

Reporting Template 2018
Working sessions of the GFMD Civil Society Days

Session theme:	Actions ensuring safe, dignified and rights-based transit, entry, reception and return
Related Common Space session (s):	Ensuring safe, dignified and rights-based transit, entry, reception and return

SECTION A: 4 December – Recommendations Day
Priority messages and recommendations for States during Common Space

1. What are civil society's key priorities and concerns related to this theme?

- a- Implementation and operationalization of the related objectives (5, 11, 13, 18, 21), including adaptation to regional contexts.
- b- Find out how to properly identify those who are vulnerable/victims of trafficking at the border, and respond accordingly.
- c- Prioritize Objective 5 in civil society advocacy, relying especially on the notion of “all skills levels”, and of admission and stay of people forced out of home by environmental disasters.
- d- Ensure that governments avoid overly strict visa policies, which undermine the availability of regular pathways.
- e- Vague terms such as “voluntary return”, “alternative to detention”, “regular pathway” require further clarification to ensure they are interpreted in a manner consistent with human rights protection.
- f- Creation of an international system on the monitoring of situation of missing migrants.
- g- Have governments reaffirm the principle of non-refoulement in their policies and practices.
- h- Distribute work among CSOs/networks and make sure to cover topics, which may not be dealt with at present.
- i- Ensure migrants have access to justice, legal representation and due process.
- j- Governments should work on creating firewalls to best protect the rights of migrants irrespective of their legal status.
- k- To institute mechanisms to assist and independently monitor migrants who are forcibly returned, in order to inform future policies and practices
- l- To develop (global) guidance on how to govern return, reintegration and alternatives to return (in accordance with international human rights standards)

2. What good practices or effective multi-stakeholder partnerships are OR have in the past OR could in the future respond to challenges related to this theme?

- 1. **Brazil** adopting a law in 2017, serving as a good practice of dealing with children migrants: providing them and all family members with access to services on same terms as nationals: incl. education.
- 2. **Thailand** working on a screening mechanism to identify people with need of protection + MoU towards limiting detention of children.
- 3. **Brazil** adopting a law having NGOs host unaccompanied minors.
- 4. **Nigeria** had shelters set up to host returnees who are not reintegrated in their communities.
- 5. **Bahrain** has a flexible visa policy to regularize the situation of undocumented migrants.
- 6. A functioning multi-stakeholder system of identification of missing migrants incl. forensic analysis exists both in **Morocco** and in **Central America** and **Mexico**.

7. There is need for future working collaboration between **UNCHR, IOM and ILO** on the matter of creating labour-driven regular pathways available to people in situations of forced migration.
8. In **Finland** forced return is independently supervised and monitored by the ombudsman, who ensures compliance with human rights standards, due process, etc
9. Government-to-government agreements such as between **Korea and Bangladesh**, can effectively include provisions for return and reintegration

3. What policies and practices exist that are counter-productive to responding to challenges related to this theme, and can ways be identified to improve them?

- a- Turnbacks and pushbacks at the border are taking place *en masse*. There is a need for real access to protection.
- b- Returns in cases where safety and dignity of returnees cannot be guaranteed (typically to Afghanistan). Need not to abuse the concept of safe country.
- c- Detention or its alternatives being outsourced to private companies for profit in some contexts. Has to be stopped.

4. What are the **three questions** on this theme we want to ask governments in Common Space?

Question 1: Where do governments get to learn from each other the good practices on implementing regular pathways?

Question 2: How do governments intend to review their border screening procedures to identify migrants' vulnerabilities?

Question 3: What are the reintegration policies in place, which stakeholder take part in their implementation, and how do they ensure the returnees have the access to economic and other opportunities they require.

Additional messages for governments:

- If people can migrate and live in safe and dignified conditions, this also greatly enhances the conditions under which they can sustainably return and reintegrate
- Return is not the only option, and needs to be looked at in conjunction with possibilities of alternative pathways to residency and regularization

Inspiring quotes: If you like, please give one or two **quotes** that inspired you during the session.

**Please note that the sessions follow Chatham House rules, so please either ask for approval to name the speaker/organization or put "anonymous".*

"This is the week and the year to focus on the Global Compact on Migration!"

SECTION B: 6 December – Commitments Day

Civil society convergences, advocacy and action in and post Marrakesh Week, into the implementation phase of the Global Compact for Migration

1. What was learned from the discussions with governments during Common Space that informs/influences civil society strategy around this theme?

- a- Governments tend to be very sensitive on the issue of irregular/undocumented migrants; civil society needs to craft smart messages to respond to those: possibly based on the assertion that states commonly violate their own commitments when dealing with irregular migration.
- b- There are many good practices driven or supported by governments that deserve replication but often, the knowledge is lacking (as are the channels to transfer it, hence, helping create such channels for governments is key).
- c- Building partnerships was also one of the key messages conveyed by governments as well as by civil society for the best implementation of the GCM.

2. What existing civil society structures, networks and initiatives are already working on this theme?

- a- In Latin America, CSOs use an interactive map of organizations to collaborate on cross-border matters such as returns and reintegration.
- b- In the ECOWAS region, CSOs initiated a participative process for the protection of migrant children with the participation of multiple governments, and real impacts in terms of implementation.

3. How can we link with other movements to amplify our voice and impact – especially ones that are not in the room but that should be engaged going forward?

- a- It is recommended that the participating CS representatives call on a national meeting of all CS stakeholders dealing with topic dealt with by the compact (incl. for instance children, women, development) and draft a common strategy in terms of using GCM for national advocacy and campaigning.
- b- At the national level in particular, organizations working primarily with refugees should be informed about the GCM, and common efforts made to work towards joint implementation of both compacts.
- c- Engage closely with IOM in the crucial first implementation phase of the GCM so as to create a foothold for the civil society.
- d- Consider building on the Latin American example of creating a map of involved CSOs to enhance cross-border cooperation and involvement.
- e- Sensitization, awareness-raising and information sharing on the GCM should be organized on both government (regional, national and local) and CSO levels.

4. What collective civil society action should be taken in 2019, during the first year of Global Compact implementation, and at which level?

- a- Collective mapping and evaluation of national entry schemes.
- b- Monitoring of IOM's operationalization of the compact so as to ensure that it acts in a transparent manner, its activities are not limited to returns (currently IOM's main agenda and source of funding), and that human rights are mainstreamed throughout.
- c- Identifying champion states and work with them towards communicating the positive steps they are taking to other governments.
- d- Creation of a common platform to share experience on how GCM is used in the national/local contexts, leading potentially to guidance on specific objectives – first discuss how to best do this and where to obtain funding.

Inspiring quotes: If you like, please give one or two **quotes** that inspired you during the session.

**Please note that the sessions follow Chatham House rules, so please either ask for approval to name the speaker/organization or put "anonymous".*

