

More than anything else, the migrant symbolizes the true meaning of human rights based on the assumption that fundamental rights apply to everyone irrespective of nationality or statelessness. In spite of the historical, conceptual and normative ties between human rights law and international migration law, the fundamental rights of aliens often appear to be the poor relatives of human rights. The Special Rapporteur on the human rights of migrants has attested on several occasions “a steady deterioration of the human rights situation of migrants” and “the scant attention given to the human rights of this very vulnerable group in debates on immigration policies” (UN Doc. A/59/377 (2004), p. 12). There is indeed no other field where the gap is so significant between the wording of international instruments and their effective implementation at the national level.

Universal and regional human rights treaty bodies have however developed a comprehensive legal set of interpretative standards and guiding principles which are crucial – although not well-known – for filling up the implementation gap. This research project provides a unique opportunity to analyze the relevance and impact of the treaty-bodies practice for identifying the scope and content of the human rights of migrants and ensuring a more effective implementation of their fundamental rights. The results of this research will be published in English in 2009.

Project Team

Dr. Vincent Chetail, Project Director
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Diasporas et conflits: pratiques transnationales et stratégies socio-économiques de la jeunesse tamoule sri lankaise en Europe

Un projet financé par le Fonds national suisse (FNS) de la recherche scientifique

Le conflit armé qui déchire le Sri Lanka depuis plus de vingt a profondément recomposé les structures sociales. Une conséquence notable de ce conflit se situe dans l'ampleur des migrations internes et internationales qui affectent significativement les équilibres économiques et

démographiques. La plupart des migrants maintiennent des liens étroits avec le Sri Lanka et ont développé des réseaux transnationaux implantés sur les cinq continents. De nombreux chercheurs et agents humanitaires ont tendance à évaluer négativement ces activités transnationales, qui tendraient à affermir les distinctions ethniques et à renforcer les crispations identitaires.

Ce projet de recherche vise à dépasser une conception des communautés diasporiques comme constituant des groupes humains intégrés et cohérents, de considérer plutôt l'espace diasporique comme une arène politique transnationale, faite d'une pluralité de réseaux entre lesquels il existe de nombreuses passerelles mais aussi une certaine compétition. Si la dimension communautaire semble importante de prime abord, elle occulte une diversité interne, une pluralité de logiques sociales et de réseaux de solidarité qui tendent à s'articuler autour de différentes dimensions : caste, classe sociale, origine régionale, classe d'âge, genre, niveau d'instruction, parcours migratoires, etc. Dans cette perspective, ce projet met ainsi l'accent sur les stratégies d'un groupe social habituellement négligé malgré son rôle notoire dans de nombreux conflits violents, et notamment au Sri Lanka : la jeunesse.

Ce projet vise à explorer les pratiques transnationales de la jeunesse tamoule sri lankaise en Europe. Le projet propose ainsi :

- de décrire les phénomènes de recompositions intergénérationnelles que le conflit et l'exil ont occasionné ;
- d'étudier les activités de la jeunesse en contexte migratoire (vie associative, participation à des cérémonies religieuses, implication pour le pays d'origine) ;
- de mettre en lumière les stratégies transnationales mises en place par les différentes composantes de la jeunesse en Europe.

Project Team

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PROGRAMME FOR THE STUDY OF GLOBAL MIGRATION

Graduate Institute, Geneva



The Programme for the Study of Global Migration was created in January 2008 as part of the new Graduate Institute of International and Development Studies. Through the interdisciplinary study of global migration, it aims to produce cutting edge research and expertise on the causes and impacts of population movements. The main focus of the Programme is on migration linked to armed conflicts; generalized violence; persecution as well as ecological disasters. However, the programme also concerns itself with the so-called phenomenon of 'economic migration' and its contemporary implications.

As a rule, the PSGM promotes joint research projects in cooperation with research centres, partner institutions or academics, international organizations, UN agencies, NGOs, and governments. Such projects are either commissioned to independent researchers, collaborators, and partner institutions in Geneva and in various parts of the world or directly undertaken by academics affiliated to the Programme and the Graduate Institute.

Another cardinal aspect of the PSGM activities focuses on providing an interface between the various actors involved in migration issues through the organization of conferences, public lectures, seminars, workshops and roundtables. These various forums will allow for the dissemination of information between academic and policy circles, to the benefit of both communities. There will also be opportunities for policy-makers, activists and international civil

servants to meet informally to discuss and compare their ideas and approaches to specific issues.

In addition to its core team of researchers, the PSGM cooperates with its Research Fellows (in house) and Research Associates (external). In the near future, the Programme intends to create a Chair in Global Migration Studies and run a pre- and postdoctoral Global Migration Fellowship Program.

By harnessing the resources at the Graduate Institute and the Geneva based institutions, the Programme will become a key international source of impartial and public information, and a hub for researchers, students and policy makers. As such, it will act to develop academic and policy relevant knowledge as well as close the gap in cooperation, coordination and communication between all these actors.

