



National Network for Immigrant and Refugee Rights

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**Civil Society Meeting with the Co-Facilitators
Negotiations on the Zero Draft Round 1
22 February 2018
United Nations, New York**

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Thank you, Co-Facilitators. We very much welcome and appreciate the Zero Draft, its vision and the breadth of complex issues it has incorporated. It is within this context that we raise a few concerns.

We have spent considerable time in the multi-stakeholder and thematic hearings and other international fora over the past year, discussing the issues of irregular migration, regularization and legal pathways. We have recognized that the condition of irregularity, particularly glaring in the context of large movements of people, is a critical and central concern, exacerbating the vulnerable situations that individual and groups of migrating people experience.

We urge Compact draft to include options to safeguard the rights and protections of irregular migrants, and recommend options for the spectrum of regularization and legal pathways for migration. In the case of legal pathways, we urge that family unity be retained as an important consideration.

These critical concerns reflect the conclusions of our US-Canada Regional Civil Society Consultation of more than 60 organizations across our two countries. Without strong consideration of the spectrum of options for both regularization and legal pathways, we are concerned that the Compact will become a document that upholds returns over rights and would enshrine the deterrent policies and practices that have contributed to the migration crisis that we had hoped this Compact would address.

In our experience, there are many options that states may consider to address the irregular status of migrants and which should be considered as an alternative to returns or deportations. Consideration can be made for family unity, for length of residency, work status and other factors, including education and particular employment skills. Many studies have found that migrants, including those with irregular status, are society positives, and are able to contribute more consistently and live healthier, safer lives if they can “come out of the shadows” and participate openly in society. Punitive programs, including detentions and deportations are far more costly and can painfully and severely impact migrants, their families and communities.

These are concerns for irregular migrants within our countries--for those of long term residency, as well as for the thousands who attempt to cross unsafe borders every year. And even while such crossings into the United States have decreased, the rate of deaths of women, men and children, has increased. Temporary options to remain are certainly better than none, but as in our experience in the US, the emphasis on temporary is now leading to an onslaught of deportations and family separations. The threat to the safety and welfare of millions of people is at stake as they are forced to live further in the shadows of society and in situations of greater vulnerability and risk.

We urge you to retain the important language on rights and protections in the Zero Draft.