

speaker's corner



IOM: trespassing on others' humanitarian space?

compiled by Tim Morris

*"IOM is playing an increasingly prominent role in the reception, assistance, and return not only of migrants, but also of asylum seekers, refugees and the forcibly displaced. Given that IOM does not have a protection mandate for its work with refugees and displaced persons, Amnesty International and Human Rights Watch recommend that IOM should refrain from taking a lead role in situations which fall squarely under the protection mandate of other international organizations, such as UNHCR."*¹

“What is an IDP?” a staff member of the International Organisation for Migration was overheard asking at a training session in Darfur.² Allowance must be made for the ignorance of recently-recruited staff but this was a query from a representative of the agency just tasked with overseeing the return of IDPs in Darfur. As IOM expands its role in conflict-affected states and diversifies its activities worldwide, many in the humanitarian community are echoing the question recently posed by the International Council for Voluntary Organisations (ICVA): “Is IOM an agency that will do anything as long as there’s money with which to do it?”³

Like UNHCR, IOM was established in 1951. Initially named the Inter-Governmental Committee on Migration in Europe, it was based on economic priorities, not humanitarian principles. Unlike UNHCR, which derives its mandate from international law and agreements, the ICME/IOM is a membership organisation, not a UN agency, and is not accountable to any democratically-elected body. Although international organisations such as UNHCR, UNICEF and WHO have observer status, as do international trade union, religious and welfare organisations, they have no voting power. IOM has 93 member

states and over 100 field offices. In 2005 IOM is planning for a 16% increase in its operational budget.⁴

According to ICVA the manner in which a memorandum of understanding was drawn up to entrust IOM with overseeing IDP return in Darfur constitutes “a flagrant disregard for the collaborative approach” to the problem of internal displacement.⁵ The recently created Inter-Agency Internal Displacement Division was not consulted for advice before it was signed. Many of IOM’s other operations are equally controversial:

- The Jesuit Refugee Service has criticised IOM’s role in dealing with the 2.5 million Burmese migrant workers in Thailand. True to its mandate to ensure ‘orderly migration’, IOM has helped the Thai authorities set up a registration process which has led to the monthly deportation of 66,000 people. JRS notes that once they have crossed the border, IOM is unable to maintain contact with the returnees.⁶
- The Roma National Congress has expressed grave concerns about the IOM’s role in involuntary removals of Roma migrants.⁷
- On the island of Nauru and in Papua New Guinea, IOM is contracted by the Australian government – as part of its ‘Pacific Solution’ to discourage asylum seekers from making onshore applications – to run detention facilities.
- During the 2003 Gulf War IOM, which facilitated the repatriation of long-term foreign residents who had fled from Iraq to Jordan, may have violated the principle of *non-refoulement* by giving nationals of Sudan and Somalia inadequate time to be made aware

of their rights and to make an informed decision about returning to their home countries.⁸

- In Iraq it has been assigned responsibility for return of IDPs and establishment of property restitution mechanisms but seems to lack the means or expertise to do so.⁹

Human Rights Watch has been monitoring IOM field operations since drawing attention in 1993 to IOM’s role in the asylum determination system imposed on Haitian asylum seekers by the USA. HRW notes that while IOM has recently adopted rights-based language it does not automatically observe international human rights and refugee protection norms. “The IOM plays an increasingly prominent role in the return of migrants, asylum seekers, refugees, and IDPs to their countries of origin, to other countries that have agreed to accept them, or to other regions within their own countries. The organization claims that it returns migrants in safety and dignity and only on a voluntary basis. The IOM, however, has no mechanism – either internal or external – to evaluate whether decisions to return are, in fact, made under duress or under circumstances that are directly or indirectly coercive, or to assess that conditions in certain countries are safe enough to allow for returns.”¹⁰

Your feedback on these issues is welcomed by the FMR editors.

1. www.hrw.org/press/2002/12/ai-hrw-statement.htm
 2. As reported in *Talk Back*, ICVA, Oct 2003, online at: www.icva.ch/cgi-bin/browse.pl?doc=doc0001253#editorial
 3. *ibid*
 4. www.iom.int//DOCUMENTS/GOVERNING/EN/MC2144.PDF
 5. *ibid*
 6. www.jrs.net/old/inf/reports/th21204e.htm
 7. www.romnews.com/a/32-01.html
 8. www.hrw.org/reports/2003/iraqjordan/Iraq-jordan0503-02.htm
 9. See article pp47-49
 10. www.hrw.org/backgrounder/migrants/iom-submission-1103.htm