REGIONAL REVIEW MEETING ON PROGRESS OF IMPLEMENTATION OF THE GLOBAL COMPACT FOR SAFE ORDERLY AND REGULAR MIGRATION (GCM) IN SOUTHERN AFRICA

28-29th April 2022

Bingu International Convention Centre
Lilongwe, Malawi

KEY OUTCOMES AND RECOMMENDATIONS

INTRODUCTION

The Global Compact for Safe Orderly and Regular Migration (GCM) was adopted by UN member states in December 2018 in Marrakech, Morocco. All member states in the Southern Africa Development Community (SADC) region support the GCM and have been implementing GCM initiatives for the last four years. The GCM envisages voluntary review of progress every four years. In May 2022, the global community will gather together for the first of such reviews in the International Migration Review Forum (IMRF) in New York. In order to consolidate a SADC regional perspective in preparation for this global event, a preparatory meeting was held in Lilongwe, Malawi, the current SADC Chair, with technical and financial support from the International Organization for Migration (IOM). Delegates from SADC member states came together and shared their progress on the implementation of the Global Compact for Migration, in addition to best practices, lessons learnt, key challenges, as well as opportunities in leveraging migration for the 2030 agenda. This brief report outlines some of the key recommendations that member states raised in the round table discussions that took place during this review meeting. These key messages will feed into the document that will be presented by the SADC Chair during the IMRF in May 2022.

KEY UPDATES AND RECOMMENDATIONS

Objective 1 of the GCM: Collect and utilise accurate and disaggregated data as a basis for evidence-based policies

A number of states reported to have developed and/or enhanced their generation of reliable and comprehensive migration data. Key sources highlighted include administrative data (such as immigration flow data), regular surveys and censuses. In the latter two, migration questions or modules have been integrated in the data collection tools.

Some member states have also completed national Migration Profiles with support from IOM. A number of countries also reported to have used Displacement Tracking Matrix (DTM) as a source of strategic information. Another tool that has been used to generate migration data by some states is the Migration Governance Index(MGI) assessment.

Recommendations:

- Member states encouraged to improve capacity to generate and analyse migration data and harmonise migration data generated from different sources

Objective 2 of the GCM: Minimise the adverse drivers and structural factors that compel people to leave their country of origin

Member states recognise that in the region, poverty remains a key driver of human mobility including of irregular migration. Thus, sustainable solutions for irregular migration lie in addressing the economic status of citizens in the region whilst promoting regular pathways for mobility. Member states reported on progressive efforts to address the economic situation of citizens by initiatives such as providing livelihood support to returning migrants.

Recommendations:

- Member states encouraged to put in place deliberate strategies and actions that target poverty's role as an incentive for citizens to move across borders. For instance, member states should deliberately create and implement job creation initiatives so that people do not have to move out in search of economic opportunities elsewhere
- Member states encouraged to mainstream migration in their principal national development plans

Objective 3 of the GCM: <u>Provide accurate and timely information at all stages of migration</u>

Member states reported several emerging governments-led efforts to provide information to both in bound and out bound migrants. As an example, some states reported to have awareness raising initiatives where accurate information on migration as well as on channels for regular migration is communicated.

Recommendations:

- In addition to recommendations under Objective 1 above, member states are encouraged to continue raising awareness on safe and orderly migration to migrants and prospective migrants, and between and amongst member states
- Member states encouraged to ensure that migrants have access to clear and detailed information about the referral mechanisms that are in place for their utilisation

Objective 4 of the GCM: <u>Ensure that all migrants have proof of legal identity and adequate documentation</u>

Several member states reported to have already had existing mechanisms for documentation of migrants in their national registration schemes. These schemes allow for refugees, children born of regular migrants or even irregular migrants to be documented. As an example, Eswatini, conducted a mapping exercise to identify undocumented migrants and ensure that they are provided with relevant documentation. Some member states indicate have used *non-custodial mechanisms,* including amnesty, to undocumented migrants to encourage them to regularise their status.

Recommendations:

- Member states encouraged to continue implementation of existing as well as new initiatives to reach out to migrants, especially irregular migrants with information about and opportunities for documentation.

Objective 5 of the GCM: <u>Enhance availability and flexibility of pathways for regular migration</u>

The COVID-19 crisis, presented a great opportunity for member states to demonstrate flexibility. A majority of countries offered waivers, exemptions, extensions or amnesties for migrants who may have become irregular during COVID 19. A number of countries reported to have established eVisa schemes.

