

Statement

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What Options for Follow-Up?

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Panel on the global migration compact: Review and follow-up

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Introduction

Thank you, Madame Undersecretary.

Distinguished members of the audience, colleagues and friends,

Good morning, it is a pleasure to join you for the 16th Coordination Meeting on International Migration organized by the UN's Department of Economic and Social Affairs (DESA).

The Global Compact once a black box is no longer with the zero draft. There is a great deal of substance in the form of the guiding principles that shape it and the actionable commitments (or proposed 22 objectives) it contains from which Member States will begin to negotiate next week.

Where the black box now remains is with the implementation, follow-up and review. Arguably, these last two pages of the GCM zero draft are the most important part of the story (if not of the text itself): as Ambassador Gomez Camacho has said “what matters is what becomes the reality on the ground”, reinforcing the view that good governance in practice and in scholarship demands that “global public policy take delivery seriously”.¹

My remarks will focus on follow-up and review. I will begin with two overarching observations, and then lay out two more specific sets of questions for your consideration.

These comments draw in part from the deliberations of the thought group for interested policy-makers and practitioners known as the “Migration Consensus Group”.

A first observation is to understand the intended distinction between implementation, and follow-up and review. In the GCM, implementation is framed as the institutional structure(s) that will help support actions on the ground. It is the operationalization of the GCM. Whereas follow-up and review are framed as an assessment of progress in States’ achievements of the commitments to which they will agree to take action in some form or another

¹ Coen, David and Tom Pegram. 2015. “Wanted: A Third Generation of Global Governance Research.” *Governance: An International Journal of Policy, Administration, and Institutions* 28(4) 417-420.

[the progress on operationalizing], and the mechanism(s) or parameters within which such reviews will be conducted.

A second observation is whether more specificity for follow-up and review should be in the negotiated text, as if so *what level of specificity*. Here, I am speaking of more concrete (bargained) implementation (and innovation)-related elements that will be (or should be) made outside the agreement itself. Because the GCM is inherently a political text – some have suggested that the focus should be on the bigger picture, i.e. overcoming the differences in perspectives and the potential for long-term gains in this field.

Onto the questions:

First: *Who will do the Follow-up & Review?*

The zero draft speaks of mechanisms at the global and at the regional levels. Rather than integrating into existing mechanisms like the High Level Political Forum (HLPF) for the 2030 follow-up, the zero draft reflects the position that “politically, it is more powerful to have migration stand on its own” (Ambassador Gomez Camacho).

Paragraph 44 thus describes an “International Migration Review Forum” that will serve as the primary global platform for Member States to discuss and share progress on the implementation of the GCM, repurposing the High Level Dialogue on Migration and Development (HLD). This reflects the view expressed by many Member States in Puerto Vallarta that no new mechanism should be established.

Moreover, regional follow-up and review is also foreseen, in para. 45 that speaks of a “Regional Migration Review Forum”.

In terms of the periodicity - like the HLD, the International Migration Review Forum (IMRF) is to meet every 4 years, starting in 2022 (followed by 2026 and 2030). And the Regional Migration Review Forum (RMRM) is to take place in the interim in 2020 (followed by 2024 and 2028).

Left to be further specified (among others) is who will convene the IMRF. While the RMRM is to be organized by each UN Regional Economic Commission as stipulated in paragraph 45, it is not explicit that the IMRF will be implemented by the General Assembly and if so under what authority – i.e. will it be the PGA as for the HLD? Or will this depend on the UN Secretary General’s current reorganizational efforts vis-à-vis migration governance within the United Nations?

Following from the question of institutional leads responsible for follow-up, comes the question of resources. The UN Regional Economic Commissions vary widely in mandate and resources. [While an “implementation” issue: can the UN realistically take on the strengthening of the global system, in parallel to a strengthening of the regional one?]

Critically, the IMRF would have to be adequately resourced as well. Its costs would be significantly more than the organization of the HLD, and questions remain on what the financing would look like.

