

Consultation with Parliamentarians on Upholding Human Rights and Advancing Implementation of the Global Compact for Safe, Orderly and Regular Migration (GCM) in Asia and the Pacific

Facilitated by the Office of the United Nations (UN) High Commissioner for Human Rights, Regional Office for South-East Asia (OHCHR)

8 February 2022, 11:00-13.30 hrs. (Bangkok time) - Virtual

SUMMARY REPORT DRAFT

I. Background

1. In 2018, in accordance with General Assembly Resolution 73/195,¹ Member States committed to a periodic and effective follow-up and review mechanism of the Implementation of the Global Compact for Safe, Orderly and Regular Migration (GCM).²

2. Member States committed to implementing the GCM at the national, regional and global levels in cooperation with all relevant stakeholders. Twelve distinct stakeholder categories were identified, namely migrants, civil society, migrant and diaspora organizations, faith-based organizations, local authorities and communities, the private sector, trade unions, parliamentarians, national human rights institutions (NHRIs), the International Red Cross and Red Crescent Movement, academia, the media and other relevant stakeholders (para 41 and 44).

3. The Regional UN Network on Migration for Asia and the Pacific (the Regional Network),³ of which OHCHR is an Executive Member, is committed to facilitating and translating into practice meaningful engagement of stakeholders in line with the principles underpinning a whole-of-society approach:

- ✓ **Transparency:** Generating an open call for engagement to all relevant stakeholders and providing an open and equal channel to receive inputs;
- ✓ **Inclusivity:** Creating room for the widest possible access to all relevant stakeholders through different forms of engagement;
- ✓ **Diversity:** Ensuring non-discriminatory access to all, with particular attention to underrepresented voices and to migrants in situations of vulnerability;
- ✓ **Meaningful participation:** Providing effective access to all preparatory and follow-up processes within the context of the regional review, encompassing the

¹ General Assembly Resolution 73/195 of 19 December 2018. At: https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_73_195.pdf

² The Global Compact for Migration is available here: https://refugeemigrants.un.org/sites/default/files/180711_final_draft_0.pdf

³ The Regional UN Network on Migration for Asia and the Pacific (The Regional Network) is comprised of all United Nations agencies at Asia and the Pacific regional level wishing to join. The Regional Office of IOM, Asia-Pacific serves as the Coordinator and Secretariat of the Regional Network. The Executive Committee of the Regional Network currently comprises of the Economic and Social Commission of Asia and the Pacific (ESCAP), ILO, IOM, OHCHR, UNDP, UN DRR, UNFPA, UNHCR, UNICEF, UNODC, and UN Women.

diverse voices of migrants, and encouraging the mobilization of resources to enable participation of stakeholders.⁴

4. The Regional Network organized the Regional Review of Implementation of the GCM in Asia and the Pacific from 10 to 12 March 2021. Over 300 representatives ESCAP Member States and about 60 stakeholders, representing seven stakeholder groups, took part in the three-day intergovernmental meeting. There were also members of parliaments (MPs), governmental, ministerial and embassy staff members from several different countries at the meeting⁵. On 23 September 2021, the Regional Network organized a consultation with stakeholders to explore ways to strengthen stakeholder engagement,⁶ and in the lead-up to this meeting, organized additional focused group conversations. These conversations were with stakeholder categories, including with parliamentarians, who had no, or limited, presence during the five stakeholder consultations⁷ held between October 2020 and March 2021.

5. During the focused discussion with parliamentarians, including representatives from Malaysia, Singapore and the Philippines, there was a call to create more awareness and provide guidance to parliamentarians on how to engage with the GCM; how to expand and strengthen the partnerships with OHCHR and the Regional Network; and explore ways in which parliamentarians could pave the way for concrete policy changes. Recommendations also included more regular meetings between the Regional Network and parliamentarians; sharing of best practices on policy and legislation between countries in the region; and setting-up accountability mechanisms, including monitoring and reporting, that involve parliamentarians.

6. As per December 2021, the active network of stakeholders compiled by the Regional Network consisted of around 300 persons from around 200 organizations in around 25 countries across Asia and the Pacific.

