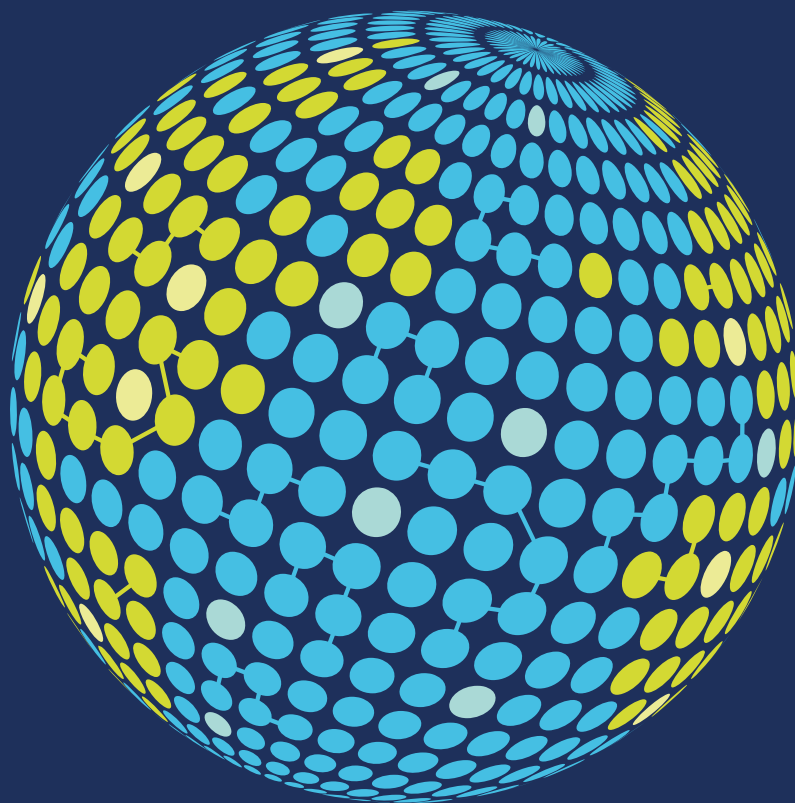


MOVEMENT

A Global Civil Society Report on Progress and
Impact for Migrants' Rights and Development

1st edition: 2015



MADE

Migration and Development
Civil Society Network

MOVEMENT. A Global Civil Society Report on Progress and Impact for Migrants' Rights and Development. 1st edition

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For more information about MADE, please visit the website:
www.madenetwork.org

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Moving and Measuring

Given profound human urgencies—but also hope, possibility and responsibility—in so many issues of international migration today, we in civil society know that we have to both *move* on and more seriously *measure* achievement of goals, advocacy and action for change.

At the end of 2012, civil society leaders and networks from around the world came together to create a “5-year 8-point Plan of Action” —in late night meetings, workshops, plenary sessions and even a hand vote by some 500 civil society delegates in back-to-back meetings of the Global Forum on Migration and Development (GFMD) in Mauritius and the World Social Forum on Migration in the Philippines.

The result was a clear set of priorities for collaboration with governments the next 5 years on change, presented to the UN General Assembly’s High-level Dialogue on International Migration and Development (HLD) in 2013. The 5-year timeline takes us up to just before the next HLD in 2019.

8 points framed around 4 main themes: (1) human development and diaspora action; (2) protection of migrants – men, women and children – on the move, in transit and at borders; (3) improving rights-based national and global mechanisms of governance; and (4) decent work and advancing labour rights and protection of migrant workers, including reform of migrant worker recruitment.

The 8-points have been a key focus of civil society action since then, and form the backbone of the GFMD civil society programmes, as well as the MADE (Migration and Development) civil society network.

Urged by civil society participants in those GFMDs and MADE we commissioned this first Movement report to assess what has moved on these issues since the HLD in 2013, and to propel further positive change. The report tells of movement on the 8 points, and of movements of civil society working to advance the migrant rights’ and development agenda.

This Movement Report gives us reason for hope as some issues are progressing; and reason for urgent action as some issues are not moving fast enough, if at all. These are defining times for the rights, protection and dignity of people on the move. The world sees the largest forced displacement of people since the Second World War. People uprooted and looking for safety, for family unity and for work. At the same time, 193 governments have unanimously adopted the UN Sustainable Development Agenda, committed to leaving “no-one behind”, including migrants whatever their migratory status.

In times like these we need vigorous co-action from governments and civil society to move, and then to measure that movement. The immediate next step for us in civil society will be to create truly measurable indicators and benchmarks on the 5-year 8-point Plan: to build a “Dashboard” that measures change.

With urgency, this is the work ahead.

We asked the author of this report Elaine McGregor of the Maastricht School of Governance for rigor in her assessment, and thank her for it. We also thank the range of civil society leaders and networks who do this work on the ground, including MADE partners, members of the civil society International Steering Committee together with all among the 350 who participated in the surveys and interviews that fed into this assessment. Most of all, our appreciation, and respect, to migrant workers and migrant families, diaspora actors and associations, for leading the way to better.

/John K. Bingham

Head of Policy,
International Catholic Migration Commission (ICMC) /
MADE Civil Society Coordinating Office



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1st edition of:

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Elaine McGregor



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Executive Summary

Movement: A Global Civil Society Report on Progress and Impact for Migrants' Rights and Development

This first edition of the Movement Report assesses what progress has been made on achieving each of the eight goals highlighted in civil society's 5-year 8-point Plan of Action since the UN High Level Dialogue on International Migration and Development in 2013. Based on interviews, literature review and a global survey among 350 civil society organisations, the report paints a picture of progress and stagnation, of action taken by civil society and of ways to take the Plan forward.

Since the first High Level Dialogue (HLD) on International Migration and Development in 2006, numerous civil society organisations have been coming together to organise for change in policies and practice for migrants, migrants' rights and development. One of the main initiatives that developed out of this is the Migration and Development Civil Society Network (MADE), which was launched in 2014. Guiding the work of the MADE network is the 5-year 8-point Plan of Action (hereafter Plan of Action), which was developed by a wide variety of civil society leaders, networks and organisations from around the world in late 2012. Framed around 4 main themes and 8 points for action, the Plan of Action was launched in view of the 2013 High Level Dialogue on International Migration and Development at the UN General Assembly in New York as a call for action and collaboration with governments.

The MADE network commissioned this first edition of the Movement Report to assess progress of the 5-year 8-point Plan of Action. The report does not provide an audit of all civil society actions related to the Plan, nor does it evaluate the impact of civil society actions. Rather it aims to identify significant policy changes, whether positive or negative, which have implications for progress, or stagnation, in each of the thematic areas identified in the Plan of Action.

Truly measuring progress on the Plan of Action is a challenging task, largely due to a lack of baseline measurements and data limitations. Nevertheless, the Movement Report builds on benchmarks and targets that have been suggested by civil society actors in the past to offer a first set of indicators that could be used to measure progress and support advocacy efforts. This Movement Report recommends civil society to further discuss and refine the proposed indicators. For the

purpose of this first Movement Report, a first attempt has been made to 'measure' the existing indicators, in order to give a first impression of progress or stagnation.

When applied, this initial set of indicators highlight that some goals are progressing more than others. The most visibly progressing goals are Goal 1 (Post-2015), Goal 3 (migrants in distress) and Goal 7 (recruitment). Goals 5-6 of migration governance and the sharing of good practice have not visibly attracted the same level of engagement from civil society organisations. At the policy level, Goal 2 (diaspora and migrants in development) is moving, in the sense that there has been an exponential increase in the number of countries with some form of government agency or department charged with diaspora matters, however, there has been limited progress at the level of implementation and in drawing attention to the development contribution of migrants to countries of destination. Goal 4 represents cross-cutting themes in the sense that issues relating to women and children in the context of migration are relevant to the rest of the Plan of Action. The following paragraphs offer more insight into each of the goals.

Measuring Progress

Goal 1: Migration and the Post-2015 Development Agenda

During the preparations for the HLD on International Migration and Development in 2013, civil society organisations were already calling for the inclusion of migration in the Post-2015 Development Agenda. *'Transforming Our World: The 2030 Agenda for Sustainable Development'* was published on 2 August 2015. Though migration is not represented by a standalone goal, migration is weaved into the framework in a number of ways. While this outcome was not achieved by civil society organisations alone, recognition for the considerable efforts of civil society organisations to consolidate their position and make concrete proposals is due. However, much work still remains to be done, particularly at the national level, to ensure that the migration targets and indicators are subject to ongoing monitoring and migration reflected in development planning in a way that acknowledges the development impact of migrants on origin and destination countries.



Goal 2: Diaspora and Migrant Engagement in Development

While the area of migrant and diaspora engagement in development is an area in which many governments are increasingly developing policies and programmes, there seems to be limited progress in terms of implementation. Civil society organisations have been active in consolidating and sharing good examples of diaspora engagement. Less attention has been given 1) to spotlighting the development contribution of migrants in destination countries; and 2) to creating enabling environments, since it is well established that migrants who are well protected and integrated are in a better position to contribute to development than those who face discrimination and exclusion.

Goal 3: Migrants in Distress

Despite increasing international attention and concern about the plight of migrants stranded in transit and crisis, protection and assistance responses are often lacking. Additionally, in efforts to stop irregular migration flows, countries are increasingly strengthening their border controls, a trend that is appearing in many destination countries around the world. These restrictions make it more challenging to move through safe channels increasing the likelihood that people resort to smugglers and expose themselves to the vulnerabilities associated with undocumented/irregular routes. Thus, many of the actions being taken are ‘crisis-minded’ and lack attention to the complex interplay of factors that lead to these situations arising in the first place. Efforts of civil society organisations in this area have focused on working along processes such as the Migrants in Countries in Crisis (MICIC initiative) and on promoting the OHCHR (2014) border guidelines. Efforts have primarily focused on advocating for holistic approaches by governments, however, these efforts are often hampered by negative public discourses on migration.

Goal 4: Women and Children in Contexts of Migration

While it is clear that the discussion of children in contexts of migration has received increased attention over time, there is an urgent need for clear and transparent data to allow civil society organisations to monitor progress in this area. For example, there have been civil society campaigns on ending child immigration detention, but limited data on the number of children in detention makes it challenging to see the outcomes of these actions. On women in the contexts of migration, civil society organisations have called on governments to extend their focus beyond trafficking and domestic work. However, these issues continue to dominate the discourse. The bridging papers that were prepared by civil society organisations in preparation for the 2015 Global Forum on Migration and Development (GFMD) in Istanbul, respectively linking women and children to the other issues of the Plan of Action, are a useful starting point to look more closely at progress on these issues.

Goal 5-6: Rights-based Migration Governance

While there have been considerable efforts on incorporating migration in the SDGs (goal 1), less explicit attention has been paid to Goal 5-6 of the Plan of Action, which respectively address enactment and implementation of national legislation to comply with international conventions; and redefinition of international mechanisms of migrants’ rights protection. In the 2015 Global Civil Society Survey and in interviews conducted for this Movement Report, the lack of global governing structures for migration was highlighted as one of the major challenges in achieving progress in the Plan of Action, and simultaneously identified as the area in which the least progress had been achieved. This Movement Report recommends civil society organisations to further define what global migration governance should look like, including a critical reflection of whether the GFMD provides sufficient space for civil society organisations to engage in these processes.

Goal 7: Migrant Labour Recruitment

Recruitment and employment agencies play a critical role in matching migrant workers with jobs abroad and facilitating the mobility of workers, but abusive practices such as excessive recruitment fees and contract substitution are widespread, too often resulting in debt-bondage and abusive working environments. Work focused on reforming the migrant labour recruitment industry has been particularly visible in the past few years which may be due to increasing convergence on the need to reform the recruitment industry at the global level. This has resulted in a number of significant policy changes, including for example the decision of Hewlett Packard to prohibit recruitment fees in their supply chain. However, while positive steps are evident, there is a need to ensure that these policy commitments result in better outcomes for migrant workers. To achieve this, better data is required and this is an area that several civil society organisations, including trade unions, are engaging in.

Goal 8: Labour Rights of Migrants

Goal 8 of the Plan of Action focuses primarily on the mechanisms to ensure the protection and promotion of the human and labour rights of migrant workers and their families. Past efforts in this area have paid attention to promoting the ratification of a selected number of priority conventions, notably C97, C143, C189 and the UN 1990 convention. However, beyond ratification, it is important that commitments are translated into national legal frameworks, and implemented. Thus, it is particularly in this area that research efforts by civil society organisations can be an important tool in raising awareness and identifying gaps in national implementation of international obligations.



Moving Forward

To Civil Society:

Along with the specific recommendations for moving forward on each of the goals already highlighted in the section above, the following general recommendations are offered to civil society organisations:

- I. Revisit the Plan of Action.** While there is general acceptance of the Plan of Action, a clearly identified omission is discrimination and xenophobia. Discrimination and xenophobia not only represent a challenge to migrants and their families but also a challenge to civil society organisations in advocating for policy change. In addition, it was identified that many organisations do not specifically use the Plan of Action in their work because of a lack of clear implementation guidelines. The Stockholm Agenda provides an elaboration of how civil society organisations can respond to Goal 1 (Post-2015) of the Plan of Action and comparable documents have been prepared for Goal 7 (recruitment). Similar documents could be prepared on each of the themes to provide more guidelines on how the Plan of Action can be implemented at the local and national level. It may also be of relevance to consider rewording Goal 5 to increase clarity on its overall objective.
- II. Develop Benchmarks.** The Movement Report presents a first proposal for how civil society organisations can measure the progress of the Plan of Action (see Annex 3). However, the set of indicators presented remains limited and would benefit from the input of civil society organisations at different levels of operation in order to better define benchmarks for progress and how they should be measured.
- III. Measure Progress at the National Level** The current report provides a largely global overview of major developments in the different areas of the Plan of Action. It does so at the sacrifice of detail and nuance that would better reflect regional and national contexts and realities. It would perhaps be more relevant to also measure progress on the Plan of Action through the development of benchmarks and indicators that are applicable on the national level. This could be monitored through the preparation of national situation and progress reports that could in turn be used to feed into regional, and then global reporting frameworks. In doing so, stories and experiences from the local level could be used in advocacy at the global level.
- IV. Formulate a civil society position on what global migration governance should look like through consultations with civil society organisations.** While there have been considerable efforts on incorporating migration in the SDGs, less attention has been paid to Goal 5-6 of the Plan of Action. A key aspect of this work could be the collation of all relevant international norms and frameworks that have relevance to the governance of migration. Another dimension of this is the role that civil society organisations can play in the global governance of migration and a critical evaluation of whether, and to what extent, the GFMD provides sufficient space for civil society organisations to engage in these processes.
- V. Establish more thematic working groups and build civil society alliances.** The current open working groups within the MADE network have been created on an ad-hoc basis, organically growing out of existing networks. In doing so, building alliances with other civil society networks (e.g. working on justice, peace, environment, human rights, etc.) could be promoted. And space could be provided for other working groups to come into being, for example on the 'protection of migrants on the move and in distress'. The 'Women in Global Migration Working Group' could potentially be formalised within the MADE network.



To Government:

Three issues emerged as being particularly embedded in the challenges facing migrant and their families. These are:

- 1) a lack of migration governance both in terms of having a transparent, rights based framework and institution(s) at the global level as well as in terms of political will and the implementation of policy commitment at the national and local level;
- 2) the criminalisation of migration giving rise to xenophobic tendencies; and
- 3) a lack of legal avenues for migrants and refugees and a lack of attention to the root causes of migration, in particular inequality, poverty, human rights violations and conflict.

The following recommendations are therefore offered to governments:

- I. Adopt the 5-year 8-point Plan of Action.** The Plan of Action represents a guiding framework that could be used by governments to promote national policy change and cooperate with civil society.
- II. Institutionalise national civil society-government platforms on migration and development to look at the implementation of the 5-year 8-point Plan together.** The initial intention of the Plan of Action was to identify areas in which civil society organisations and governments could work together to improve the lives of migrants and their families and, in doing so, promote (human) development. To date, efforts to implement the plan by civil society organisations seem to be largely disconnected from government actions.
- III. Evaluate the Global Forum on Migration and Development.** Concerns have been raised regarding the transparency, inclusiveness and impact of the GFMD, which has now been held annually for almost a decade. It is important to take stock of the value of such a platform and to assess whether it currently operates in the most efficient manner, and adequately anchors the role of civil society organisations.



1. Introduction

This first edition of the Movement Report assesses what progress has been made on achieving each of the eight goals highlighted in civil society's 5-year 8-point Plan of Action since the UN High Level Dialogue on International Migration and Development in 2013. Based on interviews, literature review and a global survey among 350 civil society organisations, the report paints a picture of progress and stagnation, of action taken by civil society and of ways to take the Plan forward from here.

The road to 2015 has been an interesting one for migrants and their families. Next to some hopeful developments such as the inclusion of migration in the Sustainable Development Goals (SDGs), the quick uptake of the Convention on Domestic Workers, 2013 (C189), and the adoption of the Forced Migration Protocol, the world also saw the largest forced displacement of people since the Second World War, and xenophobic tendencies seems to be on the rise.

It is in this context that, in October 2015, the eighth Global Forum on Migration and Development (GFMD) was held in Istanbul, Turkey. The Civil Society Days and Common Space provided another opportunity for civil society to advocate for a human rights approach to migration governance. Since the first United Nations (UN) High Level Dialogue on International Migration and Development (HLD) in 2006, numerous civil society organisations have been coming together to organise for change in policies and practice for the wellbeing of migrants, communities and families. In doing so, civil society organisations have played a role in framing global discussions and shifting focus towards a human rights approach to migration and development.

Much of this work has been achieved through the creation and strengthening of networks. From the first meeting of the GFMD in 2007, civil society organisations have looked for resources to enable national and regional coordination and advocacy actions to allow them to follow-up on government actions to ensure that the rights of migrants and their families are implemented in practice and not only committed to on paper.

Limited by resources, various ad hoc thematic and regional meetings and consultations have been organised over the past years, by the International Steering Committee of the GFMD, the Global Coalition on Migration, and the International Catholic Migration Commission (ICMC) among others (MADE network, 2015e).

MADE - the Migration and Development Civil Society network

Out of much of this work, the MADE network evolved. The Migration and Development Civil Society network (MADE) is a programme, launched in 2014, with the intention of connecting, strengthening and building civil society networks. With co-funding from the European Union, the MADE network aims to *"strengthen civil society's capacity to work with governments and advocate for such policies and practices globally, regionally, and nationally. It does so by connecting regional and international networks and thematic working groups of civil society organisations around the world, enabling them to jointly campaign"* (ICMC, 2015a). This Movement Report was commissioned by the MADE network.

MADE activities seek changes in policies and practices to protect migrants and families and improve the conditions under which they live, move and work. MADE activities are organised at regional, global and thematic and global level.

Regionally, MADE is currently organised around strengthening three regional networks: 1) MADE Africa, led by Caritas Senegal and supported by four sub-regional coordinators; 2) MADE Americas, which is coordinated by the International Network on Migration and Development (INMD) based in Mexico and Scalabrini International Migration Network (SIMN) with assistance from Fundación Scalabrini in Chile; 3) MADE Asia, which is led by Migrant Forum in Asia (MFA). In addition, MADE also has a MADE Europe chapter that is coordinated by the International Catholic Migration Commission (ICMC) Europe.

MADE currently has three thematic working groups on: 1) Labour Migration and Recruitment, coordinated by Migrant Forum in Asia (MFA); 2) Global Governance of Migration and Development, coordinated by Cordaid; and 3) Diaspora and Migrants in Development, coordinated by AFFORD UK.

Global activities and actions are coordinated by the International Catholic Migration Commission (ICMC), with guidance from a Civil Society International Steering Committee (ISC).



