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For immediate release: International Migrants Day 18 December 2009

## **Sense and Solidarity on Migrant Rights**

### ***Formulas for efficiency and fairness, especially for children***

Geneva, 18 December 2009. Solutions are within reach—practical and humane—for governments and all people, combining good sense with solidarity in how societies respond to men, women and children who migrate to and from other countries.

Especially on the occasion of International Migrants Day, “it is time to consider essential rights as not only fair but efficient,” suggests Johan Ketelers, Secretary General of the International Catholic Migration Commission. “The formula for migrants that stands out as the world standard is the International Convention on the Protection of the Rights of All Migrant Workers and the members of their Families”, he observes, “which was drafted with great care by governments, ratified by a range of countries of migrant origin, destination and transit, and calls for cooperation among those countries in managing migration. Even as it aims for better protection of the human rights of migrants and their families, the Convention also calls for a better organization of migration especially in the context of the growing labour needs of so many industrialized countries, and increasingly dangerous migratory routes.”

In Pope Benedict XVI’s message for the 96<sup>th</sup> World Day of Migrants and Refugees, the Holy Father urges greater protection of migrant children under another international Convention as well: the Convention on the Rights of the Child, whose 20<sup>th</sup> anniversary this year presents an occasion to appreciate the consistency of rights among both conventions. Noting that the children’s Convention is the world’s most ratified convention, Mr. Ketelers observes that “many of the rights described in the Convention on migrant workers and their families quite logically mirror those in the children’s Convention. So it is helpful to reflect upon those common rights and what their widespread recognition in the two conventions means for sense, solidarity and solutions at national as well as regional and international levels”, especially for migrant children and their families. “In turn, this should lead to greater attention to the more recent, and to date less ratified Migrant Workers Convention.”

To illustrate the problem-solving efficiency as well as fairness of just a few of the rights and principles recognised by both Conventions (and the countries that have ratified them):

- *Right to life.* ICMC, our members and our partners, see first hand the suffering endured by so many children in Africa, the Americas, Asia and elsewhere, migrating either for work or reunification with family abroad. Many migrate unaccompanied by parents or relatives. Many more are entrusted to or entrapped by smugglers and human traffickers. A shocking number are beaten, drugged, raped, abandoned and in many cases deprived of water and food, even to the point of death. Searching for rights-based solutions together with other non-government agencies and international institutions—including the UN High Commissioner for Refugees, the International Organization for Migration and the Red Cross movement—and with funding and policy support from the European Commission and Council of Europe, ICMC has begun to survey practices and gaps regarding the reception of boat people injured or traumatized crossing borders, including women and children. On the ground in Asia, ICMC programmes in counter-trafficking, safe migration and against gender-based violence

have been effective raising rights as practical solutions to some of these challenges, in Indonesia and Malaysia in particular.

- *Rights to basic health care and education.* We see children deeply traumatised by the way in which they have had to migrate, or the violence they have witnessed along the way, often against their own family and loved ones. In our programmes in the Middle East and Asia, we see what happens when children lack proper immigration documents: boys and girls suffering from preventable diseases, with no access even to minimal health care; children as young as six years of age who, lacking access to education, are exploited in conditions of abject servitude, even prostitution. Recognising and protecting the basic rights of these migrant children helps to avoid such tragedies. For example, with the help of local governments as well as funding from the US, EU and church donors, ICMC has been able to support the rights to basic health care and education of over 30,000 migrant children this year.
- *Protection of the family as the fundamental unit of society; access to legal status and integration responsibilities of migrants and their new societies.* Particularly in South and Southeast Asia, the Americas and Caribbean and Eastern Europe, we see large numbers of children left behind by parents forced to migrate for work because there are no jobs at home. For children who migrate, opportunities for legal status—even for the purpose of rejoining parents and integrating in the new country—are often unavailable.

And yet, as observed by the UN Secretary General in 2006, “it is increasingly being recognized that promoting the integration of migrants as early as feasible during their stay in the country of destination is in the best interest of both migrants and the host society ... Integration depends on many factors, including the ability to communicate in the local language, access to the labour market and employment, familiarity with the mores and acceptance of the values of the host society, the possibility of being accompanied or reunited with immediate family members and the possibility of naturalization.” In ICMC’s experience, much of the work of integration is local, but integration very clearly requires national policies that emphasise sensible access to legal status and family reunification.

In countries with large numbers of immigrants, notably in the US, Mexico, western Europe and Asia, ICMC and its members organise language, cultural orientation and employment supports at the local level and work with governments at the national level to ensure that laws match immigration realities with greater efficiency as well as fairness. Evidence shows that such approaches help to solve problems that otherwise keep or break families apart and also the critical need of so many industrialized countries for immigrants to work in health care, elder care, domestic services, construction, engineering and hospitality. As we look to the New Year, we encourage the adoption of policies in which family holds the ultimate importance, and in which essential work and workers are given legal status, rights and protection that is fair as well as efficient.

**Note to editors:** December 18 is International Migrants Day, designated by the UN to commemorate the date in 1990 on which the *International Convention on the Protection of the Rights of all Migrant Workers and members of their Families* was adopted by the UN; now the seventh of the eight core international human rights treaties.

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