# Global Compact on Safe, Orderly & Regular Migration
## Draft Discussion Paper on Compact Goals and Priorities

**Prepared by the Columbia Global Policy Initiative & the University of Ottawa's Refugee Hub**

LEAD AUTHOR: Sarah Rosengaertner

*27 November, 2017*

*The Global Compact on Migration, to be negotiated in 2018, must be sensitive to political realities so as not to create a backlash. Yet at the same time, it should be ambitious in seizing a rare opportunity to generate both concrete action commitments by States and other stakeholders, as well as lasting momentum for improved migration governance. Voluntary commitments on the implementation side, ensuring flexibility for States to move at different "speeds" towards agreed objectives, should be combined with a binding agreement on the follow-up process. If underpinned by a strengthening of institutional mechanisms to monitor and review progress and financial support for partnerships, capacity development, and continued advocacy, we could see increasingly ambitious and binding commitments in the years and decades to come.*

*This note places the compact in the current political and policy context, explains why it presents a generational opportunity for change, and proposes specific ways in which states and other stakeholders can commit to actions that could help realize the vision of safe, regular, and orderly migration.*

## I.  Genesis & Context of the GCM

International migration, unlike other areas of transnational concern, is not governed by an established global regime of rules and regulations, and norms and principles.  States that receive migrants have tended to prefer dealing with the issue on a unilateral or bilateral basis to protect their sovereign discretion over who enters their territory and under what conditions. Since the mid-2000s, this reluctance has slowly given way to a greater openness to discussing migration multilaterally, at the United Nations and in informal global and regional policy dialogues. This was largely achieved by tying discussions about migration to the consideration of its development impacts, with a view to exploring possible win-wins for countries in the North and South. Two High Level Dialogues on International Migration and Development of the UN General Assembly, in 2006 and 2013, and annual exchanges on policy and practice at the newly created, state-led Global Forum on Migration and Development (GFMD) since 2007, paved the way for a concerted and ultimately successful multi-stakeholder effort to include migration in the 2030 Agenda for Sustainable Development. The 2030 Agenda recognizes migrants and refugees as populations at risk of being left behind by development progress, foresees measures to enhance the development contributions of migrants and migration, and commits States to "facilitate safe, orderly, regular and responsible migration and mobility of people" (SDG 10.7).

This slow-growing effort to craft a more positive narrative and a common understanding on international migration was overtaken by events in 2015. The large-scale displacement triggered by the war in Syria and its knock-on effects, including a rising death toll of refugees and migrants crossing the Mediterranean Sea—as well as deaths in the Andaman Sea, and the growing desperation along the Central American corridor—catapulted the issue of refugees and international migration to the top of the political agenda. In September 2016, heads of state and government convened at the United Nations to adopt the New York Declaration (NYD) for Refugees and Migrants. While short on specific, actionable

commitments, the NYD recognized the rights and protection needs not just of refugees, but also of migrants in vulnerable situations, and committed States to developing, by the end of 2018, two global compacts—one on refugees and another on safe, regular, and orderly migration.

The outlines of the global compact on refugees (GCR) have already been spelled out in the NYD.  As envisioned, the GCR will be operationally focused, revolving around new ways of working together at country and regional levels to resolve refugee situations. The final compact will come out of a largely UNHCR-led, consultative process, thus avoiding formal intergovernmental negotiations that could lead to backsliding on the 1951 Refugee Convention. Meanwhile, the global compact on migration (GCM) largely emerged out of a political desire among some member states to balance out the focus of the 2016 UN Summit on refugees and large movements by forcing a discussion on migration and its governance more broadly. The GCM is thus more openly political: It is a member states-led process that will culminate in intergovernmental negotiations and an international conference to be held in Morocco in December 2018.

Both global compacts face considerable political headwinds:  The practice of territorial asylum—whereby those who seek refuge are allowed to arrive on a State's territory without authorization so they can apply for protection—is increasingly questioned by receiving States. While there is agreement in principle that refugee protection is a matter of shared responsibility among States—stemming from the 1951 Convention and universally embraced in the NYD—such responsibility sharing is lacking in practice. The vast majority of refugees stay close to home in developing countries. Ensuring effective "protection in the region" is heavily predicated on the promise of mobilizing sufficient financial resources to support countries that host large refugee populations, in exchange for policy changes that promote refugees' access to local markets and services. In practice, large-scale funding drives and pledges often remain unmet, creating an uncertain environment for countries willing to welcome refugees.

