



**Sub-regional Consultation for the ECOWAS region
on the Regional Review of the implementation of the Global
Compact for Safe, Orderly and Regular Migration
Informal Multi-Stakeholder Consultation**

Monday, 31 May 2021

Rapporteur: Mamadou GOÏTA (PhD)

1

Introduction

1. In line with the commitments outlined in the Global Compact for Safe, Orderly and Regular Migration (GCM), including the guiding principle of a “whole-of-society approach” to GCM implementation, follow-up and review, and in preparation for the first African regional review of the implementation of the GCM, ECOWAS and the Regional UN Network on Migration (UNMN) for West and Central Africa have jointly convened an informal multi-stakeholder consultation with a range of stakeholders as mentioned in the GCM, in order to ensure transparent, inclusive, diverse and meaningful stakeholder engagement and participation during the review process.
2. With the participation of all relevant stakeholders, the online meeting organized on Monday 31 May 2021 was an inclusive and multi-stakeholder consultation focusing on the implementation of the GCM in West African States. More than 100 participants, including diaspora organizations, academia, media, child- and youth-led organisations, civil society organisations, volunteer involving organisations, women’s organisations, national human rights institutions, trade unions etc. contributed to make it happen.
3. The purpose of the consultation was to bring stakeholders together from the ECOWAS Region to: a) brief stakeholders on the current state of the regional review process; b) assess the progress made in the implementation of the GCM in the ECOWAS region; c) discuss challenges and/or opportunities with regards to the implementation of the GCM in the ECOWAS region; d) discuss future opportunities for meaningful stakeholder engagement in the region with regards to the GCM implementation; e) formulate key messages and recommendations to inform the ECOWAS Sub-regional Governmental Consultation that will take place on 5- 7 July 2021.
4. The consultation was organized around an opening segment, followed by two thematic roundtables. Each roundtable consisted of a panel discussion followed by interactive discussions, focusing on the progress, challenges, opportunities and promising practices in the implementation of the GCM in the ECOWAS region. The third session worked around promising practices and future opportunities for stakeholder engagement in the GCM implementation, follow-up and review in the ECOWAS region.

Opening session

5. The consultation started with welcoming remarks from ECOWAS, the global UN Network on Migration and the regional UN Network on Migration for WCA.
6. ECOWAS Representative, Mr Dango, highlighted the importance of this informal meeting, offering the occasion to inform the regional review process. He expressed the hope that the recommendations in the regional review process in Africa will take into account the ECOWAS subregion.
7. Mr Jonathan Prentice, head of the Secretariat of the UN Network on Migration, highlighted some key points concerning the Global Compact to allow those who are not familiar with the compact to know more about it. He reminded participants on the two key features of the GCM: the 10 guiding principles which represent the spirit of the Compact, that commit states to upholding international law; and the review process on the state of implementation of the GCM. He also underlined that the UN Migration Networks should also provide platforms for stakeholder engagement, and expressed the hope that this consultation would help show how stakeholders can engage fully in the regional review process.
8. Mr Andrea Ori, Regional Representative of OHCHR and co-chair of the Regional UNMN for WCA, recalled that the human rights based approach as a guiding principle is key to the GCM implementation, and must ensure that the rights of migrants are at the centre of the discussion. He also reminded that the GCM has received much support from West African States but also from a wide range of stakeholders in the region, since its adoption.
9. Finally, Mr Christopher Gascon, Regional Director for IOM, welcomed all participants and underlined the importance that migration plays for development and to achieve the UN Sustainable Development Goals. Ms Sophie Nonnenmacher, Deputy Regional Director for IOM, presented both the GCM and regional review process in more detail. she noted that the 10 Guiding Principles constitute the spirit/DNA of the Global Compact; and that no one State and actor can address the issue of migration meaning that all countries have to work together to make it happen. To address the key issues on migration, Member States committed on a regular basis to reflecting on the stage of implementation of the GCM at the regional and global level. In addition, 22 Champion countries, including in West Africa (Ghana, Guinea-Bissau, Nigeria, Senegal), have taken on a leadership role in advancing the GCM. Additional entry points for stakeholders exist to find platforms to engage on the different relevant objectives.

