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INTERNATIONAL MIGRATION
BACKGROUND REPORT
AND
DRAFT RESOLUTION

Document prepared by the International Federation
in consultation with the ICRC and National Societies

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INTERNATIONAL MIGRATION

Background note

This report provides background for a draft resolution on international migration proposed for adoption by the 2007 Council of Delegates (see annex).

The components of the International Red Cross and Red Crescent Movement (Movement) have been providing assistance and protection to uprooted populations since the origins of the Movement. The topic has already been raised on a number of occasions at the International Conference of the Red Cross and Red Crescent (*Resolution XXI, Manila 1981; Resolution XVII, Geneva 1986, Resolution 4A, Geneva 1995 and Goal 2.3 of the Plan of Action of the 27th International Conference, Geneva 1999*) as well as in the Council of Delegates (*Resolution 9, Budapest 1991, Resolution 7, Birmingham 1993 and Resolution 4, Geneva 2001, Resolution 10, Geneva 2003*).

However, feedback from the different components of the Movement shows that these statutory decisions do not always provide sufficient guidance for the Movement in its work to address the plight of persons in need of assistance and protection in the course of their migratory movements. The decisions mainly cover asylum-seekers, refugees, displaced persons and returnees and to a lesser extent people moving due to reasons other than persecution or armed conflict.

During the last decades an increasing number of people are leaving their home countries for social, economic and environmental reasons. Many of these people find themselves in situations where they are in urgent need of humanitarian assistance and protection. Many components of the Movement have taken the needs of vulnerable migrants (especially irregular migrants) to heart and provide assistance on a regular basis. The response varies from country to country depending on the different mandates of the Movement components and the specific domestic context. Until now such assistance has not been guided by a statutory commitment of all the components of the Movement.

The recent Regional Conferences of the Federation –“the 7th European Regional Conference” (20-24 May 2007, in Istanbul, Turkey) and “the XVIIIth Inter-American Conference” (4-7 June 2007, in Guayaquil, Ecuador)–, as well as the “Xth Mediterranean Conference” (27-31 March 2007, in Athens, Greece), placed migration at the centre of their discussions and reaffirmed their commitment to alleviate the plight of vulnerable migrants.

The Red Cross and Red Crescent Movement has already developed activities in support of people in the different stages of the migratory cycle in source, transit, and destination countries, in the following fields:

1. The Red Cross and Red Crescent National Societies play a role as humanitarian actors in the field of migration, i.e., as auxiliary to the government with respect to the humanitarian consequences, or through the provision of services under a contract. The response to vulnerability and needs among migrants should, depending on domestic contexts, take into account actions in the following fields:
 - **Humanitarian assistance:** e.g., providing food, shelter, clothing, health care, first aid, psycho-social support;
 - **Protection:** e.g., restoring family links, legal and administrative advice, acting against exploitation and deception, information on the risks of irregular migration, monitoring of detention conditions and treatment;

- **Integration/re-integration:** e.g., reception services, helping migrants to get included in labour markets; fostering social participation and solidarity (e.g., as RC volunteers).
 - **Advocacy:** providing the humanitarian perspective to policy decisions, combating racism, xenophobia and discrimination; promoting international norms protecting migrants.
2. The role of the International Federation is to support and assist National Societies 'to improve the lives of vulnerable people', which in the context of migration includes all vulnerable migrants, regardless of their legal status. The Federation is responsible for support to National Societies in their efforts to enhance and build capacity in order to respond to needs of people affected by the migratory process; facilitate knowledge-sharing between National Societies and different Movement components; promote greater cooperation for activities in favor of migrants and returnees in countries of origin, transit and destination; and strengthening partnerships with external actors working in this field.
 3. In general, the role of the ICRC with regard to migrants complements that of National Societies and the International Federation. During armed conflict, migrants are protected by International Humanitarian Law (IHL) as civilians, as is the case with persons internally displaced by such a conflict. The ICRC addresses their needs according to their particular vulnerability if any. In other situations of violence, the ICRC may offer its services to help migrants. The ICRC also has a specific role and expertise in the field of protection. In particular, in its role as coordinator and technical adviser in the field of restoring family links, the ICRC can provide technical services to National Societies on matters including disappearances of migrants during journeys and the management of human remains. It can also orient and advise National Societies wishing to engage in activities in favour of detained migrants or any other protection issue.

