**MAJALAT – Webinar Series**

**CONCEPT NOTE**

***Migration and Mobility in the context of COVID-19***

In May 2020, the MAJALAT consortium launched a series of webinars which will run until the end of September and will cover 6 thematic areas in the framework of 3 cycles. They include Governance and the Rule of Law, Economic Development and Social Dialogue, Migration and Mobility, Security and the Fight against Violence, Climate Justice and the cross-cutting topic of Youth. The focus of the webinars varies depending on the cycle. The first cycle aimed to reflect on the impact of the COVID-19 crisis in the specific area of ​​the Euro-Mediterranean region and to follow up on the recommendations that were made during the MAJALAT 2019 cycle of activities. The second cycle focused on capacity building in order to deepen the knowledge of civil society on relevant EU policies. Finally, the third series of webinars, which will take place throughout the month of September, will be held with the aim of discussing the impact of the crisis on the thematic areas in question and the recommendations of MAJALAT, in the presence of representatives of the EU.

**Migration and Mobility - Main points emerging from the discussions:**

As for the thematic area of Migration and Mobility, the first webinar took place on May 29, 2020 while the second one took place on June 23. In order to facilitate the work and discussions on the subject, two entry points have been defined, one being social protection and the rights of migrants and the other the engagement of civil society in bilateral discussions. The following paragraphs summarize the findings of the webinars organized with CSO representatives from the Neighborhood South region.

Given their legal status, migrants and their families are particularly vulnerable to stigmatization, discrimination and therefore to the current health crisis. With regard to the latter, they often face obstacles in accessing health care, notably because of linguistic, cultural and economic barriers. In addition, they sometimes lack access to basic information. Migrants therefore very often have a different level of information than the rest of the population. As a consequence, they too should be involved in the information campaigns of local, regional and national authorities. Moreover, civil society organizations active in the field of migration are currently restricted in their work due to the state of emergency that has been put in place. It is therefore very difficult to make observations on the ground and verify the respect of migrants' health rights as well as their adequate access to health facilities.

Since the majority of migrants work in the informal sector, many of them have lost their jobs with the pandemic which makes the eligibility of their regularization file more and more difficult. The issue of the right to education was also discussed with regards to the children of migrants who face additional obstacles with distance education since they must have access to a good internet connection and have technological tools developed to be able to follow their programs online. Regarding the detention of migrants, participants expressed concern about the sanitary condition in detention centers due to their overpopulation and their lack of hygiene. In addition, the issue of the lack of attention to the situation of migrants with special needs and migrant women has been raised. The lack of statistics specific to these categories is a point of concern for participants, particularly because they face many forms of discrimination.

The initiatives of civil society organizations and unions engaged in the field of migrant work, particularly those related to advocacy, humanitarian aid and their contribution to the establishment of a social safety net given at risk of rapid deterioration of living conditions of this population have been mentioned. However, their inadequacy in the face of the humanitarian emergency experienced by these non-nationals was underlined and work on a different scale appears essential.

In addition, certain efforts of various governments (examples: Moroccan and Tunisian) such as those relating to the extension of the stay of migrants automatically until the end of the health crisis were welcomed. However, these encouraging measures are temporary and they were taken for health and economic reasons and do not emanate from a real responsibility vis-à-vis these populations in the long term. The calls for regularization which have been echoed in several countries by trade unions and civil society associations are diluted in the implementation of heavy and excessive administrative measures which are the result of urgency and not of political will to regularization of the situation of these people.
In addition, unilateralism in decision-making under the pretext of a state of emergency has been criticized and fear has been expressed in the event of the continuation of the same policy after the Covid19. Limiting the role of partners will have a negative impact on the policies adopted.

During the webinars, the similarity between the vulnerable situation of migrants, responses and demands of civil society in the south and north shore was highlighted. In this regard, the political responses of the EU and its Member States to the health crisis were presented and analyzed. Financial aid has been granted from the EU to certain countries such as Greece[[1]](#footnote-1), Jordan, Lebanon, Turkey[[2]](#footnote-2), Syria, Palestine and Morocco[[3]](#footnote-3) in order to support those countries which are economically weak and therefore more vulnerable to the current situation.

In addition, the communication from the European Commission of April 16 on asylum procedures and detention centers aimed at making asylum procedures more flexible by providing for measures derogating from the deadlines associated with the application procedure. It also provided for the use of alternative retention structures such as floating spots[[4]](#footnote-4).

Regarding the responses of EU member states: Italy and Portugal have announced regularization measures for migrants by adopting an approach that is in the interest of the economic market rather than the interest of the protection of the rights of migrant workers[[5]](#footnote-5). On the other hand, there are States which have instrumentalized the situation in order to be able to introduce repressive measures. It is important to remember that migration did not stop with the outbreak of the pandemic. This fact is particularly valid for the Libyan coast where conflicts add to the current health crisis. In recent months, more than 1,000 people have left the coast of Tripoli. At the same time, Italy and Malta closed their borders and migrants took to floating spots. Malta has implemented illegal refoulement measures with regards to Libya.

