

# BACKGROUND PAPER WMR 2010

The Future of Migration  
Governance and Regional  
Consultative Processes



IOM International Organization for Migration

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# BACKGROUND PAPER WMR 2010

## The Future of Migration Governance and Regional Consultative Processes

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# FOREWORD

This paper is one of 19 background papers which have been prepared for the IOM, 2010 World Migration Report which is entitled the “Future of Migration: Building Capacities for Change”. The 2010 report focuses on likely future trends in migration and the capacities that will be required by States, regional and international organizations, civil society and the private sector to manage migration successfully over the coming decades.

Over the next few decades, international migration is likely to transform in scale, reach and complexity, due to growing demographic disparities, the effects of environmental change, new global political and economic dynamics, technological revolutions and social networks.

The 2010 World Migration Report focuses on capacity-building, first because it is good governance to plan for the future, especially during a period of economic downturn when the tendency is to focus on immediate impacts and the short-term period of recovery. Second, capacity-building is widely acknowledged to be an essential component of effective migration management, helping to ensure the orderly and humane management of migration.

Part A of the World Migration Report 2010 focuses on identifying core capacities in key areas of migration management. The aim is not to recommend “one size fits all” policies and practices, but to suggest objectives of migration management policies in each area, to stimulate thinking and provide examples of what States and other actors can do.

Part B of the World Migration Report 2010, provides an overview of the latest global and regional trends in migration. In recognition of the importance of the largest global economic recession since the 1930s, this section has a particular focus on the effects of this crisis on migrants, migration and remittances.

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## INTRODUCTION

Over the past decade, global migration governance has emerged as a central – if not *the* central – issue in international migration, with two dominant perspectives. The first, proposed by Baghwati (2003), argues for the creation of a supranational institution with enforceable powers of migration – a ‘World Migration Organization’. Although vague about its origins, constitution, remit and enforcement powers, Baghwati urges us to recognize that “[t]he world badly needs enlightened immigration policies and best practices to be spread and codified. A World Migration Organization (WMO) would begin to do that by juxtaposing each nation’s entry, exist and residence policies toward migrants, whether legal, or illegal, economic or political, skilled or unskilled” (Baghwati, 2003). Somewhat more concretely, others have called for a WMO to be given formal responsibility for voluntary migration as a counterpart of the Office of the United Nations High Commissioner for Refugees’ (UNHCR’s) responsibility for forced migration (Martin, forthcoming). The second perspective, at the other extreme, is offered by economist Timothy Hatton, who rejects the equation of trade with migration and, therefore, the suggestion that there can be any global political response to migration. “Clearly, migration differs from trade in a variety of dimensions. Migration affects societies and their cultures in a way that trade does not; migration is typically more permanent than trade, it is a stock rather than a flow, and migrants eventually get the vote” (Hatton, 2007).

Hatton is right that migration and trade are not analogous economically or politically. Trade allows countries to sell what they overproduce and to buy what they need. Other countries want the opposite, and the interests are complementary. In the case of migration, interests are conflicting: sending States want to keep what they under-produce (skilled migrants) and export what they overproduce (unskilled migrants); receiving countries want the opposite. Trade has few if any long-term externalities; migrants (particularly permanent migrants) age, produce children and make demands on social and economic structures. Finally, States have only been willing to enter into sovereignty-limiting agreements on the movement of peoples with other rich States (within the European Union (EU), between Canada and the United States, between Australia and New Zealand), yet most migration is between rich and poor States.

If these facts make a WMO unrealistic and undesirable, they do not undermine the very concept of migration governance. We can throw out the bathwater but keep the baby. In the first instance, it is important to recognize a basic constitutional point: defining power limits it. States are constrained in any policy area by international agreements that reduce their degrees of freedom. When States are forced to do certain things or prevented from doing others because of international agreements (or even norms) on migration, a form of global migration governance exists. This concept might be understood as “governance by constraint”. At the same time, States have voluntarily entered into regional and, in some cases, global forums that directly or indirectly affect migration governance. This concept might be understood as “governance through cooperation”. Finally, there is a small but important set of regional

organizations whose founding principles and documents affect migration governance. Both have shaped migration governance as it is, while the second points to what it may become.

