

Administrative and legal services

People on the move often face challenges in proving their legal identity, as their credentials are often lost or destroyed during the migratory process, and children are born during the journey. The provision of **support for civil registration and other administrative services** in the framework of MRRMs enables the protection of beneficiaries' right to identity and other fundamental rights such as the right to health and education, for example through the recognition of diplomas obtained prior to migration. In the socio-economic sphere, proof of legal identity is a precondition for economic inclusion and for sustainable reintegration in the country of origin or integration in the host country.

Best practices from the field

In West Africa, IOM is facilitating rapid access to basic consular services for migrants in need by supporting consular missions in countries and destination countries to provide travel documents to their nationals and to establish sustainable mechanisms for the issuance of travel documents in the long term. Several countries have resorted so far to this Facility, including Ghana, Guinea-Conakry, Guinea-Bissau, Liberia, Nigeria and The Gambia.

Migrants may also need **consular assistance** from their country of origin for the replacement of passports or travel documents or the issuance of birth, adoption, death, marriage or other records to support an immigration application. Conversely, migrants seeking assistance to return home from transit and destination countries may not have documentation valid to travel. To facilitate the voluntary return of these migrants, technical assistance can be provided to consular authorities to enable beneficiaries to obtain identity, nationality and travel documents. To this effect, MRRMs may support the establishment of mechanisms for the issuance of travel documents, including regular liaison, capacity building and financial and logistical support for consular missions.

Legal aid is the provision of assistance to people otherwise unable to afford or obtain legal advice and representation. **Access to legal aid** is therefore paramount to ensure protection of human rights of migrants. Legal support may consist of information sharing on migrants' rights and relevant laws and institutions in a certain location, or on the provision of legal representation. Migrants' legal needs may concern their immigration status, legal advice to engage with the judicial system, to report a crime or if they have been accused of it. Beneficiaries wishing to pursue channels to regularise their status may benefit from support for relevant application processes and be counselled on the procedures involved in applications for immigration, asylum, work permits and visa.

Best practices from the field

In Sudan, referrals are done from IOM's MRRC in Khartoum to local legal NGOs providing legal aid to migrants in relation to administrative detention, negotiation and claims against employers, as well as divorce and custody of children with double nationality.

Furthermore, beneficiaries assisted may have experienced violence, exploitation or abuse during their migratory process, ranging from racial discrimination to robbery, gender-based violence and torture. Such acts may be perpetrated by private actors including traffickers and smugglers, by fellow migrants or inflicted by the state or its law enforcement officials and victims shall be granted access to justice and legal remedies. Depending on the context, legal aid services can be provided by national institutions, international organizations, non-governmental organisations (NGOs) or civil society ones. In migrant centres, an initial assessment of migrants' legal need can be made by the case worker assisting the beneficiary, and referrals than made to specialised organisation or law firms (see [relevant entry](#) on referrals).

References and Tools

- [Implementation of the United Nations Legal Identity Agenda: United Nations Country Team Operational Guidelines \(draft\)](#)
- [Civil registries and their relevance to IOM's work \(PPT global IBM webinar\)](#)
- [IOM Handbook on the Protection and Assistance to Migrants Vulnerable to Violence, Exploitation... \(Access to justice, p. 80\)](#)
- [Principles and Guidelines migrants in vulnerable situations \(Access to justice, p. 25\)](#)
- [Semera Ethiopia Migration Response Center SOPs \(Crime and violation of rights detecting indicators, p. 27\)](#)
- [Consular visits support report \(WCA\)](#)

Category

