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Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development****Revisiting migrants' contributions with a human
rights-based approach: a discussion on facilitating and
hindering factors****Report of the Special Rapporteur on the human rights of migrants,
Gehad Madi***Summary*

In the present report, the Special Rapporteur on the human rights of migrants, Gehad Madi, examines migrants' sociocultural, civic-political and economic contributions. By examining the factors facilitating and hindering their contributions with a human rights-based approach, he aims to offer a balanced, evidence-based perspective.

Migrants are rights holders, and their rights should be protected regardless of the contributions that they make to society. In the present report, at a time when the political discourse around migration has taken a negative turn, when migration-related disinformation and xenophobia are on the rise and when many have forgotten or deny the benefits of migration, the Special Rapporteur offers a reminder of the wealth of opportunities that migration presents to societies willing to embrace diversity and inclusion. The Special Rapporteur was encouraged by numerous submissions from States, United Nations entities, civil society actors and others on practices designed to support migrants' contributions and an evidence-based narrative on migration. He examines the factors hindering recognition of migrants' contributions and what can be done to enable positive migration-related narratives to flourish.

Lastly, the Special Rapporteur offers conclusions and recommendations for States and other actors on upholding the human rights of migrants, supporting migrants' contributions and improving the narrative so that it better reflects the inherent value of migrants and their contributions.



I. Introduction

1. The Special Rapporteur on the human rights of migrants, Gehad Madi, submits the present report to the Human Rights Council at its fifty-sixth session, pursuant to General Assembly resolution 76/172 and Council resolution 52/20.

2. In the present report, his first as the mandate holder, the Special Rapporteur has chosen to focus on migrants' contributions to society. He notes with concern that, in recent years, the political discourse surrounding migration has taken a markedly negative, inflammatory and divisive turn. This worrying trend is reflected in the adoption of migration policies steeped in an alarmist mentality, which, paradoxically, often run counter to the best interests of economies and the fabric of societies.

3. Much of the rising disinformation and misinformation about migration today is created and driven by highly coordinated groups, utilizing sophisticated online campaigns designed to distort public perceptions of migration and migrants. These narratives, based on unfounded fears and prejudices, are not confined to the fringes of the Internet; they are sometimes echoed, reinforced and legitimized by politicians. This trend is allowing xenophobia, racism, hate speech and violence against migrants to spread, with migrants' contributions ignored, and is damaging societies. Between 2014 and 2020, there was a disconcerting 250 per cent rise in far-right attacks.¹

4. The Special Rapporteur calls for a refocusing of attention on migrants' contributions to societies. By adopting a human rights-based approach to examine the factors facilitating and hindering migrants' contributions, he seeks to offer a balanced, evidence-based perspective. The Special Rapporteur acknowledges that focusing on migrants' contributions is not a novel endeavour. Scholars, international organizations, non-governmental organizations (NGOs), civil society actors and Governments have long highlighted the economic, cultural and social benefits that migrants offer. He emphasizes that migrants are rights holders and that their rights should be protected regardless of the contributions that they make to society. However, at a time when many have forgotten, or outright deny, the benefits of migration, the present report serves as a reminder of the wealth of opportunities that migration presents to societies willing to embrace diversity and inclusion.

5. Reframing perceptions of migration is crucial to ensuring that it is viewed not as a security threat that requires control and containment but as a valuable opportunity that, when managed well, protects the rights of migrants and yields a multitude of benefits. In the present report, the Special Rapporteur draws on a wealth of examples provided by States, illustrating proven practices that harness the positive impacts of migrants and strengthen social cohesion during their integration.

6. In the present report, the term "migrants" is used to encompass all individuals who have crossed an international border, regardless of their migration status, to reside in another country for more than 12 months. It includes forcibly displaced persons, including asylum-seekers and refugees, and those compelled to move for other reasons.²

7. In the preparation of the present report, the Special Rapporteur issued a call for input, inviting States and other stakeholders to submit insights, information on legal frameworks, policies and practices, and recommendations. The responses offered evidence of the positive contribution of migrants.³ In addition, the Special Rapporteur consulted academic research and reports published by international organizations and other actors.

8. In section II of the present report, the Special Rapporteur summarizes his recent activities. In section III, he examines migrants' contributions. In section IV, he explores barriers to the recognition of migrants' contributions. In section V, he delves into factors that

¹ See Institute for Economics and Peace, *Global Terrorism Index 2020: Measuring the Impact of Terrorism* (Sydney, 2020).

² See *Recommendations on Statistics of International Migration: Revision 1* (United Nations publication, 1998).

³ The submissions that have informed the present report are available at <https://www.ohchr.org/en/calls-for-input/2024/call-input-report-revisiting-migrants-contributions-human-rights-based>.

hinder migrants' contributions and, in section VI, highlights practices that support their contributions. In section VII, he discusses strategies to improve the narrative around migration. Lastly, in section VIII, he provides concluding reflections and recommendations.

II. Activities of the Special Rapporteur

9. In December 2023, in the context of the commemoration of the seventy-fifth anniversary of the adoption of the Universal Declaration of Human Rights, the Special Rapporteur delivered the opening remarks at a high-level side event, organized by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), on migrant women human rights defenders. In addition, he spoke at an expert meeting, also organized by UN-Women, on strategies for strengthening the rights of women rights defenders at risk in migration contexts.

10. In January 2024, the Special Rapporteur participated in the fourteenth Global Forum on Migration and Development, which highlighted the important contribution of migration to the achievement of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals. At the fifth annual meeting of the United Nations Network on Migration, he participated as a panellist in a discussion on "Looking forward: strengthening advocacy at global, regional and country levels" under the theme "Protecting migrants' rights and saving lives".

III. Migrants' contributions to countries of destination and origin

11. Migration has long been instrumental in driving peace and prosperity. The cross-cultural exchanges and interactions fostered by the flow of individuals across borders have influenced progress and cultural enrichment around the world. Migrants have been at the forefront of innovation and have made notable contributions, securing patents and gaining recognition in the arts and sciences. Their entrepreneurial endeavours have led to the creation of successful start-ups that have grown into multinational corporations.⁴

12. The Special Rapporteur embraces a comprehensive framework to evaluate migrants' contributions to society, as outlined in the *World Migration Report 2020*, encompassing sociocultural enrichment, civic-political engagement and economic benefits.⁵

A. Migrants' sociocultural contributions

13. Lives are enriched by the customs, traditions, technologies, skills and knowledge that migrants carry with them across the world. From food to ways of learning, health treatments, sport, music and clothes, migrants improve lives and enrich cultures.⁶

14. Migrant athletes enhance sporting competitions and bolster local teams. Their achievements help them to surmount barriers such as discrimination and to transform sporting events into powerful platforms for social campaigns against racism and xenophobia.⁷ By achieving international and national success, they champion diversity and inclusiveness, influencing change. Cyprus reports that migrants represent it in international and European sports competitions.⁸

15. Migrants bring new flavours and cuisines, expanding options and influencing local food cultures. Research shows a strong relationship between the diversity of modern cuisines

⁴ See Marie McAuliffe, Adrian Kitimbo and Binod Khadria, "Reflections on migrants' contributions in an era of increasing disruption and disinformation", in *World Migration Report 2020*, McAuliffe and Khadria, eds. (Geneva, International Organization for Migration (IOM), 2019).

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Submission by Cyprus.

and migration.⁹ Sharing food and the dialogue that accompanies it often lie at the heart of migrant integration experiences. Moreover, food in countries of origin is enriched when migrants bring back cuisines and ingredients from abroad.

16. Migrants invigorate the arts through festivals and events that become hubs of cultural exchange. Their contributions often spark new collaborative ventures in music, film, art and literature. In the media and entertainment, migrants introduce fresh narratives and perspectives, and their unique contributions frequently lead to success.¹⁰ In Argentina, migrants take part in projects that showcase their cultural identity, bolstering social cohesion and cultural diversity.¹¹

17. The introduction of different languages fosters multilingualism and contributes to societies. Canada reported that more than 450 mother tongues were currently spoken in the country. In Canada, most newcomers can also communicate in an official language of Canada, namely, English (94 per cent) and French (69 per cent).¹²

18. Migrants contribute to the evolution of fashion and design. Migrant students and educators introduce diverse perspectives, enriching curricula and broadening pedagogical approaches. The health-care sector benefits from migration: varied health practices, medical equipment and medicinal knowledge from across the world enhance the quality and breadth of services. The practice of diverse religions by migrants adds to the richness of communities, fostering interfaith dialogue and promoting mutual understanding.

