

MOVEMENT

A Global Civil Society Report on Progress and Impact on Migrants' Rights and Development: through **Year 3** of Civil Society's 5-year 8-point Plan of Action

2nd edition: 2017



MADE

Migration and Development
Civil Society Network

2nd edition of:

MOVEMENT: A Global Civil Society Report on Progress and Impact on Migrants' Rights and Development:
through **Year 3** of Civil Society's 5-year 8-point Plan of Action

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Taking goals and targets seriously

In civil society, we take goals and targets seriously.

This is true for important goals and targets that we join others in setting. One such example is the global *2030 Agenda for Sustainable Development*, whose seventeen goals and 169 targets (the SDGs) *all* apply to migrants regardless of status, with at least eight of them referring explicitly to migrants or migration:

- SDG 4b on provision of scholarships for study abroad;
- SDGs 5.2, 8.7 and 16.2 on combating human trafficking, especially for women and children;
- SDG 8.8 to “Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment”;
- SDG 10.7 to “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through implementation of well-planned migration policies”;
- SDG 10c on lowering the costs of transmitting remittances and;
- SDG 17.18 on disaggregating data by migratory status.

In the field of migration, the 2030 Agenda goals and targets will be especially important in these next two years. Through 2017 and 2018, the world will take forward commitments that 193 UN Member States unanimously adopted at the High-Level Summit on Large Movements of Refugees and Migrants at the UN General Assembly 19 September 2016 (the Summit)—including major work to be completed by September 2018 on two new global Compacts: one for refugees and the other for safe, orderly and regular migration.

At the same time, we also take seriously the goals and targets that we in civil society set for ourselves—in particular those we set in 2013 in global civil society’s *5-year 8-point Plan of Action* (with a ninth point more recently added on xenophobia). All of these points also relate directly to goals and targets in the SDGs.

This is the reason for this second edition of the *Movement Report*: we take so seriously what we have set as priorities that we have asked a team from a respected university to conduct an independent assessment of our progress on them.

The title “movement”, then, has two meanings: movement towards achieving the priorities, and civil society as a movement that is serious about achieving all of those priorities, at global, regional and national levels.

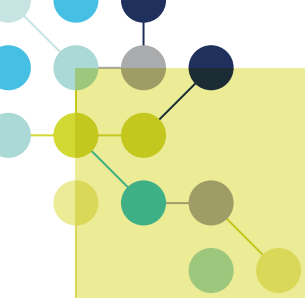
With many of us in this movement ourselves being migrants or refugees or members of diasporas, we know how important this is. It is not just political, or practical: it is personal.

And if the priorities are worth achieving, then progress towards achievement is worth measuring for sure.

So here, on the basis of some 600 inputs from civil society actors around the world and another 20 in-depth interviews, Elaine McGregor of Maastricht University reports on progress on the eight points plus xenophobia, through year 3 of the 5-year Plan of Action.

The Report observes that 2016 was a year of:

- continued movement forward on Points 1, 2, 3, 4 and 7 of the Plan regarding, respectively, migration in the Post-2015 Development Agenda; diaspora; migrants in crisis and in distress; protection of women and children when vulnerable in contexts of migration; and reform of migrant worker recruitment practices;
- dramatic new focus and energy on Points 5 and 6 of the Plan on governance of migration: a striking turnabout from the prior *Movement Report*’s assessment of progress during the first two years of the Plan, where governance had received the least organised attention from civil society out of all of the points;
- inconsistent progress on Point 8, advancing labour rights of migrant workers equal to nationals, and insufficient coordination of efforts to combat xenophobia, [belated] Point 9.



This report also proposes a new system of Scorecards for civil society actors to further refine and use to measure such progress at national level through 2017, year 4 of the Plan. Our hope is that these Scorecards will provide a framework for measuring that is real-world, rigorous, action-oriented and sustainable.

ICMC's MADE (Migration and Development) civil society network, co-funded with the European Union, commissioned these assessments. Together with all who work in MADE—in regional and global thematic Working Groups, national advocacy campaigns, the International Steering Committee (ISC) for the Global Forum on Migration and Development and in the run-up and follow-up to the Summit—and with all civil society actors worldwide, especially migrants, refugees and members of the diaspora: let us continue to aim high, work hard, make progress.

And measure our movement.

With every respect and appreciation,

/John K. Bingham

Head of Policy,
International Catholic Migration Commission (ICMC) /
MADE Civil Society Coordinating Office



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A Global Civil Society Report on Progress and Impact on Migrants' Rights and Development: through **Year 3** of Civil Society's 5-year 8-point Plan of Action

Elaine McGregor



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Acronyms

ADEPT	Africa-Europe Diaspora Development Platform
AFD	French Development Agency
AFFORD	African Foundation for Development
CASM	Comisión de Acción Social Menonita
CDFI	Community Development Financial Institution
CEDAW	Convention on the Elimination of Discrimination against Women
CIETT	World Employment Confederation
CP	Colombo Process
CRC	Convention on the Rights of the Child
CSD	Civil Society Days
DACA	Deferred Action for Childhood Arrivals
FORIM	Forum des Organisations de Solidarité Internationale issues des Migrations
GCC	Gulf Cooperation Council
GCM	Global Coalition on Migration
GFMD	Global Forum on Migration and Development
HLD	UN High Level Dialogue on International Migration and Development 2013
HLPF	High Level Political Forum on Sustainable Development
ICMC	International Catholic Migration Commission
IdEA	International Diaspora Engagement Alliance
IDMC	Internal Displacement Monitoring Centre
IHRB	Institute for Human Rights and Business
ILO	International Labour Organization
IOM	International Organization for Migration
IRIS	International Recruitment Integrity System
ITUC	International Trade Union Confederation
KNOMAD	Knowledge Partnership on Migration and Development
MADE	Migration and Development Civil Society Network
mdplatform	Swiss Civil Society Platform on Migration and Development
MICIC	Migrants in Countries in Crisis
MWC	Migrant Workers Convention
NAFEA	Nepal Association of Foreign Employment Agencies
OECD	Organisation for Economic Co-operation and Development
PFI	Public Finance Initiative
PICUM	Platform for International Cooperation on Undocumented Migrants
PPP	Public-Private Partnership
RCP	Regional Consultative Process
SCOTUS	Supreme Court of the United States
SDGs	Sustainable Development Goals
UAE	United Arab Emirates
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNR	Universal National Review
UPR	Universal Periodic Review
USAID	United States Agency for International Development
WAVE	Women against Violence Europe



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Executive Summary

MOVEMENT: A Global Civil Society Report on Progress and Impact on Migrants' Rights and Development: through Year 3 of Civil Society's 5-year 8-point Plan of Action

In 2016 the MADE (Migration and Development) civil society network published the first edition of the *Movement Report*¹ providing an assessment of progress on civil society's 5-year 8-point Plan of Action² (hereafter Plan of Action or Plan) in its first two years, i.e. from the 2013 UN High Level Dialogue on International Migration and Development until September 2015. The report painted a picture of both progress and stagnation, highlighting, for example, visible progress on Points 1 (post-2015), 3 (migrants in distress) and 7 (recruitment), while noting limited civil society engagement around Points 5 and 6 (governance) of the Plan of Action.

This second edition of the *Movement Report* is based on written input from 600 representatives of civil society active in migration and development around the world, as well as twenty in-depth interviews with civil society actors actively engaged at the regional and global level. It offers the reader a commentary on further progress through the Plan's third year, from October 2015 until December 2016. A new feature in this edition is on proposing a methodology for defining and measuring progress through the elaboration of Scorecards for each of the eight points of the Plan, as well as a more recently added ninth point on xenophobia.

The proposed Scorecards are process-oriented, and it is envisioned that they will complement existing quantitative indicators (such as the number of organisations responding to an issue) with qualitative examples of policies and practices that succeed or fail from different perspectives. With a view to ensuring that the Scorecards do not become an additional reporting burden, national-level data collection tools have been developed that can, in addition to populating the Scorecards,

themselves contribute towards change. The national-level focal points, as well as the surveys and questionnaires proposed as tools, can do this through encouraging coordination and cooperation and the strengthening of networks of civil society actors within and between countries. Accepting the non-exhaustiveness of the Scorecard, a number of priorities and key issues relating to the Plan of Action were selected among those identified by the 600 civil society representatives and twenty interviews. These contributed to the development of the draft Scorecards proposed in this report, in Annex 6.

The following paragraphs offer some of the highlights in each point of the Plan since October 2015 and introduce the key areas in which the Scorecards seek to measure progress. It is perhaps most striking to note that Points 5–6, considered to be stagnating just over one year ago, are now the Points, next to Point 3 and 7, where the most civil society energy seems to be currently spent, particularly at the global level.

Point 1: Migration and the Post-2015 Development Agenda

Since the adoption of the Sustainable Development Goals (SDGs) in September 2015, efforts have been underway to ensure that the commitments made are implemented at the national level. This includes a review process at the annual High Level Political Forum on Sustainable Development (HLPF). A Shadow Report template has been developed to allow civil society actors to report on the implementation of migration-related commitments. It is hoped that this process will be continued in the future, particularly when migration-relevant goals and targets are being explicitly discussed at the HLPF.

1 <http://made.civ.im/civicrm/mailling/view?reset=1&id=224>

2 http://madenetwork.org/sites/default/files/PDF/2013_5year_8point_Plan%20of%20Action.pdf



Draft Scorecard 1 proposes to focus on measuring progress in three key areas: 1) civil society engagement with the SDGs; 2) efforts to monitor the implementation of the SDGs as they relate to migration; and 3) implementation.

Point 2: Diaspora and Migrant Engagement in Development

National governments continue to develop and implement diaspora engagement policies and associated government infrastructure, and migrant and diaspora organisations continue to search for innovative ways to contribute towards development in countries of origin, heritage and destination. Challenges often arise when policies to engage the diaspora are not coherent with those targeting the business environment. Thus, using the Scorecard, the African Foundation for Development (AFFORD), coordinator of the MADE Working Group on Diaspora and Migrants in Development, would like to identify and encourage more examples of innovative partnerships and interventions that promote the mainstreaming of diaspora policies and increase opportunities to access transnational finance.

Draft Scorecard 2 proposes to focus on measuring progress in three key areas: 1) diaspora policies, institutions, strategies and initiatives; 2) access to capital as a challenge impeding diaspora engagement; and 3) partnerships such as those between the private sector and governments to promote diaspora engagement on these matters.

Point 3: Migrants in Distress

Point 3 goes beyond focusing on supporting global initiatives such as the Migrants in Countries in Crisis (MICIC) initiative³ to draw attention to *migrants* in crisis and not only those in *countries* of crisis. In doing so, the efforts of civil society to promote safe channels for migrants seeking international protection (such as through a humanitarian corridor in Italy) may serve as models for other countries. Building on existing efforts to record the deaths of migrants at borders, the Scorecard will also seek to record migrant deaths at other points in the migration cycle—in the workplace, in detention, during deportation, and so forth—in an effort to broaden the understanding of what is meant by the term ‘crisis’ in the context of migration.

Draft Scorecard 3 proposes to focus on measuring progress in four key areas: 1) migrant deaths and disappearances; 2) safe access (including resettlement); 3) local settlement of refugees and asylum seekers; and 4) civil society engagement on these matters with national, regional and global processes.

³ <https://micicinitiative.iom.int/>

Point 4a: Women in the Context of Migration

The first part of Point 4 calls for women in the context of migration to be addressed as both a cross-cutting issue as well as an issue in its own right. As a cross-cutting issue, one can think about how changes in policies or practices might affect men and women differently, and thus the call for disaggregated data by sex is welcome (the same can be said for children and age disaggregated data). There is still concern, however, that discussions too often consider women as victims. The increasing use of the phrase ‘regardless of their migratory status’ is perceived as a positive shift, drawing attention to the fact that migrant women are first of all women, and women are protected by the Convention on the Elimination of Discrimination against Women (CEDAW) in the vast majority of countries around the world.

Draft Scorecard 4a proposes to focus on measuring progress in three key areas: 1) rights; 2) access to services; and 3) access to justice. Additionally, the extent to which policy affects men and women equally is considered across several of the Scorecards, particularly Scorecard 8.

Point 4b: Children in the Context of Migration

Monitoring has been a key theme in the work on children in the context of migration in the past year. This was highlighted by the UN Secretary General in his report on the Status of the Convention on the Rights of the Child (CRC) in September 2016, as well as by civil society actors working together to track change related to the nine principles⁴ of the Destination Unknown Campaign⁵. Respecting the rights of the child, regardless of their migratory status (“a migrant child is first a child”) remains an anchoring message; ending the practice of child detention and ensuring that all children on the move have quick access to services, including education, are considered key to achieving Point 4 as it relates to children.

Draft Scorecard 4b proposes to focus on measuring progress in four key areas: 1) Best Interest Determinations; 2) child detention; 3) access to services; and 4) rights and representation. Additionally, youth engagement in related policy processes is captured in Scorecard 5–6.

⁴ <http://destination-unknown.org/9recommended-principles/>

⁵ <http://destination-unknown.org/>



Points 5–6: Rights-based Migration Governance

From the inclusion of migrants and migration in the SDGs, to the International Organization for Migration (IOM) joining the UN system in 2016 after existing outside for 65 years, and the unanimous vote of 193 UN Member States to develop two Global Compacts for migrants and refugees and a global campaign on xenophobia, the world has not witnessed such movement in the elaboration of global governance structures on migration for decades. This represents both an opportunity and a risk, particularly given that the negotiations are taking place in the context of rising xenophobia and anti-migrant sentiments. **Perhaps the ultimate litmus test of progress on the Plan of Action will be the extent to which the broad range of issues it covers are reflected in the outcomes of the Global Compact negotiations.**

Draft Scorecard 5–6 proposes to focus on measuring progress in three key areas: 1) the space for civil society to engage with government on these matters at the national level; 2) the Global Forum on Migration and Development (GFMD); and 3) the Global Compacts.

Point 7: Migrant Labour Recruitment

Recruitment is an area that different stakeholders, including civil society, have been drawing attention to for several years and it is an area that continues to receive much attention. In December 2016, the International Labour Organization (ILO) released the General Principles and Operational Guidelines on Recruitment⁶, derived from a number of sources, including international labour standards and ILO instruments, the Dhaka Principles, the Verité Code of Conduct⁷, the World Employment Federation's Principles⁸ and the IOM International Recruitment Integrity System (IRIS) Code⁹. Next to calling for the elimination of recruitment fees charged to workers, the principles and guidelines offer guidance to governments to ensure that the necessary national laws and regulations are in place and implemented to promote fair recruitment. Some positive examples of governments attempting to implement zero-cost recruitment emerged in the past year, including, with some controversy, the “free visa free flight” policy of the Government of Nepal.

Draft Scorecard 7 proposes to focus on measuring progress in three key areas: 1) the ratification and implementation of ILO Convention 181 Private Employment Agencies; 2) the regulation of recruitment; and 3) civil society engagement on these matters with national, regional and global processes.

Point 8: Labour Rights of Migrants

Point 8 primarily concerns the ratification and implementation of international conventions of relevance for migration. Ratifications of conventions expressly centred on migration continue to be low, however. In the period studied, there were no new ratifications of ILO Conventions 97 or 143, although the UN Migrant Workers Convention (MWC) did receive two new ratifications: Venezuela, on 25 October 2016 and Sao Tome and Principe on 10 January 2017. November also saw the Protocol of 2014 to ILO's Forced Labour Convention, 1930 (P029) come into force. Signals of moving away from *kafala* in some Gulf States have also been welcomed as progress.

Draft Scorecard 8 proposes to focus on measuring progress in two key areas: 1) ratification of migration-relevant conventions; and 2) migrant worker rights equal to nationals and working conditions.

[Belated] Point 9: Xenophobia

While not included as one of the Plan's original eight points, xenophobia is an area that has since been consistently identified—in regional as well as global civil society meetings focused on the Plan of Action—as both a significant omission and a hindrance to the Plan's achievement¹⁰. Thus, while little systematic *global* thinking has been done on how civil society might respond to the challenges of rising xenophobia, the Scorecard attempts to take stock of what is being done by civil society in this area at national and regional levels.

Draft Scorecard 9 proposes to focus on measuring progress in three key areas: 1) attitudes to migrants and related discourse; 2) policies against discrimination and xenophobia and towards social inclusion; and 3) campaigns for inclusion and/or against discrimination and xenophobia.

6 http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_536755.pdf

7 <http://helpwanted.verite.org/helpwanted/toolkit/brands/improving-codes-conduct-company-policies/tool-1>

8 <http://www.wecglobal.org/index.php?id=30>

9 <https://iris.iom.int/about-iris>

10 This omission was also noted in the first edition of the *Movement Report*.



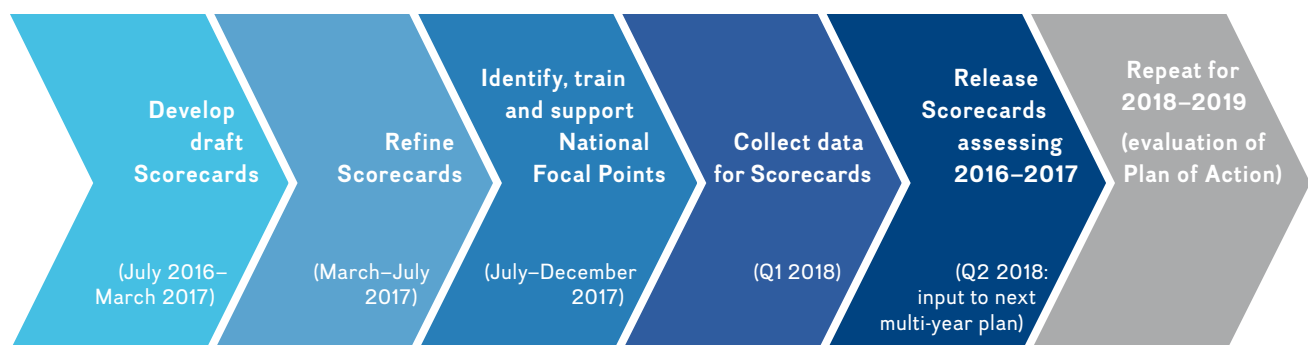
Moving Forward: Implementing the Scorecards

Without some kind of follow-up action the Scorecards will have little use. It is recommended that the drafts developed for this report are refined in consultation with key civil society actors before the population of the Scorecards is piloted in a number of different country contexts. This will allow the indicators to be refined in a way that increases the applicability across the world. The pilots should ideally be planned in connection with civil society activities in the Global Forum on Migration and Development (GFMD) in 2017, including, training on the Scorecards for potential national focal points, for example. The following figure presents a proposal for the way forward in implementing the Scorecards.

The proposed method for data collection would be to appoint a **national civil society focal point** who has a good overview of migration issues and actors in a country. This individual (or organisation/platform) would then be responsible for collecting and collating the relevant information to complete the survey (a template of which can be viewed in Annex 4 of this report).

The strengths of this approach include **avoiding a duplication of efforts** whereby several individuals from the same country answer the same questions, as well as the **potential strengthening of civil society networks** within countries. The draft Scorecards have been designed in a way that can be useful both as a **national-level advocacy tool** whereby progress, gaps and relevance of different aspects of the Plan of Action can be readily identified, as well as **aggregated up to the regional and global level**.

Once collated, the data gathered can be used to populate Scorecards for each of the eight points in the Plan of Action plus xenophobia, complemented by some data that can be readily collated at the global level through existing data sources or using the application form and evaluations of future Civil Society Days (CSD) at the GFMD (Annex 5). Draft Scorecards, including suggested formats and data that each of the nine Scorecards may contain, are located in Annex 6.





1. Introduction

2016 has been a year of firsts for migration and development at a policy level. 2016 saw the first year of implementation of the Sustainable Development Goals (SDGs), which include goals and targets specifically addressing migrant rights, policy and protection. SDG 10.7, for example, is to “facilitate orderly, safe, regular and responsible migration and mobility of people”. In September 2016, a High Level Summit to address large movements of refugees and migrants was convened at the UN General Assembly—the first time the theme of migration has been addressed at this level. Passed by all 193 Member States at the summit, the resulting *New York Declaration*¹¹ launched, among other processes, a two-year process to develop a Global Compact for Safe, Orderly and Regular Migration. Also at the summit, the IOM joined the UN as a related agency after existing outside it for 65 years.

On the other hand, 2016 has been a year of almost precisely the opposite for many people on the move, with an increasing number of obstacles of a legal, political and social nature still hindering safe, orderly and regular migration. These developments occur in a context of rising xenophobia and right-wing populism in many countries and regions of the world. Civil society has spoken up about the securitisation of migration for decades, and these fears became all too real in a year that saw the British population vote to leave the European Union and the American population vote for Donald Trump as President of the United States of America, on the back of campaigns heavily centred on immigration. Now, perhaps more than ever, there is a need to reflect on what progress means with respect to civil society priorities in migration, and how this progress can be measured.

Movement: picking up where we left off

Guiding the efforts of much civil society advocacy worldwide and the MADE network is the 5-year 8-point Plan of Action (see Annex 1); this was developed by civil society organisation leaders, networks and organisations from around the world in late 2012 and 2013. The first year of its implementation was 2014. Framed around four main themes and eight points for action, the Plan was launched in view of the 2013 High Level Dialogue on International Migration and Development (HLD) at the UN General Assembly in New York as a call for action and collaboration with governments. The eight points of the Plan of Action are:

On Human Development

- 1) Ensuring migrants’ and migration’s rightful place on the Post-2015 Development Agenda;
- 2) Engaging migrants and diaspora as entrepreneurs, social investors and policy advocates in development;

On the Rights of Migrants

- 3) Addressing protection needs of migrants stranded in distress and transit;
- 4) Addressing vulnerabilities, rights and the empowerment of women and children in the context of human mobility;

On Migration Governance and Partnerships

- 5) Promoting the implementation of national legislation reflecting international standards regarding migrants and their families (focusing on enforcement policies, social protection and due process);
- 6) Redefining the interactions of international mechanisms for migrants’ rights protection;

On Labour Mobility and Recruitment

- 7) Regulating the migrant labour recruitment industry and labour mobility mechanisms;
- 8) Guaranteeing the labour rights of migrants.

[Belated¹²] Point 9: On Xenophobia

- 9) Working for social inclusion of migrants and against discrimination and xenophobia.

11 <http://refugeesmigrants.un.org/declaration>

12 See page 43 of this publication.



In 2016, the MADE civil society network published the first edition of the *Movement Report* providing an assessment of progress on civil society's Plan of Action in its first two years, i.e. from the 2013 UN HLD until September 2015. Building on the input of civil society actors, this second edition of the *Movement Report* focuses its attention on developing a tool to define and measure progress on achieving each of the eight points highlighted in civil society's Plan of Action, plus xenophobia. The tool proposed is the Scorecard.

The report is structured as follows. Section 2 provides a brief description of the methodological approach. Section 3 reflects on progress on each point of the Plan of Action, highlighting key policy changes, challenges and civil society actions, as identified by civil society actors during the preparations of the report, and that have occurred since October 2015. This in turn provides input into the preparation of draft Scorecards, which are presented in Section 4.



2. Methodology

The overall question guiding research for the preparation of the first *Movement Report* remains relevant for this second edition:

What progress has been made on achieving each of the eight points highlighted in civil society's 5-year 8-point Plan of Action since the UN High Level Dialogue in 2013?

