

IOM Institutional Strategy on Legal Identity

LEGAL IDENTITY TO SUPPORT REGULAR MIGRATION & MOBILITY



Global Compact
FOR **Migration**



Target 16.9: By 2030, provide **legal identity for all**, including free birth registrations.



Target 10.7: By 2030, “facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies “

Objective 4: Ensure that all migrants have proof of **legal identity** and adequate documentation

Objective 7: Address and **reduce vulnerabilities** in migration

Objective 14: Enhance **consular** protection, **assistance** and cooperation throughout the migration cycle

A lack of registered legal identity is:

- a major impediment to entering another State
- an obstacle to satisfying immigration-related procedures
- an obstacle to obtaining a permit to stay or being granted a visa
- an obstacle to accessing resident status once abroad
- Limiting access to employment

A lack of proof of legal identity has a detrimental effect on migrants affecting

- their ability to exercise their right to leave and return to their country,
- their integration into mainstream society and, ultimately,
- Ability of the authorities to effectively protect their rights

Legal identity Strategy focuses on four population categories of specific concern to IOM and its Member States:

1. **Nationals in their own countries who need registered legal identity to access regular migration or travel abroad**
2. **Migrants in foreign countries who require access to civil registration in the host country and in the country of origin**
3. **Vulnerable mobile populations, including displaced persons and victims of trafficking, for whom legal identity intersects with protection concerns and international humanitarian law**
4. **Irregular migrants for whom determining legal identity is linked to a specific country situation**

Legal Identity Strategy

Pillars, Outcomes and Areas of intervention

Pillar 1 - Supporting development of consular services to issue civil registration, citizenship certificates, ID and travel document

Outcome: Migrants are provided with access to civil registration and identity/travel documents issuance services in their host country, as well as documentary proof of nationality

Areas of intervention:

- a) Strengthening civil registration services to issue proof of nationality and travel document at consular representations**
- b) Promoting bilateral (and regional) policies that are rights-based, including measures for updating vital events of relevance to the migrant in both host country and country of origin**
- c) Enhance consular services to support nationals abroad without documentary proof of legal identity**

Legal Identity Strategy

Pillars, Outcomes and Areas of intervention

Pillar 2 - Assisting migrants without legal identity documents

Outcome: Vulnerability of migrants without legal identity documents addressed through appropriate assistance services

Areas of intervention:

- a) Assisting migrants to obtain paper-based or digital evidence of legal identity
- b) Exploring possibilities and, as appropriate, supporting irregular migrants or migrants caught in crisis situations with recording their vital events when unable to access services directly

Pillar 3 - Supporting national civil registration and identity management systems to facilitate regular migration and mobility

Outcome: Nationals can prove legal identity to exercise their right to leave their country, apply for admission and stay in a third country and/or return to their country in an orderly and safe manner, while benefitting from their rights throughout the migratory process

Areas of intervention:

- a) Strengthening national civil registration and identity management systems**
- b) Support strengthening of national identity card and travel document issuance processes**
- c) Supporting identity management systems and civil registration of migrants**

Legal Identity Strategy

Pillars, Outcomes and Areas of intervention

Pillar 4 - Provide thought leadership on the nexus between migration, displacement, and legal identity, including their impact on the protection of migrants

Outcome: IOM contributes to the development of global policies and strengthening of existing policies aimed at providing efficient assistance to migrants to register and, as appropriate, update characteristics of their legal identity

IOM will provide a global platform for research and sharing of good practices on how to improve:

- **National legal identity systems in accordance with international law, including human rights law**
- **Cross-border bilateral and multilateral cooperation to enable sharing of information on registered vital events in civil registers of their nationals residing abroad, including possibilities for cross-border verification of legal identity directly in national legal identity systems**
- **IOM will further facilitate dialogue and promote good practices on policies to facilitate access to legal identity for irregular and forcibly displaced migrants whose legal identity cannot be determined**

Legal Identity Strategy - Implementation

- 1. Leverage and expand as needed on existing IOM institutional and technical capacities**
- 2. Pursue and strengthen a “Whole of UN approach” in delivering a holistic and concerted support to strengthen inclusive national legal identity systems that conform with international law and standards and that contribute to reducing statelessness**
- 3. Seek and strengthen partnership with global and regional development financial institutions, private sector, civil society, and local communities’ partners**

- **Equality and non-discrimination**
- **People-centered**
- **Rights Based approach**
- **“Do no harm”**
- **Protection of privacy and personal data**

IMPLEMENTATION SAFEGUARDS

- **Inclusive consultations with affected stakeholders to inform preliminary assessment**
- **Developed legal identity systems are necessary and proportionate means to achieve legitimate objectives**
- **Legislative framework is in place regulating access to and protection of individual information**
- **Mechanisms for redress are in place for cases of incorrect identification or violation of privacy**

IOM AND LEGAL IDENTITY

LEGAL IDENTITY FOR ALL

