

GFMD Theme 4: Addressing Gaps in Migrant Protection
Summary of this Regional Webinar’s Key Emphases for Practice and Partnerships

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I. Introduction

This paper focuses on the work to date in this regional process specifically on the Global Forum theme *Addressing Gaps in Migrant Protection*. It has 3 focus areas. Protection of migrants:

1. **in transit**
2. **in admission, and policies of inclusion**, including access to social services and justice, and portability of benefits, and
3. **in labour agreements, and in the informal economy**

Some **54 representatives** of 12 States, 7 civil society organizations, 3 businesses, 4 Mayors and 11 observer organizations registered to participate in a two-hour on-line **Breakout session** 19 June. **What follows is a summary not of the whole issue itself, but of key points** of participant input and interaction in and around that session, with particular emphasis on threads and streams of convergence, shared interest, common ground and partnership regarding *this theme in this region*.

II. Key Emphases

A. Participants in this webinar series were clear that COVID-19 phenomena are profoundly relevant to the GFMD, and vice-versa.

Participants emphasized that:

- “COVID time” is actually *two* fully global crises, and in some places, quite possibly a third. That is: first the pandemic, then immediately the global economic crisis that grew out of measures to combat the pandemic, and now yet a third type of crisis emerging in places: social and political crises, some arising from pre-existing instabilities, but all with at least some basis in yawning inequalities and gaps exacerbated by surging COVID-related unemployment, hunger and discrimination.
- What is different is that COVID also adds an urgency, an imagination, and already signs of some surprising solidarity and speed. Specifically, participants suggested seeing and even sharing new energy and interest among actors who have not traditionally partnered before, especially across business, civil society and local authorities.

In this context, participants pointed directly to the GFMD for action that will simultaneously address gaps in migrant protection *and* work to restore public health, jobs, communities and economies. In short, migrants and refugees are part of the solution.

B. The following gaps, practices and partnerships were suggested *repeatedly* by representatives across all four GFMD constituent groups (States, civil society, business and Mayors):

1. **For both protection and development, labour migration mechanisms must be updated, urgently.** This issue achieved the greatest convergence by far among participants. And

representatives of all four GFMD groups expressed willingness to partner together in this direction.¹

Indeed, participants observed that **the lack of reality- and opportunity-based labour mechanisms exacerbates vulnerability and protection problems for migrants and refugees and blocks economic and human development.**

Many noted that the lack of *regular* pathways for work increases *irregular* migration, even driving migrants and refugees to seek *and consent* to its worst forms (like human trafficking) and most dangerous routes.

Business participants were further emphatic that **predictable, flexible, transparent and rights-sensitive labour migration policies are essential to strong labour markets, to innovation, businesses and economies—both filling and creating jobs.**

2. The second greatest convergence was on **improving protection of domestic workers, women and girls, and children who have specific—and well-documented—vulnerabilities in contexts of migration.** These and other people should always be included directly and meaningfully in development of the policies that affect them. In the IGAD region in East Africa for example, National Coordination Mechanisms bring together State and non-state actors, including migrant associations, to discuss all issues related to migration, an approach that the African Union is now replicating in other AU Member States.
3. **Fix recruitment practices.** This attracted the third strongest convergence, and participants said it was both long due *and* within reach. Several participants expressed appreciation for work by the ILO on fair recruitment and IOM on standards and code of conduct, but said it was time to insist on such protections in formal and enforceable intergovernmental agreements.
4. **Indeed, inter-governmental agreements must be strengthened at all levels.**
 - **bilateral labour agreements** must step up their insistence on basic worker rights and protection at international standards for all migrant workers, at all skills levels, including for workers commonly excluded from such rights and protections on farms and in seasonal and domestic work.
 - **existing mobility agreements** throughout Africa need to be implemented and/or duplicated, within regions (like ECOWAS in West Africa) and continentally, including wider ratification and domestication of the *Africa Protocol on Free Movement of Persons*.
 - wider ratification and implementation is also due for relevant **international conventions and standards**, including ILO Convention 189 on domestic workers.
5. To fully harness the potential of migrants and refugees for their own development and the development of their communities and countries, **States, international organizations and all GFMD stakeholders must put much greater investment in skills recognition, matching, mobility and development.**² This should include re-tooling and re-skilling migrants and refugees for new COVID and post-COVID labour market demands, including for domestic workers providing home health care services.

C. The following gaps, practices and partnerships were suggested by at least two representatives from more than one of the GFMD constituent groups:

6. **Vulnerabilities are more relevant than categories.** Participants suggested that to be effective, protection and other policies and programmes should be framed around the real-world *similarity* in vulnerability and opportunity among migrants and refugees on the ground, rather

¹ Addressing this gap also relates to the separate GFMD themes 1: the Governance of Labour Migration, and 5: Discussing Approaches to Prevent Irregular Migration.

² Addressing this gap also relates also to the separate GFMD theme 2: Skilling Migrants for Employment.

than their categorical dissimilarity. Participants were also clear that all people on the move have rights, including to basic protection, with refugees having additional—and essential—rights to specific protection under the Refugee Convention.

7. **Address root causes that are widely known to force people to migrate** because they cannot stay or take care of their families in their own countries. This has been a starting point for GFMD discussions of protection from the very beginning of the Forum in 2006. It means exploring—much more energetically—what the GFMD has to offer in focus *and partnerships* on concrete *alternatives* to forced migration.
8. **Investment must be significantly increased in better data** to understand the true presence, need and contributions of migrants and refugees, including towards achievement of national development plans and the Sustainable Development Goals. Youth should be given a distinct role in developing trustworthy outreach and research.

D. Finally, gaps, practices and partnerships that were suggested just once, but quite strongly:

9. Incentivize transitions from the informal to formal employment and economies, or else it will not happen. A menu of incentives should be developed, including access to capital, worker visas and benefits matching.

10. Re-charge how governments structure their attention to migrants, refugees and migration:

- build a process for dialogue between Africa and the Middle East, like the Abu Dhabi Dialogue.
- designate a **single national authority focused specifically on migration**, either one ministry or a senior official reporting directly to the Chief of State.
- invest in **Migrant Resource Centers**, including their capacity to communicate with migrants and refugees regardless of their status, about services, policy changes and opportunities.³

11. Last but not least, be much more deliberate about improving public narratives on migrants, refugees and migration.

All, as one participant put it, “for a future made better.”

/Thank you.

³ Addressing this gap also relates to GFMD theme 3: Leveraging New Technologies to Empower Migrants.