19. Infusion with diverse social norms and values fosters societies that are more open, tolerant and adaptable, enriching cultural awareness and appreciation. By sharing experiences and knowledge, migrants, in particular women, can challenge prevailing biases and gender stereotypes. Ecuador highlights diversity as a crucial asset, emphasizing its role in enriching the country's cultural and professional diversity and bolstering social innovation, knowledge transfer and development.¹³

20. In a recent report,¹⁴ the Special Rapporteur in the field of cultural rights highlights how migration enriches culture through the blending of communities and traditions. The Museum of Islamic Art of Qatar, for example, actively engages Afghan refugee families through art workshops, lectures and films in multiple languages.¹⁵

21. Migrants' interactions with their homelands – in the form of visits, communication or return – drive sociocultural growth through the transfer of “social remittances”, or ideas, values and practices. Migrants often advance gender equality by using their overseas experiences to advocate for women's and girls' empowerment in their countries of origin.¹⁶

B. Migrants' civic-political contributions

22. Migrants make various civic-political contributions that not only enrich host societies but can also lead to significant positive changes in countries of origin. They often contribute to the development of more inclusive, democratic and participatory governance structures

⁹ See Sina Sajadmanesh and others, “Kissing cuisines: exploring worldwide culinary habits on the Web”, in *Proceedings of the 26th International Conference on World Wide Web Companion*, Rick Barrett and others, eds. (Geneva, International World Wide Web Conferences Steering Committee, 2017).

¹⁰ See Philip Kasinitz and Marco Martiniello, “Music, migration and the city”, *Ethnic and Racial Studies*, vol. 42, No. 6 (2019).

¹¹ Submission by Argentina.

¹² Submission by Canada.

¹³ Submission by Ecuador.

¹⁴ [A/HRC/52/35](#).

¹⁵ *Ibid.*, para. 21.

¹⁶ See Jean-Michel Lafleur and Justine Duchesne, “Migration de retour, genre et remises sociales: le retour des migrantes boliviennes d'Espagne durant la crise économique”, *Revue européenne des migrations internationales*, vol. 33, No. 2–3 (2017).

and bring new perspectives to political forums. When permitted, migrants frequently vote, campaign, serve as elected officials and hold public office.¹⁷

23. Migrants actively participate in civic life through community service, volunteering and contributions to local development. Canada notes that migrants exhibit levels of civic engagement similar to those of citizens, with 22 per cent reporting participation in volunteer work.¹⁸

24. Migrants often serve as bridges between host and origin countries, fostering diplomatic ties and international collaboration. In post-conflict settings, migrants, in particular women, act as catalysts for peacebuilding and reconstruction, leveraging skills and experiences to revitalize political processes, restore infrastructure and promote social cohesion.¹⁹ Migrants' exposure to varied political frameworks and ideologies in host countries equips them with insights and practices that can influence political change and development in their countries of origin.²⁰

25. Migrants promote intercultural dialogue and foster tolerance and understanding. Diaspora communities aid migrant integration, offering cultural guidance, social support networks and advocacy for migrant rights. Migrants often advocate for policy changes, facilitate initiatives that benefit communities and participate in transnational networks, shaping political and civic affairs in origin and host countries.

C. Migrants' economic contributions

26. Migrants contribute to the economy in various ways, with higher labour force participation rates than non-migrants. They form a key portion of the workforce, at 4.9 per cent in 2019 and over 41 per cent in Arab States.²¹

27. During the coronavirus disease (COVID-19) pandemic, the essential role of migrant workers became clear: they account for an average of 8 per cent of key workers globally, including 17 per cent in high-income countries and up to 50 per cent in some cities.²² During the pandemic, migrants made significant contributions across health-care and food systems and the transportation and sanitation sectors, despite significant risks of exposure to COVID-19.²³ Argentina praised migrant health workers for their essential front-line roles during the crisis.²⁴

28. Migrants can contribute to a country's labour market flexibility, often filling critical labour shortages, from highly skilled positions in sectors such as technology and health care to essential roles in agriculture and the service industries. They often take on roles that are difficult to fill, ensuring that crucial sectors remain productive. Canada reported that, from 2016 to 2021, immigration accounted for 79.9 per cent of the country's labour force growth.²⁵

29. Migrant care and domestic workers, in particular women, are integral to the global care workforce. This is expected to intensify as demand for care grows. In Organisation for Economic Co-operation and Development countries, migrants are estimated to make up more than 20 per cent of care workers.²⁶

¹⁷ McAuliffe, Kitimbo and Khadria, "Reflections on migrants' contributions", pp. 169–172.

¹⁸ Submission by Canada.

¹⁹ See *Refugees' Roles in Resolving Displacement and Building Peace*, Megan Bradley, James Milner and Blair Peruniak, eds. (Georgetown University Press, 2019).

²⁰ McAuliffe, Kitimbo and Khadria, "Reflections on migrants' contributions", p. 170.

²¹ International Labour Organization (ILO), *ILO Global Estimates on International Migrant Workers: Results and Methodology*, 3rd ed. (Geneva, International Labour Office, 2021), p. 11.

²² ILO, *World Employment and Social Outlook 2023: The Value of Essential Work* (Geneva, International Labour Office, 2023), p. 18.

²³ See UN-Women, "Guidance note: addressing the impacts of the COVID-19 pandemic on women migrant workers" (2020).

²⁴ Submission by Argentina.

²⁵ Submission by Canada.

²⁶ See *Research Handbook on Migration, Gender, and COVID-19*, Marie McAuliffe and Céline Bauolz, eds. (Cheltenham, Edward Elgar, 2024).

30. Migrants bring diverse skills and perspectives, drive innovation, creativity and entrepreneurship, create jobs, spur economic growth and diversify business practices, enhancing trade and local economies. Australia reports widespread recognition of migrants' positive impact on the economy.²⁷ Migrants also boost consumer markets and choice of products.

31. Migrants can contribute to a country's demographic balance, especially in countries with ageing populations and low birth rates. They support the workforce, pay taxes and help to sustain labour markets, public services and pension systems. Belarus and Spain highlight the contributions of migrants amid shrinking local working populations.²⁸

32. Migrants can bolster a nation's fiscal well-being through tax and social security contributions, funding essential services such as education and health care. While migrants have a right to social protection, they often pay more in taxes than they receive in benefits. The Dominican Republic reported that nationals of the Bolivarian Republic of Venezuela had contributed 0.35 per cent to national tax revenues in 2021, with a positive impact on the economy.²⁹

33. Remittances play a vital role in the economies of low- and middle-income countries, reaching \$669 billion in 2023, which exceeds foreign direct investment and far outstrips official development assistance.³⁰ While innovations such as mobile money enhance access to financial services and lower costs, disparities in access and regulatory issues persist, in particular for women.³¹

34. Migrants often use their knowledge and connections to enhance international trade and business. They also enhance human capital by returning with new skills and encouraging education in countries of origin.

35. Diaspora bonds leverage funds from nationals abroad, allowing Governments to finance development projects and enabling the diaspora to contribute to economic growth in countries of origin.³² Examples include the Increasing Migrants' Potential to Act for the Development of Armenia project, the fact that 23.5 per cent of Salvadorans in the United States of America invest in businesses in El Salvador,³³ and the O-REMIT project of the International Organization for Migration (IOM) country office in Belgium and Luxembourg, which reduces transaction costs, helping diaspora communities to make investments in their countries of origin.³⁴

IV. Factors hindering recognition of migrants' contributions

36. The negative discourse around migration has not developed in a vacuum. While politicians have used negative messaging about migrants throughout history, the emergence of several factors over the past four decades has shifted societal perceptions of migrants. Once considered a positive economic and social force, migrants are increasingly viewed as a problem that must be contained, despite the continued benefits that migration offers.

37. Migration began to be positioned by politicians as a security threat in the period following the cold war. This trend intensified after the terrorist attacks of 11 September 2001, when many began to associate migrants, in particular undocumented migrants, with

²⁷ James O'Donnell, *Mapping Social Cohesion 2023* (Scanlon Foundation Research Institute, 2023), p. 9. See also submission by Australia.

²⁸ Submissions by Belarus and Spain.

