

Statement submitted by ACT Alliance - Action by Churches Together

As a coalition of over 140 churches and faith based organizations working in humanitarian response and human rights-based development in over 100 countries, ACT Alliance affirms our commitment to the Programme of the International Conference on Population and Development, urges its full implementation and calls for a joint resolution at the 51st session of the Commission on Population and Development. ACT Alliance is committed to ensure gender equality as a common value and believes that gender equality and access to sexual and reproductive health and rights is a prerequisite for ensuring the enjoyment of other rights and for poverty reduction.

We welcome the theme of the Commission “Sustainable cities, human mobility, and international migration” as the needs and rights of some of the most marginalized in the world, particularly migrant women and girls, requires urgent resolution. Substantive progress is desperately needed in view of the grave human rights infringements and consequences for population policies by growing numbers of refugees, migrants, and displaced people in the world today.

Currently, there are over 244 million migrants in the world. Roughly half of them are migrant workers. While they contribute significantly to their home countries and host countries through their earnings as well as their talents, their rights are often poorly protected. In many of the regions where we work with our partners —many are from poor, rural areas, have little or no formal education, and are either semi or low-skilled labourers. These factors make them susceptible to various forms of abuse in countries of origin, transit, and destination. Approximately 60 governments have established health screening, such as compulsory HIV testing, upon application, arrival and renewal of work permits. Limited protection and low pay, and working under harsher conditions and mistreatment is a reality, including risks of sexual abuse. Vulnerabilities are severe and acute among women migrants in unsupervised and unregulated sectors, such as domestic work. This requires a strong international response.

Globally, there are 32.3 million women refugees, half of them being girls, who are affected disproportionately by emergencies. Women, children and adolescents, especially girls, are at increased risk of unwanted pregnancies, sexually transmitted infections, including HIV, human trafficking, child, early and forced marriage and other forms of sexual and gender based violence, and their needs and rights largely remain unprotected and unengaged. As faith actors we know of the challenges of religion in ensuring gender equality and the sexual and reproductive health and rights for all. It is however due to the presence and power of faith networks that engaging with faith actors is also crucial.

As faith actors we know that understanding religion and what influences and drives religious and cultural harmful practices is crucial. Religious and cultural practices are not stagnant and do not operate in isolation but are influenced and motivated by their social, economic and political contexts. Migration can entrench and exacerbate traditional roles and inequalities and expose women, girls and boys to new vulnerabilities, such as the significant increase in child marriages in wake of humanitarian crises. For a family that loses its security and income, it can be a way to survive economically to marry off their daughters. As risk of sexual violence increases, a family might make the judgment that the girl is safer married. Despite parents’ wishes to ensure the safety of their daughter, she can be exposed to violence and abuse within the marriage. Regardless of the rationale,

child marriage is not a protective factor, and causes are rooted in inequality. Faith actors are in a position of power as these practices are motivated by values and beliefs, and are therefore instrumental in ending harmful practices. Understanding the complex drivers and engaging the community, including faith based actors, is most likely to contribute to sustainable change.

Faith institutions' and networks reach the most marginalized communities, where even governments have difficulty in ensuring an institutional presence, sometimes being the only functioning civil society institutions offering security in situations of conflict and fragility. Faith actors are also a diverse network and communities, institutions and leaders can contribute to challenging patriarchal attitudes and practices by promoting gender equality at all levels of society.

There are many highly gendered aspects to migration. The lack of family reunion policies impact women and girls, forcing them to conduct dangerous journeys, with heightened risk of sexual and gender based violence. Moreover, although national constitutions are increasingly likely to guarantee gender equality, many recognize parallel legal systems based on custom or religion. In some societies where family law are delegated to religious institutions, religious law determine women's and girl's legal status. Many women and girls do not have the right to legal documentation and might thus be unable to travel legal routes, leaving them more vulnerable to traffickers or to child or forced marriage to access legal documentation. Incorporating an analysis of these parallel legal systems is crucial for ensuring women's and girl's human rights and fundamental freedoms.

Based on our experiences as a faith-based network, our recommendations to Member States are as follows:

- 1) Fully implement the Programme of the International Conference on Population and Development and its reviews: with no regression or exception, and develop national implementation plans to achieve the Sustainable Development Goals, with particular reference to Goal 5 and Goal 3 and gendered targets. Furthermore, that the resolution emphasize the importance of fulfilling the “human rights and fundamental freedoms of all migrants regardless of migration status”, including internal and international migrants, “to combat all forms of discrimination against them, to provide them with access to education, health care and social services” (Commission on Population and Development 2013).
- 2) Support sustainable and equitable development: We argue for a human rights-based approach as the foundation of freedom, justice and peace. In our work with partners worldwide, it has become clear that, without enabling fair and equitable development for communities in poverty, it will not be possible to prevent the worst rights abuses linked to unsafe, large scale movements of people. Without alternative avenues for securing their livelihoods, many people living in poverty will continue to be forced into making difficult and dangerous journeys to try to secure the survival of their families. Any discussion of “sustainable cities, human mobility, and international migration” must therefore address macroeconomic realities underlying today's surge in exploitative migration patterns and insist on all countries taking on more responsibility for creating situations in which human rights are respected and guaranteed and migration becomes a matter of choice, not necessity, for all.
- 3) Provide more legal channels for regular labour migration: More reliable and safe routes need to be offered to potential migrants, so that their reliance on undocumented migration can be reduced. Providing legal migration channels should also go hand-in-hand with the

promotion of a decent work agenda in destination countries in line with Goals 8 and 10(7) of the 2030 Agenda. This should also include access to social security, healthcare: including comprehensive sexual and reproductive health care, and education. This includes challenging compulsory health, HIV or pregnancy testing as part of application or renewal of work permits/visa, or upon arrival.

- 4) Reaffirm existing international human rights, international refugee and international humanitarian law: this would include adherence to and/or ratification of the 1951 Convention on the Status of Refugees and its 1967 Protocol, the UN Guiding Principles on Internal Displacement, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers. Anchoring state policies within the international rights framework would also guarantee the specific protection needs of women, children, the elderly, persons with disabilities, and other groups vulnerable due to being discriminated on account of their gender, race, religion, sexual orientation, or other factors.
- 5) Incorporate an analysis of the impact of religious and customary systems and its impact on migration, particularly for women and girls: Review and revise laws, including customary and religious laws in dialogue with relevant actors, that inhibit the human rights and fundamental freedoms of women and girls and enact measures that allow women and girls to decide on development that affects them. Engage in partnership, in line with Goal 17 on partnerships, of the 2030 Agenda, with faith based organizations and churches to transform social norms and promote social equality and using their experiences and expertise in enhancing the role of faith as positive force to promote change in society.

We urge member states that the protection and fulfilment of the human rights of all to be at the centre of the resolution. It is in all of our interest and our moral responsibility that all of humanity, including those most marginalized due to migration, are included in the framework of the Sustainable Development Goals and the 2030 Agenda and that no one, is “left behind”. May all find safety and security.