

Katerina Linos ([00:01](#)):

In 2018, the United Nations concluded the Global Compact for Safe, Orderly and Regular Migration, and put the International Organization for Migration at its lead. This organization has been quite controversial, involved in detention practices, but also in data collection, organization of ethical labor migration, and more.

([00:25](#)):

With me today to discuss their new book on the International Organization for Migration are three leading scholars. Megan Bradley is Associate Professor and William Dawson Scholar in Political Science and International Development Studies at McGill University. Cathryn Costello is Professor of Fundamental Rights and Co-Director of the Centre for Fundamental Rights at the Hertie School, Berlin, and Andrew Mellon Professor in International Refugee and Migration Law at the Refugee Studies Centre at Oxford. And Angela Sherwood is Lecture in Law at Queen Mary University of London, and Co-Director for the Queen Mary University of London Centre for Climate Crime and Climate Justice.

([01:06](#)):

I'm Katerina Linos, Tragen Professor of International Law at Berkeley, and I'm delighted to hear about this understudied organization.

([01:15](#)):

Could you maybe start us off by telling us why you decided to pull together this volume? Maybe, Megan, we'll start with you?

Megan Bradley ([01:23](#)):

Great. Well, first thank you so much, Katerina, for the invitation to be here and have the chance to share this new work.

([01:30](#)):

So the International Organization for Migration, IOM, is one of the largest international organizations worldwide, but you wouldn't know it from the literature, because as you say, there's almost nothing written, which I think is based in part on the assumption that because IOM was historically out of the UN system and there's no global convention for migration at the general level, there's nothing interesting to say about migration, and our hope with this volume is that we've really proved that wrong. This is a project that brings together scholars of international law and international relations to try to understand how it is that IOM has evolved from this little podunk kind of quasi-travel agency, into now a major player shaping migration flows worldwide, as well as movement within borders.

Katerina Linos ([02:15](#)):

Maybe, Cathryn, you could go next, and after you, Angela?

Cathryn Costello ([02:19](#)):

Yeah. Thanks, Katerina.

([02:20](#)):

So in terms of my own interest, working in the Refugee Studies Centre in Oxford, obviously UNHCR is one of the main focuses of scholarship in Refugee Studies. But at the same time, when, for example, we invited practitioners to Oxford, or the RSC hosts an amazing summer school for mid-career practitioners, I would encounter people who worked for IOM, and in such diverse roles, and also in such context in

which human rights were clearly at stake. And I found this really fascinating and also really troubling, to be frank, occasionally meeting people who were involved in immigration detention practices. And then over time, really learning more about the very diverse and different roles that IOM played.

[\(03:07\)](#):

So when I was applying for an ERC grant, and this book is part of this wider project – RefMig.org – I really wanted to actually do an edited collection for this particular reason of the interdisciplinarity that Megan mentioned, that really getting IR and legal scholars together, ideally people who are conversant in both disciplines. But also to get people to look at its very different areas of activity, because what I tended to find in migration studies and refugee studies were very fascinating and often very troubling, single-cited empirical studies of IOM practices.

[\(03:43\)](#):

And so I really had a sense that we needed to look at the organization in the round. And to also take a fresh look at it because it had changed so much. So the IOM of even 10 years ago is completely different in many respects to the IOM of today, so I think timeliness was also something that I was really conscious of.

Katerina Linos [\(04:03\)](#):

Thank you so much. Angela, maybe I'll pick up on this theme that Cathryn mentioned of detention. In talking about your work on this volume, I know you've written a lot about detention practices, and this is one of the areas where the IOM has faced most criticism. It has not been criticized as other international organizations have for being a big bloated organization that just pushes out paper and doesn't do anything operationally, but it has been criticized for helping governments participate in detention policies. Could you talk a little bit more about your contributions, why you thought this was a critical moment, and why the IOM has had to change course on some key dimensions?

Angela Sherwood [\(04:52\)](#):

I think maybe I will start to just highlight that my background is actually somewhat different from that of my co-authors, in the sense that I developed a keen interest in writing about IOM because of my firsthand experience of working for the organization for several years in various field locations, so in East Timor, South Africa, Tunisia, after the fall of Gaddafi, as well as in IOM'S headquarters in Geneva, inside IOM'S Department of Operations and Emergencies which deals with a lot of the organization's humanitarian work. And as highlighted, I think already by Megan, that's an area where IOM has seen significant expansion is in the humanitarian field. That insight has certainly provided me a lot of insights into the IOM's organizational culture and its incentive structures, and as you mentioned, why it partakes or does not partake in particular activities.