Prof. Jussi Hanhimäki,

Director of the Programme for the Study of
Global Migration

THE GRADUATE INSTITUTE | GENEVA
PROGRAMME FOR THE STUDY
OF GLOBAL MIGRATION

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SHORT DESCRIPTIONS OF CURRENT RESEARCH PROJECTS:

UNHCR and the Globalization of Refugee Issues, 1951-1989

A project funded by the Swiss National Science Foundation (SNSF)

The United Nations High Commissioner for Refugees (UNHCR) is a unique influential, non-political and humanitarian organization which performs a highly politicized role, caught between a mandate that made it responsible to national governments and dependent on international donors while trying to address the needs of refugees. Looking at the history of this extremely visible UN Agency, this project will shed light on the importance of international institutions in post-war international history and analyze how UNHCR activities contributed to and were shaped by major processes such as decolonization, development and globalization. In addition, this study will add a new dimension to international historiography by producing an analysis of its role during the period when it truly began acting on a world scale.

From the mid-1960s, when its legal mandate expanded, UNHCR faced a series of massive refugee flows in Africa, Asia, and Central America. By focusing on the following general questions, historians involved in this project will explore how UNHCR reacted to these challenges:

- How did UNHCR manage to overcome its original limitations to intervene globally and how did it face the inherent practical and legal challenges linked to this expansion? How did the UN Refugee Agency adjust to its new global role and new refugee situations not foreseen when it was created in the early 1950s? Was it a process of had hoc adaptation or was there a carefully thought plan? Moreover, what were the differences (if any) in the UNHCR's approaches to the refugee problem in various parts of the world and how can we explain the variations?
- How did UNHCR manage to uphold its "entirely non-political" character in often highly politicized and militarized international, regional and local contexts? How difficult was it to remain impartial and to what degree was UNHCR able to act independently from States' interests? Did UNHCR advocate certain policies, take sides in conflicts, or simply 'clean up other people's mess'? Did its approach dramatically change with the globalization of the refugee question, especially in the context of decolonization?
- How did UNHCR relate to other UN Agencies and International Organizations, as well as non-governmental organizations (NGOs)? UNHCR is an organization that has always relied heavily on partnership with various institutions to fulfill its mandate. These partnerships have often been positive but there were also cases when UNCHR faced competition or disagreements with other organizations. The content and meaning of such relations still need to be analyzed.

This project will draw on the Records of UNHCR Field and Headquarters Operations and the Records of the Office of the High Commissioner, which provide a unique window into the coordination of international humanitarian action. These newly opened archives will be complemented by other international organizations' and national archives as well as interviews with former UNHCR staff

members. Marking the 60th anniversary of this UN Agency, the project will lead to the publication of a major book on the history of UNHCR from 1951 to 1989 as well as articles and working papers.

Project Team

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Migration and International Organizations

This research project directed by Dr. Vincent Chetail aims to analyze the mandates of the international organizations in the field of migrations and their possible interactions and collaborations in this framework.

Migration has become one of the highest priorities on the agenda of many international organizations whether universal or regional. The numerous interested organizations notably include the United Nations High Commissioner for Refugees, the International Organization for Migration, the International Labour Organization, the World Trade Organization, the United Nations Educational, Scientific and Cultural Organization, the International Maritime Organization, the World Health Organization, the European Union, the Council of Europe, the African Union, the League of Arab States, the Organization of American States, the Mercosur, the Caribbean Community, etc. However their respective mandates on migration are neither always clear nor well-known. Moreover the collaboration between international organizations remains erratic.

The research project proposes to identify and clarify the exact role of all the relevant international organizations and the possible avenues for developing a better collaboration in the field of migration. A Colloquium will be organized for this purpose in 2009. It will be the opportunity to gather the experience and expertise of scholars and representatives of international organizations working in the field of migration.

Project Team

Dr. Vincent Chetail, Project Director

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Collection of International Migration Law Instruments

This research project directed by Dr. Vincent Chetail aims to collect in a comprehensive and accessible way all the international and regional legal instruments applicable to migration.

International migration law is frequently equated to “a giant unassembled juridical jigsaw puzzle”, for which “the number of pieces is uncertain and the grand design is still emerging” (R. Lillich, *The Human Rights of Aliens in Contemporary International Law*, Manchester University Press, 1984, p. 122). International obligations of States with regard to migrants are indeed dispersed amongst heterogeneous enactments. The current international legal framework governing migration consists of a wide variety of principles and rules belonging to numerous branches of international law (such as refugee law, human rights law, trade law, labour law, air law, consular law, etc.). It gave rise to a disparate range of norms and standards, expressed neither clearly or accessibly. The dissolution of the international rules applicable to migration remains one of today’s most important issues as it impedes the understanding and, consequently, the effective implementation of these norms.

The objective of this research is to present in a comprehensive and concise manner the great number of relevant instruments – some of them being difficult to find. The results of the project will be published in French as a *Code de droit international des migrations* at Bruylant, Brussels in 2008. An English version of this collection of universal and regional instruments will follow in 2009.

Project Team

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Human Rights of Migrants: Texts, Comments and Analysis of the Treaty-Bodies Practice

In line with the project on "Collection of International Migration Law Instruments", this project directed by Dr. Vincent Chetail aims to collect and analyze the practice of human rights treaty bodies with regard to the situation of migrants.