

International Migrants' Day: Migrants are human beings

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"We wanted workers, but we got human beings" -- Swiss writer Max Frisch on the 1960s European "guest worker programmes"

December 18 is International Migrants' Day. The issue of migrants and migration is one that is occupying increasing space in the public sphere of most countries. Migration is seen variously as a means to contribute to economic growth via money sent from abroad, as a threat to the labour market of the country of employment or as a drain on the public services of the host country.

In most of these "cost-benefit" equations of migration, the one voice that is silent, the one figure that is absent, is that of the migrant herself. Yet, the everyday reality for many migrants all around the globe remains a bleak one. Vilified by politicians and the popular media, often subject to discrimination and human rights violations, many migrants live their lives on the margins of societies unwilling or unable to accept or integrate them fully.

The vulnerability of migrants, who are vulnerable anyway because they live and work in a country to which they lack the bond of nationality, is exacerbated significantly in the case of "irregular" or "undocumented" migrants. There is a high demand, emanating from governments and societies in many diverse regions of the world, for cheap and flexible labour. This demand is often filled through the recruitment of migrant workers into the informal sector of the economy; these migrant workers and members of their families are "irregular".

In many situations documented by Amnesty International, it appears that the "irregularity" of these migrant workers and their families has led policy-makers to the conclusion that these migrants do not have fundamental human rights in spite of the fact that they make a substantial social and economic contribution to the communities they reside in. Many are treated as less than human. States threaten to arbitrarily expel them from their territory, leading to severe human rights abuses, including torture, in the process. They are routinely denied access to basic human rights such as the right to employment, to adequate healthcare and to adequate housing.

Vulnerable groups of "irregular" migrants, such as children, are too often detained, beaten and subjected to sexual abuse, in contravention of the most fundamental norms of international human rights law. Thus a dangerous hypocritical discourse has emerged that encourages the labour of the migrant worker, while denying their humanity.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families ("the Migrant Workers Convention"), which came into force in July 2003 and has currently been ratified by 27 states, provides that all migrants, irrespective of their immigration status, should be able to enjoy certain fundamental rights. This includes the right to be free from torture, the right to equality before the law and in conditions of work, and the right to urgent medical care.

While Amnesty International recognises the sovereign right of states to control their borders, this can not be at the expense of the human rights of any migrant, whatever her legal status. All states should ratify the Migrant Workers Convention and implement effectively its provisions. In this context, the 27 state parties to this Convention must not delay their reports to the Committee on Migrant Workers any further.

18 December is a day on which everyone must commit themselves to uphold the human rights of migrants - all of them, regardless of their status, are entitled to respect for their human rights.