

**Summary of the MENA& GCC Civil Society Consultation
on the Global Compact on Migration
24-25 August & 24-25 September 2017**

The Middle East and North Africa (MENA) region is a region with large numbers of migrants and refugees. The MENA region acts at once as a region of origin, transit and destination for both refugees, migrants and internally displaced people. The MENA Civil Society Consultation on the Global Compact on migration was held against the backdrop of increasing crisis and displacement in the region and daily violations to migrant rights.

The Consultation took place in Beirut on the 24-25 of August 2017. A more focused consultation for Civil Society in the Gulf Cooperation Council also took place in Beirut on the 24-25 of September 2017¹. Both consultations were organized by the Cross Regional Center for Refugees and Migrants, a group of civil society organizations in the Euro-MENA region working on migration and refugee issues. More than 65 participants representing 16 countries from local human rights, women' rights, child rights, humanitarian and faith based organizations, labor unions, and migrant organizations attended the consultations. Participants discuss 8 main topics: (1) the human and labor rights of migrants, (2) the governance of migration, (3) detention, (4) return and reintegration, (5) mixed migration, (6) migrants and crisis, (7) children on the move and other children affected by migration and recruitment.

The consultation highlighted the urgent need for the promotion and adequate implementation of fair policies on migration. This includes the promotion of flexibility and mobility in the labor market of labor receiving countries by delinking the status of migrant workers from that of their employers and allowing workers to change employers at any time during their work contract.

The inclusion of migrant dominated sectors such as agriculture and domestic worker, closing the wage gap, and upholding the right to organize were identified as priorities.

Participants called for a better governance of migration which could be achieved by investing in a stronger transnational regulation of the recruitment industry and in information sharing in the form of pre-departure and post-arrival orientation.

Participants also called for a total end to administrative detention and the amendment of national laws in the region which give large discretionary powers to immigration

¹ The Gulf Consultation was co-organized by Migrant Forum in Asia

personnel. Any decision to detain and deport must be taken in a court of law and must be in accordance to the law.

The decriminalization of migration was highlighted as a priority and participants called for the decriminalization of unauthorized entry and stay, failure to produce documents, and the abolition of exit visas.

The discussion on return and reintegration highlighted that the term voluntary return has been used to conceal that the large majority of returns are in fact compelled returns, as migrants often lack genuine alternatives. Participants called for moving away from categorizing returns as voluntary and involuntary and to analyze them instead from the lens of chosen vs. compelled returns.

To ensure meaningful and genuine choice, consent must be given free of coercion, including violence, ill treatment, the threat of detention. Participants also highlighted state responsibilities in facilitating the integration of migrants and in working to combat racism and xenophobia in order to ensure that return is not the result of discrimination or anti-migrant sentiment.

In the context of war and displacement, additional guarantees must be put in place including ensuring that legacies of human rights violations have been redressed, ensuring that returnees have access to basic services, infra-structure and employment, and ensuring that the state is sufficiently capacitated to deal with the day to day administrative and judicial work resulting from war and displacement, including birth registrations and land ownership disputes.

Despite the theoretical differences between migrants and refugees, participants highlighted that the needs of migrants and refugees are very similar on the ground. Furthermore, lines are sometimes blurry between migrants and refugees as people often fluctuate between the two categories as a result of change in circumstance or change in policy. To address this, states should enact coherent policies at a national, regional and international level recognizing the right of refugees to work without compromising their status or affecting their resettlement prospects. States must also bridge the two global compacts and ensure admission to migrants and asylum seekers at the border and who need protection.