**CONCEPT PAPER**

**WORKSHOP ON CONSULAR PROTECTION FOR MIGRANT WORKERS**

**BACKGROUND AND RATIONALE**

Labour migration is a complex phenomenon. While it is essentially driven by economic reasons, it is also related to various other factors, including social welfare, human rights, gender and security. The lack of effective labour migration management does not stop migration flows but it does significantly prevent countries from harnessing the benefits of humane and orderly labour migration. In addition, migrant workers are exposed to potential risks and human rights violations.

Research in the region shows that migrant workers, and especially women and irregular migrants, are affected by multiple violations of their labour rights such as minimum wage, the maximum daily working time, access to social security, vacation pay and other benefits. Migrant workers seldom report these violations, firstly because they believe that they have no labour rights and secondly, for fear of deportation.

An increase in labour migration flows is currently being experienced in the region. Therefore, it is imperative to promote and protect the labour rights of migrants, thus ensuring that this mode of migration benefits all.

RCM, as a regional space where various topics relating to international migration are addressed, has fostered dialogue and reflection on this situation as well as potential actions to further the protection of migrant workers. Within this context, RCM has promoted two seminars/workshops on capacity-building of consular officers, with the aim of promoting and protecting the labour rights of migrant workers in countries of destination. RCM strongly believes that consular representations are privileged spaces where actions of this nature can be advanced.

The promotion and consular protection of the labour rights of migrants is a complex task. Numerous experiences exist that could provide valuable knowledge as well as information about lessons learned and best practices to countries in the region. In addition, fostering dialogue on the matter helps develop joint strategies for protection and cooperation in the medium term, generating a greater impact and better results.

At the first seminar/workshop, held in Managua, Nicaragua in May 2012, a general overview was presented of the importance of promoting and protecting the labour rights of migrant workers through consular offices. In addition, a variety of theoretical and practical tools was provided to guide and strengthen the participation of consular authorities.

Furthermore, the need was identified to establish human rights and gender as cross-cutting themes, as part of the actions of consular authorities; capacity-building aimed at coordinating efforts through networks and the establishment of strategic alliances; to consolidate consular actions concerning trafficking in persons for the purpose of labour exploitation; and to support actions that help mitigate the causes of economic/labour migration due to lack of opportunities and financial difficulty in countries of origin.

As a complement to the first workshop a second seminar/workshop was scheduled, aimed at contributing – in the medium term – to the development of a work plan on promotion and protection of the labour rights of migrant workers, within the framework of the Liaison Officer Network for Consular Protection, RCM. The seminar was held in Tegucigalpa, Honduras in late 2013.

Moreover, during the meeting of the Liaison Officer Network for Consular Protection held within the framework of the meeting of the Regional Consultation Group on Migration (RCGM) in Managua, Nicaragua, on July 24, 2014, it was agreed that Nicaragua and Honduras would prepare a concept paper on a potential third workshop aimed at developing general guidelines on consular protection for migrant workers, in order to follow up on the two previous actions and with the objective of preparing a handbook containing the general guidelines for consular actions on this matter.

We believe that now is the time to advance from a review of concepts and best practices to the specific development of a document which contains tools and guidelines for actions to protect migrant workers. The purpose of the seminar/workshop is to obtain relevant input to enable the development of the above-mentioned handbook.

**OBJECTIVES**

**GENERAL OBJECTIVE**

* To help consolidate a theoretical/practical framework for key statements and strategies relating to consular protection for migrant workers, with the aim of identifying the objectives or aspirations on this matter in Member States of RCM.

**SPECIFIC OBJECTIVES**

* To collectively develop guidelines and tools to be included in a handbook on promotion and protection of the labour rights of migrant workers, for Member States of RCM.
* To establish basic necessary actions that should be implemented through consular representations in order to achieve their involvement in the protection of migrant workers.
* To identify the principal groups of migrant workers from Member States of RCM that are in different countries of destination and that will directly benefit from the handbook.
* To advance actions to characterise and identify the primary needs for protection of our migrant workers.

**EXPECTED RESULTS**

* The participants share and take ownership of the meaning and scope of the main concepts and tools relating to consular protection for migrant workers;
* The participants collectively develop and agree on a list of necessary actions to protect migrant workers that can be implemented through consular offices;
* The participants jointly develop the general guidelines for the handbook;
* An inventory is made of the primary groups of migrant workers that are in each country, identifying those that are common to Member States of RCM.

**METHODOLOGY**

A seminar/workshop is proposed that is mainly oriented toward members of the Liaison Officer Network for Consular Protection, favouring working groups, presentations on best practices, collective development, plenary sessions and seeking consensus. All of the above, through participatory techniques that enable collecting information about the experiences and expectations of the participants involved in the matter, is to be used as input for the development of the handbook.

After the workshop – and with support from communication experts – the accumulated experience would be included in a self-sufficient handbook, to be used as a practical guide to enable consular offices to incorporate protection of migrant workers into their daily activities.

**PARTICIPANT PROFILE**

The workshop is oriented toward representatives from the Liaison Officer Network for Consular Protection of RCM and consular officers as well as staff addressing labour matters of Member States of RCM. Participation of the following is imperative and of utmost interest to obtaining input for the handbook:

* Consular officers addressing labour matters, who could be labour attachés or not;
* Staff from consular directorates involved in labour migration management.