It is open to interpretation whether the zero draft's para 39 on the establishment of “a capacity-building mechanism” [that allows Member States, the UN and other stakeholders, including the private sector and philanthropic foundations, to contribute technical, financial and human resources in order to strengthen the capacities of national and subnational authorities on migration] – reflects also an effort to equip the IMRF with the resources that it will require.² More particularly the resources to allow States and subnational governments to implement, but also to prepare the type of follow-up and review that will be needed.

Critically, the zero draft leaves a gap when it comes to follow-up and review at the national level, and regarding the role that local governments and non-State actors should play in the process. One scholar recently described it as : “the missing middle”. The experience of the 2030 Agenda is instructive in this regard: In retrospect, the inclusion of a detailed national-level review framework seems critical, and would have been difficult to negotiate after the fact.³

In a non-paper prepared by Columbia University 's Global Policy Initiative and the University of Ottawa, which compares review and follow-up mechanisms in fields such as climate, health, and food security, it concludes that *all* robust mechanism involve follow-up and review at multiple levels - national governments, local governments, and other stakeholders.⁴⁵

³ https://www.swp-berlin.org/fileadmin/contents/products/arbeitspapiere/WP_FG8_2016_02_bsh.pdf

⁴ See N. Benson and S. Rosengaertner, “*Lessons for the GCM based on Existing International Mechanisms for Follow-up and Review*”, University of Ottawa Refugee Hub and Columbia University's Global Policy Initiative, 10 November 2017.

And, given that reviewing should really highlight obstacles to implementation, it should include self-assessments, grounded in whole of government and whole of society approaches. Further, review submissions should draw on models from the climate field (Paris Agreement, Kyoto Protocol), with specific formats for submissions by individuals, as well as various kinds of collective-action pledges by States and other stakeholders.⁶

Indeed, there is reason to believe that only a bottom-up review process will reflect the type of change on the ground that the UN is seeking to achieve: to the extent that in the Secretary-General's multiple reform efforts are focused on improving the delivery at the national and regional levels, such that, by and large, decisions are made closer to the ground.

Second: *What will be followed-up and reviewed?*

First, it is worth noting the choice of action verb i.e. "review" over "report"; something Member States expressed a preference for in Puerto Vallarta. It is not clear whether the review will be voluntary or not. We may suppose this will be the case given that the GCM is not expected to be legally binding.

But will States be in a position to pick and choose among objectives and commitments for action and review? Or rather, will a set of priorities emerge (as Sweden seemed to suggest moments ago), with a clustering of goals more suitable for review? In other words, will the review be on 22 or so objectives, or

⁵ *Ibid*

⁶ *Ibid*

will it be on a broader vision that underpins these objectives, those that are coloured by the guiding principles at the beginning of the text, and from the GCM's title: safe, orderly, regular migration (to which some have added: facilitated and governed)?

Moreover, how will the contributions of sub-national & non-State actors be fed into the process? How will these priorities be shaped?

And, will baselines and indicators be used to measure progress? If so, some targets and indicators have already been developed through multi-stakeholder efforts in some key areas like for the protection of children, which presumably will be taken into account.

As regards to the 2030 Agenda, the machinery and resources of the HLPF should be leveraged to inform the new IMRF. But how will the GCM follow-up and review be in alignment with that of the 2030 Agenda? This consideration is complicated by the fact that the HLPF sets out the review of a cluster of SDGs at a time, not all of which are migration-relevant.

And finally, a last but fundamental consideration is how the GCM follow-up mechanism will be aligned with the follow-up of the GCR. [The New York Declaration and its genesis was rooted in the mixed flows of migrants and the need to find solutions for vulnerable migrants and migrants in vulnerable situations.] Will a parallel follow-up process be established? Or, would a joint follow-up be feasible? Practically speaking, currently, the schedules are not

aligned. That is to say that the first ministerial review of the GCR (per the 0 draft) is +3 years (2021) and +4 years (2022) for the GCM.

At a minimum, the GCM and GCR should be reviewed in parallel with the two processes informing each other – perhaps more than has the case in the pre-Compacts phase.
