



Civil Society **Recommendations**

**from the 2011 GFMD Civil Society Days
29 – 30 November, Geneva, Switzerland**

Recommendations

2011 GFMD Civil Society Days, 29 – 30 November, Geneva, Switzerland

(6 February 2011)

The fifth Civil Society Days of the Global Forum on Migration and Development (GFMD) brought together 186 civil society delegates from 61 countries, including 73 migrants—the largest number of diaspora and migrant organizations participating in the GFMD to date—along with 160 observers, guests and governments. The two days of deliberation focused on the overarching theme:

Taking Action on Labour Migration, Development and the Protection of Migrant Workers and their Families

Participants worked towards key recommendations for follow-up actions to be taken up independently or in partnership by governments and civil society. Deliberations resulted in a "[Statement of the 2011 Civil Society Days](#)"¹ and 17 recommendations, around the following 5 themes:

1. **Rights**-based Policy-making for the Benefit of **Migrant Workers and Families**
2. Improving **Protection** of Migrants Moving or Working in **Irregular Circumstances**
3. Re-imagining **Labour Mobility**
4. Investing in **Development Alternatives** to Migration
5. Advancing the **Global Governance** of Migration, the Future of the Forum, and the Road towards 2013

GFMD 2011 Civil Society participants invite all stakeholders, governments and civil society to take up these recommendations, carry them forward and elaborate them, and to develop indicators to monitor progress, collect good practices and success stories.

¹ The Statement was presented on Dec 1st 2011, at the Opening Plenary of the GFMD Government meeting, by the Chair of the 2011 GFMD Civil Society Days, William Gois (Migrant Forum Asia). Representatives from civil society and international organizations were present. The Statement can be accessed here: www.gfmdcivilsociety.org

1. Rights-based Policy-making for the Benefit of Migrant Workers and Families

GFMD Civil Society 2011,

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| <p>1.1. Civil Society Advocacy for:</p> <ul style="list-style-type: none"> - ratification of MWC, ILO 189 and other instruments - Review of national laws | <p><i>Encourages civil society organizations</i></p> <ul style="list-style-type: none"> - to continue their strong, ongoing advocacy on the ratification, implementation and enforcement of relevant legal instruments that ensure the equal treatment and protection of migrant workers – particularly the UN Convention on the Rights of Migrant Workers and Members of their Families – and to collect, share and showcase successful relevant advocacy campaigns. (e.g. the 2022 World Cup in Qatar and the ILO Convention 189 on Decent Work for Domestic Workers were discussed as opportunities to advocate for workers’ rights). Delegates pressed for trade unions and the ILO to assume a more active role in the implementation of legal instruments by instigating further cooperation at the national and international level with NGOs and the private sector - to organize on the national level so as to undertake a comprehensive review of national laws and policies that infringe the rights of migrant workers, their families and children and to use such reviews as advocacy tools, including the advocacy for portable rights and social security (<i>see also Recommendation 2.5</i>) |
| <p>1.2. Governments responsibility for:</p> <ul style="list-style-type: none"> - Family unity and well-being - Children’s rights | <p><i>Calls on governments</i></p> <ul style="list-style-type: none"> - to ensure that the right to family unity and reunification and the well-being of the family are cornerstones of migration policies, to provide psychological support to members of families separated by migration and enable better access to communication technologies so as to allow migrants and their families to be in contact - to ensure that children are treated as minors, irrespective of their migratory status, and that they have access to education (primary, secondary and tertiary), healthcare and judicial support; and to review their best interests, to avoid detention of children in any circumstances and avoid deportation when the well-being of children is at stake |

2.Improving Protection of Migrants Moving or Working in Irregular Circumstances

GFMD Civil Society 2011,

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| 2.1 Regularization and regular avenues for migration | <p><i>Urges governments</i></p> <ul style="list-style-type: none"> - to work with <i>employers, labour unions and other social actors</i> to create more regular and safe migration channels that address labour market and protection needs, and ensure family (re)unification; and to consider regularization mechanisms to reduce and resolve the situation and vulnerabilities of migrants with irregular status <i>(see also Recommendation 3.1 on labour, skills and education matching)</i> |
| 2.2. Access to rights, basic services and redress | <p><i>Calls upon governments</i></p> <ul style="list-style-type: none"> - to ensure that the human rights of all migrants, irrespective of their immigration status, are protected and enforced, including the right to health, education for children, labour protections and justice for victims of crime and violence - to remove legal barriers that prevent irregular migrants from exercising these rights, for example, by guaranteeing access to redress for all migrants and by ensuring that information collected by service providers is not shared with immigration enforcement agencies <p><i>Calls upon civil society organizations</i></p> <ul style="list-style-type: none"> - on the national and regional levels to monitor and report on the access of irregular migrants to basic services and to advocate for removal of barriers to services |
| 2.3. Protection of irregular migrants | <p><i>Calls for governments</i></p> <ul style="list-style-type: none"> - to reduce the economic incentives to hire and exploit irregular migrants and to institute sanctions against law enforcement officials who commit acts of violence against irregular migrants at borders, in transit and at destination <i>(see also recommendation 3.2 on recruitment and employment practices)</i> |
| 2.4. Alternatives to detention | <p><i>Proposes to governments and civil society organizations</i></p> <ul style="list-style-type: none"> - to establish public-private partnerships to implement community-based alternatives to the detention of irregular migrants, that are cheaper, more effective and humane. Alternatives include screening and case management systems that determine the most appropriate course of action and provide advice to migrants on their rights and responsibilities |
| 2.5. Partnerships for: Awareness campaigns and migrant empowerment | <p><i>Encourages governments and civil society organizations to work together with media organizations to employ, share and showcase public information and awareness-raising campaigns</i></p> <ul style="list-style-type: none"> - to empower migrants by ensuring that all, including those in irregular status, know and are able to exercise their rights and responsibilities - to promote a positive image of migrants in public discourse by highlighting migrants' contributions to the economy and to ensure that media employ correct terminology for migrants in irregular status, including by eradicating the term "illegal immigrants" - to sensitise consumers to purchase goods produced under decent wage and working conditions |

