

Meeting of the Friends of the Forum
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Agenda items 3, 5 and 6

Report from Civil Society

John K. Bingham, ICMC
GFMD Civil Society Coordinating Office

*As prepared for delivery;
referenced Civil society documents available
at www.madenetwork.org/documents*

Ambassador Schmidt-Bremme, Secretary General Nadir, Ambassador Ahsan, partners:

There are only 106 weekdays to go before the next Global Forum in Berlin—it is good to be working with you hard, fast, and we hope smart!

As many of you know, since 2011, ICMC's small GFMD Coordinating office has worked to organize many civil society activities at international, regional and national levels. We work closely with an International Steering Committee of about 35 civil society organizations from around the world that are leaders in migration and development policy-making, on-the-ground practice, and partnership—including with many of your governments. Like you in your planning of the government programme, we together identify a thematic focus for civil society during the year, a set of civil society activities, including consultations with a growing number of national governments, our participation with you in the preparatory meetings in your workplan, and our own two days of Civil Society meetings and Common Space with you during the summit meetings. We do that work throughout the year in close partnership with the Chair and troika, other government partners and international organizations.



We can hardly think of a more important moment these past 10 years for the GFMD to show its value than to step up to the chaos in migration and in politics today—with solutions.

First in the 2030, Agenda, and then also in the 19 September Summit Declaration almost exactly a year later, 193 states have said, unanimously—using identical language that underscores the *straight-line* connection between sustainable development and migration: one clear solution is to organize safe, orderly and regular migration. For migrants of all kind—including refugees.

In fact, the largest and most effective solution of safe, orderly and regular migration was put together by 70 countries cooperating to stop the suffering and tragedies of boat people in

Southeast Asia in the 1970s and 1980s. It was actually called the “Orderly Departure Programme”, and it moved hundreds of thousands of refugees and their families—as well as non-refugee migrants.

Possibilities for such solutions make this year a big moment for the Global Forum, which has come such a long way in 10 years. We welcome and look forward to working with the Forum’s new Ad hoc Working Group on the 2030 Agenda and Global Compact on Migration. We also immediately look forward to the dialogue on the Global Compact tomorrow.

Agenda Item 3: Snapshot of civil society results from GFMD 2016

If I may share just a few highlights of civil society in the GFMD in Bangladesh, process, substance and evaluations—because we build upon and take forward last year’s work to this next Global Forum.

Process. **200** civil society delegates participated, joined by another **41** joining from the parallel civil society People’s Global Action on Migration, Development and Human Rights, which you will recall had joined us here at Friends of the Forum in our presentation last meeting. This compared to 225 civil society delegates in Turkey in the prior Global Forum and to our recollection is the highest civil society participation in the GFMD to date.

Almost half of us were migrants or members of the diaspora ourselves.

Of the 200 civil society *delegates*:

- **3 out of 4** represented either migrant or diaspora NGOs, human rights organizations, or development groups
- **25%** were from academia, labour organizations and private sector
- Almost **80** civil society delegates were from the Asia-Pacific region, about **38** each from Africa, the Americas and Europe, and **12** from the Middle East;

In addition, there were **61** observers and media, plus **40** representatives of 12 states and the European Union. Thank you to those states, and in particular Bangladesh, Germany and Switzerland for accepting our invitation to speak “from the front” in civil society plenary and working sessions.

A one-sheet booklet with these figures and other highlights of the Civil Society Days is on the table outside the room, and will be available on the website www.madenetwork.org/documents soon. The booklet also presents civil society’s 10 principal recommendations this year.

Substance

As in each year since the UN High-level Dialogue on International Migration in 2013, the Civil Society Days programme in Bangladesh took forward civil society’s “[5-year 8-point Action plan](#) for collaboration with governments”, now entering its fourth year.

However: adding up plenaries, working sessions, special strategic sessions, small tea tables with governments and then Common Space, Civil society spent nearly 40 hours at the Global Forum looking directly at follow up to the New York Declaration for Refugees and Migrants. Quite specifically, we focused on the commitments there to develop a Global Compact on Migration, guidelines for the protection for non-refugee migrants on the move, and expansion of the global campaign against xenophobia.

On precisely those issues, we were delighted with the time and exchange we had together with states in the group of small tea tables that we organized and in Common Space, and especially with the high energy and drive of the Bangladesh Chair on the Global Compact on Migration. Thank you Bangladesh.

Well-reflecting all of this focus, those of you who were in Bangladesh heard the excellent final [Report of the Chair of the 2016 GFMD Civil society Days](#), which Colin Rajah presented to states at the opening of the government programme. Copies are available on the tables in the back of the room.

