

GFMD 2008, Day 2, Roundtable Discussion 3, Session 3.3, Documentation 01

Session 3.3

Regional Consultative Processes at the Interface of Migration and Development

Chairperson: William Gois

Speakers: Michele Klein Solomon and John Bingham

Rapporteur: Vincent Williams

The Chair began the session by posing two questions to guide the flow and outcome of the discussions. These are:

1. How can regional consultation processes (RCPs) be linked up to the GFMD process and what happens in these RCPS?
2. What are the gaps in these RCPs and what challenges need to be addressed in relation to improving these processes?

The Chair then invited the resource persons to speak.

Ms. Solomon's paper provided an overview of various Regional Consultative Processes (RCPs) on migration across the globe. She noted that RCPs are informal, non-binding fora, which are held on a continuing basis. They have emerged over the last 20 years, with most countries being part of one or more RCPs.

Agenda of RCPs are flexible, and are aligned with government priorities. Regional and international organizations as well as civil society groups are often invited to these RCPs. RCPs promote information sharing and discussion of good practices, and foster cooperation and capacity-building.

There are three ways in which migration and development are treated in RCPs. Some RCPs have adopted migration and development as their central theme; others tackle migration and development issues on an ad-hoc basis; while some do not identify migration and development as a priority concern at all.

Information exchange is the focus of activities of RCPs. Specific outputs include declarations, non-binding recommendations, and seminars/trainings/technical workshops.

RCPs are valuable as they promote the sharing of information, compilation and sharing of data, and cooperation on migration matters at the regional level. They also build confidence and engender trust among participants because of their depoliticized environment. Moreover, they provide a common framework through regular meetings and creation of networks.

Civil society organizations (CSOs) are valuable in RCPs because they have daily dealings with migration-related issues; because of their operational and research capacities; and because of their advocacy role. Ms. Solomon cited some examples of CSOs' involvement in RCPs (e.g. Puebla Process, MIDSA).

There are a number of challenges to greater involvement of CSOs in RCPs: (1) since RCPs are generally informal, institutionalizing the participation of civil society organizations would run counter to this informal nature; (2) state and CSOs tend to focus on different aspects of

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migration; (3) NGOs need to overcome internal obstacles to their participation (e.g. inadequate resources, relative inexperience in migration policy discussions, legitimacy issues); (4) interstate cooperation is still nascent; (5) there are diverse interests within civil society itself.

Mr. Bingham noted that in the first GFMD, the following consensus was reached: there is value in involving CSOs in RCPs; civil society has to be included in all levels of discussion/dialogue (international, regional and national).

He noted that the South American Conference on Migration provides a lesson of inclusion of CSOs at both international and regional processes. One clear example of civil society contribution within the SACM process was the Declaration on Migration, Development and Human Rights of Migrants (which espouse clear principles such as the treatment of migrants as human beings, rejection of migrant criminalization and xenophobia) that was signed by 11 countries at the Uruguay conference in September 2008.

RCPs are not the only venue where civil societies can engage states. The challenge lies in getting CSOs actually invited in consultative processes as active dialogue partners/participants. Another major challenge is in translating the recommendations arising from RCPs and other consultations into concrete actions on the ground.

Mr. Vince Williams mentioned that his own CSO, the South African project, was able to contribute to national agenda setting (what issues to talk about at the national level) as well as to participate in formulating recommendations and monitoring action.

He underscored that while CSOs are important in RCPs, RCPs are also valuable to the work of CSOs in that they surface migration issues and concerns that need to be prioritized and addressed.

The Chair then opened the floor for discussions.

Some of the participants raised the issue pertaining to RCPs being incoherent in the sense that some governments send their home and police ministries to these consultations while others send their immigration and labor ministries.

Many of the participants raised the question of how civil society organizations might be better engaged in RCPs. The question of what has been the role of intergovernmental organizations like the IOM was raised.

Some participants noted that the outcomes of these RCPs have been more restrictive migration policies and that the policy recommendations seem to be counter-productive as far as engaging civil society is concerned.

A few participants observed that more directed actions need to be taken by national governments to engage civil society in some countries. It is unfortunate that governments are still not engaging civil society organizations even though they are strong on the ground. Likewise, there is an unevenness in the way that governments engage civil society in RCPs.

Also, it would be better for RCPs to succeed if these were to start at the national country level. Recommendations made at the regional level need to be followed up as well at the national level.

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Many of the participants identified that problems encountered by civil society organizations in engaging governments. In some instances, it has been observed that governments are even more restrictive towards civil society. Where there is some form of engagement, there is no real participation. There was a proposal that civil society participation in GFMD should be inside and not just peripheral to the process since civil society is also a part of society.

What principles should guide the engagement of civil society? Governments should not see the participation of NGOs in RCPs and in formulating and implementing migration and development policies as a mere concession but as a right. Civil society engagement should be institutionalized and not depend on the good will of governments.

A few participants noted that civil society groups are also diverse in the way that they understand and deal with the issues of migration and development. This diversity will have to be addressed for them to be effective in engaging governments. There would have to be a venue for civil society groups to come together and strategize their engagements with government on a collective level.

On the other hand, this diversity can be a strength for civil society groups.

There was also a view that being a non-binding process, the GFMD can have only a minimal impact on migration and development policies.

A participant observed that there is little evidence of the rights based approach in the RCPs. It was recommended that, for the next GFMD, there is a need to address the regional issues of migration and development more concretely and coherently and that civil society groups should be engaged in such (and other similar) processes.

The problem of selecting civil society representatives was noted in the session. How can the process of selecting representatives be made more transparent and effective in ensuring adequate representation in RCPs? The process by which civil society organizations are selected in RCPs should be transparent and should be representative.

In response, Mr. Bingham stated that civil society participants can develop their own mechanism and process and institutionalize these in a way that ensures transparency, representativeness, and balance. He also suggested that the Philippine organizing committee can play a prominent role in this arrangement.

Ms. Solomon also responded by saying the RCPs are not the only mechanisms at the regional level and not the only models for engaging civil society. There are also more formal processes that are increasingly taking up migration at the regional levels. There is also a need to look at coherence between the formal and informal processes.

It has been observed that not all civil society groups are represented in RCPs and global fora. Moreover, some participants are of the view that civil society is not being taken seriously by governments.

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One participant noted that RCPS should not just be informal in nature but must also be official and systematic.

It was suggested that there be a kind of evaluation of the recommendations next year and to what extent they have been accomplished.

In conclusion, Vincent Williams (Rapporteur) enumerated the key points raised in the session. These are as follows:

1. There is consensus among the participants on the value attached to RCPs. This is a given. RCPs are important in the context of addressing migration and development issues.
2. There is a recognition of the uneven situations of RCPs as well as the uneven participation of civil society groups in such processes. Similarly, there is a need to develop models for civil society participation and that governments should take some responsibility in ensuring that civil society organizations are able to participate in RCPs.
3. The process should not be evident only at the global level but also at the national and regional levels. The challenge now is in how to link these different levels.
4. Participating in RCPs is not to be seen as a concession but as a right to engage in these processes at all levels.
5. Comments have been raised on the diversity of civil society. Therefore, there is a need for different groups to develop a cohesive voice without necessarily losing their rich diversity. Cohesiveness does not mean speaking only with one voice. Rather, it means collectively strategizing efforts.
6. Civil society needs to be at the central part of the process and not be allowed to remain at the periphery.
7. Some discussions were made about institutionalizing the process of engagement between governments and civil society groups especially in terms of how organizations are selected to engage with governments.

The session was closed by the Chair.