Update and discussions on progress, challenges, opportunities and promising practices in the implementation of the GCM in the ECOWAS region

10. The panelists and other participants engaged in sharing experiences, highlighting progresses, opportunities and challenges related to the implementation of the GCM in the ECOWAS region as related to five key thematic areas:

- Thematic Area 1: **Promoting fact-based and data-driven migration discourse, policy and planning;**
- Thematic Area 2: **Protecting the human rights, safety and wellbeing of migrants, including through addressing drivers and mitigating situations of vulnerability in migration;**
- Thematic Area 3: **Addressing irregular migration including through managing borders and combating transnational crime;**
- Thematic Area 4: **Facilitating regular migration, decent work and enhancing the positive development effects of human mobility;**
- Thematic Area 5: **Improving the social inclusion and integration of migrants.**

11. Whilst the region is providing some good examples in terms of regional integration and dealing with a long history of migration as well as some positives effects on development, the migration landscape is also characterized by some key challenges and violations of human rights.

The **most challenging dimensions** are among others:

- High prevalence of intraregional West Africa migration with more than 80% according to various sources, with migrants facing the same challenges, abuses and human rights violations as they are confronted with in other continents;
- Climate change impacts on labor migration as it impacts negatively on agriculture, fishing industry, and other means of livelihood. It drives young, productive people to move away to earn an income and send back remittances. During Covid-19, these remittances have been even more important to ensure the livelihoods of families;
- Difficulties to access regular migration pathways and the criminalization of irregular migration have lead migrants to use dangerous routes, increasing the risk even more of migrants – and mainly women, children and youth – becoming vulnerable (abuses by smugglers, victims of human trafficking, etc.). According to research, women are four times more likely to experience sexual harassment or abuse than men during migration. Surveys conducted in urban centres among young people on the move, have noted high prevalence of physical or sexual violence. Children on the move are particularly vulnerable to violence and exploitation. Unaccompanied children are often victims of several human rights violations and are at heightened risk of suffering sexual and gender-based violence (SGBV);
- Strong gaps in terms of West African internal migration management but also with other african regions with many cases of human rights abuses mainly toward women, children and youth and other marginalized groups;
- Weaknesses or lack of available scientific data to rely on for planning relevant actions;
- Very weak access to social services and justice in departure, transit and host countries for migrants and candidates for migration;
- Insufficiently adapted training programmes for migrants at all levels (departure, transit and host countries) making it difficult for them to make a living in dignity;

- Serious concerns regarding pushback operations and forced returns, violating the human rights of migrants;
- COVID-19 pandemic pushed to border closures and affected people on the move:
- Research shows that the pandemic hasn't impacted the decision to migrate so much, but it has impacted the journey and how it takes place. COVID-19 has led to smugglers asking higher fees and increased use of irregular routes; it has also impacted on migrants' ability to continue their journey because of loss of income;
- Lack of global policy space to deal with formal sector challenges;
- Dysfunctionalities of labor structures in the region preventing countries to have coherent guidelines from different institutions at different levels (Pan-African, regional, sub-regional, national and local -governments-);
- International cooperation is there but lacks operational tools. For example, responses for child protection and care often focus on one specific issue, e.g. child labour or trafficking but without a holistic view;
- Lack of security is a major challenge to implement the different elements of the GCM. West Africa faces a very difficult and unstable situation, making migration management very difficult;
- The undocumented situation of large parts of the population (lack of birth registration/ birth certificate) is also a major challenge as many people who want to migrate have no identity documents;
- Finally, the management of migration in West Africa is heavily impacted by European countries, and notably the EU management of returns having great impact on countries such as Mali, Nigeria, Niger and Mauritania.

12. A number of **opportunities** were also identified:

- Huge contribution of African diaspora in various manners in the development dynamics of their countries and regions of origin;
- AU free movement protocol, however currently ratified by only 4 countries and therefore needs to be questioned in terms of interests and commitment;
- ECOWAS is a key promoting agent of change and there is a general willingness of actors to implement good migration governance;
- Regional Economic Communities (REC) have sometimes progressive policies and practices that need to be scaled up by AU and other international institutions, but there is no specific agenda on that perspective despite the strong advocacy work done by different actors;
- Awareness is growing on the importance of a human rights based approach to migration management, ensuring the protection of migrants at every step of their migratory journey.
- Awareness is growing on consequences of irregular migration; and in many instances, local governments have taken specific actions;
- The GCM offers opportunities for children to participate and contribute directly to its implementation.

