

**Manila 2008
Global Forum on Migration and Development
Civil Society Dialogue**

220 delegates from all over the world, representing some 200 million migrants met in Manila to consider the rights and protections of migrants, the expansion of legal avenues for migration and the challenge of coherence within nations and across borders.

Our deliberations take place at the same time as the world's governments determine how to respond to the global financial crisis and indeed how to tackle the threat of climate change.

We see the challenge to develop global architecture for recognition, respect, rights and protections for migrant workers as no less urgent than the new for transparent global governance of the financial system or that required to reduce carbon emissions. The ILO predicts that some 20 million workers will lose their jobs as economic growth stalls with some 100 million forced to live on less than \$2US a day. Migrant workers will be the first affected and their families amongst the newly impoverished.

Recommendations: That Governments consider the benefits of migration and resist the temptation to cut migrant numbers.

That Governments recognize the need for the development of global architecture to ensure a rights based approach to migration and that they urge the UN to bring the GFMD back within its formal mandate.

The civil society delegation considered the very themes that the Governments themselves will discuss over the coming days. Our deliberations can only be summarized in this report but a much more complete record can be found on the website [GFMD 2008.org](http://GFMD2008.org)

Voices from the Regions

1. Africa/Europe Session Summary **Rapporteur: Jennifer Brinkerhoff**

Africa is a laboratory for many of the issues concerning migration and development. Despite this fact, Africans are frequently under-represented in discussions and deliberations concerning migration and development.

Among the most important points raised in this session included a call to repeal the Return Directive of the European Union, and a call for the Africa Union to step up to defend the rights of migrants, including denouncing the Return Directive.

Beyond and including these points, a range of policy issues and action steps were identified. A general priority was expressed to focus efforts on protecting the most vulnerable, including women, children, and victims of trafficking.

- **Policies**

Several participants argued for the repeal of the Return Directive of the European Union, which allows member states to arrest, detain, and expel undocumented workers. Participants also called for a review of the policies that rely on the Maghreb countries to police the Mediterranean border for African irregular migrants. Also mentioned were bilateral agreements. These may create a larger system of marginalization for migrants. If economic partnerships do not support the rights of African workers, they should be denounced.

Participants highlighted a need to redefine and reinforce migration as a choice. The choice belongs to the migrants, not the receiving countries who choose what type of migrant they will admit.

Positive examples were also cited with recommendations that they be replicated and the source governments lauded. Some countries have policies to protect the victims of human trafficking rather than criminalize them, for example, enabling them to stay in the country at least for the period of litigation for their cases. Countries that have denounced harmful policies should be praised and used as an example for others to follow, for example, the governments of Senegal and several Latin American countries have denounced the EU's Return Directive.

A range of policy needs was also identified, including:

Policies to enable irregular workers to access social services. Successful partnerships with local governments were cited and it was recommended that the GFMD engage with local governments on this issue.

Policies to recognize African credentials in Europe so as to avoid brain waste (e.g., doctors practicing as nurses).

Policies to recognize/acknowledge migrants as assets to the receiving countries and contributors to the development of their countries of origin.

Policies to allow for the accumulation and mobility of social security/pension benefits across borders (i.e., during short term and circular migration movements).

Policies to address illegal work as a priority superseding those that address irregular workers.

National youth policies in sending countries to provide livelihood options other than migration.

- **Actions**

Action steps were identified, most prominently advocacy to a range of actors to support the policy needs noted above. Two specific advocacy targets were also identified.

Several participants noted the absence of regional organizations in protecting African workers in Europe. For example, the Africa Union and other continental organizations (e.g., Arab League, Maghreb League) have not denounced the EU Return Directive. These regional organizations should defend Africa and her workers and ensure that human rights are respected.

Participants also stressed that sending countries have a responsibility to protect their own nationals. Diplomatic missions should demonstrate a stronger commitment to protect African migrants in Europe.

Beyond advocacy, two capacity building needs/targets were highlighted:

Build the capacity of sending governments to better manage their relationships with receiving governments and with their diasporas, including helping them to develop mechanisms to connect with their diasporas.

Create rights awareness and education programs for migrants, particularly women, so they can exercise their rights.

Since people's behavior cannot be legislated, civil society should focus on educating and working with the media to try to influence attitudes vis-à-vis migrants.

Finally, African and European civil societies should dialogue and partner in order better to address the needs of migrants and development.

