

Migration
Seventh 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 ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as a matter of priority.

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 based 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 Durban Declaration and Programme of Action;

- 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 International Labour Organization and United Nations Conventions, *inter alia*, ILO Convention 111 on discrimination in respect of employment and occupation, the International Convention on the Elimination of All Forms of Racial Discrimination 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 Groups 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 immediate measures and policy responses are required to mitigate the negative impact of any economic and/or 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 crises. In this regard, the Working Group recommends four broad areas for intervention:

- a) shoring up just and decent work conditions and protection of migrant workers in destination countries;

- b) taking measures to combat trafficking and forced labor of migrant workers, regardless of their immigration status;
- c) 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;
- d) taking all appropriate legal and administrative measures to prevent and combat the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against migrants, including on the basis of religion or belief, and to prosecute perpetrators of violent acts. Also emphasizing the necessity to appropriately address the stereotypes often applied to migrants.