²⁹ Submission by Dominican Republic.

³⁰ Dilip Ratha and others, "Leveraging Diaspora Finances for Private Capital Mobilization", Migration and Development Brief No. 39 (Washington, D.C., World Bank, 2023), p. 1.

³¹ See Adrian Kitimbo, "Mobile money and financial inclusion of migrants in sub-Saharan Africa", in *Research Handbook on International Migration and Digital Technology*, Marie McAuliffe, ed. (Cheltenham, Edward Elgar, 2021); and UN-Women, "Migrant women and remittances: exploring the data from selected countries" (2020).

³² McAuliffe, Kitimbo and Khadria, "Reflections on migrants' contributions", p. 175.

³³ Submissions by Armenia and El Salvador.

³⁴ See <https://belgium.iom.int/o-remit>.

terrorism.³⁵ In many countries, responsibility for immigration was subsequently transferred to security agencies, diverting military and security budgets to border control.³⁶ The focus thus shifted from integrating migrants as a beneficial societal and economic force to controlling migration as a security threat.

38. Concurrently, many countries adopted increasingly selective immigration policies. Points-based and similar immigration selection mechanisms spread rapidly in the 1990s and 2000s, predetermining access to regular migration and privileging those with higher education, higher skill levels and wealth.³⁷ This has cemented among many politicians and the public a binary mentality of “desirable” versus “undesirable” migrants. Today, immigration policies, while in most cases no longer overtly racist, have created gross inequalities in access to regular travel. In the past 25 years, regular, safe migration channels for individuals from lower-income countries and fragile States have been severely limited, while people from higher-income countries enjoy nearly unrestricted access to regular pathways.³⁸ This limits opportunities for those from lower-income countries and curtails their ability to contribute to societies as regular migrants. Inequalities between countries are thus reinforced, with people in African countries facing the most limitations.

39. It is no coincidence that irregular migration has surged alongside increasingly stringent border controls, increasingly selective immigration criteria and increasingly restricted access to regular travel. Many migrants now turn to irregular travel. Industries such as agriculture, food, construction and domestic work rely on low-skilled labour, even in higher-income countries, and turn to migrants in irregular situations to fill demand and shortages,³⁹ as local workers and those who meet the stringent immigration requirements often decline such jobs. This underscores the need to critically evaluate immigration selection policies and ask whether they truly reflect labour market demands and societal needs.

40. Those from lower-income countries are not alone in facing restrictions on regular travel. Tighter border controls have unintentionally closed off safer routes for asylum-seekers, forcing them to use dangerous, irregular routes, facilitated by smugglers.⁴⁰

41. Historically, countries open to immigration have recognized the potential of lower-income migrants, welcoming labour migrants from Europe, who were surplus to the needs of the labour market of the time and often arrived with nothing, but who swiftly gained skills, education and wealth. Many success stories in the nineteenth and twentieth centuries feature migrants who overcame adversity through drive and tenacity, spurred entrepreneurship and job creation and contributed to shaping prosperous, high-income countries. Today, strict immigration criteria would prevent many such individuals from migrating regularly.

42. The hostile, dehumanizing and criminalizing narratives now surrounding migrants, in particular those in irregular situations and asylum-seekers, demonstrate a lack of understanding of that context. They vindicate severe border controls and human rights violations against migrants. The label “queue jumpers” is particularly misleading, as there are no regular migration queues that most people in lower-income countries are eligible to join, and asylum queues are so long that they are as good as non-existent to most asylum-seekers.

³⁵ See Demetrios G. Papademetriou, “The global struggle with illegal migration: no end in sight”, Migration Information Source, 1 September 2005.

³⁶ See Rodolfo Casillas, “The dark side of globalized migration: the rise and peak of criminal networks – the case of Central Americans in Mexico”, *Globalizations*, vol. 8, No. 3 (2011).

³⁷ See Hein de Haas, Katharina Natter and Simona Vezzoli, “Growing restrictiveness or changing selection? The nature and evolution of migration policies”, *International Migration Review*, vol. 52, No. 2 (2018).

³⁸ See Marie McAuliffe and others, “International migration as a stepladder of opportunity: what do the global data actually show?”, in *World Migration Report 2022*, McAuliffe and Anna Triandafyllidou, eds. (Geneva, IOM, 2021).

³⁹ See De Haas, Natter and Vezzoli, “Growing restrictiveness or changing selection?”.

⁴⁰ Anne T. Gallagher, “Exploitation in migration: unacceptable but inevitable”, *Journal of International Affairs*, vol. 68, No. 2 (2015), pp. 65 and 66.

43. Several factors have allowed negative messaging about migrants to intensify, including political actors who have normalized disinformation about migration, individuals and networks who intentionally create and spread disinformation about migrants, and traditional and social media.⁴¹ Disinformation and misinformation relating to migration are now rampant.

44. Political figures and influencers increasingly transmit misleading narratives about migration, exploiting economic anxieties and incorrectly attributing job losses or lower wages to migration, despite evidence suggesting otherwise.⁴² During economic slumps, it is easy, yet erroneous, to scapegoat migrants. While politically expedient in the short term, this strategy is destructive. It deflects from genuine societal issues, such as economic strain and inflation, which require informed policy responses rather than misdirected blame.

45. Individuals and networks who intentionally create and spread disinformation about migrants, often through highly coordinated campaigns, are multiplying. Far-right disinformation attacks often peak before national elections and have targeted specific migration-related events and initiatives, including the increased refugee flows in 2015–2016⁴³ and the adoption of the Global Compact for Safe, Orderly and Regular Migration.⁴⁴

46. Social media platforms serve to rapidly amplify disinformation and harmful narratives. They magnify xenophobic views and disregard migrants' experiences. Algorithms and an advertising industry that prioritize sensationalist content increase user engagement and amplify disinformation.⁴⁵ Artificial intelligence systems may inadvertently reflect these biases, highlighting the need for mechanisms to identify and mitigate xenophobia.⁴⁶ This digital proliferation of false information fuels divisive, polarized communities and the marginalization of migrants. Traditional media outlets often highlight the negative aspects of migration, contributing to a biased narrative in which events such as the 2015–2016 refugee flows have been depicted as a crisis, reinforcing discriminatory and stereotypical narratives.⁴⁷

47. Audience susceptibility to disinformation is influenced by pre-existing knowledge and biases, frequent exposure to false claims and a lack of willingness to employ critical scrutiny. Disinformation often targets and triggers emotions to capitalize on biases, provoking fear and outrage.⁴⁸ Resilience to disinformation is reduced amid politically populist and socially polarized environments, distrust in the media, an underdeveloped public service media, large advertising markets and a high level of social media usage.⁴⁹

48. Few countries reported that they monitored and documented migrants' contributions. This is essential for supporting a more positive, evidence-based narrative around migration. Canada stands out for actively evaluating the positive impacts of migrants, tracking migrant outcomes in a specialized database and collecting information about settlement and integration outcomes through surveys.⁵⁰

⁴¹ Eileen Culloty and others, "Disinformation about migration: an age-old issue with new tech dimensions", in *World Migration Report 2022*, McAuliffe and Triandafyllidou, eds., p. 223.

⁴² *Ibid.*, p. 223.

⁴³ See United Nations High Commissioner for Refugees, *Global Trends: Forced Displacement in 2015* (Geneva, 2016).

⁴⁴ See Marie McAuliffe, "The link between migration and technology is not what you think", World Economic Forum, 14 December 2018.

⁴⁵ Culloty and others, "Disinformation about migration", pp. 221 and 222.

⁴⁶ See Nenad Tomasev, Jonathan Leader Maynard and Iason Gabriel, "Manifestations of xenophobia in AI systems", version 2, *AI and Society*, October 2023.

⁴⁷ Culloty and others, "Disinformation about migration", p. 223.

⁴⁸ *Ibid.*

⁴⁹ See Edda Humprecht, Frank Esser and Peter Van Aelst, "Resilience to online disinformation: a framework for cross-national comparative research", *International Journal of Press/Politics*, vol. 25, No. 3 (2020).

⁵⁰ Submission by Canada.

