

## **CLOSING PLENARY SESSION**

Meeting Rooms 2 and 3, Secretariat Building

3:00 – 5:30 pm

### **The Interface Between Civil Society and Government**

Co-chairpersons:

Sharan Burrow

Esteban Conejos

Undersecretary, Department of Foreign Affairs, Philippines

Chair, GFMD Steering Committee

### **HIGHLIGHTS FROM THE CLOSING SESSION**

- Chairperson Sharan Burrows reiterated that migration is a very important issue that needs to be understood and addressed by global key players given two very pressing global challenges: the financial crisis and climate change. Governments are calling for a new global architecture. She said that migrants contribute to the economic and social development of the world. However, their well-being is not completely addressed by both destination countries and countries of origin. She recommended that as governments sought a new global architecture, they also needed to come up with a rights-based governance approach for the migrants of the world based on existing international conventions. Civil society also wanted to challenge the UN development framework of full employment and decent work for everyone.
- Migration, whether temporary or permanent, should be a choice and not born out of necessity.
- Civil society wants to see the GFMD under the umbrella of the United Nations. However, whether a permanent office still needs further study.
- The issue of temporary migration needs to be reassessed in a rights-based approach because it continues to dislocate families and exploit migrant workers by not providing them with equal rights and access to benefits such as education, health and social security.
- She posed the question of how governments can negotiate portability of social security so that people can move freely around the world.
- She raised two questions for the governments to think about:
  - How do we reduce criminalization of undocumented workers?
  - How do we address the exploitation of irregular recruiters of the world who continue to charge recruitment fees to migrants?
- Mr. Conejos reassured Ms. Burrows that the Philippine government was willing to work hard to protect and promote migrant workers and that they were continually trying to think of concrete steps and best practices in order to achieve this.
- He shared three strategies that they came up with since the last GFMD in Brussels to engage civil society:
  - 1) increase the number of days for Civil Society participation (from 1 to 2 days)
  - 2) increase the participation of Civil Society delegates (from 200 to 230 delegates)

- 3) introduce the concept of the interface between government and civil society so that governments could hear from CS and incorporate these in their own discussions
- Choosing the right partner was also a critical element and the partnership with Ayala Foundation was very good.
  - Charito Vasa shared her story as a Filipino migrant who had moved to Italy as an undocumented worker because of poverty to show the difficulties that she faced as a woman living and working in a foreign country. Her experience helped her form an organization to help overseas workers from abuse and lobby for better policies with the Italian government. Now, she is a successful lobbyist and part of the local and national consultative bodies empowering women migrants. She called on governments to legislate national laws that respect migrants especially domestic workers who have been contributing and continue to contribute significantly to both sending and receiving countries. She called on governments from receiving countries to sign the ILO Convention on Domestic Workers Rights.
  - Sharan Burrow mentioned that all RTDs surfaced the issue of the increasing female face of migration and its invisibility and exploitative base. She encouraged governments to sign on and for CS to support the domestic workers convention of the ILO in 2010 in order to get the best possible deal for migrant workers. She asked governments to consider the issues of women in relation to migration. She also asked civil society be there as support partners to government when it came to the ILO.
  - Nisha Varias summarized the overarching themes from the various sessions during the 2-day Civil Society Discussions:
    - governments should ratify and enforce existing UN HR treaties and ensure that existing laws & agreements have HR standards. Overseas citizens should be protected by both destination and origin countries.
    - groups expressed concern about migration and national security policies and the moves toward criminalization of migrants, which has many social consequences to the families including children
    - there is much support for bringing the GFMD to the UN and strengthening the UN's governance
    - CS is asking government to invest in long term devt including creation of local opportunities for decent work so that migration can take place out of choice and not necessity
    - Govt and CS should recognize and promote the contributions of migrants in both countries of destination and origin,
    - Govt should partner with CS and Diaspora communities in development policy and programming
    - Documented, rights based migration reduces abuse of migrants. Governments need to broaden the channels for regular migration and create sustainable programs to regularize undocumented migrants

- There is a need to increase data sharing between global South and global North which has sex disaggregated data, research on social consequences of migration, migration - devt nexus, and takes into account sensitive issues like violence and deaths at borders.
  - Need for constructive dialogue between government groups dealing with migration and between ELJ branches of government
  - Govts need to work together to ensure portability of benefits such as for pension, health insurance and social security
  - Ask govt to reexamine the concept of temporary migration which has many social consequences including social costs to families, political disenfranchisement in home countries, and restrictive conditions of work
- Sharan Burrow pointed out the move towards a genuine global industry for migrants which would move towards global standards, social security, financial literacy, and equal development for workers and asked a representative from the health care industry to share her experience. At the core of this concept was codevelopment between host and origin countries.
  - May Mayor shared the increasing feminine face of nursing. She stressed the need for education, basic health care standards and a global core curriculum for the health care industry since the heart of nursing was relationship based care: compassionate, caring, competent and safe.
  - When asked by Sharan Burrow who would be in charge of the global core curriculum, Ms. Mayor suggested the following organizations to take the lead: GFMD, UN, WHO, IOM. Country to Country collaboration and anchor programs were also needed to sustain the nurse workforce globally.
  - Sharan Burrow asked government to think about how they could improve the conditions for the health care industry and move towards migration for choice.

s

- Sharan Burrow suggested that during the next GFMD, there should be an RTD with government and CS present
- Esteban Conejos pointed out that the process of approving and ratifying the ILO convention was a long process and very few countries had signed on so far. He challenged the governments and CS to come up with small but concrete steps to act upon to help migrant workers. He suggested that governments identify the gaps in their countries and share best practices on the ground on how to address the problems. He said that GFMD was not here for the ratification of the convention but to protect migrant rights and that CONCRETE steps should be taken.
- Sharan Burrow suggested that the established national contact points be called upon to report on the progress regarding migrant rights in the next GFMD and that governments come up with a standardized language for a rights based process and global advisory structure.

