
FOREWORD

International migration is an established feature of contemporary social and economic life. As governments the world over come to terms with this reality, they are faced with the challenge of developing effective modes of cooperation in this field.

With its rapidly increasing membership (expected to reach at least ninety-eight Members States at the December 2002 Council, up from fifty-nine in 1997) grappling with the complex and varied issues related to migration management, IOM is in a unique position to share the knowledge and expertise it has acquired over the past fifty years. As the principle inter-governmental organization focusing on the broad range of migration issues, it is well placed to assist governments through enhancing understanding and building capacity for more effective migration management. At the request of Member States for IOM to play a more dominant role in the migration policy debate, IOM launched, as an integral component of its Eighty-second Session of the Council held in November 2001, its first International Dialogue on Migration. This session of the dialogue emphasised the requirement for a comprehensive approach to managing migration, as well as the need to better understand migratory phenomena. Of most relevance to the current publication, governments emphasised the need to understand the existing international legal framework relevant to migration management.

The Berne Initiative, launched by the Swiss Federal Office for Refugees in June 2001, has been following a similar orientation. One of its main purposes is to open up avenues of study, reflection, and consultation among governments and other migration stakeholders with a view to enhancing cooperation.

Migration and International Legal Norms is an important contribution to this process and a response to numerous requests from policy makers for a concise guide to international legal norms and standards in the field of migration. This study provides a ready tool for policy makers and migration practitioners by gathering and analyzing in one place relevant international legal norms for the management of migration.

Migration and International Legal Norms was commissioned by the International Organization for Migration under the sponsorship of the Swiss Federal Office for Refugees and the Swiss Department of Foreign Affairs as part of the Berne Initiative, and provides sixteen distinct papers on different migration issues prepared by international law experts in each of the identified fields relevant to migration management. It includes chapters on the authority and responsibility of States, freedom of movement and transnational migration, return to States of origin and third states, migration and security, nationality, forced migration, combating smuggling and trafficking, protection of asylum-seekers and refugees rescued at sea, human rights of migrants, family unification, children and migration, labor migration, trade law norms, migration and development, migration and health, integration and inter-state cooperation on migration. An introductory chapter provides an analysis of each of

the individual studies and offers an integrated view of the legal landscape in the field of international migration.

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Brunson McKinley
International Organization for Migration
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