



Global Compact on Migration, 4<sup>th</sup> thematic session, 24<sup>th</sup>/25<sup>th</sup> July 2017, New York

Topic: “Contributions of migrants and diasporas to all dimensions of sustainable development, including remittances and portability of earned benefits”

Panel 1 – 24 July 2017

Contributions of migrants to all dimensions of sustainable development: the linkages between migration and development

Global Alliance of National Human Rights Institutions

Statement delivered by Mr El Jamri, Representative, National Council on Human Rights of Morocco, on behalf of GANHRI

The Global Alliance of National Human Rights Institutions welcomes this opportunity to contribute to the debate on the Global Compact on Migration. This process is not isolated, but takes place within a close-knit network of existing international obligations related to all aspects of migration which states have committed to implement. This includes the international core human rights treaties and ILO labour conventions as well as the Agenda 2030 and the Sustainable Development Goals which are anchored in human rights.

Human Rights apply to all persons, irrespective of their status as legal residents or citizen of a certain country. Protecting and promoting their rights in countries of origin, transit and destination ensures that migrants are assured of equality and non-discrimination therefore ensuring their rights are protected and enabling them to contribute more effectively to sustainable development.

GANHRI therefore recommends that:

The Global Compact should reflect obligations as included in the Agenda 2030

a) **SDG/target 8.8: The protection of labour rights and the promotion of a safe and secure working environment.** Reflecting the human right to decent work, this requires states to regulate, monitor and control the private sector in order to ensure compliance with national, regional and international labour principles including avoiding exploitation. While this applies to all workers, migrants are for a variety of reasons a particularly vulnerable group. Migrants – including irregular migrants – should have access to justice in case of violation of labour laws, without fear of being extradited when doing so.

b) **SDG/target 10.c: The reduction of transaction costs of remittances to less than 3%.** Migrants often face disproportionately higher costs for transferring their salaries to their families. We will come back to that topic during Panel 3 tomorrow.

c) **SDG/target 16.9.: The opportunity [for migrants] to establish legal identity through a birth certificate.** One practical example implemented by the German NHRI is an awareness-raising campaign for refugees and migrants on how to register children.

d) **SDG/target 10.7.: the facilitation of orderly, safe, regular and responsible migration.** GANHRI is deeply concerned about current policies which seem to focus on strengthening border regimes and criminalizing activities such as rescue operations at sea. GANHRI would also like to draw attention to a possible connection between unreasonable visa requirements on one hand and irregular migration and trafficking in human beings on the other. Therefore GANHRI would like to call on states to establish and expand legal ways of migration especially access to the labour market, abolish unreasonable visa requirements and provide access to justice for migrants. This call should be reflected in the future Global Compact.

e) **SDG/target 11.1 – Improve urban habitat by making cities and human settlements inclusive, safe, resilient.** This requires states to adopt **human-rights-based** and **forward-looking policies** with regard to basic services such as education, health and adequate housing. To ensure that they are **accessible for all**, migrants need **to be included and be able to participate** in their development. In order **to avoid any rift between migrants and host communities and promote integration**, states need to pay close attention to ensure that both migrants as well as welcoming communities have equal and sufficient access to basic services, **especially in situations of economic hardship**.

States should provide **integration measures to migrants**, including for temporary and circular migrants, thus facilitating diaspora engagement with the host community as well as with the country of origin. The development of integration measures should be made in close consultation with communities and civil society.

f) **SDG/target 17.18: The disaggregation of data** in order to facilitate monitoring of rights implementation by status and combat discrimination. Migration laws, policies and practices should promote **gender equality** through addressing barriers such as social norms which eg prevent women from integrating into their host communities. NHRIs can play an important role as data providers in this regard.

2) Next to the Agenda 2030, **States should ratify human rights and labour rights conventions that make up the normative framework for migration, development and human rights and implement them nationally.**

These conventions include, but are not limited to

- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,
- for social protection, the following ILO Conventions: The Social Security (Minimum Standards) Convention, 1952 (No. 102); The Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19); The

Equality of Treatment (Social Security) Convention, 1962 (No. 118); and The Maintenance of Social Security Rights Convention, 1982 (No. 157).

GANHRI recommends that the Global Compact on Migration should include a specific call on all states to ratify and implement international human rights treaties and relevant ILO Conventions.

**3)** In order to provide a **whole of government approach to the challenges of human rights-based migration management**, states need to strengthen existing institutions and inter-ministerial coordination mechanisms to ensure both wellbeing as well as facilitation of positive contribution of migrants into both host and countries of origin. As NHRIs, in line with our mandates, we focus not only on policies, but also on monitoring their effective implementation. Therefore, GANHRI recommends that the Global Compact call on states to ensure that next to establishing policies, states ensure that an **adequate system of monitoring and proper implementation** of human rights-based labour and migration policies is set up.

**4)** Last but not least, **xenophobia, hate speech and violence** based on negative stereotypes create a climate of fear and violence and permissiveness when it comes to violence against migrants. These are challenges which not only threaten life and wellbeing of migrants and others but are also contrary to human rights law, and **also call into question our core values of democracy, human rights, pluralism and rule of law. They need to be addressed as a matter of urgency and in line with international human rights framework.**