## Defining global governance

The global governance of migration – like any form of governance – is difficult to define. For the purpose of this paper, governance is narrowly defined as the creation of statutory norms or changes in their application.<sup>1</sup> When this process occurs, or is affected by developments at the global level, it can then be considered a form of global governance.

However, if global is contrasted with regional governance, then it might be understood as involving *all* States (an unlikely scenario). Under a looser definition, global might be understood as involving more than one region (for instance, Europe and North America). For the rest of the paper, then, global governance refers to processes involving all or most States *and* those involving multiple regions.

## CURRENT CAPACITIES

### Global governance by constraint

In the classic realist view of international relations, global politics is “anarchic”.<sup>2</sup> States are like billiard balls that bump against each other, temporarily aligning themselves – for example, with the goal of knocking out a third ball – but they are not linked in any enduring, structured or coordinated manner. In reality, however, there is a robust set of international treaties, judicial decisions, agreements and norms that constrain States’ behaviour in multiple areas – notably trade and human rights law. These constraints are less developed in the case of migration, but they exist nonetheless. The most important among them touch on the following areas:

- *Forced migrants*: The 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol give asylum-seekers the right to apply for refuge and obligates States not to reject them; the 1984 UN Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment obligates States not to transfer individuals to countries where there are “substantial grounds” for believing they would be subject to torture.<sup>3</sup>
- *Family reunification*: There is a “universal consensus that, as the fundamental unit of society, the family is entitled to respect, protection, assistance and support,” and that this implies a right to family unity as well as the right (of heterosexuals) to marry and found a family (Jastram, 2003). This consensus is reflected in the Universal Declaration of Human Rights (1948), art. 16 (3), the International Covenant on Civil and Political Rights (1966), art.

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<sup>1</sup> It is possible to include a much broader definition of governance that includes issue definition, agenda setting and position adoption. See Hansen, 2009.

<sup>2</sup> Realism comes in many forms; see Bull, 1977. See the introduction to Betts (forthcoming).

<sup>3</sup> For the details on these and other legal instruments, see Goodwin-Gill and Newland, 2003.



23(1), the International Covenant on Economic, Social and Cultural Rights (1966), art. 10(1), the American Convention on Human Rights (1969), art 17(1), the African Charter on Human and People's Rights (1981), art. 16, and the European Convention on Human Rights (1950), art. 8.

- *Trafficking and smuggling of migrants*: A broad range of multilateral instruments outlaw trafficking and smuggling, including: the Convention on the Elimination of All Forms of Discrimination against Women (1979); the Convention on the Rights of the Child (1989); the International Convention on the Protection of the Rights of all Migrant Workers and their Families (1990); the Hague Convention on the Protection of Children and Cooperation in respect of inter-country adoptions (1990); the ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (1999); and the 2003 UN Convention against Transnational Organized Crime, its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air (see Muntarbhorn, 1997; Fisher et al., 2003).

This list is by no means exhaustive; however, it outlines a core of State obligations towards migrants – preventing refoulement, tackling the exploitation of migrants, and respecting the rights of the family unit.

Beyond these three areas, there is a more contested body of international law on non-discrimination (while the principle of non-discrimination on racial grounds is accepted, the principle of discrimination between nationals and non-nationals lies at the basis of the international State system), and on economic and social rights (the 1990 International Convention on the Rights of All Migrant Workers and their Families has been signed by many sending States, but by not a single receiving one) (see Fitzpatrick, 2003). In laws relating to economic and social rights, Western receiving States generally (often due to union pressure), require that foreign workers be given the same wage and working conditions as domestic workers, although there are exceptions for agriculture and within the European Union (where, for instance, Portuguese wages have been paid to Portuguese workers in Germany).

It would be naive to believe that these instruments are accepted and implemented everywhere. Of course, they are not, and international law is sometimes little more than a statement of moral intent (although, in other cases, such as in the European Court of Human Rights (ECHR), it reflects a transnationalization of essentially domestic liberal democratic laws and principles). These and many other instruments provide the broad set of global constraints relating to what States may do with and to migrants and, therefore, what sort of domestic laws and practices they may adopt. As such, they are a key component in global migration governance; limiting a State's capacity in one policy area is as much an exercise in governance as is requiring it to adopt a policy or practice in another.