2. Asia Pacific and the Middle East

Key Issues and Recommendations

- **Temporary guest worker schemes and circular migration have led to abuses and human rights violations, including the lack of choice to settle abroad.**

Aside from existing critiques, there are no clear and agreed proposals to possibly reform temporary guest programs policies. Temporary guest worker schemes thus remain as common practice by many host countries, which has led to many human rights abuses.

The recommendation to government therefore is to propose clear terms of reference on the fair treatment of guest workers, such as the practice in Australia. Another recommendation for CSOs, private groups and research institutions is to enhance the critique of the idea of regular migration through exposure of continued human rights

abuses; to lobby for alternative provisions for all migrants, such as the issuance of temporary visas to victims of human trafficking. Also, efforts should be sustained to create a mechanism that can regularize undocumented workers, consistent with human rights protection and gender-sensitive standards (see page 6, recommendations nos. 12, 15, and 21 of the 1st GFMD.)

Another concern is the invisibility of women migrant workers—mostly domestic workers—to labor laws and effective monitoring in host countries. The rights of women migrant workers are not respected, nor are they given the type of decent working conditions usually accorded to other migrant workers. Domestic work is not considered as decent work. Also, the lack of recognition of the rights of all migrants to organize and associate contributes to the criminalization of migrant workers.

The recommendation is for government to include the setting of minimum labor standards for domestic workers at the national levels into their agenda. For CSOs, private groups and research institutions should also participate in consensus building on the proposed ILO convention on Decent Work for Domestic Workers, and to lobby for governments to respect the rights to exercise religious freedom.

There is also a lack of strict government regulation of private recruitment agencies. They continue to charge exorbitant fees often in collusion with middlemen and government regulators. In effect, the workers are often charged the same fee twice – before leaving the country and upon their placement abroad. Cases of bondage are always reported which are about migrants forced to work without remitting back their salaries to awaiting families for the first six months.

The recommendation is for governments to sanction recruitment agencies charging illegal fees from migrants; abolish the practice of visa trading, eliminate the involvement of middlemen in collusion with government. CSOs, private groups and research institutions should push for ILO-multilateral framework, seeking engagement of all sectors.

- **Lack of effective strategies that could provide choice for migrants to return through equal coverage of benefits and security**

There is a lack of portability of social protection benefits, including retirement packages, especially among migrants who have worked a long time, and even paid their taxes in their host countries.

The recommendation is for governments to study mechanisms to make social protection benefits portable to and from source and host countries. This could also include access to reproductive health services.

The value and potential of remittances remains largely untapped for contributing to development efforts.

The deportation of arrested, undocumented migrants has put them in life-threatening situations, for instance in Myanmar. Governments should adopt screening mechanisms in deportation proceedings that identify the special needs of irregular and mixed migrants. They should also popularize helpline and legal assistance for undocumented migrants.

- **There is a lack of CSO collaboration on migration issues between and across host and origin countries.**

There is a lack of an effective local responses to prevent trafficking in local source countries. Governments and CSOs should heighten their intervention against trafficking through victim protection and penalizing traffickers and their cohorts. There should also be continuous capacity building for airport personnel on migration realities, and not just on pure anti-trafficking approach.

Middle East-based CSOs are the least represented in consultations. There should be support for the creation and strengthening of CSO groups to work in the GCCs.

- **Lack of clear alternative goals among governments about managing migration (and development)**

There is a lack of research and information on the social costs of migration. One key issue is the lack of serious attention on the problems of children and families left behind.

Governments should set up relevant services and educational campaigns that address the special needs of children left behind. CSOs, private groups and research institutions should research on the cost-benefit and social impact of children left behind, by valuing the services of care-giving for other foreign family in exchange to the migrants' own children. There should be continuous advocacy for the option of family reunification abroad, in line with the lobby against temporary migration. There should be a study of the Sri Lanka experience of the failed lobby for a government ban on mothers with children under 5-years old to travel for work.

There is an absence of inter-ministerial coordination leading to inconsistencies of development planning and service delivery.

The recommendation is for government to lobby for the creation of a permanent representative of the GFMD to the United Nations; set up transparent mechanisms for constructive dialogue with CSOs and accountable implementing agencies from the local to national level. CSOs, private groups and research institutions should interface with government, CSO and business sector initiatives to link skills training and employability strategies, with priority on local job creation and access.

Low ratification rates and the compliance of existing conventions such as CEDAW and relevant ILO Conventions. For example, there are many difficulties in exacting accountability of agencies in Taiwan, which is a non-member of the United Nations, despite being a WTO member. Also, in the case of Burma, there is a lack of comprehensive national policy to monitor working conditions of workers involved in cross-border migration.