The 5-year 8-point Plan of Action

Guiding the efforts of much civil society advocacy and the MADE network is the 5-year 8-point Plan of Action, which was developed by civil society organisations' leaders, networks and organisations from around the world in late 2012. The Plan of Action was intended to lead to collaboration between governments and civil society organisations to move on the issues outlined in the Plan and to motivate governments to change/improve their policies. Framed around 4 main themes and eight points for action, the Plan was launched in view of the 2013 High Level Dialogue on International Migration and Development (HLD) at the UN General Assembly in New York as a call for action and collaboration with governments. The Plan has significant convergence with the UN Secretary General's Agenda for Action, the position paper prepared by IOM ahead of the HLD, and the Mexico-drafted declaration that was adopted by consensus by UN member states on 3 October 2013 (HLD Civil Society, 2013). The eight points of the Plan are:

On Human Development

- 1) Ensuring migrants' and migration's rightful place on the Post-2015 Development Agenda;
- 2) Engaging migrants and diaspora as entrepreneurs, social investors and policy advocates in development;

On the Rights of Migrants

- 3) Addressing protection needs of migrants stranded in distress and transit;
- 4) Addressing vulnerabilities, rights and the empowerment of women and children in the context of human mobility;

On Migration Governance and Partnerships

- 5) Promoting the implementation of national legislation reflecting international standards regarding migrants and their families (focusing on enforcement policies, social protection and due process);
- 6) Redefining the interactions of international mechanisms for migrants' rights protection;

On Labour Mobility and Recruitment

- 7) Regulating the migrant labour recruitment industry and labour mobility mechanisms;
- 8) Guaranteeing the labour rights of migrants. (MADE network, 2015b)

"(The Plan of Action) is a really promising beginning to the civil society organisations' quest for collaboration and activities and measurable progress"

(Interview respondent)

While there are some concerns that the process of developing the Plan of Action could have been more inclusive and participatory ensuring more buy-in from the start, the plan seems to be generally considered by many civil society organisations and networks to be a good starting point for focused collaboration with governments on migration and development at the regional and global level. The Plan presents a non-exhaustive, yet realistic list of areas where concrete actions can be recommended that protect the human rights of migrants, enhancing not only their own human development trajectories, but influencing broader development processes too.

This Movement Report primarily focuses on progress on the Plan of Action since the HLD in 2013. On occasion, reference is made to events that occurred before 2013, but the primary focus is on developments in the last two years. The report does not provide an audit of all civil society organisations' actions in these areas, primarily citing examples that were provided by interview and survey respondents (see Section 2 for more details on the methodology), nor does it evaluate the impact of civil society actions. Rather the report aims to identify examples of significant policy changes, whether positive or negative, that have implications for progress or stagnation in each of the thematic areas identified in the Plan of Action. In doing so, the report builds on benchmarks of progress already identified by civil society actors. As such the report presents a first draft of potential indicators that could be applied in subsequent years to measure progress on the Plan of Action.

The remainder of the report is structured as follows: Section 2 provides a brief description of the methodological approach. Section 3 considers each of the goals identified in the Plan of Action in turn. Each section opens with a brief overview of some of the current challenges faced by migrant workers and their families along with a discussion of existing policy frameworks of relevance to the goal. After this, the report highlights some of the contributions that civil society organisations have made in each area, as identified by the civil society actors involved in the preparation of the report, along with key policy changes that are relevant to the goal.



Section 4 introduces the tool developed for the purpose of measuring progress for this first Movement Report. The tool is based on benchmarks developed by civil society organisations in the past. The paucity of data often limits the extent to which outcomes can be truly measured and much more work needs to be done to develop better indicators. Sec-

tion 5 presents a general discussion of the main challenges facing migrant workers and their families and those facing civil society organisations in their efforts to assist, protect and advocate on migration and development. Section 6 concludes with reflections on the way forward for civil society organisations.



2. Methodology

The overall research question guiding the report is the following:

What progress has been made on achieving each of the eight goals highlighted in civil society's 5-year 8-point Plan of Action since the UN High Level Dialogue in 2013?

In order to answer this, the following sub-questions guide the research:

- 1) What actions have different civil society actors taken in response to the 5-year 8-point Plan of Action?
- 2) Which goals have moved forward and which have stagnated or worsened?
- 3) Have there been changes, either positive or negative, in policies and practices by governments that either impede or support the achievement of the goals?
- 4) Are there any regional differences in progress?
- 5) What are the current challenges and risks faced by migrants and their families which may inhibit the achievement of the goals?
- 6) What are the current opportunities for future interventions?
- 7) What steps should be taken in advance of the next High Level Dialogue (in 2019)?

In order to address these questions, three methods were applied: document reviews, semi-structured qualitative interviews with a purposively selected sample of civil society actors, and open questions included in a survey that was completed by about 350 civil society organisations from around the world working on migration, migrants' rights and development.

A document review was used to build up a picture of the efforts of civil society organisations in the various areas outlined in the Plan of Action and to identify current benchmarks and indicators that could be used to measure progress in each of the eight goals. In past years, civil society actors have made concerted efforts to develop benchmarks, targets and recommendations that, if achieved, would represent progress in the different areas outlined by the Plan. This report builds on the existing targets and benchmarks forwarded by different civil

society actors. Many of the suggested benchmarks are difficult to measure due, in part, to data availability, but also due to vague definitions. Where possible the indicators are refined and enumerated based on existing data sources in order to provide a first assessment of progress on implementing the Plan of Action, but more work by civil society is needed on this.

In addition, a series of regional reports are currently being prepared by the MADE coordinators for each region in order to provide a regional outlook on migration and development. The first in the series, a paper entitled '*Migration, Development, and Human Rights: alliances as a pillar to transform the social reality in Latin America and the Caribbean*', was published in July 2015 and brings together the contributions of civil society organisations based on a series of meetings involving over 250 participants that have been held in the Americas since the beginning of 2014. Similar reports will be prepared for other regions and can provide input to future editions of the Movement Report.

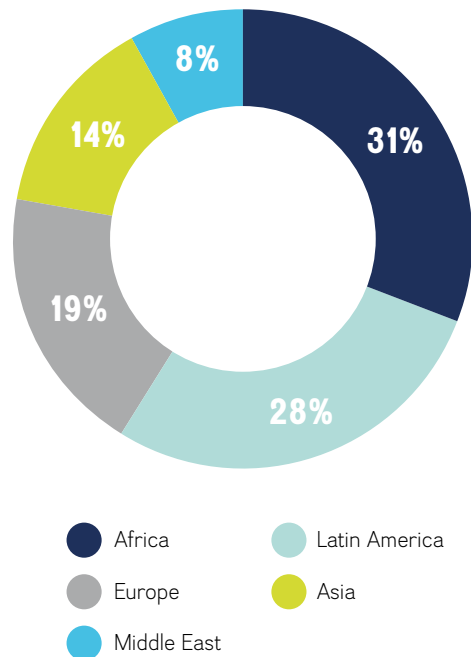
Semi-structured qualitative interviews were conducted with 21 individuals. Interview respondents were selected in consultation with the MADE coordinators and based on ensuring a thematic and regional spread of expertise. The interviews covered several areas, including: the main challenges faced by migrants and their families; the policy changes that have implications for addressing, causing or exacerbating these challenges; perceptions of the 5-year 8-point Plan of Action; the types of interventions that different actors have made to forward the goals outlined in the Plan of Action; and the challenges they faced in doing so. The interviews were also used to identify and collect stories from respondents identifying what they considered to be the most significant actions (and outcomes) with regards to moving the Plan of Action forward as well as intentions and recommendations for future interventions. The interview guide can be located in Annex 1 and the full list of participants in Annex 2. All interviews were recorded with permission and fully transcribed. All but one interview were conducted in English.¹

¹ One interview was conducted in French.



In addition to this, a Global Civil society organisations Migration and Development Survey² was conducted in parallel to the preparation of the Movement Report. The survey collected information from 353 respondents who responded through the use of the MADE mailing list. Some of the findings of the survey have been included in this report. In addition, further data was collected for the Movement Report through the inclusion of three qualitative questions asking respondents to report on the main challenges facing migrant workers and their families, policy changes, either positive or negative, and the main contributions of civil society organisations in addressing these challenges. In total, 119 respondents to the MADE survey also responded to the optional additional qualitative questions, representing approximately one third of all respondents. Responses came from 50 unique countries representing a good regional spread. Approximately 31% were from Africa, 28% from Latin America and the Caribbean, 19% from Europe, 14% from Asia and the Middle East and 8% from North America.

A first version of the Movement Report was shared with all civil society participants of the 2015 GFMD, who were given the possibility to give feedback on the contents of the report after the event and these comments have been considered in the final preparation of the report.



² An overview of the Global Civil society Migration and Development Survey results are available at: www.madenetwork.org



3. Findings

3.1 Human Development

Relates to Goal 1 and 2 of the 5-year 8-point Plan of Action

In recent scientific and political debates, the discourse on migration and development has received increasing attention. While in the past, the negative effects of international migration on the countries of origin – such as “brain drain” – were at the centre of discussions, in the last decades there has been increasing recognition that international migration can contribute in a positive way to the development of countries of origin and destination and the micro, meso, and macro level (de Haas, 2012).

Since the UN High Level Dialogue on International Migration and Development in 2013 (hereafter HLD), and in the lead up to the adoption of the Post-2015 Sustainable Development Goals, the role of migration – and in particular of remittances and diaspora engagement – has received even more positive attention. For example, ahead of the third international conference on Financing for Development in Addis Ababa on 13-16 July 2015, an international conference on ‘Harnessing Migration, Remittances and Diaspora Contributions for Financing Sustainable Development’ was held in New York on 26-27 May 2015. Key messages from the conference included that reducing remittance costs to 3% could save migrants and their families around US\$20 billion dollars. Similar savings could be made by addressing recruitment costs for migrant workers (World Bank, 2015).

The role of migrants and diaspora as development actors has also been a key component of the discussions. However, despite an exponential rise in the number of governments establishing institutions and policies to support diaspora engagement (Gamlen, 2014), barriers and challenges in origin and destination countries continue to limit the opportunities for migrants and diaspora to engage. These challenges include structural exclusion, tax and property barriers, access to financial capital, corruption, weak infrastructure and mistrust.

However, the attention often focuses on development at the macro level. Civil society organisations have consistently drawn attention to human development as well as to the contribution of migrants and their families in countries of destination. Thus the first two goals of the Plan of Action seek to address these challenges.

*Goal 1: “Integration of migration into the **Post-2015 Development Agenda** to address not only the contributions that migrants make to development in countries of origin and destination, but also the possibilities for better policy planning and coherence that can make migration more genuinely a choice and not a necessity, and greater gain than drain. This development agenda would work to affirm both the right to migrate and the right to remain at home with decent work and human security. As such, it links migration to United Nations development concerns regarding poverty, health, gender equality, financing for development and sustainable development, and to future development goals.”*

*Goal 2: “Models and frameworks that facilitate the **engagement of diaspora and migrant associations** as entrepreneurs, social investors, policy advocates and partners in setting and achieving priorities for the full range of human development in countries of **origin, heritage and destination.**”*

Goal 1: Post-2015 Development Agenda

Despite the long acknowledged developmental impacts of migration, it was not included in the Millennium Development Goals (MDGs). During the preparations for the HLD in 2013, civil society organisations were already calling for the inclusion of migration in the Post-2015 Development Agenda. Since the HLD in 2013, momentum among civil society actors to see migration, migrants and human rights included in the Post-2015 Development Agenda have increased, and advocacy in this area became a priority from many civil society organisations.

Civil Society Action and Advocacy

During the preparations for the HLD in 2013, civil society organisations were already calling for the inclusion of migration in the Post-2015 Development Agenda. While, at that point in time, no specific group had been organised, propositions of nine potential targets were already outlined in a resource paper prepared by civil society organisations (ICMC, 2013) ahead of discussions in New York in 2013. These included targets on the reduction of remittance costs, the reduction of migration costs (notably recruitment), the reduction of human



trafficking, access to services, and the recognition of qualifications. Many of these proposed targets have made it either directly or indirectly into the 2030 Sustainable Development Agenda that was adopted by 193 governments at the UN. The Agenda presents an ambitious set of 17 Sustainable Development Goals (SDGs) and 169 targets: a 15-year full-planet agenda to “leave no one behind”—including migrants whatever their migratory status (also see box 1 below).

While this outcome was not achieved by civil society organisations alone, recognition for the considerable efforts of civil society organisations to consolidate their position and make concrete proposals is due. However, much work still remains to be done, in particular with regards to defining the indicators, as well as ensuring implementation and monitoring at global and national levels. The MADE working group that is working on the Post-2015 Development Agenda, as well as various regions are currently organising around this.

Particularly in 2014 and the first six months of 2015, civil society organisations around the world were very active in advocating for the inclusion of migration in the Post-2015 Development Agenda. Work in this area was spearheaded by participants in the GFMD Civil Society Days 2014, and has been taken forward by the MADE working group on the Global Governance of Migration and Development, which is coordinated by Cordaid³.

Key contributions have included the development of the ‘Stockholm Agenda on Migration and Migration related Goals and Targets’ that came out of the GFMD Civil Society Days 2014 – and for which some 312 signatures from civil society organisations were gathered between June 2014 and February 2015 – and the Post-2015 Call to Action briefing paper. In the Stockholm agenda, civil society organisations call for the moral necessity of addressing the rights of migrants and the root causes of migration. The Stockholm Agenda also calls for a significant decrease in the cost of remittance-sending, and for reducing the risk and guaranteeing the safety of migrants on the move, and increasing the mobility of skills, wages, and social security (GFMD Civil Society, 2014).

‘Migration and Sustainable Development Goals: a Post-2015 Call to Action’, a briefing paper available in English, French, Spanish and Turkish, advocates for migration’s place in the goals by highlighting migrant’s economic, social, demographic, and universal developmental importance (MADE network, 2015c). The call to action reviews the 2014 *Stockholm Agenda* and proposes a few concrete actions steps on how civil societies can take further action. The Stockholm Agenda can be seen as an implementation guide for Goal 1 of the Plan of Action.

3 <https://www.cordaid.org/nl/>

Other key activities include a series of Webinars held during the spring of 2015 on advocacy efforts and strategies by civil society organisations to include migrants and migration on the Post-2015 Development Agenda. The Webinars included representatives from different regions of the world and allowed 25-30 civil society organisations engaged in the process to coordinate efforts along with numerous efforts both at the national level and in particular in New York. Civil society organisations have also been contributing by providing input on the process, suggesting the formulation and reformulation of indicators and preparing comments for the Interagency Expert Group on the Sustainable Development Goals (IAEG-SDG)⁴ Parallel to discussions on the SDGs, civil society organisations also engaged in discussions surrounding the 3rd International Conference on Financing for Development, which was held in Addis Ababa on 13-16 June 2015. There have also been efforts by civil society organisations at the national level to engage with governments on their preparations for the Post-2015 Development Agenda. However, no specific examples were identified during the preparation of the Movement Report.

“The Stockholm document on the Post- 2015 is a contribution to empower organisations or individuals at national level to lobby around Post-2015 and migration”

(Interview respondent)

Policy Change

At the Seventieth session of the UN General Assembly, on 25 September 2015, ‘Transforming Our World: The 2030 Agenda for Sustainable Development’ was adopted. Though migration is not represented by a standalone goal, migration has been incorporated into the framework in a number of ways:

“We recognize the positive contribution of migrants for inclusive growth and sustainable development. We also recognize that international migration is a multi-dimensional reality of major relevance for the development of countries of origin, transit and destination, which requires coherent and comprehensive responses. We will cooperate internationally to ensure safe, orderly and regular migration involving full respect for human rights and the humane treatment of migrants regardless of migration status, of refugees and of displaced persons. Such cooperation should also strengthen the resilience of communities hosting refugees, particularly in developing countries. We underline the right of migrants

4 See for example IAEG (2015)



to return to their country of citizenship, and recall that States must ensure that their returning nationals are duly received.” (Paragraph 29)

Although the indicators for measuring the SDG targets are still under discussion, migration has been explicitly addressed in several of the targets including target 8.8 (labour rights), target 10.7 (facilitating orderly, safe, regular and responsible migration), target 10.c (reducing remittances costs) and target 17.18 (disaggregation of data by migration status). It is also evident that migration may indirectly affect many of the other targets (for example, through the payment of school fees with migrant remittances). Furthermore, trafficking is covered by targets 8.7, 5.2 and 16.2, although this primarily focuses on the trafficking of women and children. Moreover, Goal 16 focuses on many of the root causes of displacement and addresses issues facing the world’s IDPs and refugees (Box 1).

BOX 1

The Sustainable Development Goals - Migration Related Targets

- 5.2 Eliminate all forms of violence against women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation
- 8.8 Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment
- 10.7 Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies
- 10.c By 2030, reduce to less than 3 per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5 per cent
- 16.1 Significantly reduce all forms of violence and related death rates everywhere.
- 16.2 End abuse, exploitations, trafficking and all forms of violence against and torture of children
- 17.18 By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing states, to significantly increase the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts

Progress

Despite some limitations, the inclusion of migration in the SDGs is broadly accepted as an achievement. Until March 2016, discussions regarding the translation of targets into measurable indicators will be ongoing and thus a continued role exists for civil society organisations. There is also role for civil society in ensuring that the SDGs and migration-related targets will actually be implemented at national level, and that that is monitored both globally and nationally. In addition, there has been an identified need to ensure that the indicators developed are measurable.

Goal 2: Diaspora and Migrant Engagement for Development

The **second goal** of the Plan of Action looks at promoting “models and frameworks that facilitate the **engagement of diaspora and migrant associations** as entrepreneurs, social investors, policy advocates and partners in setting and achieving priorities for the full range of **human development in countries of origin, heritage and destination**”. This point was added to the Plan of Action as a rightful recognition of the significant role that migrants and diasporas can play in development, a role that very much extends beyond the sending of remittances. With regards to development of countries of origin/heritage, migrants and diasporas are often seen as natural allies of development given their interest in contributing to the homeland and their capacities to do so in innovative ways. They may have vested interests in homeland development (given future intentions to return, family remaining in the origin country, altruism, etc.) and often also have the human and cultural capital needed to bridge exchange between countries of destination and origin. From the perspective of the destination country, engaging diasporas in development enterprises, including the private sector, can have many benefits. These benefits include the ability to communicate with local stakeholders, to identify their needs and priorities, and to build consensus in culturally-appropriate ways; the willingness to invest in high-risk economies that other foreign investors would avoid, and; the ability to utilise transnational social networks and the resources they generate in ways that promote development (Brinkerhoff, 2012). The context within which migrants and diaspora communities find themselves influences the extent to which meaningful engagement can take place (Bonfiglio et al, 2015; Bilgili, 2014). With regards to the development of countries of destination, this is less often referred to in migration and development advocacy and discourse, which is remarkable given the evidence that migrants often play a vital role in filling labour market needs, creating jobs and setting up businesses and more. Furthermore, mi-



gration in itself often can have a great direct effect on the wellbeing and human development of the migrant, family or community involved.

Civil Society Action and Advocacy

The working group on Migrants and Diaspora in Development leads activities on this particular goal of the Plan of Action. The Working Group was led initially by the African Diaspora Policy Centre, based in the Netherlands, who was responsible for activities in 2014. The Working Group is now led by the African Foundation for Development (AFFORD) UK, who took up leadership of the group in 2015.