## Governance through cooperation

States also play a more active role in migration governance. In a few instances, this involves creating regional areas of free or freer movement (discussed in the next section). In most cases, however, States have preferred to engage in informal, non-binding cooperation through regional consultative processes on migration (RCPs). Originating with the Intergovernmental Consultations on Migration, Asylum and Refugees (IGC) in 1985, RCPs now number in the high teens, cover almost all corners of the globe (the Caribbean is a notable gap), and deal with all aspects of migration: border enforcement, trafficking and smuggling, asylum, permanent skilled and unskilled immigration, temporary immigration, citizenship, migrant rights, and integration. The most important RCPs are:

- The Budapest Process
- The Cross-Border Cooperation Process (Söderköping Process)
- The Regional Conference on Migration (RCM, Puebla Process)
- The South American Conference on Migration (SACM)
- The Regional Ministerial Conference on Migration in the Western Mediterranean (5+5 Dialogue)
- The Mediterranean Transit Migration Dialogue (MTM)
- The Migration Dialogue for West Africa (MIDWA)
- The Migration Dialogue for Southern Africa (MIDSA)
- The Intergovernmental Authority on Development (IGAD) Regional Consultative Process on Migration (IGAD-RCP)
- The Intergovernmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC)
- The Ministerial Consultations on Overseas Employment and Contractual Labour for Countries of Origin in Asia (Colombo Process)
- The Ministerial Consultations on Overseas Employment and Contractual Labour for Countries of Origin and Destination in Asia (Abu Dhabi Dialogue)
- The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process)
- The Intergovernmental Consultations on Migration, Asylum and Refugees (IGC).

The migration literature contains two key criticisms of RCPs. The first is that they are secretive and undemocratic. Such criticism is largely misplaced, since RCPs are often no more secretive than the cabinet meetings, committees or special advisory sessions in which policy is hammered out domestically. Furthermore, they are attended by officials who have been directly elected (politicians) or who answer to elected officials (civil servants) (see Slaughter, 2000). Finally, despite efforts to suggest that RCPs are some sort of rich clubs' conspiratorial plot to exclude the global south, there is little evidence to suggest that (a) sending countries are consistently excluded from the processes or (b) RCPs' agendas exclusively focus on control-oriented themes such as border management and irregular migration. The Bali Process, the Abu Dhabi Dialogue,

the 5+5 Dialogue, APC, MTM, Söderköping, the Budapest Process, RMC and MIDSA all involve both sending *and* receiving countries. Those that don't involve both sending and receiving countries, such as IGC and the Colombo Process, are in the minority (and Colombo is linked with Abu Dhabi). While it is true that the agendas of many RCPs initially focused on irregular migration, and especially on issues related to human smuggling and trafficking, many have evolved over time to include other issues such as integration, labour migration and, most recently, migration and development. Indeed, for some RCPs, irregular migration is not a primary issue. The Colombo Process, for example, primarily focuses on labour migration and – thanks partly to this process – human rights are now on the agenda of the GCC States.

A more serious charge against RCPs is that they are merely “talking shops” with little impact on migration governance. Here, again, there is evidence to the contrary. In several areas, domestic policy changes have come directly out of, or been affected in, their implementation by RCPs. Such changes include the following (Hansen 2009; Koehler, forthcoming):

- *Migration policy*: SACM discussions inspired the 2002 MERCOSUR<sup>4</sup> Residency Agreement and Argentina's 2004 National Migration Act. In the 1990s, when France, Germany and the United Kingdom were considering positive policies (later adopted) for skilled immigrants, the IGC helped them to study and imitate Canadian and Australian policies. When Germany reformed its immigration law in 2005, and France and the United Kingdom did the same in 2006, all provided new pathways for skilled migration. Switzerland, drawing up its new foreigner's law, which distinguishes between EU citizens and non-EU citizens, used the IGC to consider and evaluate alternative models (the US Green Card, the EU Blue Card), and to draw on other States' experiences. In the area of temporary labour migration, RCM facilitated temporary migration programmes between Guatemala and Canada, and helped give Guatemala 'ownership' over the process.
- *Asylum policy*: In this area, the IGC had a direct impact on policy in participating States. Irish officials have repeatedly emphasized the importance of the IGC in helping them write their asylum legislation. The RCP also contributed greatly to the near-total regional harmonization in the area of airline liability. Finally, IGC meetings ran parallel to, and were attended by, the same States that participated in the EU's efforts to harmonize asylum policy; the RCP therefore contributed indirectly to the coordination of regional policy across most of the EU.
- *Smuggling and human trafficking*: Multiple RCPs are dealing with people smuggling and human trafficking and have induced participating States to adopt policies on this matter. The Budapest Process (particularly in the run-up to the 2004 EU enlargement) contributed to the signature and ratification by its members of the UN Convention against Transnational Organized Crime and the Palermo Protocols on Trafficking in Human Beings and Smuggling of Migrants. In 2006, RCM members agreed, with substantial NGO input, to Regional Guidelines for Special Protection in Case of Return of Child and Adolescent Victims of Trafficking. Finally, MTM discussions covered efforts to stop smugglers from moving