Governments need to set up relevant services and educational campaigns addressing the needs of children left behind. CSOs, private groups and research institutions should lobby for governments to ratify CEDAW "without reservations" and adopting General Recommendation 27. ASEAN Declaration should be utilized as a platform for lobbying for the protection of the rights of all undocumented workers. December 18 should be maximized as the global celebration for the rights of migrants.

- **Another emerging issue is the lack of recognition to the plight of stateless children born by parents hiding as undocumented migrants.**

Destination countries should ensure that migrant children enjoy the full range of rights, regardless of their status. There should also be an implementation of a moratorium on the detention and deportation of children migrants, especially in the countries of Burma (from China) and the Philippines (from Malaysia). There should also be coverage of migrant children in birth registration towards assisting them to acquire nationalities.

3. Americas and the Caribbean

In his introductory statement, the chair, Oscar Chacon, proposed four questions as discussion points:

1. How will the current financial crisis and the probable economic crisis impact the migratory dynamics in the Western Hemisphere?
2. What has been the social impact of migration in the region, particularly the impact on families and children, and how best to address those impacts?
3. Given the significance of unauthorized migration in the region, what would you suggest as the best ways to overcome the situation?
4. What decisive steps should be taken to decisively advance the organizing capacity and the empowerment of migrant communities as the primary agents of their agendas on issues such as migration policies, development policies and others?

He described the migration landscape in the Western Hemisphere as one of the most dynamic – large numbers of people are involved in migration; South-South migration is significant but the entire atmosphere has not made great strides in formulating migration laws that would allow a humane and truly beneficial migration. In recent years, there has been a notable increase in the security orientation of migration discussions and the focus of migration measures have increasingly turned towards militarization and stronger border enforcement, a trend that has resulted in posing more risks and vulnerabilities for migrants, including more incidence of border deaths. Also, from the standpoint of civil society, there are concerns that migrants are increasingly treated like commodities, and one indicator of which is the turn towards massive temporary labor migration programs.

One challenge for civil society in the region is how to promote compliance to international instruments on human rights –i.e., how national migration laws can comply with international instruments, and how migration laws are enforced. It is also important to acknowledge that apart from intraregional migration, the region is also connected to other regions by way of migration. Increasing in prominence is the migration of South Americans to Europe.

KEY ISSUES

There is a lack of morality in migration policies

Recent policy developments in Argentina and Uruguay are some examples of positive developments in migration legislation in the region. In general, however, it was acknowledged that steps towards bilateral agreements, trade agreements and other processes to promote regional integration are positive developments, but these negotiations should not be based on economic and trade considerations alone. Furthermore, giving up migrants' rights for preferential terms must be guarded against. CSOs must ensure that that these initiatives promote the dignity of migrants; we need

laws that protect migrants. There is a need to promote consistency between international instruments and national migration policies.

Securitization of migration policies

More robust border enforcement and a greater focus on national security have increased the vulnerability of migrants around the world. Racial profiling and xenophobic reactions to migrants (particularly unauthorized migrants) are partly a result of policies that depict migrants as possible threats (criminal, economic, socio-cultural). According to an NGO based in the United States, placing immigration in the framework of national security is simply code for racism and xenophobic attitudes.

The critical need for a human rights-based approach

In many countries around the world, migrants' human rights are being violated. Although countries have become parties to international human rights conventions and declarations, immigrants often do not enjoy the same rights as citizens. Racism and discrimination are still rampant.

CSOs are calling for a human rights-based approach, by putting migrants at the center of the migration debate. By reframing the discourse away from criminalizing migrants, CSOs can ensure that migrants can be agents of their own lives and migration choices. In CSOs also have a strong responsibility to condemn states that criminalize undocumented migrants, and protest against the unacceptability of an enforcement approach to them (e.g., growing human rights crisis in Phoenix, Arizona).

Temporary labor migration programs do not promote a “win” situation for migrants

From a civil society perspective, temporary migration programs (TLMPs) do not promote the protection of the rights of migrant workers; rather TLMPs are an “opportunity to violate labor rights.” Hence, the fundamental issue is not how to improve TLMPs but the promotion of the dignity of work. For CSOs, the options are either TLMPs must be rejected entirely or they must be reformed to ensure that migrants are not tied to a single employer, it provides an option for residency, and it provides for equal treatment between migrant workers and national workers.

