



Fact-Sheet on the Impact of the Economic Crisis on the Human Rights of Migrants

A. Introduction

The world faces multiple financial, economic and social crises compounded in particular cases by vulnerability from earlier food and energy crises. The impacts of these crises are beginning to be felt by households, individuals and communities in both developing and developed countries. These impacts are disproportionately being felt by migrants and other vulnerable and marginalized groups in society, undermining the enjoyment of a range of their human rights, including the right to work, housing, food, health, education and social security.

All migrants are exposed to some degree of vulnerability and risks of human rights abuses, depending on several factors such as immigration status, gender, nationality, ethnicity, age, sector of occupation, migration policies of the country of destination, consular protection programmes of the country of origin, and others.

B. Key findings

The financial/economic crisis has exacerbated the vulnerability of migrant workers and their families and there is increasing evidence of how migrants are affected by this crisis. Apart from being amongst the first to lose their jobs, migrants tend to be blamed for aspects of these crises, a tendency which is reinforced by protectionist measures and an increasing crack down on irregular migrants. When migrant workers are presented as part of the problem, this is fuelling xenophobic and anti-migrant sentiments and discriminatory practices.

There is evidence, also from the experience of previous situations of crisis, that women and children are disproportionately affected - including migrant women and children. For example, girls are the first to be withdrawn from school and violence against women and children tends to intensify in time of economic hardship.

As opportunities for regular migration are becoming more limited, with the introduction of

more restrictive policies, women, men and children become more vulnerable to human trafficking and smuggling.

Remittances have declined in some parts of the world, negatively affecting the realization of human rights in countries of origin and contributing to the current retrogression in reducing poverty and hunger in the world.

Calls to reduce the migrant population in destination countries tend to be based on the perception that “migrants take jobs” or “compete for welfare benefits”. Yet, evidence shows that migrant workers create economic activity and jobs and can potentially make an important contribution towards overcoming the economic downturn.

C. Key challenges

A key obstacle hindering migrants’ equal access to human rights in host societies is persistent anti-migrant sentiments and discriminatory practices. Such sentiments and practices are often reinforced by legislation, regulations and policies to restrict migratory flows, as evidenced by the increasing tendency to criminalize irregular migration. The global economic crisis and rising unemployment have further aggravated these trends.

Discriminatory practices are not only a human rights concern but also obstacles to the inclusion, acceptance and integration of migrants in host countries. Conversely, human rights based regulations and policies which promote access to decent work, health care, education and adequate housing are important not only for the protection of migrants’ human rights, but also for their social inclusion and integration.

Another challenge is to ensure that migrants’ human rights, more generally, are not undermined in the context of the economic crisis. States must be mindful that the human rights protected under the core international human rights treaties extend to all individuals living within their territory and jurisdiction, including migrants, irrespective of their immigration status.



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D. Policy suggestions

Protection of the rights of migrants in terms of their working and living conditions, and in the event of loss of employment, should be integrated into policy responses to the crises. Special attention should be given to the protection of migrant children and women.

States must ensure equal standards for employment and conditions of work between migrant and national workers and address grievances of vulnerable national workers to avoid misperceptions. The Convention on the Protection of the Rights of All Migrant Workers and their Families provides norms to prevent discriminatory treatment that would undermine working conditions and labour market stability, and consequently provoke resentment, xenophobia and violence against migrants blamed for deteriorating conditions and unemployment.

In particular, States must be vigilant against xenophobic sentiments and discriminatory practices prompted by the economic crisis and must ensure, as a matter of priority, that the human rights of migrants and other groups at risk of being most affected by the global economic and financial crises are protected without discrimination.

To guard against xenophobia and discrimination, awareness should be raised about migrants' human rights and about their positive contribution to development in both host and origin countries, being mindful of the role played by the media in shaping public perceptions about migrants.

Special care should be made to ensure that the human rights of migrants are not compromised by policies and legislative measures to address increasing unemployment and cut-back in public spending. In particular, States must not permit discriminatory treatment between nationals and migrant workers.

States should undertake all possible efforts to give priority to financing of human rights protection

policies and programmes when budgets need to be cut. Irrespective of the additional strain the economic crisis may place on available resources, States must ensure the widest possible enjoyment of human rights and to protect, as a matter of priority, migrant workers and other vulnerable groups in society.

Regular labour migration channels should remain open with a view to meeting a continuing demand for migrant workers, thus helping to prevent irregular migration and trafficking and to reduce migrants' vulnerability to exploitative employment outside the regular labour market.

Bibliography

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