The factors that are pushing people to leave their homes are usually multi-dimensional, including conflict and violence, economic forces, and a changing climate. They do not dovetail neatly with the existing legal protection regime. Yet, receiving States seek to uphold a clear distinction between migrants and refugees in order to limit their protection obligations and maintain public acceptance for welcoming those deemed genuinely in need. This requires, from their perspective, that those who do not qualify for protection be sent back to their countries of origin. However, the process is often drawn out as States struggle to ascertain a person's nationality and countries of origin can refuse cooperation – making the question of returns one of the most contentious issues the global compacts will need to address.

International relations concerning economic migration tend to be characterized by two major fault lines: on the one hand, polarization arises around the question of the rights of migrants, especially those having temporary or no legal status; on the other hand, States have diverging interests when it comes to openness to the admission of migrant workers. These longstanding differences acquire new pertinence against the backdrop of rising nativism and anti-migrant political rhetoric in many destination countries, alongside growing demographic deficits in many of today's economic powerhouses.

Irregular migration is highly political.  This is in part because it undermines the fundamental advantage that countries of destination otherwise hold over countries of origin. Destination countries get to determine who they admit and under which conditions, and often compete with one another to attract skilled and/or wealthy migrants.  They have begun to adopt increasingly selective immigration policies, prompting governments in countries of origin to worry about losing skilled workers. At the same time, there are limited opportunities for the low-skilled to migrate legally, while the supply of such workers is

large. As a result, their bargaining power is low and they are often forced to accept sub-standard wages and protections. Reluctance to recognize and uphold the rights of migrants in temporary or irregular status has prevented the Convention on the Rights of All Migrant Workers and Members of their Families from finding large-scale endorsement, in particular among major destination countries, and thus depriving the migration field of a constitutive normative consensus.

## II.   What Is the GCM About? Why Does It Matter?

At their core, both global compacts, on refugees and on migration, are about moving beyond ad hoc and short-term responses to migration and displacement and towards longer term, planned approaches. They are about putting in place frameworks and mechanisms for policy coordination and cooperation at different levels of governance that create a predictable, more orderly, and safer system for States, migrants, and displaced persons in the long run.

Governments should have a keen interest to pre-empt and prevent the next migration-induced "crisis", lest they jeopardize public confidence and further enrich smugglers and traffickers who undermine State authority and exploit vulnerable migrants. Whether out of true empathy or out of concern for political optics, they should also be compelled to do more to reduce migrants' suffering and deaths along the journey. Well-governed migration and facilitated mobility of people, on the other hand, is a major economic factor that generates gains on a scale needed to "lift all boats" – allowing developing and developed countries to prosper together. It is also critical for strengthening the resilience of countries and communities in the face of climate-related environmental changes and disasters.

The migration field lacks a founding legal document, akin to the 1951 Refugee Convention. Nonetheless, the GCM will not be devised "from scratch". There is a body of existing commitments—stemming from international law and human and labor rights instruments, as well as political declarations such as the 2013 High Level Dialogue on International Migration and Development, Agenda 2030, and the NYD. However, whether commitments are binding or non-binding, implementation is often lagging. An urgent priority for the GCM could thus lie in seeking to devise mechanisms for improving delivery on what already exists.

At the same time, States themselves have recognized gaps in the current normative framework, especially when it comes to protecting people on the move, including those displaced across borders by disasters, migrants stuck in countries undergoing acute crisis, and migrants in other vulnerable situations, especially in transit.  Other policy areas are currently largely within the discretion of individual States [bound to their jurisdictional authority], such as visa, residence and citizenship policies. If the GCM were to establish norms and policy prescriptions in any of those areas, it would be breaking significant new ground.

Advocates may be hoping for such a groundbreaking compact in normative terms that would set global standards for national policy making and international cooperation on migration. Yet, it seems more likely for now that Member States, by and large, would not advance on any (legally) binding agreement.

Nevertheless, what could set the tone for a still ambitious global compact would be States – and other stakeholders – coming together in "coalitions of the willing" to make voluntary (binding) commitments and action pledges. Presumably, this could happen at different stages: as part of the GCM process, at the inter-governmental conference for its endorsement, or through a separate pledging conference/s, for

example. The result could be a GCM providing a set of common goals, while States and other stakeholders set concrete, time-bound targets for themselves in the form of action pledges.