V. Factors hindering migrants' contributions to society

49. Several factors impede migrants' ability to contribute to society, undermining their rights and dignity and leading to a significant loss of opportunity for host societies. The Universal Declaration of Human Rights sets forth fundamental rights for all individuals. The International Bill of Human Rights, comprising the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, allows for differentiation between nationals and non-nationals in respect of only two rights, namely, those relating to voting and participating in public affairs and to freedom of movement within a country, with stringent reservations.⁵¹ With those narrow exceptions, the entire international human rights framework, including the eight conventions of the International Labour Organization (ILO) covering fundamental principles and rights at work, applies to all migrants, regardless of status.

50. However, in practice, the human rights of migrants, in particular migrants from certain groups, are significantly undermined. While it is important to guarantee specific protections for persons entitled to them under international instruments, such as refugees and asylum-seekers, equal attention must be paid to migrants who do not qualify as refugees but who face vulnerabilities due to situations in their countries of origin. They are often more susceptible to human rights abuses and, even if ineligible for formal refugee status, may still require the protections accorded by international human rights law.⁵²

A. Discrimination

51. Migrants frequently encounter discrimination and xenophobia in both transit and destination countries, curtailing their job prospects, access to services and social inclusion. Migrants face compounded discrimination based on factors such as age, gender, ethnicity and other personal attributes. Poverty heightens this risk, while specific groups, including women, LGBTIQ+ persons, persons who are unwell, persons with disabilities, older persons and children, are especially vulnerable. Xenophobia exacerbates these challenges.⁵³ In Cabo Verde, 58 per cent of migrants aged 15 or over believe that at least one form of discrimination exists in Cabo Verde, with 32.1 per cent having experienced discrimination first-hand.⁵⁴

B. Irregular migrant status

52. Migrants in irregular situations often find that their human rights are not recognized, affecting their safety, dignity and ability to participate in and contribute to society. Measures such as border controls, pushbacks, detentions and deportations compromise migrants' human rights, leaving many people who have limited protection from their own or other Governments to experience suffering at the scale and with the severity of a humanitarian crisis.⁵⁵

53. Despite their contributions, migrants in irregular situations, in particular women, are often denied social protections, increasing their risks of poverty and exploitation.⁵⁶ Their status often leads to discrimination, substandard working conditions, such as low wages, long hours and poor health and safety, and difficulties with regard to housing.⁵⁷ Migrants in

⁵¹ E/C.12/2017/1, paras. 3, 5, 6 and 8.

⁵² OHCHR and Global Migration Group, *Principles and Guidelines, Supported by Practical Guidance, on the Human Rights Protection of Migrants in Vulnerable Situations* (2018), p. 6.

⁵³ *Ibid.*, p. 18.

⁵⁴ Submission by Cabo Verde.

⁵⁵ International Federation of the Red Cross and Red Crescent Societies, *World Disasters Report 2018* (Geneva, 2018), p. 142.

⁵⁶ See Jenna Holliday, *Skilled to Care, Forced to Work? Recognizing the Skills Profiles of Migrant Domestic Workers in ASEAN amid Forced Labour and Exploitation* (Bangkok, ILO Regional Office for Asia and the Pacific, 2023).

⁵⁷ See Platform for International Cooperation on Undocumented Migrants, "A snapshot of social protection measures for undocumented migrants by national and local governments" (2022).

irregular situations, in particular women, struggle to access health care, including maternal and reproductive care, as well as support and essential services for survivors of violence. In addition, girls may lack access to education. Efforts to seek fair treatment often lead to employer threats of immigration reporting. Although the rights of migrants in irregular situations are protected by law, their vulnerable status can prevent them from seeking and accessing justice.⁵⁸ Failure to separate access to basic services and immigration enforcement, through “firewalls”, compounds these challenges.⁵⁹

54. Increasingly, limited regular travel options push migrants towards dangerous irregular travel, exposing them to a host of human rights abuses, with debilitating effects. Since 2014, at least 64,241 migrants have died or gone missing while migrating to international destinations.⁶⁰ The normalization of violence against migrants during irregular travel is disturbing. Between 2014 and 2017, 79 per cent of migrants from the Horn of Africa reported having directly witnessed or experienced physical or sexual violence, kidnapping, torture or death.⁶¹ In addition, 1,267 violence-related deaths were registered at the border between Saudi Arabia and Yemen between 2022 and 2023, as were 712 killings in the Sahara Desert.⁶² In 2022, 36 deaths in the Darien Gap were registered.⁶³ These figures are underestimates, as many migrant deaths are never reported. The trauma and physical injuries sustained during irregular travel severely hinder surviving migrants’ functioning in destination countries.

55. Women and girls face high risks of gender-based violence, exploitation and trafficking during irregular travel, with the militarization of borders placing them at greater risk of sexual violence by military forces.⁶⁴

56. Many migrants find themselves deeply indebted to smugglers, recruitment agencies, brokers and employers and required to pay fees, which are forbidden under the ILO Private Employment Agencies Convention, 1997 (No. 181) (art. 7 (1)). With migrants deceived or coerced into exploitative situations, debt-financed migration, which constitutes an exploitative labour practice and facilitates further such practices, frequently escalates into trafficking in persons. Fear, such as the fear of deportation, is often used to ensnare them in debt bondage.

57. Prosecutions for trafficking-related exploitation, including debt-financed migration, are rare. Many victims refrain from seeking help due to fears of reprisal, shame or failure to recognize exploitation. Dependency on temporary work permits or permits tied to employers means that cooperation with the authorities could jeopardize employment, status and access to social benefits.⁶⁵ Impunity enables smugglers, traffickers and abuse to flourish.

58. Immigration detention is increasingly used to deter irregular migration and enforce deportations. Many international bodies advise that detention should be a last resort, for a limited duration and for administrative purposes only. Nevertheless, its use persists around the world, often with dire consequences.⁶⁶ Detention damages mental health and well-being, further inhibiting migrants’ ability to participate in society. In many countries, it is underregulated and poorly overseen, leading to arbitrary or prolonged detention and mistreatment. For children, detention can lead to long-term mental health issues, developmental setbacks and behavioural challenges.⁶⁷

⁵⁸ See Platform for International Cooperation on Undocumented Migrants, “A worker is a worker: how to ensure that undocumented migrant workers can access justice” (2020).

⁵⁹ OHCHR and Global Migration Group, *Principles and Guidelines*, pp. 6 and 7.

⁶⁰ See <https://missingmigrants.iom.int/>.

⁶¹ Giulia Spagna, “Weighing the risks: protection risks and human rights violations faced by migrants in and from East Africa”, Regional Mixed Migration Secretariat briefing paper No. 5 (2017), p. 2.

⁶² See <https://missingmigrants.iom.int/decade-deaths-and-disappearances-during-migration-worldwide>.

⁶³ See IOM, “Number of migrants who embarked on the dangerous Darien Gap route nearly doubled in 2022”, 17 January 2023.

⁶⁴ See UN-Women, “Racially marginalized migrant women: human rights abuses at the intersection of race, gender and migration” (2022).

⁶⁵ See Gallagher, “Exploitation in migration”.

⁶⁶ See <http://www.globaldetentionproject.org/>.

⁶⁷ International Federation of the Red Cross and Red Crescent Societies, *World Disasters Report 2018*, p. 149.

C. Temporary labour migration and other precarious statuses

59. Temporary labour migration programmes, particularly in agriculture, construction, care work and the service industry, often put labour rights at risk, affecting the ability of migrants and their families to access and enjoy their human rights.⁶⁸ This includes the right to an adequate standard of living, including adequate housing and food; the rights to health, social security, family life, freedom of association, freedom of expression and freedom of religion; the right of access to justice; and digital rights. Temporary labour programmes also restrict migrants' ability to change employers, leading to debt and poor working conditions. Employers also face limitations related to cumbersome and restrictive administrative processes.⁶⁹

60. In many countries, temporary residence permits, including permits resulting from regularization programmes, often do not provide avenues for a secure and long-term status in a country or do not count towards citizenship.⁷⁰

D. Asylum-seekers and refugees

61. The rights of asylum-seekers and refugees, as enshrined in international law, guarantee protection from persecution and forbid refoulement. However, tightened border controls inadvertently block safe routes for asylum-seekers, forcing them to rely on smugglers for perilous, irregular passage.⁷¹ The harsh realities of such journeys often create trauma and physical injuries, on top of those inflicted in origin countries, severely hindering the ability of asylum-seekers to function in society.