Evaluations

As in prior years, upon return from Bangladesh, ICMC's Coordinating office sought feedback on the Civil Society Days and Common Space from participants. 108—more than half—of the civil society delegates responded, the highest response we've ever gotten. On the whole, just under 90% thought the civil society programme was good or excellent; a slightly higher number thought the civil society Action Papers for the working sessions were also good or excellent. Some of the lower marks were for not providing enough of the documents on paper (we had tried to be a “paper-smart” programme for once); the Civil Society Days programme being a little too packed; not having enough involvement of government representatives or civil society-states interaction in other ways, and too many speakers in the Common Space opening plenary.

A summary of the evaluations is available on www.madenetwork.org/documents.

Agenda Item 5: Draft of the Chair's concept Note for the government programme of this year's GFMD

As in past years, civil society partners appreciate the Chair's invitation to provide feedback on the draft concept note for the government GFMD programme this year. We have taken up that offer on four occasions already, including conversations on the first outline with the Chair and his team just before and after the 19 September Summit in New York, more recently in Berlin, and last week in a 90-minute open, global Webinar that we organized with Ambassador Schmidt-Bremme himself. Thank you Ambassador.

We discussed the full draft concept paper at the first meeting of the International Steering Committee of civil society just last Wednesday, 25 January. Like others we imagine, civil society colleagues are eager to offer some more considered thinking back to the Chair in writing, early next week.

In the meantime, these **four impressions are the most widely shared thus far**.

1. There is wide appreciation of the overall theme, looking for a **“social contract.”** Not just a “compact”, a “contract”. Drafted by all stakeholders, and binding.
2. On the **roundtables**, we very strongly endorse the effort to orient each roundtable to consider matters and recommendations that directly correspond to development of the Global Compact for Safe Orderly and regular Migration. In a world looking for expertise, craving real deliberation from a community of actors, and fighting too much over which city that may be in: much of the expertise, deliberation and community—great investment over the years!!—is right here, in the stream of Global Forum activities.

3. **Roundtables 3.1 and 3.2.** For 3.1, first *bravo* for the smart inclusion and the solid work of the Business Mechanism in the GFMD activities and Summit last year. The small number of us in civil society that participated in the Business Mechanism workshop there thought that it was excellent. Separately, in the draft concept paper, roundtable 3.2 on “*Strengthening cooperation-enabling civil society contributions in migrant and refugee assistance and integration*”, speaks to and of us in civil society as both subject and object, agent and partner in assistance and integration in the real world. In a spirit of shared interest for the common good, we are so happy to offer our lived experience as well as working experience towards constructive conversation and concrete result in that roundtable.
4. *Now at the risk of understating* reactions to date among many in civil society, **roundtables 2.1 and 2.2** are a bit more *loaded*. In part, that may be the framing, to be clear, some of the reaction is also a reflection of the current political environment and trends in many places. I have always promised to be honest, and we take our civil society role in these matters and meetings seriously: please consider this very straight report in that spirit.

In short: taken together, the two tables seem to open the Global Forum door to a consideration of migrant containment and return that no one remembers ever seeing here before.

Roundtable 2.1 seems to focus on development to prevent forced displacement. I believe much of civil society would agree on that—provided it is truly to help make migration a choice and not a necessity. And “moving beyond emergencies”, as the concept paper notes, is something civil society works on all the time, with governments and international agencies as well as migrants and displaced people all the time.

But a **bright red line** for many in civil society is IF discussions—inside or outside the GFMD—or development policies would take the step into *conditioning* development aid on migration control or containment. To our recollection, out of all the links of migration and development explored in this Forum over the years, and in two UNGA High-level Dialogues and the 19 September Summit, none has ever connected migration and development that way. But civil society actors—north and south, east and west, and across sectors of civil society—are raising that question when they read 2.1 in the current draft.

With respect to **roundtable 2.2** on *development impact of return migrants*, For many, many in civil society, the lived experience of return has been awful, a personal or family catastrophe. For many, rough in the extreme: from detention and physical removal to unpayable debt, deep personal, familial and community humiliation—and, after all that, what? Remigration at all costs. I honestly believe that there is no other issue that civil society feels more strongly about, than return. To be clear: the question is not: “do we need to have this discussion?”—which many say can have great value, but rather, “*how* can we structure such a discussion as an honest, constructive dialogue? How do we do that in the full spirit of the SDGs, and Summit Declaration, both unanimously adopted by 193 states? How do we do that in conformity with widely ratified international treaties, not least of them the 1951 Refugee Convention and Convention on the Rights of the Child? How do we do that in a way that is evidence-based, that looks for practical solutions?

Many who read the draft said that its references to voluntary return, the value of preparation for return and providing reintegration support get lost amidst too much of civil society's real-world experience—and anticipation—of the opposite.