**A useful way of thinking about and framing the compact may thus be to understand it as a mutual commitment of resources, policy changes, and actions (in the form of programs, projects, and initiatives), designed to reconcile different interests (and perceptions of urgency) and work towards a shared vision.**[1] The GCM can provide the "common roof" that: counteracts fragmentation as progress is driven by bottom-up initiatives; ensures accountability, and aids the popularization and consolidation of pioneering initiatives.

The shared vision that is implicit in the GCM's full title – global compact on safe, orderly and regular migration – stems from Agenda 2030—in particular Sustainable Development Goal (SDG) 10.7, which commits States to "facilitate safe, orderly, regular, and responsible migration and mobility of people". Yet, what exactly this vision entails needs to be politically interpreted. The GCM marks an opportunity to achieve consensus on such a political interpretation: a new Migration Consensus that reflects a shared understanding of what safe, orderly and regular migration means and requires, bridging the very different conceptions and priorities Member States – and other stakeholders – may have in this regard. Where consensus on substantive issues cannot be reached today, it should focus on a commitment to keep working together in a forward-looking manner.

Critically, experience from other policy areas suggests that, in order to maintain momentum, the GCM must be anchored in a broader constituency than governments alone and be supported by efforts outside the formal multilateral system, through mobilization at the regional, national and local levels, by civil society networks and foundations, through partnerships with the private sector, and by regional and municipal leadership. Non-state actors must be associated with the international conference adopting the GCM in 2018 and encouraged to make action pledges towards its fulfillment, whether in cooperation with States or working with one another. This also means that any follow-up and review mechanism must allow for their participation and contribution to the development of policies, norms, and practice.

## III. What Kind of Core Commitments Should the GCM Generate?

The vision of the GCM as facilitating safe, regular and orderly migration encapsulates the various, and at times conflicting, imperatives and objectives guiding State policy on migration, including humanitarian and human rights commitments, as well as economic and security interests. Reconciling these different concerns inevitably involves trade-offs. Mostly, these are negotiated as part of national political and policy-making processes. The GCM can and should provide overarching guidance and direction by delineating the boundaries within which common ground with the policy preferences of other States may be found, and by clearly reaffirming the existing normative foundations upon which the "new edifice" of the compact is going to be erected. Hence, States' migration control interests must not ride roughshod over migrants' rights. The pursuit of regular and orderly migration must not come at the expense of migrants' safety. At a minimum, the GCM should acknowledge the need for refugees to be able to migrate, even if irregularly, to escape harm (and outline measures to reduce the number of

---

[1] This definition has been proposed by Kathleen Newland (MPI) based on a description of potential refugee compacts in the final report of the Forced displacement and Development Group convened by the Center for Global Development and the International Rescue Committee: *Refugee compacts: Addressing the Crisis of Protracted Displacement*, Center for Global Development, 2017, https://www.cgdev.org/sites/default/files/Refugee-Compacts-Report.pdf.

deaths in transit). Otherwise, the GCM risks undercutting or overriding the GCR and other refugee-specific instruments.

---

**1) Safe migration: Comprehensive responses for the most vulnerable**

---

The problem of risky and often fatal migration routes lies at the very root of the GCM process. Building on States' recognition in the NYD of the protection needs of migrants in vulnerable situations, the goal of the GCM should be to materially improve conditions for those most vulnerable in the context of migration. This will require both, developing clear normative and policy frameworks and enhanced operational responses. International law already enshrines specific protection obligations and assistance requirements for particular groups, such as children and victims of human trafficking that can be brought to bear in the context of migration. A number of regional groups and States have developed additional frameworks and guidelines to draw upon.

Dovetailing with the GCR and its Comprehensive Refugee Response Framework, the GCM should mandate the development of comprehensive response frameworks to mitigate risks for particularly vulnerable groups and people in the context of migration. Implementing such frameworks should serve to prevent situations of vulnerability from rising to a crisis or emergency level.

### A. A continuum of protection and care for children on the move

Children are entitled to broad protections under the almost universally ratified Convention on the Rights of the Child. All its 196 State Parties must apply the principle of the "best interest of the child" in deciding all matters concerning children, regardless of their nationality or legal status. Children who move require States to work together internally – between immigration and child protection or welfare authorities – and across borders to provide a continuum of protection and care, especially in the case of unaccompanied minors who fall under the public care obligation of the State.