Two key publications that have been released by the working group include a policy report on 'Diaspora and Migrant Entrepreneurs as Social and Economic Investors in Homeland Development – harnessing the bridging potential of migrant and diaspora entrepreneurs for transformative inclusive development' and a Good Practice Note, 'Consolidating and Showcasing Diaspora Entrepreneurship for Development'. The former seeks to bring together the existing, if limited research on the contributions of diaspora businesses to development in order to consolidate policy recommendations. The latter brings together various good practice examples in order to promote the sharing of experience among actors active in the field of diaspora engagement (Box 2). In addition to this, Webinars were held on 20 November 2014 and on 15 September 2015 to promote Goal 2 of the Plan of Action by contributing to the "development of an implementation framework, policy recommendations and highlight inspiring practices taking place around the world that might be worth replication" (MADE network, 2014).

Policy Changes

In general, there seems to have been quite a lot of progress in recent years, particularly in countries of origin, in terms of the creation of institutional structures, policies and programmes for diaspora. Gamlen (2014) demonstrates a marked rise in the 'number of states with formal offices for emigrants and their descendants' since the mid-1990s (p3). Just as one example, earlier this year, Kenya launched its first Diaspora Policy, which marked an important step in Kenya's approach to diaspora engagement, which has been evolving over the course of the past 15 years (Bonfiglio et al, 2015).

Programmes, such as the 1x1⁵ programmes for investment in Mexico, support business start-ups with an explicit aim of job creation. One civil society organisation actively engaged in this programme is the Federation Zacatecas (FEDZAC), which is a hometown association that was established in 1986. Since then, over US\$240 million has been invested in approximately 4,000 projects, including schools, clinics, roads, portable water, streets, electricity, scholarships etc. (MADE network, 2014). While anecdotal evidence points to some success in this area, limited evaluations of the programme are available. Thousands of examples exist of diaspora and migrants' projects and programmes in developing countries, but little systematic evaluation is available to measure the effect of

- 5 1x1 programmes for investment in Mexico means that for every US \$1 invested by an individual migrant in Mexico it will be matched by a loan from the central federal government. The maximum loan amount is US \$20,000.00 per project with a 0% interest at a 5 year term.

BOX 2

Homestrings

"Homestrings is an investment platform that facilitates Diaspora and impact-investing to make a difference in the world. The organisation gives foreign investors and the African diaspora access to investment opportunities in Africa and other emerging markets. Through Homestrings individual and institutional investors are able to direct their resources towards initiatives in the emerging markets. This is facilitated through an interactive web portal that aggregates demand from investors and allows them targeted access to the same investments that, until now, were only available to the world's institutional investors. These investments are via vetted opportunities with consistent track records, investing in emerging market projects including commercial real estate, telecoms and small-to-medium-sized enterprises. Since its UK launch in July 2011, Homestrings has mobilised funds in the region of \$25 million. The organisation has wide geographical reach, covering 13 countries in Africa, and has a growing range of products, projects, funds, bonds and public-private partnership opportunities including a growing basket of branded products to be rolled out. Homestrings offers investment opportunities from a range of institutions. The initiative is a good example of how diasporas can create e-commerce opportunities and it demonstrates how the internet can bridge time and space to build bridges between diaspora investment capital and those that need it in countries of origin" (Formson-Lorist, 2014, p8)



these. In an effort to develop systematic diaspora policies, a handbook for policy makers and practitioners was published in 2012 titled 'Developing a Roadmap for Engaging Diasporas in Development', which also includes many examples (Mendoza & Newland, 2012).

"I think what we have seen significant improvement in the policy area in countries of origin. Many countries now have diaspora policies. Many now even have diaspora ministries, so in terms of policy, there is significant progress"

(Interview respondent)

One example that was cited during the research was of a man who established a water bottling company and now employs eight people, two of whom are family members of the individual. One of the challenges they face is competing with large multinationals, which have a monopoly on markets. He would like to see changes in the procurement policies of the Mexican government to guarantee a certain level of purchasing from local companies to help them grow.

This points to the broader discussion on policy coherence for development, since projects encouraging 'diasporas' to engage for development will only work in an environment conducive to it. In the Republic of Moldova, for example, the prime minister issued a disposition in 2013 stating that each government ministry and public authority should appoint a deputy who would be responsible for promoting policy in the area of diaspora. This highlights the recognition that a number of interrelated policy areas influence the context within which diaspora members can engage.

Progress

Measuring progress in the area of diaspora engagement is challenging. While the area of diaspora engagement is an area in which many governments are increasingly developing policies and programmes, there seems to be limited progress in terms of implementation. While the role of remittances has clearly been acknowledged at the Financing for Development

"The problem area is in terms of practice and capacity. Some will have policies, but do not have the capacity to do the facilitation and some who have both policy and capacity still face problems in terms of practical implementations"

(Interview respondent).

conference, and the role of migrants in development in the SDGs, diaspora engagement, particularly in the context of migrant entrepreneurship, does not really feature in the discussion. Governments around the world, and particularly in Africa, Mexico and the Western Balkans⁶, are actively developing policies and programmes to support diaspora engagement. However, while the policy frameworks are – on paper – good, the capacity to implement them is often limited. Thus, representatives of civil society organisations consulted during the preparation of the Movement Report highlighted a need to shift the focus towards policy implementation and the creation of internationally supported schemes that promote the positive developmental impacts that migrant and diaspora communities can have in countries of origin.

Less attention has been given to: 1) spotlighting the development contribution of migrants in destination countries; and 2) to creating enabling environments, as it is well established that migrants who are well protected and integrated are in a better position to engage than those who face discrimination and exclusion.

A perceived gap in the work of civil society organisations on Goal 2 of the Plan of Action is the lack of attention given to migrant contributions to development in the country of destination, which, given the attention drawn to the challenges of negative discourses surrounding migration, may be an important area for future action.

3.2 The Rights of Migrants

Relates to Goal 3 and 4 of the 5-year 8-point Plan of Action

Goal 3: Migrants in Distress

In order to escape desperate economic, social, and political environments in countries of origin, many migrants, in the absence of safe migration opportunities, are turning to more perilous routes. Pushed to dangerous methods of transport, thousands of migrants in transit perish or are injured each year. 'The Migrant Files' for example report that "over 30,000 refugees and migrants died in their attempt to reach or stay in Europe since 2000" (Migrants' Files, 2015). IOM (2015c) reports that this figure exceeds 40,000⁷ (IOM, 2015c).

6 "I don't think the Asian region has bought into the diaspora discourse as much. Largely because Asia has a long history of temporary labour migration" (Interview respondent)

7 True on 25 November 2015



IOM (2015c) also reports that 71.9 per cent of the estimate 4,965 deaths in 2015 have occurred in the Mediterranean region alone⁸. It is clear that the current situation in the Mediterranean is the product of complex political, social, demographic and economic factors in countries of origin, transit and destination. The result is mixed migration flows representing individuals moving for a variety of reasons, many of whom are moving in an irregular manner. However, it is important to also recognise that this is not solely a European issue. Across the world, migrants resort to dangerous routes seeking safety or a better life, including dangerous routes in Central America and Mexico, crossing the Sinai desert or North Africa, through Yemen into Saudi-Arabia, across the Andaman Sea (Agence France-Presse, 2015), and many more routes. To address these challenges requires strong cooperation.

Despite increasing international attention and concern about the plight of migrants stranded in transit and crisis, protection and assistance responses are often lacking. Additionally, in efforts to stop irregular migration flows, countries are increasingly strengthening their border controls, a trend that is appearing in many destination countries around the world, not least of which include EU Member States, the United States and Mexico, Australia, Malaysia and so forth. These restrictions make it more challenging for people to move through safe channels increasing their likelihood of resorting to smugglers and exposing themselves to the vulnerabilities associated with their undocumented routes, not least of which include exploitation, death, injury, rape, assault, robbery and human trafficking.

The **third goal** of the Plan of Action specifically seeks to address these challenges by promoting:

Reliable, multi-actor mechanisms to address the assistance and protection needs of migrants stranded in distress, beginning with those trapped in situations of war, conflict or disaster (natural or man-made) but with the same logic and urgency with respect to migrant victims of violence or trauma in transit. This should include specific attention to egregious gaps in protection and assistance for migrant women who are raped, and the thousands of children that are unaccompanied and abused along the major migration corridors in every region of the world. Benchmarks could include further work and multi-stakeholder capacity building on frameworks developed by agencies with such responsibilities including the International Organization for Migration (IOM), the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office on Drugs and Crime (UNODC), and the consolidation of relevant principles and practices under existing refugee, humanitarian and human rights laws”

8 True on 25 November 2015

Civil Society Action and Advocacy

The protection of migrants caught up in dire humanitarian situations and distress, whether *en route* or during stay in countries of destination, is relatively new to the GFMD agenda for governments. At the GFMD in 2010, civil society organisations urged governments to respond to the challenges faced by migrants in transit as one of five priority recommendations. The Civil Society Days of the GFMD 2012 dedicated a full session to the issue. In the run up to the HLD in 2013, a thematic working group on addressing protection needs of migrants stranded in distress and in transit⁹ prepared a position paper and road map for the next five years. The overall message of the group was a call for “*the current focus on securitisation and externalisation of border controls to be changed to one of opening up opportunities for regular migration, including for low skilled workers. Such a change in migration management strategy would lead to fewer irregular border crossings and less smuggling of migrants.*”

To achieve this, the working group called for three measurable actions to take place:

- “By 2018, initiate a multi-stakeholder ‘migrants in crisis’ group to develop a matrix of existing legal instruments, and guidance and practical examples on how states and other parties best respond in humanitarian crisis situations to protect migrants, including in situations of conflict, disasters and transit where migrants are victims of violence and trauma.
- By 2018, make migrants in crisis a priority area for the yearly agendas of Regional Consultative Processes (RCPs) and include all stakeholders in those processes.
- By 2018, initiate a ‘civil society organisations’ working group, facilitated by the ICMC’s Civil Society Coordinating Office, which could serve as liaison between the migrants in crisis group and civil society organisations focusing, on policy and on the ground, on protection of migrants stranded in transit and crisis situations.”

The key message coming out of the regional consultations with civil society organisations from South, East and South-East Asia, and from Eastern Europe and Central-Asia that took place in parallel to state-led Migrants in Countries in Crisis (MICIC) Initiative (Box 4) meeting respectively in Manila in March 2015, and in Brussels in June 2015, was that, by

9 Members included: NGO Committee on Migration; Institute for the Study of International Migration (ISIM), Georgetown University; Programme for the Study of Global Migration-IHEID; Scalabrini International Migration Network (SIMN); Transnational Migration Platform.



BOX 3

Protection at Sea Campaign

A global call for signatures to the 'Civil Society Recommendations on Protection at Sea' was issued by the NGO Committee on Migration in New York with support from the International Catholic Migration Commission (ICMC) and the Civil society Migration and Development Network (MADE). The call for signatures closed on 8 December 2014 and in total, 122 signatures were collected. The recommendations were presented first at the event *Sea Change*, on 9 December 2014 and again at the United Nations High Commissioner for Refugee's Dialogue on *Protection at Sea* in Geneva on 10-11 December 2014.

- 1) Ensure a needs-first approach to rescue at sea (SAR) operations and reception centres, regardless of anyone's migration status
- 2) Scale up existing multi-actor frameworks of protection on a needs-first basis that meaningfully engages civil society organisations competencies and partnership
- 3) Establish a protocol based on a needs-first principle to protect particularly vulnerable migrants and refugees, e.g., women and children
- 4) Ensure fair and competent responsibility-sharing and regional cooperation among coastal and non-coastal states of tasks and costs involved in SAR, relocation and resettlement procedures
- 5) Address "route causes" and "root causes" of forced and dangerous migration
- 6) Ensure that border management is firmly based on human rights principles
- 7) Empower migrants and refugees

focusing only on 'countries in crisis' without considering the personal crisis faced by migrants, a vital component of the discussion is missing (Gois, 2015). By focusing on securing the rights of migrants more generally, they will be in a stronger position to respond during a crisis. This was also a finding that emerged from a survey commissioned by the NGO Committee on Migration in early 2015 to identify the concrete practices of non-governmental organisations working with 'migrants in crisis in transit' (MICIT) around the world¹⁰ (NGO Committee on Migration, 2015).

Civil society organisations have been making their voices heard with regards to migrants in crisis. An Oral Statement, 'Saving lives, putting solutions together for Boat People Joint Oral Statement' (ICMC, 2015b) supported by over 125 civil society organisations, was read out at the 28th regular session of the Human Rights Council in March 2015.

Civil society organisations have also developed a set of recommendations for protection at sea, supported by 122 civil society organisations, which have been presented at the event *Sea Change*, on 9 December 2014 and again at the United Nations High Commissioner for Refugee's Dialogue on Protection at Sea (UNHCR, 2014) in Geneva on 10-11 December 2014 (Box 3).

Policy Changes

While the Migrants in Countries in Crisis (MICIC), a state-led initiative initiated after the HLD in 2013 is being welcomed as a positive step in bringing states around the table to discuss the challenges regarding migrants in crisis, it has been criticised for being too focused on countries in crisis as opposed to migrants in crisis and transit (Box 4), and still needs to translate into policy changes on the ground. Another development that has been pushed for and been welcomed by civil society has been the 'Recommended Principles and Guidelines on Human Rights at International Borders', that was released by the Office of the High Commissioner for Human Rights (OHCHR) in 2014.

¹⁰ In total, 39 responses were received representing a good regional distribution.



BOX 4

Migrants in Countries in Crisis (MICIC) Initiative

At the HLD in 2013 there was a call for states to address the challenges facing migrants in crisis. In 2014, the Philippines and the United States launched a state-led initiative, Migrants in Countries in Crisis (MICIC). With support from the IOM, the UN High Commissioner for Refugees, the Special Representative of the Secretary-General on International Migration and Development, and the Georgetown University Institute for the Study of International Migration, the MICIC Initiative works with states to alleviate vulnerability and save lives. It does so through assisting states to build better preparation plans, stronger response strategies, and quicker recovery procedures. Being strictly voluntary, the MICIC Initiative can only increase a state's capacity through the assisting in the development of disaster-relief guidelines and not by dictating their implementation. To create the strongest impact, the Initiative concentrates on migrants living within countries of crisis and on crises of conflict or natural disaster. Consultations with civil society organisations have formed part of the initiative (Red Cross, 2015), and Migrant Forum in Asia, the Global Coalition on Migration, ICMC and MADE are conducting parallel civil society meetings during the official MICIC consultations, advocating for a broader "migrants in crisis" initiative. For more information see: <http://micicinitiative.iom.int/>.

Another example of policy response is the ten point 'immediate' plan of action that was agreed upon at a joint meeting of Foreign and Interior Ministers in Luxembourg on 20 April 2015, as the EU's response to the ongoing situation in the Mediterranean (European Commission, 2015). This preceded the launch of a new comprehensive European Agenda on Migration in May 2015, a move that, while still under scrutiny, is being welcomed as a somewhat positive step by many civil society actors, while other developments in the EU are followed critically by civil society. For example, the EU-Africa Valletta Action Plan on migration sorted much criticism.

Progress

Efforts of civil society organisations in this area have focused primarily on advocating for holistic approaches by governments. Some of these efforts are often hampered by negative public discourses on migration. However, many of the actions being taken by governments are 'crisis-minded' and lack attention to the complex interplay of factors that lead to these situations in the first place. Global Survey respondents identified few policy changes that have positive implications

for the achievement of Goal 3 of the Plan of Action. In fact, most respondents identified policy environments that made migrants more vulnerable in contexts of crisis. For example, in the aftermath of typhoon Haiyan in the Philippines, Filipinos in many of the Gulf States were limited in their ability to organise support due to restrictions on organising imposed by the destination states. In one Gulf country, Filipinos ignored the legislation and, in solidarity, the Ambassador of the Philippines attended each fundraising event to provide assistance should it be required (Gois, 2015). Not all countries of origin are in the position to provide this support. One of the challenges facing civil society organisations is shifting the focus from migrants in countries of crisis towards protecting 'migrants in crisis' and transit.

Goal 4: Women and Children in the Context of Migration

The **fourth goal** of the Plan of Action specifically seeks to address the rights of women and children in the context of migration by promoting:

"Models and frameworks that address the needs and rights of migrant women in their specificity, including policies and programmes that enable women workers to have the choice whether to migrate or remain in home countries, and legislation that enables migrant women, regardless of status, to have access to basic services; recourse to the justice system; and protection against all forms of violence. The rights of migrant women should be addressed as a separate goal and also seen as a cross-cutting concern in all of the eight goals. In addition, mechanisms should consider the best interests of children in the context of migration, including their rights."

It is perhaps the most challenging of the Plan of Action to discuss in a distinctly separate section in the sense that addressing the rights of women and children are cross-cutting themes. For example, it is impossible to talk about labour rights without discussing the position of the significant number of primarily female domestic workers across the world and their exclusion from the labour laws in many prime destination countries. It is impossible to discuss migrants in crisis without thinking about children moving alone or caught up in deportation procedures. Therefore bridging papers that were prepared by civil society organisations in preparation for the 2015 GFMD in Istanbul, respectively linking women and children to the other issues of the Plan of Action, are a useful starting point to look more closely at progress on these issues. However, for the purpose of this first Movement Report, children and women are treated separately in the presentation of results.



Goal 4a: Children

The discussion on children in the context of migration is relatively new, but attention is growing in the global policy arena. One of the earliest official documents, UNHCR's 1997 'Guidelines on Policies and Procedures in dealing with Unaccompanied Children Seeking Asylum', did bring children into the discussion, however in a limited manner. Beyond children moving to flee conflict and natural disaster, civil society actors and the broader global community have broadened the discussion to capture the multitude of challenges facing children on the move, but have also focused efforts on addressing the challenges faced by the children of migrants, both those who accompany their parents to the country of destination, and those who remain in the country of origin.

The reference to children in the Plan of Action focuses on '*mechanisms (that) consider the best interests of children in the context of migration*'. This refers not only to 'children on the move'¹¹, but also children who are affected by the migration of their parent(s). 'Children left behind'¹² has been an area of policy interest in many countries (such as Moldova and the Philippines) with high emigration rates, particularly of females. Access to services for the children of migrant workers (who may have been born in the country of destination) and undocumented migrants has also been a concern for many civil society organisations, particularly in countries where their rights are heavily restricted, such as in Lebanon and Malaysia. In most European countries, access to basic education is allowed for the children of undocumented migrants. However, access to further education remains limited. Family reunification has received less attention at the global policy level, but remains an important area for discussion when looking at the rights of migrant children. Child detention has been of particular concern along key migratory routes, particularly unregulated flows, such as the route through Central America to the United States, in the Southern parts of Europe and in the Asia-Pacific corridors.

The UN's Committee on the Rights of a Child is the leading international body in enforcing and overseeing the 1989 Convention on the Rights of the Child, which has almost universal ratification (the United States being the only exception) (OHCHR, 2015). In 2005, the Committee issued a 'General Comment on Treatment of Unaccompanied and Separated Children Outside their Country of Origin' (CRC, 2005). The

Comment discusses in depth each of the rights set up by the Convention and how they apply to children in the context of migration. In 2012, the Committee held a Day of General Discussion specifically related to children and immigration. The aim of this day was to identify key challenges facing children in the context of migration, recognise and prescribe well-implemented policies, distinguish international standards in protecting the rights of a child in the context of migration, promote communication between the Committee and national governments, and to encourage collaboration among institutions involved in the migration of children.

The Committee on the Rights of the Child has called for states party to the convention to "adopt comprehensive human rights-based laws and policies to ensure that all children involved in or affected by international migration enjoy the full protection of the convention in a timely manner, regardless of age, economic status, documentation status of themselves or their parents, in both voluntary and involuntary migration situations, whether accompanied or unaccompanied, or any other" (Save the Children, 2014). The Committee has elaborated a number of concrete recommendations on how to implement this systemic comprehensive child-rights approach to migration.