II. Objectives and Attendance

7. It is in this context that OHCHR facilitated the stakeholder consultation with parliamentarians which was held on 8 February 2022. Based on needs and requests from participants, the following objectives of the consultation were identified:

⁴ For more information on the Regional Network's overall approach to stakeholder engagement in the GCM process in Asia and the Pacific, please see: Engagement of civil society organizations and other stakeholders in the Asia-Pacific Regional Review of Implementation of the Global Compact for Safe, Orderly and Regular Migration. At: https://www.unescap.org/sites/default/files/Stakeholders_engagement_20200819.pdf

⁵ A comprehensive list of participants can be found on the website of the Asia-Pacific Regional Review of Implementation of the Global Compact for Safe, Orderly and Regular Migration. At <https://www.unescap.org/intergovernmental-meetings/asia-pacific-regional-review-implementation-global-compact-safe-orderly>

⁶ Summary report: Strengthening Stakeholder Engagement with the Regional UN Network on Migration for Asia and The Pacific, 23 September 2021: https://migrationnetwork.un.org/sites/g/files/tmzbdl416/files/docs/stakeholder_summary.report.23september2021.final_1.pdf

⁷ For more information on the five stakeholder consultations, please visit the website of the Asia-Pacific Regional Review of Implementation of the Global Compact for Safe, Orderly and Regular Migration. At: <https://www.unescap.org/intergovernmental-meetings/asia-pacific-regional-review-implementation-global-compact-safe-orderly>

- identify and discuss the roles parliamentarians can assume in advancing the human rights of migrants and improve migration governance;
- gain a better understanding of the GCM; including the International Migration Review Forum (IMRF), to be held on 17-20 May, 2022;
- identify and discuss key areas of human rights concerns, as they relate to the implementation of the GCM, including migrants in situations of vulnerability;
- explore best practices on migration governance, and ways in which parliamentarians can work with each other in and across their countries, other stakeholders, OHCHR and other UN members of the Regional Network.

8. The consultation was an informal and interactive open plenary discussion conducted under the Chatham House Rule. 42 participants attended the meeting, including 19 parliamentarians and four policy makers and parliamentary staff from nine countries in Asia and the Pacific, namely Bangladesh, Bhutan, Indonesia, Malaysia, Micronesia, Nepal, Pakistan, the Philippines and Thailand. There were also parliamentarians from Canada.⁸ In addition, representatives from ASEAN Parliamentarians for Human Rights (APHR), an Executive Committee member of the Inter-Parliamentary Union (IPU) in Asia, as well as a representative from the Quaker UN Office took part, as did representatives from various UN agencies in the region, and from the headquarter in Geneva. 70 per cent of the participants were women and 30 per cent were men, with no participants who disclosed their identification as associated with any other pronoun.

9. This report aims to be a non-exhaustive informal summary of the key points and recommendations made during the consultation.

III. Opening

10. Mr. Klaus Dik Nielsen, Stakeholder Liaison Consultant, Office of the UN High Commissioner for Human Rights (OHCHR), Asia-Pacific, welcomed participants. He highlighted that this meeting with parliamentarians was the first of its kind, and that OHCHR's hoped that it would be the beginning of a continuing dialogue with and among parliamentarians on ways to meaningfully engage with GCM implementation in Asia and the Pacific, and ways in which to address challenges and opportunities on migration governance in the region. Mr. Nielsen advised that participants would have one week to provide further comments following the meeting, and added that OHCHR would draft a short informal summary report which would be shared for feedback with all participants.

11. Ms. Pia Oberoi, Senior Advisor on Migration and Human Rights, OHCHR, Asia-Pacific, OHCHR, stated that OHCHR's mission is to uphold the human rights of all migrants, regardless of their status. OHCHR focuses on migrants in vulnerable situations, namely those who are undocumented, or marginalized and excluded from society. The UN Human Rights Agency produces guidance on how international standards of human rights law apply concretely to the situation of migrants, and Ms. Oberoi added that the agency supports the efforts of governments and stakeholders to develop laws and policies that respect, protect and fulfil the rights of all migrants.

12. Ms. Oberoi reflected that the GCM is rooted in human rights and that it rests on the purposes and principles of the UN Charter and includes guiding principles. The GCM contains 23 objectives that address the full range of issues relevant to the governance of

⁸ Canada is a permanent observer to ESCAP.

international migration, including ensuring that migrants are protected; enhancing the availability and flexibility of pathways for irregular migration; safeguarding conditions that ensure decent work for labour migrants; providing access to basic services for all migrants; and ensuring that returns are safe. Ms. Oberoi emphasized that the GCM could not succeed without parliamentarians putting in place the relevant legislation. She added that parliamentarians should promote comprehensive responses that bring on board all stakeholders, including migrants and host communities, and that parliamentarians must aim to play an active role in building national and regional partnerships for targeted action.