The GCM should build on existing commitments and guidance – including the NYD, the 1996 Hague Convention on Child Protection, the UN Guidelines for the Alternative Care of Children, the CRC Committee's General Comment No. 6 on the Treatment of unaccompanied and separated children outside their country of origin and the CMW-CRC Joint General Comment on the Human Rights of Children in the Context of International Migration – to consolidate and codify what exists, but also go further by turning commitments and guidelines into action. There are concrete steps that can be taken now to improve the situation of vulnerable children on the move, reduce harm, and allow these children to develop rather than survive.

Much hinges on investing in people, places and procedures that can keep a child safe and find a sustainable solution that is in the child's best interest. To propel such action, the GCM should commit States to work together to develop and implement a comprehensive regional protection response for children on the move, aimed at 1) protecting children from violence, abuse and exploitation; 2) keeping children out of immigration detention by creating practical alternatives; 3) ensuring access to basic services, especially education, for all children; and 4) making sure migrant and refugee children have access to birth registration and a legal identity.

### B. Solutions for migrant victims of human trafficking

Trafficking in human beings is often closely linked with migration. Migrants are at particular risk of being trafficked and exploited, especially when they are in vulnerable situations such as being stranded in transit, without documentation or legal status, or highly indebted to a smuggler, recruiter or employer. The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, particularly women and children, obliges its 172 State Parties to prevent and prosecute the crime of human trafficking and to protect its victims by providing for their physical, psychological and social recovery, including assistance such as housing, legal counseling, medical assistance, and education, training and employment. While States and regional bodies have made great strides in translating the provisions of the Protocol into national and regional law and guidance, detection and protection challenges remain in practice:

States must take care to distinguish human trafficking from the smuggling of migrants and ensure that measures taken against people smuggling do not compromise assistance and protection measures for trafficked people and put their lives and safety at risk. Border personnel, immigration officers, labor inspectors, health care providers, social workers, judges and others who come into contact with migrants must be trained to identify potential victims of trafficking and have referral protocols for specialized assistance. Protection of victims of trafficking should not be contingent on the victim's willingness to cooperate with law enforcement authorities. Neither should victims be criminalized as irregular migrants or for any criminal activities they may have been forced to engage in, a provision clearly stipulated in the 2014 Protocol to the 1930 ILO Forced Labor Convention. They should be able to seek compensation for the harm they suffered. While not all migrant victims may want to stay in the country of destination, repatriation may not always be a viable or sustainable option. A few countries offer special protected status for victims of trafficking with the possibility to obtain permanent residence. The GCM could invoke existing good practices to make the case for finding sustainable solutions, especially for children.

### C. A safe mobility spectrum for climate affected populations, especially small island states

Given the slow-onset and progressive nature of many climate change related impacts, there is both an opportunity and a responsibility for governments to engage with the human mobility implications in a proactive manner, rather than waiting for forced displacement to occur. The GCM provides a chance to consolidate what has been agreed elsewhere on the governance of environmental mobility: ranging from commitments to address the drivers of migration, stemming from the climate change regime, including the Paris Agreement, the Sendai Framework, and the 2030 Agenda, to emerging protection norms formulated in the Nansen Initiative Protection Agenda, and the Migrants in Countries in Crisis (MICIC) Initiative Guidelines, as well as domestic laws and practices.

As in the case of children, the consolidation of norms needs to go hand in hand with putting in place an operational mechanism to advance practical solutions where they are most urgently needed, for example in the case of small island states facing an existential threat from sea level rise and other climate change impacts. This could take the form of multi-pronged regional cooperation agreements designed to prevent and mitigate the risk of forced displacement of persons living in areas at risk and to create viable alternatives, including[2]:

---

[2] Adapted from: Kälin, W. and S. Weerasinghe (2017) 'Environmental Migrants and Global Governance: Facts, Policies and Practices', in McAuliffe, M. and M. Klein Solomon (Conveners) (2017) Ideas to Inform International Cooperation on Safe, Orderly and Regular Migration, IOM: Geneva.

