**Civil Society Recommendations to the MICIC Initiative**
Middle East and North Africa (MENA) Regional Civil Society Consultation
11-12 March 2016
Beirut, Lebanon

**Introduction**

We, the representatives from migrant associations, migrant advocacy groups, trade unions, faith-based organizations, legal aid networks, refugee rights organizations, media, human rights and humanitarian organizations from Jordan, Kuwait, Lebanon, Morocco, Oman, the Philippines, Qatar, Tunisia, and the United Arab Emirates, gathered in Beirut on the 11th and 12th of March, to discuss and deliberate on the issue of migrants in crisis in the MENA Region, and to provide inputs to the MICIC Initiative.

Our discussions affirmed that first and foremost, crisis should be viewed from the perspective of migrants. From our point of view, crisis does not only constitute large-scale acute-onset events but also the perpetual crises that many of us experience in our daily lives that increase our vulnerabilities during emergency situations.

Migrants should be recognised as actors rather than only passive recipients of assistance. When our human and labour rights are protected, migrants are better situated to act and assist during times of crisis.  However, this strength goes untapped because of existing laws, practices and attitudes during ordinary times that hinder migrants from organising ourselves and extending support to other fellow migrants in times of emergency. As such, the human rights of migrants should be guaranteed at all times, not just in times of crisis.

In the MENA region, which is characterised by on-going political turmoil that lead to the unprecedented increase of refugees and stranded migrants, we should go beyond humanitarian assistance and ground the guiding principles for emergency responses within existing human rights frameworks and mechanisms. We must work together to ensure that there is no preferential treatment between refugees and migrants, and, because of our status, we are not subject to increasing racism and xenophobia in host countries.

We need to look at the conditions of all refugees that have been displaced by civil war and ongoing political crisis, as well as migrants who have been significantly affected by the current economic crisis in the region. Migrants who have been languishing in detention due to administrative grounds, victims of cross-border trafficking, and the vulnerable situation of irregular migrants must be given serious attention.

While some of these issues might not fall within the scope of the MICIC Initiative, we believe that addressing these issues could contribute to saving lives, increase protection and decrease the vulnerability of refugees and migrants, and help develop effective response mechanisms.

Our specific recommendations for the MICIC initiative are as follows:

**Pre-Crisis**

- We should create more regular and legal channels for safe and orderly migration.  Some examples of this include the Philippines' joint and solidarity liability, and India's e-migrate system.[1]
- We could include a clause in contracts and bilateral agreements to cover compensation and insurance policies for repatriation in the event of emergency situations. This should be at no cost to the migrant workers. Another option could be a security deposit paid by the employer, which the migrant worker could utilize if repatriation is necessary.
- All migrants including irregular migrants, should have access to timely, preventative, curative and rehabilitative health to ensure that we are physically and mentally prepared to cope with crises.
- We should address concerns surrounding the sponsorship system which fuels further abuse and exploitation, especially migrant domestic workers and other extremely vulnerable migrants. These concerns include the provision for the No Objection Certificate, exit permits, and the linking of visas to an individual employer, and the limits on migrants' freedom of movement during a crisis.  We note and commend efforts by Bahrain, Kuwait and Saudi Arabia who have initiated reforms for these.
- A comprehensive data collection of migrants both at home and host countries can be very helpful, provided that the information collected will not be used against migrants. As an example, we note Morocco's practice of registrating regular and irregular migrants at the embassy.  This data should be shared between relevant government ministries and Missions.
- Governments could also prepare by setting up contingency plans, emergency funds, and reintegration or re-entry programs specifically to assist migrants in situations of crisis.

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[1] The eMigrate project is designed to facilitate labour migration from India to specific countries especially in the Middle East. It is intended to be a comprehensive online database of emigrants, recruiting agents (RA) and foreign employers. The database is designed to auto detect any foreign employers with complaint cases pending against them, to detect fake passports, record departures, give online validation of emigration clearance, the authenticity of insurance policies etc. Further, the system is designed for access by migrant workers and their families to register grievances and to provide appropriate support.

- We should also work together to support mobile technology initiatives such as MigCall, which is a phone app to connect Indian migrants with authorities and NGOs during times of distress.

**Emergency Phase:**

- We should increase coordination and communication among all relevant response groups, including governments, international organizations and civil society groups responding to the crisis.
- We should identify focal points from the migrant communities affected by the crisis.
- It is vital that we ensure the equal distribution of humanitarian assistance, so that affected migrants are not discriminated for any reason.
- We must facilitate the voluntary repariation of all migrants (including undocumented and those in detention) without any conditions and we must ensure that family units are kept together during the repatriation process.

**Post-Crisis:**

- We should provide compensation for migrants for unpaid salaries, lost assets and indemnities.
- We should implement an independent, multi-stakeholder evaluation and ensure that the recommendations be fed into contingency planning for future emergencies.
- We must work together to create new job opportunities for repatriated migrants and employment programs for those who stay back in the crisis-affected areas.
- Psycho-social support system/mechanism could be made available.
- We could also provide micro-credit financial investment for migrants to recoup their losses.