- Esteban Conejos said that the government continued to have informal meetings on the convention and they agreed on the following points:
  - Migration is important
  - The rights of migrants are important
  - The ILO convention because it is not ratified is not doing its job
  - There is a growing acceptance to take a 2<sup>nd</sup> look at the convention
- He said that since there was no breakthrough in the past 17 years, it was time for a change and he hoped that the Manila GFMD would provide new steps aside from ratifying the convention
- Peter Sutherland agreed that there had been much debate regarding the convention and that he would personally like to see UN as an essential part of the discussion. He said that the group needed to build on the momentum they had created through constructive dialogue with real ideas. He encouraged that governments be held accountable to their ideas to uphold the rights of migrant workers.
- The Chair of the Government session on shared responsibility between countries of origin and destination said that there was a need to revisit the general notion of labor migration to come up with a segmented instead of a blanket approach. Governments wanted to move forward and even without ratifying the convention, do something positive. He said he was glad to see that the relationship of tension of countries of origin and destination was not dissipating into a culture of collaboration.
- A government delegate from France shared that their policies were based on development in solidarity or codevelopment. NGOs, trade unions, academe and different stakeholders contributed significantly to the development of migrant rights in their country.
- A CS representative from France said that civil society participation was still lacking and that they should be engaged at the beginning of the process in terms of themes and presentations. He commended the organizers for their transparency and inclusivity in the selection of participants for the GFMD and said that these were needed in ALL stages of the process to ensure a better dialogue.
- Regarding the participation of CS in all stages of discussion, Sharan Burrow said that this would entail more resources. She suggested that NGOs and Government could come up with joint reports to show the progress made at the national level.
- Esteban Conejos said that groups should identify tangible outcomes instead of rediscussing concepts that had already been discussed during the previous GFMD. He suggested the following:
  - Establish a working group to work on labor mobility and consolidate best practices on how to reduce the costs of migration

- Continue to monitor the compliance of countries in terms of the expected outcomes
  - The Philippines would continue to monitor the progress while Greece was chairing the next conference
- However, regarding the existing setup for GFMD was government to government and it would be difficult to engage the CS from the start in identifying the themes since these were already identified during the previous GFMD.
- Sharan Burrow said that it was the joint responsibility of both CS and government to work on migrant rights and that CS could approach their governments to take action.
- A government representative from Netherlands shared that they had met with different diaspora groups and NGO delegations previous to their attendance in the GFMD in order to discuss the issues. He agreed that the migrant rights was a joint responsibility of governments and CS and that they would expect CS to organize meetings back in their country.
- A representative from Australia said that while host societies and sending societies were interested in common themes, there was no common mechanism could be used to reach the ends. Since capacities of government around the world differ, there would not be a “one size fits all approach.” The representative suggested that governments should measure first what has been achieved rather than try to make a new approach. They suggested engaging civil society domestically to help cull the best practices. They promised to do this in the future.
- A government representative from Norway agreed that close interaction between CS and government would ensure better participation. Though the link between migration and development was a new issue for Norway, the government was ready to give high priority to the issue and engage in dialogues with interested groups. While government and CS should cooperate, she cautioned against their submitting reports together as they had specific and different roles and interests.
- A representative from the Commission on Migration said that there had indeed been progress in the GFMD towards migration and development. He agreed that there was no “one size fits all approach” and that different capacity levels, policy levels called for different strategies. However, there were also overarching principles for actions that apply to all countries. Migration works better if migrant social and economic rights are protected both in the host and origin countries.
- A representative from France said that not only does CS and government have different roles. CS should be self-critical and help advance the development agenda.
- Representatives from the 3 regions (Africa, Asia Pacific and Latin America) shared their output from the voices of the region. As seen in the situation of Africa, governments

should consider the difficulty of resettlement issues especially for women. In Asia-Pacific, the main problem was increasing temporary migration which undercuts welfare and rights of work especially women domestic workers. The specific call for government was to stop recruiters from charging high rates to migrants and to start policies to reduce cost of migration with a framework of rights and standards. The representative from Latin America stressed the need to increase decriminalization of migration, protect migrant rights and the need to reexamine the migration- development nexus.

- Tati Licuanan of Miriam College commended the GFMD for the interface between CS and govt which was very productive. However, she expressed her disappointment in because the involvement of CS in the meeting was quite minimal. She expressed hope for the governments to operationalize a better means of interaction. She said she looked forward to the day when migration would be a choice and not necessity and that to do this, governments needed to put immigrant rights at the center of their policies.
- Esteban Conejos thanked the delegates, the Ayala Foundation, and Ms. Burrow for enriching the debate on protecting and empowering migrant rights and for the success of the conference.
- Sharan Burrow concluded that there was a significant force of migrant workers globally, and that the GFMD was a strong beginning to the plan of action that needed to be undertaken. She thanked the Ayala Foundation & support team for their work. She asked civil society to support their government and their advisers so they can come to terms in the next few days with big ideas for migrant rights. She concluded with two key issues for the governments to think about: 1) migration should be by choice, not necessity; 2) wherever migrants live and work, they should be treated equally.

Official Turnover of GFMD Civil Society Days from Ayala Foundation  
(Convenor, 2008 Civil Society Days) to the Onassis Foundation  
(Convenor, 2009 Civil Society Days) with the King Badouin Foundation  
(Convenor, 2007 Civil Society Day)

- A ritual was held to formally turnover the hosting to the Onassis Foundation
- Marianna Moschou of Onassis Foundation accepted the hosting and thanked the Ayala Foundation in organizing and hosting the 2008 CSD.