The only addition to this question is to add attention to progress on the belated ninth point, xenophobia.

Specific focus, however, will be given to the following questions:

- **On progress of change in policies since October 2015:** Has there been any significant progress on specific aspects of the Plan of Action since October 2015, and are there any examples of positive or negative policy change at the national, regional or global level since October 2015? Does this vary by region?
- **On strategies of civil society to change policies:** What programmes and practices have civil society actors developed to advocate for specific aspects of the Plan of Action and does this vary by region and level of implementation?
- **On measuring effectiveness of these strategies:** How can civil society better define and measure progress?

In order to address these questions, three methods were applied: document review, semi-structured qualitative interviews with a purposively selected sample of civil society actors, and open questions included in the application and evaluation forms for the 2016 Global Forum on Migration and Development (GFMD) Civil Society Days.

Twenty semi-structured qualitative interviews were conducted with 21 individuals. Interview respondents were selected in discussion with the MADE coordinators and based on ensuring a thematic and regional spread of expertise. The sample of respondents included eight of those interviewed

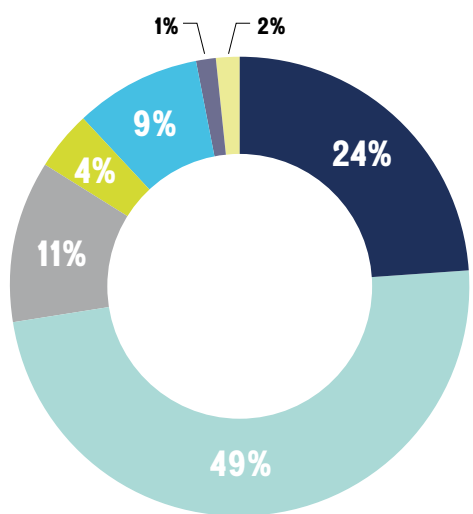
for the first edition of the *Movement Report* and twelve new respondents. The interviews covered several areas, including: the main challenges faced by migrants and their families; the policy changes that have implications for addressing, causing or exacerbating these challenges; and perceptions of how to define and measure progress in these areas. The full list of participants is in Annex 2. All interviews were recorded with permission and fully transcribed. All but two interviews were conducted in English¹³.

In addition, further data was collected for the second edition of the *Movement Report* through the inclusion of qualitative questions in the application form for the CSD. These asked respondents to report on the main challenges facing migrant workers and their families; policy changes, either positive or negative; and the main contribution of civil society organisations in addressing these challenges. A total of 598 responses were received from individuals working in just under 100 countries. Reflecting the location of the 2016 GFMD in Dhaka, Bangladesh, the Asia and Pacific regions were overrepresented, with almost one in two responses. Within Asia and the Pacific, two countries accounted for more than half of the applications: Bangladesh (34.8%) and Nepal (18.8%). Applications from organisations working in Africa represented a further quarter of applicants, with slightly smaller shares from Europe (11%), Latin America and the Caribbean (9%), and North America (4%) (Figure 1). Men were slightly overrepresented (61.4%) compared to women (38.6%). Responses came from migrant/diaspora organisations (27.8%), human rights organisations (25.5%), development organisations (23.4%), trade unions (13.5%), academia (8.8%) and the private sector (1.0%).

¹³ Two interviews were conducted in French.



FIGURE 1. Distribution of Survey Responses by Region



- Africa
- Asia Pacific
- Europe
- North America
- Latin America and the Caribbean
- Global
- More than one Region

n=598

Answers from all applicants were considered, irrespective of whether they were selected to attend the CSD. The limitation with using the application process for this purpose is bias in

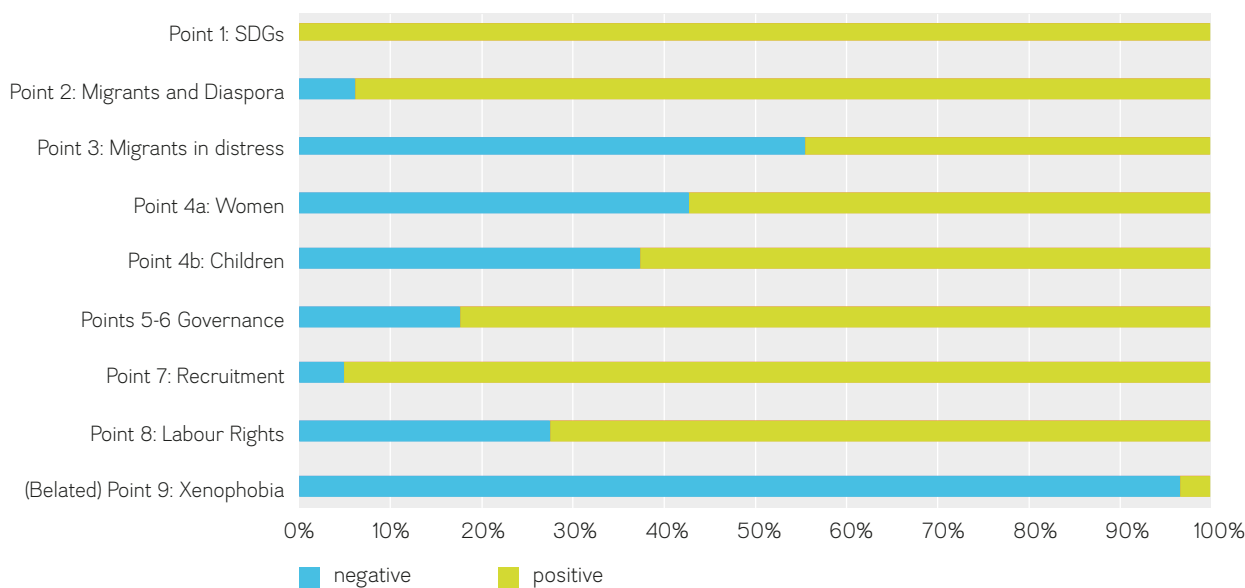
the sample of individuals that apply for the CSD, which likely depends, in part, on the location of the meeting, along with funding available in that given year.

One of the key questions asked in the survey was:

“What do you think are the two most significant (positive or negative) changes in policies and practices with regards to migration, migrant rights and development that have occurred the last 2 years in the country(ies)/region(s) where you work?”

Answers to this question were coded to each point in the Plan of Action. In total, 754 examples were supplied, of which 92 (12.2%) were excluded from the subsequent analysis because the answers either did not reflect a change in policy or practice, the answer was unclear or the respondent reported no change in the past year. Many of the examples of both positive and negative changes in policy or practice detailed in this report are based on the remaining 662 examples, of which approximately two-thirds were positive (66.6%) and the remainder negative (33.4%). Most examples were in the area of governance (Points 5–6) followed by migrants in distress (Point 3), labour rights (Point 8), recruitment (Point 7), xenophobia (Point 9), migrants and diaspora (Point 2), women (Point 4a), children (point 4b) and finally the SDGs (Point 1). The SDGs were, however, also addressed by another question in the application form, specifically addressing actions to monitor and implement the SDGs. In two areas, more than 50% of the examples cited were negative—xenophobia (96.7%) and migrants in distress (55%) (Figure 2).

FIGURE 2. Distribution of Policy Changes by Area of the 5-year 8-point Plan of Action



n=662



3. Findings since Movement I Report

The findings presented in this section are non-exhaustive and are based primarily on the examples identified by civil society actors in the application form for the GFMD CSD 2016 in Dhaka, as well as by the 21 interview respondents.

Using the same structure as the first edition of the *Movement Report*, the sub-sections below reflect on each point of the Plan of Action, divided into the themes of human development; the rights of migrants; migration governance and partnerships; labour mobility and recruitment; and the “belated” 9th Point: xenophobia and discrimination. It does this by highlighting key policy changes and civil society actions that have occurred since October 2015, before presenting an overview of past benchmarks and indicators used to assess progress in the specific area of interest.

Inputs for the Scorecards are proposed at the end of each Point, including a table summarising the indicators used to assess progress in the first edition of the *Movement Report*; the recommendations and benchmarks coming out of the CSD of the 9th GFMD in Istanbul in 2015; the initial recommendations emerging from the CSD at the 10th GFMD in Dhaka in 2016; and the proposals for measurements in the Scorecards elaborated in Section 4 of this second edition of the *Movement Report*.

3.1 Human Development

Relates to Points 1 and 2 of the Plan of Action

Point 1: Post-2015 Development Agenda

The **first point** of the Plan of Action relates to the “*integration of migration into the **Post-2015 Development Agenda** to address not only the contributions that migrants make to development in countries of origin and destination, but also the possibilities for better policy planning and coherence that can make migration more genuinely a choice and not a necessity, and greater gain than drain*”. Around the time that the Plan of Action was first negotiated, civil society organisations were already calling for the inclusion of migration in the Post-2015 Development Agenda. World leaders agreed upon the 2030 Agenda for Sustainable Development in September 2015¹⁴. While migration is not represented by a standalone goal, migration is captured in a number of places within the SDGs. Migration has been explicitly addressed in several of the targets, including target 8.8 (labour rights), target 10.7 (facilitating orderly, safe, regular and responsible migration), target 10.c (reducing remittances costs) and target 17.18 (disaggregation of data by migration status). It is also evident that

migration may indirectly affect many of the other targets (for example, through the payment of school fees with migrant remittances). Furthermore, trafficking is covered by targets 5.2, 8.7 and 16.2, although this primarily focuses on the trafficking of women and children. Moreover, Goal 16 focuses on many of the root causes of displacement and addresses issues facing the world’s internally displaced people (IDPs) and refugees. The first edition of the *Movement Report* concluded “much work still remains to be done, particularly at the national level, to ensure that the migration targets and indicators are subject to ongoing monitoring and migration reflected in development planning” (MADE, 2016a, p.6).

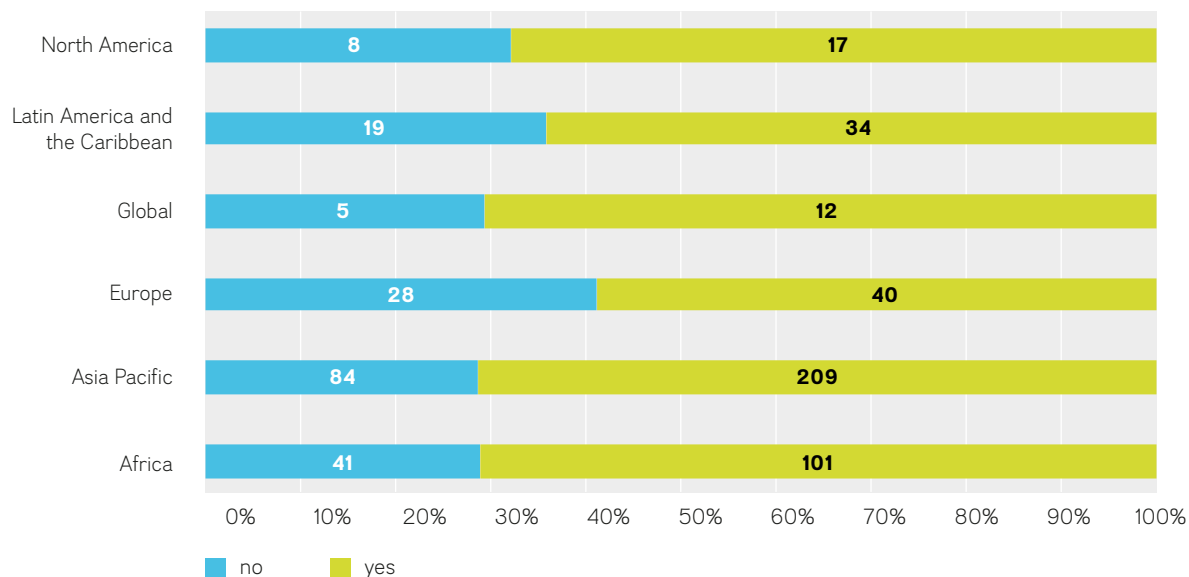
Civil Society Action and Advocacy

Of the almost 600 individuals who completed the survey, more than two thirds (69.1%) reported that their organisation had actively engaged in efforts to implement and measure the migrant-related targets and indicators of the SDGs of the Post-2015 Development Agenda at the national or global level. Organisations in Asia and the Pacific (71.3%) were the most likely to report working on the SDGs, while those in Europe were the least likely (58.8%) (Figure 3).

14 <https://sustainabledevelopment.un.org/post2015/transformingourworld>



FIGURE 3. Organisations Working on the Sustainable Development Goals by Region

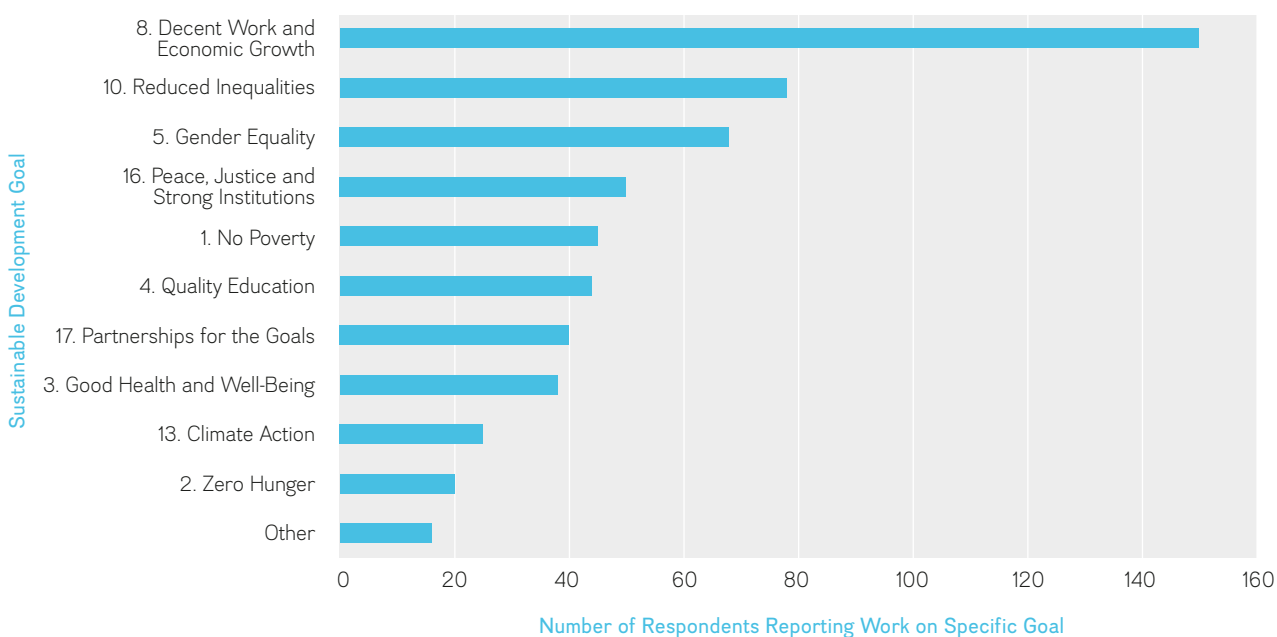


n=598

Although only limited information was provided regarding the nature of this work, it was possible to identify the coverage of different SDGs across different country contexts. Over a quarter (26.2%) of the respondents indicated that their work

addressed Goal 8 of the SDGs on decent work and economic growth, followed by Goal 10 on reducing inequalities (13.6%), Goal 5 on gender equality (11.9%) and Goal 16 on peace, justice and strong institutions (8.7%) (Figure 4).

FIGURE 4. Sustainable Development Goals



n=572



Similar to efforts started prior to the adoption of the SDGs, the MADE Working Group on Global Governance of Migration and Development continued to lobby policy makers and (national) statisticians responsible for the development of the SDG global indicator framework. The Interagency Expert Group on SDGs and the UN Statistical Commission adopted 230 global indicators in March 2016. Building on this, one of the activities of the MADE Working Group on Global Governance of Migration and Development in 2016 was to promote coordination of civil society Shadow Reports on migration-related goals and targets in the framework of the UN follow-up and review process, and in the context of the annual High Level Political Forum on Sustainable Development (HLPF). While this effort was carried forward by individual members of the Working group and other civil society actors, formal activities of this group as a whole ceased with the end of the first three-year cycle of MADE project funding in April 2016.

The 2016 meeting of the HLPF was held at the United Nations headquarters in New York from 11 to 20 July 2016. At the meeting, the voluntary national reviews (VNRs) of 22 countries were discussed. The overall focus of the meeting was on the principle of ensuring that “no one is left behind” as opposed to specific goals. The 2016 HLPF synthesis report made limited reference to migration. References were limited to the necessity of disaggregated data, including by migration status, for compiling the VNRs, as well as to the challenges of engaging with civil society actors (Finland and Mexico) and to the challenges caused by different forms of migration (Egypt).

In the run up to the HLPF 2016, civil society networks inputted towards the development of civil society Shadow Reports. A series of global webinars organised by the MADE Working Group on Global Governance of Migration and Development took place in early 2016, discussing methods and challenges associated with such data collection and reporting. A Shadow Report prepared by civil society for Uganda drew attention to the absence of national policies and therefore the urgent need to translate the migration-related SDGs into national legislation, programmes and budgets, as well as to build the capacity of the Ugandan Statistical Office to be able to produce the statistics required to monitor the implementation of the migration-relevant SDGs in Uganda. In Morocco, a civil society Shadow Report highlighted the Empowerment of Women (SDG 5) and Migrant Labour (especially the lack of employment opportunities, SDG 8) as priority topics. Civil society actors in many countries, such as Indonesia, have also engaged in national consultations with their governments (Box 1).

BOX 1

National Consultations on the Sustainable Development Goals in Indonesia

In April 2016, the civil society organisations, Migrant Forum in Asia, Migrant Care and Serikat Buruh Migran Indonesia held their first national consultation on the SDGs in Indonesia. The consultation provided a platform for civil society organisations to consolidate their knowledge and actions regarding the SDGs with the international and national governmental level, while preparing their own perspectives and input on SDG implementation. Around twenty participants engaged in sessions around understanding the SDGs and on developing migration-specific indicators for Indonesia’s SDG agenda. Discussions provided for a fruitful exchange of ideas between civil society and the national government, which was represented by government officials. The group produced a final document of goals and indicators to be used to lobby for migrant rights, as well as monitor Indonesia’s efforts to implement the SDGs, especially those targeting migration (MADE, 2016b).

In 2017, the meeting of the HLPF will take place from 10–19 July and will focus on an in-depth review of SDGs 1, 2, 3, 5, 8 and 14, with a focus on eradicating poverty¹⁵. It is anticipated that the HLPF in 2018 will discuss SDGs 6, 7, 11, 12 and 15, with a focus on sustainable and resilient societies; and the HLPF in 2019 will discuss SDGs 4, 8, 10, 13 and 16, with a focus on empowering people and ensuring inclusiveness and equality. There is therefore space for civil society organisations to further engage governments, to work on developing Shadow Reports and so forth to ensure that the migration-related commitments reflected in the SDGs are implemented in practice.

Input for the Scorecards

Table 1 summarises the indicators used to assess progress in the first edition of the *Movement Report*, the recommendations and benchmarks coming out of the CSD of the 9th GFMD in Istanbul in 2015, the initial recommendations emerging from the CSD at the 10th GFMD in Dhaka in 2016, and the proposals for measurements in the Scorecards elaborated in Section 4 of this second edition of the *Movement Report*.

15 <https://sustainabledevelopment.un.org/hlpf>



TABLE 1. Point 1: Reviewing Benchmarks and Indicators

AREA OF THE 5Y8PP	MOVEMENT REPORT #1 (MADE, 2016A)	CSD ISTANBUL (MADE, 2015B)	CSD DHAKA (MADE, 2017B)	PROPOSED SCORECARD INDICATORS
Sustainable Development Goals	<p>Did civil society engage in campaigns to include migrants and migration in the Post-2015 Development Agenda?</p> <p>Is migration reflected in the Post-2015 Development Agenda?</p> <p>Are plans in place to ensure the ongoing monitoring of migration-related indicators?</p>	<p>National (and local) development plans and policies to implement the SDGs include explicit reference to actions on migrants and migration, and dedicate adequate resources.</p> <p>Global and national indicators to monitor progress explicitly include migrants and migration, and the data collected to measure progress is disaggregated by age, gender and migratory status.</p> <p>Civil society's role in implementation and monitoring progress is institutionalised at global and national levels; specifically civil society's role in the global thematic review of migrant and migration-related targets.</p>	<p>To implement and monitor migration-related aspects of the UN 2030 Agenda for Sustainable Development, including development of the new global Compact for Safe, Orderly and Regular Migration (taking forward 10.7 of the SDGs, among others) and with constructive engagement of the GFMD.</p>	<p>Engaging and Including: Are civil society organisations engaging governments to ensure migration is considered in national development plans, as well as in plans and policies to implement the SDGs? How many governments have included migration in their national development plans and policies to implement the SDGs?</p> <p>Monitoring: Are civil society organisations involved in efforts to ensure the ongoing monitoring of the migration-related indicators? How many Shadow Reports have been prepared? How many countries are taking steps to disaggregate data measuring progress on the SDGs by age, gender and migratory status?</p>

Point 2: Diaspora and Migrant Engagement for Development

Point 2 of the Plan of Action looks at promoting “models and frameworks that facilitate the **engagement of diaspora and migrant associations** as entrepreneurs, social investors, policy advocates and partners in setting and achieving priorities for the full range of **human development in countries of origin, heritage and destination**”. The first edition of the *Movement Report* drew attention to the fact that, while an increasing number of governments are creating structures such as diaspora ministries and departments, and adopting diaspora policies, there is limited progress in terms of the practical implementation of these commitments. Less attention had also been given to the role that migrants and diaspora play in the development of countries of destination. This latter point has been taken up primarily in the context of work on xenophobia, which will be addressed in Section 3.5. Civil

society actors were, and continue to be, active in drawing attention to good practices from across the world.

Civil Society Action and Advocacy

The majority (94.1%) of examples cited in the survey relating to diaspora and migrant engagement for development were regarded as positive and, similar to the findings of the first edition of the *Movement Report*, mostly related to the establishment of government ministries and departments charged with diaspora affairs and/or new policy frameworks and strategies. For example, in October 2015, Zambia held its first *Diaspora Indaba* (conference) and, in 2016, Burundi adopted a National Policy on Diaspora. Voting rights remained a significant area for advocacy. In Sri Lanka, the draft constitution currently recognises the importance of granting voting rights to migrant workers.



Few examples were cited of concrete initiatives specifically targeting business environments. The Democratic Republic of Congo has one of the lowest scores for “ease of doing business” (World Bank, 2017), but has reportedly made some improvements with regards to new businesses by opening a one-stop shop in February 2016 to support the creation of businesses in an expedited time frame. This is the kind of initiative highlighted in the MADE Thematic Report ‘Diaspora and Migrant Investment and National Development: Building on the Nexus’, which was published in November 2016. The report argues that “turning investment interest into invest-

ment action requires strong public–private partnerships that engage the diaspora, adequate access to finance and capital, business training and skills development, as well as regulatory and policy interventions on national and transnational levels. Two key challenges for diaspora entrepreneurs are access to capital and technical support” (MADE, 2016c, p18). The following paragraphs highlight some of the good practice examples identified in this report, which concludes by offering ten recommendations (Box 2) for future work to advance Point 2 of the Plan of Action.