[\(05:47\)](#):

And also, as Megan notes in much of her work, I think that experience also provided me insights into the way that the organization has been evolving and changing, and how it's often driven by many of the tensions that surround its existence, and how it would like to be seen as the leading organization on migration issues. So my academic interests in IOM was really kind of sparked more during my field work in Haiti where I was looking very much at IOM's camp closure programs, and its work with displaced people. And from there, especially in Haiti, I think that's where IOM has had quite a history in doing quite a lot of things, including work on detention.

[\(06:30\)](#):

So in the 1990s, IOM was very much involved in US efforts to contain Haitian refugees who were fleeing violence, and they were involved in a number of initiatives, including processing of refugees inside Haiti, but also working in Guantanamo Bay in detention camps. And in the work that Cathryn and I have done, as well with our co-author, Isabelle Lemay, we've looked at, not only IOM's work in Guantanamo Bay during Haiti in the 1990s, but also how this work has evolved over the years. And we've sort of traced how, in the beginning, IOM would take on roles that, let's say, UNHCR was either refusing or would take on but also criticize governments. But over the years, we see more and more IOM and UNHCR working together in detention spaces.

[\(07:23\)](#):

I think Cathryn might want to add a bit more on the detention part of it.

Cathryn Costello [\(07:27\)](#):

Sure. Thanks, Angela. I mean, as you say in the chapter, and this obviously was your work and Isabelle's, principally in terms of case studies, we really were trying to trace the development of UNHCR's practices. That's very difficult to do because they do so many different things in different places. So there isn't often like a one size fits all approach. It's whatever the project requires sometimes.

[\(07:51\)](#):

But there has been a significant shift from when IOM did actually very actively engage in detention, or at least, assisting running detention facilities, to a position today where it disavows that and it states very clearly, "We are not involved in actually detaining." So we traced that through these four critical case studies, from Guantanamo, to the Australian Pacific solution, to Indonesia and to the contemporary human rights quagmire that is Libya.

[\(08:20\)](#):

And we also traced changes in their stated policies, but we still subject both the practices and the policies to critical scrutiny under international human rights law, and sort of problematize the way that IOM both frames its own activities, and also not quite distorts international law but maybe bends it here and there to its will.

[\(08:41\)](#):

So one way it does that is that, IOM is now very much on board with a move that was actually something that was developed through transnational advocacy, which is a move to encourage governments to use alternatives to detention. And IOM talks the talk on this. But when you look a little bit more closely, often when IOM is endorsing or trying to encourage, apparently encourage the use of alternatives to detention, it's also promoting its own assisted voluntary returns programs, out of places of detention. And then we also have a very critical chapter engaging with these practices written by Jean-Pierre Gauci.

[\(09:17\)](#):

So there is this kind of sense that the normative role that IOM takes on when it makes its own policies, or in those policies, engages with international legal norms, that it's somehow transforming them. And in our joint introduction, but I think, Megan, maybe we can credit you with a nice turn of phrase, we talked about IOM as a norm breaker in this kind of original period, but then a taker and a shaper.

[\(09:42\)](#):

So although IOM, and remarkably, in the agreement between IOM and the UN, which has kind of transformed its legal status arguably in 2016, there is this remarkable characterization of IOM as non-

normative. Of course, so much of its work is normative. In its own policies and practices around detention, we were also concerned about some of the framing that we find in those policies. Although consistently nowadays, IOM talks the talk on human rights. There's no question about that. There's always an endorsement of human rights in its policies. But we were really keen to scrutinize both the policies themselves very closely and the development of the practices.

[\(10:24\)](#):

But in the chapter, and after all, it's only one book chapter, we used four critical case studies. And even with that, you can't claim to have a global overview of its practices that are in and around detention.

Katerina Linos [\(10:35\)](#):

Thank you so much, Cathryn. I'll turn to Megan to ask her to talk a little bit about these key recent moments, the 2016 organizational change, the 2018 Global Compact for Migration. Why is the IOM so timely today, and what was its history?