- Support for DRR and climate change adaptation measures that integrate human mobility aspects.
- Facilitation of legal channels for temporary, circular, or permanent migration to help people adapt to climate change and cope with disasters. This requires that States, with support from international organizations as needed, review their domestic laws, bilateral and multilateral agreements, and regional migration arrangements, and consider new laws and agreements, to facilitate migration as an adaptation measure, in accordance with international human rights and international labor law, and support integration policies and capacities of countries and communities of destination.
- Commitment to exercise discretion to admit on humanitarian grounds – and not return – persons displaced across borders if they are personally and seriously at risk of, or already affected by a disaster, or if their country of origin is temporarily unable to protect and assist them due to a disaster, and to find durable solutions for such persons.
- Joint scenarios for planned relocation in dignity, to be undertaken as a last resort, and in consultation with and the participation of affected people, including host communities, with respect of the rights of relocated people and support for integration in the new location, including access to adequate livelihood opportunities, basic services, and housing. Active partnerships with regional and municipal authorities are needed to plan out such scenarios (as C40 and Resilient Cities, for instance, have begun to do).

A group of pioneer States, a regional organization or a process such as an RCP – with international cooperation and support such as through the Platform on Disaster Risk – could take the lead in developing an agreed response framework for environment-related migration and displacement risks. The GCM follow-up process could take stock of regional efforts at Marrakesh +5 with a view to developing a global guiding framework based on emerging models and lessons learned.

## 2) Regular migration: Unlocking the potential of circular mobility

Migration lies at the heart of a people-centered approach to development. Despite progress in many developing countries over the last decade, life chances and vulnerabilities continue to be extremely unevenly distributed within and across countries. The average migrant, by moving from a poorer to a richer country, stands to realize significant income gains and better human development outcomes for themselves and family members left behind. Countries of origin benefit from migrant remittances bringing in foreign currency earnings.

At destination, little handwringing usually accompanies the admission of highly educated, multilingual migrants who travel and migrate between countries with ease. Yet, countries at different stages of development also need, and widely rely on, workers with less formal education in a range of sectors (such as domestic and care work, hospitality, construction, fishing, agriculture and food processing and others). However, legal opportunities for low-skilled labor migration are limited, generally of a temporary nature, and often accompanied by low wages and poor working and living conditions. Receiving countries tend to be worried about the negative impacts that bringing in foreign workers may have on locals, and the risk of seeing temporary migrants overstay their visas and settle down permanently while working in the informal labor market.

Circular migration schemes have been successfully introduced in some corridors to mitigate this risk for countries of destination, ensure decent working conditions for migrants, a predictable supply of trained workers for employers, and remittance income for countries of origin.[3] While the prevailing paradigm of permanent settlement is still shaping migration data collection, knowledge, theory, and thus policy-making, the fact is that, where the movement of people happens relatively uninhibited, because of unpoliced borders or in the context of regional freedom of movement, migrants tend to respond to family obligations, seasonal labor demands, and economic downturns by circulating between countries.

The Global Compact could make a commitment to progressively enable circulation as a model for mobility in the 21st century. Realizing this vision is likely to require new vehicles – in the form of pilot initiatives, platforms for dialogue among States and other stakeholders, model partnership agreements, and integrated/joint programmes – that would allow States to develop and assemble several policy pieces:

● Creating enabling conditions for circular mobility such as upgrading temporary worker programmes, promoting the issuance of multiple entry visas and the development of pathways to long-term status, and by normalizing dual citizenship.

● Integrating the governance of labor migration with broader labor market strategies such as by helping States conduct labor needs-assessments involving employers, labor unions and local authorities; establish functioning systems for and cooperation around skills development and certification; learn from experience to promote transparent and fair recruitment procedures; introduce effective regulation and monitoring of working conditions in all sectors of the labor market, and the right to organize and to seek remedy for migrant workers.

● Providing incentives for circulation through policies that facilitate access to financial services and the transfer of funds, as well as functioning systems for the recognition of credentials and skills earned abroad. Embed agreements to facilitate the portability of earned social security benefits such as health insurance and pensions in bilateral and regional labor agreements.

● Establish local integration policies that acknowledge the transnational nature of many communities.

