

## **A Civil Society perspective on important considerations for the September 19 Summit Outcome Document**

The members of the **Global Coalition on Migration**—representing a broad, global, multi-sectoral coalition of civil society organizations supporting migrants’ rights and rights-based migration governance—welcome the initiative of the Secretary General and the President of the General Assembly, as well as the work of the Co-Chairs, the Permanent Representatives to the UN from Jordan and Ireland, and Member States to address large movements of refugees and migrants in the Summit on September 19 and in its outcomes.

**Combatting racism and xenophobia.** In support of the Secretary General’s call for a UN-led campaign against xenophobia, we call on States to act collectively at the international level as well as individually within their societies to decisively reverse the rising tide of **racism and xenophobia**, especially but not only directed at migrants. Racism and xenophobia are increasingly depriving people of rights, threatening the peace and security of societies around the world, and undermining the goals and foundations of the UN as expressed in its Charter.

**Not only protecting but empowering women and girls.** Across every outcome and process in each of the three pillars proposed in the Secretary General’s report, we emphasize the imperative to **use a gender lens** to address all aspects of protection of refugees and migrants in large movements as well as governance of migration and development. This includes providing adequate targeted resources not only toward meeting protection needs but also toward **realizing equal opportunities for women and girls** in countries of origin, transit and destination.

**Addressing the protection needs of refugees and migrants in large movements.** We urge that in the outcome document States commit to act collectively to

- Address drivers of large movements of people—including movements of refugees and of migrants forced by climate change, natural disasters, economic instability or violent conflict—so as to reduce the number of people who will be forced to flee across borders in the future, and
- Commit to addressing drivers not only to prevent large movements, but also to support sustainable and globally equitable development-- thereby alleviating the social, economic, and environmental precariousness that leads to vulnerability in crises and making migration a choice rather than a necessity;
- Acknowledge that governance of migration and protection of refugees and migrants must necessarily be addressed at the international level and through the existing international framework of human rights and humanitarian law and labour standards;
- Assume “shared responsibility” for providing resources and developing capacity to address the protection needs of refugees and migrants in large movements;
- Develop mechanisms to support all states to implement in national law and policy their international human rights obligations to refugees and migrants, and to implement and operationalize these policies in practice;
- Reaffirm respect for human rights regardless of migration status, putting protection of the rights of refugees and *all* migrants, whatever their status, at the center of the agenda;
- Reaffirm relevant obligations under international law, including the principles and standards of the 1951 Convention on Refugees and its 1967 Protocol, the nine core UN Human Rights instruments, and ILO conventions 97, 143 and 189;
- Emphasize the need to address specific protections in ways sensitive to gender, age, and disability;
- Reaffirm support for host communities as well as refugees and migrants;
- Commit to upholding refugees’ and migrants’ safety and dignity.

**A Global Compact on Migration Governance.** We strongly urge states to commit in the outcome document to launching a process to develop a Global Compact on migration governance by 2018. As called for in the Secretary General’s report, this Compact must have as its basis “**that all migrants are entitled to the respect, protection and full enjoyment of their human rights under the core international human rights treaties, regardless of their migration status**” (“In Safety and Dignity”, paragraph 88).

We urge acknowledgment of collective responsibility for ensuring well-governed migration. We believe that it is essential that this Global Compact

- **Aim to provide institutional coherence to the existing international legal framework**, including UN instruments in human rights and humanitarian law and labour standards;
- **Be negotiated within the UN institutional and normative framework**, as part of a transparent and accountable multi-stakeholder process with participation of civil society organizations, including migrant organizations.

In order to clarify the basis of a Global Compact on migration in the UN-based international normative framework, we strongly urge that the outcome document **encourage Member States of the IOM to support a change to the IOM's constitution giving it a normative mandate to respect, protect and fulfill the human rights of those under its protection.**

We urge reconsideration of what a proposed Global Compact should be called, recognizing that **well-governed migration must be more than simply “safe, regular and orderly”**; it must also **protect migrants' rights** and provide access to justice when those rights are violated. With that in mind, we propose a name change to **Global Compact on Rights-Based Governance of Migration.**

This is no small matter: the “safe, regular and orderly” mantra implies that the concern is simply the management of flows, not the human rights of people, and makes it far too easy to overlook the fact that today there exist, even *outside* of large movements and irregular situations, **many regular migration channels that leave migrants vulnerable to rights violations and abuse**, as well as retaliation, threats of deportation, and loss of livelihood if they dare to seek justice.

We are particularly concerned with the growing number of **bilateral labour migration agreements**, many involving circular migration programs that severely restrict migrants' most basic human and labour rights. We urge all States to approach labour migration agreements, particularly bilateral agreements, in an open and transparent way with social dialogue partners, paying due attention to international human rights and labour standards. In keeping with the “people-centered” character of the 2030 Agenda and the pledge that “no one will be left behind”, we urge recognition that **migrants must not be seen simply as agents of development**, units of labour, or sources of remittances but as human beings with human rights.

We urge Member States to commit collectively and individually to achieving more **open borders under liberalized visa regimes** in order to promote safer, more orderly, transparent and rights-respecting mobility for refugees and forced migrants as well as those who would migrate for decent work. There is little evidence that closed, securitized and externalized borders genuinely promote security, but they do contribute dramatically to many of the acute circumstances the current Summit will address—including migrant and refugee vulnerability and disproportionate impacts on particular countries of transit and destination. And they have led—and unless changed will continue to lead—to many thousands of deaths of refugees and migrants attempting dangerous journeys when denied access to regular entry. Nor do closed borders lessen (but may exacerbate) either “push factors” that impel people to leave countries of origin, or the “pull factors” of unmet, mostly low-skilled, labour market demand in destination countries. They are what **drive demand for an illicit smuggling industry** that drains resources, both from states that must combat it and from those driven to employ smugglers' services—including both asylum seekers and other migrants. This is in addition to putting migrants in a vulnerable and dangerous position with respect to both smugglers and law enforcement.

Finally, we urge Member States to **seize the present opportunity to act in the best tradition of the United Nations and its Charter**, to transcend the current negative atmosphere to produce an outcome document that sets out a clear path toward securing “the future we want” by collectively committing to addressing and securing the protection of refugees' and migrants' human rights.