Megan Bradley [\(10:54\)](#):

So one of the key issues that is, in a sense, sort of threading through this conversation is that, IOM has historically been known as a servant of its member states. So if you read the IOM constitution, for example, it's clear that IOM's job is to deliver services, advice, research for its member states. There's no reference to the rights of migrants, to protection. And so, we often hear this criticism that IOM has no human rights obligations because it lacks a so-called protection mandate in its constitution.

[\(11:27\)](#):

The developments that you referenced in 2016 and 2018 are particularly important in this sense. So in 2016, IOM and the UN signed a new agreement that made IOM a so-called related organization in the UN system. Historically, it was on the outside of the system and that was part of what made it possible for IOM to do all of this so-called dirty work, like returns that arguably fall short of conditions of voluntariness, of detention of various other services that help states achieve their goals in basically keeping unwanted migrants away from their borders.

[\(12:03\)](#):

In 2016, the landscape was really changing. So the so-called migration crisis was on the headlines. There was a recognition that in the UN's own architecture, they didn't have an organization that was focused on migration. The member states had no appetite to create such an organization, so the question was, how do you fill that gap?

[\(12:23\)](#):

IOM, over its history, had sort of been jockeying at various points in time to fill that role by entering the UN system. But at the same time, there were people within the organization who thought, we've thrived in a certain way by being on the margins, and maybe it's best for us to stay there. Ultimately, in 2016 we saw, I guess you could call it a solution that sort of fit the interests of IOM's member states. IOM was made a related organization in the system, so it's not officially governed by the UN. There's no oversight from the Secretary General or the General Assembly, but it's now part of the family. So in the field, it delivers as part of the UN system. It's part of all the key leadership and decision making boards at the UN.

[\(13:10\)](#):

And arguably now, as part of the UN family, IOM has stronger obligations than it did in the past. So the agreement, if you read it, says, IOM is going to respect the charter of the UN. It pledges, again, fidelity to international law, including international human rights and humanitarian standards. And there's, I think a lot of people would say, been something of a culture shift. So people who are working at IOM these days, these are often people who've worked at other international organizations. They see themselves as having a role in protecting migrants rights. And for them, this development of entering the UN system is maybe part of what makes that possible. Most people, to be frank, working at IOM, I've interviewed lots of them over the years for my own scholarship on IOM, they don't want to think of themselves as serving the goals of states in containing migration.

[\(14:01\)](#):

They're hoping to make this organization something that's more supportive for migrants rights. But the question is like, how do you actually do that in the context of an institution like IOM, that has still a very traditional setup, and a role where all of their money comes through so-called project-based financing? So IOM doesn't receive core funding from its member states at a large scale, in the way that organizations like UNHCR would. Instead, it's all based on individual project delivery, which still gives the member states a really strong hand in the direction of the organization. So that's 2016.

[\(14:38\)](#):

What happened in 2016 can only really be understood in relation to the 2018 Global Compact on Migration. In 2016, at the New York Summit on Refugees and Migration, this whole process leading to the global compacts on refugees and migration was kicked off. And there was a desire to have IOM be really one of the main organizations steering the development, facilitating the development of the global compact on migration, which again, necessitated IOM being sort of brought into the fold in a more active way.

[\(15:09\)](#):

And through the Global Compact on Migration, they've really risen in terms of their visibility as an organization and the influence that they play. So they coordinate now all the other organizations in the UN system with responsibility for migration. The director general of IOM is at the table, constantly, in these discussions in a leading role.

[\(15:30\)](#):

It's been a huge time of change for the organization, but in a certain way, it's also a time of continuity, because their trajectory has been one of growth, and these changes have enabled that trajectory to continue on. So the more things change, the more they stay the same in a certain way, I think, is the sort of bottom line of what we see at IOM in the last few years.

Katerina Linos [\(15:53\)](#):

Thank you so much for that, Megan. I will turn to Angela to ask her about two themes you mentioned. You mentioned that IOM staff are not eager to participate in activities that they see as contrary to human rights. You mentioned that this is an organization that has financing that is project-based. My understanding, and please correct me if this is not true, is that the IOM has more contractors than do other international organizations where civil service positions that are longer term are a bigger fraction of the organization.