3.Re-imagining Labour Mobility

GFMD Civil Society 2011,

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| <p>3.1. Labour, skills and education matching</p> | <p><i>Urges governments</i></p> <ul style="list-style-type: none"> - to invest together with <i>businesses, academia</i> and <i>other civil society actors</i> in labour market analysis to better understand short and long-term needs regarding the number of foreign employees and kinds of skills demanded, so as to make labour mobility work better for migrants, employers, and communities in both countries of origin and destination - to develop mechanisms for the “matching” of education and training programs with labour market needs “at home and abroad” and to organize skills, credential recognition and up-scaling in a just and more effective way so as to address present and future mismatches between labour supply and demand <p><i>(See also Recommendation 2.1 calling for more regular and avenues for labour migration)</i></p> |
| <p>3.2. Recruitment and employment practices</p> | <p><i>Calls for governments</i></p> <ul style="list-style-type: none"> - to better regulate and monitor recruitment and employment practices, by creating sound and transparent licensing systems, simplifying procedures, instituting sanctions, and ending visa-systems that tie migrants to specific employers <p><i>(See also Recommendation 2.3 on protecting irregular migrants from exploitation)</i></p> |
| <p>3.3. Circular / temporary migration</p> | <p><i>Reiterates</i></p> <ul style="list-style-type: none"> - that circular and temporary labour migration schemes should not replace permanent employment, and should include pathways to permanent residence status and citizenship <p><i>Demands from governments and businesses</i></p> <ul style="list-style-type: none"> - to ensure that temporary/circular schemes provide for equal access to workers’ rights and entitlements, including the freedom of association, equal payment and access to social security - that bilateral migration agreements, in particular on circular and temporary migration schemes, are developed transparently and on the basis of a participatory approach - including labour unions, employers, governments and other social actors |

4. Investing in Development Alternatives to Migration

GFMD Civil Society 2011,

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| <p>4.1. Rights-based Development</p> | <p><i>Insists to governments</i></p> <ul style="list-style-type: none"> - to regard their primary responsibility for sustainable and human development thus adopting a rights-based approach to development which addresses economic and social rights - including decent work and essential public services, that are necessary to make the “right to remain” possible - to abandon aid conditionality and to detach development programmes and assistance from the repatriation of irregular migrants and (ex)asylum-seekers |
| <p>4.2. Migrant/diaspora partnerships and engagement</p> | <p><i>Recommends to migrant/diaspora organizations</i></p> <ul style="list-style-type: none"> - to involve local stakeholders, create trust relationships, and forge partnerships with the private sector; to share experiences and knowledge, to replicate and scale up projects and build a common vision on specific themes that enable advocate with one cohesive voice <p><i>Asks governments in countries of origin and destination</i></p> <ul style="list-style-type: none"> - to institutionalise migrant/diaspora engagement in development programming and to create a platform for constructive dialogue with migrant/diaspora representatives - to acknowledge that the contributions of migrants/diaspora to development go beyond remittances and include knowledge and skills sharing |
| <p>4.3. Diaspora entrepreneurs & SMEs</p> | <p><i>Calls upon local, state and national governments</i></p> <ul style="list-style-type: none"> - to adjust the legal and financial framework to promote migrants as entrepreneurs, provide access to credit and skill development, and promote Small and Medium Enterprises (SME) which can play a critical role in job creation (e.g. by governments of countries of origin providing low interest loans to migrants abroad towards income generating investments back home) |

5-Advancing the Global Governance of Migration, the Future of the Forum and the Road towards 2013

GFMD Civil Society 2011,

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| <p>5.1. Global Governance and the Road towards the UN HLD, 2013</p> | <p><i>Calls upon all actors</i></p> <ul style="list-style-type: none"> - in considering the Future of the Forum, to affirm that the primary concern is the future of migrants. International governance is urgently needed to protect the rights of migrant workers and families at places where a specific government fails to do so. - to further reflect upon the possibility of integrating the GFMD within a rights-based, accountable and transparent framework with binding engagements <p><i>Promises</i></p> <ul style="list-style-type: none"> - to formulate proposals on potential modalities for future governance and welcomes opportunities to consider this future jointly with governments in assessing modalities for engagement between civil society and governments in preparation for the 2013 UN High Level Dialogue on International Migration and Development |
| <p>5.2. Impact, accountability and implementation</p> | <p><i>Calls upon governments and civil society</i></p> <ul style="list-style-type: none"> - to create mechanisms to hold GFMD stakeholders (states and civil society) “accountable”, by monitoring new policies and actions that have been implemented as a result of GFMD civil society and government recommendations. |
| <p>5.3. GFMD Modalities</p> | <p><i>Calls upon governments and civil society</i></p> <ul style="list-style-type: none"> - to explore avenues for deeper and alternative modalities for interaction between <i>civil society</i> and <i>governments</i>, throughout the year, as well during the GFMD meetings – including the value of creating a small, time-limited working group on labour mobility before the High Level Dialogue to consider the role of recruiting agencies, migration data, labour shortages and surpluses, forms and programs of labour mobility that work and do not work for migrants, employers, and communities in both countries of origin and destination |
| <p>5.4. GFMD at the national level</p> | <p><i>Calls upon governments</i></p> <ul style="list-style-type: none"> - to institutionalize a national dialogue with civil society organizations, migrant and diaspora organizations in particular, to explore how to work together to implement previous GFMD recommendations |