- Member states should devise simplified visa and travel documentation application procedures, in order to increase the ease with which migrants are able to travel across borders in a legal and regular manner. The issuance of eVisas are one of such procedures.
- Member states should enhance information sharing initiatives to citizens and prospective migrants regarding legal and safe travel to other nations, in order for migrants to make informed decisions to migrate. This is particularly relevant with migration during crisis situations

Objective 6 of the GCM: <u>**Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work**</u>

Member states noted that this objective was immensely relevant in the region as labour migration is a key phenomenon. The efforts reported by majority of the member states reported involved the establishment of bilateral agreements and engagements between countries.

Recommendations:

- Member states encouraged to ensure that migrant workers are aware of their rights and responsibilities as workers
- Member states encouraged to regulate recruitment agencies and ensure they are accredited to respective consulates and embassies
- Member states encouraged to sign Bilateral and Multilateral Labour Agreements with targeted countries, according to their particular labour migration trends.
- Member states encouraged to consider the issuance of work permits when migrant workers are still in their countries of origin, as a first set of checks and protection for migrant workers
- Member states encouraged to harmonise and regulate laws and policies regarding migrant workers in the region. This harmonisation could possibly involve the development of a regional policy that governs the management and protection of migrant workers
- Labour authorities in the different member states encouraged to ensure that employers are adhering to domestic and international labour laws and policies, in terms of the conditions that are provided to migrant workers. This calls for strengthening of labour inspectorate agencies as well as fast tracking the prosecution of labour migration related matters.
- Member states encouraged to put in place clear mechanisms for migrant workers to be able to report any form of illegal and poor employment conditions. For instance, providing information regarding labour laws, where and how to report to police and labour authorities, reporting about trafficking etc to migrants predeparture as well as upon their arrival. These mechanisms need to take into account the language barriers that may exist.
- Member states encouraged to consider deliberate strategies to meet the protection needs of migrants in the informal sector, as these are often left out of many of the interventions that target mainly migrant workers in the formal sector
- Member states encouraged to consider ratifying the ILO convention on formalising the informal sector

Objective 7 of the GCM: <u>**Address and reduce vulnerabilities in migration**</u>

Member states agreed that migration in itself is not a vulnerability, however, there are vulnerabilities that can come about as a result of migration. Therefore, member states are called to address those vulnerabilities.

Recommendations:

- Member states encouraged to regard migration as a positive contributor to development while at the same time giving due attention to security considerations
- Member states encouraged to develop clear standard operating procedures on identification, support and referral for migrants with protection related concerns

Objective 8 of the GCM: <u>Save lives and establish coordinated international efforts on missing migrants</u>

Member states reported having established dedicated institutional arrangements that address the problem of missing migrants.

Recommendations:

- Member states encouraged to work alongside embassies as well as Ministries of Foreign Affairs and relevant agencies, in cases where embassies are not available
- Member states encouraged to establish a joint taskforce to address issue of missing migrants, and to coordinate linkages with relevant international institutions such as Interpol

Objective 9 of the GCM: <u>Strengthen the transnational response to smuggling of migrants</u>

Members states noted the lack of harmonised legislation on smuggled persons in the region poses a key challenge. In some states, smuggled persons are regarded as victims, while in other states they are regarded as criminals.

Recommendations:

- Member states encouraged to make coordinated efforts at harmonising laws, policies and practice around the migrant smuggling phenomenon

Objective 10 of the GCM: <u>Prevent, combat and eradicate trafficking in persons in the context of international migration</u>

States jointly recognised that human trafficking is a growing concern in the region. This is evident by the number of states that have established TIP legislation in response.

Recommendations

- Member states encouraged to expand pathways for regular migration to prevent the risk of trafficking in persons

Objective 11 of the GCM: <u>Manage borders in an integrated, secure and coordinated manner</u>

Member states have continued to implement legislations and guidelines to manage borders. Some of the legislations were existent even before the GCM. Countries that have installed One Stop Border Posts (OSBPs) report greater intercountry coordination and service delivery and motivated other member states in that direction.

Recommendations**:**

- Member states in the region encouraged to increase the number of One Stop Border Posts (OSBPs) as a measure to enhance bi-country coordination, for faster and more effective border management.

Objective 12 of the GCM: <u>Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral</u>

Member states acknowledged that addressing protection issues in migration requires a holistic approach. As such member states have made commendable efforts at various levels. However, member states indicated funding to be a major constraint to ensuring effective protection.