[\(16:27\)](#):

And what I wanted to ask Angela is, how does this work on the ground? She has worked at different IOM operations in many different parts of the world. And for any organization, when we talk about UN

Peacekeeping, when we talk about UNHCR, UNDP, there's going to be country by country variation. But I would have suspected that perhaps it's even bigger for IOM. So, Angela, could you talk a little bit about your experiences?

Angela Sherwood ([16:53](#)):

Sure. So as Megan noted in the beginning, there are some key institutional features about IOM that one needs to take into account when trying to contextualize what IOM does or how it behaves as an organization, or even the tensions that staff face working for the organization. One of them is that it has sort of evolved as an organization in a very decentralized way. So you can have field offices such as South Sudan or Yemen, organizations that do quite a lot of different activities that have drawn in quite a lot of money, and therefore, have a lot of power as well. So that's something that one needs to take into account in looking at the standardization of reform processes or institutional development.

([17:37](#)):

But I think, as staff members, as Megan mentioned, there have been a lot of changes over the years where it's not just that IOM has developed lots of new policies like a humanitarian policy and other policies that better articulate IOM's position vis-a-vis human rights, but also the organization has brought in a lot of different staff as well. And sometimes, within the organization, you can see generational tensions between those who are part of more of, let's say, an old guard of IOM who are used to doing things in a particular way, and those who are sort of newer, who are maybe more familiar and more schooled or have even educational backgrounds in human rights. And so there can be some of those tensions between more of a kind of rights-based perspective and those who think more operationally about dealing with issues on the ground. So those tensions certainly exist.

Katerina Linos ([18:27](#)):

Thank you, Angela. I'll turn to Cathryn to ask her to compare UNHCR to IOM historically and more recently. I'm interested both in the legal framework and the reputation UNHCR has as one of the best run agencies, and also has both core funding and succeeds in persuading states to contribute to particular refugee crisis moments. To what extent, is there a rivalry between the organizations? As I was reading the book, it sounded like UNHCR was very supportive of the IOM in key ways. To what extent is the IOM looking at UNHCR to model itself on this body? To what extent is it keeping a distinct legal personality, distinct activities?

Cathryn Costello ([19:13](#)):

Wow. That's a great question. So I think, at the outset, they probably weren't that different, because I don't think people fully appreciate how small UNHCR was at the beginning. So there's some great interviews with the first high commissioner where he describes having an office with no furniture in it, and they were dependent on the Ford Foundation for grants. And the reason for that was that, what came before UNHCR was the IRO. And the IRO was the largest transport company in the world. The IRO transported Europe's displaced people all around the world, at great expense. And so when the IRO was disbanded, as far as I know, the ships were actually given to Isen, but Megan might be able to correct me if I'm wrong, or some of them were leased. But if you look at IRO materials, you'll find pictures of the ships trying to induce Europeans to go to somewhere in the New World, to Latin America or Australia, for a better life.

([20:09](#)):

So UNHCR started very small and ad hoc, and with an understanding of protection that was formal and legal, not beds and blankets, and not ensuring that a refugee enjoys all of her human rights. So in fact, the idea of a protection mandate has completely changed over time, where now, in the book, we endorse this much wider idea of protection, which is an IO taking on a particular protection mandate, meaning that it has a particular population for which it has a particular type of responsibility. But a lot of humanitarian organizations, within and outside the UN system, then take on aspects of that protection mandate. So the World Food Program says food is an aspect of people's human rights. This is part of a protection mandate.

[\(20:53\)](#):

So there's been a real shift in terms of UNHCR'S self understanding, and also massively in terms of its activities as well. So the UNHCR that we sort of understand these days, which is large, operational, but also legal and has a formal mandate obviously in its own statute, but also deriving from the legitimacy of the refugee convention extremely widely ratified, that's a UNHCR that has evolved to become that.

[\(21:19\)](#):

I think the evolution of IOM is very different because, as Megan mentioned, it starts really small and operational, as a little travel agency for kind of the leftovers, the leftover, displaced people in Europe. And then for quite a while was pejoratively referred to by UNHCR as its travel agency, because when UNHCR was involved in resettlement, even in the era of mass resettlement, or nowadays when resettlement is just very relatively small numbers of refugees, IOM assists in the travel side of that.