13. The continental (internal) challenges should take more space in the vision and formulation of strategic orientations in West Africa. All migrants with any form of discrimination should be protected in all West African countries and political measures should be taken against all countries violating labor rights in the continent.
14. A critical context analysis of the region during the 2 roundtables, mentioned key issues that need to be addressed to make migration an opportunity for development. They are mainly:
 - ⇒ **Fostering qualitative and reliable data:** Data management is a deeply politicized practice, particularly because it is linked to the power and intent of whoever collects the data. External influence in the creation and management of data needs to be corrected in the region. African States must provide the resources, institutions, academic support and funding needed for academic researchers, think tanks and African organizations to create data. This effort must have the integrity of not being used as a migrant policing tool that can put migrant communities at greater risk. The West African stakeholders including civil society and volunteer involving organisations, universities, research centers must have their own database. The global compact must encourage the management of reliable data, in terms of its production, monitoring and use. Countries with relatively weak research facilities should be supported to improve their production, dissemination and open data mechanisms in the region.
 - ⇒ **Strengthen border management frameworks:** In fact, 80% of border in West Africa are not materialized. Without clear delimitation of borders, countries are in a very difficult context to manage borders and protect people on the move.
 - ⇒ **Improve birth registration and legal documentation:** In the region, 55% child born are not registered and have then no birth certificate. The lack of birth registration is a major challenge for many people who want to migrate and don't have any identity document; and limits people's access to essential services.
 - ⇒ **Strengthen the ECOWAS partnership framework and policy framework in ECOWAS Member States:** From all the 16 WA countries (including Mauritania), only 4 have national migration policy, only three or four have reliable data about mobility migration.
 - ⇒ **Address the impact of European countries on migration management in West Africa:** Bilateral agreements between European and West African countries sometimes jeopardize the efforts made by states in terms of regional integration. The challenges can be observed in deportation programs and the commitments for some countries to host returnees despite the constraints they are facing.
 - ⇒ **Protecting the social rights of migrants:** there is an urgent need to consider the social rights of migrants in all processes mainly in the context of inter-State conflicts, the re-instating / regularization of migrants. All parties must help build the capacities of migrants and migration officers in countries and integration areas.
 - ⇒ **Pay particular attention to the experiences and role of women in migration:** The assessment process of the GCM in the region should be an opportunity to address more deeply the issue of how women are affected by the current multidimensional crisis and how different stakeholders are contributing to strengthen, expand and promote the rights of migrant women and to explore the realities of all women affected by migration in the countries of origin (including women who have stayed back while their husbands leave), those in transit, in the destination country and upon

their return. Women's migration goes beyond domestic workers and women who are victims of trafficking. Current immigration policies create contexts that promote exclusion, inequality and violation of rights that put women at risk and in vulnerable situations.

- ⇒ **Protecting the rights of children and young people is very critical in the region despite some good initiatives:** There is a strong will to support international standards and implement measures and safeguards to ensure that children's rights are respected by all States. Children should be protected against deportation and detention. Non-discriminatory access to education, healthcare and other social provisions for children, regardless of their status should be addressed. The well-being of children and the creation of jobs for young people must be at the center of any migration policy. Moreover, children and young people need to be included in all policy design and implementation.
- ⇒ **Promotion of freedom of movement:** The implementation of the GCM should ensure regular pathways and promote regional integration in promoting protocols for the free movement of persons and encourage the recognition of regional citizenship allowing regional citizens to have not only rights but also to exercise their duties in the integrated region. The different emerging crises are contributing to limit the freedom of movement of citizens. The review process should set up different regional targets and follow up on those.

15. The above points have been discussed and allowed to identify perspectives for future joint collaboration, leading to the following **recommendations:**

- **On governance of labor:**

- ⇒ Ensure coherence of policies and practices at all levels in the region (regional, sub-regional, national and local)
- ⇒ Build more coherence and coordination between institutions dealing with migration at all levels
- ⇒ Each country to have coherent migration and labor policies framed with the strong participation of CSOs/ VIOs in particular but also other stakeholders in general
- ⇒ Develop more multilateral agreements in requesting partnerships at international level (RECs...) to avoid individual countries' bilateral agreements that can destabilize regional integration in some cases (West Africa with militarization of borders, hotspots, military bases, externalization of borders etc.)
- ⇒ Speed up the implementation of different relevant instruments developed by AU on line with migration perspectives (Agenda 2063, Africa free movement of people protocol, migration agenda, Africa Mining Vision, Maputo/Malabo declaration, Continental Free Trade Agreement taking roots in the free movement of people protocol etc.)
- ⇒ Develop in each country a decent work agenda with African Union's strong participation and contribution for the monitoring and evaluation but also the knowledge management on cases and stories to be scaled up
- ⇒ Set up multistakeholders' platform of dialogue bringing together at all levels, various actors to develop progressive labor governance frameworks and or action plans (all these levels)