Civil Society Action and Advocacy

The main contributions reported in the Global Survey responses that focus on children can be categorised into three distinct, yet interrelated areas: research, service provision and advocacy.

Research, often stemming from direct service provision, is used to highlight current challenges and legislative gaps. For example, in Lebanon, research regarding the denial of access to education to the children of migrants and latterly the expulsion of migrant workers and their children from the country, demonstrated that Lebanon was contravening provisions in its national legal framework as well as several international conventions (Insan, 2015). The research was used to support a national advocacy campaign which has resulted in decision makers stepping back from some of their unlawful decisions. Similarly, in Honduras, research has been used to highlight the human rights situation of migrant children in the country (Casa Alianza, 2015). There have also been efforts to understand the role of the community in the decision of the child to migrate and his/her protection throughout the migratory route. Terre des Hommes, for example, has identified various practices existing at the local level in West Africa and critically considered their impact on the protection of 'children on the move' (Terre des Hommes, 2014).

11 Defined as children who are migrants as a sub-category of 'children in the context of migration'.

12 The term 'children left behind' is used to refer to its usage in policy terms and quotation marks are used to highlight that other terminology is preferred by civil society actors alike. Hereafter this group is referred to as 'children remaining in countries of origin'.



BOX 5

Destination Unknown Campaign

*Destination Unknown*¹³ is an international campaign led by Terre des Hommes, which promotes the protection of millions of *children on the move*. In late 2012, Destination Unknown articulated 'Ten Demands' with corresponding actions. A key strength of the campaign, much like the 5-year 8-point plan of action, is its cross-country adaptability allowing civil society actors to develop context specific strategies. Another key strength is its aim to empower child migrants by amplifying their voices and stories to raise awareness and enact policy change through participation in global conferences and public campaigns. For example, in 2014, the participation of 20 young migrants in the World Social Forum on Migration, which resulted in 226 delegates signing a declaration aiming at the better recognition of the rights of children on the move, was supported by the campaign.

As a part of its accountability plan, *Destination Unknown*'s currently drafting a report of its accomplishments and weaknesses in fulfilling the Ten Demands in over 40 countries worldwide¹⁴. The report will highlight key successes such as advocacy for a legislative ban on child detention in Malta, the provision of humanitarian aid to child migrants arriving in the Mediterranean, and support to approximately 150,000 Syrian child refugees in Lebanon, Jordan, and Egypt. The campaign has also worked closely with the national governments of Moldova and Thailand; supported the National Child Protection Action Plan in Mali, Burkina Faso, and Cambodia; and influenced bilateral agreements between Mali, Guinea, and Burkina Faso.

In terms of service provision, the most commonly cited examples of contributions by civil society organisations focus on two main areas: education and legal support. The former often relates to direct service provision, such as a local NGO supporting children, to gain further education in Tanzania, the provision of a school for the children of migrants in Lebanon and skills development work with children in Uganda. Legal support often relates to seeking documentation for the children of undocumented migrants in countries of destination and for the children of migrant workers born abroad in countries of origin.

One of the most visible and comprehensive campaigns on children on the move initiated by civil society organisations has been the *Destination Unknown* campaign coordinated by Terre des Hommes (Box 5). Other advocacy campaigns are usually done in collaborative efforts between civil society organisations and UN agencies, like the work of the End Child Immigration Campaign¹⁵ and the Inter-Agency Group on Children on the Move¹⁶. Large advocacy efforts are then made at national level, such as national advocacy campaigns promoting alternatives to detention for refugees (particularly children) in Thailand and campaigns to bring the challenges facing the children of migrants who remain in the country of origin to the attention of policy makers in the Philippines.

13 www.destination-unknown.org

14 The report will be available by the end of September 2015 on www.destination-unknown.org

15 Endchilddetention.org

16 The Inter-Agency Working Group on Children on the Move brings together agencies working for the protection and support of children involved in or affected by migratory situations and which includes Save the Children, UNICEF, ILO, IOM, UNHCR, Terre des Hommes, Plan International, the African Movement of Working Children and Youths (AMWCY/MAEJT), Environmental Development Action in the Third World (ENDA), and the Oak Foundation



Policy Changes

The majority of the policy changes reported in the Global Survey that had relevance to children were cases from Latin America and related to the recognition of status and access to services such as health and education. In Chile, for example, the most significant policy change that was identified was a change to nationality policy which gave access to nationality to the children of undocumented migrants. This replaced a prior system which involved the registration of children as ‘children of transient foreigners’. Although Chile has not ratified the 1961 Convention on Refugees and Statelessness¹⁷, the policy – on paper – provides significant progress in the sense that these children were often *de facto* stateless.

“I would certainly say the visibility in the policy dialogues - so not only at the GFMD but also in the regions and at national level – of having a focus on the rights of children in the context of migration has certainly increased over the years”

(Interview respondent)

During the interviews, the most commonly cited examples of policy change of relevance to children included policy statements primarily in Southern Europe (such as in Italy, Greece and Malta), but also in Mexico, which took a stand against the detention of children. Despite positive policy statements, however, many civil society actors working in the field still report significant challenges in this regard.

In Italy, legislative change allows undocumented children who are with their families to have the same level of care as unaccompanied minors. However, a concern was also raised about focusing on the detention of children by governments at the expense of movement in others areas such as access to services and status.

At the Regional and Global level, some significant indicators of progress include the Inter-America Court of Human Rights adopting standards against child migrant detention and deportation and on protecting the right to family life through standards on family reunification; the Council of Europe’s campaign against child immigration detention; and the decision of the Committee on the Rights of the Child to develop a joint general comment with the Committee on Migrant Workers on the rights of children in the context of migration.

¹⁷ https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=V-4&chapter=5&lang=e

Progress

Measuring progress in promoting ‘mechanisms (that) consider the best interests of children in the context of migration’ is challenging, not only because it cuts across all the other issues, but also because of the limited evidence available on which changes have taken place. For example, we can speak of campaigns by civil society organisations on ending child detention, but limited data on the number of children makes it challenging to truly see the outcomes of these actions. While it is clear that the topic of children in the context of migration has received increased attention over time, there is still an urgent need for clear and transparent data to allow civil society actors to monitor progress in this area.

Goal 4b: Women

Women comprise of approximately half of the total stock of global migrants. Since women constitute an even stronger presence in the domestic labour industry, conventions, policies, and campaigns targeted to protect and empower domestic workers are of relevance to progress in this area of the Plan of Action.

In the Asian context, the majority of employment opportunities for domestic workers are found through private recruitment agencies. A lack of governmental oversight allows recruitment agencies the prime opportunity to take advantage of women by charging them excess fees and contract substitution. Additionally, due to the conditions of domestic workers’ contracts restricting employment to short-term contracts, family reunification is impossible. In return, the lack of family support hinders a female migrant’s social integration. Arriving in the destination country, particularly in Gulf countries, too many women face poor living and working conditions, long hours without proper compensation, and even physical and sexual abuse. Without language knowledge and a mechanism to submit complaints, many women are forced to flee from their employers, further deepening their vulnerability and precarious situation (Sijapati, 2015).

Civil Society Action and Advocacy

Civil society organizations generally approach the challenges encountered by women in the migration process as a transversal issue and thus, as with children, relevant across the other goals outlined in the Plan of Action. The Women in Global Migration Working Group is a loose network that came together for the first time just prior to the HLD in 2013. The Working Group brings together both migrant organisations, but also women’s rights organisations to ensure that a broad range of expertise are brought together. Its main objective has been to focus on ensuring that migration policies are subject to more gender analysis.



Thus the focus has been on the mainstreaming of gender into migration debates. Examples include Caritas Internationalis, which prepared a background paper entitled the Female Face of Migration (Caritas Internationalis, 2009); and the inclusion of a discussion of the specific vulnerabilities of women at the South America Conference on Migration (CSM) organised by Fundación Scalabrini. This links up with work of several international organisations that have focused on women in the migratory process, such as the Migration Policy Institute (cf. MPI, 2003); UN Women (cf. Petrozziello, 2013), UNDP (cf. Ghosh, 2009), ILO (cf. Esim & Smith, 2004) and IOM (cf. 2015a).

Direct services in this area have focused at empowering women. For example, work by the ICMC, in partnership with UNHCR, introduced UNHCR's community based method of preventing gender-based violence with Burmese refugees in Malaysia (UNHCR, 2015). Insan, a civil society organisation in Lebanon that provides direct services to women who have been the victims of gender-based violence, also provides legal support to women who have been affected by a recent decision of Lebanese authorities to deport the children of domestic workers (Box 6).

Civil society organisations have also organised around ensuring access for undocumented migrants, and in particular pregnant women, to have access to health care based on data from 2014 revealing that more than half of all undocumented women in Europe have no access to health care (PICUM, 2015).

Policy Changes

Very few concrete examples of policy changes relating to the rights of women were identified by survey respondents. The few examples were mostly negative and predated the period of time covered by the Movement Report (Post-HLD in 2013). Examples included reforms to the Spanish health care system in 2012 that restricted access for undocumented migrants and the age restriction applied to emigrant women from Nepal who want to move abroad to work as domestic workers. On the positive side, survey respondents identified a general shift in policy focus towards the rights of women in Uganda and the positive role of Spanish regional governments in challenging the 2012 policy change and continuing to provide health care to undocumented migrants.

Interview respondents primarily made reference to policies affecting the situation for domestic workers. The main policy changes in the area of domestic workers described policy gaps, such as the inclusion of domestic worker under labour law; restrictions on the emigration of women, such as age restrictions in Nepal and India; and practices that, while not embedded in law, were common place, such as the decision to restrict domestic workers from having personal relationships (spouse, child) and the deportation of the children of domestic workers, and the requirement to reside with the *kafeel* (sponsor). The exclusion of domestic work from labour law is particularly concerning given that this also limits women's rights and possibilities to join and/or form trade unions.

BOX 6

Renuka's Case

Sri Lankan migrant workers Renuka Irangani and her husband Jagdish Kumar were detained by Lebanon's General Security on April 8, 2015. On April 16, a deportation order was issued requiring Renuka to leave Lebanon by April 18. General Security justified Renuka's detention on the grounds that she does not live with her sponsor. However, this is not something that is specified in the legal framework of Lebanon. This was believed to be an act of retribution against Renuka, who has been very outspoken against General Security's decision to not grant residency renewals to children of migrant workers in Lebanon who were born and raised in the country. Renuka has a daughter who is still in school, Suzana Kumar, and the family has legally resided and worked in Lebanon for fifteen years. Previously, General Security told Renuka that "you are here to work, and not have children" and ordered her to send Suzana out of Lebanon. Renuka refused and spoke out against General Security's decision in the media on several occasions. Insan Association, represented by Zeina Chacar, filed a successful lawsuit on April 20 against the Lebanese state, the Ministry of Interior, and General Security, citing arbitrary and undue arrest and demanding the release of Renuka and her husband. Following the court case in which Summary Affairs Judge Maalouf ruled to freeze the deportation order, General Security released Renuka and her husband without explanation on April 22. Upon their release the family was requested to visit General Security to follow up on renewing their residency permit. However, this process was not immediate. Renuka, along with Insan Association, went to General Security every two weeks for two months, but was told each time to come back later. Finally, at the beginning of July, she and her family were granted renewal.



At the Global Level, international conventions such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979) and Convention 189 on Domestic Workers¹⁸ (2011) offer an advocacy platform for civil society organisations to push governments to make positive policy changes. Although not dedicated to migration, CEDAW (1979) is one of the most widely ratified of all international conventions (Annex 4). Recommendation 26 particularly targets female domestic workers and the need for governments to implement gender-sensitive policies and address gender-based discrimination. To date, twenty-two countries (six in 2015)¹⁹, including some key countries of destination such as Italy and Portugal, have ratified C189 (NORMLEX), making it one of the fastest ratified conventions.

Progress

While civil society organisations have called on governments to expand their framework of women & migration beyond trafficking and domestic work to include other issues encountered by women, these areas still dominate the discourse. As noted, civil society organisations have organised around the issues faced by women in migration and specifically focused on providing direct services, either in the form of legal support or projects that promote their empowerment.

3.3 Migration Governance and Partnerships

Relates to Goal 5 and 6 of the 5-year 8-point Plan of Action

The global governance of migration is fragmented. Unlike other areas which involve cross-border interactions such as international trade, finance and climate change, international migration does not engender the same degree of international cooperation (Betts, 2011). This is in part due to distinctly different objectives and priorities between countries, most notably between countries of primarily origin and countries of destination, and in part due to the right to choose who enters the boundaries of a country being a matter of national

sovereignty. With the exception of refugees, and to a lesser extent human trafficking, there is limited global agreement on how migration should be governed (Martin, 2011).

There are also competing global discourses in the area of migration. The two most common, migration management; and the migration and development nexus, largely dominate global discussions (Piper & Rother, 2012). However, civil society organisations have championed a third, a human rights approach (cf. Piper & Rother, 2012, Castles, 2011, Delgado Wise, 2013). This language has largely been adopted, in rhetoric if not reality, as evidenced by the inclusion of human rights language with regards to migration in 'Transforming our World: The 2030 Agenda for Sustainable Development' (Section 3.1).

“What has moved forward is civil society organisations organizing themselves around migrant women.”

(Interview respondent)

Despite this, in recent years there has been a growing recognition that there is a need for cross-border cooperation on migration. However, this cooperation is only likely to occur where there are shared norms or shared interests. Herein, the rationale for the creation of some form of harmonisation framework for the governance of migration and the global level to ensure the rights of migrants and their families are protected. However, international agreements that would enhance migrants' rights and protections, such as the UN Convention on the Protection of Rights of All Migrant Workers and Members of Their Families, or relevant ILO resolutions and conventions, have yet to achieve support from main countries of destination. The ILO's 2006 Multilateral Framework on Labour Migration does, to some extent, begin to develop a set of norms governing migration. However, it remains limited in scope and there is room for further work in this area.

The UN HLD on Migration and Development in 2006 was the first global consultation on migration and brought together representatives from 130 countries. One of the main outcomes of the meeting was the consensus that the discussion should continue, however, there was a preference for this to take place outside of the UN system and for it to be non-binding. Out of this the Global Forum on Migration and Development (GFMD) was born, and the first meeting was held in Belgium in 2007.

¹⁸ C189 details mandatory social and labour protections for women, children, and other domestic workers. These protections include the elimination of forced labour, the abolition of child labour, the right to collective bargaining, the freedom from discrimination, and the right to hold travel documents and identities. Acting as a supplementary to C189, Recommendation 201 (R201) guides countries in reforming their domestic worker industries.

¹⁹ True on 25 November 2015



The Plan of Action aims to work in this area by:

*Goal 5: Benchmarks for **promoting the exchange of good practice and enactment and implementation of national legislation to comply with the full range of provisions in international conventions** that pertain to migrants even outside the labour sphere, with particular concern for rights in the context of enforcement policies, rights to basic social protection and due process.*

*Goal 6: "Redefinition of the interaction of international mechanisms of migrants' rights protection, which recognises the roles of the Global Forum on Migration and Development (GFMD) and the Global Migration Group, albeit limited; revives emphasis of the distinct mandate of the International Labour Organization (ILO) for worker protection; and more coherently, aligns protection activity of agencies including the ILO, IOM, UNHCR, the Office of the High Commissioner for Human Rights and UNODC. **This would be in the context of the UN normative framework, and involve a thorough evaluation of the GFMD process, including questions of accountability, transparency, inclusiveness and outcomes.** A goal would be to institutionalise the participation of civil society in future governance mechanisms."*

Progress

The governance of migration was highlighted in the Global Survey on Migration and Development as one of the most pressing issues facing migrants and diaspora communities around the world. However, the global governance of migration was also identified by interview respondents as the area in which limited to no action has been taken, with the exception of the work around the SDGs. Additionally, due to the somewhat ambiguous wording of Goal 5 of the Plan of Action, it is not immediately apparent what it is intended to achieve, and thus how to go about measuring progress. For this reason, this section of the report is structured somewhat differently from the others. Instead of looking at civil society advocacy and policy change, the section instead highlights two areas identified by interview respondents as areas in which further work by civil society organisations could be focused.

The first area identified by interview respondents relates to the lack of internationally recognised norms on migration. While the ILO Multilateral Framework on Labour Migration draws together relevant international laws that have implications for migrant workers specifically, it is a non-binding document. The limited ratifications of migration-specific international conventions (Section 3.5) is often considered as problematic for moving forward in the area of global migra-

tion governance given that it demonstrates limited political will to make concrete commitments on migration at the global level. However, it should be acknowledged that there are a range of widely ratified conventions, such as the international treaties on Civil and Political and Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), that have relevance for migrant workers (Annex 4). Thus the focus could go beyond individual conventions to a broader focus on what international guidelines currently imply for migrants and their families. This could in part be achieved through engaging with wider human rights networks and organisations.

Another limitation has been the non-binding nature of many of the current platforms established for the purpose of global cooperation on migration such as the GFMD. Linked to this is the issue of the transparency of processes such as the GFMD, with limited opportunity for civil society organisations to engage with governments. Although the space for civil society organisations has progressively improved since the first GFMD meeting in 2007, it is still limited to the 'Chairs Report' and the Common Space, which takes place between the Civil Society Days and the Government Days and to varying degrees (formal vs. informal) of engagement between national civil society organisations and government delegates. This has led to general concerns regarding the effectiveness of the GFMD as a process, which has meaningful impacts on the lives of migrant workers and their families. Civil society organisations could call on governments to take stock of what the GFMD has achieved over the course of the past eight years.

Many civil society organisations therefore seek other ways of engaging, at the national and regional level. For example, on 2 November 2015, a Civil Society Platform on Migration and Development was established in Switzerland with the support of the Swiss government. Through this Platform the representatives of the Swiss Department of Foreign Affairs and civil society representatives will be in constant dialogue about migration and development, continuing the process of the GFMD at a national level.

At the global level, the NGO Committee on Migration is well placed as one of the few civil society networks based in New York, and it is working closely with the United Nations headquarters. The NGO Committee is regularly invited to share input by various actors (such as OHCHR on the Post-2015 Development Agenda and IOM for the World Humanitarian Summit) and actively engages with non-government organisations (for example through consultation exercises such as the survey discussed in Section 3.2) and with states to advocate for human rights for migrants in accordance with the UN Charter.



3.4 Labour Mobility and Recruitment

Relates to Goal 7 and 8 of the 5-year 8-point Plan of Action

Migration is a phenomenon largely driven by labour dynamics. According to the ILO, more than 90 per cent of all international migrants are labour migrants and their families (ILO, 2014a). Accordingly, discussions on international migration and development at the global level have necessarily taken labour migration and decent work into account (ILO, 2015). Under the right conditions, migration abroad can have significant human development implications for migrant workers and their families. However, the basic human rights of migrants are often not respected, impeding the human development gains that migration can bring to migrant workers, their families and communities in both origin and destination countries.

There are a plethora of international conventions and recommendations that – either directly or indirectly – address the rights of migrant workers and their families. The ILO’s 2006 Multilateral Framework on Labour Migration is an ambitious attempt at bringing together existing legal frameworks of relevance to migration. Additionally, a number of promising practices are emerging, including the recent adoption and first ratifications of the ILO Convention on Domestic Workers (ILO Convention 189, 2011) and the introduction of the Protocol to the Forced Labour Convention.

Thus the final two goals of Plan of Action seek to address these challenges.

Goal 7: “Identification or creation, and implementation, of effective standards and mechanisms to regulate the migrant labour recruitment industry, an outcome that civil society is convinced is within reach thanks to a growing convergence towards reform among countries of origin, transit and destination and among private sector actors and funders as well as NGO, trade unions and migrants themselves. Benchmarks could include a global synthesis of existing recruitment problems and solutions, national or transnational, a global convening of legitimate private recruitment actors, development of a compact on reducing abuses in the recruitment field, etc.”

