

VOICES FROM THE REGIONS: AMERICAS & CARIBBEAN

27 October 2008 – 11:00-

Meeting Room 2, PICC

Chairperson: Oscar Chacon

Rapporteur: Mario Santillo

In his introductory statement, the chair, Oscar Chacon, proposed four questions as discussion points:

1. How will the current financial crisis and economic crisis impact the migratory dynamics in the Western hemisphere?
2. What has been the social impact of migration in the region, particularly the impact on families and children, and how (do we best) best to address those impacts?
3. Given the significance of unauthorized migration in the region, what ,do you suggest, are the best ways to overcome the situation?
4. What decisive steps should be taken to advance decisively the organizing capacity and the empowerment of migrant communities as the primary agents of their agenda on issues such as migration policies, development policies, and others?

He described the migration landscape in the Western Hemisphere as one of the most dynamic—large numbers of people are involved in migration. South-South migration is significant but the entire region has not made great strides in formulating migration laws that would allow a humane and truly beneficial migration. In recent years, there has been a notable increase in the security orientation of migration discussions, and the focus of migration measures has increasingly turned toward militarization and stronger border enforcement, a trend that has resulted in posing more risks and vulnerabilities for migrants, including more incidences of border deaths. From the standpoint of civil society, there are concerns that migrants are increasingly treated like commodities, and one indicator of which is the turn toward massive temporary labor migration programmes.

One challenge for civil society in the region is how to promote compliance with international instruments on human rights—that is, how national migration laws can comply with international instruments and how migration laws are enforced. It is also important to acknowledge that apart from intraregional migration, the region is also connected to other regions by way of migration. Increasing in prominence is the migration of South Americans to Europe.

KEY ISSUES

There is a lack of morality in migration policies

Recent policy developments in Argentina and Uruguay are some examples of positive developments in migration legislation in the region. In general, however, bilateral agreements, trade agreements, and other processes to promote regional integration are positive developments, these negotiations should not be based on economic and trade considerations alone. Furthermore, giving up migrants' rights for preferential terms must be guarded against. CSOs must ensure that that these initiatives promote the dignity of

migrants; we need laws that protect migrants. There is a need to promote consistency between international instruments and national migration policies.

Securitization of migration policies

More robust border enforcement and a greater focus on national security have increased the vulnerability of migrants around the world. Racial profiling and xenophobic reactions to migrants (particularly, unauthorized migrants) are partly a result of policies that depict migrants as possible threats (criminal, economic, socio-cultural). According to an NGO based in the United States, placing immigration in the framework of national security is simply code for racism and xenophobia.

The critical need for a human rights-based approach

In many countries, migrants' human rights are being violated. Although countries have become parties to international human rights conventions and declarations, immigrants often do not enjoy the same rights as citizens. Racism and discrimination are still rampant.

CSOs are calling for a human rights-based approach by putting migrants at the center of the migration debate. By reframing the discourse away from criminalizing migrants, CSOs can ensure that migrants can be agents of their own lives and migration choices. In CSOs also have a strong responsibility to condemn states that criminalize undocumented migrants, and protest against the unacceptability of an enforcement approach to them (e.g., growing human rights crisis in Phoenix, Arizona).

Temporary labor migration programmes do not promote a “win” situation for migrants

From a civil society perspective, temporary migration programmes (TLMPs) do not promote the protection of the rights of migrant workers; rather, TLMPs are an “opportunity to violate labor rights.” Hence, the fundamental issue is not how to improve TLMPs but to promote the dignity of work. For CSOs, the options are either TLMPs must be rejected entirely or they must be reformed to ensure that migrants are not tied to a single employer. It provides an option for residency, and it provides for equal treatment between migrant workers and national workers.

There is a need to reexamine the migration-development nexus

The recent financial crisis is an occasion to reexamine the weaknesses of the economic model that has underpinned the region's economy in the last 30 years. The discussions on migration and development should not neglect the role of structural adjustment programmes in the region, particularly, their impacts on the dismantling of industries, the growth of the informal sector, and the creation of push factors that has resulted in more migration. Remittances should not replace sustainable development policies, since remittances were obtained under precarious conditions. The contributions of migrants to the economies of host economies must be acknowledged; this is essential to the realization of the reciprocity principle in the relations between origin and destination countries. Finally, the discussion of migration and development must include the perspective of migrant communities; migrants must not be excluded from the dialogue.

The financial crisis will have adverse effects on migrants

The current global financial crisis will immediately affect migrants in several ways, including lower wages, decreased employment opportunities, and increased return

migration. Migration policies are likely to tighten even further in light of the ongoing economic crisis. Despite the bleakness of the current situation, the financial crisis can be an opportunity to introduce necessary changes to the migration-development discourse.

The protection of refugees and displaced peoples must be promoted; in relation to this, the protection of indigenous peoples, who comprise most of the migrants in the South, must not be overlooked.

Including families in policies and programmes

CSOs must ensure that governments have policies and programmes to support families, especially the children left behind. The right to family and family reunification must be promoted.

RECOMMENDATIONS

In view of the vulnerabilities posed by the financial crisis, there is a need:

- **To focus on monitoring the labor rights of migrants**
- **To provide outreach and financial literacy education to migrants (Many migrants were affected by the mortgage crisis in the United States, and suffered disproportionately than the rest of the population regarding their savings.)**

To ensure the formulation of coherent policies, governments must commit finances to implement provisions and to involve CSOs

In regard to a human rights-based approach, there is a need:

- To strengthen relations and networks among trade unions, churches, and CSOs; and for CSOs in the region to craft responses to the EU directives
- To involve migrants as participants in any consultation or forum that involves their well-being and that of their families.

To return the Global Forum on Migration and Development and discussions on migration and development under the institutional framework of the United Nations with the participation of CSOs therein

To strengthen partnership with the media to promote public education and to raise awareness about unacceptable practices (e.g., the public must know about violations of migrants' rights under TLMPs, deportations, border deaths)

OTHER ISSUES

Migrants and their families have less access to social programmes; there must be equal access to social programmes for all.

Several participants shared milestones or goals. A Dutch-based group related that they are now recognized by the Dutch government. With their stronger position, they are working to recognize the contributions of documented and undocumented migrants, especially migrant women involved in care work, in Europe. Another group engaged in encouraging the participation of African migrants in the development of their home

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countries is seeking the support of CSOs in the Western hemisphere to support the return of African immigrants and aid Africa.