

Civil Society Days 2016, 8-9 December, Dhaka, Bangladesh

Reporting Template for working session 4.1: Multilateral cooperation and governance of migration and development: institutions and legal framework

Session	
Name of rapporteur(s)	Amy Shannon
Session # and theme	4.1: Multilateral cooperation and governance of migration and development: institutions and legal framework
1. Progress: inspiring practices, partnerships and tools	
Describe, as concretely as possible, <i>up to four</i> examples identified during the session where progress has been made in the past years in terms of policies, practices or state-civil society partnerships	
1.	<p>Build from local civil society and government partnerships -Asylum/ Refuge cities in Europe; Sanctuary cities in US.</p> <p>Local people when they have the opportunity to discuss come to a different conclusion than national policy: AMSTERDAM – safe reporting system for reporting crimes to the police; used the combo of legislative mandate from the EU + local dialogue.</p>
2.	<p>Leverage Regional Policy for Firewalls – Facilitate implementation of legal frameworks for protecting rights of undocumented migrants. EU Directive – Victims of Crime (2012) – applies to 27 members. Came into effect one year ago. “All victims of crime are entitled to justice and support services, regardless of status” Great to have it on paper BUT doesn’t provide clear guidance. Working now with victims rights organizations (who had no idea that migrants were excluded from these basic rights) women's shelters (many get funding from the government so don’t attend to undocumented). New Campaign: Step Up! Trying to get women’s shelters to pledge to provide safe spaces for undocumented women</p>
3.	<p>On Global compact - The new language of “migrants regardless of status” is a big step forward. Especially compared to SDGs negotiated 1 year prior when this language was stripped. Challenge is to make this real through changes in laws and practices (see previous example)</p>
4.	
2. Four recommendations, with related actions and indicators for change in policies and practices	
<p>Recommendations: Describe, as concretely as possible, <i>up to four</i> recommendations where changes are needed in policies and practices—either national, regional or global. Also indicate at whom this recommendation is targeted (e.g., states, civil society actors, international agencies, etc.)</p> <p>Actions: for each recommendation, what does civil society need to <i>do</i> to get these recommendations heard and implemented, either at national, regional or global level?</p> <p>Indicator(s) of change or success: <u>What specific event(s), or what specific number(s),</u> e will demonstrate progress or success on this recommendation?</p>	
Recommendation 1 and who targeted to	(From Asia Group) Target: Embed Rights Framework into clear implementation plan of Global Compact starting during the negotiations process

Action(s) for this recommendation (up to two maximum).	<ul style="list-style-type: none"> • (Asia) Development assistance providers to Asia (Swiss, Canada and Australia) to support CSO regional consultations with governments. Should include capacity building. • (Asia) National level networks engage with champion countries to approach regional consultative processes (Colombo process, Abu Dhabi Dialogue, ASEAN and SAARC) to push forward elements of the compact in these regional spaces • Compact negotiations specify Sending country obligations – consular services, re-integration. •
Indicator(s) of change or success on this recommendation (up to two maximum)	Implementation measures of rights-based commitments (with benchmarks) incorporated in the compact as it is negotiated.
Recommendation 2 and who targeted to	(From Latin America Group) IOM should embrace the rights framework, transparency and collaboration with civil society in both principle and operations at all levels
Action(s) for this recommendation (up to two maximum).	<ul style="list-style-type: none"> • Open up IOM contracts and MOUs with governments to public scrutiny and oversight as well as stakeholder input • Ensure that IOM operational and project activity is consistent with its leadership in the compact, rooted in what civil society is doing, complementary and supporting not competing with local civil society.
Indicator(s) of change or success on this recommendation (up to two maximum)	<ul style="list-style-type: none"> • Public disclosures of terms of operational relations with states
Recommendation 3 and who targeted to	(From Europe and Mediterranean group) Leverage new Global Compact to promote policy coherence and implementation for rights based migration governance Target: Countries negotiating Global Compact;
Action(s) for this recommendation (up to two maximum).	Civil society: Monitor existing mechanisms for protecting migrants rights via a Platform for sharing information across regions and shared action Connect parliamentarians with each other across regions

