

IMRF Round table one Background Note



These background notes have drawn inputs from Member State and stakeholder consultations, regional GCM reviews, dedicated Hub Discussion Spaces, IMRF Dialogues series, information available in the Migration Network Hub Repository of Practices, and the Secretary-General's 2022 report. Further references are on the Network's [website](#).



1. INTRODUCTION

The first Round table of the International Migration Review Forum (IMRF) will offer space for discussion of progress made in the implementation of objectives 2, 5, 6, 12 and 18 of the Global Compact for Safe, Orderly and Regular Migration (GCM). This background note integrates the ten cross-cutting and interdependent guiding principles of the GCM.

Objective 2 focuses on reducing the adverse drivers of migration, including climate change, that compel many to move and can prevent the achievement of broad-based sustainable development. Objectives 5 and 12 aim to ensure that people can migrate through regular, predictable and safe channels, with screening to identify and address vulnerabilities. Objectives 6 and 18 cover fair and ethical recruitment and decent work for migrant workers, and skills recognition and upgrading.

In the GCM, Member States recognized that migration governance that upholds international human rights and labour standards, and is grounded in sustainable development, benefits communities of origin, transit and destination and accelerates progress towards the achievement of the Sustainable Development Goals.

This has become even more evident as the COVID-19 pandemic highlighted the critical role migrant workers play providing essential services, such as in healthcare, transport, and food systems.¹ The pandemic has,

¹ ILO, 2021, ILO Global Estimates on International Migrant Workers – Results and Methodology – Third edition

however, exacerbated migrants' vulnerabilities to exploitation and rights abuses. Addressing these considerations will continue to play a critical role in socio-economic recovery efforts.

2. OVERVIEW OF PROGRESS

Objective 2: Minimize the adverse drivers and structural factors that compel people to leave their country of origin



In the GCM, Member States place the achievement of sustainable development² at the heart of minimizing the adverse drivers and structural factors that compel people to leave their countries of origin. In 2021, 20 states included migration in their sustainable development Voluntary National Reviews. Countries including Madagascar, Morocco, Nepal and Tonga mainstreamed migration into their development or sector plans at national and local levels, or developed specific migration and development approaches, policies or mechanisms.

Increasingly, sector-based sustainable development programmes, for example on health, education, and rural development, include migrants and migration-related considerations. Some Member States offer training opportunities to increase employability, or access to credit for small or medium enterprises or multi-state investment initiatives, so that people are not compelled to seek a livelihood elsewhere.

In the preparations for the IMRF³, Member States and other stakeholders emphasized that it is critical to ensure that development interventions focus on sustainable development as an end per se, rather than

a means of preventing migration. They stressed that opportunities to enable people to migrate for human development should be enhanced while adverse drivers and structural factors that can negatively impact development outcomes should be addressed and mitigated.

Even before COVID-19, progress towards the achievement of the sustainable development goals was slow. The intersecting impacts of the pandemic, natural disasters, climate change and environmental degradation have exacerbated poverty and inequalities.

Several Member States, particularly small island developing states in the Caribbean and the Pacific, have included mobility considerations in climate strategies and participated in regional processes to respond to migration linked to the impacts of climate change. Many have also incorporated migrants into disaster preparedness and response efforts, consistent with recommendations of the Guidelines to Protect Migrants in Countries Experiencing Conflict and Natural Disaster⁴. The Warsaw Implementation Mechanism Task Force on Displacement developed guidance on “integrated approaches to avert, minimize and address

² As defined in the 2030 Agenda for Sustainable Development, Addis Ababa Action Agenda, Paris Agreement, and Sendai Framework for Disaster Risk Reduction 2015-2030.

³ <https://migrationnetwork.un.org/hub/discussion-space/international-migration-review-forum-2022/content/imrf-roundtable-1>

⁴ See MICIC initiative [here](#).

displacement related to the adverse impacts of climate change and issues around human mobility”.⁵

Many Member States have engaged in assessments, baselines, and projects in partnership with the United Nations system to support the formulation of national and regional policies, legislation and action plans, mainstreaming mobility considerations into climate

change adaptation plans, policies and strategies in line with relevant guidance.⁶ Finding solutions for people compelled to leave their communities in the context of sudden and slow-onset disasters continues to pose challenges, with many stakeholders calling for expanded and diversified pathways for admission and stay.

