



**REPORT
ON THE CIVIL SOCIETY DAYS
OF THE GLOBAL FORUM ON MIGRATION AND DEVELOPMENT**

**INTEGRATING MIGRATION POLICIES INTO DEVELOPMENT
STRATEGIES FOR THE BENEFIT OF ALL**

**ATHENS,
3 NOVEMBER 2009**

Roundtable 1

How to make the migration-development nexus work for the achievement of the Millennium Development Goals (MDGs)

Synthesis of sessions

1.1. Mainstreaming migration in development planning – Key actors, key strategies, key actions.

1.2. Engaging diasporas and migration in development policies and programs – Their role? Their constraints?

1.3. Addressing the root causes of migration through development, specifically in light of the current global economic crisis

Roundtable 1. Short Summary & Key recommendations for action:

Each session took place against the background of a shared conviction that migration does contribute to development (although it is not a substitute for a comprehensive development policy), that migrants should be seen as active participants in development, and that migration policy and development planning should benefit migrants as well as countries of origin and destination. The participants noted the inequality and differential benefits of development that characterize the world economy, along with violent conflict, as fundamental causes of migration, and noted that migrants' contributions alone cannot overcome either structural factors or poor governance. Participants accepted as fundamental to development the rigorous observance of migrants' human and labour rights. Many advocated for ratification and implementation of international conventions relevant to the rights of migrants, including the ILO conventions, the core human rights conventions, and, in particular, the UN Convention on the Rights of Migrant Workers and their Families.

1. Take more assertive action, in collaboration with civil society organizations, to regulate and monitor recruitment practices, and enforce the applicable laws: cap permissible fees, establish as good practice that employers pay recruitment fees; establish whistle-blower protections and reporting mechanisms for abuses.
2. Extend a 'grace period' to migrants who lose their jobs as a result of the recession and with it their permission to remain in the country of destination, so that they have the opportunity to find another job. Allow migrants who return to their home countries to do so safely and with dignity.
3. Reduce the transaction costs of migration: simplify document requirements (applications for admission often run to great length and are practically impossible for a lay person to complete without a lawyer), reduce fees and simplify procedures for obtaining official documents such as passports, make information on migration

procedures more easily available to reduce dependence on intermediaries; professionalizing and monitoring consular practices of visa issuance, to reduce arbitrariness and bad practices such as bribe-seeking.

4. Take strong initiatives to counter misinformation about migrants and the impact of migration that inflames public opinion against migrants.
5. Engage all ministries or departments involved in migration issues in regular intra-governmental policy discussions of migration and development (on policy formulation and implementation)—including for example, ministries of health, education, labor, social security and especially development/foreign assistance. Coordination should also work “vertically,” across levels of government—national, state/provincial, and municipal. Establish regular consultations between the coordinating bodies of governments and civil society organizations (including diaspora organizations).
6. Consider simplified and transparent demand-based systems for labour admissions, with strong protection for protection of wage levels and working conditions.
7. Establish codes of conduct for ethical recruitment in a way that does not restrict freedom of movement and avoids discrimination on the grounds of national origin.
8. Incorporate protections for domestic workers into national law, and cooperate with civil society organizations to monitor and promote compliance.
9. Reduce the barriers to establishing diaspora organizations, build their capacities, and include diaspora members in developing planning and implementation on a routine basis. Solicit and pay attention to the voices of migrants, migrants associations and members of diaspora on issues of governance deficits and development obstacles.
10. Address the loss of human resources from the health sector by investing in that sector in countries of origin, increase the supply of skilled health care personnel, and strengthen the public health system so that it can offer improved wages and working conditions to an adequate number of health care workers.
11. Send a clear message from the GFMD to the Copenhagen Conference on climate change that the threats to and interests of migrants and potential migrants should be high on the policy agenda of the conference.

Roundtable 2

Migrant integration, reintegration and circulation for development

Synthesis of sessions

2.1. Inclusion, protection and acceptance of migrants in society; linking human rights and migrant empowerment for development

2.2. Reintegration and circulate migration – effective for development?

Roundtable 2. Short Summary & Key recommendations for action:

The sessions focused on three core sets of issues: rights, circular migration and reintegration.

RIGHTS

All migrant workers have the right to basic labour rights including non discrimination (i.e., the same treatment, working conditions, and wages as comparable native workers). This protects both the rights and working conditions of migrant workers, as well as the native workers. These rights are enshrined in both UN and ILO conventions and treaties.

1. These conventions should be ratified and implemented and civil society can help monitor their implementation.
2. We would like to stress the following recommendations as a minimal set of conditions for both temporary and long term migrants:
 - Flexibility of stay permits: changing from short term to long term.
 - Employee portability and freedom of movement.
 - Portability of benefits (pension and insurance, health coverage, accumulation of benefits).
 - Portability of justice.
 - When out of employment having a reasonable period of time to find a new job.
 - Universal education and preventive health coverage for all.
3. Governments must understand the costs of non action can be higher than the costs of providing these services.
4. Particular attention should be paid to particularly the vulnerable status of domestic workers.

