



NGO Committee on Migration

A committee of the Conference of NGOs in Consultative Relationship with the United Nations

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The NGO Committee on Migration applauds the decision of the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW) to hold a Day of General Discussion (DGD) on *The Protection of the Rights of Migrant Workers in an Irregular Situation and Members of their Families* on 19th September 2011 in Geneva, Switzerland. Our Committee looks forward to participating in this public meeting, along with Government representatives, UN bodies/ agencies, and our Civil Society partners and networks, to assist the Committee on Migrant Workers in adopting a General Comment (GC) on migrant workers in an irregular situation and members of their families.

The NGO Committee on Migration, in accordance with its mission to advocate for the human rights of all migrants according to the UN Charter, has been, and continues to be, a strong supporter of effective policies and practices on behalf of migrants in an irregular status – as members of the Platform for the Migrant Worker Convention, in collaboration with UN bodies, and with our diverse NGO networks.

Our Committee's recommendations for protecting and promoting the human rights of migrant workers in an irregular situation and their family members – in concordance with the statements of the Global Migration Group (GMG) and the International Catholic Migration Commission (ICMC), and with the recommendations of our other NGO partners and networks, are the following:

- Ensure that national laws and regulations conform with the international human rights standards and guarantees spelled out in the Migrant Worker Convention and other core human rights treaties;
- Ensure that these national standards and guarantees apply to all stages of the migration process and are effectively implemented;
- Close the protection gaps in national laws, particularly regarding lack of access to, *inter alia*, medical/health care, schooling, and due process;
- Address the root causes of irregularity, by pursuing people-centered development, providing opportunities for decent work at home, reducing poverty, and augmenting channels for regular migration
- Provide protection against the abuses and vulnerabilities to which migrants in irregular situations are prone, such as:

- Vulnerabilities involving employers, including employer control of identity documents; linkage of employee's legal status to a specific employer; restrictions on movements; and exploitative working conditions;
- The special vulnerabilities of women and children, such as: the high risk of exploitation of unaccompanied minors, including trafficking for the purposes of labor and sexual exploitation; and the vulnerability of women domestic workers to ill treatment and sexual harassment;
- Ensure protection of migrants' social, economic, and cultural rights, including the right to health, an adequate living standard, social security, adequate housing, education, and just conditions of work;
- Work, with the help of the private sector and the media, to combat xenophobia and incitement to discrimination in public discourse;
- Avoid criminalizing migrants in irregular situations, explore alternatives to detention, and craft measures for their regularization.

Our Committee respectfully urges that these recommendations be incorporated in the forthcoming General Comment on Migrant Workers in an Irregular Situation and Members of their Families.

The following organizations have endorsed this statement:

Association for Trauma Outreach and Prevention (ATOP)
 CATA - Comité de Apoyo a los Trabajadores Agrícolas
 Congregation of Our Lady of Charity of the Good Shepherd
 Congregation of the Mission
 Congregations of St. Joseph
 Daughters of Charity of St. Vincent de Paul
 Dominican Leadership Conference
 Feminist Task Force of the Global Call To Action Against Poverty
 Gray Panthers
 International Council of Jewish Women
 International Council of Psychologists
 International Federation on Ageing
 INTERNATIONAL MOVEMENT FOR FRATERNAL UNION AMONG RACES AND PEOPLES
 International Presentation Association of the Sisters of the Presentation
 Little Sisters of the Assumption International Secretariat for Justice, Peace and the Integrity of Creation
 Little Sisters of the Assumption, United States Province
 Loretto Community
 Marianists International
 Poverty Elimination and Community (PEACE) Foundation

Sisters of Charity Federation
Sisters of Charity, BVM Leadership Team
Sisters of Mercy (of the Americas), Mercy International Association
Sisters of Notre Dame de Namur
Sisters of the Most Precious Blood, O'Fallon, MO Gospel Justice Committee
Society of Catholic Medical Missionaries
The Grail
The International Association of Applied Psychology
The International Federation of Business and Professional Women
VIVAT International
World Christian Life Community
World Federation of Ukrainian Women's Organizations