IV. Role of Parliamentarians in Upholding the Human Rights of Migrants

13. The Honourable Ratna Omidvar, Senator for Ontario (Canada), remarked that parliamentarians in general had not engaged with the GCM in a fulsome way, because the GCM was largely misunderstood; that progress in ensuring the human rights of migrants had been slow; and that faith in multi-national institutions were in decline. She stressed, however, that the GCM offers a unique opportunity for cooperation and collaboration, both regionally and globally, as it provides a transnational framework to strengthen governance norms and protocols around migration.

14. Ms. Omidvar noted that the GCM contains three labour migration objectives, and highlighted that labour migration had become an urgent domestic issue in Canada, and a challenge for parliamentarians. Ms. Omidvar emphasized that although Canada was, in many ways, seen as a model country on migration, there were uncounted numbers of undocumented workers who were living in the shadows. She highlighted that the lack of availability of pathways to regularize migration had resulted in negative actions, and an increase of vulnerable migrants being trafficked.

15. The COVID-19 pandemic had brought new migration issues and dynamics to Canada, which had resulted in an increased demand for migrants undertaking manual work. The system treated highly skilled workers as more desirable because there is an easier path to permanency than migrants working in farms who were perceived as more expendable. Ms. Omidvar expressed concern that temporary migrant workers' pathway to permanency was highly dependent on the governance of the receiving country and that bilateral Memorandums of Understanding (MoUs) between countries often offered limited rights to migrants. Many migrant workers were tied to one specific employer, and recruitment agencies were exploiting migrant workers, in particular the most vulnerable, for example by charging excessive recruitment fees.

16. Ms. Omidvar provided the following recommendations:

- A. there is a need to design a new migration system that seeks out and protects the human rights of migrant workers, regardless of class or place of birth;
- B. parliamentarians should consider including the human right to family life in their work on migration. There should be a focus on people who are left behind, in particular women, who are sometimes abandoned and ostracized when their spouses migrate;
- C. as migration issues are transnational, multinational institutions such as the International Labour Organization (ILO) and the International Organization for Migration (IOM) need to be strengthened;
- D. collaboration with the IPU should be strengthened. The IPU should consider creating a regional or global sub group, focusing on the human rights of migrants in the labour market;

- E. parliamentarians should also work at regional level, for example with regional institutions, organizations and bodies, such as the Caribbean Community (CARICOM),⁹ who have devised protocols to facilitate the deployment of talent and education within a group of island states in the Caribbean;
- F. there should be more consultations, such as this one, which could also include other stakeholder categories, for example civil society, and bring different interests together. Good practices on migration, such as in the Philippines which protect the rights of their citizens when they leave to work in another country, could be shared in such forums.

17. A participant responded that motivating parliamentarians to work on migration remained a challenge. There was a need to convene parliamentarians and create awareness among them. Ms. Omidvar agreed that it was difficult to create such forums, nationally, regionally and globally, and added that this meeting was a good start. Another participant agreed with the issue of vulnerability of family members of migrants, especially women, who are left behind in countries of origin. She was concerned that women are particularly vulnerable as they face economic, social and safety challenges. Ms. Omidvar replied that family members of migrant workers who work on a temporary work visa have limited rights in countries of destination and reiterated that there should be a focus on this.

18. Senator Pikulkeaw Krairiksh, Member of the IPU Executive Committee (Thailand) also encouraged participants to be mindful of the critical contribution that parliamentarians can make on migration. The IPU is associated with the creation of the GCM. In October 2015, the Global Assembly of the IPU adopted a declaration for fairer, smarter and more humane migration, with a focus on people and a new approach to address migration opportunities and challenges.¹⁰ In December 2018, while the Global Compact was being adopted, the IPU organized a global parliamentary conference which led parliamentarians to publicly commit to using all their powers to facilitate full implementation of the GCM.

19. Parliamentarians at the global parliamentary conference agreed on three specific commitments on the implementation of the GCM:

- protect migrants, particularly those in vulnerable situations, through the ratification and implementation of relevant international human rights treaties and conventions, and use parliamentary tools to hold governments to account for their action or inaction;
- promote evidence-based policies and practices that promote migrants' integration in society, and which create mutual understanding and respect between migrants and host countries as a two-way responsibility;
- turn migration into choice, by tackling the drivers of migration, including extreme poverty, poor governance, and climate change, and act collectively to address the smuggling of migrants and trafficking of persons.