Objective 5: Enhance availability and flexibility of pathways for regular migration



Opening regular pathways to migration is key to assuring decent work that respond to labour market realities, as well as optimizing education

opportunities, upholding family life, offering solutions in climate change settings and addressing migrant vulnerabilities. Member States in every region have reported progress on the conclusion of bilateral and regional labour migration agreements: the Intergovernmental Authority on Development (IGAD) endorsed the Protocol on Free Movement of Persons and Transhumance, which enables citizens to move and work freely in other countries of the region; a Community of Portuguese Speaking Countries mobility agreement was signed; and the African Union Protocol on Free Movement of Persons, Right of Residence and Right of Establishment aims to reduce barriers impeding free movement among African countries. The Agreement on the African Continental Free Trade Area also facilitates the movement of persons, linking regional trade agreements with regular pathways for migration.

Multiple Member States, including India, Kenya, Mexico, the Republic of Moldova, Morocco and Portugal, have developed bilateral labour migration agreements. A new United Nations Network on Migration guidance on bilateral labour migration agreements⁷ provides recommendations to develop rights-based, gender-sensitive bilateral agreements that are inclusive of all stakeholders.

Automatic visa extensions, such as those carried out during the COVID-19 pandemic by the Republic of Korea and Thailand, regularization initiatives, like those in Colombia and Ireland, or temporary residence permits like that in Portugal, help to protect the human rights of migrants at risk of falling into an irregular status. They also reduce vulnerability and facilitate their access to the formal economy, labour market and basic services, and strengthen the contribution of migrants to the Sustainable Development Goals (SDGs). The Secretary-General, in his opening remarks at the briefing on his 2022 report on the GCM⁸, indicated that establishing rights-based pathways for regular migration

⁵ United Nations Framework Convention on Climate Change, Report of the Task Force on Displacement, 17 September 2018.

⁶ See for example the Migration Multi Partner Trust Fund joint programme [Addressing drivers and facilitating safe, orderly and regular migration in the contexts of disasters and climate change in the IGAD region](#)

⁷ [United Nations Network on Migration, Guidance on Bilateral Labour Migration Agreements, 17 February 2022](#)

⁸ https://migrationnetwork.un.org/sites/g/files/tmzbd1416/files/docs/sg_remarks_at_sg_report_launch_16_feb_2022.pdf

remained “the only way to break the stranglehold of smugglers and traffickers”, as well as “to address labour market shortages and advance the Sustainable Development Goals”⁹.

Several Member States reported on simplified procedures combining residence and work permit approval, migratory alternatives other than asylum for those unlikely to qualify for international protection, one-stop centres for visa applications, skilled migration programmes with facilitated access for migrants, as well as strengthened opportunities for temporary migration. The European Union reported that it was reviewing its single permit directive to simplify and clarify the scope of the legislation and its relevance for lower-skilled workers.

Some Member States reviewed options for family reunification and considered different definitions of family. Germany highlighted measures to promote academic mobility. The Revised Convention on the

Recognition of Studies, Certificates, Diplomas, Degrees and Other Academic Qualifications on Higher Education in African States entered into force, establishing a legal framework to facilitate inter-university cooperation and exchanges among African states.

In preparations for the IMRF¹⁰, Member States and stakeholders noted that regular pathways remain limited, temporary and insecure, and had been disrupted by the COVID-19 pandemic. They further highlighted that more rights-based and child-sensitive pathways for migrants in situations of vulnerability, such as people affected by climate change and environmental degradation, children and LGBTQI+ migrants, were still needed, in line with related United Nations Network on Migration guidance.¹¹ In several forums, participants indicated that coherence in policymaking regarding climate-related mobility was needed across all sectors and levels of government.