Goal 8: Mechanisms to guarantee labour rights for migrant workers equal to the rights of nationals, including the rights to equal pay and working conditions, to form and organise in trade unions, to ensure portability of pensions, and to have paths to citizenship for migrant workers and their families. This recognises the long-term needs of many nations for migrant workers, while guar-

anteeing human security and rights to those workers to meet economic, demographic and development needs while affirming the states’ role to protect the rights of all workers. Benchmarks could include addressing the movement of people in the global trade agenda and national progress in complying with the worker related international conventions, in particular ratification and implementation of the UN Migrant Workers Convention and the ILO Convention on Domestic Workers.

Goal 7: Recruitment

Recruitment and employment agencies play a critical role in matching migrant workers with jobs abroad and facilitating the mobility of workers. Unfortunately, abusive practices such as excessive recruitment fees and contract substitution seem to be widespread within the recruitment industry. Government efforts to respond to these challenges at the national (such as regulation) and bilateral level (such as bilateral agreements) are positive steps. However, particularly in the case of bilateral agreements, vested interests and a lack of transparency can render them useless as tools to promote decent work for migrant workers. Similarly, well intentioned policies that restrict or ban mobility – often targeted at the protection of women – have the unintended outcomes of promoting the operation of unauthorised recruitment agents. Efforts of so-called ethical recruiters to self-regulate becomes a challenge when it comes to adherence, with private recruitment agencies having little power over others in the industry in terms of enforcement.

Work focused on reforming the migrant labour recruitment industry has been particularly visible in the past few years. This may, in part, be due to increasing convergence on the need to reform the recruitment industry at the global level with a range of actors, including the private sector, governments, international organisations, and civil society organisations, including trade unions, increasingly active in this area.

Recruitment has been a key area of movement in the work of international organisations. For example, in 2014, at ILO’s International Labour Conference (ILC), ILO’s Secretary General Guy Ryder proposed a global ‘Fair Migration Agenda’, which has arguably elevated the position of labour migration within ILO. One of the eight suggested future directions for ILO was the institutionalisation of fair recruitment practices. Later that year, the ILO launched the ‘Fair Recruitment Initiative’, linking it to the work of the Global Migration Group (GMG) while holding the chair in 2014 (ILO, 2014a). IOM has also been actively addressing issues of recruitment through its International Recruitment Integrity System (IRIS), which is a voluntary framework on ethical recruitment developed to “bridge



international regulatory gaps governing labour recruitment in countries of origin and destination” (IOM, 2015b). There have also been partnerships between international organisations and the private sector. In January 2014, the IOM and the International Organisation of Employers (IOE) formed an alliance to campaign for the ethical recruitment of migrant workers by recruitment agencies (IOE, 2014).

There is also movement among recruitment agencies themselves, particularly in Asia. Formed in 2008 and reconvened in 2014, the Alliance of Asian Associations of Overseas Employment Service Providers (AAA-OESP) is an Asia-wide alliance between overseas employment providers. During the 2008 session, the AAA-OESP adopted the ‘Commitment to Action on Ethical Recruitment’, expressed their complaints concerning destination-country agencies, and voiced their desire for support from multinational organisations. During the second conference in 2014, the dialogue focused on innovations encouraging ethical practices, self-regulation through the adoption of industry codes of practices, and accountability on policy implementation occurred (ILO, 2014b).

Civil Society Action and Advocacy

The Open Working Group on Labour Migration and Recruitment was initiated in 2014 by Migrant Forum in Asia (MFA) and the Global Coalition on Migration (GCM) along with other civil society organisations, and forms part of the MADE network. It is currently coordinated by MFA. The last meeting of the Open Working Group was held in Bogor, Indonesia in August 2015 and allowed the group to take stock of progress thus far. The Open Working Group has taken the lead on the global campaign for recruitment reform, working trade unions and civil society organisations to concretely define the policy changes that they would like to see. MFA, through the Open Working Group on Labour Migration and Recruitment, initiated the RecruitmentReform.org website, which collates and disseminates the efforts of civil society organisations to research, report on, and influence policy change regarding recruitment procedures and recruitment agencies’ mistreatment of migrants. Several campaigns and online discussions have been launched via recruitmentreform.org, including a discussion on zero fees for decent work (MADE network, 2015d), zero tolerance for contract substitution (2014), a human rights framework for government to government recruitment (2015a) and the promotion of ethical recruitment (2015c).

A significant contribution has been the consolidation of the contributions of many civil society organisations to the Special Rapporteur’s Report to the UN Human Rights Council on Migrant Labour Recruitment, which synthesises much of

these efforts, concretely identifying current challenges, policies and programmes that address these challenges and a consolidation of recommendation for effecting change (Open Working Group on Labour Migration and Recruitment, 2014). In highlighting these challenges and limitations in current policy frameworks, civil society organisations are contributing to shaping the discussions, many of which are being taken on by the international community in efforts to promote frameworks and tools to safeguard the rights of migrant workers during the recruitment process, but also upon arrival in destination countries. Civil society organisations are also actively contributing to the discussion by presenting concrete tools and frameworks for different key stakeholders. A notable focus has been on promoting ethical recruitment within the value chains of big businesses.

For example, Verité, a civil society organisation that works directly with private businesses to protect and defend the rights of workers, composed an ‘Ethical Framework for Cross Border Labour Recruitment’ in 2012 (McCormick, 2012). Identifying the lack of standards or consensus for international recruitment businesses, Verité wrote its guideline solely with private corporations in mind, unlike many past policy frameworks. With the intent for direct and smooth implementation, the framework prescribes methods for recognising illegal recruiters, educating and providing choices for migrant workers, facilitating communication between ethical agencies and sub-contractors, and empowering civil societies in their relations with ethical agencies. Already, Verité has partnered with the leading recruitment agency coalition, CIETT.

The International Trade Union Confederation (ITUC) is currently investigating the feasibility of creating a monitoring platform for rating recruitment agencies that focuses on giving voice to migrant workers.

The Dhaka Principles for Migration with Dignity, developed by the Institute for Human Rights and Business, provides a comprehensive policy framework to guide any business in any country when recruiting and employing migrant workers. With the mission that all stakeholders must be held responsible, the Dhaka Principles outline ten straight-forward steps to protect the rights of migrant workers and guarantee a human-rights approach to labour recruitment. The Principles are based on ILO conventions and the UN Guiding Principles on Business and Human Rights, and were formed with the input of the ITUC, the ILO, internationally-based recruitment agencies, small and global NGOs, and states. Globally, businesses, international organisations, civil societies, and governments are referencing and citing the Dhaka Principles in relation to agency responsibility (IHRB, 2012).



Policy Changes

This is also an area where governments and private businesses are increasingly recognising the need to make reforms and policy changes, even if only on paper in many cases at this stage, illustrate a degree of progress. Recently, several Asian countries have indicated that they will reform their recruitment laws. For example, in the Philippines, recruitment agencies are legally permitted to charge migrant workers fees although it is limited to one month's salary. The country is currently reviewing the implementation of no-fee legislation. India is currently reviewing a portfolio of different policy instruments including systems to verify contracts. In Nepal, the government, with technical support from the ILO, is investing in developing complaints mechanisms for migrant workers.

"India is talking of putting everything online through the e-migrate system, governments are talking about verifying contracts and things like that. So there's a lot at different stages and every government is at a different stage, but definitely everybody is saying yes, recruitment needs to change and be done differently."

(Interview respondent)

In the business world, the release of the Supply Chain Foreign Worker Standard (Box 7) by Hewlett Packard (HP) has been received optimistically by many stakeholders, including other businesses. This was followed by an announcement by Apple in early 2015 that they would also prohibit recruitment fees in their supply chains through the promotion of direct recruitment. In March 2015, over 100 members of the Electronics Industry Citizenship Council (which includes companies such as Microsoft, Lenovo, Dell Inc., Samsung Electronics and IBM Corp) voted to include the following text in their code of conduct: *"Workers shall not be required to pay employers' or agents' recruitment fees or other related fees for their employment. If any such fees are found to have been paid by workers, such fees shall be repaid to the worker"* (Recruit Reform 2015b).

BOX 7

HP Supply Chain Foreign Worker Migrant Standard, 2014

On 1 November 2014, Hewlett Packard (HP) released a Supply Chain Foreign Worker Standard. In the document, HP sets *"the minimum requirements for the appropriate and ethical recruitment and management of foreign migrant workers by or on behalf of suppliers doing business with HP"* (HP, 2015). Key aspects of the standard include the right to terminate employment without penalty (with a reasonable notice period that should be stipulated in the contract), thus the right to change employer; the right not to pay for employment, thus no recruitment fees; and the right to a written contract in the native language of the worker. The retention of identification documents is also prohibited. The standard was developed in close cooperation with Verité (Verité, 2014).

The California Transparency in Supply Chains Act and the Modern Slavery Act (IHRB, 2015) in the UK (Box 8) are also being widely recognised as key policy changes that move the discussion on ethical recruitment in the right direction while still remaining limited in its application.

BOX 8

United Kingdom's Modern Slavery Act, 2015

In March 2015, the United Kingdom passed the *Modern Slavery Act*, the first of its kind in Europe. The *Modern Slavery Act* strengthens the government's capacity to convict those found guilty of allowing, or promoting forced labour. Forced labour can occur in many situations, but a common scenario is that of a worker trapped effectively in indentured labour due to high recruitment fees in combination with wage retention and/or contract substitution resulting in debt bondage. Prior to the *Modern Slavery Act*, the *California Transparency in Supply Chains Act* was enacted in 2010. Partially modelled on the *California Transparency in Supply Chains Act*, the *Modern Slavery Act* retains the weaknesses of the American legislation. While the *California Transparency in Supply Chains Act* requires companies to disclose any efforts to end the practice of slavery within their supply chain, it does not require or motivate companies into first taking the actions to recognise slavery. Thus, while transparency is mandated in the *Modern Slavery Act*, its weak implementation mechanism does not necessarily guarantee improvements in eradicating slavery within a supply chain (Forrest, 2015). Thus while a step in the right direction, the *Modern Slavery Act* remains limited.



Progress

While it is not possible to report an exhaustive overview of the activities of all civil society organisations and policies developments in the area of recruitment²⁰, it is evident work on recruitment reform has been particularly visible in the past few years. Even civil society actors who were not directly working on recruitment issues highlighted this as one of the goals that was moving forward at a faster pace than some of the others. However, as noted, in order to measure progress in the area of recruitment in terms of how these inputs translate into concrete improvements for migrant workers and their families, significant steps in terms of good indicators and data availability need to be developed. Here a significant future development seems to be the Responsible Recruitment Index that is being developed by the Institute for Human Rights and Business (IHRB). Among aspects to be included in the index, the enumeration of costs faced by migrants in migration corridors offers potential for monitoring the situation over time, and for analysing whether specific policy changes have implications for the costs incurred by migrant workers on the ground. It shares some parallels with work being conducted by Manolo Abella in the context of the World Bank's Knowledge Partnership on Migration and Development (KNOMAD) through the KNOMAD working group on *Low Skilled Labour Migration* where surveys are currently being implemented to measure the costs – in a broad sense – of migration in specific migration corridors.

Goal 8: Labour Rights of Migrants

Goal 8 of the Plan of Action focuses primarily on the mechanisms to ensure the protection and promotion of the human and labour rights of migrant workers and their families. In preparations for the HLD in 2013, the collation of previous recommendations by civil society organisations on labour migration led to convergence around three main areas:

- **Significant increase in ratification** and implementation of UN and ILO conventions, including the 1990 UN migrant workers convention.
- Ensure migrant workers **can join a union**, enjoy **equality of treatment** with regard to wages, working conditions and social protection and have full **access to (labour) courts** and grievance mechanisms.
- Urging governments to work with various actors (i.e. employers, labour unions, and social actors) to create **regular and safe migration channels** that address labour market and protections needs and ensure family reunification, and a path to permanent residency.

²⁰ For the interested reader, RecruitmentReform.org is a key source of updated information on recruitment practices.

While focus is given to a selected number of priority conventions, notably, C97, C143, C189 and the UN 1990 Migrant Workers Convention, there is a broad range of international conventions that have relevance to migration, most notably because their ratification, unless otherwise stated, applies equally to migrant workers. An extensive list can be found in ILO's 2006 Multilateral Framework on Labour Migration.

Civil Society Action and Advocacy

A number of campaigns to promote the ratification of different UN and ILO conventions have been initiated by civil society organisations. The #OurHands Campaign, spearheaded by Migrant Forum in Asia and Christian Aid, promotes the ratifications of the Domestic Workers Convention, 2011 (C189). The Step it Up Campaign (Box 9) promotes ratifications of the 1990 UN Convention on the Protection of the Rights of all Migrant Workers.

BOX 9

Step it Up Campaign

With the support of Migrant Forum in Asia and the Arab Network for Migrants Rights, the Step It Up Campaign was launched on International Migrants Day in 2014. The Step it Up Campaign is a yearlong initiative endorsing widespread ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families which protects the human rights of migrant families regardless of their documentation. Leading up to the Convention's 25th anniversary in December 2015, particular focus is being placed on the destination countries and Gulf Cooperation Council countries. To date, however, no new ratifications of the convention have been recorded.

However, beyond ratification, it is important that commitments are translated into national legal frameworks, and implemented. Thus, it is in this area that research efforts by civil society organisations can be an important tool in raising awareness. Migrants Matter is currently developing an illustrated pamphlet entitled 'Illustrate our Rights' to explain the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families using simple language. The booklet will be launched on the 25th anniversary of the convention in Brussels on 18 December 2015 (Kumar, 2015)



Human Rights Watch is a source of a lot of investigative research that reports on the human rights situation for migrant workers in different parts of the world. Two examples from 2015 include a report on labour abuses including withheld wages, forced labour, documentation confiscation and poor living environments on Saadiyat Island in the United Arab Emirates (Human Rights Watch, 2015b); and a report on abuses of Thai workers in the agricultural sector in Israel Human Rights Watch (2015a).

Policy Changes

Figure 3 and Figure 4 in Annex 4 provide an overview of the ratifications of migration-related international conventions and other relevant international conventions. It is clear that progress on the ratifications, particularly of migration relevant instruments, remains slow. However, the introduction of the Domestic Workers Convention, 2011 (C189) and the Forced Labour Protocol (2014) have been received as positive developments, updating the international normative framework to address modern challenges. There have also been positive shifts in terms of freedom of mobility, with many countries adopting regional free movement agreements akin to the currently crumbling Schengen agreement. In the EU, the Seasonal Worker's Directive is being received as some positive change as it provides for mobility of so called "unskilled

labour". At the same time temporary migration schemes, including seasonal work are often regarded critically by many civil society organisations, who expressing concern about social rights and rights of family unity among other rights often not being ensured in the schemes.

Progress

The indicators currently selected to monitor progress on Goal 8 relate solely to the ratifications of specific international conventions that promote the rights of migrant workers and their families. An assessment of the ratifications of core conventions presents a fairly negative outlook, with limited progression on the ratifications of the majority of migration instruments, with the exception of the Convention on Domestic Workers (C189). However, beyond ratifications, work on developing benchmarks in this area could focus on measuring concrete outcomes such as an increase in the number of migrant workers who are unionised, or a decreased in the number of occupational accidents. Many of the indicators that are currently being discussed by the MADE working group on the Global Governance of Migration and Development in the context of SDG discussions could be revisited in the future. However, the major reason why these indicators are not used in the present report is due primarily to data limitations.



4. Measuring Progress on the 5-year 8-point Plan of Action

One of the key aims of this Movement Report is to develop a systematic methodology for measuring progress on the 5-year 8-point Plan of Action. To do this, suggested benchmarks and indicators were collated from past documents (ICMC, 2013, GFMD Civil Society, 2014), the text of the goals themselves, and through discussions with key stakeholders.

The currently presented tool (Table 1) represents a first draft recommendation of how progress could be measured. However, it remains limited. The current list of indicators includes indicators that measure very different areas. Some focus on what civil society organisations' contributions should look like, some on the types of policies governments should adopt, and others on the outcomes/impacts these interventions are expected to have on the lives of migrants and their families.

In further developing the benchmarks, a number of factors should be considered:

- **What should be measured?** The current benchmarks represent a mix of indicators that measure the contributions of civil society organisations, government actions and outcomes. All have merit, however, when possible, outcome and impact indicators are preferred because of their focus on the consequences of policy change.
- **How should it be measured?** The vast majority of the measurements used to measure progress in the Movement Report are based on qualitative (and somewhat subjective) assessments based on interviews and survey responses. In order to strengthen the indicators as an advocacy tool, attention should be given to developing robust indicators that are measurable.
- **At what level should it be measured?** The indicators used in the report have primarily focused at the global level to give an overall sense of progress. To identify more specific developments, it is important to give more credence to the national level. Furthermore, attention should be given to the definition of development applied, with due focus given to impacts at the micro, meso and macro level.

Table 1 presents a summary overview of the benchmarks and targets used to measure progress for the first edition of the Movement Report. The list of benchmarks along with more detail on their measurement can be located in Annex 3.



TABLE 1. Overview of Progress on the 5-Year 8-Point Plan of Action ²¹

GOAL	BENCHMARKS	PROGRESS ²¹	JUSTIFICATION
1. Post-2015 Development Agenda	Did civil society engage in campaigns to include migrants and migration in the Post-2015 Development Agenda?	Green	Although many interview participants indicated that many civil society organisations were late to engage in campaigning for migration to be included in the Post-2015 Development Agenda, efforts such as the Stockholm agenda are widely believed to have been significant in the decision to include migration in the UN 2030 Sustainable Development Agenda.
	Is migration reflected in the Post-2015 Development agenda?	Yellow	Migration has been included in numerous places in the UN 2030 Sustainable Development Agenda surpassing the expectations of many. However some limitations exist such as the gendered focus on trafficking.
	Are plans in place to ensure the ongoing monitoring of migration related indicators?	Yellow	This work is ongoing. It is an area that all interview participant view as key for moving forward. Particular attention was paid to developing tools for measuring migration related indicators.
2. Diaspora Engagement	Has there been increased cooperation between diaspora, migrants' rights and other civil society organisations (<i>to transform public policies in countries of origin and destination to ensure access to decent work, health, education and rights for all, and to set up a sound regulatory framework for migrants and diaspora to invest in development and job creation?</i>)	Yellow	Various initiatives have come off the ground over the past year to increase diaspora and migrant cooperation national, regionally and globally, such as ADEPT (platform of African diaspora and development organisation in Europe), and the global working group of MADE on migrants and diaspora in development.
	Is there an increase in the number of states with formal mechanisms for engaging migrant/diaspora communities?	Green	Gamlen (2014) demonstrates a marked rise in the 'number of states with formal offices for emigrants and their descendants' since the mid-1990s (p3). However, while the policy framework is often developed, there are implementation gaps in part due to lacking capacity and resource constraints.
	Do more countries offer specific services and funding mechanisms to support migrant and diaspora investment?	Yellow	
	Is the role of diaspora and migrants included in the SDGS?	Red	While migrants and migration are clearly integrated in the 2030 UN Sustainable Development Agenda (e.g. target 8.8 and 10.7) and transversally, diaspora engagement as such, particularly in the context of migrant entrepreneurship, does not really feature on the Agenda.