⁹ CARICOM promotes and supports a unified Caribbean Community that is inclusive, resilient, competitive; sharing in economic, social and cultural prosperity. At: <https://caricom.org/>

¹⁰ Declaration from the general debate on the imperative for a fairer, smarter and more humane migration. Endorsed by the 133rd IPU Assembly, (Geneva, 21 October 2015). At: <http://archive.ipu.org/conf-e/133/gen-debate.htm>

20. Ms. Krairiksh provided the following recommendations:
- A. more accurate data should be collected and utilized;
 - B. appropriate legislation should be in place to penalize acts of xenophobia, racism, intolerance and other forms of discrimination against migrants, as well as appropriate mechanisms for migrants to report instances of abuse;
 - C. parliamentarians should collectively work towards enhancing pathways for regular migration, and expand opportunities for migrants to seek a better future elsewhere.

Ms. Krairiksh remarked that the consultation provided an excellent opportunity to share experiences and thoughts as part of joint efforts to facilitate the full implementation of the GCM, and to solve challenges collectively.

21. One participant reflected that only few parliamentarians have their hearts on this topic and that it remained a challenge to push for legislative reforms to protect migrants' rights. She encouraged the IPU to push its members to increase their interest on migration; to push for the adoption of national laws to protect human rights; and to mitigate the social cost of migration. Another participant asked whether a platform dedicated to migration and development within the IPU could be created. In Bangladesh, there is a parliamentary caucus which works on national and international migration issues¹¹. It is an initiative of the Bangladeshi Parliament and civil society organizations, and this model could be replicated at global level. This would enable MPs to feed into a global forum, as well as empower them to better influence their national governments on migration governance, as civil society organizations find this difficult to do on their own.

22. A participant argued that the IPU should focus their work and support members at ground level. The IPU should make concerted efforts to address the challenges its members face at country level, especially when parliamentarians do not have a supportive government in relation to migrants and undocumented migrant workers. In her country, the treatment of migrants was very discriminatory, and legislation needed. She called on the IPU to take a strong stand, and demand answers from national governments on the treatment of migrants and their human rights.

23. A participant pointed out that the IPU's strength is to facilitate conversations between parliamentarians. She called for more conversations to be had on migration, in particular with the increase in migrant workers on the move, and the need for governments to protect the rights of migrant workers.

24. Ms. Krairiksh responded that she would bring concerns and suggestions raised in this meeting to the IPU. She emphasized that political will is needed for IPU members to encourage their parliamentary colleagues to become more interested and involved in migration, human rights and migration governance.

25. Mr. Charles Santiago, Member of Parliament for Klang constituency, Selangor (Malaysia) and Chair of ASEAN Parliamentarians for Human Rights (APHR) argued that migration is here to stay; that migrants are essential for a country's economy; and key accelerators of development. However, migrants continue to face several human rights

¹¹ Bangladesh Parliamentarians' Caucus on Migration and Development at <https://bdpcmd.org>

challenges, including risks to their safety, and violations of their human dignity and fundamental freedoms when they arrive in a new country, regardless of their status.

26. Many migrant workers have to cope with slave-like conditions as a result of exploitative actions of recruitment agencies, and the nature of some governments' MoUs, for example between Bangladesh and Malaysia, where the MoU does not protect the rights of migrant workers, and has, instead, created a slave-trading environment in Malaysia. Mr. Santiago also highlighted forced labour, debt bondage and trafficking, including human trafficking for the purpose of sexual exploitation, as major challenges, and referred to the Trafficking in Persons report 2021.¹²

27. Mr. Santiago reflected that even if the GCM is a non-binding document, governments are using it as the basis for negotiations and discussions on migration. He emphasized that the GCM is promoting several human rights principles regarding the protection of migrants, including:

- recognition of economic, social, and cultural rights;
- freedom of association and the right to collective bargaining;
- elimination of all forms of forced or compulsory labour, including trafficking or forced labour;
- elimination of labour exploitation of all migrant children;
- protection of the rights relating to the movement of migrants: liberty and security of person, including protection against detention and arbitrary expulsion.