Having seen return already in the thematic outline that preceded the draft, we made a last-minute addition to our own Civil Society Days programme at the Global Forum in Bangladesh to include a **Special session on return**, 90 minutes. Why? To begin to consider how to *even ourselves* have a frank, rights- and evidence-based and constructive discussion on this. And then have the discussion with government and other partners.

We structured the Special session in three sections. First: when is return not permitted under international law? (as in *non-refoulement* of refugees, asylum seekers and victims of torture). Second: when might we see—and thankfully, many states frequently do—that certain forms or circumstances of return are immoral, even if current international law does not categorically say it? The situation of many non-refugee children and victims of human trafficking are one clear and common example. Third and finally: when return cannot be avoided, what are the minimal conditions for people being returned to be protected and their rights respected?

Our commitment from that Special session on return was to take time to work, directly on those questions, and if possible, develop a common civil society perspective and purposeful engagement going forward. *But we really have to try and figure this one out together.*

Agenda Item 6: Report on the Civil society process for 2017

Just a couple of bullets because though we have been happy to already meet several times with the Chair and be working with his team, honestly we are a few weeks behind your government planning.

Civil society's International Steering Committee for the Global Forum met for the first time last Wednesday. After debriefing, reviewing the participant evaluations and doing a lessons learned exercise for the GFMD in Bangladesh, we turned will vigor this year's civil society planning.

Here are the highlights:

1. **Calendar** of the Civil Society Days. The Monday and Tuesday immediately preceding the government days of the Global Forum that last week of June, are feast days following the end of Ramadan. With respect for our Muslim colleagues, the International Steering Committee of civil society voted overwhelmingly to go, exceptionally, with a different schedule this year. In fact, many of us—ICMC included, think that this different schedule offers some interesting opportunities for civil society in the Forum:
 - Thursday 29 June: Civil Society Day 1, simultaneous with government GFMD programme Day 2. *In general, civil society participants would focus on preparing for interaction with states in Common Space the next day.*
 - Friday 30 June: Common Space with all civil society and all government representatives, closing of the government programme, and small interactive tea-tables of civil society and governments
 - Saturday 1 July: Civil Society Day 2 and closing of the civil society programme. *In general, civil society would focus on strategic thinking and action commitments to follow-up on GFMD recommendations.*

2. **Selection** of civil society delegates to the Global Forum: Seeing that there is less than 5 months remaining before this next GFMD, the ISC is looking at how to speed up the normal global open application process and review that the ISC conducts to identify 200 civil society delegates from among the 800 applications that normally are submitted worldwide.
3. **Content:** Although no formal decision has been made yet, we are expecting the Civil Society Days programme—on both Day 1 Thursday and Day 2 Saturday—to focus 100% on the Global Compact on Safe, orderly and Regular Migration. This picks up naturally from much of the work that civil society has done in the GFMD in recent years, in particular in structuring GFMD discussions, recommendations and work around the 8-points of the 5-year plan.
4. **Interaction with governments:**
 - **Within the Civil society Days**—*all* government representatives are invited to participate with speaking rights, some even to make presentations
 - **Common Space:** we have started to reflect on the ISC and with the Chair about focusing the Common Space plenary and breakout sessions on the Global Compact for Migration, possibly even with a number of small sub-breakouts sessions.
 - Small interactive **tea-tables** with governments: the formula of 5-7 civil society leaders from around the world discussing a single issue with 5-7 governments, informally and without record for 90 minutes; one of the most positively acclaimed features of the GFMD since civil society piloted them in its 2014 programme in Sweden
 - **Within the government programme:** civil society looks forward to participating once again in the business mechanism, and constructively in other roundtables upon invitation

Budget

The Civil society programme of GFMD activities finished 2016 at or close to breakeven on the budget—with great appreciation to Bangladesh, the European Union, the Netherlands, Sweden, Switzerland, the United Arab Emirates, the Open Society Foundations and ICMC itself.

I am happy today to present to you our budget for civil society activities in GFMD processes this full year through December: **USD \$ 799,000**—all costs reflected.

The budget is on the table outside the room and will be mailed this week to all GFMD focal points. For comparison purposes, you will see columns that present our budgets from the past 3 years as well.

Please note that aiming for financial discipline and sustainability, our 2017 budget is zero growth from last year. At the same time, we face a double funding challenge this year. The bulk of our expenses are in these first six months of 2017, and at the same time our source for 1/3rd of our GFMD funding these last three years is ending 31 March. So we look to you for continued—and new support—as soon as you might be able to consider it.

Already we thank Germany and the Netherlands for your contributions; and Canada, Sweden and Switzerland for your expressions in this direction today. Even as civil society finds and puts substantial amounts of our own funding and other resources into this work, only with your help can we be with you in this GFMD hunt for solutions that work.

/Thank you.