[\(21:50\)](#):

So IOM really had to develop its own self understanding about which activities it wanted to be involved in. And I think this is why this focus on IOM in an era of expansion is part of what we're doing in the book. It's both trying to offer explanations for the expansion. Christian Kreuder-Sonnen and Philip Tantom do that in their chapter, and Nina Hall does it in relation to climate change and migration where IOM has to make a decision about what to do. They've evolved very differently.

[\(22:19\)](#):

I think where IOM has always really been distinctive, until relatively recently, was a self understanding that it was principally about doing things on the ground, that it wasn't really about law or obligations or telling states what to do. So I think that's self-understanding, and the fact that that has shifted is precisely why the book is so timely.

Megan Bradley [\(22:40\)](#):

Sure. Just to pick up the example of Nina Hall's chapter in the book. So she focuses on the question of migration and displacement in the context of climate change, using this as an example to show how IOM has really tried to build out its mandate and expand by drawing on different forms of authority. So it has this incredible field presence, this reputation for getting things done logistically, be good value for money for its member states, but it's tried, through working on issues like climate change, to be more than that.

[\(23:15\)](#):

So Nina shows how, for example, they've really developed this massive research base on climate change and migration. They've become one of the main experts in the international system on the interface of those issues. They've used that to sort of create convening power, so they bring states and other stakeholders together to talk about this issue. And in this way, we see it becoming influential, not just in terms of loading people onto trucks in the field, but also in state capitals, in the headquarters of other

international organizations. They've become more and more powerful, and I think she does a great job of showing how that's happened.

Katerina Linos ([23:54](#)):

Thank you so much for that, Megan. Let me ask a small point. In the volume, you emphasize that the IOM is collecting data, and when I was reading The Global Compact, data collection seemed to be like the first thing that is mentioned. How does that matter? I understand how legal rights and obligations matter. I understand how budgets matter. But what about data collection? How does that impact policy expertise?

Megan Bradley ([24:19](#)):

Yeah. So one of the contributors to the book, Anne Koch, does a great job of showing how IOM's role in the so-called datafication of migration has expanded and the really key role that IOM has played in that. I mean, I think the bottom line here is that, if states want to manage migration as a global governance challenge, there's this notion that you need to understand what that issue is. You have to know where people are going, how many people are involved, what are the roots and trajectories. And so there's this mania right now for collecting data on migration, often very intimate and personal data about why people have fled their homes, who they have with them, the roots that they have traveled on.

([25:01](#)):

So because IOM is this field-based organization, they have become one of the main data brokers, which is what Anne shows in her work, in particular, focusing on this tool called the DTM, the displacement tracking matrix. It rolls this out in a whole variety of contexts around the world, and it's now one of the main field-based sources of data, particularly in emergency situations.

([25:25](#)):

Data is power in a lot of ways. So if you are the source of data, and no one else has data that could replace what you have on offer, you become the sort of the expert in the room. You become the organization and whom others have to go to for that data, in order to bring in more projects, in order to raise an issue in the media. IOM works closely with a lot of international organizations and also NGOs by providing that data, which others then run with in order to roll out new interventions and justify their work. So it's been a huge development for the organization in terms of their influence.

Katerina Linos ([26:02](#)):

Thank you, Megan. I'll turn to Angela and Cathryn to ask, in particular, about Haiti and Libya. On the one hand, IOM practices were widely criticized. On the other, what worries me at present is that nobody wants to touch Haiti, nobody wants to touch Libya. They are, Haiti in particular, really sore spots for international lawyers, really embarrassing for the UN. But is the alternative standing aloof and allowing gangs to take over these governments?

Angela Sherwood ([26:38](#)):

That's a really great question, and in many ways, I think that it's almost impossible to kind of answer that question without digging really deep into the historical context of Haiti, where as you mentioned, it's a sore spot for international lawyers in particular because there's been quite a few instances in Haiti where international organizations have committed human rights violations or have been seen to be reinforcing state violence or very closely linked to state violence. And so there's not a lot of confidence within the Haitian population with international organizations and within also with migration or



displacement governance at the moment. And I think that's probably one of the biggest challenges for the international community is, how do you intervene? How do you develop responses when the population no longer has confidence? And they no longer have confidence because humanitarian interventions have been going on in Haiti since 1915. So I think, for those kinds of questions, it's almost impossible to answer them without looking at the deep historical roots of those interventions, and also the ways that they've often worsened the situation rather than helped people.

