While people are as mobile as they ever were in our globalized world, the movement of people across borders lacks global regulation. This leaves many refugees in protracted displacement and many migrants unprotected in irregular and dire situations. Meanwhile, some states have become concerned that their borders have become irrelevant.

International mobility—the movement of individuals across borders for any length of time as visitors, students, tourists, labor migrants, entrepreneurs, long-term residents, asylum seekers, or refugees—has no common definition or legal framework. To address this key gap in international law, and the growing gaps in protection and responsibility that are leaving people vulnerable, the "Model International Mobility Convention" proposes a framework for mobility with the goals of reaffirming the existing rights afforded to mobile people (and the corresponding rights and responsibilities of states) as well as expanding those basic rights where warranted.

In 213 articles divided over eight chapters, the Convention establishes both the minimum rights afforded to all people who cross state borders as visitors, and the special rights afforded to tourists, students, migrant workers, investors and residents, forced migrants, refugees, migrant victims of trafficking and migrants caught in countries in crisis. Some of these categories are covered by existing international legal regimes. However, in this Convention these groups are for the first time brought together under a single framework.

The Preamble of the Mobility Convention establishes the complementarity of the Convention with existing international legal instruments. These include the United Nations Charter, the Universal Declaration of Human Rights as well as other core international human rights treaties, thereby explicitly signaling that the Convention builds upon the rights and protections embodied in these documents. None of the provisions in the Convention should be interpreted as undermining such rights, nor should any rights be regarded as negated by this Convention should they not be explicitly embodied in its articles. The focus of the Mobility Convention is with the rights and protections that are of special relevance to people on account of their moving across national borders. Accordingly, individuals enjoy these rights without prejudice to all other rights they are entitled to as persons, as embodied in the wide range of existing human rights treaties.

An essential feature of the Convention is that it is cumulative. This means, for the most part, that the chapters build on and add rights to the set of rights afforded to categories of migrants covered by earlier chapters.

Chapter I on visitors articulates the minimum set of rights afforded to all mobile people, independent of their immigration status and whether they entered a state regularly or not. As chapters and new categories of migrants are consecutively introduced in the Convention additional rights are added to this minimum base-line of rights. Thus, Chapter II specifies the rights enjoyed by tourists, which are provided in addition to those spelled out in Chapter I. Similarly, Chapter III, on students, builds on and add to the rights embodied in the previous two chapters.

Chapter IV covers migrant workers, investors and residents. These provisions address the rights that can be claimed by any migrant working within the territory of any States Parties, including undocumented migrants or those in an irregular situation. The chapter also outlines the additional rights that can be claimed by documented migrant workers and investors. Migrant residents—also covered by this chapter—have, in addition to a few specific rights related to residency, full access to the non-work-related rights enjoyed by undocumented and documented migrant workers alike.

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1 This summary draws on Emma Borgenäs’s summary analysis of the Convention in the Columbia Journal of Transnational Law (Vol. 56, No. 2).
2 United Nations, Charter of the United Nations, 24 October 1945, 1 UNTS XVI.
3 UN General Assembly, Universal Declaration of Human Rights, 10 December 1948, 217 A (III).
Chapter IV also outlines the rights of temporary migrant workers. In order to open pathways that meet the demand for temporary labor through orderly migration, these provisions introduce exceptions to the otherwise cumulative nature of the rest of the Convention: temporary workers do not have access to all the rights afforded to documented migrant workers that have been admitted on a permanent basis. Article 98 lists the conditions placed on specific rights. Importantly, the Convention makes clear that these conditions can only be justified for temporary workers for a limited duration.

Chapter V covers the status of refugees and forced migrants and the specific rights they enjoy—which also build on the rights set forth in earlier chapters. The chapter presents a unified approach to refugees and forced migrants and strengthens the terms of protection as compared to the existing refugee regime. Refugees and forced migrants enjoy all the rights set forth in chapters I through III and all the non-work-related rights set forth in chapter IV. To the extent that they engage in employment activities, they enjoy all employment related rights as well. In addition to provisions governing their general treatment by States Parties, they enjoy additional rights primarily related to protection and access to asylum.

The next two chapters diverge from the earlier sections of the Convention by addressing cross-cutting rights entitlements. Chapter VI addresses migrant victims of trafficking and migrants caught in countries experiencing crises. These provisions are cross-cutting in the sense that these rights are applicable to any migrant category that should find itself in any or both of these two scenarios. Thus, these rights can apply equally across all categories of migrants. Chapter VII is similarly issue-specific and spells out the rights relating to family reunification enjoyed by different mobility categories.

