

- The Hague Process on the Future of Refugee and Migration Policy -

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Seminar on Integration and Social Inclusion from a Southern Perspective

Bangkok, Thailand, 11-14 October 2004

Principle 14 of the Declaration of The Hague: 'Integration and Social Inclusion'

Early integration, based on equal treatment and the prohibition of discrimination, is in the best interests of all, irrespective of the long-term options for refugees and migrants and their right to return to their country of origin. Work, training, family reunion, education for children and access to health and other public services are key factors for successful integration. Critical to social inclusion as a two-way process is the involvement of the local population and the respect for their needs as part of an inclusive national strategy based on unity and diversity. Changes to traditional patterns of migration caused by new communication technologies and increased mobility require states to develop more flexible legal and social regimes for integration and reintegration. [Commentary: see [annex 1](#)]

1. Objective: In preparation for the *Club of The Hague* meeting in November 2004, this seminar was held in Bangkok to discuss the issue of ***integration and social inclusion*** with particular emphasis on the perspective of the South. To reach this objective, participants from Africa, Asia, Latin America, and Europe as well as international organizations attended in their personal capacity. A list of participants is attached as [annex 3](#). The event was made possible through the invitation of Professor Vitit Muntarbhorn of the University of Chulalongkorn, member of the *Club of The Hague*, and with the generous support of the UNHCR Bangkok office as well as the Royal Kingdom of Norway's Ministry of Foreign Affairs.

2. Briefing: The current status of *The Hague Process* and its *Club of The Hague*:

2.1 Participants received a factual briefing on *The Hague Process* up to the present time:

2.1.1. *The Hague Process on the Future of Refugee and Migration Policy (The Hague Process)* is a world wide initiative to advance the refugee and migration agenda through a multidisciplinary, complementary, and innovative practical approach. It brings together old and new stakeholders from the North as well as the South and consults with them in order to deliver concrete proposals for sustainable refugee and migration policies. The point of departure is the *Declaration of The Hague on the Future of Refugee and Migration Policy (The Declaration)*. The *Declaration* was issued in 2002 and endorsed by leading international figures such as the UN Secretary-General Kofi Annan. *The Hague Process* was established in 2000 to help build consensus on the key opportunities and challenges associated with migration, including refugees, asylum seekers and other displaced persons. To this end the *Club of The Hague* has been established to guide, advise and position *The Hague Process*.

2.1.2 In the next four years, *The Hague Process* plans to promote the specific propositions of the *Declaration*. On the organizational side this will include the setting up of a small secretariat, which will support the foundation of the *Club of The Hague*. A Steering Group has drawn up the Business Plan based on *The Hague Process*' mission and objectives. The Plan focuses first on:

- i. Developing *The Hague Process* to become the global platform;
- ii. Advocating its propositions with policy makers, particularly at the regional and national levels;
- iii. Involving the corporate and financial sectors as a voice in the debate on migration and development policy;
- iv. Advancing a greater understanding of the integration and social inclusion of refugees and migrants;

2.1.3 Presently the comparative advantages and added value of *The Hague Process* are:

a). *The Hague Process* can be a **catalyst** for change at the global, the regional and the national levels. Its wide-ranging membership from a multidisciplinary background can add value to the migration and refugee agenda in a new and unique way by:

- Advocating where others cannot;
- Developing and testing ideas;
- Working with representatives from the stakeholder community including new ones in the corporate, financial and health sectors;
- Translating the global discourse into regional and national action.

b). *The Hague Process* is **complementary** to other international efforts. At present the Global Commission on International Migration and the Bali and Bern Initiatives are among the most important international inter-state efforts on migration. *The Hague Process* is not a duplication of existing processes, it cooperates with them.

2.1.4 This next phase of work is in collaboration with the Danish Institute for Human Rights, the Society for International Development - Netherlands Chapter, and the Netherlands Institute of Human Rights.

2.1.5 *The Hague Process* is seeking donors to provide sufficient funding to support its activities, its values, and its objectives.