Megan Bradley ([27:51](#)):

If I could just jump in on the Haiti case for a quick minute. It was actually working in Haiti, on a project with Angela, that got me interested in IOM in the first place because I was a grad student at Oxford. I was reading about international organizations like UNHCR and also a little bit about IOM. And my idea of IOM from the literature was this is an organization that returns people whom European governments don't want to keep back to their countries of origin. That's the main thing that they do. That's one of the central preoccupations in the literature, and I share the ethical concerns that are associated with that.

([28:23](#)):

But showing up in Haiti, I saw IOM running enormous camps for internally displaced people, involved in disaster risk reduction activities, involved in the governance of the border between Haiti and the DR, all sorts of different kinds of activities, especially in the humanitarian sector, which were not what I had in mind in terms of what IOM was all about. And so it really got me thinking about, well, what is going on with this organization? Why are they here and doing this kind of work? They were very involved in trying to facilitate access to so-called durable solutions for IDPs in the camps after the earthquake in Haiti. They were one of the very largest international organizations in the earthquake response, which you wouldn't know at all from the existing literature.

([29:11](#)):

I think we have to understand cases like Haiti, countries where we're not talking about people trying to migrate into Europe. We're talking about very different migration flows, and we have to understand IOM's role in relation to that, and especially in relation to IDPs, internally displaced persons. So by far, the largest beneficiary group, I suppose, for lack of another term, of IOM are IDPs. They outstrip the number of international migrants whom IOM works with every year, exponentially larger population of IDPs. And there's an important chapter in the book by our colleagues, Bríd and Ben, that looks at the sort of evolution of how IOM has responded to IDPs and its human rights-based frameworks for doing that. But moving forward from this work, I hope that someone runs with that aspect of IOM and IDPs because that's really something that we still don't know enough about.

Cathryn Costello ([30:03](#)):

If I jump in on that and actually circle back to a bit of your last question I didn't answer, Katerina, which was about, not just how different or similar IOM and UNHCR are, but the competition between them. Because what you see in a setting like Libya is that they have a division of labor, which is a lot to do what the Libyan state, however fractured authority might be, wants, which is that UNHCR can deal with nine nationalities, only people of certain nationalities may even approach UNHCR. They can register with UNHCR and UNHCR can't do very much for them because, where is it going to send them? And that's not UNHCR's fault. That's because there are no resettlement places, and there is no effective protection for refugees in Libya.

([30:48](#)):

IOM, on the other hand, runs what it classically does, which is an AVR program. So it offers and its framed as humanitarian evacuation. And major UN human rights bodies and Amnesty International and all the major human rights organizations state very clearly there is Libya, just as a whole, is not a safe place for anybody with irregular migration status slash who is a refugee. They offer of AVRs there for the other nationalities.

[\(31:18\):](#)

There's an interesting pending case, this is one of those kind of trying to create a forum for accountability, it'll be interesting to see if it's even ever heard, that was taken to the CEDAW committee, of all institutions, concerning two victims of trafficking from Nigeria who are offered AVR. And that really throws up very nicely the fact that this crude division between UNHCR and IOM obviously totally ignores a whole set of protection needs that might exist, for example, victims of trafficking for whom return home is not a form of effective protection for their human rights.

[\(31:52\):](#)

In terms of this competition, it's unfurling, as we speak, very differently in different contexts. So very crudely, as I understand it, in Cox's Bazar in Bangladesh, the largest kind of refugee hosting area in the world. IOM and UNHCR have also divvied up camp management, and over time, it's evolved, but it's very crudely divided up between them. In the Latin American response to Venezuelan displacement, again, you have a jointly headed IOM-UNHCR response. And what that's led to, if you even look at the UNHCR data, Venezuelans displaced abroad are in a separate category. They're not counted as refugees or asylum seekers. They are Venezuelans displaced abroad. They defy the traditional refugee migrant binary.

[\(32:40\):](#)

And in a separate paper that Angela and I wrote that will be out as a REF-MIG working paper soon, we try to understand these different contexts where the competition between UNHCR and IOM is playing out very differently. Apparently, although the causal claim would have to be tested better, with different implications for protection in different places. But certainly in Libya, this crude nationality-based division seems not appropriate from an international law or human rights point of view.