BOX 2

Recommendations from the MADE Thematic Report on Diaspora and Migrant Engagement

1. Establish an enabling regulatory and business environment to harness and expand the impact of diaspora and migrant contributions in countries of origin and developing countries such as simplifying bureaucratic processes to create and foster a conducive environment for migrants to invest and start businesses through the setting up of one-stop shops that facilitate diaspora investment and enterprise.

2. Create new financial products and facilitate access to capital such as supporting transboundary investment and innovative financing schemes for social and private enterprises. This could include for example an injection of capital into the economy that supports the SME (small and medium enterprise) sector, provision of local and transnational grants and other forms of capital, match-funding schemes, access to or creation of suitable public-private partnerships (PPP) and public finance initiatives (PFI) for diaspora and migrant entrepreneurs

3. Develop business and technical skills of diaspora/migrants through the provision and support of training and capacity-building in enterprise, business development and related management skills.

4. Ensure policy coherence at national and local levels in relation to diaspora engagement strategies. This should include a link up with global migration discourses such as GFMD, Regional Consultative Processes (RCPs), as well as regional or sub-regional dialogues for cross-border cooperation, and mainstreaming relevant national policies into local planning mechanisms—all as a critical component for national development in countries of origin and residence.

5. Create conducive frameworks for facilitating and harnessing migrant remittances for social impact. National and transnational efforts should be directed towards reducing transnational remittance transfer costs to countries

of the Global South through regulatory, policy, and institutional reforms. In light of SDG target 10.c this can include supporting existing campaigns and initiatives where these exist such as the Nairobi Action Plan on Remittances.

6. Consider the provision of incentives, for example in the form of tax relief proportional to the level of remittances channelled into productive investments.

7. Formulate coordinated strategies for harnessing remittances for development and peace-building and encourage public and private sector actors to focus on new technological innovations to facilitate alternative remittance transfer systems, involving mobile money and digital currencies to increase competition and drive down transfer costs.

8. Formulate data, research, and study of best practices by supporting a coordinated approach that documents and shares best practices and lessons learned and enables evidence-based policy interventions.

9. Conduct more household surveys that enable assessments on the profile and nature of diaspora and migrant entrepreneurs, the size of investments, sectors of interest and those that diaspora investment can make more of an impact in, to inform policy planning and strategic interventions. Also collect more data about the magnitude of remittance flows, remittance channels, and methods for improving the integration of remittances into development efforts (with a particular focus on fragile and conflict-affected situations).

10. Expand and coordinate civil society efforts for diaspora engagement by joining the global MADE network and its activities for a more efficient facilitation of diaspora and migrants as entrepreneurs and social investors.”

(MADE, 2016c, p.26-27)



In the Philippines, the government has created an online portal for diaspora engagement, BaLinkBayan¹⁶, which provides *balikbayan* (returning Filipinos) with information relating to starting up businesses and investment opportunities, as well as information on volunteering opportunities (MADE, 2016c). Next to information, access to finance is also a key issue. One area that has received significant attention is that of remittances. In July 2016, under the auspices of AFFORD's Africa-Europe Diaspora Development Platform (ADEPT), and in partnership with the Kenyan Ministry of Foreign Affairs, and the Africa Union's African Institute for Remittances, the Fifth Diaspora Development Dialogue (DDD5) 'Actions Needed to Reduce Remittance Costs in Africa' was held in Nairobi, Kenya. The event resulted in the Nairobi Action Plan on Remittances (ADEPT, 2016) which sets out "short, medium and longer term activities, such as adoption and application of immediate operational actions that are known to be effective for bringing down remittance costs (2016 to 2017); testing, piloting and adopting innovative and creative schemes in the medium term (2016 to 2019); and consolidation, replication and normalization of low cost status in the longer term (2020 to 2030)" (MADE, 2016c, p23).

Beyond remittances, however, a broader discussion on access to finance is of relevance. The Calvert Foundation, a Community Development Financial Institution (CDFI) has developed creative platforms to raise capital. Through platforms such as *vested.org*, the diaspora, along with other interested parties, can make an investment of as little as USD20 to support initiatives across the world. The Calvert Foundation also supports the International Diaspora Engagement Alliance (IdEA)¹⁷, which is a non-profit initiative that seeks to link diaspora members with opportunities to give back to their

countries of origin/heritage in four key ways: investment and entrepreneurship, philanthropy, volunteerism and innovation. IdEA is managed via a public-private partnership between the US Department of State and the US Agency for International Development (USAID).

There are likely to be many more of these examples, particularly at the local level. It is unlikely, however, that they would be captured if one asked only about significant policy changes. Thus, in developing the Scorecards, it would be useful to develop questions that would draw out specific examples of efforts by different actors—or partnerships—to creatively engage the diaspora. Another rationale for the sharing of good practices in the area of diaspora engagement is to showcase the work of migrants in both origin and destination countries. This can act as a counter narrative to some of the more negative discourses surrounding migrants by showcasing the positive side of migration. This point is further elaborated in Section 3.5.

Input for the Scorecards

Table 2 summarises the indicators used to assess progress in the first edition of the *Movement Report*, the recommendations and benchmarks coming out of the CSD of the 9th GFMD in Istanbul in 2015, the initial recommendations emerging from the CSD at the 10th GFMD in Dhaka in 2016, and the proposals for measurements in the Scorecards elaborated in Section 4 of this second edition of the *Movement Report*. The proposed indicators for the Diaspora Scorecard have been developed in consultation with AFFORD, coordinators of the MADE Working Group on Diaspora and Migrants in Development.

16 <http://www.balinkbayan.gov.ph/>

17 <http://www.diasporaalliance.org/>



TABLE 2. Point 2: Reviewing Benchmarks and Indicators

AREA OF THE 5Y8PP	MOVEMENT REPORT #1 (MADE, 2016A)	CSD ISTANBUL (MADE, 2015B)	CSD DHAKA (MADE, 2017B)	PROPOSED SCORECARD INDICATORS
Diaspora	<p>Has there been increased cooperation between diaspora, migrant rights and other civil society organisations (to transform public policies in countries of origin and destination to ensure access to decent work, health, education and rights for all, and set up a sound regulatory framework for migrants and diaspora to invest in development and job creation?)</p> <p>Is there an increase in the number of States with formal mechanisms for engaging migrant/diaspora communities?</p> <p>Do more countries offer specific services and funding mechanisms to support migrant and diaspora investment?</p> <p>Is the role of diaspora and migrants included in the SDGs?</p> <p>Have any international grant funding schemes been launched that specifically target diaspora organisations?</p> <p>Is there an increase in the number of countries that have a tolerant approach to dual citizenship?</p>	<p>National and local development plans include diaspora and migrant engagement and resources.</p> <p>National and a global diaspora development funds have been created.</p> <p>Increase in access for migrants and diaspora to mechanisms and resources to set up businesses and invest in the country of origin.</p>	<p>To more actively recognise and facilitate diaspora and migrant leadership for development through job creation, social entrepreneurship and public policy advocacy</p>	<p>Diaspora Policies/Strategies: How many governments a) are discussing; b) have developed a diaspora policy? How many countries offer voting rights to their diaspora abroad? How many governments have created structures within the government to support diaspora engagement? How many governments do not require their emigrants abroad to give up their citizenship upon naturalisation? How many countries link their diaspora policies or plans to other relevant strategies (e.g. trade)?</p> <p>Access to Capital: How many governments offer specific services and funding mechanisms to support migrant and diaspora investment? Are there any examples of international grant funding schemes that specifically target diaspora organisations?</p> <p>Partnerships: Have there been any partnerships between local or national government and diaspora networks or businesses that seek to enhance the development contribution of the diaspora?</p>



3.2 The Rights of Migrants

Relates to Points 3 and 4 of the Plan of Action

Point 3: Migrants in Distress

The **third point** of the Plan of Action calls for “*reliable, multi-actor mechanisms to address the assistance and protection needs of migrants stranded in distress, beginning with those trapped in situations of war, conflict or disaster (natural or man-made) but with the same logic and urgency with respect to migrant victims of violence or trauma in transit.*” The first edition of the *Movement Report* drew attention to the challenges associated with measures put in place to prevent clandestine migration flows through the strengthening—and often the militarisation—of borders. These restrictions increase the precariousness of migrant journeys by pushing migrants towards more dangerous routes and, in many cases, to resort to smugglers. This trend has not shown any signs of improvement since October 2015.

Dangerous migratory routes is an area where some efforts have been made to monitor trends over time. Starting from a small civil society effort in Italy, there are now several large-scale projects seeking to monitor migrant deaths; the IOM’s Missing Migrants project is perhaps the best known¹⁸. The Missing Migrants project estimates that, based on deaths reported by governments, the media, the UN or NGOs, 7,509 migrants, regardless of status, died along global migratory routes in 2016 alone. This is an increase of more than 20% from the 6,107 deaths recorded in 2015. In 2016 more than two thirds of the deaths were recorded in the Mediterranean—an increase of just over 5% compared to 2015 (IOM, 2017). It is also important, however, to recognise that this is not solely a European issue. Across the world migrants seeking safety or a better life resort to dangerous routes, such as in Central America and Mexico, crossing the Sinai desert or North Africa, through Yemen into Saudi-Arabia, across the Andaman Sea, and many more. Additionally, reducing migrant deaths at borders is not the only concern of those seeking to protect migrants in distress. Measurements should therefore seek to identify and unify sources of data that provide information on deaths and injuries in the workplace, in detention, as a result of racist attacks, and so forth—something that IOM also calls for.

18 Another example is the Death at the Borders database. This is the result of work conducted by researchers from Vrije Universiteit Amsterdam, which makes use of death certificates from municipalities in Italy, Malta, Spain, Gibraltar and Greece to identify migrant deaths between 1 January 1990 and 31 December 2013 (Last et al, 2017).

Civil Society Action and Advocacy

The first edition of the *Movement Report* focused most of its attention on the efforts of civil society organisations in working alongside processes such as the Migrants in Countries in Crisis (MICIC initiative) and on promoting the Recommended Principles and Guidelines on Human Rights at International Borders issued by the Office of the High Commissioner for Human Rights. These actions are admirable, and ongoing (Box 3). However, by drawing attention to *migrants* in crisis—and not only those in *countries* of crisis—this report also devotes attention to the efforts of civil society organisations working at the local level.

BOX 3

Migrants in Countries in Crisis (MICIC)

Since the MICIC initiative was established in 2014 by the Governments of the Philippines and the United States of America, ICMC’s MADE project and the Global Coalition on Migration’s (GCM) Migrants in Crisis programme teamed up to organise regular civil society engagement in regional consultations with governments. The MICIC initiative is “a State-led undertaking which seeks to improve the ability of States and other relevant stakeholders to increase the protection and decrease the vulnerability of migrants affected by crisis situations” (MICIC, n.d.). Six regional consultations took place with civil society actors, in South, East and South East Asia (March 2015); Eastern Europe and Central Asia (June 2015); West and Central Africa (December 2015); Latin America (February 2016); the Middle East and North Africa (March 2016); and East and South Africa (April 2016). Two key recommendations emerged in particular:

- “that this MICIC effort needs to go further than just migrants in countries in conflict and disaster situations, to make sure that all vulnerable migrants are protected, whatever the cause, nature or place of their vulnerability
- that protection of human rights in ordinary times is the best way to protect migrants—and for migrants to be better prepared to protect themselves—when there are crises; and that all these efforts to improve policy and practice need the direct participation of civil society actors, specifically including migrants and refugees” (MADE, n.d.)



In the survey, slightly more negative examples (55%) of changes in policies and practice were reported relating to migrants in distress. It was also the area where, next to migration governance, the most examples of change were identified. Positive examples related to global initiatives, such as the MICIC initiative (Box 3) and the Nansen Initiative (Box 6), as well as to efforts to increase the extent to which migrants in distress can access adequate justice mechanisms. Examples of such mechanisms include the availability of an online

Spanish complaints mechanism, which allows migrants to file complaints regarding their treatment at the US border and, after a struggle of over two decades, the implementation of a transnational mechanism for access to justice in Mexico (Box 5). Additionally, anti-trafficking measures in countries such as Thailand, Tunisia, Djibouti and Ethiopia were highlighted along with regularisation campaigns in Morocco (2014), South Africa (for those from Lesotho), Belgium, and the United States of America, although this has since been reversed (Box 4).

BOX 4

The 4-4 SCOTUS Ruling

In 2012, and later in 2014, former US president Barack Obama issued the executive amnesty DACA (Deferred Action for Childhood Arrivals) to provide 1.3 million undocumented immigrants who entered the country as minors the right to reside and work in the US. This was a monumental development. However, after the 4-4 SCOTUS ruling in June 2016, both programs were effectively frozen, which was a great loss for the migrant community.

BOX 5

Transnational Mechanisms and Access to Justice

In December 2015, the Mexican government established a transnational mechanism to improve access to their justice system. The *Mechanism for Mexican Foreign Support in the Search and Investigation* aims to “ensure access to justice for migrants who are victims of crime and human rights violations and their families that are in another country and who cannot directly access prosecutorial authorities in Mexico” (Meyer & Suarez-Enriquez, 2016). It enables the victims of crimes perpetrated in Mexico and their families located abroad to interact with the Mexican legal system regarding their queries without having to travel to Mexico (Meyer & Suarez-Enriquez, 2016). Importantly, they can claim justice and reparations while being protected by the principle of non-discrimination.

Migrants, their families and civil society organisations had been proposing such a mechanism for more than 20 years, highlighting the need for authorities to respond to the abuses and crimes suffered by migrants in transit as well as their families, independent of migrants’ nationality or the location of the crime committed (Meyer & Suarez-Enriquez, 2016; Interview). Their advocacy continued until the international level, notably the Rapporteur on Migrants’ Rights of the Latin American System, the Inter-American Commission on

Human Rights, the Committee against Forced Disappearances, and the Working Group on Forced Disappearances, took up the idea of a transnational mechanism and openly recommended it to the Mexican government. The commitment of the Mexican Government to the establishment of the *Mechanism* at a 2015 session of the Inter-American Commission is considered by civil society actors to be a critical turning point in the struggle for justice for migrants in transit

Currently, authorities and civil society groups are working to transfer the *Mechanism* to Guatemala and El Salvador in order to establish a stronger system of regional transnational justice. In addition, the *Mechanism* could serve as a prototype in the face of the crises currently affecting Europe and Asia. While the creation of Mexico’s transnational justice mechanism has been met with enthusiasm, it has, however, so far failed to produce the desired results in practice. A lack of resources available to the investigative unit severely hinders the investigation of the 129 cases that had been filed up to September 2016. In addition, operational rules and the classification of crimes remain ambiguous, contributing to a lack of results produced by the unit (Suárez, Knippen & Meyer, 2016).



Another positive development that civil society organisations drew attention to in the survey is increasing attention being given to individuals displaced both internally within the borders of their country and to those displaced for reasons other than those strictly covered by the 1951 Refugee Convention and 1967 Protocol. In particular, efforts to focus on those displaced or at risk of being displaced by weather-related phenomena were highlighted in the survey (Box 6). Survey respondents also drew attention to the efforts of some countries to increase access to their territories for those seeking international protection; examples include Argentina and Brazil. The overwhelming concern of respondents, how-

ever, related to the lack of legal channels for those seeking international protection (Box 7). An increase in detention and deportation of undocumented migration, often asylum seekers, was a trend observed by a large number of respondents reporting on the situations in Mexico, Spain, Thailand and Australia, among others. The detention of children was of particular concern to child rights advocates (Section 3.2; Point 4 of the Plan of Action). Concern was also raised about people who were being returned without ensuring adequate conditions upon return, for example regarding returns from Kenya to Somalia, or from Mexico to Central America.

BOX 6

Climate-induced Displacement

According to estimates of the Internal Displacement Monitoring Centre (IDMC), 14.7 million people were displaced due to weather-related disasters in 2015 alone. While comprehensive numbers on the total extent of climate-induced displacement do not exist, experts claim that some people have been caught in protracted displacement due to climate-related events for up to 26 years (IDMC, 2016).

In order to tackle climate-induced displacement the *Nansen Initiative* was launched in October 2012. The initiative represents a collaboration between various states, most notably Switzerland and Norway, and other interested stakeholders, to engage in a “state-led, bottom-up consultative process” (Nansen Initiative, 2015, p.1). Their goal is to use the experiences of governments to determine effective practices that serve to protect persons displaced across-borders in the context of disasters, including climate change. The initiative has led to the formulation of an *Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters*, under the consultation of various governments and, importantly, civil society actors. Meetings with civil society actors served as a forum to understand the challenges and needs for protection that climate-induced displacement presents. In October 2015, 109 governments endorsed the *Agenda* (Nansen Initiative, 2015).

May 2016 saw the establishment of the *Platform on Disaster Displacement* at the World Humanitarian Summit in Istanbul. Founded by sixteen states and the European Union, the *Platform* works towards the implementation of the *Nansen Initiative Protection Agenda*. More specifically, the *Platform* aims to close knowledge and data gaps, identify effective practices and promote the formulation of coherent policies addressing the protection of persons affected by climate-induced displacement (Platform on Disaster Displacement, n.d.).



BOX 7

Legal Pathways to International Protection

In the run-up to the New York Declaration¹⁹, humanitarian organisations had hoped for a commitment by governments of the global north to resettle 10% of the world's refugees. While the Declaration did recognise the global scales of human mobility and the urgency to find solutions to human displacement and conflict, it failed to propose such a concrete measure (The Guardian, 2016). In line with the hopes reiterated in advance of the UN Summit, Oxfam, ICMC and others had long demanded that 10% of Syria's refugees who are located in Syria's neighbouring countries be resettled in the Global North. At the beginning of 2016 this 10% amounted to 460,000 Syrians. According to Oxfam, since 2013 only 128,612 places for resettlement have been pledged by the global North; only 28% of the minimum they should, based on their fair share. An analysis conducted by Oxfam reveals that 24 out of the world's 28 most affluent nations lag behind in resettling their fair share of refugees, a measure calculated based on the size of their economy. As Oxfam sees it, only Norway (260%), Canada (238%), Germany (113%) and Australia (110%) have so far fulfilled their responsibilities to the Geneva Convention of refugees (Oxfam, 2016).

May 2016 saw the first publication of the Refugees Welcome Index, compiled by GlobeScan, surveying 27,000 people in 27 countries. The Index ranks countries based on how welcoming their societies are towards refugees. It found that globally, 80% of surveyed respondents would accept people fleeing war or persecution into their country, and one in ten would take refugees into their home. In addition, 66% of people are unsatisfied with the actions that their governments have taken to welcome refugees, agreeing that governments should do more to help people fleeing war or persecution. Based on these results, Amnesty International Secretary Salil Shetty concludes: "these

figures speak for themselves. People are ready to make refugees welcome, but governments' inhumane responses to the refugee crisis are badly out of touch with the views of their own citizens" (Amnesty International, 2016).

And indeed, disappointed by their governments' actions, more and more civil society organisations are emerging, taking the resettlement of refugees from conflict zones to the safe harbours of Europe into their own hands. One such initiative is *Humanitarian Corridors* (Corridoi Umanitari), an Italian project run under a cooperation between various Christian churches and federations. The project provides flights for people in vulnerable situations and has them enter Italy legally on the Article 25 Schengen Limited Territorial Validity Visa. It is designed to combat border deaths, as well as smuggling and trafficking networks to Europe, and thus provide a safe and humane passage for refugees. Participants of the project are chosen by programme organisers themselves in North African and Middle Eastern refugee camps. The selection is based on several vulnerability criteria, thus broadening the understanding of the term refugee by breaking down the lines between political and economic migrant, and forced and voluntary migration. Between February and October 2016, 300 refugees entered Italy as part of the programme, with a total of 2,000 expected within the next two years. While the programme does present a step forward with respect to the humanitarian treatment of refugees by European countries, it still depends on the good will of the Italian government. Although all programme costs are covered by donations and private means, effectively freeing the State from all financial responsibility, it remains with the government to provide the legal basis for refugees to enter the country (Squire, 2016).

Input for the Scorecards

Table 3 summarises the indicators used to assess progress in the first edition of the *Movement Report*, the recommendations and benchmarks coming out of the CSD of the 9th GFMD in Istanbul in 2015, the initial recommendations emerging

from the CSD at the 10th GFMD in Dhaka in 2016, and the proposals for measurements in the Scorecards elaborated in Section 4 of this second edition of the *Movement Report*.

¹⁹ http://www.un.org/ga/search/view_doc.asp?symbol=A/71/L.1



TABLE 3. Point 3: Reviewing Benchmarks and Indicators

AREA OF THE 5Y8PP	MOVEMENT REPORT #1 (MADE, 2016A)	CSD ISTANBUL (MADE, 2015B)	CSD DHAKA (MADE, 2017B)	PROPOSED SCORECARD INDICATORS
Migrants in Crisis	<p>Do multi-actor mechanisms to address the assistance and protection needs of migrants stranded in distress exist?</p> <p>Do said initiatives focus attention on migrant victims of violence or trauma in transit?</p> <p>Does a working group currently serve as liaison between the migrants in crisis group and civil society organisations focusing, on policy and on the ground, on protection of migrants stranded in transit and crisis situations?</p> <p>Inclusion of migrants in crisis in the agenda of RCPs (states-led regional consultative processes).</p> <p>Is data available on migrant deaths or disappearances at sea, in transit, at borders, in detention and during deportation and other movements?</p> <p>The number of migrant deaths or disappearances at sea, in transit, at borders, in detention and during deportation and other movements is reduced to zero.</p>	<p>Rapid reduction in the number of migrants who are killed, injured, detained, or victims of crime while seeking to cross maritime, land and air borders.</p> <p>Increase in states and border authorities being trained and using tools to protect migrants in mixed migration flows, including the Office for the High Commissioner for Human Rights (OHCHR) Principles and Recommendations on the Human Rights of Migrants at Borders and the guidelines being developed on Migrants in Countries in Crisis.</p> <p>Removal of legal, administrative and practical barriers in national law for organisations offering legal, humanitarian and social assistance to migrants on the move.</p> <p>Reduction in the number of forced displaced people, by addressing root causes of this displacement, and providing legal avenues to move.</p> <p>Increase in the number of durable solutions for forced migrants that recognise and invest in their human development and potential, including through access to the labour market, education for children, local integration, resettlement, family reunification and pathways to permanent residence and citizenship.</p>	<p>To organise, and where possible, consolidate existing rights, frameworks, practical tools and partnerships to much more consistently implement needs-first, human-rights-based and human-development-driven protection and solutions for migrants of all kinds and in all crises, in transit, and at borders. Rights must be the starting point, foundation and connecting logic of the new Global Compact for Safe, Orderly and Regular Migration.</p>	<p>Dangerous Journeys: Is data available on migrant deaths or disappearances at sea, in transit, at borders, in detention and during deportation and other movements? How many governments have taken steps to restrict access to their territories for those seeking international protection? How many governments have taken steps to improve access to their territories for people seeking international protection (e.g. resettlement)?</p> <p>Conditions in Destination: How many governments are offering durable solutions to forced migrants through a) access to labour markets 2) access to services (health, education) 3) access to documentation (e.g. regularisation)?</p>



Point 4a: Women in the Context of Migration

Point 4 of the Plan of Action relates to women and children in the context of migration. This section of the report focuses on women, and the following section is on children. With respect to women, **Point 4a** aims to *promote “models and frameworks that address the needs and rights of migrant women in their specificity, including policies and programmes that enable women workers to have the choice whether to migrate or remain in home countries, and legislation that enables migrant women, regardless of status, to have access to basic services; recourse to the justice system; and protection against all forms of violence”*. Importantly, the Plan of Action explicitly calls for the rights of migrant women to be addressed both as a goal in its own right and also as a cross-cutting concern across the entire Plan.

