

Final Declaration and Recommendations

Peoples' Global Action on Migration, Development and Human Rights

People, Power Communities: Building Bridges for Migrant, Labour, & Human Rights



**30 September to 4 October 2013
New York, New York - USA**

From September 30th to October 4th, 500 migrant community, civil society, and trade union delegates from 64 countries gathered in New York City at the Church Center for the UN for the 7th annual **People's Global Action on Migration, Development, & Human Rights (PGA)**. Representing a diverse cross-section of civil society, including migrants' associations, human rights NGOs, trade unions, workers' organizations, anti-poverty groups, faith-based organizations, and other social movements, we came together to build the movement for migrants' rights, strengthen our collective analysis, and demand a place in discussions that affect us.

These recommendations build upon previous PGAs and the substantive, deliberate, and invigorating organizing and advocacy of the participants. The vision and recommendations presented here strengthen our overall framework, help to shape and give priority to the most pressing concerns, and identify the long range political and movement-building tasks ahead.

In these last days of the PGA, we have been reminded of the urgency of our tasks to advance the rights and protections of all migrants. The tragic loss of human lives, migrants, off the coast of Lampedusa is just one in a long line of tragic and desperate situations of migrants seeking safety and survival against a backdrop of exploitation and repression.

THE PGA CALLS FOR:

A human rights framework for migration law and policy through the promotion, respect, and protection of the human rights of all migrants and their families.

We must continue to strongly urge states to ratify and implement all core human and labour standards, including the Migrant Workers Convention (1990) and the ILO Convention Concerning Decent Work for Domestic Workers (No. 189).

We continue to call for a paradigm shift in the global governance of migration—to move away from economic and national security frameworks towards a human rights-based approach with a focus on human development and social inclusion.

We recognize and will continue to pursue the particular and uneven impacts of globalization on women, and the impacts of repressive and restrictive migration policies and various forms of discrimination and abuse in the process of migration, work, and everyday life.

We recognise women as agents of change, including in migration, and prioritise action to realise rights for women who move within and across borders as well as women who remain at home when family members leave. We call on States to implement recommendations made by the UN Committee on the Elimination of Discrimination against Women in its general recommendation No. 26 on women migrant workers.

We must prioritize the issues of children in migration, calling on state parties to the Convention on the Rights of the Child to include the situation of migrant children in their state reports. We must promote meaningful participation of children in all matters affecting them, in particular in the formulation, implementation, monitoring, and evaluation of migration-related policies and programmes. The recent decision in the Dominican Republic to deny citizenship to children of undocumented parents is one among many examples of the need to address the best interests of children.

We must implement and monitor programmes and media campaigns to prevent and combat xenophobia, stereotyping, discrimination, all forms of abuse and exclusion of migrants and their families, and promote migrants' participation in all spheres of life in destination countries.

For migrants in distress and refugees, including those in refugee camps, assistance provided should take protection needs and the human rights of those affected into consideration.

We should use legal and rights education tools, engage in international processes, document rights violations, and pressure institutions to protect and promote migrants' rights across borders, working with trade unions, consular offices, and various sectors of civil society. We can raise awareness as well, through tools such as the International Migrants Bill of Rights (IMBR). We emphasize the importance of a united voice in framing and articulating migrants' rights among states, policy makers, advocates, and migrants.

We must continue to demand and monitor state accountability, building mechanisms that can bring governments to account in the global arena, including the submission of shadow reports to relevant treaty bodies.

We support efforts to establish worldwide freedom of movement, including the initiative to develop a universal citizenship passport.

We must strongly call for the de-linking of smuggling from trafficking to protect the rights of all migrants and avoid the non-identification of trafficked persons.

Furthermore, we respect the right to stay in our communities, our towns, as well as to migrate nationally and internationally, with rights and dignity, and to be able to return.

Finally, we demand that inclusion of civil society be prioritized within existing and new UN platforms and other international spaces, for better exchange, intervention and strategy on migration, development, and human rights.

Alternatives to the prevailing free market economic policies that benefit the few at the expense of the majority.

We must continue to actively press states to address the root causes of migration, including neoliberal economic, trade, and development policies that lead to impoverishment in the South and deepening inequality, lack of opportunity, and other factors that contribute to forced migration, displacement of communities, and contribute to climate change. States should be held accountable for the lack of people-centred development and we should remind them that the remittances do not and should not replace the role of state responsibility in providing basic services. We must advocate for States to institute firewalls that de-link access to public services from immigration enforcement, and to enact policies aimed at halting the race-to-the-bottom in working conditions for all migrant workers.

