

**The inclusion of migration in the context of the United Nations: Contribution to High Level Dialogue by Civil Society Organizations in Mexico and the United States<sup>1</sup>.**

**July 2013**

Mexican civil society organizations—transnational members of the “Colectivo PND-Migración” and “Foro Migraciones<sup>2</sup>”—support the construction of state migration policies, with a focus on human rights, human security and development. Integrating the perspectives of gender and diversity (ethnic, racial and class) in addressing the issue of migration, and in particular women/girls migrants in the diaspora, on their return, and women/girls who remain in communities and places of origin.

We believe that human rights should be central to public policy. There should be encouragement to combat impunity and corruption, and the promotion of the access to civil, political, economic, social, cultural and environmental rights for migrants and their families in all phases of migration, regardless of their immigration status. The states are also required to ensure the international protection of these people and their families, when required.

Governments must understand that transnational development should be based on transnational citizen participation. Diasporas should have full enjoyment of all civil and political rights. There should be a compensatory vision and balanced costs and benefits in the places of origin, transit and destination.

We disagree with the generalization of seasonal work systems as an "ideal solution" of administering the flows and restoration of circularity; being unilateral, increasingly privatized, with restrictive access for workers and their rights. There is a need for more protection and security in the recruitment, and for strict mechanisms to facilitate access to labor rights and portable social protection.

Governance must go back to being a systematic practice, since in general, there are no mechanisms for joint work between civil society and government, who are institutionalized and allow the creation of processes of construction, implementation and evaluation of public policy in a democratized framework of our countries. States are required to transit from migratory governability to governance.<sup>3</sup>

We stress the need for mainstreaming the migration policy, in the same way defining actions in international and regional cooperation to combat inequality and promoting sustainable human development. We condemn immigration reform with traditional approaches of migration governance through control from the standpoint of national security. We consider it necessary to include monitoring initiatives in the framework of the UN and the global links through regional dialogues. Just as the transversal inclusion of migration in the Post 2015

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<sup>1</sup> This document is endorsed by more than 80 networks and organizations.

<sup>3</sup> Governance (democratic participation, inclusion, combating gender inequality, promoting sustainable development, access to justice, fighting corruption and impunity) vs. Migratory governability (focusing on control and management of unilateral flows from national security approach).

development agenda around economic, social and environmental issues. We propose concrete actions in the following areas:

### **1. Rights and protection of migrants and persons under international protection.**

- Develop policies that assure migrants (including their families) their full rights to public services and programs, where in addition, specific characteristics are distinguished concerning the female population, children and adolescents, indigenous peoples, displaced persons under international protection, as in the case of asylum seekers and refugees.
- That the states have computer systems and statistical records of immigration that reveals the characteristics of the population, their needs, and that these include information from civil society organizations and migrants, regarding the documentation of cases of rights violation, conditions and trends.
- Create mechanisms to investigate and punish the participation and complicity of authorities of the three levels of government in criminal networks.
- Strengthen the protection system and ensure access to due process mechanism and legal redress to victims and to protect human rights advocates of migrants and their organizations.
- To launch a global campaign to counter rejection, discrimination and abuse against migrants, refugees and asylum seekers and their families.
- Create mechanisms of protection to migrants human rights defenders.
- That the Mexican government and the governments of the Americas promote an open dialogue with civil society on the challenges and new needs on the agenda of international protection within the framework of the 30th Anniversary of the Cartagena Declaration in 2014.

### **2. Transnational development and diaspora engagement**

- We must address the root causes of migration (inequality between and within the countries) and include migration both as a cross-cutting topic (based on the principle of no discrimination) and as a specific component in the post-2015 development agenda.
- Ensure the migrant population has full access to the programs and services of the State, including affirmative components to the particularities of this population in order to ensure equal attention to different vulnerable groups.
- Expand the coverage of the banking and microfinance services.
- Incorporate the needs and opportunities for the reintegration process in communities of origin or others, for the hundreds of thousands of people being deported or who are returning.
- Conduct a comprehensive review and make adjustments to the education and health systems to integrate an immigration perspective.

### **3. Mobility and labor rights**

- Promote an American regional pact with measurable standards and evaluation mechanisms that govern the recruitment industry of migrant labor. This agreement must take into account the behavior of the various actors involved: governments, political parties, unions, the private sector, funders, migrant organizations and civil society in general.
- Establish a global meeting space among stakeholders to coordinate policies favouring dignified work with gender equity and diversity, elimination of abuses in the area of procurement, and sustainable development.
- That the temporary work systems ensure the labor mobility of workers to avoid a situation of vulnerability to abuse by employers or labor rights violations, on par with full recognition of economic, social and cultural rights of these people and their families. That exchange mechanisms are built in administrative information in order to provide information to migrant workers about their rights, social security systems and ways to access them.
- Develop reporting mechanisms in the administration of justice in favor of the right to a living wage and equality, and the same working conditions, the right to join and organize unions, ensure access and mobility of pensions.

### **4. Governance and migration**

- Mainstream migration into the development policy framework (including it as a crosscutting topic) and foster the coordination between the various government institutions, according to their functions and levels: executive, legislature and judiciary and the various levels of government (national and subnational).
- Strengthen and institutionalize civil society participation, particularly of migrants and their families in the development, monitoring and evaluation of migration policies.
- Foster transparency and accountability through all the public policy cycle (design, planning, implementation, monitoring and evaluation).
- Create a joint working group to gather states and members of civil society, to be tasked with monitoring and evaluating the responsibilities of respect and human rights projects, which is integrated into the coordination meeting organized by the Department of Economic and Social Affairs of the United Nations.
- Measure the effectiveness of the exercise of the political indicators jointly defined by government and civil society. Where public policies also translate in terms of budgets and facilitate budget review with educational tools (eg, budget annexes concerning immigration policies, which in the case of Mexico there already is a proposal).