Recommendations:

- Member states encouraged to increase capacity building for all border staff
- Member states encouraged to establish clear national referral mechanisms, for instance in the case of identification and protection for unaccompanied and separated child migrants
- Member states encouraged to strengthen regional information sharing mechanisms specifically for migrants. This will aid instances of cross border return interventions
- Member states encouraged to seek support from partners such as IOM, Red Cross and Red Crescent to assist with cross border tracing and return for migrants
- Member states encouraged to increase funding allocation in addition to increase resource mobilization efforts to support screening, assessment and referral interventions

Objective 13 of the GCM: <u>Use migration detention only as a measure of last resort and work towards alternatives</u>

The prevalence of irregular migrants in transit was reported by several member states. These member states reported that these migrants are held in detention centres, separate from convicted offenders in prisons.

Members discussed this objective in relation to objective 9.

Recommendations:

- Member states urged to harmonise laws, policy and practice around the handling of migrants in irregular situations

Objective 14 of the GCM: <u>Enhance consular protection, assistance and cooperation throughout the migration cycle</u>

Member states jointly highlighted the important role that consular offices played in the protection and assistance of migrants during the COVID 19 situation.

Recommendations:

- Member states urged to increase financial and human capacity in the consular offices

Objective 15 of the GCM: <u>Provide access to basic services for migrants</u>

Member states shared best practices in implementation of this objective. One such practice included ensuring that all individuals have access to medical care such as COVID 19 testing and vaccinations, irrespective of their migration status.

Recommendations:

- Member states are encouraged to provide basic services such as education, healthcare, shelter, food provision and access to clean water to all individuals regardless of their migration status

Objective 16 of the GCM: <u>Empower migrants and societies to realize full inclusion and social cohesion</u>

Member states discussed implementation of this objective in conjunction with objective 16 above.

Recommendations:

- Member states urged to ensure that migrants are not discriminated upon or omitted in social services and programmes

Objective 17 of the GCM: <u>Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration</u>

Member states acknowledged that implementing this objective is a key component of achieving an all-inclusive approach to service delivery to migrants.

Recommendation:

- Member states urged to ensure that the 'people-centredness' of GCM is upheld

Objective 18 of the GCM: <u>Invest in skills development and facilitate mutual recognition of skills, qualifications and competences</u>

Members reported various actions under this objective. For example, establishing national qualifications authorities, and harmonising national qualification frameworks to the SADC qualification framework.

Recommendation:

- Member states encouraged to align their qualification assessment frameworks to the regional SADC qualification framework and work towards mutual recognition of qualifications.
- Member states to consider utilising the UNESCO qualification passport
- Member states urged to consider establishment of a regime to recognise informal skills, as majority of labour migration in the region is in the informal sector

Objective 19 of the GCM: <u>Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries</u>

Member states reported to have implemented various interventions to enhance various diaspora engagements, such as incentives for returning diaspora and enacting national diaspora engagement policies. A number of member states have also implemented diaspora mapping exercises as part of efforts to understand the location, needs and size of diaspora communities to inform evidence-based diaspora engagement.

Recommendations:

- Member states encouraged to conduct a skills audit to identify the categories of skills available within the diaspora in order to deliberately leverage the available skills
- Member states encouraged to clearly inform members of the diaspora on the mechanisms and pathways available for them to effectively contribute to the wealth generation and development of their countries of origin

Objective 20 of the GCM: <u>Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants</u>

Member states reported a number of measures that were undertaken to ease transfer of remittances. For instance, some states recognised money exchange as an essential service during the COVID 19 pandemic to allow migrants to transfer remittances.

<u>Recommendations:</u>

- Member states urged to consider strategies to reduce transaction costs so that migrants can have increased incentive to remit funds back home

Objective 21 of the GCM: <u>Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration</u>

Member states highlighted that bilateral engagement is key in facilitating safe, dignified and faster returns, in addition to providing support upon reintegration.

<u>Recommendations:</u>

- Member states urged to put in place strategies, policies and programs on assisted voluntary return and reintegration (AVRR)
- Member states encouraged to coordinate with countries of origin to find durable solutions to facilitate safe and dignified returns, readmissions and sustainable reintegration

Objective 22 of the GCM: <u>Establish mechanisms for the portability of social security entitlements and earned benefits</u>

Member states reported having put in place labour migration policies and social protection policies that also address portability of social benefits.

<u>Recommendations:</u>

- Member states encouraged to ratify relevant international instruments in addition to implementing labour migration policies.
- Member states encouraged to enter into bilateral and multilateral arrangements to ease portability of social security benefits

Objective 23 of the GCM: <u>Strengthen international cooperation and global partnerships for safe, orderly and regular migration</u>

Member states acknowledged the need for active monitoring and follow up of the progress of implementation on agreed actions.

<u>Recommendations:</u>

- Member states encouraged to develop bilateral and multilateral monitoring and evaluation plans regarding the agreements they have made and regularly review them.

Ends