There is a need to reexamine the migration-development nexus

The recent financial crisis is an occasion to reexamine the weaknesses of the economic model that has underpinned the region's economy in the last 30 years. The discussions on migration and development should not neglect the role of structural adjustment programs in the region, particularly their impacts on the dismantling of industries, the growth of the informal sector and the creation of push factors that has resulted in more migration. Remittances should not replace sustainable development policies; remittances were obtained under precarious conditions. The contributions of migrants to the economies of host economies must be acknowledged; this was seen as essential to the realization of the reciprocity principle in the relations between origin and destination countries. Finally, the discussion of migration and development must include the perspective of migrant communities; migrants must not be excluded from the dialogue.

The financial crisis will have adverse effects on migrants

The current global financial crisis will immediately affect migrants in several ways, including lower wages, decreased employment opportunities and an increase in return migration. Migration policies are likely to tighten even further in light of the ongoing

economic crisis. Despite the bleakness of the current situation, the financial crisis can be an opportunity to introduce necessary changes to the migration-development discourse.

The protection of refugees and displaced peoples must be promoted; in relation to this, the protection of indigenous peoples, who comprise most of migrants in the South, must not be overlooked.

Including families in policies and programs

CSOs must ensure that governments have policies and programs to support families, especially the children left behind. The right to family and the right to family reunification must be promoted.

RECOMMENDATIONS

In view of the vulnerabilities posed by the financial crisis, there is a need:

- To focus on monitoring the labor rights of migrants
- To provide outreach and financial literacy education to migrants (Many migrants were affected by the mortgage crisis in the United States, and suffered disproportionately than the rest of the population regarding their savings.)

To ensure the formulation of coherent policies, governments must commit finances to implement provisions and to involve CSOs

In regards to human rights based approach, there is a need:

- To strengthen relations and networks with trade unions, churches and CSOs; also, CSOs in the region must craft a response to the EU directives
- To involve migrants as participants in any consultation or forum that involves their well-being and that of their families.

To return the Global Forum on Migration and Development and discussions on migration and development under the institutional framework of the United Nations; the participation of CSOs must be part of the process

To strengthen partnership with the media to promote public education and to raise awareness about unacceptable practices (e.g., the public must know about violations of migrants' rights under TLMPs, deportations, border deaths)

OTHER ISSUES

Migrant and their families have less access to social programs; there must be equal access to social programs for all.

Several participants shared milestones or goals. A Dutch-based group related that they are now recognized by the Dutch government. With their stronger position, they are working to recognize the contributions of documented and undocumented migrants in Europe, and the contributions of migrant women, particularly those in care work. Another group engaged in encouraging the participation of African migrants in the development of their home countries is seeking the support of CSOs in the Western hemisphere to support the return of African immigrants and to aid Africa.

ROUNDTABLE SESSIONS

Session 1.1 Protecting the Rights of Migrants – A Shared Responsibility

Key recommendations

Governments should:

- ratify and enforce UN human rights treaties concerning the protection of migrant workers, including the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families and ILO conventions 97 and 143.
- harmonize national laws and migration policies with these existing human rights and international labour standards and ensure respect for a range of rights, including those to health, education, and freedom of association.
- Develop standard languages concerning rights and protection of migrants for bilateral and multilateral agreements.
- combat criminalization of undocumented migrants, and pay specific attention to the risks faced by women migrants, including but not limited to trafficking.
- take the responsibility of investing in long-term development, including creating local opportunities for decent work, so that individuals can truly migrate out of choice and not necessity.

Session 1.2 Empowering Migrants and Diaspora to contribute to Development

Key recommendations

Governments should:

- recognize the voice and the contribution of migrants and the diaspora in their development of policies as they are greatly contributing to the development of their homelands
- allocate appropriate funds to enable migrants and diaspora to contribute more effectively.
- facilitate the transfer of remittances of undocumented migrants through formal channels.
- Increase access of information to countries of origin with regards to the skills distribution of its migrants and diaspora so as to facilitate to enhance the current level of contribution to the country of origin.
- revise immigration policies and laws in countries of destination in order to allow skilled migrants to return temporarily to their countries of origin, and thereby benefit both country of origin and country of destination.

Governments from countries of origin and countries of destination should cooperate in order to ensure and facilitate the full inclusion and participation of migrant workers.