The International Federation has acted upon the request of the regional conferences in Istanbul and Guayaquil by including migration as a separate agenda item of its General Assembly (2007) which is expected to task its Governing Board to develop a Federation policy on Migration, benefiting from the expertise of the ICRC in relevant fields. The ICRC has also increased its involvement on migration issues, be it in its operations in some countries or through counselling and support to other Movement partners. The Federation, with the support of the ICRC, has produced a background paper on migration for the purpose of the General Assembly.

Furthermore, the 'Restoring Family Links Strategy for the International Red Cross and Red Crescent Movement' and related background documentation, prepared by the ICRC for the purpose of the Council of Delegates 2007, is also relevant for the discussions relating to the migration issue.

The outcome of such discussions at the upcoming Council of Delegates should further strengthen the ability and commitment of all the components of the Movement to achieve our common objective: *to ensure that migrants who are left without any suitable form of protection and assistance receive the help they need, regardless of their status, thus preserving their lives, health, and dignity.*

DRAFT RESOLUTION

INTERNATIONAL MIGRATION

The Council of Delegates 2007,

Recalling and reaffirming the resolutions on topics relating to migration adopted by the International Conference of the Red Cross and Red Crescent (Resolution XXI, Manila 1981; Resolution XVII, Geneva 1986, Resolution 4A, Geneva 1995 and Goal 2.3 of the Plan of Action of the 27th International Conference, Geneva 1999) as well as the resolutions adopted by the Council of Delegates (Resolution 9, Budapest 1991, Resolution 7, Birmingham 1993 and Resolution 4, Geneva 2001),

Taking into account the respective roles and mandates of the different components of the Movement as outlined in the Statutes of the Movement and the Seville Agreement and as they are inspired by the Movement's Fundamental Principles,

1. **Recognizes** that migration is a multifaceted and complex global issue, which today affects every country in the world;
2. **Calls upon** the components of the International Red Cross and Red Crescent Movement (the Movement) to seek to give more prominence to the humanitarian consequences of migration at international, regional, national and local levels;
3. **Welcomes** the decision of the Federation General Assembly to develop a policy on migration for National Societies¹, noting that it will benefit from the specific role, experience, and expertise of the ICRC in restoring family links and other protection issues, in particular regarding persons deprived of liberty, and **requests** the Federation to report back on this at the next Council of Delegates in 2009;
4. **Takes into account** previous resolutions on Restoring Family Links and its relevance to the field of migration;
5. **Requests** the ICRC, in close consultation with the Federation and National Societies, to develop guidelines for National Societies working or wishing to work in places where migrants are being detained, basing itself on the work already initiated by the ICRC and several National Societies in this respect, and to report back on this to the next Council of Delegates in 2009;
6. **Endorses** the general orientations described in the background note concerning the respective roles of the different components of the Movement in the field of cross border migration;

¹ In 2003 the International Federation adopted a "Policy on Refugees and other Displaced People". However, feedback from National Societies shows that this policy does not provide sufficient guidance for National Societies in their work to address the plight of persons vulnerable as a consequence of migration.

7. **Requests** the ICRC and the International Federation, in accordance with their respective mandates, to support the efforts of National Societies to gain access and provide impartial humanitarian assistance to migrants in need, regardless of their status, and to do so without being penalised for such action;
8. **Invites** National Societies to utilise their capacity as auxiliaries to the public authorities in the humanitarian field to engage in a dialogue with their public authorities to clarify their respective roles relating to the humanitarian consequences of migration, noting that while acting in an auxiliary capacity National Societies will be in a position to base their assistance strictly on vulnerabilities and humanitarian needs and maintain their independence and impartiality at all times without being drawn into debate on the political, economic and security aspects of migration;
9. **Calls upon** the different components of the Movement, in accordance with their respective mandates, to promote in this context respect for international law, including international human rights law, refugee law and humanitarian law;
10. **Request** the various components of the Movement, in conformity with their respective mandates, to cooperate in the development of advocacy strategies addressing the humanitarian consequences of migration;
11. **Requests** the International Federation, National Societies and the ICRC, in accordance with their respective mandates, to closely cooperate and coordinate within and beyond the Movement to support the provision of the necessary assistance and protection to vulnerable persons throughout the entire migratory cycle, including return and reintegration.