**Conclusion:**
The pandemic and its effects have exacerbated already existing phenomena. The risk of negative spillovers in the area of human rights is enormous. Emergency measures taken by states do not take into account the rights of migrants and lack an intersectional approach. While the health and economic emergency is a priority of states, the latter do no take into account the vulnerability and precariousness in which migrants live. There are many obstacles and hindrances that migrants face on a daily basis. Despite the efforts of civil society organizations and trade unions, the situation of these migrants remains very fragile. These obstacles must be treated politically with responsibility at the regional level. More specifically, this crisis has highlighted the issue of reconsidering the public sector, social protection and health systems in the region.

European responses to this humanitarian crisis are mixed, the approach adopted by the European Commission is not in line with the demands and the revendications of civil society. Some Member States have exploited the situation to put in place more repressive measures. This trend is worrying and may constitute a setback in terms of migrants' rights. Finally, the question was asked around the possibility of starting beyond MAJALAT to lay the groundwork for the continuation of work in the direction of both the EC and the States.

**Recommendations:**
One of the objectives of the first webinar was to review and update the recommendations made during the Brussels Civil Society Forum 2019 as well as to draft new recommendations for the European Union on the issue of Migration and Mobility.

**The following recommendations were accepted by participants during the webinar:**

*Social protection and the rights of migrants*

* Launch information campaigns targeting migrants to inform them about their health rights as well as the measures taken by the authorities in view of the current health situation
* Provide migrant children with the technical equipment they need to benefit from home schooling measures put in place by national authorities in the European Union over the past few months
* Link the financial assistance provided to the countries of the Neighborhood South region following the spread of the pandemic to the respect of human rights of refugees and asylum seekers

*Engaging civil society in bilateral discussions*

* Encourage member states to facilitate the regularization procedure for asylum seekers so that they obtain a work permit and stop working in the informal sector
* Provide more funds for the maintenance of refugee camps in order to improve the health level and avoid overcrowding of the centers.
* Encourage member states to step up their fight against "fake news" and disinformation campaigns aimed at blaming migrants for the spread of the virus

**Recommendations following the Brussels Civil Society Forum 2019:**

*Social protection and the rights of migrants*

* Implement the guidelines of the Global Compact on Safe, Orderly and Regular Migration and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CRMW).
* Revising the Global Compact on Migration (Marrakech Pact), however is needed where it represents a step back from the provisions of the 1990 UN CRMW. This applies in particular to women's rights, detention conditions of migrants and the possibility for States to refuse the application of certain measures.
* In terms of social protection and the fight against the exploitation of migrant workers: creation of mechanisms at EU level for the control and protection of seasonal workers working in Europe and the region.
* Accessing International Labour Organisation (ILO) Conventions, in particular ILO Convention No. 143 migrant worker’s rights. In addition, review the EU's commitment to the climate conventions and their effective implementation (ensuring equal rights for migrants, refugees and nationals, guaranteeing renewal of the stay and modifying criteria of exceptional regulatory policies).

*Engaging civil society in bilateral discussions*

* Supporting cooperation programmes targeting: a) Alternative and traditional community media in the South and Europe to change perceptions about migration. b) Cultural programmes promoting the mobility of young people, artists and others.
* Re-launch the EuroMed tripartite dialogues between the European Union, the Southern Neighbourhood Governments and independent civil society in the region (including independent trade unions).
* Encourage member States to de-criminalise solidarity with, and the rescue of, migrants.
* Establish a trust fund addressing the protection of migrants and displaced persons based on rapid, integrated, flexible and short-term means, hence differing from the current approach of existing funds such as the Africa Fund or the MADAD Fund.
* Expand programmes facilitating the mobility of young people in the Southern Neighbourhood, and request for education and capacity building to include disadvantaged groups (such as women, rural residents and people with disabilities).
* Launch a dialogue on the role the EU could play in simplifying member state’s visa procedures, e.g. establishing a legal basis for cooperation with visa processing companies.
* Evaluate the results of cooperation agreements in the field of migration.
* Support the creation of a committee at regional level on migration policies, that include civil society, to monitor the implementation of the recommendations adopted in this field
1. <https://ec.europa.eu/echo/news/coronavirus-eu-channels-further-assistance-greece-protect-refugees-and-migrants_en> [↑](#footnote-ref-1)
2. <https://ec.europa.eu/commission/presscorner/detail/en/IP_20_998> [↑](#footnote-ref-2)
3. <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/coronavirus_support_south.pdf> [↑](#footnote-ref-3)
4. <https://ec.europa.eu/commission/presscorner/detail/en/ip_20_666> [↑](#footnote-ref-4)
5. <https://www.thenewhumanitarian.org/feature/2020/05/25/Italy-coronavirus-migrant-labour> [↑](#footnote-ref-5)