2.1.6 On the basis of the outcome of two preparatory seminars for the *Club of The Hague* meeting on 22nd November 2004 – one with the Financial Corporate Sector in July 2004 and this seminar – inter alia draft position statement ‘cards’ will be made for endorsement by the *Club of The Hague*. These positions will be distributed to and by all stakeholders of *The Hague Process*.

3. Context: Before addressing the specific topic of integration and social inclusion, the participants exchanged views and perspectives on the global situation of refugees, migrants and other displaced persons. The meeting benefited from a description of the refugee situation in South East Asia in particular. Participants endorsed the approach of the *Declaration of The Hague*, namely that there is a need for a major change of focus due to the nature and scale of globalization in the 21st Century, whereby patterns of migration are changing and potential for international cooperation is increasing and demographic realities are shifting. Globalization

offers possibilities to manage migration more productively; the advancement of Human Rights and democratic governance opens up new perspectives. Although the participants stressed the distinctive characteristics of refugees as compared to other migrants, they agreed it was intellectually coherent to address human mobility as a whole. Participants were concerned about hostile attitudes towards refugees, migrants and other displaced persons, often due to the misrepresentation of the factual realities which leads to xenophobia, discrimination and fear of the stranger. The current preoccupation with security issues dominates the debates and has served to further reinforce the negative view of refugees, migrants and other displaced persons.

While the starting point of the conference was a focus on the perception of the South, participants noted many areas of convergence between the interest of the North and the South through a focus on the universality of the Human Rights in response to the issue of human mobility. The frequent disconnections between Human Rights imperatives and actual political practices led participants to reflect how far the ‘human dimension’ of mobility has been lost in much policy making in both North and South.

The general discussions in the seminar highlighted a number of areas of common perception:

3.1 Poverty is still one of the main causes of (forced) migration which places a heavy burden on the Southern countries in particular, including in its major impact on indigenous communities in receiving countries already under economic stress.

3.2 Notions of integration should be based on the **universal standards of Human Rights** which should not be limited to civil and political but include social, cultural, and economic rights.

3.3 Policies of **inclusiveness** can only be successfully devised and implemented by having refugees and migrants directly involved in the policy making. Participants acknowledged that while there is much good integration practice to analyse and learn from, there is also too often a vacuum in policy making, very often attributable to an initial failure to legalise the status of many migrants.

3.4 Underlying the discussion was the conviction that there is a great responsibility of the **media and the education sector** to increase public understanding of the realities and positive benefits of modern human mobility (as stated in Principle 19 on ‘Leadership, Education and Information’ of the *Declaration of The Hague* – see annex 2).

3.5 Underlying the discussion was also the shared sense that the scale and nature of refugee and migratory movements in the world is entirely within the **capacity of the international community to manage**. Participants felt that there was a real need for an open and transparent debate among states and other civil actors on the difficulties states have in implementing the wide range of commitments they have entered into through international treaties and accords. E.g. participants recognized the difficulty the very real economic pressures put on states managing refugees and migrants and the often profound impact on local communities when refugees and migrants arrive. Together with the ILO one may look into the setting up of something like an International Labour Employment Office for refugees and migrants with regional and national dimensions or branches.

3.6 Participants noted that in particular **big cities** have always been the location where migrants have been able to climb up the social ladder. In response migrants should have full access to health care, housing, education and job opportunities. Conditions to this end must be met, because without them migrants have no chance to survive in the rapidly developing urban areas. The position and resilience by the local or resident population must be taken into account as well. Influx of migrants into the urban areas must be manageable in order to avoid social unrest, which has a negative impact on integration.

3.7 Participants were interested to explore the **role of ‘new actors’** in the (forced) migration policy debate, notably the corporate sector, the financial institutions and the health sector. They noted the importance of Principle 19 in this respect, and stressed the value of leadership from political, religious and corporate leaders in advancing understanding of the need to facilitate socially inclusive measures for refugees and migrants in the receiving countries.

