

# Advocacy Update



Global Alliance Against Traffic in Women

July 2007

This month we bring you a special report by Suzanne Hoff<sup>1</sup> who represented GAATW at the Civil Society Day (CSD) on 9 July 2007 in Brussels, organised prior to the Global Forum for Migration and Development (GFMD) held on 10-11 July 2007. At the CSD, 200 civil society organisations were able to present their views on migration and development to the GFMD organisers. Following the CSD (and parallel to the GFMD), migrants' rights groups held a Global Community Forum on Migration, Development and Human Rights, which Suzanne was also able to attend.

Suzanne's participation furthers GAATW's engagement with the migration and development debate which has gained momentum since the 2006 "Report of the Secretary-General on International Migration and Development" and the subsequent "UN High Level Dialogue on Migration and Development" in New York. Representatives from GAATW-IS as well as GAATW member organisations were present at the High Level Dialogue and to us the HLD as well as the GFMD suggest some worrisome trends. While governments are becoming more coordinated in their efforts to 'manage' migration and migrant labour, human rights, civil society and migrants themselves are almost completely excluded from substantive discussions. Rather than considering the experiences and wellbeing of migrants themselves, the debate centres on maximising the economic returns of migrant labour for both sending and destination countries. Given the linkages between migration and trafficking, this discourse is one that anti-trafficking organisations should follow and contribute to in coming years. But, as Suzanne mentions below, we must give serious thought to how we can do this effectively and not become party to the further control of people's movement and self-determination.

We hope you find this report valuable in your work, and as usual, we would love to hear what you think on this topic.

Warm wishes,  
The GAATW Secretariat

## The [Global Forum on Migration](#), report by Suzanne Hoff

Conceived as an informal, non-binding, multilateral and state-led process, the GFMD has been planned as an annual event open to all UN Member States (although the UN is not involved in the organisation of the Forum).<sup>2</sup> The GFMD is intended to add value to the

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<sup>1</sup> Suzanne is the International Coordinator of La Strada International (LSI), a network of nine anti-trafficking NGOs in Europe, all of whom are also GAATW members. LSI, based in Amsterdam, acts as the secretariat as well as the main advocacy body of the La Strada network. Suzanne was asked to represent GAATW because of her proximity to the meeting and also her interest and experience in international advocacy.

<sup>2</sup> The High Level Dialogue in September 2006 was an initiative of the United Nations Secretary-General Kofi Annan and was organised by the General Assembly. However, states made clear in 2006 that although they would like to continue the conversation on migration and development, they do not want this to be under the auspices of the United Nations (and therefore not subject to United Nations human rights conventions and to avoid UN standard setting becoming part of the meetings' goals.)

current debate on international migration and development by fostering international cooperation, enhancing inter-state dialogue and discussing and promoting practical and innovative policy ideas on the migration and development nexus. The GFMD describes its aims as follows:

*Through a participatory approach and sustained dialogue between developing and developed countries, the GFMD seeks to arrive at common and evidence-based understandings on those areas where migration policies have the greatest potential to contribute to development, where development offers opportunities for people that, otherwise, migrate by necessity and where development policies take greater account of migration and its potential benefits for development, without migration becoming a substitute for development.*

This GFMD in Brussels, organised by the Belgian Government, was the first of such forums and was attended by over 700 representatives of 55 UN member states. The next GFMD is planned for Manila in 2008.

### Civil society day

Because the GFMD is open only to governments, the Belgian government, in cooperation with the King Baudouin Foundation (KBF), organised on 9 July a 'Civil Society Day' (CSD) for non-government representatives. This day was for civil society organisations to "discuss relevant issues and to offer organized input to the following governmental discussions" on



10-11 July. This input was offered by way of a report drafted by the KBF and presented to the GFMD by 12 civil society representatives on 10 July. Two hundred civil society representatives from around the world attended the CSD, selected by the KBF and an NGO steering committee. The

participants were diverse, ranging from development and human rights NGOs and networks, to private sector and money-transfer associations, unions, faith-based and diaspora organisations, and independent researchers. Apart from the limited engagement offered by the CSD, NGOs and others had no opportunity for meetings with GFMD delegates or distribution of material. Other GAATW partners were in Brussels too, including the Solidarity for Asian People's Advocacy (SAPA) migrant and labour working group,<sup>3</sup> and the United Front for Domestic Workers Rights,<sup>4</sup> represented by Cynthia Abdon-Tellez of APWLD.