62. Asylum-seekers and refugees frequently face legal uncertainties due to laws and administrative procedures that delay or complicate the attainment of regular status. This uncertainty significantly curtails their rights, access to services, ability to work and capacity to contribute to society.⁷² Women in legal limbo are often at heightened risks of labour exploitation, domestic abuse and sexual violence.

63. Serbia reported that refugee identity cards lacked a unique foreigner registration number, leading many service providers, such as banks and health institutions, to disregard the card and deny services to refugees. Refugees also faced difficulties in obtaining travel documents, restricting their ability to move outside the country for work or personal reasons.⁷³

E. Access to labour markets

64. Migrants' economic impact is often shaped by their ability to access decent work. Whether they have a regular or an irregular status, migrants who are unable to access decent work often face low wages and non-payment or late payment of wages, despite filling essential labour shortages. Although they have similar levels of education, migrants frequently earn less than nationals.⁷⁴

⁶⁸ See OHCHR, *We Wanted Workers, But Human Beings Came: Human Rights and Temporary Labour Migration Programmes in and from Asia and the Pacific* (2022).

⁶⁹ See ILO, *Temporary Labour Migration: Unpacking Complexities – Synthesis Report* (Geneva, International Labour Office, 2022).

⁷⁰ See United Nations Network on Migration, "Regular pathways for admission and stay for migrants in situations of vulnerability" (July 2021); and OHCHR Regional Office for South-East Asia, *Pathways to Migrant Protection: A Mapping of National Practice for Admission and Stay on Human Rights and Humanitarian Grounds in Asia and the Pacific* (2022).

⁷¹ Gallagher, "Exploitation in migration", pp. 65 and 66.

⁷² See Jean-Pierre Cassarino, Lorenzo Gabrielli and Delphine Perrin, *Cooperation on Readmission in the Euro-Mediterranean Area and Beyond: Lessons Learned and Unlearned* (European Institute of the Mediterranean, 2023).

⁷³ Submission by Serbia.

⁷⁴ See Silas Amo-Agyei, *The Migrant Pay Gap: Understanding Wage Differences between Migrants and Nationals* (Geneva, International Labour Office, 2020).

65. Restrictions on obtaining or renewing work permits can force migrants into irregular situations, unemployment or the informal economy, increasing risks of exploitation.⁷⁵

66. The lack of recognition of foreign qualifications and skills often prevents migrants from working in the fields in which they were trained, leading to underemployment and wasted potential. Difficulty in obtaining work permits and credential recognition has a disproportionate impact on women, hindering their path towards economic independence and autonomy over life and family decisions, with limited resources dedicated to the gender dimensions of migration. Many recruitment agencies, driven by their own financial incentives, place skilled and highly educated women in domestic work and discourage their attainment of further skills or higher-skilled employment in other sectors.

67. Migrants face considerable legal and practical obstacles to freedom of association and the right to collective bargaining. Temporary work contracts, long working hours, isolated workplaces, discrimination and anti-migrant attitudes, and fear of anti-union reprisals further hamper many migrants' ability to organize or join trade unions.⁷⁶

F. Access to social protections

68. All human beings, irrespective of their migration status, have economic, social and cultural rights.⁷⁷ The elimination of legal, administrative and other barriers is a prerequisite for migrants to gain access to health care, education, justice and housing. By ensuring that the providers of essential services are not obliged to share information about migrants with the authorities, migrants can be treated when they are unwell, their children can continue with their education, and those who are victims of crimes can file complaints with the police, without fear of arrest or deportation.

69. Migrant workers should enjoy the same treatment as nationals. However, they often lack access to social protections, as well as to economic, social and cultural rights more broadly. This increases their dependence on employers and worsens situations of vulnerability, hindering their contributions to society.

70. Despite 645 multilateral social security agreements globally, coverage is limited primarily to countries of the global North.⁷⁸ Practical barriers, such as employers' limitations in administering benefits and burdens on migrant workers, further impede access.⁷⁹ In the context of South-South migration, deficiencies in social protection systems restrict migrants' rights, with portability remaining a challenge.

71. Despite a significant rise in the number of countries that now accept dual citizenship, which can support integration,⁸⁰ restricted access to citizenship persists in many countries, and prolonged residency is often required before complicated application processes.

VI. Factors supporting migrants' contributions

72. The Special Rapporteur was encouraged by numerous reports of initiatives to support migrants' contributions. It is, however, important to restate that migrants are rights holders

⁷⁵ Submission by Cabo Verde.

⁷⁶ See ILO, *Migrant Workers' Rights to Freedom of Association and Collective Bargaining* (Geneva, International Labour Office, 2023).

⁷⁷ See OHCHR, "Technical note: access to services and protection of economic, social and cultural rights" (2018); and <https://www.ohchr.org/en/migration/economic-social-and-cultural-rights-migrants-and-access-services>.

⁷⁸ See Sayaka Iha, "Global Overview of International Social Security Agreements" (International Social Security Association, 2022).

⁷⁹ See ILO, *Social Protection for Migrant Workers in Countries of the Cooperation Council for the Arab States of the Gulf: A Regional Mapping of Provisions on Paper and in Practice* (Beirut, International Labour Office, 2023).

⁸⁰ See Maarten Vink, Gerard-René de Groot and Ngo Chun Luk, "Global Expatriate Dual Citizenship Dataset", Maastricht Centre for Citizenship, Migration and Development, available at <https://macimide.maastrichtuniversity.nl/dual-cit-database/>.

and that their rights should be protected, regardless of the contributions that they make to society.

A. Protection of the human and labour rights of migrants, irrespective of their status

1. Anti-discrimination legislation and policies

73. Anti-discrimination legislation and the protection of human rights are pivotal for enabling migrants to fully contribute to society. Xenophobia and policies based on xenophobia greatly jeopardize the realization of the entire international human rights normative framework, including the Global Compact for Migration, the Global Compact on Refugees, the Sustainable Development Goals and the Durban Declaration and Programme of Action.⁸¹ Evidence from every region shows a dire need to address xenophobia.

74. Greece enforces equal treatment in employment. In Australia, individuals can file complaints under anti-discrimination laws. The National Integration Plan of Uruguay includes a section on discrimination, racism and xenophobia. Serbia works to prevent xenophobia and intolerance, in accordance with the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of the Child. Switzerland tackles anti-discrimination by raising awareness of racial discrimination, carrying out monitoring and reporting on the situation, funding projects to combat racism and strengthening legal protections against discrimination.⁸²

2. Measures to curtail debt-financed migration, including anti-trafficking legislation

75. Anti-trafficking efforts are key to migrants' safety and societal contributions. Australia identified exploitation within its visa system, prompting the creation of a centralized compliance mechanism to protect workers and ensure employer accountability and requiring agents to inform clients about workplace rights and exploitation reporting methods.⁸³

3. Incorporation and implementation of international labour standards

76. Incorporating international human rights and labour standards is essential for migrant workers' rights. This includes the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and key ILO conventions and protocols, including the Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Equality of Treatment (Social Security) Convention, 1962 (No. 118), the Private Employment Agencies Convention, 1997 (No. 181), the Domestic Workers Convention, 2011 (No. 189), and the Violence and Harassment Convention, 2019 (No. 190).

77. Fair recruitment practices are key to protecting the rights of migrant workers. The ILO Fair Recruitment Initiative has spurred revisions of private recruitment agency regulations, drawing on the ILO general principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs, which are based on international labour standards. Reforms have occurred in Guatemala, the Lao People's Democratic Republic and Uganda, and the Government of the United States has issued relevant guidance on the matter. The ILO principles and operational guidelines have also been incorporated into the regional

⁸¹ See the concept note on a joint general comment/recommendation of the Committee on the Elimination of Racial Discrimination and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on addressing and eradicating xenophobia and its impact on the rights of migrants, their families and other non-citizens affected by racial discrimination, December 2023, available at <https://www.ohchr.org/en/calls-for-input/2024/call-submissions-concept-paper-cerd-cmw-joint-general-comment-recommendation>.

⁸² Submissions by Australia, Greece, Serbia, Switzerland and Uruguay.

⁸³ Submission by Australia.

labour migration strategy for Latin America and the Caribbean and the Migration Policy Framework for Africa and Plan of Action (2018–2030).