**3) Orderly migration: Working together for secure borders and returns**

National sovereignty remains the cornerstone of international cooperation – recognizing this is critical to addressing the concern among destination countries about "internationalizing" the issue of migration governance.  Being able to effectively exercise border control is key to establishing State authority and assuaging popular concerns over uncontrolled immigration. For States to exercise such control means knowing who is seeking entry to one's territory, and being able to grant access or not on that basis, as well as being able to ascertain that they actually depart when they are supposed to.

    **A. Develop modern border and entry management systems**

Controlled borders are not closed borders, however. Most States have a fundamental interest in facilitating cross-border commercial activity and mobility. Where legal, regulatory, and institutional

---

[3] The perhaps most prominent and best evaluated example is the Recognized Seasonal Employer (RSE) scheme in New Zealand: http://siteresources.worldbank.org/INTPACIFICISLANDS/Resources/SeasonalMigrationManjula.pdf

obstacles make formal border processes cumbersome, informal trade and mobility will flourish, possibly encouraging illicit activity. This results in lost revenue and less oversight for States, as well as heightened personal insecurity for those crossing borders without authorization.[4]

The Compact should articulate a vision around functioning borders that connect and protect, acting as filters that facilitate legitimate traffic, while blocking the illicit kind. Elements to realize this vision would entail:

- Development of cross-border cooperation mechanisms to counter criminal networks involved in the smuggling of migrants and/or human trafficking, which often go hand in hand with other illegal activities (money-laundering, corruption and embezzlement) and illicit flows (of drugs, money or arms). Deterrence of such criminal activity requires a holistic and strategic approach, from strengthening state presence, legitimacy and accountability in disaffected (border) areas and communities, to improved information sharing and judiciary, law enforcement and military cooperation among states.

- Clear standards for entry procedures and border personnel to uphold human rights and identify and refer people with protection needs.

- Long-term investment in the fundamental "ingredients" that enable States and their citizens to participate in facilitated mobility regimes, such as the issuance of secure and affordable, machine-readable passports and the administration of vital records that make such documentation possible.

**B. Develop common standards for safe and humane return**

Return encompasses many scenarios from voluntary to forced. To ensure a functioning migration system, States must be able to return migrants illegally present on their territory, but they must do so in observance of the customary law principle of "non-refoulement", as well as with respect for their international human rights obligations. Countries of origin that care about legal migration avenues for their citizens should assume their responsibility to receive back their citizens who are illegally present in another country.

A starting point for cooperation in this often highly contentious area, could be for the GCM to agree on, and give a mandate for, developing specific return and relocation procedures for especially vulnerable groups – such as unaccompanied and separated minors, victims of trafficking, and victims of SGBV – who have particular protection needs before, during and after return. It could also ask for a mapping of existing return and readmission agreements and practices. From there, the GCM follow-up process could then work towards a broader global understanding on return that could be operationalized through bilateral, regional and inter-regional frameworks of cooperation

---

[4] Since the start of 2013, Rwanda has been allowing entry-visas on arrival for all African citizens, as well as offering online visa requests and introducing biometric border management. This has led to a significant rise in tourism from African countries and in trade with neighbouring countries. According to the African Development Bank, at two important border points between Rwanda and the Democratic Republic of Congo, where approximately 25,000 people cross every day – some more than four times per day – the average time of crossing was reduced to 15 to 30 seconds, respectively, for citizens and foreigners. See: http://www.afdb.org/en/blogs/afdb-championing-inclusive-growth-across-africa/post/visa-restrictions-and-economic-consequences-in-africa-11987/

on migration. Local partners – both governments and non-governmental – should be included in such discussions as they are often essential in preparing returns and setting the stage for readmission. Thus, ideally, returns can be framed and implemented as "community-to-community" efforts, with support of States, to make returns both voluntary and sustainable.

---

**4) Strategic partnerships: Shaping migration drivers and outcomes**

---

Achieving the above three aspects - "safe, regular, and orderly migration" – will require governments to re-think their approach to migration: to move from reactionary policies that conceive of migration as a "problem" to be managed, towards being proactive in anticipating and shaping international migration dynamics so as to enhance the "governability" of the phenomenon.  Rich country governments must move on from spending their scarce development aid resources on stop-gap measures seeking to stem the "root causes" of migration and keeping migrants "at home" – a strategy that is likely to fall short when the extra income that people and countries stand to gain from migration easily outstrips the size of development aid.

