

The Global Forum on Migration and Development (GFMD) 2017:
**ADOPTING A RIGHTS-BASED AND
DEVELOPMENT-ORIENTED
APPROACH TO MIGRATION**

**Demands of German civil society for the
German government as Co-Chair of the GFMD**



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PREFACE

Together with Morocco, Germany will serve as Chair of the Global Forum on Migration and Development (GFMD) in 2017 and 2018. This comes at a time when nationalism and right-wing populism are on the rise. These movements deliberately fuel fears of and resentment against migration in the public eye and exploit these sentiments for their own interests. At the same time, however, the insight that migration entails far-reaching development opportunities – not only for migrants and their societies of origin, but also for the countries of destination – is gaining acceptance in the debate among experts. Moreover, migration is increasingly being recognised as a global phenomenon that needs to be discussed and shaped internationally. However, there is still a lack of international governance structures in the area of migration policy.

The GFMD emerged from the first High-Level Dialogue on Migration and Development in 2006 and facilitates a regular informal exchange between actors from politics, civil society, the private sector and the sciences worldwide. Another aim of the GFMD is to actively engage in processes

that are relevant to migration policy at an international level. Against this background and in view of the lack of support demonstrated as yet for international legal norms in dealing with migration, we, the German civil society, regard the GFMD as an important platform for dialogue on the path to realising more binding policy approaches and concepts at global level. The GFMD has already played an important role in integrating the topic of migration into the 2030 Agenda. In addition to the specification and implementation of the migration-related Sustainable Development Goals (SDG 8.8 and 10.7), its main task is now to contribute to the development of the Global Compact for Safe, Orderly and Regular Migration, which the international community aims to adopt in 2018. In our view, the GFMD can also contribute to promoting a positive understanding of migration.

By serving as Co-Chair, the German government is demonstrating its willingness to assume a leading role in the international debate. We welcome this commitment. At the same time, we see a need for action in the following areas.

VENRO PROJECT FOR STRENGTHENING GERMAN CIVIL SOCIETY IN THE FRAMEWORK OF THE GFMD PROCESS

The present paper is the result of a broad consultation process of German civil society in the area of migration and development. The process has been coordinated by VENRO and is a central element of the VENRO project for strengthening German civil society in the framework of the GFMD. The project is supported and accompanied by the Robert Bosch Foundation and runs from January to July 2017. In this period, different measures are implemented that serve civil society networking, joint agenda setting and public re-

lations work with respect to GFMD topics. Moreover, the association functions as a contact point for international civil society. In this way, the GFMD processes at the different levels are being interlinked. It is envisaged that the process will be continued until the GFMD in Morocco in 2018.

► **Further information on the project can be found on the German [project page](#) of the VENRO homepage.**

ADOPTING A RIGHTS-BASED AND DEVELOPMENT-ORIENTED APPROACH TO MIGRATION

Migration is a social normality and can be an important factor of human development; however, it often takes place under extremely precarious conditions. Migrants are frequently defenceless against being disadvantaged, exploited, discriminated against or violently assaulted.

► **For a human rights-based migration policy**

Against this background, we demand a migration policy based on human rights. This must establish corresponding conditions in a partnership between countries of origin, transit and destination and must guarantee that migrants have access to their rights and opportunities to participate in society and decision-making – independent of their residence status and origin. Especially in the framework of the GFMD discussions, this goal should guide policy-making.

► **Communicating a positive, development-oriented understanding of migration**

Migration policy should not be dominated by security and domestic policy interests, let alone be pursued as a knee-jerk reaction to the rise of right-wing populist and nationalist movements. Migration is part of the history and future of humankind. It is neither a crime nor a problem – rather, it has the potential to contribute to development. If regular mobility is made possible and flanked by development policy measures, numerous potentials for development inherent in diversity and cross-border mobility can be tapped. Moreover, migration is an important instrument for achieving an international social balance. We therefore call on the German government to purposely use the Berlin GFMD conference in 2017 for raising public awareness of the manifold positive effects that migration can have on the development both of the societies of origin and of the countries of destination.

► **Expanding opportunities for regular migration**

We see the urgent need to create significantly more opportunities for regular migration. The focus must not lie only on the economic interests of the host countries and their companies. Both the interests of the societies of origin in the context of recruitment practices and the rights of the migrants must be taken seriously and taken into account. This also means that additional opportunities for migration must be created for people with lower qualifications and that the right to family reunion for migrant workers must be strengthened.