78. The Governance of Labour Migration in South and South-East Asia project supports the Colombo Process, a collective of 12 Asian countries of origin, by strengthening policy talks and worker rights, with a focus on gender-responsive recruitment. UN-Women used its self-assessment tool to train officials and recruiters in Bangladesh, leading to 60 agencies receiving licences for gender-sensitive recruitment by 2023.⁸⁴

4. Giving migrants a voice

(a) Rights to freedom of association and collective bargaining

79. Laws affirming the rights to freedom of association and collective bargaining should be upheld by removing barriers that prevent migrant workers from forming unions. Legislative reforms are improving migrant workers' rights to unionize around the world.⁸⁵ Algeria has authorized non-nationals to form unions and hold executive positions after three years of residence. Türkiye allows non-citizens to establish and join unions, while Spain grants migrant workers equal rights to unionize and strike.⁸⁶ Enhancing the level of organization of women migrant workers can bolster their advocacy for labour rights and improve access to counselling, parenting support, legal aid, financial literacy and other services.

(b) Rights to freedom of expression and participation in policy processes

80. Several States have developed platforms that enable migrants to identify challenges and influence policymaking. In Greece, the Social Integration Directorate collaborates with local bodies and migrant organizations to manage migrant and refugee integration councils. In Brazil, there are advisory committees and councils for refugees and migrants across the country. In Cyprus, intercultural councils unite migrant groups, authorities, civil society and NGOs to advance integration and unity.⁸⁷

5. Access to justice and redress for human rights violations and abuses

81. Several countries highlighted the existence of initiatives to ensure that migrants have access to justice and redress for human rights violations. NGOs in Cyprus offer legal assistance to uphold migrants' rights. Brazil offers access to a human rights hotline, while Albania pays special attention to minors in irregular situations.⁸⁸

B. Expanding regular pathways and regularization programmes

82. Ensuring that migrants can access safe, regular travel lies at the heart of creating human rights-based and gender-responsive migration laws, policies and services, reducing their need for dangerous, irregular travel. The Global Compact for Migration focuses on expanding regular migration to meet labour demands, promote family reunification and support at-risk migrants. Countries are urged to enhance their admission policies, considering humanitarian, family and employment needs, consistent with human rights standards, and providing alternative options for asylum-seekers and low-income migrants. The United Nations Network on Migration emphasizes the importance of regular migration to protect vulnerable migrants and includes recommendations on the expansion of such channels to minimize abuse and facilitate integration.⁸⁹

83. Many countries recognize the benefits of regularization programmes, which allow migrants to regularize their status, protect migrants' rights and support industries reliant on

⁸⁴ Submission by UN-Women.

⁸⁵ ILO, *Migrant Workers' Rights to Freedom of Association and Collective Bargaining*, pp. 70 and 71.

⁸⁶ *Ibid.*, p. 70.

⁸⁷ Submissions by Brazil, Cyprus and Greece.

⁸⁸ Submissions by Albania, Brazil and Cyprus.

⁸⁹ See United Nations Network on Migration, "Regular pathways".

migrant labour. Regularization leads to stronger social ties, reduced inequality and improved participation in community life. These programmes expand the tax base. The programmes are tailored either to labour market demands, as in Italy, Malaysia, Portugal and Spain, or to humanitarian needs, as in Germany, Netherlands (Kingdom of the) and Sweden.⁹⁰ The Platform for International Cooperation on Undocumented Migrants details 10 key elements for effective regularization, and the United Nations Network on Migration offers guidance on best practices.⁹¹

C. Integration legislation, policies and programmes

84. Countries emphasize the significance of integration policies in assisting migrants' arrival and settlement, recognizing that well-supported migrants enhance social cohesion and participation in society. Integration strategies are focused on ensuring access to essential services, promoting social integration, facilitating labour market entry and securing regular status.

85. For countries experiencing increased levels of immigration, developing and bolstering integration policies is vital. Lithuania, which is currently receiving increasing flows of Ukrainian refugees, has bolstered municipal integration, particularly with regard to job market entry, through training for municipal officials and study exchanges with other States members of the European Union.⁹²

86. To support integration, many countries provide information in multiple languages. In Canada, federally funded "settlement services" are available in multiple languages, helping with employment, community integration and providing other support services.⁹³

87. Successful migrant integration often involves collaboration with municipal authorities and a whole-of-society approach. In Greece, community centres partner with municipalities to support integration. In Cabo Verde, local immigration units offer support and guidance. In Argentina, migrant and refugee centres offer legal assistance, job placement and other services, with support from IOM and the Office of the United Nations High Commissioner for Refugees (UNHCR).⁹⁴

88. Tailored integration programmes addressing specific needs in migrant communities have proved successful. Greece focuses on protected groups, minors and women. Canada supports vulnerable migrants with relocation and financial services and provides migrant women with job placements, mentorships and counselling.⁹⁵

89. Successful integration reaps benefits for both migrants and host communities. The investment made by Canada in integration (Can\$ 1.1 billion for 2023–2024) has yielded positive outcomes: an employment rate of over 75 per cent among newcomers and a strong sense of connection for 90 per cent of migrants.⁹⁶

90. Access to basic services is essential for the successful reception and integration of migrants. Best practices involve assessing individual vulnerabilities and needs, ensuring health care and psychosocial support and providing housing assistance and information on financial services.

⁹⁰ See Pablo Rojas Coppari and Samuel Poirier, "Addressing irregularity and combating vulnerabilities: regularisation programmes implemented during and as a result of COVID-19", in *Research Handbook on Migration, Gender, and COVID-19*, McAuliffe and Bauloz, eds.

⁹¹ See Platform for International Cooperation on Undocumented Migrants, "Regularisation mechanisms and programmes: why they matter and how to design them" (2022); and United Nations Network on Migration, "Regular pathways".

⁹² Submission by Lithuania.

⁹³ Submission by Canada.

⁹⁴ Submissions by Argentina, Cabo Verde and Greece.

⁹⁵ Submissions by Canada and Greece.

⁹⁶ Immigration, Refugees and Citizenship Canada, *2023 Settlement Outcomes Report: Data-driven Insights for the Future of the Settlement Program* (2023), p. 15.

91. States highlight cultural events as key to migrant social inclusion and cohesion. Several countries consider language instruction to be crucial for migrants' social inclusion, as it improves their access to education, job opportunities and health services.⁹⁷

92. Under international human rights law, everyone has the right to social security in order to ensure a minimum standard of dignity. This includes affordable access to health care and family support, support for illness, injury or disability and the right to benefit from social security schemes to which they contribute. Extending all social security rights is central to ensuring protective labour law and guaranteeing decent work for all.

93. Access to education is crucial for migrant integration but often falls short in practice, leading to lower outcomes for migrants. Irregular migrants may forgo the education of their children for fear of deportation. In Germany, the separation of school and immigration reporting has improved school attendance, as have simplified school registration processes in Thailand.⁹⁸

94. Family reunification aids migrants' social inclusion, enhancing community integration through schools, sports and other social activities.⁹⁹ In Australia, for example, the Pacific Australia Labour Mobility scheme allows workers from Pacific island States and Timor-Leste on work placements of one to four years to bring their families under employer sponsorship, with access to work, study, public schooling, tax benefits and subsidized health care.¹⁰⁰

95. Labour market access is considered crucial, with the potential to add \$1 trillion to gross world product annually.¹⁰¹ States offer training and information to aid migrants in their job searches. Greece launched myDYPALive, a digital platform providing personalized job counselling in 14 languages, while Armenia expedited labour market entry with a digital platform.¹⁰²

96. Recognizing migrants' educational credentials is key for employment and skills utilization. Denmark offers a centralized system for credential recognition.¹⁰³ Alongside UNHCR and European partners, Serbia provides assistance in validating the qualifications of asylum-seekers and refugees.¹⁰⁴

97. Forty-five countries now grant voting rights to non-citizens in local or regional elections. European Union citizens residing in another European Union country have the right to vote and stand in local elections, and around half of European Union countries extend these rights to non-European Union nationals.¹⁰⁵

98. Mobile apps and web platforms are increasingly pivotal for migrant integration. IOM trialled an urban diagnostic toolkit in Agadir, Morocco, to collect migrant feedback in order to address integration challenges.¹⁰⁶ The "Clíque Cidadania" application launched by Brazil offers migrants information on rights and services.¹⁰⁷

⁹⁷ See Céline Bauloz, Zana Vathi and Diego Acosta, "Migration, inclusion and social cohesion: challenges, recent developments and opportunities", in *World Migration Report 2020*, McAuliffe and Khadria, eds.