- ⇒ Collaborate more with CSOs/ VIOs to create better strategies for monitoring, evaluation and knowledge management of labor governance policies, programs and practices
- ⇒ Look at youth migration from a labour migration perspective- even when young people leave for education, they often remain in the host country afterwards as there may be more opportunities
- **On migrants' skills:**
 - ⇒ Governments, multilateral and bilateral cooperation to invest more on skills, competences and performances in West Africa both in formal and informal learning spaces to prepare young people to be more competitive in and out of the continent
 - ⇒ Build more coherence between curricula and developing sectors' needs in different African countries, for example through the creation of volunteerism opportunities
 - ⇒ Create more spaces for West African diaspora training online with their needs and using different instruments and domains
 - ⇒ Build up more accountability for states on skill development in countries of origin, countries of transit and destination by creating training centers for migrants. Every state has the right to regulate the presence of every individual but needs to uphold international standards and HR instruments. Bilateral agreements should be more balanced and see how skills can be built among young migrants before being returned, e.g., through collaborating with VIOs, implementing capacity building activities at scale. This will allow them to contribute more meaningfully to their society and feel involved in development.
 - ⇒ All stakeholders to put more emphasis on new information and communication tools to accelerate learning processes for migrants and youth at all levels.
- **On addressing gaps in migrants' protection against violence, abuse and exploitation and other human rights violations:**
 - ⇒ Engaging dialogue with Governments in their commitment to protect migrants at the 3 levels (origin, transit, destination)
 - ⇒ Support the framing, implementation, monitoring and assessment of comprehensive migrants' protection frameworks in all West African countries
 - ⇒ Building all CSO capacities to engage more with governments and other stakeholders
 - ⇒ Pay particular attention to the needs and vulnerabilities of women and children, including by working by and for children and youth to ensure they are included and integrated in host communities, including through awareness-raising, advocacy and the creation of safe spaces where children can seek support and exchange; and considering children on the move as children, not as migrants (applying a holistic view)
 - ⇒ Important to pay particular attention to terminology- we need to make sure we speak of migrants as human beings, not just irregular migrants
- **On migrants' social protection:**
 - ⇒ Ensure economic rights related to labor, to protect migrants from abuse by employers, and facilitate the transfer of resources to their country of origin
 - ⇒ Look more into how remittances can be more easily transferred so migrants can more easily and meaningfully contribute to development

- ⇒ States to ensure access for all to all social services, including decent housing
- Guarantee all migrants access to legal documents respecting their rights and making it possible to regularize all migrants without any discrimination
- **On migrants' access to health (including during COVID-19 pandemic):**
- ⇒ Promote access to information as a right
- ⇒ Ensure migrants' access to health systems and facilities
- **On legal protection**
- ⇒ Training of migrants on their rights and develop strategies to claim them legally
- ⇒ Support potential migrants in the corridors in promoting and protecting their rights to life, social services, decent work, justice and other related facilities

Promising practices and future opportunities for stakeholder engagement

16. During the third session, participants identified a number of opportunities for increased multi-stakeholder engagement in the GCM implementation and review process:
- Organise once or twice a year a similar subregional stakeholder consultation to follow up on the implementation
 - Involve CSOs and VIOs in the work of the Regional UNMN
 - Territorial collectivities could be a key tool in ensuring inclusion of CSOs and VIOs in GCM implementation. This could be for example through multi-stakeholder collaboration protocols at local level

Closing remarks

17. The meeting was closed by M Andrew Brooks, regional Child Protection Advisor for UNICEF, member of the UNMN Executive Committee and co-lead of the Regional UNMN's workstream on ensuring multi-stakeholder engagement in the Regional review process. He reminded participants that the Global Migration Compact represents a tremendous opportunity to address potential risks and remove obstacles to help people, including children migrate safely. By implementing the GCM we can turn vulnerability into potential; and shift the needle from marginalisation to inclusion. And ultimately, truly transform migration from a challenge to an opportunity for everyone. He also reiterated that the Regional UN Migration Network is committed to continuing its efforts and work with ECOWAS, Member States and all stakeholders to make the GCM commitments a reality.

Conclusion

18. The informal consultation allowed different stakeholders to share experiences, views and challenges on the implementation of the GCM in the ECOWAS region. There are different gaps in the implementation and such initiative should contribute to speed up initiatives and create better conditions for monitoring and assessment. Participants requested better synergy spaces for better lessons learned perspectives and collective actions.