

Theme 3: Operationalizing the Protection of Migrants and their Families

Working Session 3.A.: Protecting Vulnerable Migrant Workers *Check against final (19.11.2012)*

Part 1 – Changes needed	
Changes identified during the session as most urgently needed	
1.	Challenge the link between migration and security (in particular, overhaul the detention/deportation system)
2.	Protecting human rights and providing access to services for irregular migrants.
3.	Start looking again at the gender perspective in the GFMD/CSD and mainstreaming gender issues in international treaties and national laws.
4.	Need for recognition of policies that are in the best interest of children.
Part 2 – Tools and mechanism	
Tools and mechanisms discussed during the session, whether existing or needed, that can help in bringing about these changes	
1.	Law implementation: good laws should be translated into action; Fair law enforcement is needed, through training, transparency, oversight and accountability (Exercise humanitarian discretion in the enforcement of the laws).
2.	Put in place firewalls that can ensure real access to rights and services without fear of being reported/reprisals.
3.	Ratify international legal instruments (Domestic Workers Convention, Migrant Workers Convention, etc.)
4.	Implementation of broad alliances, making sure that irregular migrants are brought to the table and can develop their own associations.
5.	Build protection and data-collection capacity on migrants in consulates and in collaboration with civil society.
6.	Require the employer to open bank account for the migrant and register it to the central bank to ensure timely payment.
7.	Provide residency permit for survivors of human trafficking.
Part 3 – Recommendations for Action	
Recommendations put forward by the session for concrete follow-up actions , to be taken by civil society, governments, and other stakeholders	
1.	Medium term: include migrant issues in bilateral agreements and negotiations (could include registrations: where are the peoples; portability of pensions).
2.	Flexibility of work choice: migrant workers should not be bound to one employer.
3.	Circular migration is a practice that is marketed as a best practice. However, it should be critically reviewed.
4.	Government and civil society should partner in creating an atmosphere of appreciation of migrants.
Part 4 – Benchmarks	
Benchmarks against which success can be measured in the next years	
1.	Map countries' domestic compliance with international standards and work towards the harmonization of domestic law with international law.
2.	Map best practices on the protection of vulnerable migrants and work towards countries' adoption and implementation of best practices. Look carefully at good practices to determine whether they are in effect positive.
Part 5 – UN High Level Dialogue	
One priority recommendation and/or benchmark to be taken up by the UN High Level Dialogue on International Migration and Development in 2013	
1.	The MDGs reviews will take place the same month as the 2013 HLD. Both should be linked and migration should be incorporated in the post-2015 agenda.