28. Mr. Santiago stressed that the role of parliamentarians is critical in advocating for international recognition of the fundamental rights of migrants. He added, that parliamentarians can apply a cohesive approach, bring clarity into discussions on fair migration processes, and are very well placed to raise and promote the issue of human rights of migrants with governments, employers, migration brokers and the public. He provided the following recommendations:

- A. parliamentarians should become better advocates and use their roles to demand that their governments respect the human rights of migrants. Discrimination, slave trade, forced labour and exploitation of migrant workers should be addressed, for example by establishing select committees in parliaments;
- B. the human rights principles embedded in the GCM, and the recognition of migrants' economic, social, cultural rights, including the right to collective bargaining and the right to freedom of association should be translated into local laws and regulations to ensure that migrants are given full protection in countries of destination;
- C. the rights of workers who are citizens should be extended to migrant workers;
- D. parliamentarians should use mechanisms that make governments accountable for migrants in their country. For example, the 11 governments¹³ who have signed up to the Trans-Pacific Partnership Agreement¹⁴ can be used to hold governments in receiving countries accountable for good governance and practices on labour migration;

¹² Trafficking in persons report, Department of State, United States of America, June 2021. At:

<https://www.state.gov/wp-content/uploads/2021/09/TIPR-GPA-upload-07222021.pdf>

¹³ The governments which have signed up for the Trans-Pacific Partnership Agreement are: Canada, Mexico, Peru, Chile, New Zealand, Australia, Singapore, Malaysia, Brunei, Vietnam and Japan.

¹⁴ Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP):

<https://www.dfat.gov.au/trade/agreements/not-yet-in-force/tpp/Pages/tpp-text-and-associated-documents>

E. parliamentarians should make efforts to counter anti-migration narratives and reach out to those who hold anti-migrant beliefs, and those who engage with anti-migrant campaigns on social media, including against undocumented migrants and refugees.

29. One participant acknowledged that after the GCM had been signed, there had been some progress in their country, and following allegations of forced labour, the entire industrial complex was now trying to figure out how to improve the livelihood of migrant workers. A representative from the Philippines highlighted a good practice of reintegrating returning migrants into the workforce and economy.

30. Another participant highlighted that the role of middlemen was of particular concern because they contribute to the mistreatment of migrants. Migrant workers must work between six months and a year just to be able to pay their middlemen. He called for a policy to be put in place which would restrict recruitment agencies, brokers and middlemen by charging a maximum fee of two months' wages, and encouraged parliamentarians to push for this change at UN and IPU level. One participant called for increased cooperation among MPs and trade unions in the region.

31. A participant argued that despite the role of parliamentarians to protect and promote the human rights of migrants, the situation of migrants in their country was still far from ideal. There continue to be numerous challenges, including existing regulation on migrant workers lacking elements of protection and not properly addressing irregular migration. 60 per cent of migrants from his country who went to other countries were women, and were particularly vulnerable, facing poor working conditions, lack of human rights and increased exposure to human trafficking.

32. Mr. Santiago responded that there was a lack of trust in the process of protecting the human rights of migrants, and urged that the highest form of protection be demanded. There should be a focus on the link between migration and development, rather than looking at migration through a security lens, which often results in migrants going to prison. He highlighted that one of the purposes of signing MoUs between countries is to guarantee zero recruitment fees for migrant workers. However, because of the non-transparency and secrecy surrounding MoUs, migrant workers continue to pay fees which leads to debt bondage and slavery. He acknowledged good practices by the Philippines, and highlighted the practice of banks processing remittances from migrant workers, and subsequently providing soft loans for small businesses in migrants' local communities in their home areas.

V. Key Areas of Human Rights Concerns, and the Implementation of the Global Compact for Migration

33. Ms. Carolina Hernandez, Office of the UN High Commissioner for Human Rights (Geneva) highlighted the importance of meaningful engagement with stakeholders, including parliamentarians, and called for this kind of consultation to be implemented at global level.

34. Ms. Hernandez referred to the UN Secretary-General's second report¹⁵ on the GCM which draws attention to migrants' acute vulnerability and specific needs, exacerbated by the

¹⁵ General Assembly Seventy Sixth Session, Agenda item 15: Global Compact for Safe, Orderly and Regular Migration: Report of the Secretary-General, 27 December 2021:
https://migrationnetwork.un.org/sites/g/files/tmzbd1416/files/resources_files/sgs_report_english.pdf

COVID-19 pandemic. Many migrants had been excluded from vaccines and testing, and many migrants had died as a consequence. The Secretary-General called for greater measures to prevent this exclusion, and for a shift towards greater inclusion of migrants through unhindered access to services, healthcare and service providers. The report includes recommendations for greater efforts to expand pathways for migration, including the right to family life and family links.

