

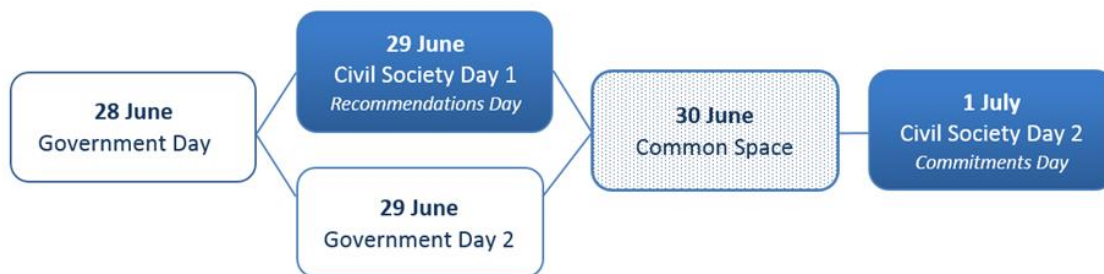
Highlights and Principal Recommendations

GFMD Civil Society Days (CSDs), 2017

Safe, Orderly and Regular Migration Now: the Mechanics of a Compact Worth Agreeing to

Highlights

The full programme of the 2017 Global Forum for Migration and Development (GFMD) took place in Berlin, Germany from 28 June to 1 July. Occurring a mere six months after the previous GFMD in Bangladesh in December 2016, this year's Civil Society Days fell on 29 June and 1 July, for the first time overlapping with the Government Days and on either side of Common Space Day on 30 June.



This year marked the 10th anniversary of the GFMD. As noted by 2017 GFMD Civil Society Chair Ms. Wies Maas, such a time is a moment for celebration, but also contemplation. It is a radically different world today compared to when the GFMD was first launched in 2006. Financial crises, rising inequality, conflict and violent extremism, natural disasters and climate change have all posed increasing challenges to the global community over the past decade. As a result, the number of forcibly displaced is at an all-time high. More and more migrants and refugees are dying *en route*, families are separated, and borders are closing even to those forced to flee. Children are held in detention for lack of required documents, migrant workers' rights are being violated in multiple ways, acts of racism and xenophobia are on the rise, and many in society feel anxious, threatened and left behind.

Acknowledging the need for more effective policies and mechanisms to address these issues, all 193 United Nations member states committed in September 2016 to develop, no later than September 2018, a new Global Compact for Safe, Orderly and Regular Migration. Not only the two Civil Society Days (whose theme was "*Safe, Orderly, Regular Migration Now: the Mechanics of a Compact Worth Agreeing to*") but also all of Common Space focussed entirely on this Global Compact. In 3 days of break-out, focus, framing, special and plenary sessions, over 250 civil society delegates from 65 countries of every region of the world met to discuss what they envisioned such a Compact should look like, and how *concretely* it should be implemented. They looked at how to build directly upon the rights and commitments reaffirmed in the [2030 Agenda for Sustainable Development](#) and the [New York Declaration](#), not by simply restating them but by working out how they can be applied in real contexts; in short, moving from the "poetry" to the *mechanics* of implementing those commitments.

Following from [the 2016 CSD Recommendations](#), and guided by the civil society [5 Year 8 Point Plan of Action](#), now in its fourth year, the CSD sessions focused on such key issues as migrants in vulnerable situations, xenophobia, return and reintegration, ethical recruitment, regularisation, climate-induced migration, resettlement and family reunification. Civil Society participants spent more than 35 hours strategizing and discussing these issues in the context of the Global Compact, working to identify clear benchmarks, good practices and timelines per theme, which were compiled in detailed [session reports](#).

The theme and discussions of Common Space this year were closely linked to those of the CSD. There, another 20 hours were spent on these issues with governments, in a new format where three parallel 'framing sessions' explored common understandings of "safe, orderly and regular", followed by seven 'focus sessions' where concrete mechanisms of implementation relating to specific issues were discussed.

Another 60 hours of activities were held outside the core CSD programme, including "*Breaking down Walls*" - a civil society rally at the Brandenburg Gate to kick-start the CSD, 8 pre-CSD meetings held on 27 June, 8 side events held parallel to Common Space on 30 June, 10 informal tea tables with governments, and other meetings organised by civil society in the margins of the GFMD.

Recommendations

At the Opening of Common Space on 30 June 2017, GFMD Civil Society Chair Wies Maas presented governments with a [report](#) of key messages and recommendations from the first Civil Society Day. Speaking to roughly 450 government delegates from 140 states, together with the civil society delegates and high-level representatives from UN and international agencies, Ms. Maas challenged participants to consider how all of their work, and the Global Compact for Migration, could change the realities on the ground faced by refugees, migrants and societies. Drawing upon this report, as well as the report by the Grand Rapporteur on the second Civil Society Day, the special reports on women, on children, and from the outreach meetings, below are the 10 main civil society recommendations from the 2017 GFMD Civil Society Days.

