



Global Forum on
MIGRATION & DEVELOPMENT

CIVIL SOCIETY - UAE 2020



CLOSING PLENARY

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Civil Society

Preparatory Meeting

1. **Social Protection**
2. **Regular pathways and regularization**
3. **Xenophobia and discrimination against migrants.**
4. **Access to services and justice – firewalls**
5. **Formal social protections for irregular migrants, mixed status families, and even regular migrants.**

Civil Society TOP 5 Issues of focus

THEME

1

*Governance
of Labour Migration,
and Skilling of Migrants*

- ❖ Skills Recognition
- ❖ Access to Justice
- ❖ Social Protection
- ❖ Representation
- ❖ Essential Workers

Skills Recognition

- ▶ Recognition of **Prior Learning** for returnees
- ▶ Systematic **Skill-level Certification**
- ▶ **On-site opportunities** of training & skill upgrading
- ▶ **Inclusion** of language, computer skills & soft skills
- ▶ Accredited TVETs, polytechnic and trade schools - harmonizing machinery and tools requirements (**skills matching**)

Access to Justice

- ▶ Justice For Wage Theft
- ▶ Irregular Migrants - lack of documentation during COVID-19
- ▶ Role of Missions - transnational justice mechanisms
- ▶ Employer Accountability

Social Protection

- ▶ During COVID-19 - **migrant workers** - **most vulnerable** - undocumented, seasonal, etc.
- ▶ **States** - **unprepared**, slow to respond, lack of data
- ▶ CSO's - **Access to health**, health insurance, financial support for daily living, housing etc.
- ▶ **Returnees** - reintegration funds, saving schemes, portability of social protection

Representation

- ▶ Freedom of **Association**
- ▶ **Inclusion** of migrants in existing TUs
Recognition of Community
- ▶ **Organizations as official representative bodies** at COD
- ▶ **Gender representation & empowerment**
- domestic work

THEME

3

Irregular Migration

- ❖ Re-orientate policy framework concerning irregular migration
- ❖ Access to services and justice – firewalls
- ❖ Regular pathways and regularization

Re-orientate policy framework concerning irregular migration

- ▶ **International standards** outline that undocumented migrants have inherent human rights
- ▶ Yet on the national and regional level, **focus predominantly on securing borders**
- ▶ Countries of destination wield power over countries of origin by **conditioning development aid on readmission agreements**

Re-orientate policy framework concerning irregular migration

- ▶ **Children** in this context live their lives having to navigate a wide range of discriminatory practices.
- ▶ **Family unity** is not respected
- ▶ Undocumented migrants may experience multiple layers of **intersectional discrimination**
- ▶ And yet undocumented migrants for the large part remain **invisible** places where they might find support

Access to services and justice – firewalls

- ▶ When migrants have irregular status, they face **enormous challenges**
- ▶ During the **pandemic**, undocumented workers were seen as **“essential workers”**
- ▶ Essential to create **firewalls** that would prevent transfer of their personal data
- ▶ **Inspiration** for firewalls especially **at the local, or city level**

Regular pathways and regularization

- ▶ In many contexts migrants **move in a regular way but become undocumented**
- ▶ During the **pandemic**, undocumented workers were seen as **“essential workers”**
- ▶ **Labor exploitation** is a huge factor in causing irregularity
- ▶ **Recruiters** are part of this system
- ▶ In some contexts, **migrants are unable to migrate properly with documentation**

Regular pathways and regularization

- ▶ In many contexts, the **few regular pathways** that exist are simply **inaccessible**
- ▶ Countries should **move away from temporary migration programs**
- ▶ **Regularization is part of the solution to addressing irregular migration**
- ▶ **Regularization programs** should be sustainable and offer possibilities for long-term residence
- ▶ **Civil society is a key partner** for governments to find solutions to ensure that migration policies are developed from a sustainable point of view

THEME

4

*COVID-19 – Building
Back Better for Migrants*

- ❖ **Challenges**
- ❖ **Recommendations:**
*An opportunity to
rebuild a new
perspective on
migration and
migration policy.*

Challenges

Exacerbation/multiplier of **pre-existing challenges** (example)

- **Failure** to uphold **decent work and international** labour rights
- **Migrant workers** recognised as **essential** during Covid-19 but **left out of Covid assistance packages** launched by governments
- Increase in **xenophobia and discrimination** and the absence of positive narratives

Challenges

New challenges

- Closing of **borders**, arbitrary **deportation** = ‘legal limbo’
- **“Locked in”** in countries of destination and **“locked out”**
- **Loss of jobs** with some returning to **no reintegration support**
- **Work places closed; health conditions compromised** as physical distancing was difficult to observe in cramped and crowded accommodations.
- Migrants in the **frontline** not able to work from home
- **Disproportionate fatalities** experienced by some migrant and diaspora communities in countries worst hit
- **Loss of remittances**

Recommendations: An opportunity to rebuild a new perspective on migration and migration policy.

A call for:

- ▶ The implementation of a public policy that **protects the most vulnerable people**, and in this case migrants, within a rights-based approach at all levels of government (plans, programmes and services); and access to universal healthcare.
- ▶ Increased **preparedness** of origin and destination countries in (re)integration and coexistence measures.
- ▶ More focus on promoting **holistic approaches**, linking labour migration issues with public health; and less focus on border security and return policies.

Recommendations:

- ▶ Condemnation all forms of **discrimination** and guarantee **access to justice** for all migrants regardless of their status, gender, race, age and sexual orientation. Ensure **effective communication** in accessible languages, address misinformation and ensure migrant inclusive policies.
- ▶ **Enhancement of regularisation pathways** in countries of destination for undocumented migrants as well as an increase in regular pathways for labour mobility that are rights-based.
- ▶ The creation of conditions to **keep remittances flowing** – the need for **renewed international collaboration** and renewed **commitments** from funders for adequate aid spending as well as creative mechanisms that leverage aid and remittances.
Strengthen collaboration and partnership with CSOs including diaspora and migrant organisations in post-recovery period.

THEME

2

*Gaps in Migrant
Protection*

Gaps in migration protection

- ▶ **Xenophobia and discrimination** against migrants.
- ▶ Hurdles to **legal pathways and nationality**: to seek and receive international protection, regular migratory status, and even be granted a nationality and not become stateless.
- ▶ **Formal social protections** for irregular migrants, mixed status families, and even regular migrants.
- ▶ **Due process rights** and **access to justice**

Civil Society Priorities

1. Skills Recognition
2. Access to Justice
3. Social Protection
4. Representation
5. Essential Workers
6. Re-orientate policy framework concerning irregular migration
7. Access to services and justice – firewalls
8. Regular pathways and regularization
9. Challenges posed by Covid
10. Covid as *An opportunity to rebuild a new perspective on migration and migration policy.*
11. Xenophobia and discrimination against migrants.
12. Hurdles to legal pathways and nationality.
13. Formal social protections for irregular migrants, mixed status families, and even regular migrants.
14. Due process rights and access to justice.
15. Labor protections