

`A Global Compact For, With and By Migrants

Progressive Statement from the 2nd Virtual Migrants' Echo Conference on the Regional Review of the Global Compact for Safe, Orderly and Regular Migration 21 October 2021

In bringing people together for the Second Migrants' Echo, our goal was to ensure that migrants and migrant-led organisations are front and centre in reviewing, monitoring and evaluating the implementation of the Global Compact for Safe, Orderly and Regular Migration (GCM).

This Progressive Statement, which has been endorsed by the organisations and networks listed below, is the product of a collaborative drafting process which brought together 143 migrant and refugee leaders, and migrant and refugee rights advocates from 72 organisations and networks from 21 countries. We have come together to voice our concerns and to campaign on a comprehensive set of issues and demands of migrants and refugees, particularly those that have been highlighted or exacerbated by the COVID-19 pandemic. This collaboration includes faith-based groups, trade unionists and workers, women and feminists, climate activists, and youth.

As the COVID-19 pandemic rages on, we see the situation of people on the move, including people who are migrants, refugees, seeking asylum, and stateless, as well as members of their families, worsening day by day. While governments state their achievements in terms of COVID response, the collective experience of migrants, refugees and other people on the move tells a different story. The following strategic responses are therefore needed:

1. Immediate aid for all distressed migrants.

Migrant distress and vulnerability arise in a number of contexts and for a range of reasons. Migrants may have lost their jobs and returned home, while others may not have been able to go back. People who wish to migrate may be stranded due to border restrictions, stuck in a cycle of hopelessness and now find themselves heavily in debt or in situations of violence and abuse.

We have seen a growth in the number of migrants who are, or have become, undocumented resulting in a multitude of cross-cutting crises. Due to strict lockdowns and border closures, many women migrant workers are trapped with perpetrators of sexual and gender-based violence and are experiencing multiple forms of abuse. Increased discrimination and the erosion of the rights of migrants, especially women, have further isolated them and prevented them from reporting abuses and seeking help.

Many people on the move are refugees or other migrants with international protection needs. Although citizens may benefit from government relief measures, we have seen migrants, including internal migrants, with or without a regular status, asylum seekers and refugees being excluded from such critical social resources while their support network has shrunk.

We call on governments to include and immediately dispense financial and other forms of aid to them. This call has been resounding and has many dimensions, from enabling immediate and free repatriation to providing cash handouts, livelihood opportunities in their home countries and in destination countries, shelter and social support mechanisms, to free COVID testing, vaccination and personal protective equipment.

2. Uphold rights and justice for all migrants.

Unfair, unjust immigration and labour policies in migrant-destination countries is a direct cause of migrants' vulnerabilities. During the ongoing pandemic, the deterioration in the living and working conditions of migrants and others on the move has heightened such vulnerabilities – from overcrowded accommodations and wage, employment and food insecurity to workplace violence and other civil and political rights violations, to state exactions and aberrant practices of recruitment agencies. HIV-positive migrants experience extreme difficulties in accessing ongoing treatment, ARVs and testing. In many countries, migrant workers with pending court cases, refugees, and people seeking asylum are denied the right to work and are forced to rely on others' charity or engage in undocumented migrant labour. At the same time, support given by the migrant-origin countries to their nationals living and working overseas has been seriously lacking.

Lockdowns, social distancing guidelines and other control policies have severely limited the movement of migrants and refugees. They continue to be arrested because of their undocumented status and are detained in overcrowded facilities where poor sanitary conditions and lack of access to healthcare means they are at increased risk of contracting COVID-19. Some have died of COVID-19 in detention, while others have been detained for many months while borders have been closed. There is an urgent need for non-custodial alternatives to detention that are rights-based and community-centred and that rely on case management.

We call for the strengthening of laws and mechanisms that will comprehensively protect the rights of migrants regardless of their status, including ensuring their access to health services, basic economic rights and justice, and upholding their right to liberty, free association, free speech and free assembly and other civil and political rights.

3. Address all drivers of forced migration.

Racism, discrimination, and social and economic exclusion that migrants too commonly experience have become more pronounced in recent months. Yet despite the situations of vulnerability and insecurity that they face, many migrants choose to stay because socio-economic and political problems back in their home countries have yet to be resolved.