Civil Society Action and Advocacy

At the Civil Society Days of the GFMD in both 2015 and 2016, the rapporteur for women emphasised two key points: 1) it is not solely about migrants that are women but also women that are affected by migration, for example “mothers of the disappeared” 2) women in migration are not by definition a “vulnerable population” in need of “rescue”, although policies can place them in situations of vulnerability. Common issues that were raised by rapporteurs in both years included access to social service and justice, regardless of migratory status; freedom from violence; access to sexual and repro-

ductive healthcare; the applicability of the Convention on the Elimination of Discrimination against Women (CEDAW) for women migrants; the recognition of what is generally considered as informal work (such as domestic work) in labour law; and freedom of speech and the right to organise.

In the survey relating to women, slightly more positive examples (57.1%) of changes in policies and practice were reported than negative examples (42.9%), although relatively few examples related to women were cited overall. The majority of examples related to domestic workers, with positive examples primarily relating to increased rights and recognition under labour law, and negative examples observing the opposite. In some cases, there were mixed views on the same issue. Eleven of the cited examples related to restrictions on the emigration of women, which some viewed as a positive example of ensuring the protection of women, while others were concerned about these policies pushing migrant women into vulnerable situations by forcing them to migrate clandestinely if they wish to migrate (Box 8). Another key issue is related to access to services such as pre-natal care for migrant women, or justice mechanisms in cases of abuse, regardless of their migratory status. One example of this is highlighted in Box 9 on the Women’s Shelter Network in Europe. This additional phrase “regardless of their migratory status” is perceived as a positive shift—drawing attention to the fact that migrant women are first of all women, and women are protected by CEDAW in the vast majority of countries around the world. Other examples highlighted a gendered view on issues covered elsewhere in this report such as detention and deportation and recruitment fees.



BOX 8

Restrictions on the Migration of Women

In light of the 5th Colombo Process Ministerial Meeting, which took place in Colombo, Sri Lanka, on 24–25 August 2016, civil society issued a statement addressing their concerns as well as recommendations for discussion (MADE, 2016d). The statement brought specific attention to the restrictive policies that Colombo Process (CP) governments had placed on the migration of women in the past. The Sri Lankan government for instance has issued a law increasing the minimum age of female domestic workers going abroad to 23 or 25 years depending on the country of destination. In addition, women with children under the age of five have been banned from migrating, requiring them to submit a family background report detailing the family situation if they wish to migrate (Ministry of Foreign Employment, 2015). Similarly, the Nepalese government has implemented several legislative restrictions on female migration in the past twenty years, including necessitating approval by a responsible male figure, a complete ban on female migration, an age ban and sector-specific restrictions (ILO, 2015).

While these policies are generally intended by governments to protect women and families, they have received mixed responses. Some organisations have praised the Sri Lankan government for their efforts to preserve family health, as well as to shield young women from the expectations that their husbands and families might place on them regarding their economic contributions (survey respondents). As expressed in the civil society statement, however, policies can also be criticised, as they might force women into irregular migration, and expose them to risks of exploitation and trafficking (MADE, 2016d). The ILO study (2015) on the Nepalese legislation regarding female migration found that the age ban has often not deterred women from migrating, but has rather placed them in more vulnerable positions. The ban has failed to effectively protect women from violations of their rights and hazardous journeys, and has instead redirected them to more hazardous routes while keeping them from accessing support mechanisms. In addition, it is argued that such bans place an unfair burden on women and only create further gender inequalities (survey respondent).

BOX 9

Women's Shelter Network in Europe

Undocumented migrant women occupy especially vulnerable positions when it comes to domestic violence. They face significant barriers in terms of accessing justice, as well as in receiving psychological, legal and financial support and protection in shelters (PICUM, 2012). Often, national policies hinder undocumented migrant women affected by domestic violence from accessing support services or even deter them from any attempt, such as in cases where support networks are required to report the women to national authorities (McCracken, Cook & Chantler, 2013). As a response, various civil society organisations and networks have dedicated themselves to providing help to undocumented women suffering from domestic violence and to lobbying for their rights. The Platform for International Cooperation on Undocumented Migrants (PICUM) is one such organisation which fights for the rights of undocumented migrants in Europe, and among other topics advocates on a European level (PICUM, n.d.). Another is Women Against Violence in Europe (WAVE), a network comprising over 4,000 women's organisations. Founded in 1994, the network now spans across 47 countries and operates on the core principle that the right to legal support and protection for victims of violence is strictly independent of their nationality or status. WAVE initiated a special focus on migrant women in 2010 and supports women's shelters in their efforts to provide support to undocumented migrant women (PICUM, 2012).

Input for the Scorecards

Table 4 summarises the indicators used to assess progress in the first edition of the *Movement Report*, the recommendations and benchmarks coming out of the CSD of the 9th GFMD in Istanbul in 2015, the initial recommendations emerging

from the CSD at the 10th GFMD in Dhaka in 2016, and the proposals for measurements in the Scorecards elaborated in Section 4 of this second edition of the *Movement Report*.



TABLE 4. Point 4a (Women): Reviewing Benchmarks and Indicators

AREA OF THE 5Y8PP	MOVEMENT REPORT #1 (MADE, 2016A)	CSD ISTANBUL (MADE, 2015B)	CSD DHAKA (MADE, 2017B)	PROPOSED SCORECARD INDICATORS
Women	<p>Ratifications of ILO Convention 189</p> <p>CEDAW Ratifications</p> <p>Have countries adopted laws that provide access to justice for migrant women who have experienced gender-based violence, irrespective of their status?</p> <p>Have governments implemented policies that do not require health providers to report undocumented women to immigration authorities?</p>	<p>Increase in number of state policies and collaboration with civil society and the private sector to ensure full and equitable access of women and children to health care, education, water, sanitation and other services.</p> <p>Increase in the number of countries that ratify and implement the CEDAW and other conventions relevant to the protection and freedom of women.</p> <p>Increase in gender-equality policies in the workplace.</p> <p>Further recognition of <i>au pairs</i> as workers within national labour laws.</p> <p>Increase the provision of visas and protection for mothers and other family members who go to transit and destination countries seeking to find close relatives who have been lost in the journey.</p> <p>Improved collection of sex and age disaggregated data collection on migration, including on detention, and trafficking.</p>	<p>To promote and protect the human rights and human development of women in all migration contexts, fully respecting women as agents of change and advocates for their rights</p>	<p>Rights: How many governments have a) ratified and b) implemented the CEDAW? How many governments have a) ratified and b) implemented the Domestic Workers Convention (C189)? How many governments include a) domestic workers b) <i>au pairs</i> within national labour law? How many countries restrict the migration of women?</p> <p>Access to Services: How many governments have implemented policies ensuring full and equitable access to women, regardless of status, to health care?</p> <p>Access to Justice: How many governments have adopted laws that provide access to justice for migrant women who have experienced gender-based violence, irrespective of their status? How many governments have implemented policies which do not require health providers to report undocumented women to immigration authorities?</p> <p>NB indicators related to the disaggregation of migration statistics by sex are also relevant here (see Scorecard 1)</p>

Point 4b: Children in the Context of Migration

Point 4 of the Plan of Action relates to women and children in the context of migration. This section of the report focuses on children. With respect to children, **Point 4b** states that “mechanisms should consider the best interests of children in the context of migration, including their rights”. The first edition of the *Movement Report* highlighted that, while

“the discussion of children in the context of migration has received increased attention over time, there is an urgent need for clear and transparent data to allow civil society organisations to monitor progress in this area.” This relates both to the need for age disaggregated data in general, as is called for in the SDGs (Goal 1) and to the need to specifically consider age when investigating issues, such as detention, where data is not necessarily available. The second edition of the *Movement Report* has similar findings.



Civil Society Action and Advocacy

As for women, children in the context of migration can be viewed both as a stand-alone goal as well as a cross-cutting issue extending across the Plan. For this reason, children, like women, also had a special rapporteur at the 2015 CSD and in 2016, members of the Destination Unknown Campaign facilitated a team of young people from Bangladesh, Canada,

Lebanon and Sweden to attend the CSD. In addition, a set of bridging papers were developed in advance of both CSD by Terre des Hommes and the Destination Unknown Campaign, showing connections between Point 4 and the other points of the Plan. A summary of the main recommendations outlined in these bridging documents is provided in Table 5 and provides guidance for the development of indicators to measure progress on Point 4.

TABLE 5. Summary of Recommendations from the 2016 Child Rights Bridging Papers

POINT	SELECTED RECOMMENDATIONS
SDGs	<ul style="list-style-type: none"> Reporting e.g. Uniform Periodic Review (UPR) into HLPF. Age disaggregated data (17.18). Violence against children on the move (SDG 16.1, 16.2, 5.3). Forced labour, slavery and trafficking (8.7). Access to education (4.5). Access to health services (3.8).
Diaspora	<ul style="list-style-type: none"> Fulfil SDGs which increase diaspora impact (9.3, 10.c, 10.2, 17.18). Diaspora engagement in the area of child protection. Cooperation between diaspora, migrant rights, child rights, etc. Understand the impact of migration on children and feed into diaspora policies. Facilitate youth engagement.
Migrants in distress	<ul style="list-style-type: none"> Apply principles of the CRC to children in need of humanitarian protection. Clear implementation plans. Disaggregated statistics on stranded children. Age-assessment processes respect right of child. End child detention and adopt alternatives. Due process for children including the right to be heard. Access to education within a few months of displacement.
Women and Girls	<ul style="list-style-type: none"> CRC and CEDAW respected in migration policies. Ratify ILO's Convention 189 and the Council of Europe's Convention on Preventing and Combatting Violence against Women and Domestic Violence. Sex disaggregated data. Address gender discrimination. Opportunities for legal and safe migration. Engagement with women and girls in policy process. Access to services (e.g. maternal health) regardless of status. Access to justice regardless of status.



POINT	SELECTED RECOMMENDATIONS
Migration Governance	<p>Advocate for states to ratify treaties or remove reservations limiting the rights of children in the context of both national and international migration.</p> <p>Use provisions of CRC and other treaties to draw attention to existing practices that violate these agreements.</p> <p>Feed into relevant initiatives including CRC, MWC, CEDAW using a child rights-based approach.</p> <p>Advocate for thematic, regional and national consultations on children on the move and other children affected by migration in the development of the global compacts.</p> <p>Consider views of children in the development of the global compacts.</p> <p>Collate and share good practices on child rights and share with those developing the global compacts.</p>
Labour Mobility	<p>Address the factors that push children to migrate for work</p> <p>Ensure labour rights for adolescents legally allowed to work</p> <p>Separate labour inspections from immigration enforcement (access to justice regardless of status)</p> <p>Disaggregated data on migrant working children (age, gender, occupation)</p> <p>Ratification of international conventions that protect migrant workers and their families (MWC, ILO Conventions 89 and 143).</p>

Source: Myers, Shuteriqi & Packer (2016)²⁰

In the survey relating to children, many more positive examples (62.8%) of changes in policies and practice were reported than negative examples (37.8%), although relatively few examples related to children were cited overall. The main issues that were highlighted overall included access to education; detention of children; birth registration; access to services (other than education); trafficking; and the welfare of children of migrant workers who remain in the country of origin. While all examples relating to child detention were negative, both positive and negative examples of other issues were reported. Ensuring that children have birth registration documents, particularly those of undocumented parents (Cyprus) or internal migrants (India), is of particular importance

in ensuring access to services. The Deferred Access for Child Arrivals programme in the USA was a positive step, providing protection for over 700,000 children, although in light of policy developments in the USA under the new administration, this programme is in jeopardy.

Monitoring has been a key theme of work on children in the context of migration in the past year, as highlighted by the UN Secretary General in his report on the Status of the Convention on the Rights of the Child (CRC) (Box 10), as well as by civil society actors at the GFMD Satellite meeting in Cyprus on 29 September and 1 October 2016 (Box 11).

²⁰ <http://destination-unknown.org/childs-rights-bridging-papers-second-edition-final-versions-now-available/>



BOX 10

The Convention on the Rights of the Child

On 29 September 2016, the UN Secretary General issued a report on the Status of the Convention on the Rights of the Child (CRC) with a particular focus on migrant children (A/71/413²¹). The CRC has almost universal ratification, with the only country not to have ratified being the USA. In the report, the Committee of the CRC reaffirmed states' obligations to guarantee the rights enshrined in the CRC. These include ensuring the following:

- (a) That children affected by migration are entitled to the same fundamental rights, treatment, services and protection as non-migrant children;
- (b) That a comprehensive human rights-based approach be adopted that holistically takes stock of the rights and needs of such children rather than categorise them as irregular, trafficked, unaccompanied or asylum-seeking; categories that can be fluid and temporary and fail to reflect the complexity of migration dynamics;
- (c) That the principle of the best interests of the child be a primary consideration for states when making decisions that affect migrant children" (p4).

The Committee report mixed findings in the implementation of these commitments:

"Although some regions have made rapid progress in increasing the protection of and access to basic services for some categories of children affected by migration, in particular refugee children, in other regions progress has been less marked, and in many regions children who are found not to be refugees as defined in international refugee law have faced significant difficulties in gaining access to basic services" (p3).

In order to monitor the extent to which these commitments are respected, the Committee recommended that implementation with specific focus on children in the context of migration should be monitored. It called on countries to include a systematic evaluation of this in their periodic reviews. A non-exhaustive list of the possible policy options recommended to countries include: national child protection systems; birth registration for all children, especially to prevent statelessness; country-of-origin information that is child sensitive; age-assessment processes that are non-intrusive; and home-based, family-based and community-based accommodation for refugees and migrants as an alternative to detention. While detention is never considered to be in the best interest of the child, it is a practice that still occurs. Mexico and Panama have both banned the detention of child migrants and the Council of Europe Strategy for the Rights of the Child (2016–2021) commits to ending the practice of child detention.

21 A/71/413



BOX 11

Destination Unknown Campaign: Tracking Change

As reported in the first edition of the *Movement Report*, Destination Unknown²² is an international campaign led by Terre des Hommes. Gathering more than 100 members, it promotes the protection of millions of children on the move. In late 2012, Destination Unknown articulated “Ten Demands” with corresponding actions. A key strength of the campaign, much like the Plan of Action, is its cross-country adaptability, allowing civil society actors to develop context specific strategies. Another key strength is its aim to empower child migrants by amplifying their voices and stories to raise awareness and enact policy change through participation in global conferences and public campaigns. At the GFMD Satellite meeting in Cyprus on 29 September and 1 October 2016, the author of the *Movement Report* and members of the Destination Unknown Campaign came together to discuss how progress could be measured with respects to the Plan of Action as well as the nine principles to guide actions concerning children on the move and other children affected by migration that are advocated by the Destination Unknown campaign²³. Five priorities were identified; these include:

- Primary consideration given at all times to the best interests of the child (Principle 1)
- Documentation (Immediate birth registration; adequate assistance with obtaining other necessary documents) (Principle 1)
- Access to basic health, education and psychosocial services. Education for children within a few months of arrival/ prioritise budgetary provision to facilitate this (Principle 2)
- Child Immigration Detention (Principle 4)
- Right to express views freely in all matters affecting the child (Principle 9)

Input for the Scorecards

Table 6 summarises the indicators used to assess progress in the first edition of the *Movement Report*, the recommendations and benchmarks coming out of the CSD of the 9th GFMD in Istanbul in 2015, the initial recommendations emerging from the CSD at the 10th GFMD in Dhaka in 2016, and the

proposals for measurements in the scorecards elaborated in Section 4 of this second edition of the *Movement Report*. The proposed indicators for the Scorecard on children have been developed in consultation with Terre des Hommes and the Destination Unknown Campaign.

²² www.destination-unknown.org

²³ <https://principlesforcom.jimdo.com/>



TABLE 6. Point 4b (Children): Reviewing Benchmarks and Indicators

AREA OF THE 5Y8PP	MOVEMENT REPORT #1 (MADE, 2016A)	CSD ISTANBUL (MADE, 2015B)	CSD DHAKA (MADE, 2017B)	PROPOSED SCORECARD INDICATORS
Children	<p>How many governments have responded to recommendations brought to them through the UPR process?</p> <p>Have civil society organisations engaged in campaigns to advocate for alternatives to the detention of children?</p> <p>How many states have enacted laws to end the detention of migrant children?</p> <p>Has the number of migrant children in detention decreased?</p>	<p>Increase in number of state policies and collaboration with civil society and the private sector to ensure full and equitable access for women and children to health care, education, water, sanitation and other services as per the SDGs 3, 4, and 5</p> <p>Increase in number of countries ratifying and implementing the recommendations of the UN Committee on the Rights of the Child on ending child immigration detention, family reunification and on access to justice, health, education and other services for children.</p> <p>Improved collection of sex and age disaggregated data collection on migration, including on detention, and trafficking.</p>	<p>To protect and also to empower children in all migration contexts (including within the GFMD and other processes that treat policy and practice), and to address their specific vulnerabilities and needs in order that their development and human rights are respected</p>	<p>Detention: How many different institutional actors have supported a call for not detaining children? Have civil society organisations engaged in campaigns to advocate for alternatives to the detention of children? How many governments have enacted laws to end the number of migrant children in detention? How many governments have developed alternatives to the detention of children?</p> <p>How many governments have data on detention disaggregated by age and sex?</p> <p>Access to Basic Health, Education and Psychological Services: How many governments have implemented policies which do not require health or educational providers to report undocumented children to immigration authorities? How many governments have taken actions to ensure the children on the move are quickly integrated into schools?</p> <p>How many governments have taken steps to ensure all children have documentation, particularly birth registration documents? Has the number of stateless children in the world decreased?</p> <p>Policy (Youth Engagement and the CRC) Are children and young people adequately engaged in policy discussions at the a) local b) national c) regional and d) global level? How many countries include a systematic evaluation of the implementation of the Convention in relation to all children affected by migration in their periodic reporting to the Committee?</p> <p>NB indicators related to the disaggregation of migration statistics by age are also relevant here (see Scorecard 1)</p>



3.3 Migration Governance and Partnerships

Relates to Points 5 and 6 of the Plan of Action

As mentioned previously, from the inclusion of migration in the SDGs, to IOM joining the UN system and the launch of processes to develop two global compacts for migrants and refugees and a global campaign on xenophobia, the world has not witnessed such movement in the elaboration of global governance structures on migration for decades. This represents both an opportunity and a risk, particularly given that these efforts are taking place in the context of rising xenophobia and anti-migrant sentiments, most notably in the 'Global North'.

Points 5 and 6 of the Plan of Action, which specifically address the issue of governance, call for *“the exchange of good practice and enactment and implementation of national legislation to comply with the full range of provisions in international conventions that pertain to migrants even outside the labour sphere, with particular concern for rights in the context of enforcement policies, rights to basic social protection and due process”,* and the *“redefinition of the interaction of international mechanisms of migrants’ rights protection”* including *“a thorough evaluation of the GFMD process, including questions of accountability, transparency, inclusiveness and outcomes”* and the *“participation of civil society in future governance mechanisms”*.

Given the developments that have taken place in the landscape of migration governance, it makes sense to take stock of how the priorities identified in the Plan of Action are reflected in discussions at the GFMD but also in other processes, such as the Compact negotiations. This is of particular relevance given that the Plan of Action runs through 2018, the same year that we can expect the Compact processes to come to a conclusion. **Perhaps the ultimate litmus test of progress on the Plan of Action will be the extent to which the broad range of issues it covers is reflected in the outcomes of this two-year process.**

In all these contexts, there is a need to recognise that governance operates at multiple levels. While something can be agreed upon at the global level, such as the UN Migrant Workers Convention, and even ratified at the national level, this does not necessarily mean that it will be transposed into national law, and, even if it is, that it will be implemented at the local level. Conversely, policies and practices at the local

level may serve as both signals of broader challenges and examples of solutions. For governance to function effectively, however, connections need to be made between these levels.

The same theory can be applied to the way that civil society organises. At the grassroots level, civil society organisations are on the frontline, best able to identify and highlight the changes in policies and practices that affect the day-to-day lives of migrants and their families. This could be achieved through campaigns and protests, but also through engagement with policy makers and the production of data and statistics. Achieving change is a complicated and lengthy process involving the negotiations of different power structures and interests. There is no winning formula on how to achieve change. It is plausible, however, that the more opportunities that exist for civil society to engage, and the more strategic and clear these interventions are, the more likely change will be. Engagement could range from engagement with local governments (Box 12), national platforms such as the Swiss Civil Society Platform on Migration and Development (Box 13), to engagements with regional processes such as the Valetta Summit (Box 14), all the way up to global processes such as the SDG discussions, the GFMD itself, and the High Level Summit on Large Movements of Refugees and Migrants (Box 15). Ensuring that the space for civil society does not shrink should be a key concern.

BOX 12

Engaging with Local Governments

Between 2015 and 2016, MADE provided seed funding for six different projects in Africa, Latin America and Asia. In Latin America, Fundación Scalabrini visited one of these projects in order to evaluate its impact. The purpose of the project *Gobiernos Locales Incorporando Acción de Prevención y Reinserción de Migrantes*, which was implemented by **Comisión de Acción Social Menonita (CASM)** in Honduras, was to engage with local governments in implementing actions for preventing irregular migration and reintegrating returning migrants. The evaluation concluded that, while there had been some observable impact on the commitment of local governments, there still remained issues relating to coordination and knowledge sharing. There were calls to ensure that commitment letters also contained measurable indicators of progress to ensure follow-up, and that there was a need for training in the area of project design (MADE, 2017a).



BOX 13

Swiss Civil Society Platform on Migration and Development

In November 2015, Caritas Switzerland and HELVETAS Swiss Intercooperation launched the Swiss Civil Society Platform on Migration and Development (mdplatform), a national platform for civil society actors involved in issues of migration and development to coordinate their ideas and actions. The Platform provides for an intensive exchange of knowledge and best-practices and gives a diverse range of non-state actors the opportunity to streamline their advocacy and identify their priorities for action. For the year 2016, actors involved in the platform identified capacity building for members, knowledge sharing and an involvement in international and national policy dialogue through a structured approach as their main priorities. Mdplatform started out by providing an assessment of civil society organisations' capacities, followed by several training courses on issues of migration and development given by representatives of the IOM. Various working groups now work successfully to identify best practices of Swiss civil society organisations, develop an agenda for policy involvement and shape the actions of civil society organisations in fields such as migrant protection and diaspora empowerment (mdplatform, n.d.).