The agenda of the CSD largely mirrored the government agenda for the GFMD. Three themes framed the debates, which took place in eight sessions:

- I. Human capital development and labour mobility: maximising opportunities and minimising risks;
- II. Remittances and other Diaspora resources: increasing their net volume and development value; and
- III. Enhancing Institutional and Policy Coherence and Promoting Partnerships.

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<sup>3</sup> The SAPA-ML group was created under the framework of SAPA in 2007 to bring Asian NGOs working on migrant rights and trafficking together with international labour organisations for advocacy. Migrant Forum in Asia chairs the group and GAATW is a founding member. Previously (without the unions) the group was known as the Asian Alliance on Migration, Development and Human Rights - an alliance created in 2006 in preparation for the High Level Dialogue on Migration and Development in New York.

<sup>4</sup> This group, formed in May of this year, is a network of NGOs in Southeast Asia that lobbies for domestic workers rights, led by CARAM and APWLD.

I attended two workshop sessions—“Temporary labour migration as a contribution to development: low skilled migration and addressing irregular migration” and “The value of the migration and development nexus and migration out of choice versus migration out of necessity” - as well as the plenary meetings.

Each workshop was introduced by an expert who also presented a background paper that he or she had drafted. Discussions followed and were concluded with a set of recommendations, some of which had been prepared beforehand. All recommendations were presented in the final plenary session and then included in the final report for presentation to the GFMD (see link below).

### Summary of workshop discussions, recommendations & report

The following is a summary of some of the discussions and recommendations. Note that these are not recommendations made by me, but were from the group as a whole.

#### Labour Mobility

The main recommendations on the mobility of labour called for governments to allow flexibility in visas and residential status so that migrants can return periodically and contribute to home country development. Other recommendations were:

- Ensure that decent working and living conditions prevail in countries of origin so that workers are not forced to migrate.
- A code of ethics for embassy personnel who employ migrant workers.
- Workers informed about their rights, for example through pre-departure and post-arrival training.
- Recruitment agencies and their sub-contractors to be regulated.
- Recognition of the right of all workers to organise, including undocumented workers and domestic workers.
- “Portable justice” -workers who have returned home must still be able to enforce their labour rights in the host country.

#### Circular Migration

It was said that visa policies should be more flexible to include multi-year and multi-entry visas and that admissions and stays should be linked to only one employer. Immigration policies should neither inhibit circulation nor lead to counterproductive regulations, and should not undermine migrants’ rights. Destination countries should have a mechanism by which some temporary migrants can access permanent residency and eventually citizenship.

#### Remittances and Diaspora Resources

Discussion of remittances focused on increasing their development value by reducing transfer costs, increasing transfer options and possibilities for targeting education and health services. Another workshop focussed on strategies for building and/or strengthening diaspora and migrant organisations’ capacity for development which mainly emphasised involving diaspora groups in development funding and programming, rather than “merely relying on intermediary NGOs” to ensure their participation, and increasing funding for migration and development initiatives, including for diasporas.

#### Enhancing Institutional and Policy Coherence and Promoting

Enhancing policy coherence and strengthening coordination at the global level was raised in most workshops and in the plenary as well. Participants’ comments included:

- The way forward is to see development as more than economic growth and to include “non-economic, less-measurable factors such as increased recognition and respect for human rights and well-being, integration and social cohesion, stability, democracy, security, the environment and future prospects. The total human development of migrant workers and members of their families should be at the core of the migration and development discourse.”
- Policy-making should be more holistic, address root causes and consider other patterns of mass migration such as from climate change/conflict and their links with irregular migration.

- Improving coordination between governments and civil society particularly in countries where democratic non-governmental organisations have little space to operate. Governments and civil society should cooperate to protect migrants' rights where economic interests might be negatively affected.
- It was stressed repeatedly that governments must ratify and fully implement international conventions such as the [International Convention on the Rights of all Migrant Workers and the Members of Their Families](#) (1990), core [ILO Conventions](#), the [Palermo Protocol](#) and others. Full implementation will require monitoring and training at the local level.

#### Recommendations for the next GFMD

- Governments should consult with all stakeholders at national, regional and international levels leading up to the 2008 GFMD in Manila.
- More direct interaction and dialogue between the states, migrants and civil society during the GFMD. The civil society gathering should last several days to allow this.
- The UN should provide more solid or formal commitments to convene the GFMD.

#### Reflections on the CSD

Trafficking in human beings was not specifically discussed at the CSD but many recommendations and opinions expressed in debates on migration/migrant rights have been touched on in the anti-trafficking debate as well. The discussions and the recommendations reflected, in general, the voice of all civil society organisations present, but some critical voices were heard and I share some of the concerns here.