4. Reflections on Integration and Social Inclusion:

4.1 Participants reflected on the concepts and language used in Principle 14 on ‘Integration and Social Inclusion’ of the *Declaration of The Hague* (see annex 2), and added further observations from their own regional perspective. A range of views on what constitutes ‘integration and social inclusion’ (‘a sense of belonging’, ‘participation’, ‘acceptance’, ‘an offer of opportunities’, ‘not a goal in itself, rather access to local opportunities within socio-economic development frame’, ‘a process taking place during different stages in a lifetime’), served to enlarge the concept. Emphasis was placed on the changing nature of migratory movements including those of more or less lengthy periods of time.

Participants endorsed Principle 14 of the *Declaration of The Hague*, and drew attention of its close relation to the propositions in its Principles 13 to 19 (see annex 2).

- 4.2 In all the discussion throughout the seminar the fundamental need to legalize the status of all refugees and migrants was emphasized, since without it the possibility of social inclusion and integration is not possible.
- 4.3 ‘Best practices’ in registration of migrants and their social inclusion was one of the issues where interests of policies in the North and South should converge; the monopoly of wisdom does not lie in the policies of the North. Also ‘best practice’ originating from specific regional micro-projects on social inclusion should be looked into. It was recommended that all actors should engage themselves in collecting and disseminating ‘lessons learned’ with regard to integration and social inclusion issues.
- 4.4 There was a need expressed by the Southern colleagues to tackle the negative perceptions of Northern policy making. Some improved and more equal partnerships are essential, not only because of the negative example of policies of restriction and closure, but also because of the importance of informing Northern public opinion of the far greater scale of (forced) migration in the South.
- 4.5 At a time when security dominates the national and international debate, the need for political will and leadership was highlighted as well as the importance of the message sent out by these leaders. Reference: Principle 5 on ‘Mobility and Security’ of the *Declaration of The Hague* (see annex 2). The importance of the concept of ‘human security’, having a special meaning in the humanitarian vocabulary, needs to be looked into separately.
- 4.6 Participants welcomed the potential contribution which ‘new’ actors can and should play in the (forced) migration debate, including the corporate sector and the international financial institutions as well as the health sector. In addition, the issue of health as a security factor for refugees, migrants and other displaced persons was put forward.
- 4.7 Participants explicitly endorsed Principle 19 of the *Declaration of The Hague* (see annex 2). They pointed to the contribution the media and education sector can make towards facilitation of integration and the responsibility of political and religious leaders to advance understanding of the need to facilitate socially inclusive measures towards refugees and migrants in the receiving countries.

5. Discussion on the current status of *The Hague Process* and its *Club of The Hague*:

- 5.1** Participants agreed that the essential focus of *The Hague Process* is on common interest of the North and South in approaching the refugee and migration issue in its political, economic and human dimensions. This is reinforced by a conviction that universal Human Rights and humanitarian standards provide the basis for the necessary interstate action. Such an approach serves the interest of state and non-state actors as well as the refugees and migrants.
- 5.2** Participants felt that *The Hague Process* should not accept as inevitable the ongoing negative image making on refugees and migration exacerbated by the ‘negative news logic’ of much of the media. Participants were aware of the limited success of many efforts at local, national and international level to create a more positive awareness of the migration issue; nevertheless, they urged members of the *Club of The Hague* to look at innovative approaches which create an environment more conducive to respect for refugees, migrants and other displaced persons.
- 5.3** Participants agreed on the value of collecting and disseminating empirical examples of successful approaches to integration and social inclusion, so as to demonstrate the lessons learned and what good practices are possible.
- 5.4** Participants endorsed the notion that the role of the *Club of The Hague* is to be a catalyst for innovation in policy thinking. It should make a virtue of its non-formal and non-institutionalised nature to promote real partnerships between North and South based on cooperative, not competitive, relations with other responsible institutions engaged in this field. The urgent set up of an international website is most strongly recommended. This is particularly of importance to the partners from the South.
- 5.5** *The Hague Process* should make every effort to ensure that its work truly reflects the needs of its people of concern, by ensuring that the input of migrants and refugees is properly reflected.
- 5.6** As an active strategy, participants supported the notion that the Hague Process should engage:

- with the network of National Institutions for the Promotion and Protection of Human Rights throughout the world and in particular through their annual meetings
- with the treaty bodies relating to Human Rights issues
- with governments demonstrably supportive of the Hague Process, which can engage the interest of organs of the United Nations and other bodies
- with the judges and jurists around the world to enhance an understanding of the legal issues, and augment positive jurisprudence regarding refugees and migrants
- with regional leaders to ensure that the refugee and migrant issue is higher on the agenda of the regional bodies
- with the media, notably the International Federation of Journalists to seek better ways of communicating with the media.

5.7 Participants agreed that the *Declaration of The Hague* constitutes a comprehensive and holistic approach to the issues, and urged that academics be invited to elaborate on the individual principles to reinforce the intellectual and policy oriented quality of the proposals.

5.8 *The Club of The Hague*, as an instrument of *The Hague Process*, should aspire to be not only the voice of realism and practical politics but also of political and moral authority.

**ANNEX I – COMMENTARY OF THE *DECLARATION OF THE HAGUE* ON
PRINCIPLE 14: ‘INTEGRATION AND SOCIAL INCLUSION’**

By integration we¹ mean developing equal opportunities for all while respecting the values of cultural, linguistic and national identities and meeting all the duties and obligations involved in membership of the host society.

Programmes for promoting integration and social inclusion need to be based on the principle of non-discrimination. Integration does not mean ‘assimilation’ and there should be recognition of the value of diversity and multiculturalism in societies.

An early integration of refugees and migrants is in the best interest of all and particularly of the receiving society. Regardless how long they will stay, refugees and migrants should be offered the opportunity and be expected to care for their own lives and to develop the necessary skills to live independently in the new environment. The ability to communicate is of paramount importance. Even if a refugee has a reasonable prospect of an eventual return home they should still be offered opportunities for integration so as to realise their full potential.

Successful integration benefits refugees, migrants and host societies. Unsuccessful integration, conversely, may lead to marginalisation, alienation, discrimination and ‘ghettoisation’ particularly in large metropolitan areas. No one in a host receiving society or refugee/migrant community can possibly benefit from such a situation, except those who seek to exploit such tensions for a particular political or ideological interest.

The integration of refugees and migrants from a variety of backgrounds challenges social policy at all levels. While governments should take the lead, the integration process requires the engagement of local and regional authorities, NGOs, religious bodies, business and trade unions, and refugee and migrants associations.

¹ As was stated in the Preamble of the Declaration in 2002: ‘**We**, a group of some 500 persons with different backgrounds from all parts of the world, were brought together in our individual capacities by the Netherlands Chapter of the Society for International Development to think creatively about the future of refugee and migration policy. We come from governments, from supranational bodies, intergovernmental organisations, academia, faith groups and civil society organisations. Some of us know the direct personal experience of flight, displacement or migration; others have a longstanding commitment to good governance at local, national, regional or interregional levels.’ In 2004 the network exists of around 1500 persons.

ANNEX 2 – PRINCIPLES OF THE *DECLARATION OF THE HAGUE* RELATED TO THE ISSUE OF ‘INTEGRATION AND SOCIAL INCLUSION’

5. Mobility and Security

Population movements have raised security concerns in the past and do even more so today. Calm and reasoned deliberation is required as there is no inherent inconsistency between respect for human rights and ensuring security in the international framework. By addressing the legitimate needs for security and the welfare of their citizens, states can strengthen public confidence and continue to contribute constructively to migration and humanitarian programmes.

13. Focus on the Potentials

Refugees and migrants have skills, knowledge, experience and strong aspirations for a better life. These must be harnessed to productive and enriching endeavours, not wasted by exclusion from the normal life of the community in which they live. Access to the labour market, education, health and other public resources are important incentives to develop their own capabilities. Such a policy, empowering refugees and migrants to lead fulfilling lives, also has positive effects on the receiving societies in terms of enhancing individual autonomy, reducing social costs and increasing public acceptance of the value of refugees and migration.