BOX 14

Valletta Summit

For many civil society organisations "the big migration story from 2015 is the Valletta Summit Action Plan and the EU Emergency Trust" (survey respondent), although there remains some concern about the level of engagement with civil society actors in the process. Two civil society delegates attended the Valletta Summit on 11–12 November 2015, and a Joint Statement by African and European Civil Society was presented. Ahead of the Senior Officials Meeting on 8–9 February 2017, which will evaluate progress on the implementation of the Valletta Action Plan, a survey has been distributed to gather information about civil society perceptions and opinions on the implementation of the Valletta Action Plan, EU Trust Fund for Africa and partnership agreements, and to collate any potential concerns that civil society organisations may have. The survey includes questions ranging from whether civil society feel that their views were adequately taken into consideration in the elaboration of the Action Plan, views on the sixteen priority initiatives, as well as capturing any ongoing consultation with civil society actors (ICMC & MADE, n.d.). Additionally, an event was held in Brussels on 30 January 2017 to gather further feedback.



BOX 15

ACTNOW—The UN High Level Summit²⁴

In preparation for the UN High Level UN High Level Summit on Large Movements of Refugees and Migrants, a Civil Society Action Committee²⁵ comprised of 22 leading civil society organisations in refugee protection and migrant rights advocacy around the world, released a scorecard and critical response to the Summit's *New York Declaration*, calling for world leaders to take the following seven steps:

- 1) Make an implementation plan by the end of the year (2016)
- 2) Deliver equitable and predictable responsibility-sharing and refugee protection mechanisms,
- 3) Review national border policies to uphold the human rights of all people at international borders, and commit to developing and implementing gender- and age-sensitive guidelines to protect migrants in vulnerable situations,
- 4) Fulfil the commitment to work to end the practice of child immigration detention in accordance with the best interests of the child
- 5) Commit to the development of a Global Compact for Safe, Orderly and Regular Migration,
- 6) Implement policies and vigorous campaigns at national and local levels to counter xenophobia, discrimination and racism,
- 7) Agree on concrete measures to improve the protection and assistance for internally displaced people (IDPs).

Next to noting concerns that some of the language of the New York Declaration “attempts to back-slide on, or undercut existing fundamental human rights standards” (ACTNOW, 2016, p1), a number of concrete expectations are outlined, which correspond with the correlating point of the Plan of Action as indicated below:

- Increase annual resettlement places (Points 3 and 6).
- Legal pathways such as family reunion, private sponsorships, and work, student and humanitarian visas (Points 3 and 6).
- Access to basic services (Points 3, 4, 5 and 6).
- Development funding to support displaced people and communities hosting them and not conditioned on border control or readmission (Points 3, 4, 5 and 6).
- The Global Compacts draw on existing and emerging guidance from international agencies, such as the OHCHR Recommended Principles and Guidelines on Migrants at International Borders (Points 3, 4, and 6).
- End the detention of children (Points 3, 4b, 5 and 6).
- Alternatives to detention for the entire family (Points 3, 4, 5 and 6).
- Consultations with civil society throughout the negotiations of the global compact for safe, orderly and regular migration (Points 5 and 6).
- Campaigns to counter xenophobia, discrimination and racism (belated Point 9).
- Measures to improve protection and assistance for IDPs (Points 3, 4, 5 and 6).

24 http://www.un.org/en/development/desa/population/migration/events/coordination/15/documents/papers/18_Civil%20Society%20Action%20Committee.pdf

25 <http://refugees-migrants-civilsociety.org/organisation/>



Input for the Scorecards

Table 7 summarises the indicators used to assess progress in the first edition of the *Movement Report*, the recommendations and benchmarks coming out of the CSD of the 9th GFMD in Istanbul in 2015, the initial recommendations emerging

from the CSD at the 10th GFMD in Dhaka in 2016, and the proposals for measurements in the Scorecards elaborated in Section 4 of this second edition of the *Movement Report*.

TABLE 7. Points 5–6: Reviewing Benchmarks and Indicators

AREA OF THE 5Y8PP	MOVEMENT REPORT #1 (MADE, 2016A)	CSD ISTANBUL (MADE, 2015B)	CSD DHAKA (MADE, 2017B)	PROPOSED SCORECARD INDICATORS
Governance	<p>Are there benchmarks in place for promoting the exchange of good practice and the implementation of national legislation?</p> <p>Can governments be held to account for commitments made at the GFMD?</p> <p>How transparent is the GFMD?</p> <p>Has the inclusiveness of the civil society representation at the GFMD improved over time?</p> <p>Has there been a systematic evaluation of the GFMD process?</p>	<p>Increased number of governments have institutionalised the role of civil society in migration and in development policies, for example through the establishment of national migration councils, and similar structures at regional and local level.</p> <p>The voice and role of civil society has been strengthened and more fully institutionalised in the GFMD, and in discussions on the future of the global governance of migration and development</p>	<p>To ensure the Global Compact for Safe, Orderly and Regular Migration is a multilateral, rights-based framework that, rather than simply re-stating existing rights or principles, more mechanically focuses on tools, cooperation and systems that implement those rights and principles.</p> <p>As in the SDGs, the Compact should consider a structure of clear goals, targets and indicators on a graduated timeline that fosters policy coherence, real achievement and genuine accountability.</p>	<p>Civil Society Engagement: How many governments have institutionalised the role of civil society in migration and in development policies, for example through the establishment of national migration councils, and similar structures at regional and local level?</p> <p>Monitoring and Evaluation: How many governments have implementation frameworks that ensure that policies designed to improve the situation of migrants are implemented? Are civil society organisations (and other relevant stakeholders) involved in these frameworks?</p> <p>GFMD: Has the inclusiveness of the civil society representation at the GFMD improved over time? Has more space for interactions between governments and civil societies been opened up at the GFMD? Has the GFMD process become more transparent?</p> <p>Global Compact Do the global compact discussions reflect the input and recommendations of civil society through the 5Y8PP and other advocacy documents?</p>



3.4 Labour Mobility and Recruitment

Relates to Points 7 and 8 of the Plan of Action

Point 7: Recruitment

The **seventh point** of the Plan of Action refers to the “*identification or creation, and implementation, of effective standards and mechanisms to regulate the migrant labour recruitment industry*”. In defining the point, civil society already offered some indicators of progress in this area suggesting “*a global synthesis of existing recruitment problems and solutions, national or transnational, a global convening of legitimate private recruitment actors, development of a compact on reducing abuses in the recruitment field, etc.*”

As noted in the first edition of the *Movement Report*: “Recruitment and employment agencies play a critical role in matching migrant workers with jobs abroad and facilitating the mobility of workers, but abusive practices such as excessive recruitment fees and contract substitution are widespread, too often resulting in debt-bondage and abusive working environments” (MADE, 2016a, p29). The first edition of the *Movement Report* reported significant visibility with regards to efforts to improve recruitment regulations. This included efforts of international organisations such as the ILO with regards to the Fair Recruitment Initiative²⁶ and the International Recruitment Integrity System²⁷ of the IOM. It also included how civil society organisations such as Verité, the International Trade Union Confederation (ITUC) and the Institute for Human Rights and Business (IHRB) were organising themselves and promoting recruitment reform through a variety of different channels such as the Dhaka Principles²⁸. Platforms such as *recruitmentreform.org* continue to provide a place for the sharing of examples from around the world.

Civil Society Action and Advocacy

The majority (95.1%) of examples cited in the survey relating to recruitment were regarded as positive. Next to the Free Ticket Free Visa policy of Nepal (Box 16), which was cited 27 times (44.2%), the most common examples were related to recruitment fees (11 mentions) and regulation of recruitment procedures (23 mentions). Significant changes with regards to the regulation of recruitment procedures included examples such as the closure of recruitment agencies not abiding by specified standards in Indonesia; the decision to

supplement a currently non-binding code of practice for employment agencies in Hong Kong with an amendment making it legally enforceable (Ng, 2017); and increased attention to recruitment processes in several Gulf Cooperation Council (GCC) states. Significant changes in regards to recruitment fees included the US government’s adoption of a “no fees” policy (i.e., no fees charged to the workers themselves) for the recruitment of workers; campaigns to encourage governments to adopt a “no fee” model in countries such as the Philippines, where recruiters are still legally allowed to charge one month’s salary (Carillo, 2017); and, negatively, the increase in recruitment costs as reported by Bangladeshi workers in Singapore (Ming, 2015).

BOX 16

Stand Firm Campaign

In July 2015, the Government of Nepal passed a directive—now known as the “Free Visa Free Ticket” policy—obligating employers to cover visa and flight costs for Nepali migrant workers going to Oman, Bahrain, Saudi Arabia, the United Arab Emirates, Kuwait, Qatar and Malaysia. The policy has not been well received by all actors; recruitment agencies in Nepal have argued that the “employer pays” model will simply reduce demand for Nepali workers. Thus, from March 2016, the Nepal Association of Foreign Employment Agencies (NAFEA) ceased their operations in protest of the policy. In response, civil society in Nepal, led by the National Network for Safe Migration, initiated the STAND FIRM campaign and collected more than 50,000 signatures in support of the Free Visa Free Ticket policy (MADE, 2016d). The campaign has been supported by the MADE-supported Open Working Group on Labour Migration and Recruitment, which launched an online petition to support the campaign on *recruitmentreform.org* and, in collaboration with partners in Nepal, prepared a policy brief providing background information on the policy (Open Working Group on Labour Migration & Recruitment, 2016). The policy brief highlights that while the policy has been welcomed, there are some concerns about its implementation and the fact that it was introduced rapidly and not as part of a more systematic reform of the recruitment process. This has led to some variance in its implementation. A short study conducted by the Asian Human Rights and Culture Development Forum involved collecting information on recruitment costs from migrants and the airport in Kathmandu prior to departure and from their family members via telephone. This resulted in a sample of 118 migrant workers with some variation in recruitment fees.

26 <http://www.ilo.org/global/topics/fair-recruitment/lang-en/index.htm>

27 <https://iris.iom.int/>

28 <http://www.dhaka-principles.org/>



While it is not possible to review all of the efforts made by different actors in the area of recruitment, a couple of key developments are of note. On 24–25 August 2016, the 5th Colombo Process (CP) Ministerial Meeting took place. Alongside other issues, civil society included five key recommendations with regards to recruitment in their statement. These included: 1) the ratification and implementation of Convention 181 on Private Employment Agencies (1997); (2) regulation and accountability for sub-agents; (3) measures to ensure that justice can be accessed for victims of trafficking or illegal recruitment practices; (4) the establishment of a tripartite commission to investigate illegal recruitment practices; and (5) civil society representation in the Thematic Working Group on recruitment that is to be established by the CP.

In December 2016, ILO released General Principles and Operational Guidelines for Fair Recruitment²⁹, derived from a number of sources, including international labour standards and ILO instruments, the Dhaka Principles, the Verité Code of Conduct³⁰, the World Employment Federation's Principles³¹ and the IOM's International Recruitment Integrity System (IRIS) Code³². Building on this body of sources, the General Principles and Operational Guidelines outline 14 responsibilities for governments. These include ensuring the necessary national laws and regulations are in place and implemented to promote fair recruitment, including the elimination of recruitment fees for workers and jobseekers; clear and transparent

contracts; and proper grievance and other dispute resolution mechanisms. Moreover, the Principles and Guidelines outline six responsibilities of enterprises and public employment services. These include guidance relating to recruitment fees and passport retention; six responsibilities for labour recruiters, which include respecting both bilateral and multilateral guidelines on recruitment; and six responsibilities for employers including the right to change employer and to collective bargaining.

The MADE-supported Open Working Group on Labour Migration and Recruitment has also recently compiled a participatory glossary³³ providing a starting point for ensuring that everyone is on the same page, and nuance is captured, when discussing migrant labour recruitment processes and regulation across different national contexts.

Input for the Scorecards

Table 8 summarises the indicators used to assess progress in the first edition of the *Movement Report*, the recommendations and benchmarks coming out of the CSD of the 9th GFMD in Istanbul in 2015, the initial recommendations emerging from the CSD at the 10th GFMD in Dhaka in 2016, and the proposals for measurements in the scorecards elaborated in Section 4 of this second edition of the *Movement Report*.

29 http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_536755.pdf

30 <http://helpwanted.verite.org/helpwanted/toolkit/brands/improving-codes-conduct-company-policies/tool-1>

31 http://www.wecglobal.org/fileadmin/templates/ciETT/docs/Corporate_literature/Code_of_Conduct_-_WEC_2017.pdf

32 <https://iris.iom.int/about-iris>

33 <http://madenetwork.org/campaigns/participatory-glossary-recruitment>



TABLE 8. Point 7: Reviewing Benchmarks and Indicators

AREA OF THE 5Y8PP	MOVEMENT REPORT #1 (MADE, 2016A)	CSD ISTANBUL (MADE, 2015B)	CSD DHAKA (MADE, 2017B)	PROPOSED SCORECARD INDICATORS
Recruitment	<p>Ratification of C181 (ILO Private Employment Agencies Convention, 1997)</p> <p>Has civil society engaged in the identification of policies and practices in the area of recruitment (positive and negative)?</p> <p>Have governments reformed their policies and practices?</p> <p>Has there been an increase in national and regional multi-stakeholder platforms on recruitment and employment practices?</p> <p>Do more businesses endorse and operate by the Dhaka principles?</p>	<p>Increased number of national and international registries and licensing bodies for recruitment firms.</p> <p>Increased number of transparent government-to-government agreements on international labour recruitment that incorporate guarantees for the protection of the rights of migrants, ban recruitment fees charged to workers, prevent contract substitution and passport retention, and contain provisions for legal redress and portable justice.</p>	<p>To accelerate, concretise and implement reforms in migrant labour recruitment and employment policies and practices, in order to protect and empower migrant workers at every stage of the labour cycle</p>	<p>Recruitment Fees: How many governments have ratified C181? How many governments have banned recruitment fees charged to workers by law?</p> <p>Regulating the Recruitment Process: How many governments have signed government-to-government agreements which incorporate guarantees for the protection of the rights of migrants? How many governments have a) developed and b) implemented legislation to regulate recruitment agencies?</p>

Point 8: Labour Rights of Migrants

The **eighth** point of the Plan of Action primarily relates to ensuring that migrant workers receive equal rights *“including the rights to equal pay and working conditions, to form and organise in trade unions, to ensure portability of pensions, and to have paths to citizenship for migrant workers and their families”*. In defining the goal, civil society already offered some indicators of progress in this area, including the extent to which the movement of people is considered in the global trade agenda, as well as the ratification and implementation of a selected number of priority conventions, notably ILO Conventions 97, 143 and 189 and the UN Migrant Workers Convention.

Civil Society Action and Advocacy

Two key challenges are often cited when referring to international conventions in the area of migration. The first relates to low ratification rates of migration-specific conventions, particularly by countries that are the primary destinations of many migrants (Annex 3). Since October 2015 there have been no new ratifications of ILO Conventions 97 or 143. The following ratifications, however, have occurred:

- Jamaica ratified the Domestic Workers Convention (ILO 189) on 11 October 2016.
- Mali ratified the Private Employment Agencies (ILO 181) on 12 April 2016.
- Venezuela (25 Oct 2016) and Sao Tome and Principe (10 Jan 2017) ratified the UN Migrant Workers Convention.
- Uzbekistan ratified the Freedom of Association and Protection of the Right to Organise Convention (ILO 87) on 12 December 2016.
- The Protocol of 2014 to the Forced Labour Convention, 1930 (ILO P029) came into force on 9 November 2016 after it received its required tenth signature from Argentina. Argentina joins the Czech Republic, Estonia, France, Mali, Mauritania, Niger, Norway, Panama, and the United Kingdom. On 30 January 2017, Finland became the eleventh country to ratify the Forced Labour Convention.

In the survey, almost three quarters (72.6%) of the examples highlighted were positive. These examples primarily related to the introduction of pre-departure mechanisms to increase the awareness of migrants of their rights while working abroad. These initiatives were primarily reported in South



Asia (Bangladesh, India, Nepal, Pakistan and Sri Lanka). Additionally, several respondents drew attention to bilateral agreements between countries. Other positive examples relate to improvements in working conditions for migrant workers including the implementation and/or increase of the minimum wage (e.g. Kuwait, Malaysia, Nepal); the introduction

of a wage protection system (Bahrain and Qatar); and reforms to *kafala* systems in Qatar and the United Arab Emirates (Box 17). Negative examples primarily related to non-ratification of international conventions or, in cases where they had been ratified, non-adherence to their stipulations.

BOX 17

Reforming *Kafala*

In January 2016, the Ministry of Labour of the United Arab Emirates (UAE) adopted three new rules that serve to protect labour migrants, who have historically been in a vulnerable position when coming to the UAE on labour contracts. In the past, under the *kafala* system, migrant workers were tied to their sponsor, which heightened worker vulnerability by giving employers power over the workers' legal status and ability to stay in the country. The new rules on standard work contracts, termination of contracts and the granting of new work permits aim to address this power imbalance between sponsor and migrant (Migrant-Rights, 2015). The new rules ensure that the contracting process is transparent; that the terms of labour are pre-defined and cannot be changed upon arrival in the UAE; that contracts cannot be terminated unduly; and that labour migrants have the possibility to apply for new work permits after termination of their old one, protecting them from irregularity (UAE National Group, n.d.). On 14 December 2016, the *kafala* system in Qatar was replaced by new immigration laws. How the new laws will be implemented and the extent to which they will apply to all migrants (for example domestic workers) remain to be seen. (Migrants-Rights, 2016).

Input for the Scorecards

Table 9 summarises the indicators used to assess progress in the first edition of the *Movement Report*, the recommendations and benchmarks coming out of the CSD of the 9th GFMD in Istanbul in 2015, the initial recommendations emerging

from the CSD at the 10th GFMD in Dhaka in 2016, and the proposals for measurements in the scorecards elaborated in Section 4 of this second edition of the *Movement Report*.



TABLE 9. Point 8: Reviewing Benchmarks and Indicators

AREA OF THE 5Y8PP	MOVEMENT REPORT #1 (MADE, 2016A)	CSD ISTANBUL (MADE, 2015B)	CSD DHAKA (MADE, 2017B)	PROPOSED SCORECARD INDICATORS
Labour Rights	<p>Ratification of C189 (ILO Domestic Workers Convention, 2011).</p> <p>Ratification of UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990).</p> <p>Ratification of C97 (ILO Migration for Employment Convention, 1949).</p> <p>Ratification of C143 (ILO Migrant Workers Convention, 1975).</p> <p>Has the protocol to the ILO Forced Labour Convention (2014) been translated into national law and implementation?</p>	<p>Increased number of countries ratify and enforce relevant UN and ILO conventions pertaining to migrants, in particular the 1990 UN Convention on the Rights of All Migrant Workers and Members of Their Families, the CEDAW, as well as ILO C181 (private employment agencies), C189 (domestic workers), C97 (migration for employment), C143 (migrant workers supplement), C182 (worst forms of child labour convention), C29 (forced labour) and protocol.</p>	<p>To accelerate, concretise and implement reforms in migrant labour recruitment and employment policies and practices, in order to protect and empower migrant workers at every stage of the labour cycle.</p>	<p>Ratification: Has there been an increase in the number of ratifications of relevant UN and ILO conventions pertaining to migrants? Have civil society organisations engaged in efforts to encourage the ratification of these conventions?</p> <p>Working Conditions Is data available on migrant deaths or injuries at the workplace? How many governments allow migrants the right to organise and/or form unions? How many governments allow migrants to change employer? Are migrants entitled to receive a minimum wage and is this on par with natives?</p>

3.5 The “Belated” 9th Point: Xenophobia and Discrimination

The first edition of the *Movement Report* noted: “while there is general acceptance of the Plan of Action, a clearly identified omission is discrimination and xenophobia. Discrimination and xenophobia not only represent a challenge to migrants and their families but also a challenge to civil society organisations in advocating for policy change” (MADE, 2016c, p.44). This point was consistently underscored in regional meetings of MADE partners throughout the period 2014–2016, and increasingly at each year’s meetings of the Global Forum on Migration and Development Civil Society Days in Sweden, Turkey and Bangladesh successively. Thus, the final Scorecard to be developed within this second edition of the *Movement Report* is on xenophobia and discrimination.

Survey respondents made 60 references to xenophobia and discrimination in identifying significant changes that have affected policy since October 2015, of which only two were positive. The first related to a policy prohibiting hate speech in Japan. The second related to the generally positive policy framework governing discrimination across the EU, although much has also been said regarding implementation gaps, which are believed to be a result of an increasingly negative public discourse surrounding migration.

The referendum in the UK that resulted in Brexit, and the electoral campaign in the USA were respectively commented upon by 17 and 12 percent of individuals highlighting rising xenophobia as a negative change in policy or practice. The campaign that preceded Brexit was heavily centred on immigration, and reports of xenophobia in the wake of Brexit have raised concern across the world. Similar focus and rhetoric in the US elections (beginning with the Republican primaries), and action since, have also generated alarm.



Within the MADE network, the global thematic Working Group on Diaspora and Migrants in Development took up this issue in the preparations for the CSD in Dhaka. In doing so, the group focused on ways of showcasing good examples of migrants and diaspora making contributions to development in order to highlight the positive benefits of migration. One example of how this has been approached is through the launch of Global Diaspora Day in 2016 (Box 18).

BOX 18

Global Diaspora Day

On 23 June 2016, the first ever Global Diaspora Day took place, organised by AFFORD and the MADE Network to promote the engagement of diaspora and migrants while opposing existing xenophobic attitudes in society. The day was used to demonstrate the positive contributions that diasporas make towards the development of their origin and host countries, and to counteract negative stereotypes against migrants. Importantly, it provided a platform to share stories, resources and tools for a continued positive impact, such as the story of Afrikatu Kofi Nkrumah, a Ghanaian who identifies as pan-African and set up a multitude of African-Czech political, social and cultural activities in Prague involving people of African as well as Czech descent. Or that of Dr Ahmed Burgre, a Ghanaian migrant who settled in Malta and successfully rebuilt the migrant reception centre that had been abandoned by authorities. More than 80 submissions were collected in total, comprising stories, articles, and videos illustrating diaspora involvement at home and abroad, while the hash tag #GlobalDiasporaDay engaged people in discussions on positive migrant narratives (MADE, 2016e).

Another area in which civil society has been actively engaging for decades is on campaigns to challenge discrimination and xenophobia. Several hundred examples were cited by survey respondents of campaigns that had been implemented by a range of actors, including international organisations, and at the local, national, regional and global level. While a full review of these campaigns is not within the scope of this exercise, understanding what works, where, when and why would be useful insights for the UN global campaign against xenophobia endorsed by all 193 UN member states at the High Level Summit in September. Two examples of campaigns are iStreetWatch at the local level (Box 19) and Myth Busting at the regional/global level (Box 20).

BOX 19

iStreetWatch

In the days following the announcement of Brexit in 2015, the United Kingdom witnessed a surge in racist and xenophobic harassment and hate crime. The National Police Chiefs' Council reported that the increase amounted to 57 percent in the four days following the referendum compared to the same time period in 2015 (Komaromi & Singh, 2016). In reaction to the incidents, several online social media campaigns were launched documenting these harassments. The initiative iStreetWatch tracks harassments in public spaces through an online mapping tool intending to make incidents of race-based aggression visible. Users can report incidents they have experienced or witnessed, while staying anonymous if they wish so. In addition to raising awareness, the map provides a means to indicate relatively safe areas to users of the platform (iStreetWatch, n.d.).

