



Georgetown University Law Center
600 New Jersey Avenue
Washington, D.C. 20001
migrantsrights@law.georgetown.edu

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Statement of the International Migrants Bill of Rights Initiative To the High-Level Dialogue on International Migration and Development

The International Migrants Bill of Rights (IMBR) Initiative would like to emphasize the importance of a rights-based framework as part of the discussion of the High-Level Dialogue. States must not forget that their commitments under existing treaties protect the rights of all people, including migrants. NGO representatives at the Civil Society Preparatory Meetings noted that there are existing frameworks in place and that the key issue moving forward will be encouraging implementation and effective international oversight.

The IMBR Initiative agrees with this premise but also would like to draw attention to the breadth of rights relevant to migrants as the international community moves forward. The basic rights belonging to all types of migrants come from a multitude of international human rights treaties and are not limited to those agreements that specifically address the issue of migration.

The IMBR Initiative would like to highlight the following guiding principles, which are derived from existing international agreements and which should be kept in mind as part of all conversations on migration and development.

IMBR Principles

Every migrant has the right to **dignity**, including physical, mental, and moral integrity.

Every migrant has the right, without any discrimination, to the **equal protection** of the law of any State in which the migrant is present.

Vulnerable migrants, including children, women, and disabled migrants, have the right to the protection and assistance required by their condition and status and to treatment which takes into account their special needs.

Every migrant has the inherent right to **life**.

Every migrant has the right to **liberty and security of person**.

Every migrant has the right to recognition everywhere as a **person before the law**.

Every migrant has the right to an effective **remedy**.

Every migrant has the right to **due process** of law.

Every migrant **victim of crime** has the right to assistance and protection, including access to compensation and restitution.



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Every migrant has the right to protection against discriminatory or arbitrary **expulsion** or deportation, including collective expulsion.

Every migrant has the right to seek and to enjoy in other countries **asylum**.

Every migrant has the right **against refoulement**.

Every migrant has the right to a **nationality**.

Every migrant **family** has the right to protection by society and the State.

Every migrant has the right to **freedom of thought, conscience, and religion or belief**.

Every migrant has the right to **freedom of opinion and expression**.

Every migrant has the right to **freedom of peaceful assembly and association**.

Every migrant has the right to participate in the **civil and political life** of his or her community and in the conduct of public affairs.

Every migrant has the right to be **free from slavery**, servitude, or forced or compulsory labor.

Every migrant has the right **to work** and to just and favorable conditions of work.

Every migrant has the right to the highest attainable standard of physical and mental **health**.

Every migrant has the right to an **adequate standard of living**.

Every migrant has the right to **education**.

Every migrant has the right to enjoy the migrant's own **cultures** and to use his or her own languages, either individually or in community with others, and in public or private.

About the IMBR

The IMBR creates, for the first time, a single legal framework that protects the rights of all international migrants. This framework is a tool for migrants and advocates seeking to protect the rights of migrants and for states reforming migration policy to better comply with existing international law.

The IMBR draws from various areas of international law, including human rights law, refugee law, and labor law. Inspired by the Guiding Principles on Internal Displacement, which consolidated different areas of international law related to the treatment of internally displaced persons, the IMBR compiles this law to make clear that a comprehensive set of fundamental human rights protects all migrants. The IMBR also advances positive developments in migration law and practice consistent with progressive values. In 23 articles and 80 pages of commentary, the IMBR presents a dynamic blueprint for the protection of the rights of all migrants. In



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contributing to both a conversation and a movement, the IMBR Initiative aims to help secure a global legal architecture for all migrants on the basis of their dignity and humanity.

The IMBR is derived from the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the International Convention on the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance, the 1951 Convention Relating to the Status of Refugees, and the Protocol thereto, International Labour Organization Conventions concerning Decent Work for Domestic Workers, concerning Migration for Employment and concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, the Convention Against Transnational Organized Crime, and the Protocols thereto, including the Palermo Protocol to Prevent Suppress and Punish Trafficking in Persons, and other relevant international and regional instruments.