The Compact marks an opportunity to move towards more strategic and longer-term engagement through regional and inter-regional dialogues and partnerships built around the idea of channeling movements in a constructive and beneficial fashion within and across regions. As the majority of movements happen, and will remain, within regions, supporting regional economic integration efforts and migration governance capacities will be critical. This could happen along three axes:

A.  **Creating enabling frameworks for intra- and inter-regional mobility**

Strengthening capacities and mechanisms for managing the movement of people in a way that is safe, regular and orderly within regions – where most movements take place – and from one region to another. This requires harmonized legal and policy frameworks, as well as transparent and easy procedures that allow people to obtain the documents they need to cross borders for short or longer periods of time, progressively working towards regional facilitated and free movement agreements.

B.  **Supporting inclusive hubs as engines of regional integration**

Targeted economic and technical support for migration hubs is required, especially in the South – focusing on cities and countries that function as "engines of growth" for their sub-regions and attract migrants as a result. Supporting such hubs, at a macro-economic and city level so they can provide conditions that are favourable to the inclusion of migrants in local communities and labor markets will bolster not only their own development, but also support the lifeline that migrants provide for poorer rural areas and countries. City and municipal officials will be critical partners in such efforts.

C.  **Mainstreaming migration into development planning, cooperation, and financing**

Harnessing migration's full economic potential means empowering migrants as agents of development and ensuring support to countries and communities who recognize them as such. In the same way that gender is now an integral part of development planning, with the role and needs of women acknowledged in any serious development project, future sustainable development interventions must routinely analyze and incorporate the contributions and needs of migrants.

The Compact could be a launching pad for "mini-multilateral" pilot initiatives, bridging between bilateral and regional cooperation, by building migration partnerships around shared goals and jointly set priorities among smaller groups of countries along the same migration corridor.

---

**5) Follow-up & review post-2018: Sustaining the momentum**

---

While 2018 is an opportunity for consensus-building in the field of international migration; the Global Compact must be seen as a beginning, not an end in itself. Work on migration should be carried forward institutionally by creating clear follow-up mandates within multilateral institutions, and a process for regularly bringing member states back together to review their progress and deepen their commitments. It is thus important to set in motion an iterative process that provides States with the necessary mechanisms and tools for implementation. To this end, the GCM should formulate, from the outset, clear intervals for review of agreed commitments in the UN General Assembly and their progressive adjustment to evolving migration realities.  Other processes that have evolved through intermediary steps—such as the UNFCCC follow-up process, generating most recently the 2015 Paris climate change agreement, or the Cartagena Declaration follow-up process leading to a progressive strengthening of the refugee protection regime in Latin America — can serve as inspiration. Another model that is sometimes evoked as being reasonably successful is the Universal Periodic Review process in the UN's Human Rights Council.

### A.   Follow-up and review process

What emerges from looking at follow-up and review (F&R) mechanisms in other fields, such as sustainable development, climate, health and food security, whether they concern binding or non-binding commitments, is that a robust mechanism ideally involves F&R at multiple levels, including not only governments, but also the voices of non-State actors, and relying on both, self-assessments, as well as peer and/or expert reviews and reporting.

- In order to maintain momentum post-2018 and ensure some form of accountability, the perhaps most consequential commitment States ought to be making in the GCM is to create a dedicated state-led follow-up body or forum that will oversee and support member states in the implementation of the GCM. Such a forum could bring States and other stakeholders together (bi)annually to review progress on pledges and commitments, exchange experiences, and discuss and develop migration policies, norms, and practices. An important role for a global GCM follow-up body would be to elaborate clear rules and procedures around the submission of and reporting on action pledges or commitments. Drawing on models from the climate field (Paris Agreement, Kyoto Protocol), the GCM could introduce specific formats for individual as well as various kinds of collective-action pledges by States and other stakeholders. The (bi)annual review of progress could rely on self-reporting by States and coalitions of actors, as well as periodical global progress reports, prepared by the UN or a panel of experts based on an agreed set of indicators.

- Given the prominence of regional migration dynamics and existing governance structures, it would make sense to regularly take stock of GCM implementation progress at the regional level, focusing on region-specific priorities and commitments. Regional F&R meetings could be informed by independent progress reports prepared by the relevant regional integration body and/or the UN.

