

# **No Time to Waste!**

## **Proposal for a European Campaign for the Ratification of the Migrant Workers Convention**

Prepared by December 18  
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### Introduction

The growing anti-migrant environment in some European countries could easily lead to the worsening of their working and living conditions. Whilst paying lip service to the respect for human rights, national governments as well as the European Union are developing and adopting laws and regulations that reflect a move towards a more restrictive and utilitarian migration policy framework.

There is, therefore, an urgent need to push for the ratification of the UN Migrant Workers Convention, which is one of the international instruments that best establishes the minimum standards that states should adhere to when it comes to developing laws and policies that affect migrant workers and members of their families, irrespective of their migratory status.

Ratification and effective implementation of this Convention – together with the mainstreaming of migrants' rights throughout the international protection regime – will ensure that EU member states are held accountable by the international community.

A bold campaign at the European level for ratification of the Convention will help to link up all the existing national and regional efforts together with the pro-ratification voices that do exist within the European Institutions. This will be especially relevant after the French Presidency with its "migration pact" that might isolate those campaigning for an improvement of migrants' lives and for ratification of the Convention.

### Rationale

The 2009 European elections are an opportunity to reinvigorate our work for the ratification of the Convention, which we carried out within the context of the European Platform for Migrant Workers Rights (EPMWR) and/or as part of national-level campaigns such as most recently in France.

The proposal is to launch the "No Time to Waste" campaign after the European Parliament reconvenes in 2009. The target would be to get ratification by one or more EU Member States during the next legislature. Important target dates are: 18<sup>th</sup> of December 2010 (10<sup>th</sup> anniversary of International Migrants Day (IMD) and 20<sup>th</sup> anniversary of the adoption of the Convention) and 1<sup>st</sup> July 2013 (10<sup>th</sup> anniversary of the entry into force of the Convention).

## Strategy

The strategy for the European campaign would be based on a two-pronged approach involving a multi-stakeholder partnership, with the EPMWR acting as a coordinator. We know that no individual Member State will ratify the Convention and we also know that ratification has only been achieved as the result of an effort that involved a multitude of diverse actors.

At the European level, the proposal is to contact the MEPs of the new European Parliament as well as the new Commissioners. This approach would involve:

- Presenting the results from an EU-wide petition calling for the ratification of the Convention.
- Public presentation of a new set of the EPMWR Shadow Reports.
- Public hearing in collaboration with the Committee of the Regions

The petition will call for all EU Member States to ratify the Convention and for the EU institutions to support this process.

The Shadow Reports would consist of an update of the first set (Ireland, France, UK and Estonia) + two additional countries (Spain and Belgium) + a review of the situation at the EU level.

The hearing with the Committee of the Region is based on the premise that a peer-to-peer approach offers opportunities for success and that we therefore should seek to build on the fact that some regional governments already called for ratification of the Convention (e.g. the Catalan and Flemish governments).

At the national level the suggestion is to focus on one country: Spain and to work towards creating a sufficiently comfortable common support basis that would allow for progress to be made. This does not, however, mean that other national efforts should not continue or be going ahead. To the contrary, since we are well aware that one single member state will most likely not take the decision to ratify without having discussed this with the other states. We could for example be looking at taking advantages of the other EU Presidencies (like Belgium for the 2<sup>nd</sup> half of 2010); Greece as host of the 3<sup>rd</sup> session of the Global Forum on Migration and Development (GFMD), or Cyprus (because the country has a newly-elected President whose political party at the European level clearly takes a stand in favour of ratification of the Convention).

The proposal to target Spain is based on the assessment that there is now a window of opportunity because the election programme of PSOE of the re-elected Prime Minister Zapatero clearly states that the rights of migrants should be reinforced at the international level, especially with respect to ratification of the UN Migrant Workers Convention.

At this moment, the Spanish Government is sending out quite contradictory messages on migration, which means that launching a ratification campaign is important and should happen fairly soon.

In Spain, we can also build on the work done by the Catalan NGO platform Xarxa Diciembre 18, which in April 2003 led to the adoption in the Catalan Parliament (by unanimous vote) of a resolution asking for the Spanish government to ratify the Convention. The current political conjuncture at the national and regional level can be assessed as favourable with respect to re-launching the campaign for ratification.

Furthermore, Spain will also be on the list of countries that will be examined by the United Nations in the context of the Universal Periodic Review (UPR) mechanism, offering the opportunity for putting further pressure on the Spanish government and involving the international community.

In September this year the 3<sup>rd</sup> *Foro Social Mundial Migraciones* (FSMM) will take place in Madrid. This will be the ideal place to network and establish the base for the proposed European ratification campaign with the emphasis on Spain.

The fact that Spain will hold the EU Presidency in 2010 and be the host for the Global Forum on International Migration and Development (GFMD) in 2011 provides us with other interesting advocacy opportunities.

#### Multi-stakeholder approach

The proposed campaign should involve not only the migrant organisations and human rights NGOs, but also other NGOs, unions, churches, local authorities, regional governments, national human rights commissions and of course European institutions and political parties.

It is also important to get the international community involved, both through the participation of UN agencies as well as through states parties to the Convention (especially Morocco, Bolivia, Turkey, Ecuador and Argentina).

#### Funding

The proposed campaign will of course require the necessary financial means as well as the voluntary contributions from the Platform members. With respect to the financing, the suggestion is to raise funds in order to pay a part-time coordinator who would be working from the office in Brussels, since December 18 would continue to hold the secretariat for the Platform.