Civil society has identified the following 10 issues as being of key urgency and importance to be addressed in the Global Compact, and will continue advocacy on achieving rights-based, inclusive solutions for these issues above and beyond the Global Compact process.

1. Governance and accountability

- There are so many multilateral commitments to human rights, labour rights etc in existing conventions and treaties, that are signed and binding, and apply to migrants of all kinds. The Migration Compact should focus on implementing these; not simply restating them.
- For that reason, The Migration Compact should present a framework similar to the *2030 Agenda for Sustainable Development*, with goals and targets that are ambitious but achievable on graduated timelines. The Compact should also provide for appropriate means of implementation and data collection, and inform and guide states in their development of National Implementation Plans to make these goals a reality.
- The scope of implementation should be multi-sectoral, multi-lateral and engage every level of governance, from local to international.
- Meaningful civil society space and participation should be included at every stage of the process to develop, implement and monitor the Migration Compact. This should be part of a broader and

conscious push-back by states and others against shrinking space for civil society – a goal which is emphasised in Point 6 of Civil Society’s 5 Year 8 Point Plan of Action.

2. **Children on the Move:** The Children on the Move Initiative of civil society organizations, UN agencies and some states, put forward [practical mechanisms and achievable timelines](#) for child rights across both Global Compacts. Recalling Point 4 of Civil Society’s 5 Year 8 Point Plan of Action, [the CSD Child Rights Rapporteur reiterated](#) that all policies and decisions concerning migrant children, whether accompanied or unaccompanied, should ensure that the best interest of the child is always the primary consideration, and that ending the immigration detention of children is an absolute top priority; a priority that cannot wait.
3. **Regularization and regular pathways for human mobility:** Central to the drive for implementation of both Global Compacts should be the facilitation of human mobility with human rights for all. In line with Points 3 and 5 of Civil Society’s 5 Year 8 Point Plan of Action, more and better regular pathways for refugees and migrants need to be created, including increases in resettlement places, humanitarian visa, private sponsorship programs, family reunification, student visa, and labour mobility and matching at all skill levels. Such regular pathways reduce the vulnerabilities of migrants and refugees *en route*, in transit and at destination. The Migration Compact should develop principles and targets on regularization - a pathway to secure residency after having lived in the country of immigration for a certain number of years. This is in the interest of social cohesion, and lifts people out of vulnerable and exploitative situations.
4. **Women’s agency and protection.** Following Point 4 of Civil Society’s 5 Year 8 Point Plan of Action, multiple working sessions of the CSD and the [report](#) of the civil society Rapporteur on Women emphasized that women are not by nature a vulnerable population in need of rescue, but often find themselves in vulnerable situations due to (migration) policies, values and the denial of rights. The Migration Compact should draw from the [UN Women Recommendations](#) on addressing the human rights of women in the Global Compact for Migration.
5. **Ethical recruitment, decent jobs and labour mobility:** Recalling Points 6, 7 and 8 of Civil Society’s 5 Year 8 Point Plan of Action, and finding the need to reiterate critical issues raised in all previous CSDs, the protection of the labour rights of migrants and reforms for ethical and transparent recruitment of migrant workers need to be stepped up urgently. As required under international labour rights conventions, recruitment fees should be borne by the employer, not the migrant worker. To end a huge arena of exploitation, migrant worker visas should never be tied to one employer. There can be no question about the rights of workers to join and form trade unions and workers organizations. Much more investment is needed in decent work and jobs “at home and abroad” as well as more efforts to harmonize qualifications and invest in skills and training, e.g. with vocational partnerships. To move these forward concretely, national consultations need to be set up for dialogue between governments, employers and workers, and to shed light on the areas that need to be improved in that country. The role of diaspora cannot be underestimated in advancing these issues, and with practical mechanisms for diaspora investment and entrepreneurship like diaspora development funds or other initiatives, can contribute to improving skills, qualification harmonisation and job creation both home and abroad.
6. **Return and reintegration:** The principle of *non-refoulement* must be respected. Return should be voluntary, not forced; the Global Compact for *Migration* should not become a Global Compact for *Deportation*. Voluntary return should be tailor-made and context specific, and involve a process with true choices and

dignity, including choosing the moment of return. There should be no deportation of children in any circumstances without a proper best-interests determination first. Independent vulnerability and needs assessments by adequate professionals should be made before returning and upon arrival. For reintegration, programmes and support structures should be put in place for returning migrants and their communities, and these measures should be mainstreamed into other social programmes in order to ensure a parity of treatment between returnees and the local population.