35. There is a need to ensure compliance with international law, including the principle of *non-refoulement* and to reshape views on migrants. The Secretary-General's second report encourages states to ratify international treaties to ensure that laws on migration are in line with the GCM, and includes proposals to engage with and improve public perceptions of migrants. The fact that all migrants have a right to be protected should be promoted. Ms. Hernandez added that the GCM refers to enacting laws to prevent discrimination, and ensuring that migrants are not detained arbitrarily.

36. Ms. Hernandez called for the need to review the impact of existing migration laws, and for states to revise them accordingly, to ensure the principle of proportionality and non-discrimination in order to prevent human rights violations and abuses of migrants, including hate crimes, and to save lives. She encouraged parliamentarians to have a role in this and advised that OHCHR would support states to ensure compliance with international law. OHCHR has produced guidance and tools, including on developing GCM national action plans, and ensuring safe and dignified reintegration that is sustainable.

37. Ms. Laurel Townhead, Quaker UN Office (QUNO), remarked that the GCM is important because it is grounded in international human rights law, and applies a rights-based and a whole-of society approach. It provides a significant framework within which to shape international policy cooperation that puts wellbeing of migrants and communities first. Key areas of concerns and priorities include upholding the rights of migrants in future pandemic preparedness, border governance, systemic racism, climate, and the lack of states' prioritization of the GCM.

38. Ms. Townhead emphasized that parliamentarians can assume a number of important roles in leading on, shaping and improving the implementation of the GCM, which contains explicit references to parliamentarians, for example on states' accountability. She urged parliamentarians to be kept informed about GCM implementation in their own constituencies and in the wider region, and undertake collaborative efforts across borders.

39. Parliamentarians can also work on re-shaping narratives on migration. Many migrants are being used as scapegoats, and parliamentarians can change this, including by drawing on OHCHR's work. Ms. Townhead highlighted that positive narratives were needed around robust procedures for migrant children, access to basic services, and enacting laws without discrimination, and laws which penalize hate crime. She pointed out that there are constituents which do not have anti-migrant sentiments, and this should be highlighted and shared as a good practice.

40. Ms. Townhead remarked that the GCM deliberately covers a wide range of topics, and that parliamentarians should consider their own roles and identify priorities, drawing on the experiences of migrants from their constituencies and in the wider region. She encouraged

parliamentarians to scrutinize and review existing legislation, policies and practices that may unintentionally increase vulnerabilities. She also referred to the Secretary- General’s second report on the GCM, and highlighted the focus on increased efforts to provide legal identity and protection of migrant children.

41. One participant responded that their government had drafted a national GCM action plan for 2022-2025. He added that parliamentarians are important actors on migration and development, and that they should forge more awareness to and commitment from fellow parliamentarians. Migration should be addressed not only from an economic opportunities angle, but also from a humanitarian angle, and the participant added that the issues migrants face are complex and transboundary. He recommended setting up an inter-parliamentary forum where parliamentarians from all over the world can talk, discuss, and share their respective interests and experiences on migration. This forum could also be set up at a regional level, including in Asia and the Pacific.

42. A participant commented that he looked forward to engaging with the GCM and exploring ways of managing international migration; strengthening migrants’ rights, including the right to family life; and responding to the needs of migrants. Another participant called for more information, good practices and future collaboration on dignified and sustainable return and re-integration, as their country was developing new policies. She shared that a study with local government actors in her home country, would be carried out.

43. Ms. Oberoi and Ms. Hernandez agreed that a humanitarian approach to migration governance was needed, and that the whole-of society approach, including the active participation of parliamentarians, was best practice. Ms. Townhead was pleased to learn about the engagement with the GCM at national level, and champions in domestic contexts as well as globally.

VI. Follow-up and Review of the Global Compact for Migration and the International Migration Review Forum (IMRF) (17-20 May 2022)

44. Mr. Jonathan Prentice, Secretariat, UN Network on Migration, advised that the first International Migration Review Forum (IMRF) of the GCM¹⁶ would take place at the General Assembly in New York City from 17-20 May 2022. It is a multi-stakeholder consultation with member states and stakeholders, and takes place every four years,

45. Mr. Prentice emphasized the importance of having parliamentarians represent national- level migration governance at the IMRF, and urged participants to join the forum. He added that all actors are responsible for setting the tone of ambition, and reiterated that the GCM is not just set of substantive commitments which member states and other stakeholders sign up to, but also a framework. He shared that there may be specific themes at the IMRF, including dialogues on the linkages between climate change and migrants losing their lives in transit, and ways to address this. He emphasized that the IMRF is not the end of the process of the GCM, and encouraged participants to set up a network for dialogues and platforms for exchange that will continue to develop beyond the IMRF.

