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pour l'éducation, la science et la culture
*United Nations Educational,
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**Bureau de liaison à Genève
Geneva Liaison Office**

Statement by

Georges Malempré

**Director, UNESCO Liaison Office
Representative to the United Nations Organization in Geneva
and the specialized agencies**

on behalf of

Mr Koïchiro Matsuura

**Director-General
of the United Nations Educational,
Scientific and Cultural Organization
(UNESCO)**

**at the Official Panel Discussion
on the occasion of the entry into force of
the International Convention on the Protection of the
Rights of All Migrant Workers and Members of their Families**

Palais des Nations, Geneva, 1 July 2003

Ladies and Gentlemen,

It is with great pleasure and satisfaction that I am addressing you on the day when the *International Convention on the Rights of All Migrant Workers and Members of Their Families* is finally entering into force. With pleasure and satisfaction because, above all, we are fully convinced that owing to the very event that we are celebrating here, this 1 July 2003 is a good and memorable day. In the first place, of course, a good day for migrant workers and their families but also, and going even beyond that, a good day for humanity and its fundamental values that UNESCO strives to promote, notably the protection of the human rights of every human being and the respect for cultural diversity. And I should like to seize this opportunity to express our sincerest thanks to the numerous organizations that have been collaborating for the promotion of the Convention, and in particular to my distinguished colleagues at this panel as their representatives.

It is a good day for migrant workers and their families.

Several facets of the improvement of the situation of migrants and their families that the Convention will bring about have already been mentioned. Let me therefore only highlight a few aspects that seem central to UNESCO.

The Convention's Preamble is an impressive witness to preceding standard-setting human rights documents. It therefore seems to be only a consistent step forward in the history of UN instruments that also benefited migrants. But, of course, the Convention goes beyond the existing documents, as the distinguished panel members have emphasized, it innovates:

- it ensures that the fundamental human-rights standard is granted to *all* migrants, no matter whether they are documented or in an “irregular” situation;
- it also establishes a catalogue of rights beyond that minimum that are specifically granted to migrant workers and their families who are in a documented situation;
- it breaks new ground in enumerating the rights that appertain to certain categories of migrant workers according to the specific needs of their living and work situation;
- it seeks to put an end to the exploitation of migrant workers through illegal or clandestine recruitment and trafficking;
- it establishes a *Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families*, and I call on all States Parties to recognize the competence of the Committee to hear State and individual complaints according to articles 76 and 77 respectively;
- it stipulates the establishment of migration policies, information exchange among the States Parties, the provision of relevant information to employers and employees alike.

There can be no doubt that the Convention entering into force today will be a significant contribution to the improvement of the legal and practical situation of migrants all over the world.

And it is exactly through this that this 1 July becomes a good day for humanity as a whole, both in terms of human rights and of cultural diversity

One of the great assets of this Convention lies in the very fact that it does not only help to effectively approach the truly global phenomenon of migration – we have just heard the

impressive numbers given by my distinguished colleague – but that it reminds the international community that the question of migration is not only a question of a purely political, economic or security nature: above all, it is a question of human rights, of the inalienable respect and legal protection that *any* human being can claim for him- or herself. The Convention constitutes a prominent signal against the utterly mistaken but widespread belief that only nationals are entitled to fully enjoy human rights.

In acknowledging a minimum of rights to share and participate in the life not only of their countries of origin but also their host countries, the Convention will also be of great use for better integrating migrants and their families and be advantageous to social cohesion within the receiving countries.

Migrants find themselves in a particularly vulnerable position, and it is high time that a binding international document is dedicated to the protection of their human rights, which also include the right to cultural identity as mentioned in article 31 of the Convention.

In many countries, migrants will instantly have to realize that they belong to a cultural minority so their right to cultural identity goes hand in hand with the promotion of tolerance, mutual understanding and cultural diversity, all of them core issues and fields of expertise for UNESCO. Therefore, this day is also a very good day for our Organization.

I would like to take this opportunity to mention briefly why UNESCO is so deeply committed to the Convention and heavily involved in migration and multicultural policies.

Dating back to 1952, UNESCO's history of working for the human rights of migrants is almost as long as the history of UNESCO itself. UNESCO was founded out of the insight that the “respect for the diversity of cultures, tolerance, dialogue and cooperation, in a climate of mutual trust and understanding are among the best guarantees of international peace and security”, and it has as its main task – and I quote from its Constitution – to “promote collaboration among the nations through education, science and culture in order to further universal respect for”, notably, “the human rights and fundamental freedoms for the peoples of the world, without distinction of race, sex, language or religion”.

In recent years, UNESCO has focused on policy-oriented research in order to provide the scientific analysis and empirical evidence that is indispensable for better national and international policies in the fields of migration, of migration's impacts and of the social integration of migrants in their host countries. We have built up internationally acknowledged research networks, we are publishing a specialized journal and are providing web-based research findings and databases which, as we hope, may help us to develop into a “reference point and forum for governments and civil society in favour of cultural diversity”.

UNESCO is also heavily engaged in the global fight against human trafficking and exploitative migration. With UNESCO's “C” denoting both “culture” and “communication”, we are taking an active role in promoting “brain gain” through the set-up and effective use of Diaspora networks and Information and Communication Technologies (ICTs).

Ladies and Gentlemen,

Indeed it is a good day that we are celebrating today, a good day for migrant workers and for humanity in total. The *International Convention on the Rights of All Migrant Workers and Members of Their Families* documents the global concern with the human rights of those who are particularly vulnerable and dependant on international co-operation and States' goodwill. It is therefore only appropriate if I thank again the States that have already become Parties to the Convention: it is them that have set the pace and that will have the great role of good-practice precursors for the protection of migrants.

As I have said: it is a good day that we are celebrating today; but even after good days there remains some work to be done, for the States Parties to the Convention in implementing it, for the Commission on the Rights of Migrant Workers in commencing their valuable work, for the International Organizations, both governmental and non-governmental, in further promoting the Convention. Let me therefore conclude by quoting another, as it seems to me, important international document, the *UNESCO Universal Declaration on Cultural Diversity*:

“The defence of cultural diversity is an ethical imperative, inseparable from respect for human dignity. It implies a commitment to human rights and fundamental freedoms, in particular the rights of persons belonging to minorities.”

In this commitment we must not falter.