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<sup>4</sup> MERCOSUR is the Southern Common Market, comprising Argentina, Paraguay, Uruguay and Brazil.

migrants through the Strait of Gibraltar, and money and training were subsequently provided to that end.

- *Return*: Clearly a controversial issue, this has been the subject of discussions within numerous RCPs. In the Regional Conference on Migration (RCM), El Salvador, Guatemala, Honduras, Mexico and Nicaragua signed a memorandum of understanding (which was renewed in 2009) for the dignified, orderly, effective and safe return of migrants over land. Earlier, in 2006, the same process had already developed Guidelines for the Establishment of Multi- and/or Bilateral Mechanisms between Member States of the RCM regarding the return of migrants over land. In 2009, RCM adopted Regional Guidelines for the Assistance to Unaccompanied Minors in Cases of Repatriation.
- *Migrant rights*: Although migration control has tended to be the main concern of RCPs, especially in their early days, the focus has increasingly shifted towards human rights, with positive outcomes. Consistent with Colombo Process recommendations, Indonesia has established an information service for prospective migrant workers, informing them of their rights when abroad. Similarly, Thailand established a streamlined Centre for Overseas Employment, allowing migrants to access passports, medical check-ups and police reports. Bangladesh, India, Nepal, Pakistan and Sri Lanka have established, or plan to establish, Migrant Welfare Funds providing various forms of insurance for overseas workers in the case of sickness, disability or death. The Abu Dhabi Dialogue has placed the human rights of migrant workers on the policy agenda of the Gulf Cooperation Council (GCC) States. The long-term impact of this gesture is yet to be determined, but one concrete outcome is already apparent in the form of a pilot labour migration project. Designed to create an efficient and humane system of circular migration, the pilot project targets 3,000 migrant workers in the hospitality, health-care and construction sectors (with migrants coming from the Philippines and/or India). The United Arab Emirates is funding this groundbreaking initiative. The project will consider recruitment practices (for instance, ensuring that potential migrants have full information on work conditions) and how abusive practices (such as illegal fees) can be avoided; it will also look at fair and consistent contracts; standards of accommodation; migrant health and job safety; and possibilities for contributory pension schemes. Similarly, following Söderköping Process discussions, Belarus introduced complementary protection for people fleeing civil war and insecurity, and Ukraine put the issue on the political agenda. Under the auspices of the Söderköping Process, a study of the local integration of refugees was undertaken, documenting the rights enjoyed by refugees and asylum-seekers (for instance, the right to education). Following the study and broader discussions within the process on the importance of refugee integration, Ukraine adopted a cabinet resolution in favour of refugee integration.

These examples are not exhaustive, but they hopefully make the point: regional, cross-regional, and, in the case of Bali, interregional migration forums have had a direct and indirect impact on migration governance. These impacts may be:

- limited to a few States (resulting in, for example, migrant welfare funds);
- regional (for example, affecting airline liability);
- global (for example, relating to trafficking).

## **CAPACITY REQUIREMENTS, CAPACITY DEFICIENCIES**

In summary, there are two fundamental elements to global migration governance: the complex international legal instruments that constrain States' behaviour in migration governance, and the forums that allow for cooperation on it. These areas make up only a small part of overall migration governance, which remains the purview of the States. Furthermore, both areas suffer from what might be called capacity deficiencies, where "capacity" is understood as the ability to formulate or implement a coherent regional or global response in these areas.

