



## Migrants as the centre of the migration experience: protecting their rights

*Organiser: Steering Committee for the Global Campaign for Ratification of the Migrant Workers Convention*

*Coordinator: Mariette Grange, International Catholic Migration Commission (ICMC)*

### *Panellists:*

- *Mariette Grange, on behalf of the Steering Committee for the Global Campaign on the ratification of the 1990 Convention on Migrant Workers*
- *Ana Elizabeth Cubias Medina, Member of the United Nations Committee on Migrant Workers*
- *Antoine Peccoud, UNESCO*
- *Eva Querol, Caritas Barcelona, on behalf of Xarxa 18 desembre, Catalonia*
- *René Plaetevoet, December18*

*Discussant: Mariette Grange*

### **Conclusions:**

Background, the session at a glance:

The session described the coming together of non-governmental and inter-governmental organisations as part of a global campaign for the ratification of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. It was structured so as to primarily raise awareness about and unpack the content of the Convention, as one of the most comprehensive tool to protect the human rights of migrants, irrespective of their status.

This was done first through:

- 1) a formal presentation of the historical and political context at the time of drafting and adoption of the Convention as one of the seven core international human rights treaties;
- 2) a presentation of the United Nations supervisory mechanism set up to verify the implementation of the Convention;

And, by way of sharing practical experiences including:

- 3) a summary of findings of a series of UNESCO sponsored research papers on obstacles to the ratification of the Convention in Asia and Africa. The findings include a series of myths and misinterpretation due to still widespread ignorance about the Convention, but also present some valid concerns from governments. The studies are helpful tools in understanding and seeking to overcome some of these obstacles;
- 4) a presentation of mobilisation by civil society, by *Xarxa 18 de desembre Catalonia* describing the various stages and particularity of working from a regional decentralized set up, resulting in public mobilisation, mobilisation of political parties, and a recommendation from the Catalan Parliament to the Central government of Spain with a request for ratification of the Convention;
- 5) a presentation by *December 18*, an electronic portal for information on the human rights of migrants, which also orchestrated a campaign in Belgium, especially in the Flemish part of the country, for the ratification. The Belgian campaign also shared its experience in commissioning a legal study, carried out by renowned scholars from two Belgian university, into the actual legal obstacles for Belgium of ratifying the Convention. This study has been published and is being used by the campaign in discussions with



members of governments and parliamentarians. December 18 also gave an update on the various campaigns in close to ten European countries.

Proposals for future action:

Consensus:

1. The human rights of migrants must be protected, irrespective of their legal status;
2. The 1990 Convention is a valid and useful tool to advance respect for the human rights of migrants. Even though it is not the only tool, not the only way to protect migrants, it is the sum total of 10 years of drafting by a large number of States, and it is part of the 7 core international human rights treaties;
3. It is necessary to keep campaigning for it, even if at times it can only be used as an educational tool in view of some countries' strong resistance to ratification;
4. December 18 as the International Day of Migrants is a useful date on which to plan and organize awareness raising events and discussions. This is particularly valid in countries and regions where the political context for human rights related activities is otherwise difficult throughout the year;
5. It is necessary to widen the stakeholders supporting the Convention, not only with more ratifications, including from Western States, with special emphasis on Europe, but also through enlisting support of employers. The latter amply demonstrated their positive pragmatic support to protection of migrant workers during the recent International Labour Conference by supporting the rights-based approach Plan of Action;
6. It is necessary to have a European wide campaign on the Convention, to mirror and better tackle the collective EU resistance to ratification of this treaty.

Non solved issues:

How to creatively campaign when governments – who otherwise do support other international human rights instruments, and at times were instrumental in drafting this Convention – do not want to ratify this Convention.

How to overcome double standards in dealing with issues of human rights. E.g.: Rights of citizens – versus rights of non-citizens.

Impact on the life of migrants of the World Trade Organisation GATS Mode 4 (General Agreements on Trade and Services: temporary movements of service suppliers).