BOX 20

Myth Busting

During the 2016 European Development Days, the ICMC-FORIM "Myth-busting tool" was launched. The awareness-raising tool was developed by the International Catholic Migration Commission (ICMC) Europe and Forum des Organisations de Solidarité Internationale issues des Migrations (FORIM), who collaborated with the NGO development consortium CONCORD under the framework of the Civil Society Alliance Project of the European Year of Development, with co-funding from the European Commission, Fondation de France and the French Development Agency (AFD) (Debaisieux, 2016). The rationale for the campaign was that debates surrounding migration are infused with misconceptions and oversimplifications that are often shared by policy makers, civil society organisations and the public. Often these misconceptions provide the justification for implementing certain policies (Debaisieux, 2016). The tool helps to challenge these myths and, in doing so, contributes to changing the negative perceptions and attitudes towards migrants. It has thus far been published in English, Spanish, French, Arabic and Slovenian.



Input for the Scorecards

Table 10 summarises the indicators used to assess progress in the first edition of the *Movement Report*, the recommendations and benchmarks coming out of the CSD of the 9th GFMD in Istanbul in 2015, the initial recommendations emerging

from the CSD at the 10th GFMD in Dhaka in 2016, and the proposals for measurements in the scorecards elaborated in Section 4 of this second edition of the *Movement Report*.

TABLE 10. “Belated” Point 9: Xenophobia and Discrimination

AREA OF THE 5Y8PP	MOVEMENT REPORT #1 (MADE, 2016A)	CSD ISTANBUL (MADE, 2015B)	CSD DHAKA (MADE, 2017B)	PROPOSED SCORECARD INDICATORS
Xenophobia and Discrimination	Campaigns and monitoring mechanisms to end the use of abusive terminology and discourse against migrants in media and by politicians and policy makers.	<p>Increase in number of governments implementing anti-discrimination legislation.</p> <p>Increase in number of countries across the globe with national curricula that incorporate migration histories and anti-discrimination.</p> <p>Decrease in incidence of political leaders and media using abusive language, stories or other imagery regarding migrants and diaspora.</p> <p>Increase in number of government policies and programmes that include migrants by improved access to services, voting rights and access to citizenship.</p>	To change policies and not just perceptions in order to combat xenophobia and ensure the social inclusion of migrants and diaspora in societies.	<p>Attitudes to Migrants: Are civil society organisations engaging in campaigns to challenge xenophobia and discrimination? Is there any improvement in tools used to measure public perception on migration?</p> <p>Discourse/Rhetoric: Has there been a change in the discourse surrounding migration in the past year? Is this positive or negative? Has there been any improvement in the use of abusive language or negative rhetoric by politicians and the media?</p> <p>Anti-discrimination Legislation: How many governments have a) developed and b) implemented anti-discrimination legislation? How many countries have included content related to anti-discrimination into their national curricula?</p>



4.

Measuring Progress: Introduction to the Scorecards

4.1 Balancing Objectives and Limitations

The concept of the Scorecards was identified and developed as a response to the question on **how** civil society can better define and measure progress in achieving the objectives of the Plan of Action. The task of developing such tools is a challenging one that requires due consideration of the views of civil society actors in their elaboration. For this reason, one of the main purposes of the semi-structured interviews, next to orientation and identification of possible areas for measurement, was to identify the practical challenges associated with developing Scorecards.

Box 21 summarises the practical and conceptual considerations that were highlighted during the interviews, along with concrete recommendations for the elaboration of Scorecards to measure progress in achieving the objectives of the Plan. As far as possible, these have been taken into consideration while developing the Scorecards presented in this report.



BOX 21

Developing the Scorecards

Practical Considerations

- Not all of the changes that civil society would like to see can be measured using existing data.
- To measure progress you need to have baseline data, which is not always available.
- Collating/collecting data can be an additional burden on civil society organisations who already face resource constraints.
- It is not always possible (data protection/'do no harm') or desirable ('competition') to share data.
- Data comparability is tricky when data is collected at different points in time and for different purposes.
- Being overly cautious, including avoiding over-burdening civil society organisations, also runs the risk of limiting measurements to 'easy to measure' phenomena.
- The different areas of the Plan of Action overlap.

Conceptual Considerations

- The causes and consequences of migration are complex and context specific.
- Achieving change is a long-term process which involves multiple actors and does not occur in a vacuum. Simplified indicators can oversimplify the complexity inherent to achieving social change.
- Issues are not static and the priorities of civil society organisations are in a constant state of flux across regions and networks.
- The process of change is non-linear, meaning that while there can be progress on a point in one area or country, it may have deteriorated in another.
- What is considered progress is not always clearly defined. A positive policy change from one perspective may be negative from another.
- Not all changes are policy-related.

Recommendations for Scorecards

- A process-oriented qualitative Scorecard.
- Provide concrete examples of policies and practices that succeed or fail, from different contexts.
- Pick up on the areas that are not covered by the SDGs or other relevant processes.
- Focus on outcomes without being overly concerned with attribution.
- Result in meaningful data that can be used in global advocacy efforts.
- Are selective in what they seek to track and explicit in what they would like to see governments tracking.
- Are flexible and allow civil society to adjust strategies based on how things are changing at the political level.
- There is merit in measuring how specific issues are taken up in global policy.



Based on these discussions, it is clear that for such a tool to be meaningful—and sustainable, it has to be sufficiently simple so as to avoid being a significant additional burden to civil society organisations in terms of an additional reporting requirement. However it also has to be deep enough to translate the voices of civil society organisations in a way that can be communicated clearly at national, regional and global levels. Measuring progress should be about clarifying the goals of civil society, refining the objectives as the Plan of Action aimed to do, and reflecting on whether there are shifts towards or away from these objectives. For these reasons, it is important to identify a couple of themes/points in each of the areas of the Plan of Action that are priority issues for a number of countries and that require global attention.

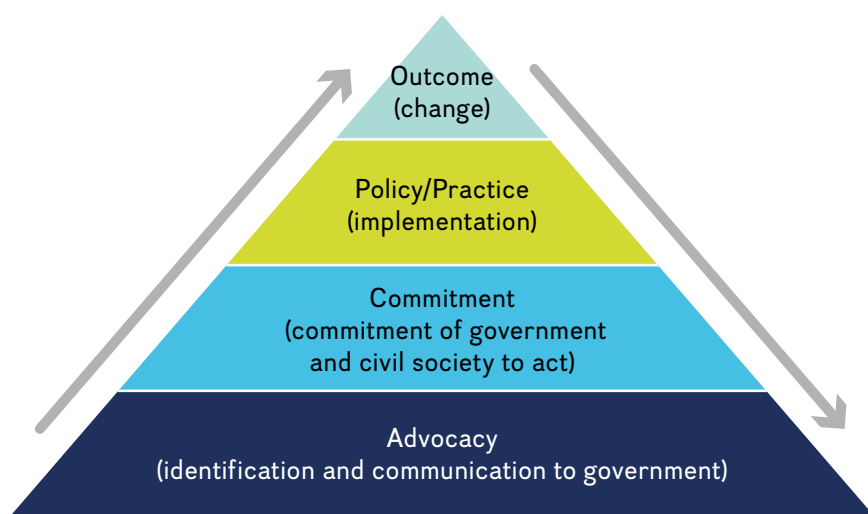
“While there is one step forward in one area, there are often two steps back in another”

(interview respondent)

It is also important to ensure that the vision of progress presented in the Scorecards is not too rigid, leaving room to capture the non-linear (progress and/or deterioration) and incremental (process-oriented) nature of change.

While a simplified depiction of a complex reality, Figure 5 presents four different stages of change. In the first stage, an issue has been identified and brought to the attention of the government, but there is currently no sign of progress. In the second stage, some kind of commitment has been displayed, either by civil society actors to coordinate to tackle a specific issue or by governments, who may either be in the process of developing a policy or have indicated that they will take action to respond to the issue. In the third stage, civil society actors or governments are actively responding to an issue through concrete actions. In some circumstances this stage could also represent a precursor to an issue being identified as a broader advocacy issue, highlighting the often non-linear nature of change. In the final stage, clear tangible outcomes can be identified and measured.

FIGURE 5. Process of Change



Thus, the Scorecards developed for measuring progress on the Plan of Action will focus on a narrow set of issues. These have been identified in the above sections, through the analysis of the challenges identified by over 600 civil society

representatives who filled in the application form for the CSD of the GFMD, semi-formal interviews with twenty civil society representatives, and a review of benchmarks and recommendations developed by civil society in the past.



4.2 Processing the data

Measuring progress requires data—sometimes even identification of new data and systems for compiling it—and then rigorous processes for assessing that data. On the one hand, civil society—migrants and refugees themselves, and practitioners, not just academics or statisticians—add distinct value in identifying, collecting and assessing data in the field of migration and development. On the other hand, the burden of collecting this data should not fall solely on the shoulders of civil society organisations. By highlighting the type of data that may be useful in monitoring progress on issues such as migrant detention or access to education, civil society organisations can begin to advocate for such specific data, and then more effectively for evidence-based change in policy and practice.

Data can be particularly helpful if framed around careful indicators. This is the approach that the proposed Scorecards take. For example, indicators based specifically on the types of action that civil society can take may lead to change, such as direct engagement with local or national governments or campaigns that highlight specific issues. Other indicators are based more broadly on the types of changes civil society would like to see, in this case, on each of the points in the Plan.

These Scorecards centre upon the premise that a significant amount of the data needed—but thus far largely missing—to measure progress in these areas requires the collection of observations of policies and practices from civil society actors and organisations around the world. This would involve direct contact with the civil society actors and organisations, with questionnaires and also interviews, as appropriate (see Annexes 3 and 4 for examples), followed by rigorous assessment. It is important to orient the contact to national realities and observations, although regional and global levels should be treated as well, especially where they connect national phenomena across borders.

In principle, only one questionnaire needs to be completed per country; this should, however, be done in a collaborative fashion, with one representative appointed to coordinate the completion of the questionnaire per country. This could be the same representative (or organisation) appointed to complete a shadow report for the SDG process, given that there will be

synergies between the types of information collated through both exercises. Additionally, the types of information collated could be of use to international organisations seeking to measure different aspects of migration governance. One such measurement tool is IOM's Migration Governance Index³⁴. Another is the Dashboard of Indicators to Measure Policy and Institutional Coherence for Migration and Development³⁵, developed by the World Bank's Knowledge Partnership on Migration and Development (KNOMAD³⁶) and its Technical Working Group on Policy and Institutional Coherence³⁷. On top of these synergies, this method of data collection offers several potential benefits. Firstly, it promotes coordination between actors operating within a country, which could lead to more effective and coherent advocacy strategy at the national level. Secondly, it leads to data that can be used at the national level but can also be aggregated and used at both the regional and global level. Third, it ensures that the reporting burden is kept to a minimum by avoiding unnecessary duplication of effort. A draft *National Questionnaire* is located in Annex 4, which can be tailored to each national context.

Complementing data collection at the national level, a global survey could be completed, by the MADE Coordination Office, for example. This would ensure that information that can be readily gathered at the global level (such as data on the ratification of conventions, or information that requires the analysis of documents like those emerging from processes such as the GFMD) can be collected at one central point. This would again limit the duplication of efforts. A draft *Global Questionnaire* is located in Annex 5.

The approach should ideally be piloted in 2017 if time allows, and subsequently used to evaluate the Plan of Action in 2018. Alternatively—or potentially also in addition—the GFMD CSD in June 2017 in Berlin, Germany could be used as an opportunity to deliver training on the implementation of the survey, to test the data collection tools, and refine the Scorecard templates. This process may also serve to increase ownership and buy-in of civil society actors towards the Scorecards.

Once collated, the data gathered can be used to populate Scorecards for each goal of the Plan of Action. Draft Scorecards for each of the eight points of the Plan, as well as the ninth point on xenophobia, are located in Annex 6.

34 https://publications.iom.int/system/files/pdf/migration_governance_index_2016.pdf

35 <http://www.oecd.org/dev/migration-development/knomad-dashboard.htm>

36 <http://www.knomad.org/>

37 <http://www.knomad.org/thematic-working-groups/policy-and-institutional-coherence>



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Annex 1.

5-year 8-point Plan of Action

The 5-year Action Plan for Collaboration

Civil Society's proposal for an outcome and follow up to the UN High Level Dialogue on International Migration and Development 2013.

As a distinct outcome and follow up to the HLD, civil society proposes to collaborate with States during the next five years on concrete projects and measurable progress on the following eight points; two points for each HLD Roundtable theme on the agenda.

CORRESPONDING TO HLD ROUNDTABLE - 1

focusing on development issues

1 Integration of migration into the post-2015 development agenda to address not only the contributions that migrants make to development in countries of origin and destination, but also the possibilities for better policy planning and coherence that can make migration more genuinely a choice and not a necessity, and greater gain than drain. This development agenda would work to affirm both the right to migrate and the right to remain at home with decent work and human security. As such, it links migration to United Nations development concerns regarding poverty, health, gender equality, financing for development and sustainable development, and to future development goals.

2 Models and frameworks that facilitate the engagement of diaspora and migrant associations as entrepreneurs, social investors, policy advocates and partners in setting and achieving priorities for the full range of human development in countries of origin, heritage and destination.

CORRESPONDING TO HLD ROUNDTABLE - 2

focusing on the rights of migrants

3 Reliable, multi-actor mechanisms to address the assistance and protection needs of migrants stranded in distress, beginning with those trapped in situations of war, conflict or disaster (natural or man-made) but with the same logic and urgency with respect to migrant victims of violence or trauma in transit. This should include specific attention to egregious gaps in protection and assistance for migrant women who are raped, and the thousands of children that are unaccompanied and abused along the major migration corridors in every region of the world. Benchmarks could include further work and multi-stakeholder capacity-building on frameworks developed by agencies with such responsibilities including the International Organization for Migration (IOM), the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office on Drugs and Crime (UNODC), and the consolidation of relevant principles and practices under existing refugee, humanitarian and human rights laws.

4 Models and frameworks that address the needs and rights of migrant women in their specificity, including policies and programmes that enable women workers to have the choice whether to migrate or remain in home countries, and legislation that enables migrant women, regardless of status, to have access to basic services; recourse to the justice system; and protection against all forms of violence. The rights of migrant women should be addressed as a separate goal and also seen as a cross-cutting concern in all of the eight goals. In addition, mechanisms should consider the best interests of children in the context of migration, including their rights.



Further information about the 5-year Action Plan, including signatories, is available at www.hldcivilsociety.org

CORRESPONDING TO
HLD ROUNDTABLE - 3

focusing on partnerships

5

Benchmarks for promoting the exchange of good practice and enactment and implementation of national legislation to comply with the full

range of provisions in international conventions that pertain to migrants even outside the labour sphere, with particular concern for rights in the context of enforcement policies, rights to basic social protection and due process.

6

Redefinition of the interaction of international mechanisms of migrants' rights protection, which recognizes the roles of the Global Forum on Migration and Development

(GFMD) and the Global Migration Group, albeit limited; revives emphasis of the distinct mandate of the International Labour Organization (ILO) for worker protection; and more coherently, aligns protection activity of agencies including the ILO, IOM, UNHCR, the Office of the High Commissioner for Human Rights and UNODC. This would be in the context of the UN normative framework, and involve a thorough evaluation of the GFMD process, including questions of accountability, transparency, inclusiveness and outcomes. A goal would be to institutionalize the participation of civil society in future governance mechanisms.

CORRESPONDING TO
HLD ROUNDTABLE - 4

focusing on labour mobility

7

Identification or creation, and implementation, of effective standards and mechanisms to regulate the migrant labour recruitment industry, an

outcome that civil society is convinced is within reach, thanks to a growing convergence towards reform among countries of origin, transit and destination, and among private sector actors and funders as well as NGOs, trade unions and migrants themselves. Benchmarks could include a global synthesis of existing recruitment problems and solutions, national or transnational; a global convening of legitimate private recruitment actors; development of a compact on reducing abuses in the recruitment field, etc.

8

Mechanisms to guarantee labour rights for migrant workers equal to the rights of nationals, including the rights to equal pay and working conditions, to form and organize in trade unions,

to ensure portability of pensions, and to have paths to citizenship for migrant workers and their families. This recognizes the long-term needs of many nations for migrant workers, while guaranteeing human security and rights to those workers to meet economic, demographic and development needs while affirming the States' role to protect the rights of all workers. Benchmarks could include addressing the movement of peoples in the global trade agenda and national progress in complying with the worker-related international conventions, in particular ratification and implementation of the UN Migrant Workers Convention and the ILO Convention on Domestic Workers.

Of course, civil society recognizes the central role of States in legislating and implementing effective policy regarding migration, development and human rights, and the non-derogable obligation of states to protect the rights of migrants. In turn, civil society stands ready to support the five-year plan as both advocates and partners.



Annex 2

Interviewed Participants³⁸

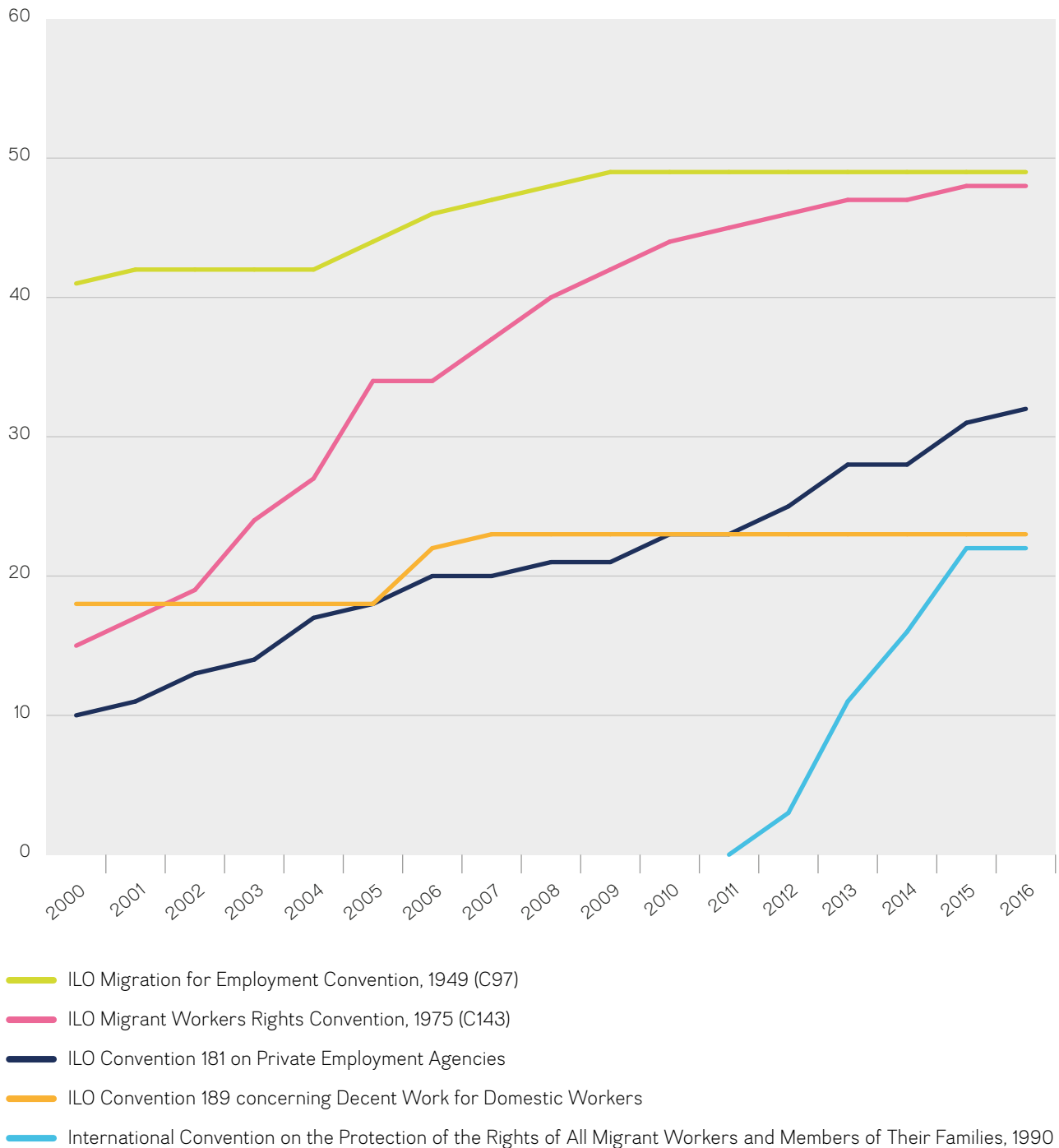
*Lala Arabian	Insan, Lebanon
John K. Bingham	International Catholic Migration Commission (ICMC)
Rodolfo Cordova	International Network on Migration and Development (INMD)
*Charlie Fanning	The American Federation of Labor and Congress of Industrial Organizations (<i>AFL-CIO</i>)
William Gois	Migrant Forum in Asia (MFA)
*Syed Saiful Haque	WARBE Development Foundation
Roula Hamati	Insan, Lebanon
Milka Isinta	Pan African Network in Defense of Migrants Rights (PANiDMR)
*Carolina Jimenez	Amnesty International—Regional office Americas
*Sumitha Shaanthinni Kishna	Migration Working Group Malaysia
Michele LeVoy	Platform for International Cooperation on Undocumented Migrants (PICUM)
*Ben Lewis	International Detention Coalition (IDC)
*Josephine Liebl	Oxfam GB
*Monami Maulik	Global Coalition on Migration (GCM)
Khady Sakho Niang	Forum des Organisations de Solidarité Internationale issues des Migrations (FORIM)
*Emeka Xris Obiezu	the UN representative of Augustinians International, NGO Committee on Migration
*Stella Opoku-Owusa	African Foundation for Development (AFFORD)
Ignacio Packer	Terre Des Hommes
*Tabitha Kentaru Sabiiti	All African Conference of Churches
Eva Sandis	NGO Committee on Migration
*Alphonse Seck	Caritas Sénégal

³⁸ Names marked with an asterisk (*) were not interviewed for the first edition of *Movement*.

Annex 3

Ratifications of Key International Conventions Relevant to Migration

FIGURE 6. Ratification of Migration Specific International Conventions, 2000–2016





Annex 4

National Questionnaire on the 5-year 8-point Plan of Action

[proposed as a data collection tool to populate the Scorecards, measuring progress on Global civil society's Plan of Action³⁹, plus xenophobia.

Point 1: Sustainable Development Goals (SDGs)

- 1) Have civil society organisations in <country x> actively engaged in efforts to implement and measure the migrant-related targets and indicators of the Sustainable Development Goals (SDGs) of the Agenda 2030 at the national level in 2016 or 2017? (yes, no, don't know)
 - a) If yes, which goal(s) (list 1–17—select all that apply)
- 2) How many reports (such as shadow reports) have been prepared by civil society actors in <country x> to submit in official SDG review processes, at global levels (such as the High Level Political Forum, or GFMD), or at national level in 2016 and 2017? (number, with comment box for links if desired)
- 3) Is migration considered in the current development plan/strategy of <country x>? (yes, no, unable to identify a development strategy, with comment box)
 - a) If yes, what years does the plan cover? (comment box)
- 4) Has the government in <country x> published any reports or strategies regarding their plans to implement the SDGs in 2016 or 2017? (yes, no, cannot identify any publically available reports or strategy documents)
 - a) If yes, is migration considered in this/these document(s)? (yes, yes partially, no)
 - b) If yes, is data disaggregation by age, gender and migratory status a priority (yes, no)

Point 2: Diasporas and Migrants in Development

- 5) Do the following policies/institutional structures exist in <country x>?