In general, it is evident that the human rights approach to migration and anti-trafficking is still being undermined and that many of the discussions and recommendations were initiated partly as an attempt to actually *reduce* migration. The question to be asked is whether civil society should be hesitant to join discussions on 'how to tackle irregular migration'. Regulation of labour migration by governments might only lead to more repressive measures being taken against irregular migrants and those groups that are left out.

Specifically:

- The recommendations on labour mobility seemed mainly designed for 'highly-skilled' workers, whereas all migrant workers should be allowed this right.
- As for: "governments should ensure that decent working and living conditions prevail in countries of origin so that workers truly have the option to migrate or not to migrate", it must be emphasised that governments should also ensure decent working and living conditions in countries of destination, irrespective of whether the migrant workers are regular or not.
- Re: "Linking visas and admission to stay to only one employer", we should rather lobby for visas independent of employers as this system puts the worker in a vulnerable position.
- Too big a "focus on migrants as contributors to the socio-economic and cultural well-being of origin and destination societies", might excuse governments from providing more development aid.
- The recommendation on "regulation of recruitment agencies" should not lead to limiting the possibilities of persons to freely travel, or put them in a situation where they feel forced to use illegal migration channels.
- Similarly, in relation to "circular migration and the need for more flexibility of visa and temporary residence permits", clear questions arise, and were actually asked, on the setting of terms and whether indeed migrants would be forced to return if they do not leave voluntarily after their visa expires.

Civil society should think further about what we actually want to achieve and look closely at the possible negative effects of such policies. We must become more organised and coordinated to be ahead of government policy and look critically not only at governments, but also at ourselves as monitors and opposition to potentially harmful policies. This became clear at the CSD, and also at the civil society parallel workshops in the next few days.

## Global Community Dialogue on Migration, Development and Human Rights

The CSD on 9 July was followed by a two-day Global Community Dialogue on Migration, Development and Human Rights (GCD on MDHR) parallel to the GFMD organised by a group of migrant rights organisations.<sup>5</sup> The GCD sought “to reintroduce the voice and concrete contribution of migrants, non-government organisations and civil society in the global debate”.

The Community Dialogue on the human rights of migrants was organised through workshops and plenary sessions which were attended by various other (migrant and civil society) organisations. Many, but not all, had also been selected to attend the Civil Society Day attached to the GFMD. Migrant organisations based in Brussels and other Western European countries, were overrepresented, ironically because the Belgian Government refused non-EU citizens visas to attend at all or only to attend the CSD, not stay for the next two days.

The organisers made an effort to link the GFMD and the CSD to the Community Dialogue; they provided space for feedback on the CSD and organised their workshops around similar topics. On the second day, a representative of Catholic Refugee Services (one of the 12 NGOs that were selected to present the Final Report) reported back on the presentation of the recommendations to the GFMD.

As for giving feedback on the CSD, participants stressed the need for further inclusion of civil society in the migration debate and also criticised the selection of NGOs to participate in the CSD as some felt that regions were unequally represented. They also debated the selection of the 12 GFMD observers and asked generally whether civil society itself should have led the organisation of the CSD.

A second plenary presented the state of the human rights of migrants globally, which showed clearly how many migrant workers' rights are violated each day. Some irregular migrants shared touching personal stories, and human right activists highlighted cases of severe violations of human rights of migrant workers that they had come across in their work.

The afternoon workshops were on specific issues pertaining to migrant workers, including domestic work, temporary labour migration programmes and vulnerability to abuse. Participants also discussed international trade and migration policies, the issue of detentions and deportations of irregular migrants, and how NGOs already address migration and development. Apart from these discussions, more practical workshops were held focusing on European funding programmes (with guest speakers from the European Commission), advocacy, campaigning and activities for change, and sharing best practices on campaigning for universal ratification and effective implementation for the UN Migrant Workers Convention.

On the following day, 11 July, participants reported back from workshops, and then followed discussions on recommendations and next steps to prepare for the 2008 Manila GFMD. The organisers of the event promised to send a report with all recommendations.

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<sup>5</sup> The GCD was an initiative of Migrants Rights International (MRI), Platform for International Cooperation on Undocumented Migrants (PICUM), Migrant Forum in Asia (MFA), and the National Network for Immigrant and Refugee Rights (NNIRR), and planned together with December 18 and the International Catholic Migration Commission (ICMC).