The Convention contains not only provisions that afford rights to migrants and, to a lesser extent, States (such as the right to decide who can enter and remain in their territory). It also articulates the responsibilities of migrants vis-à-vis States and the rights and responsibilities of different institutions that do not directly respond to a right held by migrants. An example is the bundle of articles in Chapter II on tourists regarding the protection of the environment and those in Chapter III on the rights of educational institutions.

Finally, Chapter VIII on the Treaty Body is entirely dedicated to ensuring implementation of the Convention. It spells out the terms and conditions for international cooperation on international mobility. It includes provisions for the establishment of a Committee with the responsibility to review the application of the Convention by considering reports by States on the legislative, judicial, administrative and other measures they have taken to give effect to the provisions of the Convention. The Committee is also charged with providing authoritative guidance on the interpretation of the Convention. The Committee invites civil society, including migrants and their representative organizations, to participate fully in the independent monitoring process that is to be established by each State to promote, protect and monitor implementation of the Convention. The Chapter moreover includes provisions relating to dispute resolution in cases when States Parties consider that another State Party is not fulfilling its obligations under the Convention, and outlines the specific procedures and remedies that should be taken under such circumstances.

The Convention and the Treaty Body chapter conclude by proposing that the Committee establish a number of mechanisms to more comprehensively and equitably deal with refugee and migration flows. These mechanisms include establishing a Mobility Visa Clearing House and a Remittance Subcommittee for facilitating international economic migration. The chapter also introduces a number of innovations for supporting and strengthening the provision of international protection, key aspects of which include a Responsibility Sharing framework, a Comprehensive Global Planning Platform and a Global Refugee Fund.

Please consider expressing your support by signing the Model International Mobility Convention. The full convention document and signature page are available at mobilityconvention.columbia.edu.
Commission Member Signatories

Diego Acosta, Reader in European and Migration Law, University of Bristol Law School

T. Alexander Aleinikoff, University Professor; Director, Zolberg Institute on Migration and Mobility, The New School

Kiran Meisan Banerjee, Former Post-doctoral Research Fellow, Columbia Global Policy Initiative, Columbia University; Assistant Professor, Department of Political Studies, University of Saskatchewan

Elazar Barkan, Professor, School of International and Public Affairs; Director, Institute for the Study of Human Rights, Columbia University

Pierre Bertrands, Former Director, New York Office, UNHCR

Jagdish Bhagwati, University Professor, Columbia University

Joseph Blocher, Professor of Law, Duke University School of Law

Emma Borgnäs, Columbia Global Policy Initiative, Columbia University

Frans Bouwen, Founder and Director, The Hague Process on Refugees and Migration; Senior Advisor, Conflict Prevention and Migration, The Hague Institute for Global Justice; Senior Advisor to the President, FD Roosevelt Foundation

Sarah Cliffe, Director, NYU Center on International Cooperation

François Crépeau, Full Professor; Director, Centre for Human Rights and Legal Pluralism; Hans & Tamar Oppenheimer Chair in Public International Law, McGill University Faculty of Law; Special Rapporteur on Human Rights of Migrants, United Nations

Michael Doyle, University Professor, Columbia University

Yasmine Ergas, Lecturer, School of International and Public Affairs, Columbia University

David Scott FitzGerald, Theodore E. Gildred Chair in U.S.-Mexican Relations and Professor of Sociology; Co-Director, Center for Comparative Immigration Studies, University of California-San Diego

François Fouinat, Senior Adviser to SRSG for International Migration-Mr. Peter Sutherland, United Nations

Justin Gest, Co-Chair, International Migrants Bill of Rights (IMBR) Initiative

Bimal Ghosh, Senior Fellow, Graduate Institute for International and Development Studies, Geneva; Emeritus Professor, Graduate Institute of Public Administration, Bogota

Guy S. Goodwin-Gill, Professor of Law; Acting Director, Kaldor Centre for International Refugee Law, University of New South Wales (UNSW); Emeritus Fellow, All Souls College, Oxford University; Barrister, Blackstone Chambers in London

Randall Hansen, Interim Director, Munk School of Global Affairs; Director, Centre for European, Russian and Eurasian Studies; Professor, Political Science, University of Toronto

Mats Karlsson, Director, Swedish Institute of International Affairs (SIIA)

Donald Kerwin, Executive Director, Center for Migration Studies of New York

Khalid Kos, Director, Global Community Engagement and Resilience Fund

Rey Koslowski, Associate Professor of Political Science, Rockefeller College of Public Affairs & Policy, University at Albany - State University of New York (SUNY)