Objective 6. Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work



Decent work and human rights are fundamental to GCM achievement. Many Member States and stakeholders acted to ensure fair and ethical recruitment, and decent work for all migrant workers, regardless of status, upholding international human rights and labour standards, and ending unethical or illegal practices. The General Principles and Operational Guidelines for Fair Recruitment¹² and the

International Recruitment Integrity System (IRIS) provided guidance and support for the achievement of this objective.

Several Member States ratified fundamental and migrant worker-related international labour standards, and the International Convention for the Protection of the Rights of Migrant Workers and Members of their Families.

⁹ Ibidem

¹⁰ <https://migrationnetwork.un.org/hub/discussion-space/international-migration-review-forum-2022/content/imrf-roundtable-1>

¹¹ United Nations Network on Migration, Guidance Note: Regular Pathways for Admission and Stay for Migrants in Situations of Vulnerability, cit.

¹² The ILO Fair Recruitment Initiative is being implemented in more than 30 countries: https://www.ilo.org/global/topics/labour-migration/publications/WCMS_536755/lang--en/index.htm

Ghana, Kenya, Tonga, Uzbekistan and Vanuatu developed national labour migration frameworks integrating whole-of-government approaches, and Mexico included a component on labour migration and fair negotiation in its Integrated Development Plan.

The Philippines reformed its law to strengthen protection of migrant workers and define ethical recruitment. Viet Nam banned the charging of recruitment fees, while many countries adopted or amended rules for private employment agencies to ensure compliance with international labour standards. Ecuador and Kenya took steps to develop transparent and zero-cost recruitment and personnel selection processes.

Awareness of the importance of fair and ethical recruitment, and of stakeholder engagement in efforts to combat unfair and unethical practices, has grown. The ASEAN Forum on Migrant Labour brought together governments, employers, workers and civil society to strengthen regional migrant worker protections. The International Trade Union Confederation established a Migrant Recruitment Advisor to enable migrants to provide feedback on recruitment agencies. Regional trade union confederations signed a memorandum of understanding to promote cooperation.¹³ The International Organisation for Employers (IOE) developed An Employer's Guide to Fair Recruitment

to help businesses comply with fair recruitment standards¹⁴ and employers in Egypt joined discussions on ethical recruitment, while trade unions in Viet Nam include Vietnamese workers abroad in their mandate.

Many Member States strengthened labour inspection capacity or enhanced their procedures to receive migrants' reports. Canada adopted measures to protect migrant workers from reprisals when reporting abuse. Migrant Worker Resource Centres, such as those in Argentina, El Salvador and Indonesia, helped empower migrant workers. However, many Member States indicated that they faced challenges in strengthening inspections in sectors such as domestic work, often disproportionately affecting women migrant workers.

Member States called for adherence to international labour standards, as referred to in the GCM, in particular, fundamental rights such as freedom of association and collective bargaining for migrant workers, and social dialogue as a basis for labour migration governance. However, legal barriers to migrant workers' freedom of association persisted in many contexts. Further, some policies restrict migrant workers' labour market mobility, disempowering them. Migrant workers in irregular situations, in informal work or in sectors such as domestic work, continue to be extremely vulnerable

¹³ Asia Pacific (ITUC-AP), ASEAN Trade Union Council (ATUC), South Asian Regional Trade Union Council (SARTUC), Arab Trade Union Confederation (Arab TUC), African Regional Organisation of the International Trade Union Confederation (ITUC-Africa) and the Trade Union Confederation of the Americas (TUCA).

¹⁴ [An employer's Guide to Fair Recruitment](#).

Objective 12: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral



Promoting Increased use of digital technologies during the pandemic boosted the effectiveness and transparency of migration procedures, though some have noted the importance of ensuring that these tools are unbiased and accessible, with data being processed in line with migrants' rights to privacy and ensuring protection of their data. Armenia, Azerbaijan, Kenya, Pakistan and the Republic of Korea introduced technological solutions to streamline migration procedures through adopting online visa systems, upgrading to e-passports, and improving border management strategies through modernization and digitization of border procedures.