The COVID pandemic has exposed and exacerbated poverty, unemployment, gender-based violence and landlessness in many origin countries. There is a lack of sustainable national industries that can generate decent domestic jobs and sources of livelihood for their migrant returnees. Some governments of these countries have even exploited the lockdowns brought about by the COVID pandemic to further curtail the human rights of citizens or to exacerbate internal conflicts. Political conflicts have likewise endangered the lives and livelihoods of refugees, migrants and citizens, as in the Afghanistan and Myanmar crises. Repression and attacks on human rights of migrants, migrants' rights defenders and citizens have intensified in recent times.

As champion countries of the GCM make pronouncements on issues such as trafficking for the purposes of sexual exploitation and ensuring that there are no children in immigration detention, they need to likewise address hard-hitting issues such as the wider issue of trafficking for forced labour, climate-induced migration, and the widespread use of immigration detention. Climate-related displacement and forced migration within and across borders are already significant issues in the Asia Pacific region and will likely continue to be the biggest issues the world will face in the coming years and decades. Yet there is no specific international legal framework for the protection of climate migrants.

We have all witnessed through mass media the harrowing scenes of human desperation as those labelled as ‘boat people’ have come to grief on overcrowded boats. We have heard and seen the cries and anger of those refugees, asylum seekers and others in search of international protection as they have been excluded by fences and other border control measures. Yet little account is taken of the causal factors which underpin the growing numbers of such people.

Long-term solutions to structural challenges are needed to resolve the root causes of social problems and the fundamental reasons for migration. Industrial backwardness, lack of nationalised and heavy industries, and import-dependent and export-oriented economy are outcomes of systemic problems that have long plagued many least developed countries. These problems are main contributors to joblessness, poverty, and labour precarity that push locals to seek work overseas.

We call for peoples’ rights and justice-based alternatives to be articulated and asserted to challenge misguided national development strategies and the negative effects of neoliberal migration management and development priorities.

4. Ensure migrants’ meaningful participation in the GCM process.

Migrants have spoken and have asked that states and international organisations make the GCM known to migrants and involve them meaningfully in its processes.

As major stakeholders, migrants need to be a key part of the review and implementation of the GCM at national, regional, and international levels. As the GCM is a state-led process, governments need to recognize the rich experience and input migrants can provide, proactively invite them to GCM consultations at all levels, reflect their statements in outcome documents and action plans, and act upon their demands.

To address this divide, we call upon the UN, states and other stakeholders to:

- recognize, collectively, the need to resolve the multitudinous gaps hindering migrants’ meaningful participation in international migration governance – bridging the digital divide, overcoming language barriers, and meeting the challenges of geography and time differences.
- provide for the practical and logistical needs of migrants such as language interpretations, financial support for grassroots participation, and communication needs of migrants to go online. These are necessary to ensure their effective participation not just in the GCM process but with other relevant policy platforms as well.
- raise migrants’ and CSOs’ awareness of the GCM, developing their capacity to navigate the process, ensuring their familiarity with new platforms, and creating an enabling environment including by making technical facilities accessible and suitable.
- immediately remove all barriers hindering the active and meaningful participation of migrant communities and organisations. This includes acknowledging their legitimacy regardless of their status in the country, fostering unifying opportunities for collaboration and cooperation between migrants and local labour unions, and ensuring days-off for migrants to participate and organize GCM-related events that are responsive to the circumstances of migrants.

States must also refrain from imposing restrictive measures on migrant organisations that inhibit their meaningful engagement and further contribute to the suppression of migrant participation in already restrictive civic spaces. In other words, it is vital that states guarantee

a safe and enabling environment for migrants' participation in the face of escalating attacks on socio-economic and other human rights across the globe.

5. **Strengthen accountability and responsibility of States on migration.**

Accountability also means accepting and considering critiques and recommendations by stakeholders, especially migrants, on parts of the GCM that are deemed detrimental to the rights of migrants. Member states must therefore create targeted opportunities for engagement with specific government bodies and committees responsible for the implementation of states' commitments to the GCM. They must engage migrants, refugees, civil society groups and all related stakeholders in national consultations to develop national action plans for implementation of the GCM. They must ensure these are implemented with robust monitoring and evaluation processes, followed by reporting of their progress. For example, we know there are several national laws that need to be revised to align with the commitments states made in adopting the GCM. This should be done in the spirit of the GCM and based on the common but differentiated responsibilities of countries of origin and countries of destination.

