

# REPORT: Africa Regional Forum on Migration

## Preamble

The Africa Regional Forum on Migration, held in Nairobi, Kenya on May 24 & 25, 2013, was hosted by the Pan Africa Network in Defense of Migrants' Rights (PANiDMR) & the Global Coalition on Migration (GCM). The Forum brought together 30 participants representing diverse organizations and sectors based in Africa and the global African diaspora. As one of the key goals of the Forum, participants examined and made recommendations on the statement issued by civil society groups in Manila, Philippines during the World Social Forum in November 2012: **“A Civil Society Proposal for a Negotiated Outcome in the Form of a 5-Year Action Plan Emerging from the 2013 UN High Level Dialogue on Migration & Development”**

The following reflects the consensus reached by the group as priority issues to propose for the United Nations High Level Dialogue in October 2013.

It is duly noted that the above **Civil Society Proposal** document was formerly endorsed by PANiDMR and many of its members and is adopted in full as part of the platform for negotiated outcome for the High Level Dialogue. The following recommended issues are more closely aligned to the mission of the PANiDMR which states *the inclusion of Africa in global migrant platforms and advocacy in human rights, gender equity and racial justice in solidarity with global allies.*

While PANiDMR therefore accepts the entire contents of the 7 key outcomes of the **Civil Society Proposal** to be achieved over five year, the Network also makes recommendations towards an inclusive approach to four areas of priority issues listed below, appearing in the order listed:

## Recommendations

### 1. **Labor rights for migrant workers;**

*Mechanisms to guarantee labor rights for migrant workers equal to the rights of nationals, including the rights to equal pay and working conditions, to form and organize in trade unions, to ensure portability of pensions and to have paths to citizenship for migrant workers and their families. This recognizes the long-term needs of many nations for migrant workers, while guaranteeing human security and rights to those workers to meet economic, demographic and development needs while affirming the States' role to protect the rights of all workers. Benchmarks could include addressing the movement of peoples in the global trade agenda and national progress in complying with the worker-related international conventions, in particular ratification and implementation of the UN Migrant Workers Convention and the ILO Convention on Domestic Workers.*

### 2. **Rights of migrant women;**

*Models and frameworks that address the needs and rights of migrant women in their specificity, including policies and programmes that enable women workers to have the choice whether to migrate or remain in home countries, and legislation that enables migrant women, regardless of status, to have access to basic services; recourse to the justice system; and protection against all forms of violence. The rights of migrant women should be addressed as a separate goal and also seen as a cross-cutting concern in all of the seven goals. In addition, mechanisms should consider the best interests of children in the context of migration, including their rights.*

### **3. Assistance and protection of migrants stranded in distress**

*Reliable, multi-actor mechanisms to address the assistance and protection needs of migrants stranded in distress, beginning with those trapped in situations of war, conflict or disaster (natural or man-made) but with the same logic and urgency with respect to migrant victims of violence or trauma in transit. This should include specific attention to egregious gaps in protection and assistance for migrant women who are raped, and the thousands of children that are unaccompanied and abused along the major migration corridors in every region of the world. Benchmarks could include further work and multi-stakeholder capacity building on frameworks developed by agencies with such responsibilities including IOM, UNHCR and UNODC, and the consolidation of relevant principles and practices under existing refugee, humanitarian and human rights law.*

### **4. redefinition of the interaction of international mechanisms of migrant rights protection;**

*Redefinition of the interaction of international mechanisms of migrants' rights protection, which recognizes the roles of the GFMD and the Global Migration Group, albeit limited, revives emphasis of the distinct mandate of the ILO for worker protection, and more coherently aligns protection activity of agencies including the ILO, IOM, UNHCR, OHCHR and UNODC. This would be in the context of the UN normative framework, and involve a thorough evaluation of the GFMD process, including questions of accountability, transparency, inclusiveness and outcomes. A goal would be to institutionalize the participation of civil society in future governance mechanisms.*

Participants emphasize need for regional and sub-regional institutions in Africa to be more accessible and work closer with civil society organizations at the grassroots level on issues related to human rights for migrant workers, women's rights and children on the move. Strong recommendations were made for enhanced policy coherence among national, regional and sub-regional institutions in Africa.

The following points were lifted up as additional recommendations to the **A Civil Society Proposal highlighting:**

**Rights of Migrant Children** – *the models and frameworks that address the needs and rights of migrant children in their specificity, including policies and programs that enable children to have the choice whether to migrate or remain home countries, and legislation that enables*

*migrant children regardless of status, to have access to basic services; recourse to the justice system; and problem against all forms violence. The rights of migrant children should be addressed as a separate goal and also seen as a cross-cutting concern in all of the seven goals.*

Focus on Children's rights – especially vulnerable children in need of protection. Furthermore, the issue of Children's Rights should not be assumed as automatically included with women's rights but as a stand-alone issue of a right to protection, right to movement and right to stay home.

**Human Trafficking** - *Human trafficking is a recent phenomena in migration and it involves organized crime which uses people as human merchandise for profit. Trafficked people end up in sex slavery, forced labour and organ harvesting (such as kidneys, etc.) and has become a profitable business venture in Africa, Asia, Latin America and Europe. It deserves to be included as a distinct point in any discourse on migration.*

Organized Trafficking of migrants, especially those whose bodily rights are being abused by organ harvesting (see issues related to Horn of Africa migrants in Sinai desert). Appropriate measures need to be taken to compel governments, the United Nations High Commissioner for Refugees and other institutions within the UN as well as independent human rights organizations, to examine the conditions of highly vulnerable migrants as victims of trafficking by organized crime groups around the world.

In conclusion, it is recommended that the above issues should be added in whole to a process of effective and efficient strategic monitoring and evaluation by labor unions, UN agencies and other bodies, to ensure measurable and achievable changes in the protection of rights of migrants.