

## **Asia Regional Civil Society Consultation on the Global Compact for Safe, Orderly, and Regular Migration (GCM)**

4-5 August 2017, Bangkok, Thailand

### **Executive Summary**

The Asia Regional Civil Society Consultation on the Global Compact for Safe, Orderly, and Regular Migration (GCM) was organized on 4-5 August 2017 in Bangkok, Thailand. The consultation had 73 participants coming from 16 countries namely: Bangladesh, Cambodia, Hong Kong SAR, India, Indonesia, Israel, Lebanon, Malaysia, Myanmar, Nepal, Philippines, Singapore, South Korea, Sri Lanka, Taiwan (Province of China), and Thailand. The participants were nominated by regional networks representing migrant organizations, refugee rights organizations, trade unions, women's organizations, children's rights organizations, and humanitarian organizations.

The consultation aimed to bring together Asian CSOs to discuss, come up with recommendations and mechanisms for a rights-based GCM. It also aimed to bring Asian CSOs to strategize how to strengthen engagement at the national and regional levels, while focusing on providing inputs, recommendations, and existing mechanisms on the following key priorities: Human Rights of Migrants; Children in the Context of Migration; Women in Migration; Decent Work; Participation, Mobilization and Accountability; Return, Repatriation and Reintegration; Drivers of Migration, and; Mixed Migration.

### **Asia Regional Consultation**

It was highlighted that media played an unprecedented role in making the GCM happen, with mainstream media carrying images of thousands of boat people going to Europe. In Asia, the plight of the Rohingyas was first covered by BBC and eventually by other mainstream media outlets. No one knew how to describe the situation. States eventually came together to discuss the situation as it was not clear if it was a migrant or refugee issue. This jump started a new process leading to the GCM.

CSOs should spell out possible operational mechanism linked to normative framework. CSOs' role is to hold governments accountable to make the norms and mechanisms operationalized on the ground. Regional consultative processes such as the CP is looking at thematic issues like ethical recruitment. Other regional spaces such as ASEAN is also looking at framework mechanisms. CSOs need to be able to suggest mechanisms under these themes that can be linked to the Global Compact.

The regional CSO consultation is meant for CSOs to discuss, strategize, and propose mechanisms for the GCM. The results of the regional consultation will be used by partners for national lobbying in lead up the November Asia Pacific Consultation as well as the upcoming negotiations in 2018.

### **Workshop Sessions and World Cafe**

The thematic on the human rights of focused on identifying core human rights principles and cross-cutting issues on human rights and migration. This was followed by a discussion on proposed mechanisms around the global compact.

The thematic on children in the context of migration highlighted that the focus should be on children in the context of migration and not children on the move as the later excludes children of migrant workers who are left in the care of relatives in the countries of origin. In the context of Asia this is very much important given the issue of the social cost of migration and the impact of temporary

labour migration on children of migrant workers.

The theme on women in migration highlighted women's rights and agency in the context of migration. The discussion also highlighted protectionist policies targeting women migrant workers (ban on migration of women, etc).

Decent work focused on proposing mechanisms and identifying existing good practices. Participants emphasized the need for Member States to adhere to international labour standards and existing guidelines and principles on business and human rights for ethical recruitment and to shift to an employer pays model.

Participation, Mobilization and Accountability highlighted the role and participation of stakeholders in particular migrant communities in policy development, monitoring and implementation. The discussion also brought issues in line with shrinking CSO space in many processes in the region and the role of regional consultative processes as platforms to monitor and review progress and sanction member states for failure/non-action to implement the Compact. It highlighted the right of migrants' right to participate in political processes in their home countries, in particular the right to vote.

The session on return, repatriation and reintegration highlighted that many of the initial discussion around the global compact in line with return and repatriation focus mostly on detention and deportation of migrant workers. In Asia, the context is different as labour migration is mostly temporary. Almost 80% of labour migration is temporary and migrant workers eventually return to their countries of origin. The context of return and reintegration therefore includes support for economic and social reintegration of migrant workers. The rights and issues of undocumented / irregular migrant workers was also highlighted in the discussion.

The session on drivers of migration identified the different drivers and root causes of migration in Asia. Based on this discussion, the participants looked at principles on human rights that addresses the issues and formulated recommendations for mechanisms. Many of the drivers of migration are interlinked. One example used for these inter-linkages is the climate change which causes lack of resources which may lead to conflict and economic hardship.

Mixed migration highlighted the need for rights protection-sensitive entry system, implementation of humanitarian principles, protection from all forms of violence, and international cooperation in addressing issues of mixed migration.

### **The Nature of Global Compact**

The compact should be an agreement to demonstrate political will and commitment. The participants also said that the compact should affirm the rule of international law, to make states accountable for standing / existing binding and normative commitments they have made all through these years as evidenced by the legal instruments, standards, treaties, declarations, etc. they have ratified, adopted, signed, adopted.

The GCM Migration should use, as a minimum base, the 2016 New York Declaration on Refugees and Migrants. It should not go lower than the commitments identified in the 2016 NY declaration. It should also set common timelines/minimum benchmarks for progress and realization of the international targets, provide for institutionalized, independent, participatory, transparent, accessible mechanisms for reporting/monitoring/review/compliance at the national, regional and global levels.

The participants also emphasized that on top of the independent, institutionalized review/reporting mechanisms, civil society should continue to make its autonomous, critical analysis and review of the commitments and progress of realization of the Global Compact