

**Comment on Zero Draft of the GCM (05.02.2018)
Intervention SÜDWIND-Institute, Germany**

By board member Dr. Hildegard Hagemann, German Commission for Justice and Peace

SÜDWIND, a German ecumenical think-tank on justice in economy and globalisation is grateful for the opportunity to present a comment on the Global Compact on Migration.

We welcome the Zero Draft of the Global Compact on safe, orderly and regular Migration as comprehensive and focussed on human rights, rule of law and sustainable development.

We welcome the references made in the preamble to important international conventions, treaties and agendas.

In the following we would like to raise aspects which should be considered in the negotiation on February 20th, 22nd and 23rd, 2018:

On Objective 6, particularly action j:

The need of fire walls in labour inspection schemes is rightly stressed. However, the state obligation 'labour inspection' is permanently threatened by economic paradigm of competition and division of labour. Therefore labour inspection is not adequately equipped and often fragmented leading to ineffectiveness to protect labour rights. Partly it is left to the private sector itself to inspect production and processing sites for safety standards. We call to include an action to strengthen and equip labour inspection as an instrument to effectively protect the rights of migrants and prosecute offenders.

On Objective 7, particularly action g:

As stated rightly migrants are vulnerable and prone to fall into irregularity easily. Hence they do not have a chance to work in the formal economy. Additionally many economic sectors and value chains are supported purposely by the informal economy. Therefore it is necessary to formalise working conditions step by step, provide low thresholds for registration and for social security. We call to include a reference to the ILO recommendation R204 'Transition from the Informal to the Formal Economy' (2015). This would help to give governments and stakeholders an idea about regularisation of the status of migrants.

On Objective 10, particularly action f:

Besides the differentiation of trafficking in persons and smuggling of migrants there is a need to expressively decriminalise the aid human rights organisations give to migrants in distress, e.g. actions of maritime salvage, shelter in adverse natural or human circumstances etc. We call to specify a category which protects human rights defenders and humanitarian aid actors against prosecution.

On Implementation:

We call on an action to install solid complaint mechanism for migrant workers- easily accessible, understandable and proactive.

On Follow-Up and Review, particularly para 44 and 46:

We regret that in the Zero Draft so far the Global Forum Migration and Development, which reconvenes yearly is not considered as platform with a special role. The GFMD should be a place to take up issues which are not included in the actions yet.

For example:

- The consideration of the long-term assessment of social costs of migration is missing. As much as remittances are used for health and education purposes, as neglected are the costs for maintaining social cohesion programs, family assistance, social work for families affected by migration in countries of origin but also in countries of destination.

- Coherence between trade, security, agriculture, financial regimes, health, education and Rural Development Programs has not lost any of its importance. The Global Compact refers to coherence in the UN system but not on national grounds. The relevance of migration for development politics and existing and future poverty reduction programs needs regular attention.

We are thankful for the broad consultation on international level and hope for a breakthrough in recognition of dialogue and fight against the shrinking space for civil society.

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