In the context of labour migration there is a great need for action in order to facilitate the portability of social insurances and the recognition of qualifications. Private companies must also bear more responsibility to ensure that labour standards and employment rights are adhered to in their enterprises and within their supply chains. This responsibility must also extend to the aspect of recruiting the migrant workers that they employ. Experience so far has shown that voluntary commitments are not sufficient.

The binational partnerships for professional training, the Global Skill Partnerships, which will be on the agenda at the GFMD in Berlin, offer an alternative that can help contribute to expanding regular migration. It is important to note that that partnership models have to be designed such that the interests and rights of the migrant workers are sufficiently taken into consideration.

► **Improving protection and rights for undocumented migrants**

The GFMD in Berlin will focus on regular migration. But even if regular migration paths are significantly expanded, there will still be migrants who for various reasons act outside of these regulations and end up in an undocumented status through entry, residence or employment. Adequate protection and rights must be guaranteed for them, too. There is a great need for action here. This must be appropriately taken into account in the framework of the GFMD conference.

► **Ratifying existing conventions for the protection of migrants**

With the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of the United Nations (UN) and corresponding conventions of the International Labour Organization (ILO), there are already concrete legal frameworks for protecting migrants and members of their families. However, the majority of classic destination countries has so far refused to ratify them. Germany, too, has yet to agree to the ratification of the UN convention and ILO conventions relevant to migration. This also includes the Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers of 1975 (C143) and the Private Employment Agencies Convention of 1997 (C181).

▶ **No instrumentalisation of development cooperation**

By collaborating with other political fields of action, development cooperation can reduce causes of forced migration and flight and thus contribute to migration being the result of self-determined decisions. Development cooperation must not be used as an instrument to persuade countries of origin and transit to conduct migration

management that primarily aims at limiting or stemming migration into the EU and that is incompatible with sustainable development. A conditionality of development funds in this sense contradicts what the GFMD has assumed as its task, namely strengthening the positive interactions of migration and development.

WE CALL ON THE GERMAN GOVERNMENT AS CO-CHAIR IN THE GFMD FRAMEWORK

- ▶ to take a clear stand against right-wing populism and xenophobia and to communicate a positive understanding of migration,
- ▶ to clearly distance itself from an instrumentalisation of development cooperation for the purpose of pushing through a restrictive management of migration,
- ▶ to push for migration policies that are oriented towards the rights of regular and undocumented migrants and allow for their participation in society and decision-making – this also includes the ratification of the UN Migrant Workers Convention and corresponding ILO conventions,
- ▶ to advocate the establishment of significantly more regular migration paths that are oriented towards the needs of all those affected, including family members and people with lower qualifications.

PROMOTING THE MIGRATION-RELATED GOALS OF THE 2030 AGENDA

The Sustainable Development Goals adopted by the UN are of central importance for migration policies in their entirety, since they can contribute to migration being the result of free decisions and not a consequence of a lack of prospects in life and development perspectives.

The Agenda goals relating to migration policy, goals 8.8 and 10.7, are an important instrument for strengthening international responsibility for migration issues. The member states of the UN have specifically committed to these goals:

- SDG 8.8: Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.
- SDG 10.7: Facilitate an orderly, safe, regular and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies.

The partly vague target formulations need to be filled with content using suitable indicators. In this context we demand a stronger rights-based orientation of the operationalisation.

The GFMD should make a concrete contribution to a human rights-based implementation and further development of the Agenda's migration-related goals. We therefore welcome the fact that the current GFMD concept provides for an exchange of experience with respect to the implementation of these goals. For the future we think it makes sense to establish regular reporting on the progress of the implementation within the GFMD process. Since civil society is also involved in the implementation of the 2030 Agenda, it should directly participate in these processes.

WE CALL ON THE GERMAN GOVERNMENT AS CO-CHAIR OF THE GFMD TO PUSH FOR

- ▶ a rights-based specification and implementation of the Agenda's migration-related goals,
- ▶ establishing regular reporting on the progress of these goals in the framework of future GFMD meetings – on the part of the governments as well as civil society,
- ▶ providing civil society with the opportunity to comment on this reporting and to propose corrective measures.