Ian Matthew Kysel, Steering Committee Co-Chair, International Migrants Bill of Rights (IMBR) Initiative

Justin MacDermott, Former Adviser to SRSG for International Migration-Peter Sutherland, United Nations

Susan F. Martin, Donald G. Herzberg Professor Emerita of International Migration; Founder, Institute for the Study of International Migration, School of Foreign Service, Georgetown University

Sarah Deardorff Miller, Adjunct Assistant Professor, School of International and Public Affairs, Columbia University; Adjunct Professor, School of International Service, American University; Adjunct Professor, School of Advanced Study, University of London

Elora Mukherjee, Associate Clinical Professor of Law; Director, Immigrants’ Rights Clinic, Columbia Law School

Parvati Nair, Founding Director, Institute on Globalization, Culture and Mobility (UNU-GCM), United Nations University; Professor, Hispanic, Cultural and Migration Studies, Queen Mary, University of London
Steven S. Nam, Center for East Asian Studies, Stanford University
Daniel Naujoks, Adjunct Assistant Professor, School of International and Public Affairs, Columbia University; Adjunct Professor, Milano School of International Affairs, Management, and Urban Policy, The New School
José Antonio Ocampo, Professor of Professional Practice, School of International and Public Affairs, Columbia University
Maggie Powers, Former Associate Director, Columbia Global Policy Initiative, Columbia University
Benedita Menezes Queiroz, Assistant Lecturer, Instituto de Ciências Jurídico-Políticas (ICJP); Researcher, Lisbon's Centre for Research in Public Law (CIDP)
S. Irudaya Rajan, Chair Professor, International Migration, Centre for Development Studies, Kerala
Sarah Rosengaertner, Expert on Migration and Development, Columbia Global Policy Initiative
Bianca Z. Santos,* Co-Chair, International Migrants Bill of Rights (IMBR) Initiative; Pangea Legal Services
Saskia Sassen, Robert S. Lynd Professor of Sociology, Columbia University
Peter Spiro, Charles R. Weiner Professor of Law, Temple University Law School
Colleen Thouez, Senior Research and Training Advisor, UN Institute for Training and Research (UNITAR)
Joel P. Trachtman, Professor of International Law, The Fletcher School of Law and Diplomacy, Tufts University

Selected Public Signatories

Sérgio Aguilar, Professor of International Security, Universidade Estadual Paulista Júlio de Mesquita Filho
Marie-Laure Basilien-Gainche, Professor of Law, University Jean Moulin Lyon 3, Institut Universitaire de France
Michael Byers, Professor and Canada Research Chair in Global Politics and International Law, University of British Columbia
Arturo Cabrera, Deputy Permanent Representative of Ecuador to the UN
John R. Campbell, Reader in the Anthropology of Africa and Law, SOAS University of London
Scott Carlin, Associate Professor of Geography, Long Island University
Arthur Augusto Catraio, Brazilian School of Public Administration; Getulio Vargas Foundation
Deen Chatterjee, Professorial Fellow, S. J. Quinney College of Law, University of Utah
Katharina Coleman, Associate Professor, University of British Columbia
Mireille Delmas-Marty, Professor Emerita, Collège de France
Antje Ellerman, Director, Institute for European Studies and Associate Professor of Political Science, University of British Columbia
Sacha Goldman, Secretary General, Collegium International
Laura Hammond, Reader in Development Studies, SOAS University of London
James P. Ketterer, Dean of International Studies, Bard College
Binod Khadria, Professor, Zakir Husain Centre for Educational Studies, School of Social Sciences, Jawaharlal Nehru University, New Delhi
Daniel M. Kowalski, Editor-in-Chief, Bender’s Immigration Bulletin (LexisNexis)
Silvia Morgades/Gil, Associate Professor, Law department, Pompeu Fabra University, Barcelona
Felipe Pait, Associate Professor, Universidade de São Paulo, Brazil
Lisa Pelling, Chief Analyst, Arena Idé, Stockholm
Nicoletta Policek, Associate Professor in Policing and Criminology, University of Cumbria, UK
Henry Shue, Senior Research Fellow, University of Oxford
Marufi Kaleem Mohd Umar, Ministry of Refugees and Repatriation (MoRR) Afghanistan
Ernesto Zedillo Ponce de León, Former President of Mexico; Director, Yale Center for the Study of Globalization