46. Mr. Prentice encouraged participants to contribute to the Repository of Practice website of the UN Network on migration whose purpose is for all involved in the GCM to

¹⁶ More information on the first International Migration Review Forum (IMRF): <https://migrationnetwork.un.org/international-migration-review-forum-2022>

learn from each other, and which reinforces the guiding principles of the GCM. The Network had received many practices from Asia and the Pacific, but none from parliamentarians.¹⁷ He also alerted participants to the multi-partner trust fund which provides capacity building support to support implementation of the GCM. The Network needed resources to support stakeholders, for example in the Pacific region, there were only two donor states in Asia and the Pacific (Thailand and the Philippines), and Mr. Prentice encouraged other states to consider making a pledge or donating.¹⁸

47. There was a call on participants to consider submitting a pledge to support the implementation of the GCM. The idea is to deliver something concrete, process-oriented or otherwise.¹⁹ 29 member states (currently six in Asia and the Pacific) had now made commitments to be particularly vocal regarding the GCM, and had become champion countries, and Mr. Prentice encouraged other countries to become champions.²⁰ In addition, Mr. Prentice, encouraged voluntary GCM reporting with a view to learn about each other's experiences, and to voluntarily submit GCM reviews in advance of the IMRF. In Asia and the Pacific only 13 states had voluntarily submitted reports in conjunction with the Regional Review in March 2021.

48. Ms. Townhead added that the Quaker UN Office have produced a series of short briefing papers on the IMRF, with a view to encourage engagement with the IMRF by stakeholders, including parliamentarians²¹.

VII. Closing

49. Dr. Nenette Motus, Coordinator, Regional UN Network on Migration for Asia and the Pacific thanked participants for fruitful discussions on upholding human rights and advancing the implementation of the GCM. She reiterated that active partnerships and engagement with parliamentarians and other stakeholders are critical to seeing through GCM implementation, follow up, and review, and urged participants to contribute and participate at the upcoming IMRF.

50. Dr. Motus called on parliamentarians to use their power and commitments to uphold the principles of the GCM, and to urge their governments and partners to do so, with the support of the Regional Network. She added that there is great opportunity to continue advocacy and lead by example, and called for collaborative efforts to protect migrants, particularly those in vulnerable situations, and to ensure effective respect, protection and

¹⁷ UN Migration Network: Repository of Practices: <https://migrationnetwork.un.org/hub/repository-of-practices/about>

¹⁸ UN Migration Network: Multi-Partner Trust Fund for Safe, Orderly and Regular Migration: <https://mptf.undp.org/factsheet/fund/MIG00>

¹⁹ UN Migration Network: Pledging initiative: <https://migrationnetwork.un.org/submit-pledges>

²⁰ UN Migration Network : Map of Champion countries: https://migrationnetwork.un.org/sites/g/files/tmzbd1416/files/resources_files/unnm_map_champion_countries_03_01-03-2021-01.jpg

²¹ Quaker UN Office: Delivering on the promise of the GCM: Migration Justice Briefing Paper Series. At: <https://quono.org/resource/2021/12/delivering-promise-gcm-migration-justice-briefing-paper-series>

fulfilment of their human rights, regardless of their migration status and across all stages of the migration cycle.

51. Ms. Oberoi closed the meeting by thanking all participants for their engagement and enthusiasm, and urged everyone to keep in touch.