14. Integration and Social Inclusion

Early integration, based on equal treatment and the prohibition of discrimination, is in the best interests of all, irrespective of the long-term options for refugees and migrants and their right to return to their country of origin. Work, training, family reunion, education for children and access to health and other public services are key factors for successful integration. Critical to social inclusion as a two-way process is the involvement of the local population and the respect for their needs as part of an inclusive national strategy based on unity and diversity. Changes to traditional patterns of migration caused by new communication technologies and increased mobility require states to develop more flexible legal and social regimes for integration and reintegration.

15. Participation and Responsibilities

In many countries, refugees and migrants constitute an important part of the population. Their early and active participation in decisions concerning their lives is essential. Promoted by effective communication strategies, a well-established dialogue with authorities and civil society at all levels will ensure mutual respect and understanding and help all concerned to

live up to their responsibilities. Fundamental to the social cohesion is that refugees and migrants, as everyone else, respect the laws and regulations of the host country.

16. Refugee and Migrant Women

Greater focus is required on the particular needs of refugee and migrant women particularly as the patterns of migratory movements and displacement change. Very often women constitute a significant proportion of the respective populations. They bear a heavy burden to ensure the protection and survival of their families. Protection policies need to be more sensitive to their needs. State and local authorities should acknowledge their special potential to facilitate integration and preserve cultural traditions.

17. Children and Families

The disruption of families is a common consequence of migration and displacement. Children are especially vulnerable in all situations of migration be they forced or voluntary. The 1989 Convention on the Rights of the Child provides the universal framework for the protection and assistance of children based on the principle of the best interests of the child. Policies relating to their specific needs, the dynamic of their development and their potential to adapt to new environments are key not only to facing the difficulties of migration but also to the creation of long term social stability.

18. The Role of the Corporate Sector

The corporate sector is playing an increasingly important international role which is reflected in the new dimensions to corporate social responsibility. Business leaders are called upon to contribute to respect for human rights including basic labour law standards and environmental protection. They need to avoid situations where their activities fuel conflicts, and they can play a useful role in supporting local civil society. In post-conflict situations the corporate sector has immense capacity to contribute to the reconstruction of the social, economic and cultural infrastructure. In addition, business can actively ensure the inclusion into the labour force of refugees and migrants in host countries and thereby reinforce the integration process.

19. Leadership, Education and Information

Major efforts in public awareness, research, information and education are needed to help societies deal with refugees and migration. Political, religious and business leaders, as well as the media and others responsible for shaping public opinion, carry a special responsibility to counter racism, xenophobia and fear and to promote a culture of mutual respect and inclusiveness. They all have the potential and the responsibility to play an important peace-building and reconciling role.

ANNEX 3 – LIST OF PARTICIPANTS (all in their individual capacity)

<u>SURNAME</u>	<u>FIRST NAME</u>	<u>COUNTRY</u>
AVILA	Diana mrs	PERU
BOUWEN	Frans mr	NETHERLANDS
De BOURBON PARMA	Carolina mrs	NETHERLANDS
BROERS	Steven mr	NETHERLANDS
HEIN	Christopher mr	ITALY
DAYAL	Virendra mr	INDIA
KRISTIANSEN	Roald	NORWAY
LOBATO	Samuel mr	COLOMBIA/ MEXICO
LUEKE	Monika mrs	GERMANY
PETER	Chris Maina mr	TANZANIA
RUDGE	Philip mr	UNITED KINGDOM
TAN	Tiangchye mr	MALAYSIA
JAYSINGHE	M.S. mr	SRI LANKA
VOJACKOVA- SOLLORANO	Irena mrs	IOM THAILAND
MUNTARBHORN	Vitit mr	THAILAND
UTKAN	Hasim	UNHCR THAILAND
YOUNG	Kirsten mrs	UNHCR THAILAND
CHANTANAVICH	Supang mrs	THAILAND
FEINGOLD	David A. mr	UNESCO THAILAND