*Denotes a Reservation, Understanding, or Declaration accessible at mobilityconvention.columbia.edu.
Convention Launch Events

2019

**Model International Mobility Declaration Launch**, 21 February 2019, Perry World House, University of Pennsylvania, Philadelphia, PA, USA

2018

**Global Governance of Mobility, Migration and Asylum: A Realistic Utopia**, 5 December 2018, Institute for Urban and Regional Research (ISR) of the Austrian Academy of Sciences (ÖAW), University of Vienna, Vienna, Austria

**MIMC Launch at the University of Bristol**, 14 November 2018, Bristol Institute on Migration and Mobility Studies, University of Bristol, Bristol, UK


**MIMC Launch at the University of Oslo**, 8 November 2018, University of Oslo (UiO), Oslo, Norway

**Beyond Migrants and Refugees: MIMC Launch at the European University Institute (EUI) in Florence**, 6 November 2018, European University Institute (EUI), Florence, Italy

**Yale Colloquium: Forced Migration and Humanitarian Policy**, 4 October 2018, Yale University, New Haven, CT, USA

**UNU Conversation Series-Beyond Migrants and Refugees**, 31 May 2018, United Nations University, Tokyo, Japan

**The International Mobility Convention: New Global, Regional, and Technological Approaches to Migration**, 28 May 2018, Korea University, Seoul, Republic of Korea

**Swedish Institute for International Affairs Migration and Refugees Conference**, 24 May 2018, SIIA, Stockholm, Sweden

**Regional Perspectives on International Mobility: Contextualizing the Model International Mobility Convention**, 6 May 2018, Columbia Global Centers | Amman, Amman, Jordan

**Beyond Migrants and Refugees: A Model International Mobility Convention**, 5 April 2018, Yale University, New Haven, CT, USA

**MIMC Launch at the Columbia Global Centers in Nairobi**, 22 March 2018, Columbia Global Centers | Nairobi, Kenya

**MIMC Launch at the Columbia Global Centers in Mumbai**, 16 March 2018, Columbia Global Centers | Mumbai, India

**Refugee Hub: The Model International Mobility Convention**, 6 March 2018, University of Ottawa Refugee Hub, Ottawa, ON, Canada

**New Rules for Migrants and Refugees**, 21 February 2018, Princeton University, Princeton, NJ, USA


**Regional Perspectives on Migration and Refugees**, 18-19 January 2018, Harriman Institute, Columbia University, New York, NY, USA

2017

**International Migrant's Day**, 18 December 2017, United Nations University Institute on Globalization, Culture and Mobility (UNU-GCM), Barcelona, Spain

**Perry World House Seminar Series: Model International Mobility Convention**, 6 December 2017, University of Pennsylvania, Perry World House, Philadelphia, PA, USA

**Mark Zacher Distinguished Visitor Lecture on Crossing Borders in a Globalized World: A New Treaty for Migrants and Refugees**, 2 December 2017, The Vancouver Institute, Vancouver, BC, Canada

**IES/Political Science Department co-hosted talk: Model International Mobility Treaty**, 30 November 2017, University of British Columbia, Vancouver, BC, Canada

**Charles Francis Adams Lecture: Model International Mobility Convention**, 9 November 2017, Tufts University, The Fletcher School of Law and Diplomacy, Medford, MA, USA
A Model International Mobility Convention: Principles and Regulations for Migrants and Refugees, 3 November 2017, University of Toronto, Munk School of Global Affairs, Toronto, ON, Canada

International Mobility Treaty: Annual Tanner-McMurrin Lecture, 26 October 2017, University of Utah, College of Law Courtroom, Salt Lake City, UT, USA

Foreign Policy Association Centennial Lecture, 12 October 2017, SUNY Global Center, New York, NY, USA

SIPA Migration Working Group Annual Fall Symposium: Innovations and Ideas in a Changing Landscape, 3 October 2017, Columbia University, SIPA, New York, NY, USA

CMS Symposium - Whither Immigration? New Directions in Research and Policy in an Era of Nationalism, 3 October 2017, Fried, Frank, Harris, Shriver & Jacobson LLP, New York, NY, USA

Collegium International (closed-door session), 30 September 2017, Défenseur des droits, Paris, France

XV UNESP International Relations Week, 28 August-1 September 2017, UNESP, Marilia, Sao Paulo, Brazil

International Policy Summer Institute, 5 June 2017, School of International Service at American University, Washington, DC, USA

Model International Mobility Convention Symposium, 26 April 2017, Columbia Law School, New York, NY, USA