

Migration
Second draft of conclusions and recommendations
as of 2 September 2010

1. The Working Group acknowledges that:

- a) migration occurs on a cross-regional, as well as intraregional basis;
- b) rising violence and xenophobia against migrants, refugees and asylum-seekers pose a serious threat to social cohesion and constitute some of the main sources of contemporary forms of racism;
- c) the challenges faced by migrants are today compounded by new threats, such as the global financial crisis and economic downturn, climate change, food insecurity and organized crime, and encourages international organizations, academic institutions, Member States and civil society to carry further studies on these problems as a cause of migration.

2. The Working Group urges Member States to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

3. The Working Group urges Member States to protect the human rights of all migrants, regardless of their immigration status, in accordance with relevant international obligations.

4. The Working Group invites States:

- a) to adopt a human rights approach to migration and take concrete measures towards that goal;
- b) to design and implement awareness raising campaigns and activities on migration aiming to prevent and eliminate negative perceptions of migrants, with particular emphasis on the promotion of intercultural dialogue and the values of solidarity, respect, tolerance and multiculturalism;
- c) to adopt specific laws and [measures, including legislative ones, when appropriate,] on the protection of migrants and address the specific needs and vulnerabilities of migrants, in particular with regard to access to justice, health, education, housing and employment;
- d) to take measures to facilitate the integration of migrants, with due respect to their cultures;
- e) to put in place institutional frameworks and laws that effectively protect women and children migrants;

- f) to adopt and ensure that national action plans against racism provide for protection of migrants and built on cooperation between government, employers, trade unions and civil society;
- g) to identify and broadly disseminate and share good practices on migration;
- h) to strengthen action by relevant international organizations as well as regional, interregional and subregional organizations.
- i) to implement relevant ILO and UN Conventions, ILO 111, CERD and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- j) to urge cooperation among social partners, civil society and governments in effectively implementing the Durban Declaration and Programme of Action and the Outcome Document of the Durban Review Conference;
- k) to combat and eliminate negative stereotyping of migrants in public discourse;

5. 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 some of the long term solutions to labour and skills needs in evolving economies throughout the world. The Working Group believes that immediate measures and policy responses are required to ameliorate the impact of the economic and financial crisis on migrant workers. In this regard, the Working Group recommends three broad areas for intervention:

- 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