

2017 GFMD Civil Society Days, 29 June & 1 July
Safe, Orderly, Regular Migration Now: *Mechanics of a Compact worth Agreeing to*

Reporting template 2017 Civil Society Days working sessions and special sessions	
Session theme:	Working Session 4: Safe, orderly and regular mechanisms of migration in the context of work, including Ethical Recruitment of Migrant Workers, Labour migration and Regularization
A. 29 June - RECOMMENDATIONS DAY // Priority Messages to convey to states by the CSD Chairs and CSD rapporteur tomorrow during Common Space <i>(add name of corresponding Focus Session).</i>	
What concrete mechanisms (i.e. policies, practices, partnerships,...) specific to your theme exist, existed or should be developed to promote safe, orderly and regular migration	
<ul style="list-style-type: none"> • The existing examples of regularization, including Irish and Spanish examples, were mentioned. • One concrete regularization mechanism highlighted was the Irish program of regularizing workers in temporary visa statuses if they fall out of status as a result of labor exploitation. • The use of firewalls to separate labor standards enforcement agencies and immigration enforcement agencies was mentioned. The United States is one example, which has a memorandum of understanding between the Department of Labor and the Department of Homeland Security; but it has not always worked well in practice and is a work in progress, and may be in jeopardy depending on which presidential administration is in power. • In the context of circular and temporary migration programs, one concrete mechanism mentioned that could be implemented by Member States is to end the practice of tying visa-contingent temporary migrant workers to one particular employer. Many abuses and worker exploitation are facilitated as a result of this arrangement, which leaves workers nearly powerless vis-à-vis their employers. Workers fear retaliation from employers, because it can lead to deportation and removal, which in turn can mean losing recruitment fees that were invested to obtain the temporary job and visa status. 	
Which are civil society's " non-negotiables " for this theme, and in a scenario of a graduated 12 year timeline of implementation for the Global Compact, where could the implementation of each mechanism be placed; after 2, 7 or 12 years (i.e. shorter, medium or longer-term).	
The key non-negotiables and red-lines identified by civil society representative include: <ul style="list-style-type: none"> • Firewalls between labor standards enforcement agencies and immigration enforcement agencies. • Equal treatment for workers regardless of immigration status: for example, migrant workers of all statuses should be paid equal wages as native-born workers, have equal workplace rights and protections from discrimination. • Temporary or circular migrant workers should not have their visa or immigration status be tied to one employer. • No fees for workers: In the context of labor recruitment, migrant workers should never pay fees to obtain jobs. • ILO should play a central role in labor migration discussions and the Global Compact because of their technical expertise, commitment to UN human rights standards, and the ILO's tripartite structure that includes worker voices, as well as the voices of employers—and therefore represents more than just the 	

<p>interests of Member State governments.</p> <ul style="list-style-type: none"> • There should be a commitment to womens’ rights in the context of migration 	
<p>What are the two questions on this theme we want to ask governments in Common Space?</p>	
<ol style="list-style-type: none"> 1. How do you propose to implement a ban on the payment of any and all recruitment fees by migrant workers? 2. Before establishing new migration channels, how do you plan to regularize the current population of irregular migrants on your territory. 3. How can you ensure that workers in temporary or circular migration programs are not exploited if they are tied to one employer? Are you willing to consider alternative models that put power in the hands of workers by allowing them to determine whether they want to change employers, or return or stay in the destination country? 	
<p>B. 1 July - COMMITMENT DAY // Civil society commitments towards the Global Compact for Migration process</p>	
<p>What 2 strategic steps or actions does the group suggest civil society take for the months leading up to the adoption of the Global Compact; please specify any existing practices they build from.</p>	
<p>First strategic step or action in the next 6 months</p>	<ul style="list-style-type: none"> • In the context of the Global Compact, push and lobby for measures in the Compact that will regulate and make the entire recruitment and employment system and process more transparent, and that ban all recruitment fees being paid by workers. <ul style="list-style-type: none"> ○ This could include creating a list and database of authorized recruitment agencies in sending and receiving countries. • Have CSOs push for national consultations on the issue with their respective governments. • Have national and international campaigns to highlight the issue and build pressure, and expand or build new coalitions on ethical recruitment, and lobby the media to better cover the issue and help raise awareness.
<p>Existing practices to build from</p>	<ul style="list-style-type: none"> • E-migrate program in India where contracts are uploaded and available was highlighted as a model. • Have recruitment and employment take place in the context of bilateral agreements like one between Germany and the Philippines for nurses.
<p>Second strategic step or action in the next 6 months</p>	
<p>Existing practices to build from</p>	<ul style="list-style-type: none"> • Build campaigns at home to push for ratification of relevant ILO conventions and to promote awareness of labor rights and push for the principle of non-discrimination based on migration status.
<p>Existing practices to build from</p>	<ul style="list-style-type: none"> • Build on national campaigns on other issues such as child rights etc.
<p>What 2 strategic steps or actions does the group suggest civil society take for the months immediately after the adoption of the Global Compact in it’s “implementation phase”.</p>	
<p>First strategic step or action in 2018</p>	<ul style="list-style-type: none"> • CSOs should work to create a system to monitor and evaluate whether the Global Compact has been implemented, on every aspect of the Compact – and be able to identify where the Compact and Member States have fallen short.
<p>Second strategic</p>	
<p>Second strategic</p>	<ul style="list-style-type: none"> • Push for labor law reforms in domestic legislation to allow labor inspectors to audit

step or action 2018	recruitment agencies that have been recruiting migrants in the context of the Global Compact, and that can work towards ensuring ethical recruitment practices.
Specifically who in civil society will work on it?	<ul style="list-style-type: none"> • This was not identified by the participants.
2. Inspiring quotes	
<p>If you like, please provide one or two quotes that you heard during the session that you found inspiring. The sessions follow Chatham House rules, so please either ask for approval to name the speaker/organization <u>or</u> put “anonymous”.</p>	