Civil Society Inputs to MICIC Initiative
South East, South, & East Asian Regional Consultation
Manila, Philippines
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Introduction

Over the last two days, civil society organizations from South, Southeast, and West Asia have engaged in a parallel consultation on migrants in crisis. In this process, we have reviewed the analysis of global civil society on stranded migrants, migrants caught in crisis situations, and the perpetual crises that migrants face daily. This analysis has evolved and taken shape over many years of work with migrant communities and engaging in national, regional, and international government processes. Civil society organizations and migrant communities welcome the opportunity to provide inputs to this first MICIC Initiative regional consultation.

The MICIC Initiative seeks to address the protection needs of migrants in acute onset emergencies in destination countries. Governments and agencies involved in the MICIC Initiative have indicated that there is no specific protection framework to address the particular needs of migrants caught in countries experiencing crisis. This analysis falls short, as it fails to account for existing human rights frameworks that, if properly adopted and implement by states, would reduce migrants' risks, decrease their vulnerability, and empower them as actors in emergency response strategies. As emergencies such as conflict and natural disasters are becoming the norm rather than the exception, it is crucial that governments move beyond humanitarian assistance and ground guiding principles for emergency responses in existing human rights frameworks.

Pre-Crisis: Ratify, Implement, and Promote Human & Labour Rights Instruments

The MICIC Initiative is focused on crises that migrants are caught up in as against crises that are entwined with the reality of being migrants. Thus, the MICIC Initiative fails to account for ongoing crisis situations that migrants experience daily—perpetual crises that create vulnerabilities that are exacerbated at the onset of emergencies.

Ratification and implementation of human and labour rights standards, particularly the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990), will pre-emptively decrease migrants' vulnerability, both in times of stability and especially in times of emergency. This year, 2015, marks a turning point for many relevant global agendas: a new agreement on climate change, a new agenda on sustainable development, and a new framework for disaster risk reduction. The MICIC Initiative should not be approached in isolation of these developments; governments must commit to adopting and implementing strong rights-based frameworks in all of these processes.

Responding to Crisis: Migrants as Actors in Emergency Response Strategies

In ratifying and implementing relevant human rights and labour rights instruments and respecting the rights of all migrant workers and members of their families, migrants will become actors in emergency response strategies rather than passive recipients of humanitarian assistance. When migrants' rights are protected, they will be able to more freely assert their needs and determine their own solutions. This will enable both origin and destination countries to better identify migrant-centred humanitarian responses, continuing to anchor response strategies in a human rights framework.
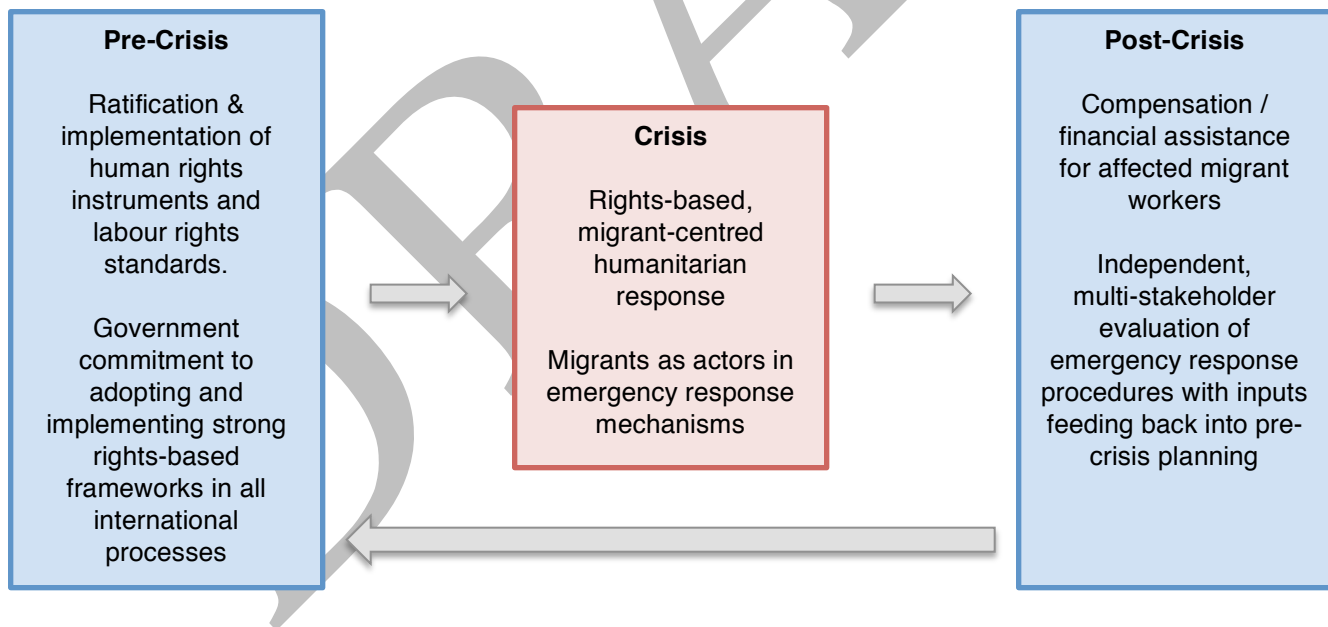
Post-Crisis: Compensation & Multi-stakeholder Reviews

Once an emergency situation has abated and response mechanisms have been exhausted, migrant workers should have access to some kind of financial assistance to compensate them for wages lost during the crisis. Financial assistance could take the form of an emergency fund, an insurance scheme, or a loans program with easy repayment terms. Such financial assistance would provide the worker with the means to re-establish him/herself and make decisions about his/her economic future.

In the post-crisis phase, states should also undertake independent multi-stakeholder reviews of the procedures that were enacted to identify best, promising, and worst practices and to measure the impact of response mechanisms on the human rights of migrants. Recommendations derived from this assessment should be used to feed into contingency planning for future emergencies with a view to reducing migrants' vulnerability in crisis scenarios through rights protection and empowerment.

Institutional Management and Oversight

If an institution is given the mandate of overseeing the implementation of a set of MICIC guiding principles, this institution must prioritize human rights protection and ground its activities in a human rights framework. The international community must not develop a framework in which governments and agencies address the serious rights concerns of migrant workers only during times of acute onset crisis. Not only are states obligated to uphold human and labour rights, but in doing so as a matter of course they strengthen the ability of migrants to determine their own solutions and rely less on states and intergovernmental agencies for assistance and support in emergencies.

Pre-Crisis	**Crisis**	**Post-Crisis**
Ratification & implementation of human rights instruments and labour rights standards. Government commitment to adopting and implementing strong rights-based frameworks in all international processes	Rights-based, migrant-centred humanitarian response Migrants as actors in emergency response mechanisms	Compensation / financial assistance for affected migrant workers Independent, multi-stakeholder evaluation of emergency response procedures with inputs feeding back into pre-crisis planning

Finally, we urge the governments and agencies involved in the MICIC Initiative to open its deliberation processes, prioritizing **meaningful participation of migrants** and their representatives. We reiterate that any guiding principles, statements, or pronouncements of the MICIC Initiative must be anchored in a **human rights framework**.