Social movement engagement around the states' post-2015 development agenda should assert the responsibility to fulfill economic, social, and cultural rights. We must bring to the global discourse on migration an analysis and activism on how migration interacts with and changes the nature of discrimination on the basis of race, ethnicity, national or social origin, gender, age, religion, sexual orientation, gender identity, language, health, legal status, and other factors.

We must promote economic justice by linking with global social movements to end the rule of transnational corporations and global financial institutions through participation in such actions as WTO protests and campaigns for corporate accountability. We must promote and insist on equitable trade terms that build economies and enable greater production and labour absorption to make labour migration a genuine choice. Linked to this is the need to hold countries of origin, transit, and destination accountable for guaranteeing social protection and quality public services.

We recognize the many and multifaceted contributions of diaspora communities to human development—an indicator of progress for economic growth that benefits people. We can look to global economic justice literacy as a model to raise awareness among migrants about their contributions and impact on economic progress and advocacy for change. We should develop a set of principles to bring our communities—migrant and diaspora—together in the face of efforts to divide us.

There is no development without the well-being of all parties and the planet. In particular, we reject the role of transnational corporations, particularly based in the Global North, in undermining genuine development.

Certain initiatives, for example, aligning with the campaign to end the debt imposed on African countries, can be a way to direct resources towards people-centred development needs.\

An end to the criminalization of migrants

As a global movement, we firmly denounce the increasing conception of migrants, particularly irregular migrants, as “illegal”, subject to increased militarized enforcement actions in detention and deportation, with no access to justice and basic protection of rights. We reject the expansion of borders beyond state boundaries and increasing militarization of borders at enormous human and financial cost. We recognize that criminalization is intended to instill fear and control of migrant labor and that even full citizenship does not guarantee an end to racially and economically directed criminalization. Our movements must envision longer term strategies and recognise the necessity and power of intersectoral alliances, actions, and goals.

We call to end the incarceration and deportation of migrants. We denounce the “war on drugs” and mass incarceration policies that are intertwined with and contribute to further militarization of borders. We call for the elimination of privatized detention and will track the criminalization-profit-complex that privatizes policing, detention, and border militarization against migrants in order to generate to corporate profits.

We call for strengthened international standards for the protection and rights of all border crossers, particularly in light of the complex and contentious issues surrounding international borders between countries and harsh border enforcement programs and practices. Governments must be held accountable for discrimination, violence and rights violations against migrants at border, particularly when they profess rights in the international arena but violate rights of migrants at home.

We need to engage governments in the recognition that smuggling is one of the consequences of putting border policies between pull and push factors. We must continue to urge states to create regular channels for migration that are safe and that protect migrants, and to work on rights-based border policies.

We can lift up models of our victories and good policies like city-level wins in the US to end racial/migrant profiling by local police; national and regional efforts to legalize migrants in Argentina and Chile; and the “Movement of Peoples” effort in Southern Africa.

Our efforts can also be strengthened by utilizing a variety of legal avenues, such as class action lawsuits, human rights tribunals, and civil, criminal, and judicial reviews. A compendium of legal cases can help to demonstrate the global scale of incidents. We can share proven tactical strategies, utilize jurisprudence that crosses borders, and pursue innovative partnerships with various stakeholders.

Against the framework of criminalization, we encourage initiatives to raise awareness and organize communities around critical issues. For example, migrants and HIV organizations from home communities can form networks to inform, educate and prevent HIV in vulnerable migrants communities in host countries. At the same time, we must work to develop public policies to protect the right to health of migrants in countries of destination, transit, and return.

Movement-building with grassroots migrant organisations in leadership, at the local, national, regional, and global levels.

Strengthening organizing among migrants, who are agents of change, is a priority and is an over-arching responsibility. We support a stronger voice of migrants at all levels of organizing, advocacy, and leadership. We need to ensure spaces for migrants to identify and share ideas about what is needed. Migrants and migrants’ rights organisations are key to pursuing accountability for rights violations.

Building alliances between migrants’ rights organizing and other social justice movements--particularly around unionization and a broad range of social and economic, racial/ethnic and gender justice--is very important to our overall movement. We can strengthen the intersection and connection of migration and migrants’ rights issues with other social and economic justice issues so that we are working together on a common agenda and not just calling for support of our cause.

Our movement needs to build multi-ethnic and multi-sectoral coalitions with indigenous and non-migrant marginalized communities such as youth, LGBT (Lesbian, Gay, Bisexual, Transgender),

workers, homeless, the unemployed and others. We should practice genuine solidarity with other social movements, including being conscious that our victories do not come at the expense of others. We recall that the fight for freedom of movement and settlement has to be kept close to the fight for economic, social, cultural and religious rights.