Albania, Azerbaijan, Belgium, Costa Rica, Ireland, Malta, Mexico, North Macedonia and Qatar, among others, highlighted actions to ensure safe reception, screening and referral for migrants, especially unaccompanied children. This includes training reforms, and development of technological tools and

procedures. Other countries, such as Kenya, trained private employment agencies on migration issues including migrant protection.

Several Member States built the capacity of consular services through trainings and deployment to support migrants in need via screening and referral.

Migration procedures and rules often allow high levels of discretion by officials, and minimal access to justice and appeal mechanisms for migrants, who frequently find themselves in processes without recourse, sometimes for long time periods. Improved awareness and capacity of migration control personnel, particularly those at borders, regarding identification of migrants in vulnerable situations and the activation of specialized protection systems are critical to this GCM objective. In the case of interviews with children and accompanying adults/caregivers during the screening process it is essential that child protection staff lead interactions, identifying and assessing children's needs and referring them to appropriate services.

Objective 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences



Member States and employers increasingly recognize the contribution of migrant workers at all skill levels to sustainable development, including the fact that returning migrants bring new skills to their communities of origin. It was noted that private sector, employers' organizations, and workers' organizations are well-placed to identify labour market gaps and skills needs that migrants could fill.

In Africa, Europe and the Pacific, regional frameworks for academic and vocational qualifications were developed and implemented, while countries aligned national qualification frameworks to ensure recognition and transferability of skills.

Belgium and the European Union supported training in countries of origin to ensure migrants were equipped with recognized skills. Germany widened access to visas for skilled vocational workers and improved procedures for skilled migrants to have their qualifications recognized. Bangladesh, Egypt

and Indonesia worked to upgrade the academic and vocational skills of migrant workers. Mexico and Sri Lanka developed skills recognition schemes for returning migrants, the latter through a “Skills Passport” scheme developed in coordination with employers.

However, major gaps in recognition of migrant workers’ and returnees’ skills were often not addressed, especially where these skills were

vocational or soft skills, or were acquired informally. Furthermore, migrants were often unable to participate in training activities, denying them opportunities for professional growth. Member States and stakeholders remarked that long-term approaches based on international cooperation, and whole-of-government and whole-of-society approaches, involving employers and trade unions, are necessary to address this gap.

3. GUIDING QUESTIONS

Objective 2



- How can development strategies integrate migrants and migration as SDG facilitators while addressing poverty reduction, and minimizing the adverse drivers and structural factors compelling people to leave their countries of origin?
- Which policies and strategies are still needed to provide concrete responses to climate- and disaster-induced migration, while upholding migrants’ rights, and to harness the benefits migrants can bring to adaptation?

Objective 5



- How can we expand the availability and accessibility of fairer, safer, human rights- and international labour standards-based, child-sensitive and gender-responsive pathways for regular migration?
- How can we enhance the adoption and effective implementation of pathways for regular migration for people compelled to cross borders in the context of climate change?
- What lessons can be learnt from measures taken during the COVID-19 pandemic to enhance regular pathways, including visa extensions, temporary residence and regularizations?

Objective 6



- How can cooperation between governments and other stakeholders, especially employers’ and workers’ organizations and recruitment agencies, be strengthened to improve implementation of fair and ethical recruitment, at national, bilateral, (inter) regional and global level?
- How can decent work for migrant workers be promoted, particularly in helping formalize jobs in the informal economy and sectors where exploitation risks are most prevalent, particularly for women migrants?



Objective 12

- Which tools and actions have proven most impactful in strengthening individual screening, assessment and referral mechanisms, including for the identification of children and other migrants in vulnerable situations?
- How can the challenges in providing migrants with access to information, appropriate protection, assistance, counselling services be overcome?



Objective 18

- What tools and good practices can be highlighted to improve skills development, anticipation, recognition, portability and as useful guidance which can be scaled-up for other countries or regions, and for future reforms that can better address real labour market needs?
- What are the major challenges in developing training and skills frameworks that support recognition of qualifications and prior learning which benefit migrant workers at all skills levels, and returnees?