2.1 and 2.2 Fostering More Opportunities for Legal Migration and Managing Migration and Minimizing the Negative Impacts of Irregular Migration

Key recommendations

- The migration and development agenda should be shifted from national security agendas, which not only criminalize migrants and their families (including children), but also permit discrimination, exploitation, and de-humanization of migrants and their rights. Instead, the agenda should focus on development issues and fundamental rights.
- Governments and society as a whole should recognize and promote the contributions of migrants to destination countries. This should imply that policies should be based on the principle of reciprocity between countries of origin and destination. We need cooperation policies which are not second class “co-development” policies. For some examples of good practices, financial compensation policies within the European Union.
- All workers have the right to decent work. All migration channels (both regular and irregular) should not be forced by any circumstances, for example poverty, governmental pressures, political issues, etc. Overseas citizens should be protected by both destination and origin countries. These rights should be underpinned, monitored and enforced by international instruments (UN, ILO and core conventions applying to all workers, regardless of status) and transposed into national instruments, enabling all migrant workers to access and seek redress to any transgression.
- Sustainable regularization programs should be in place for undocumented citizens to become documented. All migration should lead to steps to full citizenship in destination countries, if desired. Choice should be the key component of citizenship, and should be afforded to people who are stateless, including the possibilities of dual citizenship.

3.1 Strengthening Data and Research Tools on Migration and Development

Key recommendations

- The primary responsibility for data collection is and should be the governments.’ CSOs have complementary and interrogatory roles vis-à-vis the government on data initiatives: Civil Society Organizations can fill in existing data gaps and elaborate on government data, they can offer a critique of governmental data; and they can also pressure governments to produce better migration data.
- Many participants pointed towards the fact that data is a public good, and the importance of collecting and sharing data in order to create a comprehensive picture of migration and development issues. Factors affecting accessibility are: data are more available in the North; there are more research in the North because they have more resources; and data collected may not be disseminated.

- **Increased access to data**
 - ✓ To support access to micro data for research purposes
 - ✓ To increase North-South data sharing and access
 - ✓ To establish a clearinghouse of migration research and data
- **Civil society can be more engaged in data collection:**
 - ✓ To be more rigorous in how they collect and use data;
 - ✓ To strengthen linkages and partnerships with research networks and diaspora organizations
- **Need to address data gaps on “difficult” issues, including:**
 - ✓ Deaths at border, racism occurring at the border.
 - ✓ Specific groups of migrants:
 - ✓ children, women, trafficked, internal migrants.

3.2 Policy and Institutional Coherence in Migration and Development within Government

Key recommendations

- The discussion of migration-development nexus must be put into context:
 - From a historical point of view, the cycle of migration began because of developed countries' extraction of resources of developing countries. This has resulted in poverty in developing nations, which necessitated the migration of their citizens. Developed/migrant receiving nations and developing/migrant sending nations thus bear a shared responsibility in addressing migration and development problems.
 - Migration and development issues must be discussed from a “rights” framework because migrants are not commodities that can be traded or bought in a marketplace. This is why labor policies are not included in trade agreements in the first place. UN and ILO provide a model on the treatment of migrants and their families.
 - Before talking about policy coherence, nations must recognize that migration is a product of “underdevelopment.” Nations must address the basic problem of how to create economic opportunities for its people, instead of merely focusing on making migration work for development.
- Systematic research is important to inform policy decisions and attain policy coherence. For example, is migration leading to brain gain or brain drain? Information/data on this would help provide directions to the government.
- Various actors must be mobilized to attain policy coherence.

- Legislative-making bodies, the judiciary, and local governments are important actors in migration and development and must be involved in discussions.
- The UN must be likewise be tapped. One possibility is the establishment of a permanent office on migration at the UN to compel governments to abide by agreements/commitments.
- There is a need to look at the status of agreements reached during the last GFMD so that issues are not repeated.

3.3 Regional Consultative Processes (RCPs) at the interface of migration and development

Key recommendations

- There is consensus among the participants on the value attached to RCPs. This is a given. RCPs are important in the context of addressing migration and development issues.
- There is a recognition of the uneven situations of RCPs as well as the uneven participation of civil society groups in such processes. Similarly, there is a need to develop models for civil society participation and that governments should take some responsibility in ensuring that civil society organizations are able to participate in RCPs.
- The process should not be evident only at the global level but also at the national and regional levels. The challenge now is in how to link these different levels.
- Participating in RCPs is not to be seen as a concession but as a right to engage in these processes at all levels.
- Comments have been raised on the diversity of civil society. Therefore, there is a need for different groups to develop a cohesive voice without necessarily losing their rich diversity. Cohesiveness does not mean speaking only with one voice. Rather, it means collectively strategizing efforts.
- Civil society needs to be at the central part of the process and not be allowed to remain at the periphery.
- Some discussions were made about institutionalizing the process of engagement between governments and civil society groups especially in terms of how organizations are selected to engage with governments.