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Submission by Australia.

¹⁰¹ See Bauloz, Vathi and Acosta, "Migration, inclusion and social cohesion".

¹⁰² Submissions by Armenia and Greece.

¹⁰³ Bauloz, Vathi and Acosta, "Migration, inclusion and social cohesion", p. 195.

¹⁰⁴ Submission by Serbia.

¹⁰⁵ See Aleksandra Jolinka, "Local voting rights for non-EU nationals in the EU: democratic principle or earned privilege?", Routed, 20 February 2021.

¹⁰⁶ See <https://www.iom.int/project/supporting-municipality-agadir-promoting-migrant-integration-morocco>.

¹⁰⁷ Submission by Brazil.

D. Community-driven initiatives that support and foster migrant contributions

99. Diaspora communities are pivotal for migrant integration, offering cultural insights, social networking and linguistic aid, while providing assistance in employment, housing and legal processes. They provide educational support and champion migrants' rights, aiding adaptation and bringing valuable skills and perspectives. Local media outlets that broadcast in the native languages of migrants deliver news from origin and host countries, supporting daily life and civic participation. They help migrants to maintain cultural connections and are crucial for information access during emergencies and economic integration through job listings.

100. Trade unions innovate to support migrant workers. In Belgium, the Confederation of Christian Trade Unions educates migrants on their rights. The Malaysian Trades Union Congress assisted 500 migrants in joining the Electronics Union in Penang. The central union of Mozambique and the Zimbabwe Congress of Trade Unions now include migrants. The Association of Southeast Asian Nations (ASEAN) Trade Union Council strives for portable union rights across borders. In Belgium and Sweden, unions now include undocumented migrants and support their rights.¹⁰⁸

101. Civil society, NGOs, migrant groups and the private sector play crucial roles in migrant integration and cultural exchange.¹⁰⁹ Australia celebrates migrant entrepreneurship through the community-led Ethnic Business Awards, sharing inspiring success stories.¹¹⁰ In Brazil, partnerships such as the Companies with Refugees Forum boost refugee employment. In Greece, the Multaka project involves refugees in intercultural museum tours. In Cabo Verde, immigrant associations engage in policymaking and provide vocational training. Serbian civil society actors run integration workshops, and Lithuanian NGOs offer personalized assistance plans for refugee integration.

VII. Supporting an evidence-based narrative on migration that reflects migrants' contributions to society

102. Efforts to promote an evidence-based narrative about migration are crucial for acknowledging and maximizing migrants' contributions to society. OHCHR actively challenges xenophobia and anti-migrant discourse. In that regard, its campaigns are aimed at redirecting the narrative towards human rights, and it has formulated seven key elements on building human rights-based narratives on migrants and migration.¹¹¹

103. Personal testimonies are vital to advocacy networks and campaigns to help audiences to connect and empathize with affected people. Messages that foreground values such as family, freedom and fairness are more likely to resonate with those who are open to changing their minds, as are messages that are "two parts solution, one part problem" or that seize the moral high ground rather than referring to pragmatics and cost savings.¹¹²

104. Social media enables the amplification of positive messages about migrants and is also used by migrants experiencing human rights violations, for example, in detention, to advocate for their rights and raise awareness of abuses, fostering advocacy networks internationally.¹¹³

¹⁰⁸ See ILO, *Migrant Workers' Rights to Freedom of Association and Collective Bargaining*.

¹⁰⁹ Submissions by Brazil, Cabo Verde, Greece and Serbia.

¹¹⁰ See <https://www.ethnicbusinessawards.com/>.

¹¹¹ See OHCHR, "Seven key elements on building human rights-based narratives on migrants and migration" (2020).

¹¹² See Asylum Seeker Resource Centre, "Words that work: making the best case for people seeking asylum", 2017.

¹¹³ See Cecilia Cannon and Shaminda Kanapathi, "Using new media platforms for human rights advocacy in real-time: people seeking asylum in Nauru and Papua New Guinea", in *Research Handbook on International Migration and Digital Technology*, McAuliffe, ed.

105. IOM research underscores the importance of ethical journalism and evidence-based reporting, rewarding best practices with recognition.¹¹⁴ IOM calls for platform governance and accountability to address disinformation, including partnerships for fact-checking and content evaluation by human moderators. Digital platforms should ensure safety and privacy in all products, alongside the consistent application of policies across countries and languages.¹¹⁵ Combating misinformation involves disseminating accurate information, using the “truth sandwich” method, labelling suspect content and empowering community messengers. Through its annual Global Media Competition on Labour Migration, ILO celebrates quality reporting on labour migration and fair recruitment, countering harmful narratives and fostering public understanding.¹¹⁶

106. Argentina encourages the media to recognize migrants as valued members of society; use non-criminalizing language, such as “persons in an irregular migration situation”; incorporate diverse, credible sources, including migrant voices; and refrain from associating physical traits or nationalities with negative behaviour. In Canada, the Immigration Matters campaign shares positive migrant stories. Cabo Verde launches relevant campaigns and radio programmes. Serbia holds workshops and cultural events with media representatives and officials and organizes campaigns. Lithuania celebrates migrants’ contributions among young people.¹¹⁷

VIII. Conclusions and recommendations

A. Conclusions

107. **The political discourse surrounding migration has taken a negative, inflammatory and divisive turn, culminating in the proposal and adoption of migration policies steeped in an alarmist mentality. This runs counter to the best interests of our economies and societies. Disinformation and misinformation about migration are on the rise, often driven by coordinated groups, with campaigns designed to distort public perceptions of migrants. To a large degree, they are succeeding, due to the reinforcement and legitimacy that some politicians give them.**

108. **Xenophobia, racism, hate speech and violence against migrants are thus becoming normalized, while migrants’ well-documented and numerous contributions are ignored or denied. This not only causes immediate harm to victims but also shakes the foundations of diversity, equality and human rights on which peaceful societies are built.**

109. **However, migrants continue to make enormous contributions, leading to sociocultural enrichment, civic-political engagement and economic benefits around the world. Nearly every aspect of life is enriched by the customs, traditions, technologies, skills and knowledge that migrants carry with them. From food to ways of learning, health treatments, sport, film, music and clothing, migrants improve lives and enrich cultures.**

110. **When permitted, migrants engage in politics, volunteer and support local development, often on a par with nationals. They strengthen diplomatic relations and international cooperation, are key players in peacebuilding and enhance intercultural dialogue, social justice and tolerance in host and origin countries.**

111. **Migrants enhance economies with diverse skills, innovation and entrepreneurship, often filling essential roles, especially during crises. Comprising 4.9 per cent of the global workforce, migrants contribute to the demographic balance,**

¹¹⁴ Culloty and others, “Disinformation about migration”, p. 223.

¹¹⁵ See United Nations, “Information integrity on digital platforms”, Our Common Agenda Policy Brief No. 8 (June 2023).

¹¹⁶ See <http://www.ilo.org/global/topics/labour-migration/events-training/media-competition/lang-en/index.htm>.

¹¹⁷ Submissions by Argentina, Cabo Verde, Canada, Lithuania and Serbia.

bolster workforces, pay taxes and invigorate consumer markets. Their remittances are a financial lifeline for low- and middle-income countries. Diaspora bonds offer countries a way to fund development projects while supporting origin countries' economies.

112. Migrants' continued contributions and the enormous benefits that they bring are clear. Nevertheless, several factors have enabled a shift in societal perceptions of migrants. Once viewed as a positive economic and social force, migrants are now increasingly viewed as a security threat that must be controlled. Concurrently, many countries have adopted selective immigration policies, cementing a divisive view of "desirable" and "undesirable" migrants and creating gross inequalities in terms of access to regular migration, with people in lower-income countries, in particular African countries, most severely restricted in their access to the benefits of migration and their ability to contribute as migrants around the world. This exacerbates inequalities.

113. The narratives that have subsequently emerged, particularly surrounding migrants in irregular situations and asylum-seekers, have become hostile, dehumanizing and criminalizing. Political figures and influencers exploit economic anxieties, incorrectly attributing job losses or lower wages to migration, despite evidence suggesting the opposite. During economic slumps, it is easy, yet erroneous and destructive, to scapegoat migrants. To do so deflects from genuine societal issues that require informed policy responses.