PAVING THE WAY FOR AN AMBITIOUS GLOBAL COMPACT ON MIGRATION

We see the Global Compact for Safe, Orderly and Regular Migration as the opportunity to lay the foundation for a development-oriented and human rights-based migration governance at international level. Achieving a consensus that the obligations should be strongly binding is of central importance. To this end, clear targets and indicators must be specified in the Global Compact and a regular review of the implementation must be made compulsory. With respect to content, the Compact has to be oriented towards the 2030 Agenda, draw on the existing international legal

frameworks such as the UN Migrant Workers Convention and corresponding ILO conventions and fill existing gaps in those frameworks.

In order to arrive at a joint understanding of the design and scope of the Compact, it is important to deal with the core topics of the Global Compact in the framework of the GFMD, such as reasons for forced migration, structural conditions of migration or protection against discrimination and violence.

WE CALL ON THE GERMAN GOVERNMENT TO PUSH FOR AN AMBITIOUS COMPACT THAT

- ▶ has a highly legally binding character and can establish a development-oriented and rights-based migration policy at global level,
- ▶ formulates clear targets oriented towards the 2030 Agenda, specifies concrete implementation mechanisms and requires a regular review of the implementation process using measurable indicators,
- ▶ is embedded in existing international legal frameworks by drawing on the UN Migrant Workers Convention and the corresponding ILO conventions and at the same time fills the gaps in those frameworks.

CONTINUATION OF CIVIL SOCIETY PARTICIPATION AT THE GFMD AND BEYOND

In the framework of the GFMD, civil society actors still have little access to the meetings of government representatives at roundtables. We demand more opportunities to become actively involved as members of civil society. Involving the employers' side in the GFMD in the form of a Business Mechanism was a sensible step in our view. However, it is also always necessary to ensure an adequate representation of the employees' side. In order to be able to accompany the Global Compact and the 2030 Agenda at international level beyond the GFMD, the access for civil society actors must be ensured there, too.

At national level, we want to continue the dialogue on a development-oriented migration policy. For this purpose, we

as members of German civil society will network further and participate in the discourse beyond the GFMD in Morocco. Moreover, we will campaign for migrants' associations in particular to be significantly more involved in development policy processes in order to thus be able to further unlock their manifold potentials for Germany as well as for the home countries. The initiated dialogue with the German government on migration and development should be further established and, under the aegis of the Federal Ministry for Economic Cooperation and Development, should be more strongly oriented towards a cross-departmental approach as part of a coherent whole-of-government approach. It should thus also involve the Ministry of the Interior, the Ministry for Economic Affairs and the Ministry of Labour, among others.

WE CALL ON THE GERMAN GOVERNMENT TO

- ▶ push for more opportunities for participation of civil society at the roundtables during its tenure as Co-Chair of the GFMD until 2018 and also beyond,
- ▶ ensure access for civil society actors to further international processes in addition to the GFMD,
- ▶ establish working structures in Germany through which civil society organisations together with the different departments of the German government can regularly exchange views in order to formulate a development-oriented and rights-based migration and integration policy.

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Stresemannstraße 72
10963 Berlin

Telephone: 030 263 9299-10
Fax: 030 263 9299-99
E-Mail: sekretariat@venro.org
Internet: www.venro.org

Editing: Dr. Bernd Bornhorst, Anke Kurat, Astrid Müller, Dr. Klaus Seitz (VENRO), Nils Utermöhlen (Brot für die Welt)

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(January 2017)

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**VENRO comprises around
130 member organisations.**

VENRO is the umbrella organisation of development and humanitarian aid non-governmental organisations (NGOs) in Germany. The Association was founded in 1995 and comprises around 130 organisations. Their backgrounds lie in private and church-related development co-operation, humanitarian aid as well as development education, public relations and advocacy.

VENRO's central goal is achieving justice in globalisation, and in particular eradicating global poverty. The Association works towards realising human rights and conserving natural resources.

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- ▶ represents the interests of the development and humanitarian NGOs in the political sphere
- ▶ strengthens the role of NGOs and civil society in development policy making
- ▶ represents the interests of the developing countries and of poor population groups
- ▶ raises public awareness for development topics

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