

Meeting of the Friends of the Forum,
9 October 2017, Geneva

Agenda items: [4A]: GFMD Inputs to Global Compact on Migration; [4D] Participation at Mexico Stocktaking December; and [6] Civil Society Process including budget

Report from Civil Society

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

H.E. Mr. Lorenz, Secretary-General Nadir, colleagues and partners:

What an extremely busy week here in Geneva—5 straight days of meetings on the Global Compact on Migration! The wisdom in having this year’s GFMD summit week already in June is becoming more and more clear!

Many of us in civil society were impressed with the growing focus and energy in the recent consultation on the Migration Compact in Vienna. Likewise, in the regions, including a consultation that ICMC organized with civil society partners across Europe just last Monday and Tuesday in Brussels, and similar consultations in Africa, the Americas, Asia, and the Middle East. **Attention—and momentum—are clearly picking up** here and globally, though a little more slowly in New York.

May this growing momentum be a sign that we will rise—all of us: *rise* to this once-in-a-generation opportunity to try to improve some things that can be improved in international migration, for states, for societies, for migrants of all kinds: everyone.

Agenda item 4A: GFMD Inputs to Global Compact on Migration (GCM)

Civil society was happy to have worked with states and international agencies in Vienna last month at the GFMD thematic meeting on GFMD input to the GCM, and on the report since. Looking back at issues and recommendations in both the civil society and states work in the GFMD, we were struck at the increasing **convergence** on so many issues over the years—including widespread agreement now on centering these discussions and policies squarely on the migrant and widely ratified rights.

But we were also struck at the strong *divergence* between civil society actors and many states on two issues in particular: **circular and temporary migration**, and **return**. So we are concerned that the GFMD input to the GCM not give the impression that there is much agreement on those issues across all stakeholders in GFMD.

Briefly, from the very beginning of the GFMD in 2007, **circular and temporary migration** have been a prominent concern for civil society in the GFMD. The final report of the Civil Society Days and the recommendations that the civil society Chair has presented to states at the Opening of the government GFMD days each year consistently opposed circular and temporary migration unless, at a minimum, it was rights-based and was not designed or implemented to displace other workers or keep long-term workers in temporary and precarious employment status. Referring to international human rights and labour conventions, “rights-based” means concrete things like not compelling migrant workers to surrender passports to employers; contracts that respect international standards of labour rights, are in language that migrant workers can understand and are not substituted on arrival or at the workplace; and worker access to due process and justice, including for recuperation of wages, without fear of reprisal because of migration status, etc.

Also from the beginning of the GFMD in 2007, civil society discussions and recommendations referred with great concern to issues of **enforcement-related return**. At the GFMDs in Bangladesh in 2016 and Germany this year, the Civil Society Days devoted whole sessions to return, further shaping a Common Space focus session in Germany on return. Each time, and in the final civil society reports and recommendations, civil society’s primary and consistent concern has been to ensure that return is either truly voluntary or, where enforcement is involved, rights-based under widely ratified international human rights agreements. As a first matter, “rights-based” concretely means no *refoulement*—whether of refugees, victims of torture, or others to countries where they or their rights are at risk of grave harm; but it also means no arbitrary or collective expulsions and no return of children without fully safeguarded Best Interest Determinations.

Along with many states, civil society has also insisted that any talk about promoting return makes no sense—that is, it does not reflect overwhelming experience and evidence in every region of the world—unless there is also serious attention to addressing the *drivers* of irregular migration and real-world *alternatives* to irregular migration. There is wide agreement in civil society, and among increasing numbers of states and others, that the most effective alternatives to irregular migration are as a first matter, **sustainable development** and **decent work at home**, and then **reality-based legal channels for migration**, in particular for those forced to migrate, whether they are fleeing persecution, disaster, or lack of food, water, or work. We heard this again and again last month, from states as well as civil society speaking about alternatives to human trafficking and brutal migrant smuggling, at the 5th global thematic consultation on the Migration Compact in Vienna. Civil society also widely believes that it is time to finally look closely at, and replicate the positive experience of sensible policies of **regularization**, as concrete alternatives to forced migration—and forced re-migration, especially for law-abiding long-stayers, family members and workers.

Agenda item 4D: Participation at Mexico Stocktaking December

Together with the International Steering Committee of civil society (ISC) for the GFMD, and in particular its Core Group of civil society leaders, we have been actively fundraising and organizing for 2 days of civil society meetings in Puerto Vallarta on the Saturday and Sunday before the states Stocktaking there, 4 – 6 December.

We recognize that this Stocktaking moment in December is very different from a GFMD. We also recognize both our own limited resources for December (time as well as financial) and also the greater importance of mobilizing civil society in 2018, as the zero draft comes out, and through the negotiations that follow, in New York and in capitals.