	Diaspora policy at the national level	Diaspora policy or framework at the local level	Rights to vote from abroad	Diaspora Ministry or Office	Diaspora Advisory Committee	Dual or multiple citizenship allowed
Yes, started before 2016						
Yes, started in 2016 or 2017						
Being discussed (e.g. draft policy)						
No						
Not relevant						
Don't Know						

³⁹ <http://madenetwork.org/agenda-change>



6) Are you aware of any new local or national initiatives that enhance diaspora engagement that have emerged in 2016 or 2017? For each initiative please provide the following information (yes, no, if no skip to Q7)

Initiative Name	Established/Started by (national government, local government, civil society, private sector, other)	Implemented by (national government, local government, civil society, private sector, other)	Level (national, regional, global)	Started in 2016 or 2017 (yes, no)

7) Are you aware of any initiatives to support the access of migrant or diaspora groups to capital that were initiated or implemented in 2016 or 2017? (yes, no, with comment box)

8) Are you aware of any examples of partnerships between local or national government and diaspora networks or businesses that seek to enhance the development contribution of the diaspora that have emerged in 2016 or 2017? (yes, no, with comment box)

9) Are you aware of any international grant funding schemes specifically for diaspora entrepreneurship or investment (e.g. international loans or investment funds for diaspora and migrants)? (yes, no with comment box)

a) If yes, was this established in 2016 or 2017? (yes, no)

Point 3: Migrants in Distress

10) Is data publicly available on migrant deaths or disappearances? For each positive answer please provide the source of the data (e.g. government department, civil society organisation or international organisation), the latest year for which that data is available, and whether the data is disaggregated by age and sex.

Category	Publically available (yes, no, if no skip to next question)	Collected by (national government, local municipalities, civil society, media, international organisation, othe)?	Latest year available (2017, 2016, 2015, before 2015)	Disaggregated by sex (yes, no)	Disaggregated by age (yes, no)
a. Journeys					
b. In Detention					
c. At Borders					
d. During Deportation					

11) Did the government in <country x> take any steps (e.g. entry bans) to restrict access to its territory for refugees and asylum seekers or other persons seeking international protection in 2016 or 2017? (yes, no, don't know, with comment box)

12) Did the government in <country x> take any steps (e.g. resettlement, humanitarian visas) to improve access to its territory for refugees and asylum seekers or other persons seeking international protection in 2016 or 2017? (yes, no, don't know, with comment box)

13) Did the government in <country x> adopt any measures to promote local settlement for refugees and asylum seekers or other persons seeking international protection in 2016 or 2017? (yes, no)

a) If yes, select all that apply: access to labour market, access to health care, access to education, with comment box)



- 14) Did the government in <country x> implement any regularisation campaigns in 2016 and 2017? (yes, no, don't know).
- If yes, how many migrants were regularised in 2016 and 2017? (comment box).
 - Were there any other significant policy changes in the country during 2016-2017 regarding regularization? (yes, no, don't know, with comment box.)

Point 4a: Women

- 15) Did the government of <country x> submit a periodic review to the Convention on the Elimination of Discrimination against Women (CEDAW) Committee in 2016 or 2017? (yes, no, not ratified, no reporting was required, don't know)
- If yes, did the review include a consideration of the rights of migrant women, regardless of their status? (yes, no, somewhat, with comment box)
- 16) Did civil society organisations in <country x> submit any reports to the Convention on the Elimination of Discrimination against Women (CEDAW) Committee in 2016 or 2017? (yes, no, not ratified, don't know)
- If yes, did the report assert the rights of migrant women, regardless of their status? (yes, no, somewhat, with comment box)
- 17) Considering that so many migrants working as domestic workers are women or girls, are domestic workers covered by national labour law in <country x>? (yes, no, somewhat, don't know).
- If yes, did this change occur in 2016 or 2017? (yes, no)
 - Were there any other significant policy changes in the country during 2016-2017 regarding application of labour laws to domestic workers? (yes, no, don't know, with comment box.)
- 18) Considering that so many migrants working as *au pairs* are women or girls, are *au pairs* covered by national labour law in <country x>? (yes, no, somewhat, don't know)
- If yes, did this change occur in 2016 or 2017? (yes, no, don't know)
- 19) Does the government of <country x> place any restrictions on the emigration of women from its territory? (yes, no, don't know)
- If yes, were the restrictions introduced in 2016 or 2017? (yes, no, don't know)
 - Were there any other significant policy changes in the country during 2016-2017 regarding restriction of emigration of women? (yes, no, don't know, with comment box.)
- 20) Can migrant women, regardless of their migratory status access health care in <country x>? (yes, and health authorities cannot report on immigration status (firewall)); yes, but health authorities can report on immigration status; no; don't know; with comment box)
- If yes, was this policy adopted in 2016 or 2017 (yes, no, don't know)
 - If no, was this restriction introduced in 2016 or 2017 (yes, no, don't know)
 - Were there any other significant policy changes in the country during 2016-2017 regarding access to health care in the country by migrant women, regardless of immigration status? (yes, no, don't know, with comment box.)
- 21) Has the government in <country x> adopted any laws that provide access to justice for migrant women who have experience gender-based violence, irrespective of their status? (yes, and justice authorities cannot report on immigration status (firewall)); yes, but justice authorities can report on immigration status; no; don't know; with comment box.)
- If yes, were these policies adopted 2016 or 2017? (yes, no, don't know)
 - Were there any other significant policy changes in the country during 2016-2017 regarding access to justice by migrant women, regardless of immigration status? (yes, no, don't know, with comment box.)



Point 4b: Children

- 22) Is there a policy in place to ensure that best interests determinations are conducted for migrant and refugee children in formal decision-making processes? *(yes, no, don't know, with comment box)*
- If yes, was this policy adopted in 2016 or 2017? (yes, no, don't know)*
 - Were there any other significant policy changes in the country during 2016-2017 regarding best interests procedures for migrant and refugee children in formal decision-making processes? (yes, no, don't know, with comment box.)*
- 23) Is there a law in place to prohibit the detention of migrant or refugee children because of their or their parents' immigration status in <country x>? *(yes, no, with comment box)*
- If yes, was this policy adopted in 2016 or 2017 (yes, no, don't know)*
 - Were there any other significant policy changes in the country during 2016-2017 regarding detention of migrant or refugee children because of their or their parents' immigration status? (yes, no, don't know, with comment box.)*
- 24) Is there a policy in place to ensure that alternatives to detention are provided to migrant or refugee children in <country x>? *(yes, no, with comment box)*
- If yes, was this policy adopted in 2016 or 2017? (yes, no, don't know)*
 - Were there any other significant policy changes in the country during 2016-2017 regarding alternatives to detention for migrant or refugee children? (yes, no, don't know, with comment box.)*
- 25) Is data available in <country x> on the number of migrants held in detention? *(yes, no, don't know, with comment box)*
- If yes, is this disaggregated by age and sex? (yes, by age; yes, by gender; yes, by both; no; don't know)*
 - If yes, how many children were held in detention in <country x> in 2016? (open box for number)*
 - If yes, how many children were held in detention in <country x> in 2017? (open box for number)*
- 26) Can children, regardless of their migratory status, access education in <country x>? *(yes, and education authorities cannot report on immigration status (firewall); yes, but education authorities can report on immigration status; no; don't know; with comment box)*
- If yes, was this measure adopted in 2016 or 2017? (yes, no, don't know)*
 - If no, was this restriction introduced in 2016 or 2017? (yes, no, don't know)*
 - Were there any other significant policy changes in the country during 2016-2017 regarding access of migrant or refugee children to education? (yes, no, don't know, with comment box.)*
- 27) If <country x> currently hosts refugees or asylum seekers, has the government taken steps to ensure children can quickly access schools? *(yes, no, not applicable, don't know, with comment box)*
- If yes, was this policy adopted in 2016 or 2017? (yes, no, don't know)*
- 28) Has the government in <country x> taken any measures to reduce statelessness (such as access to birth registration for all children, regardless of their migratory status)? *(yes, no, don't know, with comment box)*
- If yes, was this policy adopted in 2016 or 2017? (yes, no, don't know)*
 - Were there any other significant policy changes in the country during 2016-2017 regarding statelessness? (yes, no, don't know, with comment box.)"*
- 29) Did the government of <country x> submit a periodic review to the Convention on the Rights of the Child (CRC) Committee in 2016 or 2017? *(yes, no, not ratified, don't know)*
- If yes, did the review include a systematic evaluation of the implementation of the Convention in relation to all children affected by migration, regardless of their migratory status (yes, no, somewhat, don't know, with comment box)*



- 30) Did civil society organisations in <country x> submit any reports to the Convention on the Rights of the Child (CRC) Committee in 2016 or 2017? *(yes, no, not ratified, don't know)*
- a) *If yes, did the report assert the rights of migrant children, regardless of their status? (yes, no, somewhat, don't know, with comment box)*

Points 5–6: Governance

- 31) In your view, has the space for civil society engagement on migrant and migration-related policy-making increased or decreased in <country X> in 2016 and 2017? *(Dramatically decreased, decreased, remained the same, increased, dramatically increased, don't know)*
- 32) Has the government in <country x> institutionalised the role of civil society in migration policy-making (for example, through the establishment of national migration councils or similar structures?) *(yes, no, don't know, with comment box)*
- a) *If yes, was this policy adopted in 2016 or 2017? (yes, no, don't know)*
- b) *Were there any other significant policy changes in the country during 2016-2017 on institutionalising the role of civil society in migration policy-making? (yes, no, don't know, with comment box.)*
- 33) Did the government of <country x> attend the GFMD in 2016? *(yes, no, don't know)*
- a) *If yes, do you think the right representatives of the government attended? (yes, no, don't know, with comment box)*
- b) *Were any civil society actors in the country involved in any consultation with government authorities before or during the 2016 GFMD? (yes, no, with comment box.)*
- 34) Did the government of <country x> attend the GFMD in 2017? *(yes, no, don't know)*
- a) *If yes, do you think the right representatives of the government attended? (yes, no, don't know, with comment box)*
- b) *Were any civil society actors in the country involved in any consultation with government authorities before or during the 2017 GFMD? (yes, no, with comment box.)*
- 35) Are you, or other civil society actors in <country x> involved directly or indirectly in any current consultations or other processes in your country or region regarding development of the Global Compact for Safe, Orderly and regular Migration and, or Global Compact on Refugees? *(yes, no, don't know)*
- c) *If yes, do those consultations or other processes reflect the input and recommendations of civil society through the 5 year 8-point Plan of Action and other advocacy documents? (yes, no, don't know, with comment box)*

Point 7: Recruitment

- 36) If <country X> has ratified ILO's C181 (Private Employment Agencies Convention), has the country adequately implemented its commitments into the national legal framework? *(Completely, somewhat, not at all, not applicable, don't know, with comment box)*
- 37) Has the government of <country x> limited or prohibited the charging of recruitment fees to migrant workers? *(yes, fees are prohibited; yes but fees are limited by law; no; not applicable; don't know; with comment box)*
- a) *If yes, was this policy adopted in 2016 or 2017? (yes, no, don't know)*
- b) *Were there any other significant policy changes in the country during 2016-2017 on charging recruitment fees to migrant workers? (yes, no, don't know, with comment box.)*
- 38) Are recruitment agencies that are involved in recruiting migrant workers in <country x> regulated by any regional or national framework that ensures ethical recruitment practices with respect to migrant workers? *(yes, no, not applicable, don't know, with comment box)?*
- a) *If yes, was this framework established in 2016 or 2017? (yes, no, don't know)*



- b) *If yes, is the framework informal (e.g. a code of conduct) or legally enforceable (e.g. legislation) (informal, legally enforceable, don't know)*
- c) *Were there any other significant policy changes in the country during 2016-2017 in the regional or national framework regarding ethical recruitment of migrant workers? (yes, no, don't know, with comment box.)"*

39) Has the government in <country x> signed any government-to-government or government-to-employer agreements which incorporate guarantees for the protection of the rights of migrant workers? (yes, no, with comment box)

- a) *If yes, was how many agreements were signed in 2016 or 2017? (open box for number, plus don't know)*
- b) *If yes, how many agreements signed in 2016 or 2017 take sex and age into consideration? (open box for number, plus don't know)*

40) Does a complaints mechanism to report abuses of migrant workers in the recruitment system exist in <country x>? (yes, no, don't know with comment box)

- a) *If yes, was this mechanism implemented in 2016 or 2017 (yes, no, don't know)*
- b) *Yes and those receiving such complaints cannot report on immigration status (firewall); yes, but those receiving such complaints can report on immigration status; no; don't know; with comment box.*
- c) *Were there any other significant policy changes in the country during 2016-2017 on complaints mechanisms to report abuses of migrant workers in the recruitment system? (yes, no, don't know, with comment box.)*

Point 8: Labour Rights

41) Have you and/or any other civil society organisations in <country x> advocated for the ratifications of any migration relevant UN or ILO conventions in 2016 or 2017? (select all that apply: none, MWC, C097, C143, C029, C189, CEDAW, CRC, C181, C182, C183, C087 C098, other with comment box)

42) How many periodic reports did the government in <country x> submit to UN or ILO committees that monitor compliance by states with their international obligations to workers in 2016 or 2017? (open box for number)

- a) *How many of these reports explicitly address the rights of migrant workers? (open box for number)*

43) How many reports did civil society actors in <country x> submit to UN or ILO committees that monitor compliance by states with their international obligations to workers in 2016 or 2017 that specifically highlighted the rights of migrant workers? Please provide links to all relevant reports (box for number and separate comment box for links)

44) Is data publicly available on migrant deaths in the workplace?

- a) *If yes, please provide the source of the data (e.g. government department, civil society organisation or international organisation), the latest year for which that data is available, and whether the data is disaggregated by age and sex.*

	Publically available (yes, no, if no skip to next question)	Collected by (national government, local municipalities, civil society, media, international organisation, other)	Latest year available (2017, 2016, 2015, before 2015)	Disaggregated by sex (yes, no)	Disaggregated by age (yes, no)
In the workplace					

45) Does the government in <country x> allow migrant workers to form and join unions? (yes, no, don't know)

- a) *If yes, was a policy allowing this right introduced in 2016 or 2017? (yes, no, don't know)*
- b) *Does this right apply to both men and women? (yes, no, don't know)*



c) *Were there any other significant policy changes in the country during 2016-2017 on the right of migrant workers to form and join unions? (yes, no, don't know, with comment box.)*

46) Does the government in <country x> allow migrant workers to right to collective bargaining equal to nationals? (yes, no, don't know)

a) *If yes, was a policy allowing this right introduced in 2016 or 2017? (yes, no, don't know)*

b) *Does this right apply to both men and women? (yes, no, don't know)*

c) *Were there any other significant policy changes in the country during 2016-2017 on the right of migrant workers to collective bargaining equal to nationals? (yes, no, don't know, with comment box.)*

47) Does the government in <country x> allow migrant workers to right to change employer without affecting their immigration status? (yes, no, don't know)

a) *If yes, was a policy allowing this right introduced in 2016 or 2017? (yes, no, don't know)*

b) *Does this right apply to both men and women? (yes, no, don't know)*

c) *Were there any other significant policy changes in the country during 2016-2017 on the right of migrant workers to change employers without affecting their immigration status? (yes, no, don't know, with comment box.)*

48) Does the government in <country x> stipulate a minimum wage that applies to migrant workers?

a) *If yes, was a policy allowing this right introduced in 2016 or 2017? (yes, no, don't know)*

b) *Does this right apply to both men and women? (yes, no, don't know)*

c) *Were there any other significant policy changes in the country during 2016-2017 on the right of migrant workers to a minimum wage? (yes, no, don't know, with comment box.)*

(Belated) Point 9: Xenophobia and Discrimination

49) Is there any data available in <country x> on public perceptions on migration? (yes, no, don't know)

a) *If yes, please provide the years for which data is available (i.e. systematically collected or one-off data collection), the source of the data (e.g. government department, NGO) and whether the data is publicly available.*

Collected by (national government, local municipalities, civil society, media, international organisation, other)	Latest year available (2017, 2016, 2015, before 2015)	Available for multiple years? (yes, no)	Publicly available (yes, no, if no skip to next question)	Show improvement in public perception of migration (yes, no, no change)
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Data on perceptions				

50) Has the government in <country x> adopted any antidiscrimination measures that pertain to migrants in 2016 or 2017? (yes, no, don't know)

51) Has the government in <country x> adopted any policies to **combat** xenophobia in 2016 or 2017? (yes, no, don't know)

a) *If yes, were these at the national, state/provincial or local level? (select all that apply)*

52) Has the government in <country x> adopted any policies that **exacerbate** xenophobia in 2016 or 2017? (yes, no, don't know)

a) *If yes, were these at the national, state/provincial or local level? (select all that apply)*



53) Has the government in <country x> adopted any policies to promote inclusion of migrants in 2016 or 2017? (yes, no, don't know)

a) *If yes, were these at the national, state/provincial or local level? (select all that apply)*

54) Did civil society actors in <country x> engage in any campaigns in 2016 and 2017 to tackle xenophobia and discrimination? (yes, no, don't know)

b) *If yes, please list any campaigns that you are aware of (URL links are ok) (comment box)*

55) Did civil society actors in <country x> engage in any campaigns in 2016 and 2017 to promote the social inclusion of migrants? (yes, no, don't know)

c) *If yes, please list any campaigns that you are aware of (URL links are ok) (comment box)*



Annex 5

Global Data Collection for Measuring Progress on the 5-year 8-point Plan of Action

Parallel to and supplementing the National Questionnaire (Annex 4)

a. Questions for inclusion in the Applications/Registration Forms of future GFMD Civil Society Days

1) Have you participated in any meetings or training that related to migrants stranded in distress (e.g. the MICIC initiative) in 2016 or 2017? (Scorecard 3).

<i>Event Name</i>	<i>Date (month, year)</i>	<i>Location</i>	<i>Level (national, regional, global)</i>	<i>Speaking Role (yes/no)</i>

2) Have you participated in any meetings/events that related to development of the **Global Compact for Safe, Orderly and Regular Migration** in 2016 and 2017? (Scorecard 5–6).

<i>Event Name</i>	<i>Date (month, year)</i>	<i>Location</i>	<i>Level (national, regional, global)</i>	<i>Speaking Role (yes/no)</i>

3) Have you participated in any meetings/events that related to development of the **Global Compact for Refugees** in 2016 and 2017? (Scorecard 5–6).

<i>Event Name</i>	<i>Date (month, year)</i>	<i>Location</i>	<i>Level (national, regional, global)</i>	<i>Speaking Role (yes/no)</i>



4) Have you participated in any meetings/events involving governments that related to **recruitment reform** in 2016 and 2017? (Scorecard 7).

Event Name	Date (month, year)	Location	Level (national, regional, global)	Speaking Role (yes/no)

5) Do you think that the media representation of migrants and migration has got worse in your country of residence between 2016 and 2017? (*significantly worsened, slightly worsened, remained the same, slightly improved, significantly improved*) (Scorecard 9).

6) Do you think that the public perception of migrants and migration has got worse in your country of residence between 2016 and 2017? (*significantly worsened, slightly worsened, remained the same, slightly improved, significantly improved*) (Scorecard 9).

7) Do you think that the space for civil society organisations to engage on migration issues has increased in your country between 2016 and 2017? (*significantly decreased, slightly decreased, remained the same, slightly increased, significantly increased*) (Scorecard 5–6).

8) Have you or your organisation directly participated in any activities relating to the UN “Together” Campaign in 2016 or 2017? If yes, please briefly describe your involvement. *Yes/No with comment box* (Scorecard 9).

b. Questions for inclusion in the Evaluation Forms of future GFMD Civil Society Days⁴⁰

1) If you attended the GFMD last year, do you think that access to the government days this year was better or worse than last year? (*significantly worse, worse, the same, better, significantly better, I did not attend last year*) (Scorecard 5–6)

2) Do you think the number of governments participating in the Civil Society Day this year was sufficient? (*I do not think governments should participate, more governments should participate in the CSD, there was enough government representation at the CSD*) (Scorecard 5–6)

3) Do you think the thematic topics covered during the Civil Society Days this year represent the key issues facing migrants and their families? (*yes, to a certain extent, no; Please explain your answer (particularly if you feel key issues were missing)*) (Scorecard 5–6)

c. Questions to be considered through Desk Research, e.g., by the Coordinators of the GFMD Civil Society Days

1) How many young people (under the age of 25) participated in the GFMD civil society International Steering Committee in 2016 and 2017? (Scorecard 4b)

⁴⁰ These questions were already included in the evaluation of the CSD in Dhaka in 2016.



- 2) How many migrants are reported to have died or disappeared on their journeys in 2016 and 2017? *This data can be sourced from the Missing Migrants Project⁴¹, unless a more comprehensive source becomes available.* (Scorecard 3)
- 3) Has there been an increase in the number of ratifications of these particularly migration-relevant UN and ILO conventions? *Complete the following table.*

Convention	Total Ratifications	Ratifications in 2016 and 2017	Scorecard [in addition to 5 + 6]
1990 UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (MWC)			8
ILO C097 (Migration for Employment Convention, 1949)			8
ILO C143 (Migrant Workers Convention, 1975)			8
ILO C029 (Forced Labour Convention, 1930)			8
The Protocol (P029, 2014) to ILO C029 (Forced Labour Convention, 1930)			8
ILO C189 (Domestic Workers Convention, 2011)			4a
The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)			4b
The Convention on the Rights of the Child (CRC)			4a
ILO C181 (Private Employment Agencies Convention)			7
ILO C182 (Worst Forms of Child Labour Convention)			8
ILO C183 (Minimum Age for Admission to Employment and Work, 1973)			8
ILO C087 (Freedom of Association and Protection of the Right to Organise Convention, 1948)			8
ILO C098 (Right to Organise and Collective Bargaining Convention, 1949)			8

- 4) How has the number and distribution of participants at the GFMD Civil Society Days (CSD) evolved over time (i.e. sex, age, and sector)? *Complete the following table.*

Description	2016 (Dhaka)		2017 (Berlin)		Scorecard
	Number	Percent	Number	Percent	
Number of civil society delegates at the CSD (total excluding observers)		100		100	5–6
Number of civil society delegates at the CSD who are migrants.					5–6
Number of civil society delegates at the CSD who represent a migration or diaspora organisation					5–6
Number of civil society delegates at the CSD who are young people (younger than 25)					4b / 5–6
Number of civil society delegates at the CSD who are women					4a / 5–6

41 <https://missingmigrants.iom.int/>

Annex 6.

Draft Scorecards

SCORECARD 1: Migration & the Sustainable Development Goals: 2016–2017

All of the results and examples presented in this Scorecard are based on answers submitted by national focal points in X countries and relate to civil society activities and changes in policies and practices in 2016 and 2017.