VIII. BACKGROUND DOCUMENTS

1. **OHCHR and migration: About migration and human rights:**
<https://www.ohchr.org/EN/Issues/Migration/Pages/MigrationAndHumanRightsIndex.aspx>
2. **Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations:**
<https://www.ohchr.org/Documents/Issues/Migration/PrinciplesAndGuidelines.pdf>
3. **Guidance on pathways for admission and stay for migrants in vulnerable situations:**
<https://migrationnetwork.un.org/resources/guidance-note-regular-pathways-admission-and-stay-migrants-situations-vulnerability-0>
4. **Ensuring Safe and Dignified Return and Sustainable Reintegration:**
https://migrationnetwork.un.org/sites/g/files/tmzbdl416/files/docs/position_paper_-_ensuring_safe_and_dignified_return_and_sustainable_reintegration.pdf
5. **Recommended Principles and Guidelines on Human Rights at International Borders:**
https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/OHCHR_Recommended_Principles_Guidelines.pdf
6. **Reshaping Narratives: Stand up for the human rights of migrants:**
<https://standup4humanrights.org/migration/en/>
7. **Implementing the Global Compact for Safe, Orderly and Regular Migration (GCM): Guidance for governments and all relevant stakeholders:**
https://migrationnetwork.un.org/sites/g/files/tmzbdl416/files/docs/gcm_implementation_guide_finalized_revised_15_october.pdf
8. **General Assembly Seventy Sixth Session, Agenda item 15: Global Compact for Safe, Orderly and Regular Migration: Report of the Secretary-General, 27 December 2021:**
https://migrationnetwork.un.org/sites/g/files/tmzbdl416/files/resources_files/sgs_report_english.pdf
9. **UN Migration Network guidance and booklet on National Action Plans:**
<https://migrationnetwork.un.org/core-working-group-22-gcm-national-implementation-plans>
10. **UN Network on Migration: Dialogue series on the IMRF:**
<https://migrationnetwork.un.org/migration-dialogues>

11. **Proposed roadmap for the UN Network on Migration’s support to the international Migration Review Forum (IMRF):**

https://migrationnetwork.un.org/sites/default/files/resources_files/imrf_roadmap_3_pages.pdf

PROVISIONAL AGENDA - with guiding questions

Time	Details
10.30-11.00	<i>Virtual platform opens</i>
11.00-11.15	<p>Welcome</p> <p>Klaus Dik Nielsen (MC)</p> <ul style="list-style-type: none"> • Pia Oberoi, Office of the UN High Commissioner for Human Rights
11.15-12.30	<p>Role of parliamentarians in upholding the human rights of migrants</p> <ul style="list-style-type: none"> • Honourable Ratna Omidvar, Senator for Ontario (Canada) • Senator Pikulkeaw Krairiksh, Member of the IPU Executive Committee (Thailand) • Charles Santiago, Member of Parliament for Klang constituency, Selangor (Malaysia) and Chair of ASEAN Parliamentarians for Human Rights
12.30-13.00	<p>Key areas of human rights concerns, and the implementation of the Global Compact for Migration</p> <ul style="list-style-type: none"> • Carolina Hernandez, Office of the UN High Commissioner for Human Rights (Geneva) • Laurel Townhead, Quaker UN Office
13.00-13.20	<p>Follow up and review of the Global Compact for Migration and the International Migration Review Forum (IMRF) (May 2022)</p> <ul style="list-style-type: none"> • Jonathan Prentice, Secretariat, UN Network on Migration
13.20-13.30	<p>Closing</p> <ul style="list-style-type: none"> • Nenette Motus, Coordinator, Regional UN Network on Migration for Asia and the Pacific

Guiding questions for the discussion

- Why is it important for parliamentarians to be aware of the human rights challenges faced by migrants (in their country, along migration corridors, in the Asia-Pacific region broadly)?
- What can parliamentarians do to uphold the human rights of migrants? Do you have any good practices that you can share in this regard?

- What support can OHCHR provide to parliamentarians in order to promote and protect the human rights of migrants?
- Do you work with other stakeholders on migration and human rights issues (e.g. civil society, trade unions, national human rights institutions and others)? Do you work with parliamentarians in other countries/regions and in particular along migration corridors?
- Have you engaged/are you engaging with the implementation, follow up and review of the Global Compact for Migration (GCM) in your country or sub-region?
- Are you aware of national consultations on or the development of national implementation plans for the GCM in your country? Have parliamentarians been part of these discussions?
- Have you been involved in the Regional Review of the GCM (which took place in 2021) or the forthcoming International Migration Review Forum of the GCM (which will take place in May 2022)? What recommendations do you have for the involvement of parliamentarians in these forums?
- What support can the UN Network on Migration (at the national, regional and global level) provide to parliamentarians in order to help them engage with the GCM?
- How can parliaments and parliamentarians play a greater role to ensure monitoring and accountability in the context of migrants' human rights and the 23 objectives of the GCM and ensure its full implementation in your country/sub-region?