Business Practices: International migration for the benefit of workers and business: Best practices from the business and professional world

Key recommendations

A structure of governance (perhaps per sector as in the shipping industry) that covers workers rights, training, governance and placement rules.

Global standards for education and training for each sector that is mutually recognized. This was preferred over bi-lateral agreements on educations, skills and certification required by receiving countries and gives the workers the opportunity to have global certification that enables work anywhere in the world

Regulated recruitment industry where placement fees are paid by employers removing all and other costs paid by the worker. Policy should also be in place to ensure ethical treatment and processing of workers through to the country of work (such as training and cultural preparation and expectations set – as identified within the nursing industry as beneficial)

Investment for education, skill development, social programs and ensuring reduced social impact (such as nursing shortages experienced in Ghana) should be made by governments and the private sector.

Long term global workforce development and knowledge circulation policies that enable developing nations to benefit more from overseas workers knowledge and experiences that can be brought home.

Global solutions can only be found when all stakeholders work together: business/employers, NGOs, workers associations/unions in a formal matrix relationship to facilitate data collection of demand, competencies and skill requirements, global pension programs that are mobile, global insurance for medical and life, and communication improvements so workers can speak and interact with their families with minimal cost with the use of technology and financial literacy programs like savings initiatives for workers.

Beyond GMFD: From Advocacy to Policy to Action

This plenary session is a summary of all discussions and recommendations from the roundtable discussions, workshops and voices from the regions. The limitations, however, is that there is a need to prioritize those issues and choose only three to four points which will be presented to the government panel. All points will be incorporated in the full report of the GFMD which will be available online.

Issues and Recommendations from the Voices of the Regions

1. Asia-Pacific / Middle East

- Some specific context and new trends in the region have to do with temporary migration, feminization of migration, recent financial crisis that give rise to conflicts, and low ratification of governments on conventions/standards on migrants
- Key issues on temporary migration involved human rights violation and abuses. There is a significant increase of undocumented, irregular and trafficked workers, thus, important to hear and act on their concerns particularly domestic workers' work which are often neglected. There is also a need to look at the exorbitant fees of private recruitment agencies and the lack of reintegration program
- Specific recommendations raised were:
 - Review temporary labor migration policy towards developing rights-based and gender fair migration
 - Adopt policies which include minimum human rights standards and social protection mechanisms particularly to domestic workers
 - Ratify the UN Conventions, ILO Conventions
 - There is need to challenge and critique market driven migration phenomenon
 - Create jobs to address root causes of mass migration

2. Africa / Europe

- Specific recommendations from the region:
 - Repeal/recall return directive of EU
 - Policies should allow irregular migrants to access social services and provide for the possibility of portability of social benefits in host and sending countries.
 - Develop capacity building program for migrants and promote public awareness by working closely with the media.

3. Americas & Caribbean countries

- Issues identified had to do with migrants' rights as often neglected in policy discussion. There is a need to identify specific needs of migrants and appropriate protection mechanism. Re-examining of migration and development nexus must be taken into account as well as the contribution of migrants to host economy.
- Recommendations:
 - Foreign policy to include views of civil society
 - Monitoring of migrants' right
 - Ensure implementation of policies and involved civil society organizations
 - Policies should be based on institutional framework of UN

Recommendations from the plenary for inputs to the Voices of the Region

- Aside from talking about ratification of countries to the Migrants' Convention, a basic element is for countries, especially the North, to respect the rights of migrants as human rights.
- Inclusion of very specific issues and needs such as
 - women and children
 - general access to health care system
 - indigenous displacement
 - seafarers
 - refugees
 - impact of climate change
- Need to strengthen the UN framework, especially if the GMFD will be turned back to the UN
- Migrants voices inclusion in the discussion
- Assessment and review on the link of migration and development

Summary of Recommendations from the Roundtable Discussions

1. Session 1: Migration, Development and Human Rights

On protecting the rights of migrants – a shared responsibility:

- Ratification of international conventions
- Harmonization of national policies with existing human rights framework including health, education, freedom of association
- Pay specific attention to undocumented migrants and trafficked victims
- Creation of migration office in the UN
- Investing in long term development for decent work so that migrants can migrate out of choice and not of necessity

On empowering migrants and diaspora to contribute to development:

- Migrants and diaspora organizations should be included as partners (though not the sole agents) of development planning and implementation in origin and destination countries.
- This inclusion should flow from the recognition of their skills, expertise and accomplishments in promoting development; building their capacity with appropriate resources as necessary and making sure that women are fully included in these processes.
- We urge governments to translate these realizations into concrete commitments and action plans for partnership.
- Many migrant and diaspora organizations work simultaneously on integration in destination countries and development of their home countries; there is no contradiction between the two.
- Well-integrated migrants who enjoy the full range of political, social and economic rights in countries of destination are best able to contribute to development.
- Therefore, governments should promote citizenship, labor market integration, access to social benefits for migrants to empower them as development actors.