We should bring ethnic and racial discrimination discourses and analysis into migration, development, and human rights. We specifically identify women migrants and workers, who can sometimes lose ground within analysis of racial or working issues.

We need to call out xenophobic and “otherness” when it is deployed by states or within civil society groups or minority communities ourselves.

Civil society needs to build trust and networks amongst ourselves to have the relationships in place to enable the cross-border work. We support work in transnational alliances to influence policies at the local, national, and international levels. The transnational connection is key to connecting people in different communities. Transnational work should not limit us, but make us stronger; we can benefit from the diversity of capacities within every organization in the transnational network, and recognize and share information through transparency within the network. We need to recognize the political context in which some organizations are working, so advocacy strategies can be more effective. For example, when the government is an authoritarian regime, the strategies will be different than when governments are more open.

We can take advantage of the spaces that civil society has gained in the international forums, like the UN, so that our demands can be visible. In this way we will be able to participate in the construction of international normative frameworks.

The PGA, in particular, is an important space. More advance planning can effectively take into consideration previous years’ PGAs. We can also strengthen continuity with the creation of committees by theme and regions that can continue work year round. We can create feedback mechanisms that continue to work after the PGA, while encouraging preparatory regional meetings prior to each gathering. In this and other international efforts, we can take advantage of technology to help strengthen international communications and coordination.

We can organize ourselves in a different way, to spotlight critical issues and have impact. For example, we could undertake coordinated international action against the criminalization of migration and migrants. We need to draw from the lessons of the movements for social change from many countries. We need to build campaigns with collective, clear, and united demands but with a multiplicity of strategies that are coordinated for greatest impact, including community organizing, media, education, direct action, legal, and legislative tactics. We need to ensure that every effort, including legislative efforts, help to build people’s power. People, power, communities!

We call attention to certain internationally recognized dates that provide opportunities to connect and strengthen the issues of migration, migrants’ rights and migrant engagement with other movements and sectors, including possible coordinated actions:

- December 18th - International Migrants Day
- December 10th -International Human Rights Day
- March 8th - International Womens’ Day
- March 21st - International Day for the Elimination of Racial Discrimination

- May 1st - International Workers' Day
- November 20th - Universal Children's Day

We should incorporate “telling the story” of the migrant experience, putting a human face on the issue, through direct organizing and awareness-raising as well as through more effective social media to reach broader audiences.

Full and inclusive labour rights for all migrant workers.

The PGA advocates for an end to the circular migration/temporary migration regime, which includes guest-worker and labour export programs as an economic development model, along with the reliance on remittances and models that treat workers as commodities. We reject the whole idea of “guest worker” programs, which serve to categorize and divide workers and minority communities from each other.

We continue to call for collective bargaining rights for all migrant workers, regardless of their migration or citizenship status.

We urge states to adopt a rights-based approach to social protections for migrant workers and to ensure that both countries of origin and destination recognize their shared responsibility for the access to and portability of social protection for migrant workers. Where there are temporary worker programs, states must ensure portable justice, including the right and ability of transnational migrant workers to access justice in the countries of employment even after they have departed for their home countries. Governments must include mechanisms in these programs to make this a reality, and make temporary work visa programs transparent. Recruitment abuses should be documented as part of advocacy efforts for government accountability in both the country of origin and the country of employment.

States must develop and implement bilateral or multilateral agreements to strengthen coordination of social security systems and services for migrant workers and involve trade unions and civil society throughout the process. As well, states need to invest in quality public services in order to address the social costs of labor migration and enhance social protection for migrant workers.

We will continue to urge states to ratify and implement UN and ILO Conventions related to social protection for migrant workers such as ILO Convention No. 102 on Social Security (Minimum Standards), Convention No. 118 on Equality of Treatment (Social Security), and Convention No. 157 on Maintenance of Social Security Rights.

We believe that domestic work and the work of domestic workers is recognised and valued, and that we should reach out and organize migrant domestic workers regardless of immigration status. Specifically, we need to address the particular situation of undocumented migrant workers, au pairs, and migrant domestic workers working in diplomatic services so they can effectively exercise their rights.

We will continue to push for ratification of ILO C189, the Domestic Workers Convention, drawing on existing good practices. We support the testing of the implementation of the Convention by using ILO supervisory mechanisms, and campaign to make ensure that migrant domestic work is quantified in accounting systems.

We also support “practical wins” such as the Bangladesh Building and Fire Safety Accord, that can actually improve conditions for workers/migrants at the work site. Building worker solidarity in each

country, between nationals and immigrant workers should be strengthened, while being mindful of tactics that may be divisive.

We encourage civil society and social movements to deepen analysis, strengthen partnerships, and engage in joint actions and cross-border campaigns around social protection for all migrant workers, including undocumented workers.

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