114. The troubling rise in far-right disinformation attacks often peaks before national elections and around migration-specific events. These malicious attacks against migrants and societal cohesion must stop.

115. Despite the potential that migrants have to enrich societies, they face multiple barriers and human rights violations and, often, discrimination and xenophobia. Those in irregular situations are frequently exposed to rights violations, abuse and exploitation, inadequate working conditions, lack of social and health-care services and squalid detention conditions. The rights enjoyed by temporary workers play a significant role in ensuring their access to housing, food, health care, social security, family life and freedom of association. Asylum-seekers and refugees frequently arrive with trauma and injuries, impairing their full participation in host countries. Legal complexities and slow bureaucratic processes often obstruct their path to regular status.

116. Migrants often encounter significant obstacles in the labour market and substandard working conditions, despite filling essential labour shortages. Difficulties in securing or renewing work permits often drive them into irregular situations, unemployment or the informal economy, heightening the risk of exploitation. The lack of recognition of foreign qualifications and skills often prevents migrants from working in the fields in which they were trained. Migrants face considerable legal and practical obstacles to freedom of association and the right to collective bargaining, as well as to social protections and economic, social and cultural rights more broadly.

117. Governments and civil society actors submitted information on initiatives that support migrants' contributions. The key focus areas include safeguarding migrants' human and labour rights, regardless of their status, through: anti-discrimination laws and initiatives; strategies to curtail debt-financed migration, including anti-trafficking legislation; incorporation of international labour standards; empowering migrants by ensuring freedom of association and collective bargaining, and participation in policymaking; and guaranteeing migrants' access to legal remedies for human rights violations. Additional efforts include expanding regular pathways and regularization programmes; legislation and initiatives aimed at migrant integration; and grass-roots projects, supported by civil society and the private sector.

118. Supporting an evidence-based narrative on migration is crucial for upholding migrants' rights and ensuring that their contributions are acknowledged and valued. Personal testimonies play a significant role, and narratives rooted in values such as family, freedom and fairness are more effective in connecting with the public. Although social media has served to fuel disinformation on migration, it can also serve as a

powerful platform to amplify positive messages, highlighting migrants' humanity and supporting their advocacy, in particular in relation to human rights violations. Through its campaigns and toolbox on migration narrative change, OHCHR advocates for a human rights-based approach to migration narratives, emphasizing storytelling, local impact and a collective approach to counter harmful stereotypes.

B. Recommendations

119. The Global Compact for Migration provides a common framework that serves to create societies in which the human rights of migrants are fully realized. It includes recommendations and actions to support States in achieving its 23 objectives.

120. To foster migrants' contributions in society, the Special Rapporteur recommends that Governments:

(a) Consider transferring responsibility for immigration from security agencies to dedicated government departments in order to refocus attention on the benefits that well-managed migration offers, including by:

(i) Placing emphasis on integration strategies, fostering social cohesion and upholding the human and labour rights of migrants;

(ii) Considering the benefits of redirecting even small amounts of ballooning border security budgets towards integration policies;

(b) Ensure the protection of the human and labour rights of migrants, irrespective of their status, including by:

(i) Committing to respecting, protecting and fulfilling all human rights in the context of migration;

(ii) Ensuring fundamental principles and rights at work and the promotion of decent work in the context of labour migration;

(iii) Implementing minimum requirements for comprehensive labour migration;

(iv) Adopting and implementing anti-discrimination legislation;

(v) Recognizing that xenophobia, racism and other forms of discrimination, and policies that allow them to occur, pose significant threats to the human and labour rights of migrants and run counter to the principle – foundational to the 2030 Agenda – of “leaving no one behind”;

(vi) Developing public policies to tackle xenophobia and utilizing a whole-of-government strategy with clear objectives, follow-up systems and inclusive processes;

(vii) Combating debt-financed irregular migration that leads to situations of exploitation, adopting and implementing anti-trafficking legislation and improving prosecutions to halt impunity;

(viii) Incorporating and implementing international human rights and labour standards to guarantee migrant workers' rights, including:

a. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

b. Key ILO conventions and protocols;

(ix) Ensuring fair recruitment practices to protect the rights of migrant workers and boost their contributions to development;

(x) Removing barriers that prevent migrant workers from exercising their rights to freedom of association and collective bargaining;

- (xi) **Enacting legislation that allows migrant workers, including women, to organize and join trade unions;**
- (xii) **Ensuring that migrants have access to justice and redress for human rights violations and abuses;**
- (c) **Facilitate the inclusion of migrant voices in policy and planning processes, in particular when those processes affect them;**
- (d) **Prevent and respond to violence against migrants, in particular those travelling irregularly or facing vulnerabilities;**
- (e) **Conduct needs assessments of newly arrived migrants, offering trauma support, rehabilitation and adapted integration strategies for people facing vulnerabilities;**
- (f) **Ensure that all migrants can access safe and regular migration pathways, including by assessing immigration selection criteria, creating new regular pathways of migration and removing legal barriers that leave asylum-seekers and refugees in legal limbo, as well as through regularization programmes;**
- (g) **Use immigration detention as a last resort, for a limited duration and only for administrative purposes;**
- (h) **Develop and implement comprehensive integration policies to assist migrants upon arrival and during settlement, including by:**
 - (i) **Ensuring access to essential services, including vulnerability and needs assessments, health and psychosocial support, housing assistance, education on financial services and access to education;**
 - (ii) **Promoting social integration, including by facilitating family reunification and supporting cultural events and festivals;**
 - (iii) **Facilitating labour market access, including by recognizing migrants' educational credentials and providing support to migrants on employment opportunities and skills enhancement;**
 - (iv) **Facilitating regular status through streamlined permit acquisition and renewal and naturalization processes;**
 - (v) **Providing access to information in the native languages of migrants to support integration;**
 - (vi) **Ensuring a whole-of-society approach to integration, including collaboration with municipal authorities, all government departments, civil society, businesses, migrant associations and other relevant actors;**
 - (vii) **Providing tailored integration strategies and programmes addressing specific needs within migrant communities, in particular for groups facing vulnerabilities.**

121. **To avoid negative narratives about migration and promote positive narratives that reflect their well-documented contributions, the Special Rapporteur recommends that:**

- (a) **All stakeholders analyse the narratives that they use to speak about migrants and promote balanced and evidence-based narratives domestically;**
- (b) **All stakeholders refrain from using, supporting or amplifying disinformation or hate speech for any purpose;**
- (c) **Governments cease to position migration as a security threat and instead focus on the well-documented contributions of migrants and the multitude of benefits and societal and economic enrichment that migration affords;**
- (d) **Governments, foundations and other donors make funds and resources available for campaigns that communicate migrants' contributions and their inspiring stories;**

- (e) Governments redirect even a small fraction of border security budgets to campaigns that foster social cohesion and enrichment;
- (f) Stakeholders systematically monitor, collect data and evidence and report on and make available information on migrants' contributions, including through the maintenance of databases and surveys on immigration outcomes;
- (g) Stakeholders consider the full sociocultural, civic-political and economic contributions of migrants and refrain from referring to migrants as having only transactional economic utility;
- (h) Digital platforms ensure safety and privacy in all products, alongside policies and resources across countries and languages, including by:
 - (i) Ensuring meaningful transparency regarding artificial intelligence, algorithms, data, content moderation and advertising and that they are safe, secure, responsible and ethical and comply with human rights obligations;
 - (ii) Publishing and publicizing accessible policies on misinformation, disinformation and hate speech and reporting on the prevalence of coordinated disinformation operations on their services and the efficacy of policies to counter such operations;
 - (iii) Moving away from business models that prioritize engagement over human rights, privacy and safety;
 - (iv) Ensuring safety and privacy in all products, including through adequate resourcing of in-house trust and safety expertise, alongside the consistent application of policies across countries and languages;
 - (v) Investing in human and artificial intelligence content moderation systems in all languages used in countries of operation and ensuring that content reporting mechanisms are transparent, with an accelerated response rate, especially in conflict settings;
- (i) Governments, together with other actors, collaborate to uncover and hold to account the authors of disinformation relating to migrants, particularly when produced and spread by organized groups and online influencers;
- (j) All actors, including States, international organizations, NGOs, civil society groups, traditional and social media outlets, businesses and individuals review and make use of relevant OHCHR guidelines, campaigns and tools to ensure that the narrative around migration reflects the positive force that it represents.