2. Session 2: Secure, Legal Migration can Achieve Stronger Development Impacts

- The migration and development agenda should be shifted from national security agendas, which not only criminalize migrants and their families (including children), but also permit discrimination, exploitation, and de-humanization of migrants and their rights. Instead, the agenda should focus on development issues and fundamental rights
- Governments and society as a whole should recognize and promote the contributions of migrants to the destination countries (portability of income). This should imply that policies should be based on the principle of reciprocity between countries of origin and destination. We need cooperation policies which are not second class “co-development” policies.
- All workers have the right to decent work. All migration channels (both regular and irregular) should not be forced by any circumstances, for example, poverty, governmental pressures, political issues, etc. Overseas citizens should be protected by both destination and host countries. These rights should be underpinned, monitored and enforced by international instruments and transposed into national instruments, enabling all migrant workers to access and seek redress to any transgression.
- Sustainable regularization programs should be in place for undocumented citizens to become documented. All migration should lead to steps to full

citizenship in destination countries, if desired. Choice should be the key component of citizenship, and should be afforded to people who are stateless, including the possibilities of dual citizenship.

2. Session 3: Policy and Institutional Coherence and Partnerships

On strengthening data and research tools on migration and development

- Have increased access to data and data sharing, particularly north-south data sharing
- Establish a clearing house in Asia
- Civil society can be more engaged in data collection and partnership with diaspora organizations
- Seek to overcome data gaps in difficult and sensitive areas – i.e. violence and death on border, and specific groups such as children, women, trafficked, and internal migrants

On policy and institutional coherence in migration and development within government

- use corresponding policy and decent work policy
- establishment of structured dialogues with government ministries dealing with migrant concerns
- sustain dialogue between executive, legislative, and judiciary on migration and development
- families to consult with other actors like government and civil society

Summary of presentations by the Chairperson

Based on the presentations of outputs from the roundtable discussions, Ms. Sharan Burrow highlighted the following important points:

- Rights-based should be part of the code
- A call for harmonization of legislation and human rights with focus on migrants issues because lack of treatment will lead to problems such as with education and health, etc
- A call to have an office in the UN on migration and development
- Include in the UN mandate, national and international mandates the recognition of diaspora
- call for recognition and respect to the contribution of migrants
- call for structure that facilitate dialogue with national policy team, judicial, and executive team
- national security under human rights agenda

Recommendations from the plenary

Participants of the GFMD Civil Society Days are calling Governments to:

- consider other specific issues such as:
 - forced migration and mixed migration flows;

- rights of undocumented when talking about protecting and empowering migrants
- situation of children left behind and the right of children deportees
- domestic workers' rights, especially on repatriation
- migrants' access to public services and infrastructure services
- analyse the link of the root cause of poverty and migration
- hold multinational corporations accountable in their treatment to migrant workers
- use gender equality data in the policy analysis especially in looking at the vulnerability of women
- reject the EU return directive. Governments should stop criminalizing undocumented migrants
- "NO" fee charge principle / placement fee charge
- Stop the use of remittances and employment of migrants to save that debt ridden economy of the South
- Institutionalize the collection of sex-disaggregated data
- Strengthen research on migration including the social cost of migration in partnership with civil society groups

Summary of the Regional Consultative Processes at the Interface of migration and development

The participants from this roundtable session proposed the following:

- a general agreement on the value of Regional Consultative Processes and the need for civil society to be involved on those processes
- migration discussion should not only be made in a regional level, but across all levels
- train and strategize capacity building for civil society organizations
- develop models of civil society organizations' participation in the national, regional, and global level
- Governments to the institutionalization of civil society's participation at the national, regional and global levels which should include participatory process to achieve maximum impact

Summary of presentation by the Chairperson

Ms. Burrow outlined three important points:

- harmonizing the language
- Monitoring progress of development
- Put the issue of bilateral and multilateral agreements into the rights based approach, the language that govt should use is coherent in the UN process.