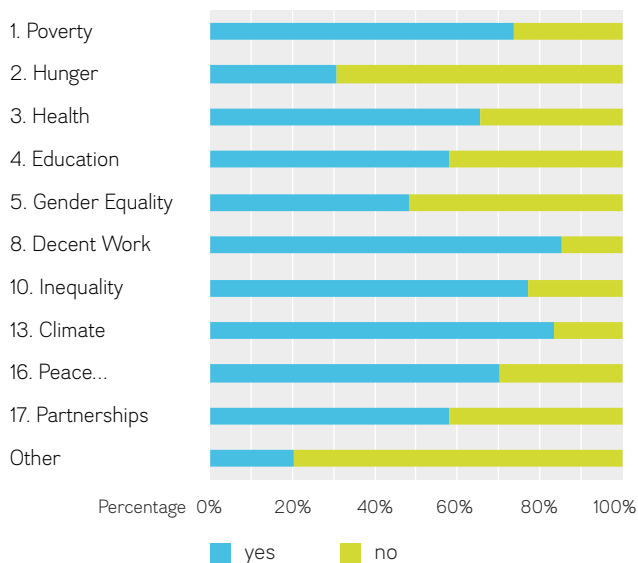
Migration and the SDGs

Point 1 of the global civil society 5-year 8-point Plan: Integration of migration into the Post-2015 Development Agenda to address not only the contributions that migrants make to development in countries of origin and destination, but also the possibilities for better policy planning and coherence that can make migration more genuinely a choice and not a necessity, and greater gain than drain.

What Has Civil Society Done?

In X reporting countries, civil society organisations have engaged in efforts to implement and measure the migration-related targets of the Sustainable Development Goals at the national level in 2016 and 2017.

Percentage of Reporting Countries where Civil Society Actors are Working on Specific SDG (2016-2017)



N=X

Monitoring the SDGs

- In 2016/2017 civil society actors in X reporting countries prepared X reports in official national, regional or global processes with reference to migrant or migration-related SDGs.

Example(s)

Implementing the SDGs

- In X reporting countries, national governments have considered migration in their implementation plans for the SDGs in 2016 and 2017.
- In X reporting countries, national governments have considered migration in their development plans in 2016 and 2017.

Example(s)



SCORECARD 2: Diaspora and Migrant Engagement in Development 2016–2017

All of the results and examples presented in this Scorecard are based on answers submitted by national focal points in X countries and relate to civil society activities and changes in policies and practices in 2016 and 2017.

Diaspora, Migrants & Development

Point 2 of the global civil society 5-year 8-point Plan: Models and frameworks that facilitate the engagement of diaspora and migrant associations as entrepreneurs, social investors, policy advocates and partners in setting and achieving priorities for the full range of human development in countries of origin, heritage and destination.

Diaspora Policies

- X reporting countries have diaspora policies, of which X percent were adopted in 2016 or 2017.
- Of the X reporting countries who do not have a diaspora policy, X have discussed or drafted a policy in 2016 or 2017.
- Governments in X reporting countries have created diaspora institutions within the government of which X were established in 2016 or 2017.
- Governments in X reporting countries offering voting rights abroad, of which X extended this right in 2016 or 2017.
- Governments in X reporting countries offering dual citizenship of which X extended this right in 2016 or 2017.

Example(s)

Diaspora Engagement

- Civil society actors in X reporting countries identified X examples of initiatives to enhance diaspora engagement that were initiated or implemented in 2016 or 2017 of which:
 - X are by national government,
 - X are by local government,
 - X are by civil society actors,
 - X are by the private sector,
 - X are by other actors.

Access to Capital

- Civil society actors in X reporting countries identified X examples of government initiatives to support access of migrant or diaspora groups to capital that was initiated or implemented in 2016 or 2017.
- Civil society actors in X reporting countries identified X examples of international grant funding schemes specifically for diaspora organisations that were initiated or operated in 2016 or 2017.

Example(s)

Public-Private Partnerships

- Civil society actors in X reporting countries identified X examples of partnerships between local or national government and diaspora networks or businesses that seek to enhance the development contribution of the diaspora that were initiated or implemented in 2016 or 2017.



SCORECARD 3: Migrants in Distress 2016–2017

All of the results and examples presented in this Scorecard are based on data (a) provided by national focal points in X countries; (b) desk research based on an existing data source (marked with a footnote) and (c) survey data from the application form for the Civil Society Days (CSD) of the Global Forum on Migration and Development (GFMD); and relate to civil society activities and changes in policies and practices in 2016 and 2017.

Migrants in Distress

Point 3 of the global civil society 5-year 8-point Plan: Reliable, multi-actor mechanisms to address the assistance and protection needs of migrants stranded in distress, beginning with those trapped in situations of war, conflict or disaster (natural or man-made) but with the same logic and urgency with respect to migrant victims of violence or trauma in transit.

Migrant Deaths or Disappearance

- (b) X migrants reported to have died or disappeared on their journeys in 2016 and 2017.⁴²
- (a) Data on migrant deaths *in detention* are available in X reporting countries in 2016 and in X reporting countries in 2017.
- (a) Data on migrant deaths *at borders* are available in X reporting countries in 2016 and in X reporting countries in 2017.
- (a) Data on migrant deaths *during deportation* are available in X reporting countries in 2016 and in X reporting countries in 2017.

Safe Access (Including Resettlement)

- X reporting countries adopted new measures on access to their territories for refugees and asylum seekers or other persons seeking international protection in 2016 or 2017 of which X countries expand access and X countries restrict access.

Regarding Local Settlement of Refugees and Asylum Seekers Already in the Country:

- (a) X reporting countries adopted new measures to ensure access to labour markets in 2016 or 2017.
- (a) X reporting countries have adopted new measures to ensure access to healthcare in 2016 or 2017.
- (a) X reporting countries have adopted new measures to ensure access to education in 2016 or 2017.
- (a) X reporting countries have implemented measures to provide legal status (e.g. amnesty, regularisation campaign); and at least X migrants have received legal status through these measures in 2016 and 2017.

National, Regional and Global Engagement

- (c) Of the X applicants to the most recent GFMD CSD, the following was reported regarding participation in meetings that related to migrants stranded in distress (e.g. MICIC) in 2016 and 2017:
 - X were able to participate in global processes, of which X percent had a speaking role.
 - X were able to participate in regional processes, of which X percent had a speaking role.
 - X were able to participate in national processes, of which X percent had a speaking role.

Example(s)

42 Missing Migrants Project



SCORECARD 4a: Women in Migration 2016–2017

All of the results and examples presented in this Scorecard are based on data (a) provided by national focal points in **X** countries; and (b) desk research based on an existing data source (marked with a footnote) and relate to civil society activities and changes in policies and practices in 2016 and 2017.

Women in Migration

Point 4a of the global civil society 5-year 8-point Plan: Models and frameworks that address the needs and rights of migrant women in their specificity, including policies and programmes that enable women workers to have the choice whether to migrate or remain in home countries, and legislation that enables migrant women, regardless of status, to have access to basic services; recourse to the justice system; and protection against all forms of violence. The rights of migrant women should be addressed as a separate goal and also seen as a cross-cutting concern in all of the eight goals.

Rights

- (a) **X** reporting countries submitted periodic reports to the UN CEDAW committee or others that monitor compliance by states with their international obligations to women in 2016 and 2017, of which **X** percent affirm rights of migrant women irrespective of their migratory status.
- (a) Civil society in **X** reporting countries submitted reports to the UN committees that monitor compliance by states with these obligations in 2016 and 2017 of which **X** percent asserted the rights of migrant women regardless of status.
- (b) The Domestic Workers Convention (C189) received **X** new ratifications in 2016–2017 meaning that **X** countries have now ratified the convention.⁴³
- (a) **X** reporting countries cover domestic workers under their national labour laws, of whom **X** percent adopted policies in 2016 or 2017.
- (a) **X** reporting countries cover *au pairs* under their national labour laws of whom **X** percent adopted policies in 2016 or 2017.
- (a) **X** reporting countries placed restrictions on the emigration of women in 2016 or 2017.

Access to Services

- (a) Governments in **X** reporting countries provide healthcare to migrant women and related firewalls, meaning that women, irrespective of their migratory status, can access healthcare without fear of being reported to immigration authorities. **X** percent of these countries adopted policies in 2016 or 2017.
- (a) In **X** reporting countries, barriers to healthcare access (e.g. requiring health professionals to report the immigration status of their patients) exist. In **X** reporting countries, these policies were adopted in 2016 or 2017.

Example(s)

Access to Justice

- (a) Governments in **X** reporting countries have adopted laws that provide access to justice for migrant women who have experienced gender-based violence and related firewalls, meaning that women, irrespective of their migratory status can access justice without fear of being reported to immigration authorities. In **X** reporting countries, these policies were adopted in 2016 or 2017.

Example(s)



SCORECARD 4b: Children in Migration 2016–2017

All of the results and examples presented in this Scorecard are based on (a) data provided by national focal points in X countries or (b) desk research based on existing data sources; and relate to civil society activities and changes in policies and practices in 2016 and 2017.

Children

Point 4b of the global civil society 5-year 8-point Plan: Mechanisms should consider the best interests of children in the context of migration, including their rights.

Best Interests Determinations

- (a) Governments in X reporting countries have policies requiring best interests determinations to be conducted for migrant and refugee children in formal decision-making processes. X percent of these countries adopted policies in 2016 or 2017.

Detention

- (a) Governments in X reporting countries have implemented a law prohibiting the detention of migrant children. X percent of these countries adopted policies in 2016 or 2017.
- (a) Governments in X reporting countries have developed policies to ensure that there are alternatives to detention for migrant children. X percent of these countries adopted policies in 2016 or 2017.
- (a) Governments in X reporting countries make data on detention disaggregated by sex and age available to the public. X percent of these countries have published data in 2016 and/or 2017, revealing a total of X children who have been held in detention in 2016 or 2017.

Example(s)

Access to Services

- (a) Governments in X reporting countries have taken measures to reduce statelessness (such as access to birth registration) for all children regardless of their migratory status. X percent of these countries adopted these measures in 2016 or 2017.
- (a) Governments in X reporting countries have implemented *firewalls*, meaning that children, regardless of their migratory status, can seek healthcare, justice or enroll in school without fear of being reported to immigration authorities. X percent of these countries adopted policies in 2016 or 2017.
- (a) Of the X reporting countries currently hosting refugees or asylum seekers, X governments have taken concrete measures to ensure that children among them can quickly access school, of which X percent took measures in 2016 or 2017.

Rights and Representation

- (b) X youth under the age of 25 attended the most recent CSD of the Global Forum on Migration and Development (GFMD).
- (b) There were X representatives under the age of 25 on the GFMD civil society International Steering Committee in 2016 and 2017.
- (a) X reporting countries submitted periodic reports to the UN Committees monitoring the Convention on the Rights of the Child or other international conventions in 2016 or 2017, of which X asserted the rights of children affected by migration, regardless of their migratory status.
- (a) In 2016 and 2017 civil society actors in X reporting countries submitted reports to the UN or ILO committees that monitor compliance by states with their obligations under these Conventions, of which X percent asserted the rights of migrant children regardless of status.



SCORECARD 5–6: Migration Governance 2016–2017

*The results and examples presented in this Scorecard are based on data (a) provided by national focal points in **X** countries; (b) survey data from the application form for the Civil Society Days (CSD) of the Global Forum on Migration and Development (GFMD); (c) survey data from the evaluation of the GFMD CSD; and (d) desk research based on existing data sources and relate to civil society activities and changes in policies and practices in 2016 and 2017. Point 5 is underrepresented in this Scorecard; however, the sharing of good practices and the enactment and implementation of national level legislation are also covered in other Scorecards. In 2018–2019 the content of the Global Compacts will also be assessed.*

Migration Governance

Points 5 & 6 of the global civil society 5-year 8-point Plan call for “the exchange of good practice and enactment and implementation of national legislation to comply with the full range of provisions in international conventions that pertain to migrants even outside the labour sphere, with particular concern for rights in the context of enforcement policies, rights to basic social protection and due process” and the “redefinition of the interaction of international mechanisms of migrants’ rights protection” including “a thorough evaluation of the GFMD process, including questions of accountability, transparency, inclusiveness and outcomes” and the “participation of civil society in future governance mechanisms”.

Civil Society Space

- (a) Governments in **X** reporting countries have institutionalised the role of civil society in migration policy-making (e.g. national migration council) of which **X** countries made these changes in 2016 or 2017.
- (b) **X** percent of applicants to the most recent GFMD CSD report that the space to engage on migration issues at the national level has increased compared to **X** percent, who report that it has decreased or remained the same in 2016 and 2017.

Global Forum on Migration and Development (GFMD)

- (d) The GFMD International Steering Committee of civil society reports that **X** percent of civil society delegates in the most recent GFMD were either migrants or diaspora or represented migrant and diaspora-led organisations; and **X** percent were youth.
- (c) **X** percent of civil society delegates in the most recent GFMD CSD completed a comprehensive evaluation, of whom:

- **X** percent reported less space to access government days this GFMD compared to **X** percent who reported improvement compared to the GFMD last year.
- **X** percent thought that the number of governments participating in the most recent CSD was too high compared to **X** percent who found government participation to be too low.
- **X** percent felt that the topics covered in the most recent CSD covered the key issues facing migrant and their families. Missing issues included **X**, **X** and **X**.

Global Compacts

- (b) Of the **X** applicants to the most recent GFMD civil society the following was reported regarding engagement in processes related to development of the **Global Compact for Safe, Orderly and Regular Migration** in 2016 and 2017:
 - **X** were able to participate in global processes, of which **X** percent had a speaking role;
 - **X** were able to participate in regional processes, of which **X** percent had a speaking role;
 - **X** were able to participate in national processes, of which **X** percent had a speaking role.
- (b) Of the **X** applicants to the most recent GFMD CSD the following was reported regarding engagement in processes related to development of the **Global Compact for Refugees** in 2016 and 2017:
 - **X** were able to participate in global processes, of which **X** percent had a speaking role;
 - **X** were able to participate in regional processes, of which **X** percent had a speaking role;
 - **X** were able to participate in national processes, of which **X** percent had a speaking role.



SCORECARD 7: Recruitment of Migrant Workers 2016–2017

All of the results and examples presented in this Scorecard Results are based on data (a) provided by national focal points in X countries; (b) survey data from the application form for the Civil Society Days (CSD) of the Global Forum on Migration and Development (GFMD); and (c) desk research based on existing data sources.

Recruitment of Migrant Workers

Point 7 of the global civil society 5-year 8-point Plan: Identification or creation, and implementation, of effective standards and mechanisms to regulate the migrant labour recruitment industry, an outcome that civil society is convinced is within reach thanks to a growing convergence towards reform among countries of origin, transit and destination and among private sector actors and funders as well as NGO, trade unions and migrants themselves. Benchmarks could include a global synthesis of existing recruitment problems and solutions, national or transnational, a global convening of legitimate private recruitment actors, development of a compact on reducing abuses in the recruitment field, etc.

Ratification of ILO Convention 181

- (c) There have been X new ratifications of the ILO Private Employment Agencies Convention 181 in 2016 and 2017, meaning a total of X ratifications.⁴⁴
- (a) National focal points in X reporting (ratifying) countries report that the government has implemented its commitments with regard to ILO C181 during the reporting period (2016-2017):
 - Not at all (X percent);
 - Somewhat (X percent);
 - Completely (X percent).

Regulating Recruitment

- (a) X reporting countries have prohibited and X reporting countries have limited the charging of recruitment fees to migrant workers. X percent of these countries adopted policies in 2016 or 2017.
- (a) There are regulation frameworks (such as a code of conduct) in X reporting countries that provide guidance on ethical recruitment that pertain to migrant workers, of which X percent were established in 2016 or 2017 and X percent are legally enforceable.
- (a) Governments in X reporting countries have signed government-to-government agreements which incorporate guarantees for the protection of the rights of migrant workers of which X were signed in 2016 or 2017, of which X percent take age and sex into account.
- (a) X countries have complaints mechanisms allowing migrant workers to report abuses in the recruitment system, of which X percent were established in 2016 or 2017. X of these countries provide related firewalls, meaning that regardless of their migratory status, migrant workers can access these complaint mechanisms without fear of being reported to immigration authorities.

Processes on Recruitment Reform

- (b) Of the X applicants to the most recent GFMD CSD, the following was reported regarding participation in meetings that include governments on recruitment reform in 2016 and 2017:
 - X were able to participate in global processes, of which X percent had a speaking role;
 - X were able to participate in regional processes, of which X percent had a speaking role;
 - X were able to participate in national processes, of which X percent had a speaking role.

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SCORECARD 8: Labour Rights 2016–2017

All of the results and examples presented in this Scorecard Results are based on data (a) provided by national focal points in X countries; and (b) desk research based on an existing data source (marked with a footnote) and relate to civil society activities and changes in policies and practices in 2016 and 2017.

Labour Rights

Point 8 of the global civil society 5-year 8-point Plan: Mechanisms to guarantee labour rights for migrant workers equal to the rights of nationals, including the rights to equal pay and working conditions, to form and organise in trade unions, to ensure portability of pensions, and to have paths to citizenship for migrant workers and their families. This recognises the long-term needs of many nations for migrant workers, while guaranteeing human security and rights to those workers to meet economic, demographic and development needs while affirming the state's role to protect the rights of all workers. Benchmarks could include addressing the movement of peoples in the global trade agenda and national progress in complying with the worker related international conventions, in particular, ratification and implementation of the UN Migrant Workers Convention and the ILO Convention on Domestic Workers.

Ratifications

- (b) <List new ratifications of conventions in 2016 and 2017> (MWC, C097, C143, C029, CEDAW, CRC, C182, C183, C087 C098).⁴⁵
- (a) In X reporting countries, civil society actors engaged in campaigns in 2016 and 2017 to promote the ratification of migration-relevant ILO and UN Conventions.
- (a) Governments in X reporting countries have submitted X periodic reports in 2016 and 2017 to the UN or ILO committees that monitor compliance by states with their international obligations to workers, of which X explicitly address the rights of migrant workers.
- (a) Civil society actors in X reporting countries have submitted X reports in 2016 and 2017 to the UN or ILO committees that monitor compliance by states with their international obligations to migrant workers.

Migrant Worker Rights Equal to Nationals and Working Conditions

- (a) Governments in X reporting countries allow migrant workers to *form and join unions*, of which X countries allow this for both men and women, and X percent were introduced in 2016 or 2017.
- (a) Governments in X reporting countries provide migrants the right to *collective bargaining* equal to nationals, of which X percent apply equally to men and women, and X percent were introduced in 2016 or 2017.
- (a) Governments in X reporting countries allow migrants to *change employer* without affecting their immigration status, of which X percent apply equally to men and women, and X percent were introduced in 2016 or 2017.
- (a) Governments in X reporting countries have implemented a *minimum wage* that applies to migrant workers, of which X percent apply equally to men and women, and X percent were introduced in 2016 or 2017.

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SCORECARD 9: Xenophobia and Discrimination 2016–2017

All of the results and examples presented in this Scorecard Results are based on data (a) provided by national focal points in X countries; (b) survey data from the application form for the Civil Society Days (CSD) of the Global Forum on Migration and Development (GFMD) and relate to civil society activities and changes in policies and practices in 2016 and 2017.

Xenophobia

[Belated] Point 9 to the global civil society 5-year 8-point Plan: The first edition (2015) of the *Movement* Report noted: “while there is general acceptance of the Plan of Action, a clearly identified omission is discrimination and xenophobia. Discrimination and xenophobia not only represent a challenge to migrants and their families but also a challenge to civil society organisations in advocating for policy change”.

Attitude to Migrants and Discourse

- (a) Public data on the perceptions of migrants are available and cover 2016 or 2017 in X reporting countries, of which X show an improvement in public perceptions, and X show deterioration.
- (b) Of the X applicants to the most recent GFMD CSD, X respondents report that the media representation of migrants and migration has got worse in their country or residence compared to X who reported improvement in 2016 and 2017.
- (b) Of the X applicants to the most recent GFMD CSD, X respondents believe that the public discourse on migration improved in 2016 and 2017, while X felt that it had deteriorated.

Example(s)

Policies against Discrimination and Xenophobia

- (a) Governments in X reporting countries have adopted anti-discrimination measures that pertain to migrants in 2016 or 2017.
- (a) Governments in X reporting countries have adopted policies to **combat** xenophobia in 2016 or 2017:
 - at the national level in X countries
 - at state or provincial level in X countries.
 - at city or local level in X countries.
- (a) Governments in X reporting countries have adopted policies that **exacerbate** xenophobia in 2016 or 2017:
 - at the national level in X countries.
 - at state or provincial level in X countries.
 - at city or local level in X countries.
- (a) Governments in X reporting countries have implemented measures to promote inclusion of migrants in 2016 or 2017:
 - at the national level in X countries.
 - at state or provincial level in X countries.
 - at city or local level in X countries.

Campaigns for Inclusion and/or against Discrimination and Xenophobia

- (a) In X reporting countries, civil society actors engaged in X campaigns in 2016 and 2017 to tackle xenophobia and discrimination.
- (a) In X reporting countries, civil society actors engaged in X campaigns in 2016 and 2017 to promote social inclusion of migrants.
- (b) Of the X applicants to the most recent GFMD CSD, the following was reported regarding the UN “Together” campaign against xenophobia:
 - X civil society organisations have participated directly in the campaign.



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The Migration and Development Civil Society Network (MADE) connects civil society worldwide to promote policies for the well-being and protection of all migrants and communities.

MADE is both an open space and an expanding movement of civil society organisations and networks that connect for international, regional and national change with and for migrants and migration. It includes channels to exchange information, mobilise advocacy and policy-building strategies, as well as participate in a range of regional, thematic and international meetings and actions.

Between 2014 and 2016, the following MADE partners implemented a range of regional and global thematic activities at the intersections of migration and development: Africa (Caritas Senegal), Asia (Migrant Forum in Asia), Europe (AFFORD UK, Cordaid and ICMC Europe), Latin Americas and the Caribbean (International Network for Migration and Development and Scalabrini International Migration Network with assistance from Fundación Scalabrini). The International Catholic Migration Commission acts as the Global Coordinating Office for MADE.

For more information about their roles and activities, please visit www.madenetwork.org

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Our partners



MOVEMENT. A Global Civil Society Report on Progress and Impact on Migrants' Rights and Development:
through **Year 3** of Civil Society's 5-year 8-point Plan of Action.

2016 was a year of firsts for migration and development at a policy level. It was the first year of implementation of the Sustainable Development Goals (SDGs). In September 2016, a High Level Summit to address large movements of refugees and migrants was convened at the UN General Assembly. Unanimously adopted by all 193 Member States at the Summit, the resulting *New York Declaration* launched, among other commitments, a two-year process to develop a Global Compact for Safe, Orderly and Regular Migration. Yet 2016 has been a year of exactly the opposite for many people on the move and affected by migration, with an increasing number of obstacles of a legal, political and social nature still hindering safe, orderly and regular migration.

Now, with new urgency, there is a need to reflect on what progress means with respect to civil society priorities in migration, and how this progress can be measured.

In early 2016, the MADE global civil society network published the first edition of the *Movement Report*, providing an assessment of progress on civil society's 5-year 8-point Plan of Action in its first two years, i.e. from the 2013 UN High Level Dialogue until September 2015. This second edition of the *Movement Report* is based on written input from 600 representatives of civil society active in migration and development around the world, as well as twenty in-depth interviews with civil society actors actively engaged at the regional and global level. It offers the reader a commentary on further progress through the Plan's third year, from October 2015 until December 2016. A new feature in this edition is on defining and measuring progress through the elaboration of Scorecards for each of the eight points of the Plan, as well as the more recently added ninth point on xenophobia.



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