CIRCULAR MIGRATION

Circular migration has to be approached as fundamentally different from temporary migration programs and the concept of circular migration needs to be clarified in policy terms. In all cases:

5. Governments should reform visa regimes to allow for multi-entry visas and “test” programs for those who are thinking of return.
6. Employers should pay the costs of recruitment, but training and skills development or language training are public goods that governments should pay for. We do recognise that these are goods that developing countries may be unable to provide in their totality.
7. The duration of circular migration programs have to be long enough for migrants to accumulate skills and savings.
8. Circular migration programmes should not separate families for long periods of time and they should allow for benefits portability.

REINTEGRATION

9. There is a need for bilateral/multi-lateral agreements for the designation and implementation of policies for reintegration.
10. The role of local government and civil society ought to be valorised.

Roundtable 3

Policy and Institutional Coherence and Partnerships

Synthesis of sessions

3.1. Policy and institutional coherence: latest data and research findings

3.2. Regional and inter-regional processes and fora

Roundtable 3. Short Summary & Key recommendations for action:

The Roundtable discussed on the basis and conclusions of the background papers. The challenge of understanding coherence was raised as an important one: What and who needs to be coherent for which aim? The global economic crisis has put into question some of the previous concepts of coherence, and the role of the state and the need to protect migrants and their rights need to be addressed, contrary to the criminalisation of migrants currently being observed.

Development should be understood in broad terms as in the concept of human development and also take into consideration social costs and benefits, and not merely focus on economic growth. Similarly, for policy coherence to make sense, all forms of migration need to be considered. This includes temporary, permanent and irregular migration, as well as circular and return migration, but also the need for protection of refugees and displaced persons.

The roundtable underlined the need for a solid rights framework based on international conventions. The rights of individuals and their families was seen as a potential rallying point for civil society at local, regional, national and international fora.

At the same time, it is necessary to break down silos which have been formed between migration and development, but also other relevant areas such as trade. Climate change must increasingly be taken into consideration in the context of both migration and development.

There is a need to improve the evidence base, but it is also necessary to get policy makers to use available evidence and research. Civil society organisations need to be brought into the research and policy processes and discourse in a more inclusive manner and with meaningful consultations; this is particularly relevant for migrant associations and diaspora organisations that have to find ways to lobby governments in a feasible, yet principled manner. There is thus a need for transparency regarding available data and research, and the sharing of available data.

Recommendations:

1. A link between migration profiles and poverty reduction strategies could serve as a useful instrument to link broader definitions and identify needs for programmes and cooperation.
2. Analyses of remittances and their impact need to be more robust. The analysis should not be limited just to topline numbers, but should also consider the benefits and costs for individuals and their families and communities. Here, as in other topics of the research agenda, quantitative and qualitative methodologies ought to complement each other to understand both the scope and scale, as well as the processes.
3. Research areas that would be useful to prioritise include: the migration-development nexus areas and the respective impact on social and human costs; measuring the qualifications of skilled workers; interdisciplinary research which involves other actors; the effect on children of migration. The allocation of funding by governments for migration control versus migration development areas, as well as the impact of the funding ought to be researched better. There is a need for research on the impact of migration on receiving countries in a more nuanced way, and it is necessary to encourage sharing of research findings with migrants themselves. The 2010 census/surveys should include migration specific issues, it was felt that this opportunity should not be missed.
4. As the health sector is significant for development and migration, in countries of origin and destination, and as information from diaspora organisations is available, this sector may be particularly highlighted as a pilot research area through which to understand the links between migration and consequences for societies; the specificities of the distinction between high and low skill, high and low paid migration; and how skills are used (including recognition of qualifications, etc); as well as the issue of 'de-skilling.'
5. A clearing house for sharing available data and research was seen as appropriate - which could be started on the basis of bilateral pilot agreements between countries.
6. Capacity building and training, preferably in cooperation between government officials and civil society, on issues of human rights, diversity, understanding migration and development priorities was regarded as important. It was regarded as desirable to develop tripartite structures as they exist in the ILO and other UN bodies to come to achieve results, however, they would need to include migrants and diaspora associations. This model would be useful and can be started at all levels, local, national, regional as well as global. It is necessary to build capacity within civil society (CS) and migrants' and diaspora organisations to be able to engage in policy formulation. The need to develop concepts concerning the integration of return migrants in countries of origin was raised.
7. Time, human and financial resources for civil society engagement as well as for research, and for governmental cooperation need to be invested to achieve necessary improvements for the benefit of all, countries of origin, transit and destination, but first and foremost, for migrants and their families.