Summary of the International Migration for the Benefit of Workers and Business: Best Practices from the Business and Professional World

The workshop looked into standardizing minimum standard form of training of health workers and other professional workers. There were two cases presented, one on the shipping industry and other on recruitment of health industry.

Some best practices in the shipping industry are linked with governance that covers safety condition of work, education, training and certification that have global standards, partnership among government, practical use of data and ensuring training needs.

Recommendations

- strong and clear, global regulatory framework under the IMO and ILO
- Ensure governance workers' rights
- Global recognition in the standard of education
- Removing recruitment agencies' fees (if there is, employers should pay)
- Partnership on data collection

Summary by the chairperson

- Governments should make sure that recruitment agencies are licensed so they can be regulated.
- Respect on ILO conventions

Deliberations over the call for a UN office on migration with focus on human rights and development

- It is imperative to show the nexus between migration and development
- There should be an international office that will look into the penalties for violation of migrant workers' rights
- When talking about migration, it is not just about economic development but more importantly human rights, the reality of protecting the rights of migrants
- A suggestion might not be an office in the UN but a FORUM in the UN where issues on migration can be discussed

MESSAGES

1. Jonathan Fanton, President, MacArthur Foundation

Mr. Fanton talked about philanthropy and how MacArthur Foundation can help. Mac Arthur Foundation is an independent organization in the US, based in Chicago. It works in 60 countries; about 40% of work is outside the US. Among their priority issues were: population and reproductive health, peace and security, human rights, migration, climate change, etc. They provide grant support for research collection and pilot project test solutions to present problems.

Global forum on civil society days has placed migration in the forefront. MacArthur Foundation believes that the best way to move from this discussion is to search first the reality in the grounds by doing research that will be useful for policy recommendations. The production of better research includes both the challenges and benefits of the study.

Possible research topics can focus on any of the following: how international migration be better governed?; the architecture for the organization of migration and mobility; trends and patterns of migration; how migration contribute to economic growth?; impact of migration to family and community as well as to population change; connection between human rights and development, among others.

MacArthur Foundation also provide support to improve the standard on health care, including the development of codes of conduct to improve health care of migrants.

They provide support to civil society organizations in every field in which they work.

2. Philip Pierce, EC-UN Joint Initiatives

The joint initiative is 100% funded by the EU. Among its initiatives were on: (1) remittances, (2) migrant communities, (3) link of migrant workers and capacity, (4) migrants' rights.

Their two main components were: (1) proposals to support concrete initiatives by civil society organizations linking host and originating countries, which will be launched early December. Each organization must have a partner in any of the 16 countries identified by the EU. (2) Global knowledge management proposal – which is a sharing of best practice through establishment of platforms in the web, highlighting the current practice of the community.

There will be a knowledge fair this December. This is a face to face interaction among civil societies involved, showcasing best practices. The online management platform will also be launched during the fair.

Comments from the plenary

- Since there are already a number of existing knowledge portals, there is a need for coordination to avoid duplication of work.
- Civil society must also be involved in the tripartite engagement (employee, employer, government) and not just only during international forum or national discussion.
- Request to send to Brussel the discussions brought out in the GFMD Civil Society Days, especially those policies that undermine migrants' rights

Summary of the chairperson

There were two suggestions raised on what should be done beyond the forum:

- Continue to debate of representations to global, bilateral/ multilateral forums
- Representation dialogue between trade unions and government

Action Recommendations from the Plenary (Beyond GFMD)

The participants suggested the following actions:

- Involvement or engagement of civil society in government agencies involved in migration (i.e. immigration officers, visa processing)
- Proper and informed debate on specific issues
- Explore how to facilitate diaspora organizations that are engaged or contributing to development; and gather evidence about their work so as to forward more concrete recommendations/programs by next year
- Networking arrangement between sessions to discuss and exchange ideas. (This can be done electronically after the session)
- Creation of website that will feature inventory of initiatives on migration work
- Study and analyse closely the gaps and processes by having a good functional relationship between civil society organizations and government.
- Have an inclusive assessment including civil society organizations work in the areas of migration
- Encourage to set up migrant organizations with broad representation taken into account geography and cultural differences. This must be legitimate partner of government in particular country.
- There should be an online consultation, open hearings for migrants to be heard. Languages can be used in those suggestions.
- Hold focus discussion between now and GFMD next year to have a sort of overview on what strategies to do. i.e. recruitment agencies, treatment on undocumented, sharing best practices between now and next year