7. **Alternatives to detention and criminalization:** Policies are needed that put an end to the criminalisation of migrants. Citizens and organizations that help undocumented migrants in need should be admired and protected, not criminalized. International rights authorities are clear that detention of children on the basis of their or their family's migration status is never in the child's best interest and always a human rights abuse. For others, immigration detention should only be used when lawful, necessary and proportionate. There are many practical, available alternatives to detention, such as community housing and assigned case managers. States must start implementing these alternatives immediately, for the benefit of both migrants and societies. Contrary to some current practices, states and intergovernmental entities should refrain from making migration control or deterrence a condition for development aid.
8. **Firewalls and access to justice and other essential services:** In line with Point 5 of Civil Society's 5 Year 8 Point Plan of Action, the Compact and national policies should include the concept of firewalls; a strong separation between public services and penal and immigration authorities. This should ensure that migrants, regardless of status, can have access to justice, to essential services like health and education, and to mechanisms for complaints and labour standards, all without fear that this will result in their detention or deportation on the basis of their migration status.
9. **Social inclusion and anti-xenophobia:** Given that xenophobia cannot be fought if policies and political narratives feed and foster it, national governments should address racism and xenophobia across the full spectrum of social, economic and political rights of migrants regardless of migratory status – in both policy and practice. Perpetrators of xenophobic violence, racism and discrimination – including islamophobia - should be held to account. While global campaigns such as the [UN Together Campaign](#) are important to gather good practices and increase positive public messaging, these must be done in conjunction with other activities, such as a comprehensive study on the manifestations and multiple dimensions of racism, xenophobia and intolerance conducted in the context of the Migration Compact, and efforts to align national laws to obligations under international conventions. Local governments, national human rights institutions, the media, civil society including migrants and communities and the private sector should all be recognised as stakeholders in this.
10. **Drivers of forced displacement:** Finally, recalling Point 3 of Civil Society's 5 Year 8 Point Plan of Action, the drivers of displacement and of migrants into vulnerable situations, including poverty, unemployment, corruption and the lack of good governance need to be addressed urgently. Climate change impacts are inextricably linked to conflicts across the world— causing so much suffering and displacement— and obliterating livelihoods and dignity. These realities need to be recognized and integrated into global and national economic and development strategies. National planning for resilience and emergency response must be developed urgently, and be comprehensive, inclusive and across all policy domains.

Snapshot of the GFMD Civil Society Days 2017

Civil society delegates and other participants

- **333** participants in the Civil Society Days (CSD)
 - o More than **60** were speakers and moderators in the CSD programme
- Of the **254** civil society delegates:
 - o **134** female, **120** male
 - o **121** migrants, refugees or members of the diaspora and **114** representing organizations led by migrants, refugees or members of the diaspora
 - o **73** representing human rights organizations, **70** migrant/diaspora NGOs, **59** development groups, **25** from academia or think tanks, **19** from trade unions/workers' organizations and **1** from private sector
 - o **108** from Europe, **49** from Asia-Pacific region, **30** from Africa, **31** from North America, **23** from Latin America; **13** from the Middle East; all from **65** different countries
- An additional **50** civil society participants in **3** outreach meetings held in Kathmandu, Budapest and Dakar simultaneously and connected by on-line streaming to the first Civil Society Day,
- **69** observers, among which **20** government representatives and **30** from regional and international organizations, and **19** from foundations
- **10** media representatives

Programme Highlights and Special Features (see <http://www.madenetwork.org/documents>)

- **Breaking Down Walls: *Prelude at the Brandenburg Gate***: pre-CSD rally attended by close to **100** members of civil society, featuring migrant testimonies, short poems, songs and objectives of CSD
- **CSD Opening Plenary**: Updates, testimonies and strategizing on the Global Compact for Safe, Orderly and Regular Migration, by migrants and families of disappeared migrants, members of the diaspora, CSD Chair and Co-chair Ms. Wies Maas and Ms. Berenice Valdez Rivera; the UN Special Representative on International Migration, the UN Special Rapporteur on the Human Rights of Migrants, the Deputy Director of IOM and the Director of the Open Society International Migration Initiative.
- **Concrete recommendations from more than 4 hours of sessions** on safe, orderly and regular mechanisms for
 - o [Children on the Move and other Migrants in Vulnerable situations](#)
 - o [Creating welcoming societies for Migrants in the face of growing Xenophobia](#)
 - o [Return and reintegration](#)
 - o [Safe, orderly and regular mechanisms of migration in the context of work, including Ethical Recruitment of Migrant Workers, Labour migration and Regularization](#)
 - o [where work is not the principal driver –focus on resettlement, private sponsorships and family reunification](#)
 - o [Climate and environmental change and migration](#)
- **Concrete recommendations from 2 special “Green rooms” on civil society baselines, redlines and common messages** towards the Global Compact for Safe, Orderly and Regular Migration
- For the first time, **7** rapporteurs of these thematic sessions presenting [a report back and recommendations in the related Common Space Focus Sessions](#)
- Direct interaction with states during **10** small, 90 minute issue- and region-specific “**Tea Tables**”
- **8 CSD side events** and film screenings, as well as **8 pre-CSD tables** for preparatory discussions
- **CSD Closing Plenary**: Commitments on baselines, redlines and common messages, regional priorities, capital strategies, plus report backs from the *Grand Rapporteur*; the *Rapporteur on Children*; the *Rapporteur on Women* and the *Outreach Rapporteur*