[\(33:09\):](#)

But then to circle back to your question about pulling out or disengaging or staying, I think what we tried to do a little bit in the detention chapter was just to problematize those choices from the point of view of a human rights versus humanitarian mandate. And because, of course, they're not the same thing, to respect, protect and promote human rights is not the same thing as acting to alleviate suffering in acute situations.

[\(33:34\):](#)

And what we just did, and it was really just to highlight how difficult the choices are, is we looked at what other major humanitarian organizations have done in relation to immigration detention, so MSF, for example, and IRC. And both of them have done soul searching, public soul searching, about how to engage in immigration detention context where a humanitarian organization might want to alleviate suffering, but not improve or support the detention, which is a human rights violation.

[\(34:05\):](#)

And there's a very difficult choice to be made. One aspect of the choice that a lot of humanitarian organizations seem to come to is not to support the maintenance or improvement of detention infrastructure, that that's a line that, although it might make the detention conditions better, that is

actually likely to expand detention practices. And IOM is really in this business of refurbishing places of detention. And so we just wanted to highlight that. I don't think we're claiming that they're any panaceas, like they're very difficult decisions, but I think they can be more carefully calibrated. And IOM certainly doesn't do this soul searching in public. Maybe it does it internally, but compared to other kind of purely humanitarian organizations that don't have this multi mandate, and aren't accountable solely to the, let's say, major donors like the EU in the Libyan context, we don't see this kind of open soul searching from IOM.

Katerina Linos ([35:05](#)):

Thank you. I wanted to focus the last part of our conversation on the positives of labor migration. My understanding is that remittances are one of the most effective contributors to global development, that Western states are facing labor shortages, fertility declines. To what extent is IOM working to encourage orderly migration, working with the international labor organization, to set standards to make sure that worker rights are respected, and that those pathways are becoming more available?

Megan Bradley ([35:42](#)):

To start off on that, the question of IOM having a role in setting normative standards in relation to orderly migration, it's a thorny one in a certain way, because in the agreement from 2016 through which IOM entered the UN system, its member states explicitly identify IOM as a so-called non-normative organization. So what does that even mean? This is not a legal term of art, and it's not a term that's actually come up in discussions of IOM a lot in the past.

([36:13](#)):

But in doing interviews for this project, what I've heard from people who are involved in the negotiation of that is that this is a term that basically means, look, we don't want IOM to be another ILO. We don't want it to be setting binding standards, to which we then have to be held to account. We want this to be a more flexible, boots on the ground kind of organization. So there's a tension there because they have this sort of formal designation, but they also do convene a lot of important conversations around standard setting around precisely these issues. And they do do some work with the ILO. One of the chapters in the book by our colleague, Janie Chuang, really addresses this role in relation to IOM's role in ethical labor recruitment. And, Angela, you're probably well positioned to talk about that a bit further.

Angela Sherwood ([37:01](#)):

Yeah. I think your question is very interesting because, as Megan mentioned earlier, there are many overlooked aspects of IOM's role and IOM's evolution. And we've been talking about UNHCR for quite some time now, but very rarely do people look at some of the overlaps and tensions that are created between the IOM and ILO relationship. And that tension really comes out in one of the chapters of the book that Megan mentioned here by Janie Chuang, where she examines the impact of IOM's interventions on labor governance and migrant protection.

([37:34](#)):

And in particular, she looks at IOM's development of ethical recruitment policies, but also, she undertakes a very comprehensive assessment of IOM's International Recruitment Integrity System, which is called IRIS. And the IRIS system is a voluntary certification scheme, which has been designed by IOM to encourage labor recruiters, those who are involved in recruiting migrant workers to work overseas, to adopt a set of ethical recruitment standards which is known as the IRIS standard.

([38:06](#)):

And what's really done in this chapter is raising, I think, two crucial concerns about IRIS and IOM's involvement in ethical recruitment that speaks to some of the themes of the book as IOM as a norm taker and shaper. On the one hand, she points out that, while the IRIS standard draws upon applicable laws and professional codes of conduct, with relation to ethical recruitment, some of IOM's initiatives that are related to this process have tended to stress soft law approaches to addressing problems of ethical recruitment, like recruitment abuse or charging high fees for recruitment, rather than binding labor regulations, which is in turn seen to sort of favor state approaches to ethical recruitment.