²¹ Progress is symbolised by the use of colours (Red=No/Backward Progress; Yellow=some progress; and Green=significant progress)



GOAL	BENCHMARKS	PROGRESS ²¹	JUSTIFICATION
2. Diaspora Engagement	Have any international grant funding schemes been launched that specifically target diaspora organisations?		No such global fund seems to exist. At the national level many countries have support diaspora organisations, but in recent years, it seems support is increasingly being withdrawn for diaspora organisations.
	Is there an increase in the number of countries that have a tolerant approach to dual citizenship?		The MACIMIDE Global Dual Citizenship Database shows that, in 2013, approximately 70 per cent of countries had a tolerant approach to dual citizenship meaning that, if a citizen acquires the citizenship of another country, they are not required to renounce citizenship in the country of origin. This represents a significant global change in attitudes to dual citizenship (MACIMIDE, 2015).
3. Migrants in Distress	Do multi-actor mechanisms exist to address the assistance and protection needs of migrants stranded in distress?		Civil society organisations have been working alongside the MICIC initiative, which is a state-led process initiated by the Philippines and the United States after a call for action at the HLD in 2013. Civil society actors have also been working at the local level, for example in Malta and Italy to work with survivors.
	Do said initiatives focus attention on migrant victims of violence or trauma in transit?		This has been described as a limitation of discussions on migrants in crisis.
	Does a civil society working group exist, that liaison between the government-led Migrants in Countries in Crisis (MICIC) group and civil organisations focusing - on policy and on the ground - on protection of migrants stranded in transit and crisis situations?		While no formalised working group exists, civil society organisations have been actively organising around the MICIC initiative, as well as more generally on the protection of migrants on the move.
	Inclusion of migrants in crisis in the agenda of RCPs.		Migrants in distress is becoming a topic that is challenging to ignore. It is starting to appear in the agendas of RCPs. For example Labour Migration in a Crisis Context was discussed at the Doha Dialogue.
	Is data available on migrant deaths or disappearances at sea, in transit, at borders, in detention and during deportation and other movements?		Data collection on the number of migrant deaths while in transit varies by region, organisation, and definition. While there are NGOs and academic programmes that track migrant deaths in specific regions, there is no universal body or mechanism for tracking missing or dead migrants. IOM, through their Missing Migrants project, have started collating data from various sources.
	The number of migrant deaths or disappearances at sea, in transit, at borders, in detention and during deportation and other movements is reduced to zero.		The ideal outcome of efforts in this area would be the eradication of death and injury to migrants. However, to achieve this both a discursive shift, as well as targeted efforts to tackle the root and 'route' causes of migration, are essential (Section 4.2)



GOAL	BENCHMARKS	PROGRESS ²¹	JUSTIFICATION
4a. Rights of Migrant Women and the Best Interest of Children	How many governments have responded to recommendations brought to them through the UPR process?	Yellow	While a crude measurement tool, the UPR database provides some insights into recommendations that have been noted or accepted by UN member states. A search on children in the context of migration reveals that the number of recommendations increased from 40 in cycle 1 to 72 in cycle 2 to date. While this does not guarantee implementation, a mid-term evaluation revealed that many recommendations are acted upon.
	Have civil society organisations engaged in campaigns to advocate for alternatives to the detention of children?	Green	There are a number of civil society organisations engaged in campaigns to advocate for alternatives to the detention of children.
	How many states have enacted laws to end the detention of migrant children?	Yellow	Some states are starting to introduce policies that prohibit the detention of children (e.g. Malta). To systematically evaluate this benchmark of progress, a database of countries with policies on child detention could be a useful contribution to advocacy efforts.
	Has the number of migrant children in detention decreased?	Red	This is challenging to measure due to a lack of systematic data collection on the issue, with most data based on country reports that provide a snapshot of a given time period, but limit the possibility to track progress over time. In 2011, it was estimated that there were one million children in detention (Hamilton et al, 2014). There are some indications of country cases where numbers have decreased (Silverman & Hajela, 2015).
4b. Rights of Migrant Women and the Best Interest of Children	C189 Ratifications	Yellow	To date, 22 countries have ratified ILO's Domestic Workers Convention, 2011 (No. 189). A diverse spectrum of countries (Ecuador, Costa Rica, Argentina, Colombia, Ireland, Switzerland, Finland, Dominican Republic, Belgium, Chile, Panama and Portugal) has ratified C189 since the High-Level Dialogue Conference in October 2013. However, key countries receiving domestic workers have not yet ratified the convention
	CEDAW Ratifications	Yellow	To date, 189 countries have ratified CEDAW, which represents almost universal coverage. However, not all national policies are in line with its provisions, particularly with regards to migrant women.
	Have countries adopted laws that provide access to justice for migrant women who have experienced gender-based violence, irrespective of their status?	Yellow	Access to justice remains a problem in many countries, with migrant women who have experienced gender-based violence often unable to make a complaint. In many European countries, undocumented migrant women may risk deportation if a crime is reported. Gender-based violence has been included in the SDGs and is an area in which many civil society organisations operate by providing shelter and legal support to women. However, this is generally not implemented into national legal frameworks



GOAL	BENCHMARKS	PROGRESS ²¹	JUSTIFICATION
4b. Rights of Migrant Women and the Best Interest of Children	Have governments implemented policies which do not require health providers to report undocumented women to immigration authorities?		As with access to justice, access to health care services is often also limited for undocumented migrants. In 2014, 54.2% of pregnant women had no access to antenatal care (PICUM, 2015)
5. National implementation of international standards for migrants and families	Are there benchmarks in place for promoting the exchange of good practice and the implementation of national legislation?		For this point of the Plan of Action to be measured, there is a necessity for civil society organisations to develop benchmarks and indicators for measuring progress. To an extent this goal extends across the Plan of Action and thus measurements in other goals could be taken into consideration. In terms of survey respondents, gaps in policy and in implementation were highlighted as key challenges for ensuring the rights to basic social protection for migrant workers. The negative discourse on migration was highlighted by both interview and survey respondents as being the biggest challenge to achieving this goal.
6. Redefining international mechanisms of migrants' rights protection.	Can governments be held to account for commitments made at the GFMD? (Accountability)		The GFMD remains a non-binding platform with limited space for interaction between governments and civil society organisations.
	How transparent is the GFMD? (Transparency)		Many of the preparations and outputs documents for the GFMD are made publically available. However, there is limited access to the government days and the involvement of civil society organisations is limited to a short presentation of civil society 'demands'.
	Has the inclusiveness of the civil society representation at the GFMD improved over time? (Inclusiveness)		While it is of significance that the number of countries represented at the GFMD Civil Society Days has increased, there is still an over-representation of delegates from Europe and North America.
	Has there been a systematic evaluation of the GFMD Process?		There have been no systematic evaluations of the effectiveness of the GFMD.
7. Recruitment	Ratification of C181 (ILO Private Employment Agencies Convention, 1997)		To date, 30 countries have ratified ILO's Private Employment Agency Convention, 1999 (No. 181). Since the HLD in 2013, 3 countries have ratified the convention (Zambia, Niger, and Mongolia). Significant countries are still to ratify the convention
	Has civil society engaged in the identification of policies and practices in the area of recruitment (positive and negative)?		This is an area that civil society organisations have been particularly engaged in through action research identifying problems in supply chains and by assisting and advising businesses and governments regarding reforms. RecruitmentReform.org consolidates the efforts of civil society organisations.



GOAL	BENCHMARKS	PROGRESS ²¹	JUSTIFICATION
7. Recruitment	Have governments reformed their policies and practices?	Yellow	There are some promising movements among many governments, particularly in Asia, to reform recruitment policies, but most still need to translate in reality.
	Has there been an increase in national and regional multi-stakeholder platforms on recruitment and employment practices?	Green	ILO Fair Recruitment Initiative/IOM International Recruitment Integrity System (IRIS) / Discussion of Recruitment during Regional Consultative Processes (RCPs), Alliance of Asian Associations of Overseas Employment Service Providers (AAA-OESP)
	Do more businesses endorse and operate by the Dhaka principles?	Yellow	The HP Supply Chain Foreign Worker Standard (December 2014) and the Electronics Industry Citizenship Council incorporation of text on recruitment fees in its code of conduct (March 2015) are positive signals that the business world is starting to consider the Dhaka Principles
8. Labour rights for migrant workers	Ratification of C189 (ILO Domestic Workers Convention, 2011)	Yellow	To date, 21 countries have ratified ILO's Domestic Workers Convention, 2011 (No. 189). A diverse spectrum of countries (Ecuador, Costa Rica, Argentina, Colombia, Ireland, Switzerland, Finland, Dominican Republic, Belgium, Chile, and Panama) has ratified C189 since the High-Level Dialogue Conference in October 2013. However, key countries receiving domestic workers have not yet ratified the convention.
	Ratification of UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)	Yellow	While ratifications of the MWC have increased at a steady rate, there are still less than 50 countries who are a signatory to the convention. The upcoming 25th anniversary (on 18th December 2015) represents an opportunity for renewed advocacy of the convention.
	Ratification of C97 (ILO Migration for Employment Convention, 1949)	Red	The last ratification of the Migration for Employment Convention, 1949 (C97) was the Philippines in 2009.
	Ratification of C143 (ILO Migrant Workers Convention, 1975)	Red	There have only been 23 ratifications of the Migrant Workers Rights Convention, 1975 (C143) thus far and no new ratifications since 2007.
	Has the protocol to the ILO Forced Labour Convention (2014) been translated into national law and implementation?	Yellow	Despite the overwhelming majority that adopted the protocol at the (ILC) on 11 June 2014 (437 for, 27 abstentions, 8 against), the protocol has still not received the two ratifications required to bring it into force



5. Discussion

5.1 Progress on the Plan of Action

While it might be too early to truly measure progress on the Plan of Action, in part due to data limitations and lack of baseline measurements and in part due to its long-term vision, the Movement Report does provide some insights. Many of the benchmarks used to measure progress of the Plan of Action rely on process indicators (inputs and outputs) and less on the outcomes for migrant workers that – it is hoped – these changes will bring about. Although there is merit in looking back at the work done by civil society organisations, when reflecting on progress, and the way forward, the discussion should ultimately come back to the improvement of the situation for migrant workers and their families.

In terms of progress, we can speak of some positive shifts in the framing of certain topics (such as a broader outlook on women), and policies and statements that move in the right direction (such as on recruitment reform and diaspora engagement in development), however, often these seem to fail in implementation. Very few examples of successfully implemented policies were cited as good practices that could be shared and this perhaps relates to a degree of stagnation on Goal 5 (good practices).

The most visibly progressing goals are Goal 1 (Post-2015), Goal 3 (migrants in distress) and Goal 7 (recruitment). Goals 5-6 on migration governance and the sharing of good practice have not attracted the same level of engagement from civil society organisations. Goal 8 (labour migration) is challenging to measure, except for the rapid ratification of the Domestic Workers Convention and the adoption of the Forced Labour Protocol on the one hand, and stagnation in ratification of other migration relevant treaties on the other.

At the policy level, Goal 2 (diaspora) is moving in the sense that there has been an exponential increase in the number of countries with some form of government agency or department charged with diaspora matters. However, there seems to be a lack of systematic work focusing on the implementation of these policies. Goal 4 represents cross-cutting themes in the sense that issues relating to migrant children, the children of migrants and migrant women are relevant to the rest of the Plan of Action.

Regional differences in the adoption of the Plan of Action exist. This, in part, relates to the existing mechanisms and frameworks guiding the actions of civil society organisations. In Asia considerable organising work has been done since the early 1990s. In Latin America this is also the case, however, there are a number of regional processes that are considered more progressive than the non-binding processes existent at the global level. In Africa, largely attributed to resource constraints, limited organisational work has been done, although civil society organising has been picking up in the last year.

Regional differences also reflect different topical foci. The topic of recruitment is primarily being discussed in the context of Asia and the Middle East, (as the origin and destination of the majority of the world's labour migrants) and in Europe and North America (being the location of many of the companies whose supply chains extend across the world).

Some of the issues highlighted in the plan are of more or less relevance in different regions. Point 2 of the Plan of Action, on diaspora engagement, for example, is less of a focus in the Asian region, explained by a long history of temporary migration. Nevertheless, this is not to say that it is no of relevance to the region, and countries such as the Philippines and India have long explored how migrants can contribute to their country of origin, if not always under the specific label of 'diaspora'. Thus when looking at the adoption of the Plan of Action, regional variation necessarily influences how it moves forward.

The SDGs have provided some opportunity to advocate for policies and changes civil society organisations would like to see. However, there remains a disconnect between the prevailing negative discourse on migration in the media of many countries and the recognition that migration is development. A major challenge in moving forward with the Plan of Action was identified as being the overall discourse surrounding migration and, with this, the omission of a key topic from the 5-year 8-point plan of action: xenophobia. Xenophobia and the securitisation of migration were identified by the majority of survey respondents as key issues to be added to the Plan of Action (also see section 5.3 below).

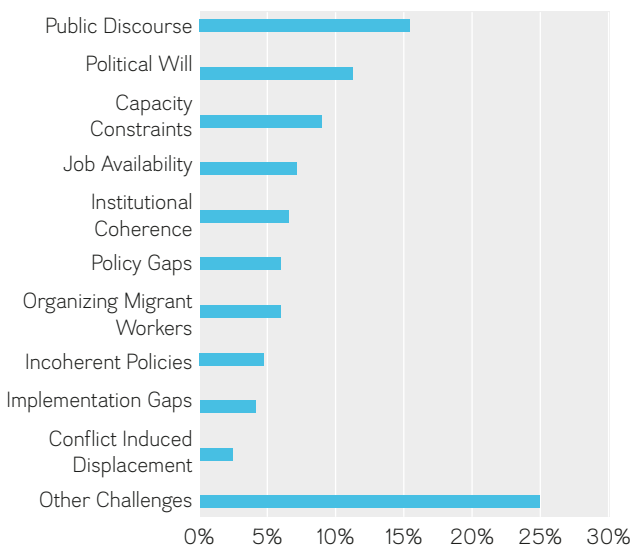
5.2 The Main Challenges Inhibiting Progress on the Plan of Action

Interview respondents were asked to reflect on the main challenges faced by migrants and their families. While a crude and simplistic depiction of the complex and interrelated challenges faced by migrants and their families, Figure 1 summarises the responses received. Underlying these challenges three issues emerged as being particularly embedded in the challenges facing migrant and their families. These are:

- 1) a lack of migration governance both in terms of having a transparent, rights-based framework and institution(s) at the global level as well in terms of political will and the implementation of policy commitment at the national and local level;
- 2) the criminalisation of migration and borders leading rise to xenophobic tendencies;
- 3) a lack of legal avenues for migrants and refugees and a lack of attention to the root causes of migration, in particular inequality, poverty, human rights violations and conflict.

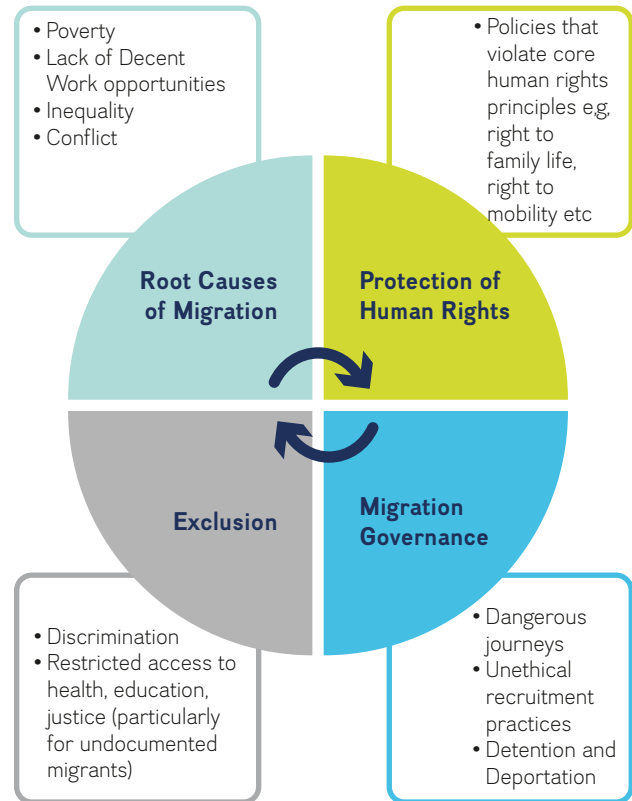
In the Global Survey implemented on behalf of the MADE network, 'protection and the rights of migrants' and 'migration governance and policy coherence' were also identified as the most pressing issues to be addressed globally.

FIGURE 2. The Main Challenges Inhibiting Progress on the Plan of Action



n=164 (some respondents provided multiple answers)

FIGURE 1. Main Challenges Facing Migrants and their Families



Related to this, global survey respondents were asked to comment on the challenges that they observed in their country(ies)/region(s) that inhibit progress on advancing the Plan of Action (Figure 2). The most frequently cited challenge regarded public discourse of the subject of migration making it challenging to advocate for policy changes that would reflect commitments outlined in the 5-year 8-point Plan of Action.

The second most frequently cited challenge related to political will to make changes. Capacity constraints related both to the capacity of governments to adequately respond to migration and implement their policies, as well as to civil society organisations, who frequently struggle to mobilise resources. Job availability and domestic development were identified as root causes of migration that lead to a necessity to migrate, as opposed to the choice to migrate. Other identified challenges included coordination between actors working on migration, awareness among migrant workers of their rights, incoherent policies and implementation gaps, and conflict induced displacement.



“Our guideline is not given by the action plan – we could not take it over. It is our flaw, but there was not really any directive or advice stating whether civil society organisations actors should take this or that action, or focus on this point of the 8 points. Much less is said on how to measure progress. We are at a point where there is a gap between what we do and the action plan – we are “out of sync” with the action plan”

(Interview respondent).

Discrimination and xenophobia were challenges felt to be missing from the Plan of Action by interview respondents and were also highlighted as the most pressing issue in Europe, and as an important issue in South America in the Global Survey. While some argued that by tackling the issues outlined in the Plan xenophobia would be indirectly addressed, others argued that tackling xenophobia and changing public opinion makes progressive policy change that protects the rights of migrant workers more achievable. Yet others argued that, while xenophobia was a challenge, it is a deeply rooted challenge, and one unlikely to be changed very easily.

A suggested benchmark that would begin to address these concerns is as follows:

“Campaigns and monitoring mechanisms to end the use of abusive terminology and discourse against migrants in media and by politicians and policy makers” (GFMD Civil Society, 2014).

Public campaigns, such as by PICUM on changing the terminology used to refer to undocumented migrants (Box 10), could be one example of efforts to try to change public opinion and to shift the discourse. The Centre for Migration Research (CSERPE)²² has also worked with local populations in Switzerland, aiming at spreading a better image of migrants and refugees and overcoming xenophobia through a variety of projects such as an online training course translated as ‘Pastoral Care of People on the Move’ (PCHM), which is targeted at organisations that are working with, or are likely to work with people on the move.

BOX 10

#WordsMatter Campaign

In 2014, The Platform for International Cooperation on Undocumented Migrants (PICUM) initiated a campaign against references to ‘irregular’ or ‘undocumented’ migrants as ‘illegal migrants’ within the European Union. According to the campaign, the terminology dehumanises migrants by denying them their human rights; depicting them as criminals; impeding just discussion and debate; and increasing the potential to deny rescue and humanitarian assistance. Furthermore, PICUM claims that labelling migrants as ‘illegal’ is, in direct violation of international legislation, an encroachment of proper due process, and entirely legally inaccurate. By continuing to incorporate this terminology into legislation, media, and official statements, users are promoting prejudice. The campaign has produced an informational leaflet which is available in seven languages (English, Greek, Dutch, Italian, French, German, and Spanish) and produced a glossary of terms in all EU languages. Leaflets have been given to UN officials and EU agency members and were distributed at the GFMD in Stockholm. According to the leaflet, key institutions and its members such as the UN General Assembly, United Nations International Conference on Population and Development, International Labour Conference, Council of Europe Parliamentary Assembly, European Parliament, the UN High Commissioner for Human Rights, the European Commission, and the Associated Press have either recognised ‘illegal migrant’ as a derogatory term or have switched to utilising ‘irregular’ or ‘undocumented’ migrant in literature and language. The campaign has made use of social media and stimulated discussions using the hash tag #WordsMatter.

