



AC Key Advocacy Points: Spring IDM, 21.22 May 2024

Delivered by Ian M. Kysel, Migrant Rights Initiative, on behalf of the Action Committee.

1. **Any and all regular pathways must be rights-based in design and implementation. In order to ensure this, it is critical to:**
 - **Extend regular pathways beyond temporary labour mobility schemes** to ensure protection and access for those unable to fulfil labour mobility pathway criteria (e.g. lower-skilled workers, children, elderly people, primary caretakers of vulnerable family members).
 - **Include pathways to regularisation for those undocumented** / who have migrated irregularly or fallen into irregularity (e.g. due to trafficking, exploitative labour conditions)

Any discussion about regular migration pathways must also be accompanied by the following considerations:

- **Being careful not to pit regular migrants against irregular migrants**, as it can contribute to dehumanizing narratives and increase the risk to the lives of migrants. **Not all migrants**, especially those fleeing dire socio-economic conditions or disasters, **will be able to access regular pathways, but their rights and lives must still be protected.**
- **Ensure that new regular pathways do not replace a strong asylum system** and should not be used to justify policies that deny fair treatment to genuine asylum seekers. Family reunification visas should be part of a legal immigration system.
- **Drivers of migration must be addressed in tandem with the development of regular pathways.** We are projected to fail to reach many of the SDGs, and these will become causes of migration. In this context, it's essential to invest in and build the capacity of member states to get back on track while also preparing for increased movement.

- We must **build international solidarity to safely implement regular pathways** as well as address these drivers, in particular, increased armed conflicts, climate vulnerability, and food insecurity.

2. All development of labour mobility pathways must prioritise justice and rights for migrant workers, and must:

- **Address abusive and exploitative practices by employers** and ensure that migrant workers and their families have guaranteed access to justice and reparation.
- **Protect the rights of migrant workers**, including freedom of association, access to justice, the right to decent work, and a fair wage. This includes longer-term regular pathways to naturalization for workers coming from climate-vulnerable communities.
- Be based on **labour market analysis of skills needs and gaps** across countries of destination and origin.
- **Finally, all pathways must be designed and implemented with the self-organised representation and participation of migrants at the center, through sustained and inclusive dialogue with various sectors of civil society**, including trade unions, migrant-led organizations, diasporas, and grassroots communities.