy approach. A substantial appendix summarises the rights of irregular migrants in international law.

"Irregular migration is a hot topic in a large number of states ... and the debate is often ill-conceived, misinformed and jingoistic. It is essential that it be reframed on the basis of fact and law. The report makes a very useful contribution to that."

Chris Sidoti, Human Rights Council of Australia

“We welcome the emphasis on protection of rights not just in terms of a legal framework, but also as sound policy that is in the interest of society as a whole.”

Open Society Institute (OSI)

“This report is an extremely useful compilation of relevant migrant rights legislation for civil society organisations. It provides very good conceptual and legal analysis and training material.”

Global Alliance Against Traffic in Women (GAATW)