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5.3 Civil Society Responses

The response of civil society organisations to these challenges, as has been highlighted by this report, are diverse in scope and scale and vary by region. In the Global Survey, respondents were asked to respond to the following question:

*“Thinking about your organisation’s experience **since the HLD dialogue in 2013**, what do you consider to be the most significant **contributions** that your organisation has made in forwarding aspects of the 5-year 8-point plan of action in the countr(ies)/region(s) where you work?”*

In total, 147 examples of significant contributions made by civil society organisations were identified by survey respondents. Many of these examples have been used as illustrations throughout the report. The responses reflected the diversity of activities that civil society organisations engage in. The main areas of contributions included the direct provision of support services (24%), advocacy (22%), policy advice (13%) and research (11%).

It proved challenging to link the actions of civil society organisations to the Plan of Action, in part because, beyond acting as a document that did strategically bring together key areas in which civil society organisations operate, few actors reported directly using the Plan of Action, and many reported that it was limited in its applications because of limited guidelines on how to implement it.

However, many respondents did highlight the interconnections between different types of interventions. For example, many organisations are providing direct services to migrants on the ground. This allows first hand exposure to the challenges faced by migrant workers and their families, which, if data is collected and aggregated, can provide input to advocacy campaigns for policy change.

However, not all civil society organisations are able to provide direct services, collect and analyse data, and advocate. While one local level NGO may not have the capacity (financial or otherwise) to holistically address a particular issue, working together in networks was considered significant to strengthening the voice of civil society organisations nationally, regionally and internationally by connecting these activities together and responding to the challenges faced by migrant workers with a united – and informed - voice.



6. Recommendations

Where to from here? What should be focused on in the run up to the next HLD?

To Civil Society:

Along with the specific recommendations for moving forward on each of the goals already highlighted in the section above, the following general recommendations are offered to civil society organisations:

- I. Revisit the Plan of Action.** While there is general acceptance of the Plan of Action, a clearly identified omission is discrimination and xenophobia. Discrimination and xenophobia not only represent a challenge to migrants and their families, but also a challenge to civil society organisations in advocating for policy change. In addition, it was identified that many organisations do not specifically use the Plan of Action in their work because of a lack of clear implementation guidelines. The Stockholm Agenda provides an elaboration of how civil society organisations can respond to Goal 1 (post-2015) of the Plan of Action and comparable documents have been prepared for Goal 7 (recruitment). Similar documents could be prepared on each of the themes to provide more guidelines on how the Plan of Action can be implemented at the local and national level. It may also be of relevance to consider rewording Goal 5 to increase clarity on its overall objective.
- II. Develop Benchmarks.** The Movement Report presents a first proposal for how civil society organisations can measure the progress of the Plan of Action (see Annex 3). However, the set of indicators presented remains limited and would benefit from the input of civil society organisations at different levels of operation in order to better define benchmarks for progress and how they should be measured.
- III. Measure Progress at the National Level.** The current report provides a largely global overview of major developments in the different areas of the Plan of Action. It does so at the sacrifice of detail and nuance that would better reflect regional and national contexts and realities. It would perhaps be more relevant to also measure progress on the Plan of Action through the development of benchmarks and indicators that are applicable on the national level. This could be monitored through the preparation of national situation and progress reports that could in turn be used to feed into regional, and then global reporting frameworks. In doing so, stories and experiences from the local level could be used in advocacy at the global level.
- IV. Formulate a civil society position on what global migration governance should look like through consultations with civil society organisations.** While there have been considerable efforts on incorporating migration in the SDGs, less attention has been paid to Goal 5-6 of the Plan of Action. A key aspect of this work could be the collation of all relevant international norms and frameworks that have relevance to the governance of migration. Another dimension of this is the role that civil society organisations can play in the global governance of migration and a critical evaluation of whether, and to what extent, the GFMD provides sufficient space for civil society organisations to engage in these processes.
- V. Establish more thematic working groups and build civil society alliances.** The current open working groups within the MADE network have been created on an ad-hoc basis, organically growing out of existing networks. In doing so, building alliances with other civil society networks (e.g. working on justice, peace, environment, human rights, etc.) could be promoted. Space could also be provided for other working groups to come into being, for example on 'protection of migrants on the move and in distress'. The Women in Global Migration Working Group could potentially be formalised within the MADE network.



To Government:

Three issues emerged as being particularly embedded in the challenges facing migrant and their families. These are:

- 1) a lack of migration governance both in terms of having a transparent, rights based framework and institution(s) at the global level as well as in terms of political will and the implementation of policy commitment at the national and local level;
- 2) the criminalisation of migration leading rise to xenophobic tendencies;
- 3) a lack of legal avenues for migrants and refugees and a lack of attention to the root causes of migration, in particular inequality, poverty, human rights violations and conflict.

The following recommendations are therefore offered to governments:

- I. Adopt the 5-year 8-point Plan of Action.** The Plan of Action represents a guiding framework that could be used by governments to promote national policy change and cooperate with civil society.
- II. Institutionalise national civil society-government platforms on migration and development to look at the implementation of the 5-year 8-point Plan together.** The initial intention of the Plan of Action was to identify areas in which civil society organisations and governments could work together to improve the lives of migrants and their families and, in doing so, promote (human) development. To date, efforts to implement the plan by civil society organisations seem to be largely disconnected from government actions.
- III. Evaluate the Global Forum on Migration and Development.** Concerns have been raised regarding the transparency, inclusiveness and impact of the GFMD, which has now been running on an almost annual basis for almost a decade. It is important to take stock of the value of such a platform and to assess whether it currently operates in the most efficient manner, including anchoring the role of civil society organisations.



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Annex 1.

Interview Guide

MOVEMENT:

A Global Civil Society Report on Progress and Impact for Migrant, Migrants' Rights and Development

Interview Guide

Hi, my name is Elaine McGregor. I am from Maastricht University. I have been asked to prepare the first edition of an annual global civil society report: the "Movement Report" in advance of the next GFMD meeting in Turkey later this year. The main purpose of the report is to assess what has been achieved, and not been achieved since the 2013 HLD on Civil Society 5-year 8-point Plan of Action, to review the actions that various civil society organisations and networks have undertaken since 2013 to move the agenda forward and to identify areas where significant policy change has occurred. For this reason we are interested to hear your perspectives and experiences. Are you willing to participate in the interview? I would like to record the interview today so that I have accurate notes of our discussion. Would that be all right with you? Thank you.

Introduction

Please introduce yourself and tell me a little bit about your organisation and your involvement in migration and development issues?

General

What do you see as the main challenges currently faced by migrants and their families?

What do you consider to be the main policy changes that have either positive or negative implications for addressing these challenges?

Plan of Action

What is your general view of civil society 5-year 8-point plan of action?

How does your organisation use the 5-year 8-point plan of action, if at all?

** What goals do you think have moved forward since the HLD in 2013? *Why?*

** What goals do you think have stagnated since the HLD in 2013? *Why?*

Have you observed any regional differences in progress? *Please explain.*

Do you think that there is anything missing from the plan of action?



Activities

** What efforts/actions have you been involved in that forward the different goals in civil society's 5-year 8-point plan of action?

Has the type of intervention your organisation makes changed since the HLD in 2013?

Significant Changes

What do you consider to be the most significant **contribution(s) that your organisation has made in forwarding aspects of the 5-year 8-point plan of action in the countr(ies)/region(s) where you work? *Please provide as much detail as you can.*

Prompts: In what ways has your organisation contributed (e.g. policy advice, information sharing, and service provision)

** What do you consider to be the most significant **policy changes** that have occurred that forward aspects of the 5-year 8-point plan of action in the countr(ies)/region(s) where you work? *Please provide as much detail as you can.*

Prompts: Why do you think these changes occurred? What role, if any, did your organisation play?

Challenges

What challenges does your organisation face in realising its objectives?

Opportunities

**What are your organisations plans for the next 12 months?

What opportunities do you see for civil society in forwarding aspects of the 5-year 8-point plan of action?

**What steps should be taken in advance of the next High Level Dialogue?



Annex 2. Interviewed Participants

Jeroen Beirnaert	International Trade Union Confederation (ITUC)
John K. Bingham	International Catholic Migration Commission (ICMC)
Pablo Ceriani	Center of Human Rights of the National University of Lanús, Argentina (UNLA)
Rodolfo Cordova	International Network on Migration and Development (INMD)
Bob van Dillen	Cordaid
Gibril Faal	AFFORD - African Foundation for Development
Odile Faye	Caritas Sénégal / AFARD
William Gois	Migrant Forum in Asia (MFA)
Roula Hamati	Insan, Lebanon
Milka Isinta	Pan African Network in Defense of Migrants Rights (PANiDMR)
Efrain Jimenez	Federación Zacatecana
Chidi King	International Trade Union Confederation (ITUC)
Jin Sook Lee	Building and Woodworkers International (BWI)
Michele LeVoy	Platform for International Cooperation on Undocumented Migrants (PICUM)
Khady Sakho Niang	Forum des Organisations de Solidarité Internationale issues des Migrations (FORIM)
Ignacio Packer	Terre Des Hommes
Colin Rajah	Global Coalition on Migration (GCM)
Eva Sandis	NGO Committee on Migration
Kate Sheill	(Formerly) The Global Alliance Against Trafficking in Women (GAATW)
Mirela Shuteriqi	Terre Des Hommes
Neill Wilkins	Institute for Human Rights and Business (IHRB)



Annex 3. Measuring Progress on the 5-year 8-point Plan of Action

The next page shows the complete table with the benchmarks and targets used for this report to measure progress on the 5-year 8-point Plan of Action.



GOAL	GOAL TEXT	CIVIL SOCIETY RECOMMENDATIONS	BENCHMARKS	VERIFICATION	PROGRESS ¹	JUSTIFICATION
1. Post-2015 Development Agenda	<p><i>Integration of migration into the Post-2015 Development Agenda to address not only the contributions that migrants make to development in countries of origin and destination, but also the possibilities for better policy planning and coherence that can make migration more genuinely a choice and not a necessity, and greater gain than drain. This development agenda would work to affirm both the right to migrate and the right to remain at home with decent work and human security. As such, it links migration to United Nations development concerns regarding poverty, health, gender equality, financing for development and sustainable development, and to future development goals.</i></p>	<p>1) Widely supported civil society campaigns towards governments to include migrants and migration in development planning and agendas</p>	<p>Did civil society engage in campaigns to include migrants and migration in the Post-2015 Development Agenda?</p>	<p>Document Review (e.g. Stockholm Agenda); Interviews</p>		<p>Although many interview participants indicated that many civil society organisations were late to engage in campaigning for migration to be included in the Post-2015 Development Agenda, efforts such as the Stockholm agenda are widely believed to have been significant in the decision to include migration in the UN 2030 Sustainable Development Agenda.</p>
			<p>Is migration reflected in the Post-2015 Development agenda?</p>	<p>Document Review (e.g. zero draft); Interviews</p>		<p>Migration has been included in numerous places in the UN 2030 Sustainable Development Agenda surpassing the expectations of many. However some limitations exist such as the gendered focus on trafficking.</p>
		<p>2) Inclusion and monitoring of specific goals and targets on migrants and migration in Post-2015 global and national Development Agenda</p>	<p>Are plans in place to ensure the ongoing monitoring of migration related indicators?</p>	<p>Interviews</p>		<p>This work is ongoing. It is an area that all interview participant view as key for moving forward. Particular attention was paid to developing tools for measuring migration related indicators.</p>

1 Progress is symbolised by the use of colours (Red=No/Backward Progress; Yellow=some progress; and Green=significant progress)

GOAL	GOAL TEXT	CIVIL SOCIETY RECOMMENDATIONS	BENCHMARKS	VERIFICATION	PROGRESS ¹	JUSTIFICATION
2. Diaspora Engagement	Models and frameworks that facilitate the engagement of diaspora and migrant associations as entrepreneurs, social investors, policy advocates and partners in setting and achieving priorities for the full range of human development in countries of origin, heritage and destination	Increased cooperation between diaspora, migrants' rights and other civil society organisations to transform public policies in countries of origin and destination to ensure access to decent work, health, education and rights for all, and set up a sound regulatory framework for migrants and diaspora to invest in development and job creation.	Has there been increased cooperation between diaspora, migrants' rights and other civil society organisations (to transform public policies in countries of origin and destination to ensure access to decent work, health, education and rights for all, and to set up a sound regulatory framework for migrants and diaspora to invest in development and job creation?)	Document Review	Yellow	Various initiatives have come off the ground over the past year to increase diaspora and migrant cooperation national, regionally and globally, such as ADEPT (platform of African diaspora and development organisation in Europe), and the global working group of MADE on migrants and diaspora in development.
		More countries have national consultative mechanisms that explicitly include migrants/diaspora communities in policy-making concerning them, including on development assistance and trade agreements with countries of origin	Is there an increase in the number of states with formal mechanisms for engaging migrant/diaspora communities?	Document Review Interviews		
		More countries of residence and origin have introduced services and funding mechanisms that support migrant/diaspora investments, including a 1-stop-portal for diaspora/ migrants interesting in investing back home in business development and poverty alleviation	Do more countries offer specific services and funding mechanisms to support migrant and diaspora investment?	Document Review	Red	While migrants and migration are clearly integrated in the 2030 UN Sustainable Development Agenda (e.g. target 8.8 and 10.7) and transversally, diaspora engagement as such, particularly in the context of migrant entrepreneurship, does not really feature on the Agenda.
		Include the role of diaspora and migrants in development on the Post-2015 Development Agenda	Is the role of diaspora and migrants included in the SDGS?	Document Review		





GOAL	GOAL TEXT	CIVIL SOCIETY RECOMMENDATIONS	BENCHMARKS	VERIFICATION	PROGRESS ¹	JUSTIFICATION
3. Migrants in Distress	<p><i>Reliable, multi-actor mechanisms to address the assistance and protection needs of migrants stranded in distress, beginning with those trapped in situations of war, conflict or disaster (natural or man-made) but with the same logic and urgency with respect to migrant victims of violence or trauma in transit. This should include specific attention to egregious gaps in protection and assistance for migrant women who are raped, and the thousands of children that are unaccompanied and abused along the major migration corridors in every region of the world. Benchmarks could include further work and multi-stakeholder capacity building on frameworks developed by agencies with such responsibilities including the International Organization for Migration (IOM), the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office on Drugs and Crime (UNODC), and the consolidation of relevant principles and practices under existing refugee, humanitarian and human rights laws.</i></p>	<p>Support the creation of international grant funding schemes specifically for diaspora organisations including the creation of international loans and investment funds for diaspora and migrants</p> <p>Significant increase in countries allowing dual nationality</p>	<p>Have any international grant funding schemes been launched that specifically target diaspora organisations?</p> <p>Is there an increase in the number of countries that have a tolerant approach to dual citizenship?</p>	<p>Interviews</p> <p>MACIMIDE Dual Citizenship Database</p>		<p>No such global fund seems to exist. At the national level many countries have support diaspora organisations, but in recent years, it seems support is increasingly being withdrawn for diaspora organisations.</p> <p>The MACIMIDE Global Dual Citizenship Database shows that, in 2013, approximately 70 per cent of countries had a tolerant approach to dual citizenship meaning that, if a citizen acquires the citizenship of another country, they are not required to renounce citizenship in the country of origin. This represents a significant global change in attitudes to dual citizenship (MACIMIDE, 2015).</p>
		<p>By 2018, initiate a multi-stakeholder migrants in crisis group to develop a matrix of existing legal instruments, and guidance and practical examples on how states best respond in humanitarian crisis situations to protect migrants, including in situations of conflict, disasters and transit where migrants are victims of violence and trauma.</p> <p>By 2018, initiate a civil society working group, facilitated by the Civil Society Coordinating Office, which could serve as liaison between the migrants in crisis group and civil society organisations focusing, on policy and on the ground, on protection of migrants stranded in transit and crisis situations.</p>	<p>Do multi-actor mechanisms exist to address the assistance and protection needs of migrants stranded in distress?</p> <p>Do said initiatives focus attention on migrant victims of violence or trauma in transit?</p>	<p>Interviews</p>		<p>Civil society organisations have been working alongside the MICIC initiative, which is a state-led process initiated by the Philippines and the United States after a call for action at the HLD in 2013. Civil society actors have also been working at the local level, for example in Malta and Italy to work with survivors.</p> <p>This has been described as a limitation of the MICIC initiative.</p>

GOAL	GOAL TEXT	CIVIL SOCIETY RECOMMENDATIONS	BENCHMARKS	VERIFICATION	PROGRESS ¹	JUSTIFICATION
		<p>By 2018, make migrants in crisis a priority area for the yearly agendas of Regional Consultative Processes (RCPs) and include all stakeholders in those processes</p> <p>Create mechanisms to monitor and gather data on migrant deaths or disappearances at sea, in transit, at borders, in detention and during deportation and other movements.</p>	<p>Does a civil society working group exist, that liaison between the government-led Migrants in Countries in Crisis (MICIC) group and civil organisations focusing - on policy and on the ground - on protection of migrants stranded in transit and crisis situations?</p> <p>Inclusion of migrants in crisis in the agenda of RCPs.</p> <p>Is data available on migrant deaths or disappearances at sea, in transit, at borders, in detention and during deportation and other movements?</p> <p>The number of migrant deaths or disappearances at sea, in transit, at borders, in detention and during deportation and other movements is reduced to zero.</p>	<p>Interviews</p> <p>Document Review</p> <p>Document Review</p>		<p>While no formalised working group exists, civil society organisations have been actively organising around the MICIC initiative, as well as more generally on the protection of migrants on the move.</p> <p>Migrants in distress is becoming a topic that is challenging to ignore. It is starting to appear in the agendas of RCPs. For example Labour Migration in a Crisis Context was discussed at the Doha Dialogue.</p> <p>Data collection on the number of migrant deaths while in transit varies by region, organisation, and definition. While there are NGOs and academic programmes that track migrant deaths in specific regions (<i>like Humane Borders, the Colbrí Center for Human Rights, the Coalición de Derechos Humanos, the Border Crossing Observatory of Monash University, and the Binational Migration Institute at the University of Arizona</i>) there is no universal body or mechanism for tracking missing or dead migrants. IOM, through their Missing Migrants project, have started collating data from various sources (IOM, 2015c)</p> <p>The ideal outcome of efforts in this area would be the eradication of death and injury to migrants. However, to achieve this both a discursive shift, as well as targeted efforts to tackle the root and 'route' causes of migration are essential (Section 4.2)</p>





GOAL	GOAL TEXT	CIVIL SOCIETY RECOMMENDATIONS	BENCHMARKS	VERIFICATION	PROGRESS ¹	JUSTIFICATION
4. Rights of Migrant Women and the Best Interest of Children	Models and frameworks that address the needs and rights of migrant women in their specificity, including policies and programmes that enable women workers to have the choice whether to migrate or remain in home countries, and legislation that enables migrant women, regardless of status, to have access to basic services; recourse to the justice system; and protection against all forms of violence. The rights of migrant women should be addressed as a separate goal and also seen as a cross-cutting concern in all of the eight goals. In addition, mechanisms should consider the best interests of children in the context of migration, including their rights.	More governments have followed up and reported to the UN Committee on the Rights of the Child on laws and practices that put the best interests of the child first and provide access to fundamental services for migrant children, such as health care and education	How many governments have responded to recommendations brought to them through the UPR process?	UPR Database		While a crude measurement tool, the UPR database ² provides some insights into recommendations that have been noted or accepted by UN member states. A search on children in the context of migration reveals that the number of recommendations increased from 40 in cycle 1 to 72 in cycle 2 to date. While this does not guarantee implementation, a mid-term evaluation revealed that many recommendations are acted upon. For example, in the first cycle, Australia received recommendations on fair treatment of migrants' children and the consideration for removing or amending the act of placing the children of irregular migrants into detention centres. Although Australia accepted the recommendations it becomes evident in their 'Mid-term Implementation Assessment' that they did not implement them on the ground.
		More civil society organisations are supporting campaigns and more states are enacting laws to end the immigration detention of children	Have civil society organisations engaged in campaigns to advocate for alternatives to the detention of children? How many states have enacted laws to end the detention of migrant children?	Document Review Interviews		

3 The UPR (Universal Periodic Review) aims to improve human rights situations on the ground in the 193 UN Member States. This reviews the human rights situation of each Member State every 4.5 years, where 42 states are reviewed each year during three Working Group sessions

GOAL	GOAL TEXT	CIVIL SOCIETY RECOMMENDATIONS	BENCHMARKS	VERIFICATION	PROGRESS ¹	JUSTIFICATION
			Has the number of migrant children in detention decreased?	Document Review		This is challenging to measure due to a lack of systematic data collection on the issue, with most data based on country reports that provide a snapshot of a given time period, but limit the possibility to track progress over time. In 2011, it was estimated that there were one million children in detention (Hamilton et al. 2014). There are some indications of country cases where numbers have decreased (Silverman & Hajela, 2015).
4. Rights of Migrant Women and the Best Interest of Children	Models and frameworks that address the needs and rights of migrant women in their specificity, including policies and programmes that enable women workers to have the choice whether to migrate or remain in home countries, and legislation that enables migrant women, regardless of status, to have access to basic services; recourse to the justice system; and protection against all forms of violence. The rights of migrant women should be addressed as a separate goal and also seen as a cross-cutting concern in all of the eight goals. In addition, mechanisms should consider the best interests of children in the context of migration, including their rights.	Ratifications and implemented of the provisions of the Domestic Worker Convention, 2013, (C189)	C189 Ratifications	NORMLEX		To date, 22 countries have ratified ILO's Domestic Workers Convention, 2011 (No. 189). A diverse spectrum of countries (Ecuador, Costa Rica, Argentina, Colombia, Ireland, Switzerland, Finland, Dominican Republic, Belgium, Chile, Panama and Portugal) has ratified C189 since the High-Level Dialogue Conference in October 2013. However, key countries receiving domestic workers have not yet ratified the convention.
		Ratifications and implementation of the provisions of the CEDAW Convention.	CEDAW Ratifications	UN Treaties		To date, 189 countries have ratified CEDAW, which represents almost universal coverage. However not all national policies are in line with its provisions, particularly with regards to migrant women.