These deficiencies are essentially threefold. First, all instruments of international law suffer from a serious implementation gap. While many non-governmental organizations (NGOs) and academic activists focus largely on developing conventions, protocols and other agreements on migration governance (notably on migrant rights), they should also work to ensure that States draft and pass relevant domestic legislation on existing agreements, as well as ensuring that the obligations States currently carry are respected. In cases where an international convention is not garnering support (the 1990 Convention on the Rights of all Migrant Workers being an obvious case in point), States and NGOs should seek other, less controversial, instruments for achieving the aims outlined in the agreement (see below). Where the implementation gap is due to States simply lacking the resources and know-how to implement existing international agreements, capacity-building assistance needs to be granted at the bilateral or multilateral level. RCPs often play an unrecognized yet significant role in multilateral assistance. Through training and the dissemination of good practice, RCPs seek to encourage compliance with internationally agreed standards. In some RCPs, training seminars may even lead to the development of regional guidelines and model legislation that draw their inspiration from existing international treaties – as, for example, was the case for Bali's model legislation on human smuggling (Koehler, forthcoming). In order for "government through cooperation" to continue to bolster "government by constraint", this capacity-building role of RCPs needs to be enhanced.

The second deficiency relates to the varying effectiveness of RCPs. Some (RCM and IGC) have an impressive track record of converting informal discussions into meaningful action. Furthermore, they have proved to be highly flexible and effective forums for responding to new challenges

and/or unforeseen crises. Although not originally part of its remit, IGC has addressed the general question of Islam and Muslim integration, and focused on the nuts and bolts of tackling radicalization through topics such as the domestic training of Imams. RCM served as the principal forum for discussion of the migration-related impacts of Hurricane Mitch in 1998 and the terrorist attacks in New York in September 2001.

Finally, other RCPs (APC, MIDWA and, more recently, the Budapest Process) are drifting, having trouble organizing meetings and/or failing to see any outcomes when they do. In the case of MIDWA and, to a lesser degree, MIDSA, these failures may partly reflect a broader lack of State capacity. There might well be a broader lesson here: global migration governance may ultimately depend on the robustness of the States themselves. It is difficult to see how weak States, which often do not even have their own migration policy, can contribute to regional or global responses to migration. In the case of the Budapest Process, something else has occurred: a once-productive and focused RCP has, since EU enlargement, lost its way. Relatively little policy or practical change follows the meetings, and some States, including the one that initiated the Budapest Process, are beginning to question its utility. Given that RCPs are currently the most developed form of regional and quasi-global migration governance, those interested in supporting global migration governance should, rather than denouncing them, explore ways of making them more effective.

## **THE FUTURE OF RCPs**

RCPs are the most promising forum for pursuing a regional, interregional and, in some cases, a global approach to migration governance. In doing so, however, RCPs would benefit from reforming their internal procedures, linking themselves with established regional associations, seeking out “linkages” within and across policy areas, and addressing legitimacy concerns through expanded civil society and private sector participation. Each of these points is addressed below.

### **Internal structures**

Informality, the hallmark of RCPs, is sometimes thought of as an absence of any procedures. This is not the case; informality is consistent with – and, indeed, benefits from – a high degree of consistency, from clear procedural rules and, above all, from follow-up. Regarding the latter, RCPs that show a track record for results use procedures such as follow-up, regular contacts with RCP staff (usually from the secretariat) and ‘focal points’ (designated officials in national civil services who are responsible for the RCP), and reporting at subsequent meetings. Simple techniques that help keep the substance of such meetings on participants’ minds, after the meetings, greatly increase the likelihood that action will follow talk (Koehler, forthcoming).

## Links with and linkages within formal regional economic communities (RECs)

Although governance by constitution is limited, there are a number of organizations with treaty-based provisions for free movement. The European Union is the most obvious, but the Economic Community of West African States (ECOWAS) and MERCOSUR have made moves in the direction of freer intraregional movement (and the issue is on SADC's agenda). The relevance for RCPs is that linking themselves to formal regional processes (as an implementation mechanism for regional agreements and strategies) can give them greater direction. To some degree, this has already occurred. MIDSA seeks more political buy-in by linking the process with SADC. SACM is linked to, and shares many members with, MERCOSUR. The Budapest Process was at the peak of its effectiveness when it was linked with the formal EU discussions on enlargement; before that, it was, as one participant put it, an "unguided missile" (see Hansen, 2004). In Budapest's case, the Process made the greatest progress through "linkage", whereby access to EU membership was linked with changes in candidate countries' visa and re-admission policies. Creating broader ties between RCPs and formal associations might provide more opportunities for such linkages.

