

Migration  
Fifth draft of conclusions and recommendations  
as of 12 October 2010

1. The Working Group acknowledges that:

- a) migration occurs on a cross-regional, as well as intraregional basis;
- b) rising violence against migrants, refugees and asylum-seekers poses a serious threat to social cohesion and is linked to racism, racial discrimination, xenophobia and related intolerance;
- 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 threats and their link with racism, racial discrimination, xenophobia and related intolerance.

2. The Working Group calls upon Member States to consider, as a matter of priority, ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

3. The Working Group reaffirms that Member States are under obligation to protect fully and effectively the human rights of all migrants, regardless of their immigration status, in accordance with their obligations under international law.

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 formulate and implement training programmes for law enforcement, immigration and border officials, with a view to sensitizing them to racism, racial discrimination, xenophobia and related intolerance
- d) to adopt specific measures, including laws, 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, in accordance with their obligations under international law and their commitments under the DDPA;

- e) to take measures to facilitate the integration of migrants, with due respect to their cultures;
- f) to put in place institutional frameworks and laws that effectively protect women and children migrants;
- g) to adopt national action plans against racism that provide for the protection of migrants and are based on cooperation between government, employers, trade unions and civil society and ensure their implementation;
- h) to identify, broadly disseminate and share good practices on migration;
- i) to implement, their obligations under relevant ILO and UN Conventions, *inter alia*, 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 ILO, IOM, OHCHR, UNDP, UNESCO, UNHCR, UNICEF, UN Women and all other relevant international, regional, interregional and subregional organizations to take further actions, regarding racism, racial discrimination, xenophobia and related intolerance linked to migration, in accordance with their mandates.

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.

7. The Working Group recognizes that migration and associated increased labor mobility represent one of the long term solutions to labour and skills needs in evolving economies throughout the world. The Working Group believes that short-term crisis responses need to be taken in order to reinforce the long-term efforts to ensure adequate protection of the human rights of migrants in the context of a comprehensive approach to overcome the economic and financial crises. The Working Group believes that immediate measures and policy responses are required to mitigate the negative impact of the economic and financial crisis on the human rights and fundamental freedoms of migrant workers. In this regard the human rights of migrant workers should be guaranteed in particular in the context of the overall efforts to promote a comprehensive approach to overcome the economic and financial crisis. In this regard, the Working Group recommends three broad areas for intervention:

- a) shoring up decent work conditions and protection of [all] migrant workers [regardless of their immigration status [in countries where they work/migrant employment countries];

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b) enhancing employment creation and social safety net protections for returning migrants in countries of origin and recognizing the importance of fostering international cooperation in this regard;

c) using all appropriate legal and administrative means to repress racist [and xenophobic] acts of violence [or incitement to such acts] against foreigners, and to prosecute perpetrators of violent acts.

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