

GFMD Recommendations to the Global Compact on Migration

CLUSTER 1:

HUMAN RIGHTS OF ALL MIGRANTS, SOCIAL INCLUSION, COHESION AND ALL FORMS OF DISCRIMINATION, INCLUDING RACISM, XENOPHOBIA AND INTOLERANCE

Since the 2008 GFMD Summit in the Philippines, the Forum has been paramount in initiating discussions on human rights in the context of migration. Human rights have figured prominently ever since, becoming an integral part of discussions on migration and development. GFMD has therefore been an important agenda-setter for this particular topic. The debate has moved over the years beyond a rather abstract discussion on the applicability of Human Rights in specific contexts to a discussion on how human rights are to be upheld concretely. In conformity with the [Universal Declaration of Human Rights](#), [UN Resolution 9/5 on the Human Rights of Migrants](#) “requests states to effectively promote and protect human rights and fundamental freedoms of all migrants [...] regardless of their immigration status¹”.

On the same note, the [Sutherland Report](#) calls for facilitating legal and safe migration, and for avoiding policies undermining the respect for human rights. In particular, the report recommends developing global guiding principles on migrants in vulnerable situations, including migrant children² and to expand access to consular protection and assistance in transit.³ It further flags that each state needs to allow migrants to form workers’ associations and join trade unions⁴, articulate clearly on what terms it allows migrants to enter, stay and work⁵, how it will facilitate their departure or return, the need to abstain from returning people to places that are unsafe or preventing them to leave these⁶ as well as the need to foster inclusion by equipping migrants with a proof of legal identity⁷.

¹ See also [Addis Ababa Action Agenda \(AAAA\)](#), § 111.

² [Report of the United Nations Special Representative of the Secretary-General for International Migration, A/71/278, \(Sutherland Report\)](#), Recommendation 1.

³ [Sutherland Report](#), Recommendation 2.

⁴ [Sutherland Report](#), Recommendation 5.

⁵ [Sutherland Report](#), Recommendation 6.

⁶ [Sutherland Report](#), Recommendation 7.

⁷ [Sutherland Report](#), Recommendation 10.

Past GFMD discussions have come up with a significant number of recommendations around the relevant topics. These include (selection):

(1) Guaranteeing migrant's human rights regardless of their immigration status

- Respect and protect the human rights of all migrants, regardless of their status and nationality. With a view to “leave no one behind”, **pay particular attention to those migrants belonging to vulnerable groups** or are in particularly vulnerable situations and require specific protection.
- Put in place appropriate systems and procedures at the national or bilateral level in order to **ensure the protection and promotion of the rights of migrants in transit** (e.g. ports, airports, borders) and build the capacities of relevant public officials in accordance with international human rights law.

(2) Empowerment of migrants

- Design and implement **measures to strengthen the political empowerment** and participation of migrants.
- **Strengthen civil society support for migrants and support civil society actors**, incl. migrant associations, which promote the political participation of migrants (e.g. through organizational and financial support of favorable tax regimes).

(3) Social inclusion/participation

- **Promote integration and social cohesion as equal priorities** as a part and parcel of the effective management of migration, by **accompanying investments in facilitating legal migration by robust access for migrants to social protections, rights and services**.
- Pursue **more active integration policies**, which foster **social cohesion and economic dynamism**, envision integration as a long-term process and adopt policies that are open and tolerant to cultural diversities, without institutionalizing cultural differences or promoting assimilation to the predominant national culture.

Guiding questions for the discussion:

A number of recent UN documents, such as the [2030 Agenda](#) and the [Sustainable Development Goals](#), provide a framework – although not legally binding to states – that addresses a number of migration and development-related challenges. With this in mind:

- How can the GCM facilitate sustainable implementation of commitments in international standards and frameworks related to the topics covered by this thematic cluster?
- How can the GCM further advance relevant recommendations and good practices shared within the GFMD and affirmed in several UN documents, notably the [Sutherland Report](#), the [New York Declaration for Refugees and Migrants](#)⁸ and the latest [Report of the Secretary General on Migration](#)⁹?
- Which current challenges, if any, are not yet sufficiently covered by existing international standards and frameworks and therefore require specific emphasis by the GCM?

⁸ [New York Declaration for Refugees and Migrants](#), A/Res/71/1.

⁹ [Report of the Secretary General on Migration](#), A/70/59.