The issue of linkages should receive broader consideration. As Hatton argues, one of the ways in which trade differs from migration is that trade agreements are based on reciprocity: one country opens its market in exchange for another. Reciprocity works because both countries have an interest in (a) exporting their goods to a large market and (b) reducing their costs. In immigration, the migrants' interests often conflict: sending countries want to keep their skilled workers while allowing their unskilled to leave, while receiving countries want the opposite. The lack of an obvious complementarity in this area does not, however, mean that complementarities cannot be identified within migration or between migration and other areas. It is clear that States alone cannot control migration: they need the help of the sending countries in controlling borders, discouraging emigration and accepting returned nationals. In all these areas, sending countries can link their cooperation with what they want: greater access (particularly for unskilled migrants) to receiving countries. The same is true for other areas. For example, migration could be linked to trade and market access, with receiving countries agreeing to liberalize labour migration if sending countries grant them unrestricted access to their markets. This kind of trade-off – or cross-issue link – is particularly likely to emerge in formal regional integration schemes or RECs because they guarantee long-term interaction and easy connections between labour and trade, among other issues. It is no coincidence that most multilateral agreements on free movement are nested within these schemes.

## Participation

While this paper has refuted the charge that RCPs are inherently undemocratic, appearances matter; if this negative impression is not dispelled, the legitimacy of RCPs and their role in global migration governance may be damaged. To avoid this, and to build a broader consensus behind them, RCPs should work at bringing NGOs into the conversation. There is an understandable

reluctance on the part of RCPs, as they rightly believe that the benefits that accrue from informality – primarily, trust and confidence-building – depend on secrecy. The Puebla Process (RCM) has, however, developed a highly successful structure whereby NGO participation occurs through an umbrella organization (RNCOM<sup>5</sup>) and on different days than the government participation, although they are both part of the same process. Rather than disrupting the process, RNCOM plays a constructive role in the RCM. Some of the RCM's guidelines were first initiated by RNCOM and then further developed in close coordination between RNCOM and governmental liaison officers. As States increasingly tend to delegate the implementation of key elements of migration policies to non-State actors (e.g. migrant welfare to NGOs, migrant control to airlines and universities, migrant integration to schools etc.), RCPs also need to find ways to extend participation to non-State and private sector actors. The more non-State actors that can be included while maintaining the trust- and confidence-building features of RCPs, the more effective RCPs will be and the greater the legitimacy they will enjoy.

Interregional exchanges between RCPs and RECs need to be strengthened since RECs are likely to play a more prominent role in regional migration policies. Although they are far from being fully-fledged free movement regimes along the lines of the EU, many RECs are heading in this direction. This raises the possibility that RECs will become “regional fortresses” – on the one hand, facilitating intraregional migration but, on the other hand, limiting extra-regional migration. This may, in turn, deflect migration flows to the “fortress” with the weakest defence. To avoid this scenario, RECs may adopt the kind of informal early-warning system that some RCPs have already developed at the regional level. The RCM and other RCPs explicitly encourage their participating States to consult each other before adopting policies that may affect other participating States. The trust- and confidence-building features of RCPs may very well mean that they are the appropriate media for promoting interregional dialogue.

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<sup>5</sup> The Regional Network of Civil Organizations on Migration (RNCOM) is a coalition of civil society organizations (CSOs) from all 11 RCM Member States. It is neither a member of, nor an observer to, the RCM but participates in many aspects of the RCM including seminars, workshops and conferences.



## **CONCLUSION**

Global migration governance faces serious constraints and its development is still in its infancy. There are, nonetheless, three sets of processes that constitute the contours of such governance. The first is the emergence, over decades, of a dense network of international laws and norms that, complemented and sometimes preceded by domestic laws, limit action in the area of migration governance. A basic component in global migration governance should be that of ensuring that most of these laws and norms are as widely adopted and enforced as possible, while others may need to be revised. The second is the remarkable proliferation of RCPs, whose work directly or indirectly involves migration governance regionally or even multilaterally. This role can be expanded if these RCPs attend to the right internal procedures, link themselves with established regional associations (themselves a third pillar of global migration governance), seek out linkages within and across policy areas, and address legitimacy concerns through expanded civil society and private sector participation. The end result will not necessarily be a World Migration Organization, but it might be a more developed network of global governance supported by sovereign States.

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