

## Contribution of the European Union

### Children

The Working Group, at its seventh session, calls upon States to give serious consideration to the views and recommendations expressed by the panelists, as well as a way for the fulfillment of their obligations and commitments relating to child migrants contained in the Durban Declaration and Program of Action and in the Outcome Document of the Durban Review Conference described in the annex.

The Working Group further calls upon all relevant bodies such as the Committee on the Rights of the Child to consider the Durban Declaration and Program of Action as well as the Outcome Document of the Durban Review Conference when deliberating on the rights of child migrants.

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Deleted: <#>implementation of all provisions contained within the Durban Declaration and Programme of Action and the Outcome Document of the Durban Review Conference that relate to children should be encouraged. JGWG consideration of conducting a review, via a panel discussion, so as to determine the degree to which these provisions have been implemented by States and to make recommendations on how implementation may be enhanced. ¶

<#>the enhancement of States, in partnership with children, national human rights institutions, regional organizations, civil society organizations and other stakeholders, in awareness-raising activities on the pernicious effects that racism, racial discrimination, xenophobia and related intolerance have upon children. ¶

<#>¶  
<#>an in-depth study on the situation of children who suffer racism and intolerance is needed. ¶

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<#>the prohibition of all violence against children, in accordance with the Convention of the Rights of the Child and the DDPA and where necessary, legislative framework: modified in this respect.¶

<#>¶  
<#>requests that examples of relevant legislation, good practices and other pertinent information related to children protection be placed on the website of OHCHR.¶

<#>¶  
<#>providing children who are migrants, refugees or asylum seekers, who do not have parents or guardians, with the ability to make requests for asylum in their own right with full and effective access to child protection systems such as health services, education and housing. ¶

<#>¶  
<#>registration of children at birth in accordance with paragraph 56 of the Durban Programme of Action.¶

**Discussion on Employment**  
**First draft of conclusions and recommendations**

1. The Working Group encourages employers to provide scholarships, mentoring, internships and other similar measures to members of communities that are traditionally subject to discrimination in accessing employment.

2. The Working Group invites States to consider ratifying and fully implementing ILO Conventions 111 on equal remuneration, as well as other relevant UN Conventions such as the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

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3. The Working Group urges States to adopt specific legislation, where they have not already done so, that prohibits discrimination in accessing employment and protects workers from discrimination in the workplace.

4. The Working Group calls upon States, in collaboration with various stakeholders in particular employers and trade unions, to implement effective awareness-raising campaigns and training programmes to combat discrimination and negative stereotyping in the workplace.

5. The Working Group encourages States to establish observatories at the national level to monitor discrimination in relation to employment, including mechanisms for the reception of complaints and measures for addressing discrimination where it is found to exist.

6. The Working Group requests that examples of relevant legislation, good practices and other pertinent information related to discrimination in the area of employment be placed on the website of OHCHR.

7. The Working Group encourages States to adopt measures that promote employment in the public service by members of communities traditionally subject to discrimination.

Deleted: <=>The Working Group urges States to ensure that effective training is provided to labour inspectors with regard to the detection of discrimination in the workplace. ¶

8. The Working Group encourages States to consider introducing to employers the practice of using anonymous applications for job vacancies, with a view to eliminate discrimination based on the name or ethnic origin of the applicant.

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Draft Conclusions and Recommendations on Migration

1. The Working Group acknowledges that:

- a) migration occurs on a cross-regional, as well as intraregional basis (South-to-North, South-to-South and North-to-North) and nowadays each country is one of origin, transit and destination.
- b) the vulnerability of migrants, particularly women and children, and abuse of migrants is a widespread phenomenon affecting all regions of the world;
- c) xenophobia and violence against migrants, refugees and asylum-seekers constitute one of the greatest dangers to social cohesion;
- d) the challenges faced by migrants are today compounded by new threats, such as the global financial crisis and economic downturn, climate change and food insecurity and encourages international organization, academic institutions, Member States and civil society to carry further studies on these problems as a cause of migration;

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3. The Working Group encourages Member States:

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- a) to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- b) to protect the human rights of all individuals within their jurisdiction, including all migrants;

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4. The Working Group invites States:

- a) to adopt a human rights approach to migration and respective measures;
- b) to consider designing and implementing awareness raising campaigns and activities on migration aiming to prevent and eliminate negative perceptions of migrants and promote intercultural dialogue;
- c) to respect all their existing obligations under international law with regard to the specific needs and vulnerability of migrants, in particular with regard to access to justice, health, education, housing and employment;
- d) to take measures to facilitate integration of migrants, with due respect to their culture;
- e) to put in place institutional frameworks and laws that effectively protect women and children migrants;
- f) to adopt national action plans against racism in the realm of human rights providing for protection of migrants and building on cooperation between government, employers, trade unions and civil society.
- g) to identify and broad share good practices in the realm of migration;
- h) to implement, in case of ratification, relevant ILO Convention 111, the ICERD and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

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Deleted: <#>to strengthened action by standards-based organizations, ILO, OHCHR and UNHCR as well as regional bodies such as the African Union, the Organization of American States and the European Union;¶

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i) to urge cooperation among social partners, civil society and governments in putting into practice the Durban Declaration and Program of Action and the Outcome Document of the Durban Review Conference;

j) to combat negative stereotyping of migrants in public discourse;

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5. The Working Group invites the OHCHR and UNHCR as well as regional bodies such as the African Union, the Organization of American States and the European Union to continue action regarding the problems of migration and its link to racism, racial discrimination, xenophobia and related intolerance;

6. The Working Group invites employers, trade unions, politicians and civil society to take action with regard to the problems of migration and its link to racism, racial discrimination, xenophobia and related intolerance;

6. The Working Group recognizes that migration and increased labour mobility represent one of the long term solutions to labour and skills needs in evolving economies throughout the world. The Working Group believes that the protection of migrants should be guaranteed, in particular in the context of the crisis. In this regard, the Working Group recommends three broad areas for intervention:

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- a) shoring up decent work conditions and protection of migrant workers—and vulnerable national workers—in migrant employment countries;
- b) enhancing employment creation and social safety net protections for returning migrants and populations as a whole in migrant source countries; and
- c) using all appropriate legal and administrative means to repress racist violence and xenophobia against foreigners, and to prosecute perpetrators of violent acts to the fullest extent of the law