Roundtable 4

Synthesis of sessions

4.1. Building Alliances: Business

4.2. The Future of the Forum

Roundtable 4. Short Summary & Key recommendations for action:

The first session of this roundtable focused on **Building Alliances: Business Engaging with other Civil Society Actors** and concluded that the status quo is not working. Alliances among civil society, business and government are necessary in order to:

1. Improve the regulatory environment
 - a. We already have a set of ILO treaties and conventions (97, 143,181). Governments are urged to ratify and enforce them.
 - b. We need to seek greater transparency and clarity
 - i. There needs to be clear information about the treaties and conventions impacting migration that exist on a bilateral level. Civil society needs to be aware of these agreements in order to properly advise migrant workers.
 - ii. National immigration laws and regulations should be easy to understand, the number of categories should be limited, and changes should be made only when necessary.
 - iii. Immigration procedures should be straightforward and processing should be quick, consistent and inexpensive.
2. Protect migrant workers by
 - a. Granting all workers human rights and labour rights regardless of their migration status.
 - b. Informing all parties involved of their responsibilities.
 - c. Holding all employers to the same standards for worker protections (migrants can sometimes exploit other migrants).
 - d. Establishing cooperation between civil society and government and seeking better data (how many migrants, who are they?)
 - e. Communicating clear, coherent and trustworthy information about issues of importance to migrants including healthcare and legal advice.
 - i. Choose the most appropriate manner according to context and literacy levels of migrants. This could be a readily-accessible, easy to use brochure or pamphlet “charter of migrant rights.”
 - ii. As an example, in Los Angeles NGOs, government officials in charge of labour matters, churches, labour unions, regional chambers of commerce and Mexican consular officers work together to inform migrant workers about their rights.
3. Improve the image of migrants by communicating the real facts

- a. Migrants should be seen as business actors and entrepreneurs that shape a new economy, not just as “migrant workers”.
 - b. Business should use its marketing expertise to make the business case for migrant workers and to help improve the public perception of immigrants.
 - c. Studies should be done and publicized about the favourable impact of immigrants on an economy.
4. Share best practices across all sectors.
- a. A virtual forum or platform should be created to share what works well and what does not work well.
 - b. Business and other members of civil society should have regular meetings.

The second session that was held in parallel explored the **Future of the Forum** and critically evaluated it concentrating on four key issues:

- Civil society has its own mission, but it is not disconnected to the Government Forum.
- Civil society calls for more accountability on the Government Forum recommendations.
- Civil society looks at its own accountability.
- The CSDs of the Global Forum are a unique opportunity to dialogue at global level. This however, has to be grounded on democratic and transparent processes and structures in order to have more impact, improve learning and focus.

In light of the above, the following recommendations were put forward:

1. Regarding the Core Mission of the CSD:
 - a. The CSD priority agenda should aim at influencing governments.
 - b. The CSD should work on its own issues and learn from each other based on our own agenda.
 - c. It must focus on migration *and* development, while always maintaining a human rights based approach.

2. How do we measure impact of CSD on GFMD?
 - a. Monitoring mechanism: There was a consensus to have a transparent monitoring process about the impact of the CSD on GFMD, the degree of formality, and the proposed mechanisms requested varied from a more formal and binding mechanism to a more informal accountability.
 - b. At minimum, at the beginning of the CSD, a report on behalf of the Governments should be presented. Reciprocity of reporting should be encouraged.
 - c. Better coordination is encouraged with existing processes – e.g. ILO and Human Rights Council reviewing and monitoring processes on ratified agreements (UNDESA).
 - d. The assessment of diaspora organizations should be sought and more visibility should be given to them throughout the whole process.

3. How can Civil Society ensure that the outcomes and policy relevant recommendations it puts forward are taken seriously by governments and acted upon?

The following points are therefore crucial:

- a. More focused recommendations are needed: This implies that themes must also be more focused
 - b. Composition of, representation and expertise in the CSD is crucial
 - c. CSD delegates should be informed in advance on who are the governmental participants in the GFMD
 - d. An important outcome of CSD are best practices to make recommendations more specific and practical
 - e. Delegates to the CSD have a formal responsibility to reach out to broader CS constituency to capture views from a broad range of civil society actors.
4. What kind of processes, structures and principles should be put into place for a more successful GFMD/CSD?

On process

- a. The process leading to the CSD should be continuous, transparent and democratic (look at other well established UN mechanisms).
- b. CSD should be informed by and based on preliminary national and regional or thematic consultations, whether existing or newly built. Governments could create space for these.
- c. These consultations should incorporate and accurately reflect CS priorities and contribute to a CS agenda at the global level.
- d. National networks and alliances should be built which focus on the issues beyond “banners”. (The processes of CS in the Philippines before the GFMD/CSD may serve as an example.)

Structure for the CS’s institutional memory and leadership of the process

- a. There was consensus that continuity needs to be ensured by a sort “body or structure” led by civil society. Various models were discussed which ranged from the extension of the IAC mandate, an integrated Steering Group (IAC and host foundations), an international consortium of CS actors to a CS liaison unit accompanied by a CS online portal which encourages exchange and dialogue and maintains a database of all involved actors.

Other issues

- a. CSD/GFMD should these be twinning or separate/events? No consensus was reached, but if twinning arrangements are kept, then the same venue or area and a full one day of dialogue between governments and CS is encouraged.
- b. A link with the Parallel event (PGA) should be maintained.
- c. A balanced composition of participants from the different sectors of civil society must be considered, including a strong representations of migrants organisations.
- d. No over-structuring is encouraged – the CSD should give some open space for networking and learning.

Athens, 5 November 2009
CSD Athens 2009

LIST OF CHAIRPERSONS, RAPPOORTEURS AND COORDINATORS

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