- Critical to sustain a meaningful assessment of progress are regular national level self-assessment exercises, involving the whole of government and civil society stakeholders. External expert missions could serve to complement and support country self-assessments, e.g. by assessing country

capacities and gaps and helping authorities incorporate their findings into national strategies. States' willingness to work with external experts could be increased if collaborative "joint assessment" models are used, and if the external assessment helps to leverage/unlock international financial assistance.

### B. Financial facility

As part of discussions on follow-up and implementation, the GCM must address the question of financing, which will often be a bottleneck for States and other stakeholders to fulfill their commitments. Little data currently exists on both, domestic and external migration spending by States, which is often difficult to isolate within broader resource envelopes. That makes it difficult to know what the "price" of getting to a global system of well-managed migration might be, and where the greatest funding gaps currently arise, both thematically and geographically. Part of GCM monitoring should be to try to initiate a kind of "joint accounting" exercise that would track expenditures and help achieve greater transparency regarding financing for migration.

But the GCM should go further: In early 2017, the report of the former Special Representative of the Secretary General (SRSG) on Migration, Peter Sutherland, made the case that, as they approach the negotiations on a global compact, States must not only agree on shared principles and priorities, but also make a concerted investment to ensure that all States have the capacities needed to live up to their commitments. To this end, the SRSG called for the establishment of a *global financing facility for migration* that would channel resources from States, development banks, and private foundations**.**

There are at least three types of capacity support that such a financial facility would need to provide:

- Support for the integration capacities of receiving countries, regions, cities and municipalities that are making efforts to be or become welcoming communities for migrants and who need help putting in place the right policies, institutional arrangements and partnerships to facilitate the social and economic inclusion of migrants.

Recent developments in the refugee field could serve as a model here, with International Financial Institutions becoming partners to bilateral compacts with refugee hosting nations and in the CRRF, and the World Bank offering concessional lending to countries that shoulder the greatest responsibility for hosting refugees. A number of recommendations have been made for how this involvement could be improved[5], which could be considered in adapting financial mechanisms to the broader migration field.

- Strengthening institutions at local, national, regional and global levels to support the development, implementation and monitoring of migration policies.

The existing financing landscape for migration provides few examples, outside the EU, of governments – let alone private donors – providing unearmarked and pooled funding for migration purposes. IOM's Development Fund, which is demand-driven and supports migration management capacities in developing countries, is dependent on the small share of unearmarked contributions the organization

---

[5] See for example, the Explanatory Note on the Final Conclusions of the Experts Initiative on the Global Compact on Refugees, The Zolberg Institute on Migration and Mobility, The New School.
https://forcedmigrationforum.files.wordpress.com/2017/11/gcr-expert-meeting-note-and-conclusions.pdf

receives, and remains tiny (at US$8 million), given IOM's growing membership and overall operational budget of about US$1 billion. Efforts to broker partnerships through the GFMD's "Platform for Partnerships" have largely remained a matter of information sharing. If the ambition of safe, orderly, and regular migration is to become a reality, a dedicated fund may be needed, drawing on examples from other fields, such as the Global Environmental Facility (GEF), the Global Fund, GAVI, and Every Woman Every Child in the health area, or the Enhanced Integrated Framework delivering Aid for Trade.

- Support national and local governments and non-governmental actors in finding innovative and effective ways to leverage migration and diaspora resources for sustainable development.

Migrants themselves generate large-scale resources that often go to improving conditions for families and communities in their countries of origin. International organizations, States and municipalities have developed cooperation and investment schemes designed to attract migrant and diaspora resources for specific development projects and purposes. A facility could support these efforts by linking governments and philanthropies willing to meet certain accountability criteria with technical and financial support for designing innovative partnership, fundraising and investment models.

Maintaining momentum post-GCM will hinge on the strategic use of multiple "transmission belts" that will help translate global commitments into action at regional and national levels and channel momentum that might exist locally back into the global follow-up and review process. To gain traction and sustainable results at country level – in terms of legislative, regulatory and institutional development and reform – follow-up to the GCM will hinge on the existence of domestic constituencies that demand change and hold governments to account. This requires, in part, financial support for the advocacy efforts of domestic constituencies, including national human rights institutions, professional associations, migrant associations and other NGOs, which tend to be better equipped to engage national governments. Indeed, any financial support pledged for GCM implementation should not be solely focused on governments, but encompass operational non-governmental organizations, local authorities, parliamentarians, academia, and civil society more broadly.