With that in mind, *and pending confirmation of funding that we expect*, we have tentatively focused on four elements for two civil society days ahead of the Stocktaking, again, tentatively, in a strategic approach quite *different from GFMDs*:

1st element: Participants- around **60 civil society participants, possibly**

- **21** - 3 delegates from each of the 7 Regional Civil Society Consultations on the GCM
- **16** delegates from civil society organizations and networks active in the GFMD, UN High-level Dialogues, the SDG process in 2015 and the Summit last year
- **7** Mexican organizations
- **16** - 4 delegates each from migrant and diaspora organizations, trade unions, youth organizations, and refugee protection NGOs

2nd element: Focus - on civil society's consolidated *Now + How 10 Acts*, which GFMD 2017 Civil Society Chair Wies Maas will present today under Agenda Item 6

3rd element: Structure - Day 1 civil society only; Day 2: Small tables and other meetings directly with about 30-40 selected states

- sharing priority civil society messages from Day 1 with states
- two-way exchange on red lines and workable mechanisms
- strengthening working relationships with states as basis for communication and collaboration in New York and capitals

4th element: seek participation in the states' three Stocktaking Days

- Given this two-days gathering of longstanding and recognized civil society leaders and their specific investment towards the GCM and this Stocktaking in time, funding, focus and location, we will make a strong request to the GCM co-facilitators and Office of the President of the General Assembly (OPGA) that the 60 participants in this civil society pre-meeting are invited to participate in the Stocktaking itself, i.e., within the total number of non-state stakeholders there.

Agenda Item 6: Civil Society Process

We will make this report to you in two parts: I will briefly describe civil society's work in this year's GFMD *process*, then Wies Maas, who you will recall is the civil society Chair of the GFMD 2017, will follow up on *substance*, specifically towards GCM.

On the GFMD 2017 [Civil Society Days 29 June and 1 July, with Common Space in the middle 30 June]

There is a 5-page **booklet of the main civil society recommendations** from this year's GFMD on the back tables and also on www.madenetwork.org/civil-society-days-2017. Just a few highlights here.

On process:

- **There were 333 participants total;** 254 civil society delegates—one of the largest numbers in the 10 years of the GFMD.
 - As in recent GFMDs, *half of the civil society delegates were migrants, refugees or members of the diaspora themselves* ("diaspora" including children and grandchildren of migrants and refugees) or represented organizations led by migrants, refugees or members of the diaspora
 - 4 out of 5 represented human rights NGOs, migrant-diaspora associations, or development organizations—up slightly from the prior two years
 - Just over 100 were based in Europe (including a large number of diaspora groups and also German civil society); 49 from Asia-Pacific, 31 from North America, 30 from Africa (down from the past two years), 23 from Latin America and 13 from the Middle East.
 - A little over 1 in 4 of the civil society delegates received some funding to help with travel and hotel expense.
 - 20 government representatives, considerably down from the past two years because of the overlapping timing of the states and civil society days

- **Participants evaluation:** ¼ of civil society delegates submitted written evaluations of the Civil Society Days and Common Space. The full report of the evaluation is on line at www.madenetwork.org/civil-society-days-2017, but just four snapshots, which we also will be considering for next year's Civil Society Days:
 - As in prior years, over 80% said that the Civil Society Days programme was good or excellent this year; 5% said it was poor or very poor.
 - In a big jump from prior years, 65% said they had interaction with governments during this year's GFMD that they thought could lead to policy change
 - When asked about the **unusual schedule** of the Civil Society Days this year (i.e., occurring both before and after Common Space), over a majority said it was effective, but 44% thought it made no difference or was not effective
 - In a dramatic improvement from participant evaluations in prior years, over 80% thought that the Common Space structure, themes and civil society involvement as discussion starters and moderators were good or excellent. However, as in past evaluations, — more than half said that the **interaction** between states and civil society in Common Space was only average or poor. The last real change in structured interaction in the GFMD was 7 years ago; **as** we head into the 11th year of the GFMD, let's look at and work on this together. Recommendation 15 of the Sutherland report calls to "*repurpose*" the GFMD, suggesting that the GFMD "*consider governance reforms to encourage joint ownership by States, civil society and the private sector.*" Civil society actors in particular have been saying much the same, quite regularly within the reports that the GFMD Civil Society Days chair has presented at the opening of each year's GFMD government programme during the Summit. Joint ownership does not always mean equal ownership, nor does it contradict or weaken "states-led."
- **Our own evaluation in the ICMC Coordinating Office—three sentences.** We believe it was a solid GFMD. On behalf of the 40 organizations on the International Steering Committee of civil society for the GFMD, we very much appreciated strong collaboration with the co-chairs—and notably Germany—this year, and look forward to the same for 2018, with Morocco in particular. We believe that this full two-way openness and collaboration was the key to a distinct improvement in the focus and results of the Common Space, among other parts of the states and civil society programmes.
- **Finally, the civil society budget for GFMD 2017**, which I am happy to report that we are projecting once again to be breakeven: thanks to contributions of the European Union, Germany, Sweden, Switzerland, the United Arab Emirates, my own NGO ICMC, and pending commitments from Canada and the Netherlands.

For **substance**, I turn it over now to my colleague GFMD Civil Society Chair Ms. Wies MAAS, with only one piece of context: At the Civil Society Days that Wies chaired in Berlin, every one of the plenaries, working sessions, special sessions and tea tables that we organized with governments focused directly on the Global Compact on Migration, under the theme *Safe Orderly Regular Migration Now: Mechanics of a Compact worth agreeing to*. Together with every session of the Common Space also focusing on the Global Compact, it was more than 50 hours aiming to identify key issues, mechanisms and timelines to bring the [New York Declaration](#) to life.

Thank you.