Indicator(s) of change or success on this recommendation (up to two maximum)	Elimination of 1 or more existing policy incoherence in at least one country or region:: For example, in West Africa, governmental dialogue on remittances could be linked with migrant rights
Recommendation 4 and who targeted to	Increased transparency and accountability of migration governance at all levels (Target-national governments; Migration Compact)
Action(s) for this recommendation (up to two maximum).	<ul style="list-style-type: none"> • Civil society monitoring, consultation and use of feedback mechanisms • Engage parliamentarians
Indicator(s) of change or success on this recommendation (up to two maximum)	<ul style="list-style-type: none"> • Authentic regional consultations for the Migration Compact that guarantee the presence of the key stakeholders (civil society, including the front-line defenders, migrants, families of migrants). These consultations should include: <ul style="list-style-type: none"> a. Gender based violence b. Children in migration- unaccompanied minors, children migrating with families; children deported or sent to country of parents origin c. Ending discriminatory policies against migrants d. Labor migration e. Youth engagement in migration, development and forced work f.
3. Governance mechanisms and the Global Compact for safe, orderly and regular migration	
Did your session suggest anything about (1) global or regional governance mechanisms that need to be improved/changed; and (2) elements that need to be included in the Global Compact for safe, orderly and regular Migration (<i>or where relevant also the Global Compact on Refugees</i>)	
1. Governance mechanisms:	Make the global compact a truly multilateral framework that fosters policy coherence and rights based governance of migration, avoiding the failures caused by multiple bilateral agreements and MOUs
2. Global Compact:	Ending Detention for Immigration related violations- Detention never appropriate for children Ensuring firewalls between immigration enforcement and law enforcement and between immigration enforcement and social services Transparency and Accountability in labor agreements Re-thinking the primacy of temporary migration—incorporate fair and ethical labor standards and visa portability Safe, regular and orderly migration must be linked to channels for regularization otherwise it becomes a mechanism for detention and deportation.
4. Implementing related targets of the 2030 Sustainable Development Agenda	
One year after the adoption of the 2030 Agenda, are there any lessons we can already draw from implementing its targets related to your session’s theme specifically on the local/national level , and what (more) should civil society do?	
1.	SDG s (16 – identity and access to justice, , 3 health, 4 Education, 5 gender)

	- SDGs Need to take into consideration specifically the needs of children who have been returned with parents (Access to identity is a key right that triggers the ability to get education, health, etc.)
2.	
5. Recommendations and actions for women / children	
Do any of the recommendations <u>or</u> action steps of your session specifically relate to women or children and how? <i>[if you have addressed this in the recommendations itself just simply refer to the recommendation no.]</i>	
1. Women:	Gender based violence during migration was named as a concern that must be addressed in both the Global Compact and the SDGs. This includes violence against women and LGBT communities
2. Children:	In Central America corridor- Children are the target of violence and youth are at most risk, from gang and narco violence as well as being criminalized by the state (and therefore vulnerable to state violence). Children are also being deprived of rights when returned to parent’s country of origin. In Africa – youth need to be incorporated into policy discussions about migration, development and decent work.
6. Priority messages to convey to governments by the CSD Chair on 10 December	
If your session could choose only two key messages to be conveyed by the civil society CSD Chair in his report to states on the 10th of December, which would these be? <i>(feel free to just refer back to any point written out above)</i>	
1.	In global compact process, draw on multistakeholder processes building from the local level up: Civil society & local authorities have already been working together on strategies to make protection of human rights of all migrants regardless of status a reality on the ground through use of firewalls enabling access to basic services. In some cases they have already been able to change national policy.
2.	The compact must have practical effects on the ground, improving the lives, opportunities and respect for the rights of migrants and families; it is therefore critical that the compact focus on policy coherence within a broad framework protecting migrant rights and mobility opportunities, as well as having goals, targets and indicators to facilitate implementation of that framework.
7. Inspiring quotes	
If you like, please provide one or two quotes that you heard during the session that you found inspiring. The sessions follow Chatham House rules, so please either ask for approval to name the speaker/organization <u>or</u> put “anonymous”.	
<p>This moment requires new alliances, new paradigms, new kinds of economies that include migration as a choice. As migrants’ rights advocates, we need to connect with other sectors, such as peasant movements and others who are working on this from another angle.</p> <p>Current migration regime of management and deterrence contributes to criminalization and feeds racism and xenophobia.</p>	
8. Other information	
Provide here any other information you think relevant	
This session (4.1) was introduced as a plenary with two discussion starters, and then broke into three groups each discussing key issues in the context of a specific regional migration corridor—Europe-Mediterranean-Africa; Central America- N. American corridor; and Asia, with a focus on South and Southeast Asian migration to the GCC countries. Each regional group reported back its responses on the guiding questions.	