The UN Migration Network, overseeing and monitoring the GCM implementation, also has a role to play in strengthening accountability and responsibility, including calling on many governments, especially those of migrant-destination countries, to recognize, implement and become champions of the GCM. Governments, the UN and all stakeholders need to be champions for migrants as well as for the GCM.

Furthermore, we reiterate the states' responsibility to assist and support their own citizens who are working and living abroad as many migrants face distress in foreign countries. With ongoing global crises, we call for increased accountability from states in their commitment to implement the GCM, particularly in the protection of the rights, lives and dignity of migrants and their families throughout the whole migration cycle.

We, migrant organisations, CSOs, church and faith-based organisations, women's organizations and migrants' rights advocates, vow to strengthen our cooperation and amplify the collective voice of migrants and refugees within and outside the GCM process to uphold migrants and refugees' rights and push for genuine change.

Endorsed By:

Australia

1. Boniği Monitoring
2. Immigrant Women's Speakout Association
3. Migrante Australia

Bangladesh

4. Films 4 Peace Foundation

Hong Kong SAR, China

5. Abra Tinguian Ilocano Society (ATIS-HK)
6. Asosiasi Buruh Migran Indonesia - Hong Kong (ATKI-HK)
7. Association of Filipino Women Migrant Workers in Hong Kong (FILWOM)
8. Filipino Lesbian Organisation (FILO HK)
9. Filipino Migrant Domestic Workers Union (FMDWU-Hong Kong)
10. Filipino Migrant Workers Union Hong Kong
11. Filipino Migrants Association Hong Kong
12. GABRIELA Hong Kong

13. Gabungan Migran Muslim Indonesia (GAMMI-Hong Kong)
14. Indonesian Migrant Workers Union - Hong Kong
15. Jaringan Buruh Migran Indonesia - Hong Kong
16. Justice Centre Hong Kong
17. Liga Pekerja Migran Indonesia (LIPMI-Hong Kong)
18. Migrante Tamar
19. Migranteng Artista ng Bayan (MAB-HK)
20. United Filipino Dreamers Cultural Organization
21. United Filipinos in Hong Kong (UNIFIL-MIGRANTE-HK)
22. United Indonesian Against Overcharging (PILAR)

Indonesia

23. Keluarga Besar Buruh Migran Indonesia (KABAR BUMI)
24. Paguyuban Solidaritas Pelaut Indonesia (PASOPATI)
25. Yayasan Studi Migran Indonesia

Japan

26. Kafin Migrant Center

Macau SAR, China

27. Indonesian Migrant Workers Union - Macau
28. Jaringan Buruh Migran Indonesia - Macau
29. Migrante Macau

Malaysia

30. North South Initiative
31. TENAGANITA

New Zealand

32. Rt Revd Dr Eleanor Sanderson, Assistant Anglican Bishop of Wellington
33. Rt Revd Justin Duckworth, Anglican Bishop of Wellington

Pakistan

34. SPEAK Trust

Philippines

35. Kaisahan ng mga Migrante at Tagapagtaguyod para sa Ayudang Nakakasapat (KAMTIN)
36. Migrante Central Visayas
37. Migrante Philippines
38. More Women Center - General Santos City

Singapore

39. Indonesian Family Network - Singapore

South Korea

40. KASAMMA-KO
41. Osan Migrants Center

Taiwan (ROC)

42. Asosiasi Buruh Migran Indonesia - Taiwan
43. Gabungan Tenaga Kerja Bersolidaritas Community (GANAS COMMUNITY)
44. Serve the People Association

Thailand

45. Association of Concerned Filipinos in Thailand
46. Himigrante (Thailand)
47. MAP Foundation

Regional

48. Asia Pacific Forum on Women, Law and Development
49. Asia Pacific Mission for Migrants (APMM)
50. Asia Pacific Research Network (APRN)
51. CARAM-Asia
52. International Migrants Alliance (IMA) Asia Pacific
53. Interfaith Network for the Rights of Migrants (INFORM)

Global

54. Churches Witnessing With Migrants
55. International Detention Coalition
56. Migrante International