

A DIALOGUE ON THE GLOBAL MIGRATION COMPACT UNDER THE NINTH GFMD CHAIRMANSHIP

Social Aspects of the Global Compact on Migration (GCM)

Discussant:
NGO Committee on Migration

This invitation marks a long habit of including civil society in preparatory events for the Global Forum on Migration and Development, and is a great model for the future.

We thank you, Mr Appave, for your thought-provoking keynote address, and we appreciate your encouragement to present additional paths of reflection on the social aspects of the GCM.

My remarks will follow a couple of customary formats by two well-known personalities in this room:

- an emphasis on 3 points (a habit of IOM's DG Swing)
- the use of summarizing bullets (a habit of Bangladesh's GFMD Chair Haque)

Three points:

Our three points of emphasis throughout the discussion are:

- First: **URGENCY**: protection and assistance **now** for migrants on the ground
- Second: **IMPLEMENTATION**: focus on **action** implementing existing commitments without delay
- Third: **INCLUSION**: **participation** of CS , especially migrants and diaspora, together with all relevant stakeholders, in the preparations for, an participation in, the GCM

Three bullets:

In the course of the discussion, I will refer to Secretary Haque's bullets on the GCM's substance, format, and process taken from his remarks to the Friends of Migration meeting in Geneva on 21 October 2016.

- Main components of the GCM (substance)
 - Making it easier and safer for migrants to move in regular ways;
 - reducing irregular movements
 - promoting inclusion
- Options in terms of the scope and nature of the Compact (format)

- treaties
 - guidelines
 - commitments with concrete deliverables, implementation, and monitoring framework
- Partnerships (process)
 - CS HAS to be in the process

**Social aspects of the GCM:
Primacy of safe, regular mobility**

At the GFMD in Istanbul, Turkey last year, the recommendations of civil society on migrants in transit and crisis situations began as follows:

Civil Society, pointing with fierce urgency to continued tragic losses of life, disappearances and abuses of migrants en route and at borders all over the world, calls upon governments to create and implement needs-first, human rights-based protection and solutions for these migrants, irrespective of migration status (Recommendations, CS Days GFMD 2015).

Now, a year later, in conjunction with the September 19th High Level Summit, Civil Society (CS) has called on states to commit to the development of a Global Compact for Safe, Orderly, and Regular Migration, grounded in international human rights law and labour standards, in order to implement these recommendations (ACT NOW, Summit 2016)

In the follow up to the Sept. 19th HL Summit, the message of CS to the world leaders was clear:

The GCM must make a difference for migrants on the ground. (ACT NOW)

Migrants are in need of protection, safe passage, livelihoods, and inclusion. It is good for migrants, states, and societies. This commitment is spelled out as Goal 10.7 of the 2030 Agenda and reiterated in the New York Declaration (NYD)

- *States commit themselves to ensure safe, orderly, regular migration with full respect for the human rights and humane treatment of migrants regardless of migration status (2030 Agenda)*

CS and States are clearly in agreement on the commitment to ensure safe, regular mobility, as they have been in agreement on past commitments, including the Consensus Declaration of the HLD 2013, and the 2030 Agenda,

So: where do we go from here?

Carrying out the commitment to Goal 10.7 requires specifying the actions that must be taken to accomplish this objective, whether we do it as Goals, Targets, and Indicators, in accordance with Secretary Haque's interesting proposal, parallel to the 2030 Agenda (but with a graduated timeline of 2, 5, and 15 years for different goals), or in some other manner.

Specific Actions on Social Aspects of the GCM called for by CS include:

- the creation of safe, regular pathways for migration by increasing visas for family reunification, education, and labor market access at all skill levels;
- protection of migrants in vulnerable situations, in crisis and in transit;
- border management that is carried out with full respect for the human rights of migrants;
- special protection of children on the move, in accordance with the best interests of the child, and no detention under any conditions;
- steps to reduce trafficking, and services to trafficking victims;
- access to services in host countries, especially health and education, and combatting xenophobia, as the keynote speaker discussed.

(see Part III of Annex 2)

Requirements to accomplish these actions:

Let me mention three:

First, An Effective Governance Framework

CS is in accord with general agreement at the Friends of Migration meeting that to accomplish such actions, an effective governance framework is needed. In our view, while treaties are important, they do not meet the criterion of urgency, as migrants are dying by the thousands in transit. Guidelines are important, but *most are* non-binding. The third option proposed by Secretary Haque – commitments with concrete deliverables, implementation and a monitoring framework—fits both the criteria of urgency and monitored implementation.

Second, A Tools-based Approach:

IOM, among others, has stressed that development of a governance framework need not start from scratch, that some tools exist already, such as IOM's Migration Governance Framework, 2016 Migration Governance Index, MICIC Guidelines, and ILO, OHCHR, and UNHCR non-binding guidelines. UNHCR has just updated its 10 Point Action Plan, including specific references to children on the move.

CS *also has tools*, including the 2013 HLD 8 point 5 year plan, the 2014 Stockholm Agenda,(with Goals and Targets), the 2015 GFMD CS Recommendations (with Benchmarks), and the 2016 ACT NOW call (with scorecard)as response to the NYD for

Refugees and Migrants. Many CS members thought the agreements reached on a roadmap for the GCM was one of the more positive accomplishments of the New York Declaration.

The GCM—on a scale ranging from ++ to -- received a +score with the following explanation:

A clear roadmap.....including a comprehensive overview of content to be covered even though with some regrettable “as appropriate reservations. Furthermore, the terms of inclusion of civil society and other stake holders is not yet clear and it remains to be seen how inclusive, comprehensive and norms- based the Global Compact process will really be.

The NGO Committee on Migration circulated another tool-- the results of its 2015 survey of on-the-ground NGOs assisting migrants in transit, with their recommendations for assisting these migrants, including recommendations to: prevent forced migration; provide better protection en route; ensure a positive management of diversity; and specific types of good practices.

Civil Society also has a record of constant collaboration with virtually all states, not a few of these within the UN system, on creating and implementing a toolbox of policies as well as practices on the ground.

Third: Partnership with Civil Society:

Modalities matter in the development and implementation of the GCM.

Civil Society is eager to partner in this “state led but not only” enterprise with all stakeholders, especially the Friends of Migration, as well as with the GFMD. We appreciate the many expressions of support for this participation. In particular, we were very encouraged by Secretary Haque’s concluding remarks on the necessity of participation by civil society—including diaspora and migrants—in the process of finding an effective approach and form for the GCM. We were also intrigued by his suggestion that there may be a need to consider a new “hybrid” mechanism in which states and civil society come together on migration governance.

We think an institutionalized role for CS, both in the preparation of the GCM and its established framework, will be the surest way to improve the lives of migrants and through it, the societies in which they live and work.

14 November 2016

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