[\(38:51\)](#):

And the other issue that she draws attention to, which is really interesting, is the role of IOM's IRIS system in promoting the privatization of labor governance. So by handing over the audits of labor recruitment agencies to private third party audit companies, which is IOM's model here with IRIS, it allows states to relinquish their regulatory responsibilities in this area. And so what she sort of points out here is that, we don't often think about IOM as an actor in ethical recruitment. We don't really think about the IOM ILO relationship. But if we sort of pay attention here, it would seem to reflect a lot of broader themes and trends in IOM's approaches where migrants rights and protection concerns are being recognized by IOM, and they are being integrated into IOM's approaches, but they often fall short in sort of effectively safeguarding those rights and practices, and that's the point that she sort of drives home with her analysis of how the IRIS system promotes the privatization of labor governance.

Katerina Linos [\(39:52\)](#):

Thank you so much, Angela. I've loved this conversation and we're running out of time, so I wanted to go to each of you, to ask for a closing thought, perhaps something that you learned that was very, very surprising in doing all of this research, perhaps a key takeaway point that listeners should keep in mind when it comes to the IOM, perhaps some chapter that we just didn't get to. So maybe I'll start with you, Megan, and then go to Angela and then to Cathryn, on a closing story or closing remark.

Megan Bradley [\(40:23\)](#):

Well, I think the one takeaway that I hope readers and listeners would bring from this is that, IOM is an actor that we have to take seriously, and we have to take it seriously as a human rights actor, as an actor with human rights responsibilities. Too often, we keep hearing, reiterated in the literature, this idea that IOM has no human rights obligations because it doesn't have a protection mandate. I think part of the value of bringing lawyers and IR people together is that we've hopefully been able to show that, legally, politically, that's incorrect, and if we really want to understand this organization and its role, which is important for migrants themselves, then we have to put that mistake to bed and move forward in a more up-to-date manner.

Angela Sherwood [\(41:07\)](#):

So building on those points, I think one of the things that I've found very important about the book is that, it also considers themes of accountability. So who really can hold an international organization to account, and what do those different pressure points look like, and how can sort of accountability be layered or reinforced between different types of actors?

[\(41:30\)](#):

And one of the chapters that I really enjoyed working on was with Megan, which is on civil society actors and holding IOM to account. I think what was quite surprising in working on that chapter was just how little attention IOM gets from prominent human rights organizations like Amnesty International or

Human Rights Watch. When a lot of the other literature on IOM has sort of assumed that these organizations are quite critical of IOM and that they pay close attention to what IOM does, this chapter and this research really sort of revealed that IOM is not really on the radar, and in fact, these organizations, civil society organizations, pay a lot more attention to UNHCR and for particular reasons. And so I think that thinking about accountability and how international organizations more broadly can be held accountable, especially when they start like IOM is doing, is making more commitments about their position on human rights, what does that really look like in practice?

Katerina Linos ([42:26](#)):

Cathryn, you have the final word.

Cathryn Costello ([42:28](#)):

I think Megan and Angela have really done an excellent job. Maybe I'll just conclude by saying, the book has really come together in a very collaborative way, so I'm really grateful for that collaboration. And that it sort of bore fruit because there was a long gestation period and a pandemic. And so, I suppose just to acknowledge that, we've ended up with a book that has 15 authors and also a wonderful foreword written by Tendayi Achiume.

([42:52](#)):

And actually, in her foreword, she really tries to plot an agenda for future research. So because I do feel like this is the beginning, both historically, and Megan has started to do this also, to look into how IOM is imbricated with racialized migration control, both in keeping certain people out, and also moving white people to apartheid South Africa. I think, in the foreword, she really pushes us to think even more deeply about IOM and questions about global justice.

Katerina Linos ([43:22](#)):

Thank you so much for listening to this episode of Borderlines.

([43:27](#)):

If you want to read more, please turn to the show notes, where you'll find links, both to purchase the volume, IOM Unbound, and also to access it openly online, and to see other publications that were mentioned.

([43:43](#)):

If you want to listen to a related Borderlines episode, please turn to episode one, where Professors Tendayi Achiume, Seth Davis and Jaya Ramji-Nogales discuss how states share responsibility for refugees.