GOAL	GOAL TEXT	CIVIL SOCIETY RECOMMENDATIONS	BENCHMARKS	VERIFICATION	PROGRESS ¹	JUSTIFICATION
		Adopt laws that provide shelter and legal recourse to migrant women who have experienced gender-based violence regardless of status.	Have countries adopted laws that provide access to justice for migrant women who have experienced gender-based violence, irrespective of their status?	Document Review, Interviews		Access to justice remains a problem in many countries, with migrant women who have experienced gender-based violence often unable to make a complaint. In many European countries undocumented migrant women may risk deportation if a crime is reported. Gender-based violence has been included in the SDGs and is an area in which many civil society organisations cooperate by providing shelter and legal support to women. However, this is generally not implemented into national legal frameworks.
		End policies which requires health professionals and other service providers to report undocumented women to immigration authorities	Have governments implemented policies which do not require health providers to report undocumented women to immigration authorities?	Document Review Interview		As with access to justice, access to health care services is often also limited for undocumented migrants. In 2014, 54.2% of pregnant women had no access to antenatal care (PICUM, 2015)
5. Exchanging Good Practice	<i>Benchmarks for promoting the exchange of good practice and enactment and implementation of national legislation to comply with the full range of provisions in international conventions that pertain to migrants even outside the labour sphere, with particular concern for rights in the context of enforcement policies, rights to basic social protection and due process.</i>	Benchmarks for promoting the exchange of good practice and enactment and implementation of national legislation to comply with the full range of provisions in international conventions that pertain to migrants even outside the labour sphere, with particular concern for rights in the context of enforcement policies, rights to basic social protection and due process.	Are there benchmarks in place for promoting the exchange of good practice and the implementation of national legislation?	Global Survey, Interviews		For this point of the Plan of Action to be measured, there is a necessity for civil society organisations to develop benchmarks and indicators for measuring progress. To an extent this goal extends across the Plan of Action and thus measurements in other goals could be taken into consideration. In terms of survey respondents, gaps in policy and in implementation were highlighted as key challenges for ensuring the rights to basic social protection for migrant workers. The negative discourse on migration was highlighted by both interview and survey respondents as being the biggest challenge to achieving this goal.

GOAL	GOAL TEXT	CIVIL SOCIETY RECOMMENDATIONS	BENCHMARKS	VERIFICATION	PROGRESS ¹	JUSTIFICATION
6. Redefinition of the interaction of international mechanisms of migrants' rights protection.	<p><i>Redefinition of the interaction of migrants' rights protection, which recognises the roles of the Global Forum on Migration and Development (GFMD) and the Global Migration Group, albeit limited; revives emphasis of the distinct mandate of the International Labour Organization (ILO) for worker protection; and more coherently, aligns protection activity of agencies including the ILO, IOM, UNHCR, the Office of the High Commissioner for Human Rights and UNODC. This would be in the context of the UN normative framework, and involve a thorough evaluation of the GFMD process, including questions of accountability, transparency, inclusiveness and outcomes. A goal would be to institutionalise the participation of the participation of civil society in future governance mechanisms.</i></p>	<p>Has there been an evaluation of the GFMD process that includes questions of accountability, transparency, inclusiveness and outcomes?</p>	Can governments be held to account for commitments made at the GFMD? (Accountability)	Interviews	Red	The GFMD remains a non-binding platform with limited space for interaction between governments and civil society organisations.
			How transparent is the GFMD? (Transparency)	Interviews		
			Has the inclusiveness of the civil society representation at the GFMD improved over time? (Inclusiveness)	GFMD participation lists / Interviews	Red	While it is of significance that the number of countries represented at the GFMD Civil Society Days has increased, there is still an over-representation of delegates from Europe and North America.
			Has there been a systematic evaluation of the GFMD Process? (Outcomes)	Interviews	Red	There have been no systematic evaluations of the effectiveness of the GFMD.

3 <http://www.gfmd.org/>; <http://gfmdcivilsociety.org/>





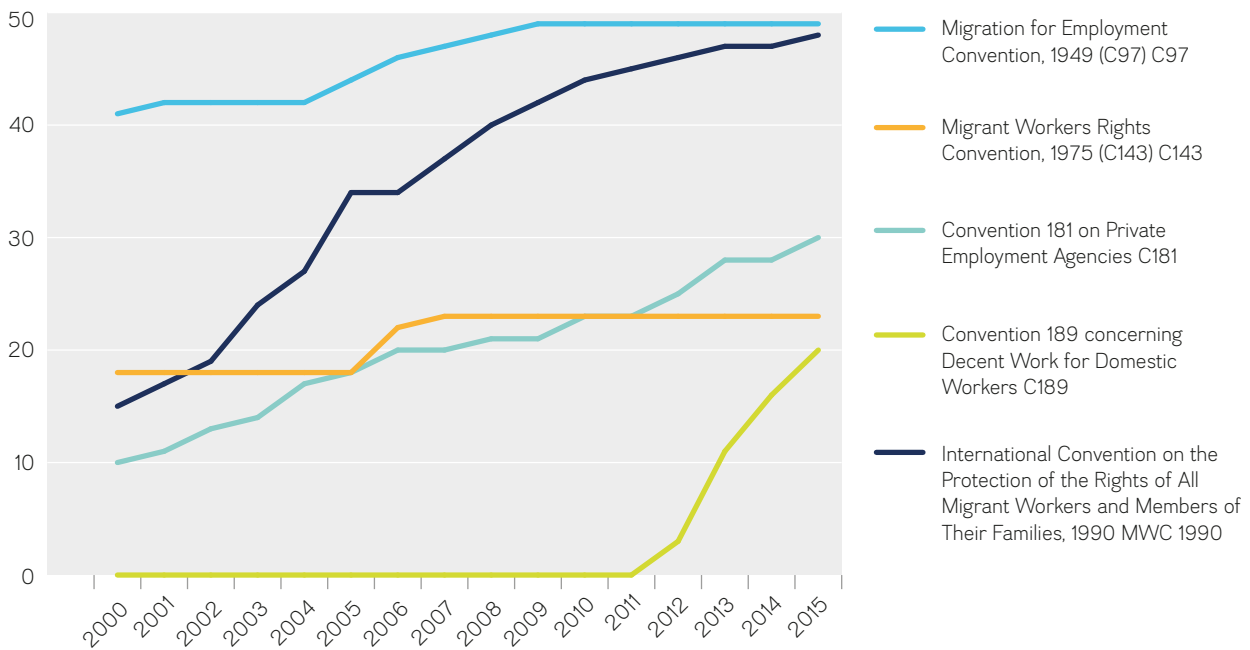
GOAL	GOAL TEXT	CIVIL SOCIETY RECOMMENDATIONS	BENCHMARKS	VERIFICATION	PROGRESS ¹	JUSTIFICATION
7. Recruitment	<p>Identification or creation, and implementation, of effective standards and mechanisms to regulate the migrant labour recruitment industry, an outcome that civil society is convinced is within reach, thanks to a growing convergence towards reform among countries of origin, transit and destination, and among private sector actors and funders as well as NGOs, trade unions and migrants themselves. Benchmarks could include a global synthesis of existing recruitment problems and solutions, national or transnational; a global convening of legitimate private recruitment actors; development of a compact on reducing abuses in the recruitment field, etc.</p>	<p>More countries have removed systematic policies and practices which create the conditions that enable employers to exploit and abuse migrant workers, such as systems that tie the migrant worker to one employer (e.g. Kafala system) and restrict migration (e.g. age restrictions, exit fees);</p>	<p>Ratification of C181 (ILO Private Employment Agencies Convention, 1997)</p>	<p>NORMLEX</p>	<p>Yellow</p>	<p>To date, 30 countries have ratified ILO's Private Employment Agency Convention, 1999 (No. 181). Since the HLD in 2013, 3 countries have ratified the convention (Zambia, Niger, and Mongolia). Significant countries are still to ratify the convention.</p>
			<p>Has civil society engaged in the identification of policies and practices in the area of recruitment (positive and negative)?</p>	<p>Interviews Document Review</p>	<p>Green</p>	<p>This is an area that civil society organisations have been particularly engaged in through action research identifying problems in supply chains and by assisting and advising businesses and governments regarding reforms in both policies and practices. RecruitmentReform.org consolidates civil society efforts in one place.</p>
			<p>Have governments reformed their policies and practices?</p>	<p>Interviews Document Review</p>	<p>Yellow</p>	<p>There are some promising movements among many governments, particularly in Asia, to reform recruitment policies, but most still need to translate in reality.</p>
		<p>Increase in national and regional multi-stakeholder platforms of civil society, governments and private sector to evaluate and change existing laws and practice to regulate recruitment and employment practices</p>	<p>Has there been an increase in national and regional multi-stakeholder platforms on recruitment and employment practices?</p>	<p>Interviews Document Review</p>	<p>Green</p>	<p>ILO Fair Recruitment Initiative/ IOM International Recruitment Integrity System (IRIS) / Discussion of Recruitment during Regional Consultative Processes (RCs) / Alliance of Asian Associations of Overseas Employment Service Providers (AAA-OESP)</p>
		<p>More businesses endorse and operate by the 10 Dhaka principles for Migration with Dignity, which enhance respect for the rights of migrant workers throughout the entire recruitment process, and complement the UN Guiding principles on Business and Human Rights</p>	<p>Do more businesses endorse and operate by the Dhaka principles?</p>	<p>Interviews Document Review</p>	<p>Yellow</p>	<p>The HP Supply Chain Foreign Worker Standard (December 2014) and the Electronics Industry Citizenship Council incorporation of text on recruitment fees in its code of conduct (March 2015) are positive signals that the business world is starting to consider the Dhaka Principles.</p>

GOAL	GOAL TEXT	CIVIL SOCIETY RECOMMENDATIONS	BENCHMARKS	VERIFICATION	PROGRESS ¹	JUSTIFICATION	
8. Labour rights for migrant workers	Mechanisms to guarantee labour rights for migrant workers equal to the rights of nationals, including the rights to equal pay and working conditions, to form and organise in trade unions, to ensure portability of pensions, and to have paths to citizenship for migrant workers and their families. This recognises the long-term needs of many nations for migrant workers, while guaranteeing human security and rights to those workers to meet economic, demographic and development needs while affirming the states' role to protect the rights of all workers. Benchmarks could include addressing the movement of peoples in the global trade agenda and national progress in complying with the worker related international conventions, in particular ratification and implementation of the UN Migrant Workers Convention and the ILO Convention on Domestic Workers.	1) Increased ratification and enforcement of international instruments including C189 and UN 1990 MWC 2) Rapid translation of the protocol to the ILO Forced Labour Convention (2014) into national law and implementation	Ratification of C189 (ILO Domestic Workers Convention, 2011)	NORMLEX	To date, 22 countries have ratified ILO's Domestic Workers Convention, 2011 (No. 189). A diverse spectrum of countries (Ecuador, Costa Rica, Argentina, Colombia, Ireland, Switzerland, Finland, Dominican Republic, Belgium, Chile, and Panama) has ratified C189 since the High-Level Dialogue Conference in October 2013. However, key countries receiving domestic workers have not yet ratified the convention.	While ratifications of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990) have increased at a steady rate, there are still less than 50 countries who are a signatory to the convention. The upcoming 25th anniversary (on 18th December 2015) represents an opportunity for renewed advocacy of the convention. This is an area where civil society campaigns are in place, such as the Step it Up campaign. However the last ratification was Madagascar in 2014.	
			Ratification of UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)	UN Treaty Collection			The last ratification of the Migration for Employment Convention, 1949 (C97) was the Philippines in 2009.
			Ratification of C143 (ILO Migrant Workers Convention, 1975)	NORMLEX			There have only been 23 ratifications of the Migrant Workers Rights Convention, 1975 (C143) thus far and no new ratifications since 2007 (Tajikistan).
			Has the protocol to the ILO Forced Labour Convention (2014) been translated into national law and implementation?	NORMLEX		Despite the overwhelming majority that adopted the protocol at the (ILC) on 11 June 2014 (437 for, 27 abstentions, 8 against), the protocol has still not received the two ratifications required to bring it into force	



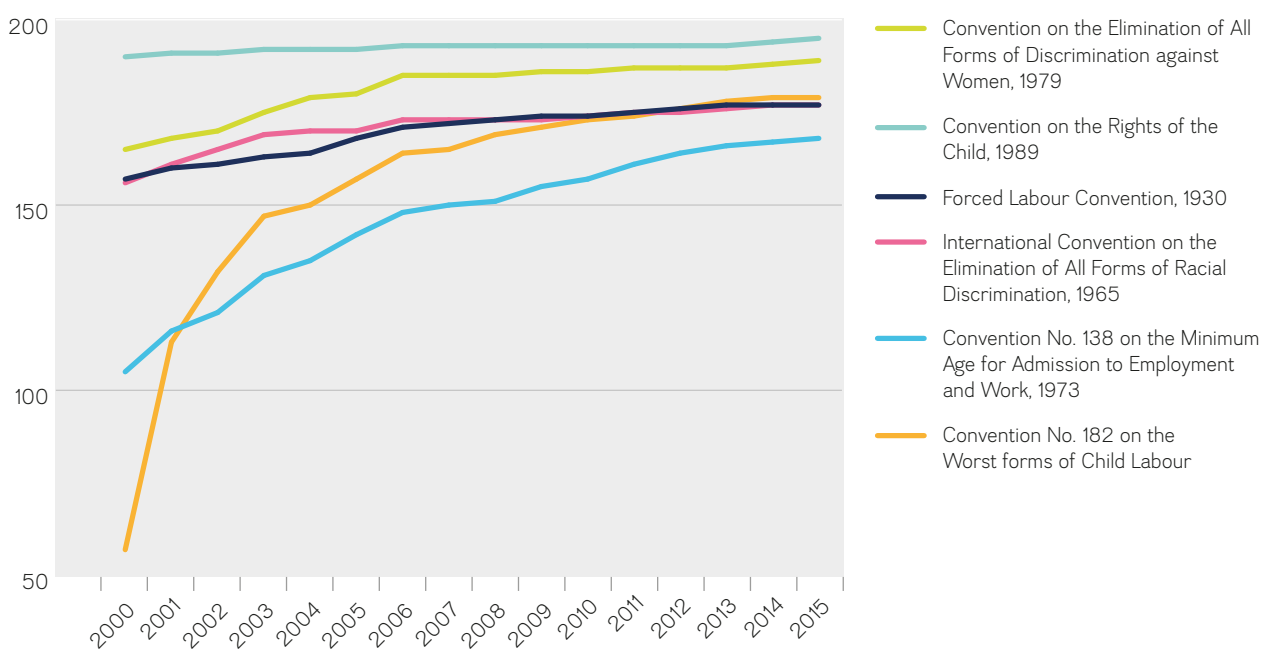
Annex 4. Ratifications of Key International Conventions relevant to migration

FIGURE 3. Ratification of Migration Related International Conventions, 2000-2015



Source: Normlex

FIGURE 4. Ratification of Other Relevant International Conventions



Source: Normlex

The Migration and Development Civil Society Network (MADE) connects civil society worldwide to promote policies for the well-being and protection of all migrants and communities.

MADE is both an open space and an expanding movement of civil society organizations and networks that connect for international, regional and national change with and for migrants and migration. It includes channels to exchange information, mobilise advocacy and policy-building strategies, as well as participate in a range of regional, thematic and international meetings and actions.

MADE activities are currently coordinated by seven civil society organizations and networks in Asia (Migrant Forum in Asia), Africa (Caritas Senegal), the Americas (International Network for Migration and Development and Scalabrini International Migration Network with assistance from Fundación Scalabrini) and Europe (AFFORD UK, Cordaid and ICMC Europe). The International Catholic Migration Commission acts as the Global Coordinating Office for MADE.

For more information about their roles and activities, please visit www.madenetwork.org

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Our partners



MOVEMENT. A Global Civil Society Report on Progress and Impact for Migrants' Rights and Development. 1st edition

In October 2013 civil society leaders, network and organizations from around the world proposed to governments in the United Nations General Assembly to work together on an agenda for change around migration and development. This agenda proposes to collaborate around eight priorities, centred on decent work and reforming the migrant labour recruitment; human development and diaspora action; protection of migrants - men, women and children - on the move, in transit and at borders; and the rule of law, governance and international responsibility.

Over the past year civil society groups and networks across the world have been connecting and working tirelessly to get this agenda implemented. Through critical, but constructive, engagement with governments on the ground, at a local, national, regional and global level, some positive shifts in discourse, policy and practice have emerged. Yet for too many of the world's 232 million migrants and for their families, abuses, challenges and barriers are still too common place.

The MADE Network commissioned this first edition of the Movement report to assess what progress has been made on achieving each of the eight goals highlighted in civil society's 5-year 8-point Plan of Action. Based on interviews, literature review and a global survey among 350 civil society organizations the report paints a picture both of improvement and stagnation, of action taken by civil society and of ways to take the Plan forward.



MADE

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