

THE INTERNATIONAL ORGANIZATION  
FOR MIGRATION IS COMMITTED TO  
THE PRINCIPLE THAT HUMANE No.27  
AND ORDERLY INTERNATIONAL  
MIGRATION DIALOGUE BENEFITS  
MIGRANTS AND ON MIGRATION  
SOCIETY IOM ASSISTS IN MEETING  
THE GROWING OPERATIONAL  
CHALLENGES OF MIGRATION  
MANAGEMENT STRENGTHENING  
INTERNATIONAL COOPERATION ON  
AND GOVERNANCE OF MIGRATION:  
ADVANCES TOWARDS THE ADOPTION  
OF A GLOBAL COMPACT FOR SAFE,  
ORDERLY AND REGULAR MIGRATION  
UNDERSTANDING OF IN 2018 MIGRATION  
ISSUES ENCOURAGES SOCIAL AND  
ECONOMIC DEVELOPMENT THROUGH  
MIGRATION UPHOLDS THE HUMAN  
DIGNITY AND WELL-BEING OF  
MIGRANTS



International Organization for Migration (IOM)

The UN Migration Agency

IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

Opinions expressed in the chapters of this book by named contributors are those expressed by the contributors and do not necessarily reflect the views of IOM.

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No. 27

**INTERNATIONAL  
DIALOGUE  
ON MIGRATION**

**STRENGTHENING INTERNATIONAL  
COOPERATION ON AND  
GOVERNANCE OF MIGRATION:  
TOWARDS THE ADOPTION  
OF A GLOBAL COMPACT  
FOR SAFE, ORDERLY AND  
REGULAR MIGRATION IN 2018**



International Organization for Migration (IOM)

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The UN Migration Agency



*The primary goal of IOM is to facilitate the orderly and humane management of international migration... To achieve that goal, IOM will focus on the following activities, acting at the request of or in agreement with Member States:...*

*7. To promote, facilitate and support regional and global debate and dialogue on migration, including through the International Dialogue on Migration, so as to advance understanding of the opportunities and challenges it presents, the identification and development of effective policies for addressing those challenges and to identify comprehensive approaches and measures for advancing international cooperation... (IOM Strategy, adopted by the IOM Council in 2007).*

IOM launched its International Dialogue on Migration (IDM) at the fiftieth anniversary session of the IOM Council in 2001, at the request of the Organization's membership. The purpose of the IDM, consistent with the mandate in IOM's constitution, is to provide a forum for Member States and Observers to identify and discuss major issues and challenges in the field of international migration, to contribute to a better understanding of migration and to strengthen cooperation on migration issues between governments and with other actors. The IDM also has a capacity-building function, enabling experts from different domains and regions to share policy approaches and effective practices in particular areas of interest and to develop networks for future action.

The inclusive, informal and constructive format of the IDM has helped to create a more open climate for migration policy debate and has served to build confidence among the various migration stakeholders. In combination with targeted research and policy analysis, the IDM is providing an open forum for debate and exchanges between all relevant stakeholders and has contributed to a better understanding of topical and emerging migration issues and their linkages with other policy domains. It has also facilitated the exchange of policy options and approaches among policymakers and practitioners, with a view towards more effective and humane governance of international migration. The IDM is organized by the IDM Unit of IOM's Department of International Cooperation and Partnerships.

The International Dialogue on Migration Publication Series (or "Red Book Series") is designed to capture and review the results of the events and research carried out within the framework of the IDM. The Red Book Series is prepared and coordinated by the

IDM Unit. More information on the IDM can be found at [www.iom.int/idm](http://www.iom.int/idm).

This publication contains the report and supplementary materials of two workshops held in 2017, the first of which was held in New York on 18 and 19 April 2017, while the second in Geneva on 18 and 19 July 2017. The workshops, which took place under the overarching theme of the 2017 IDM – “Strengthening international cooperation on and governance of migration: Towards the adoption of a global compact for safe, orderly and regular migration in 2018” – featured 75 speakers and were attended by more than 600 participants who in all represented a cross section of policymakers, experts, academics, the private sector, officials of international organizations, civil society and migrants.

The publication presents thematically a detailed report of the deliberations on the main issues discussed and offers a collection of national experiences, best practices shared and recommendations made for the elaboration of the global compact for safe, orderly and regular migration.

The report of the IDM 2017 was drafted by Elizabeth Ferris, Lara Kinne and Susan Martin of the Institute for the Study of International Migration (ISIM) at Georgetown University, under the direction of Azzouz Samri, Head of the Governing Bodies Division and IDM Unit, and the overall supervision of Jill Helke, Director, ICP.

The IDM 2017 was organized by the IDM Unit of IOM’s Department of International Cooperation and Partnerships. Thanks for their collaboration in the organization of the event are owed to colleagues in the Department of Migration Management, the Department of Operations and Emergencies, IOM’s Global Compact Team, IOM’s Office to the United Nations in New York, the Meetings Secretariat, the Translation Unit, the Publications Unit and the Media and Communications Division.

IOM would like to express its great appreciation to the Government of Australia, the Government of Turkey and the Government of the United States of America for their generous financial contribution to the realization of the IDM 2017.

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## FOREWORD

The International Dialogue on Migration (IDM) in 2017 was one of IOM's contributions to the consultation phase of the preparatory process leading to the adoption of the global compact for safe orderly and regular migration, and in response to the General Assembly's invitation, in resolution 71/280 to use global processes mechanisms and processes, including the IDM, to contribute to the process.

The first workshop of the IDM – a forum for states and other relevant stakeholders to promote understanding, dialogue and cooperation on migration issues - was held on 18 and 19 April at United Nations in New York, just before the start of the informal thematic sessions, co-chaired by the co-facilitators of the global compact process. The second workshop, held in Geneva on 18 and 19 July, came at around the mid point of those thematic discussions.

The results of the discussions at the two IDMs are consolidated in this publication, and are intended as a contribution to the stocktaking meeting to take place in Puerto Vallarta, Mexico in December.

In line with IOM's vision that involving all levels of government and society is essential to achieve good migration governance, and with the IDM's established practice of inclusiveness, the two workshops were designed to provide an opportunity for all relevant actors to share views and insights on core aspects relevant the preparation of the global compact on migration.

As pointed by the Minister of Immigration, Refugees and Citizenship of Canada, Ahmed Hussen, during his intervention at the first IDM workshop, *“Migration is a complex reality that presents both challenges and opportunities. The process to develop the global compact for safe, orderly regular migration provides us with an opportunity to bring coherence and co-ordination to all of the many different discussions that touch on migration.”*

We believe the discussions at the two workshops, as IDMs in previous years have done, helped to contribute to a more balanced discourse on and more accurate picture of migration, including highlighting the importance of migration and the overwhelmingly positive role it can play in the contemporary world.

In addition to the valuable recommendations and best practices in this publication, the collection of Red Books produced since the inception of the IDM makes available a comprehensive set of key messages, lessons learned and examples of effective practices for policies on a variety of migration issues and their linkages with other policy domains.

I am grateful to all the ministers, ambassadors, mayors and other senior government officials, to senior representatives of the United Nations, as well as to the many experts and representatives from international organizations and civil society - including migrants themselves - who joined this effort to share their experiences, point to the challenges and advance the debate on migration issues towards the elaboration of what will be the first comprehensive global framework for cooperation on international migration.

I am also extremely grateful for the generous support of donors to the International Dialogue on Migration.



**William Lacy Swing**  
Director General

## ABBREVIATIONS AND ACRONYMS

COMESA	Common Market for Eastern and Southern Africa
Global compact on migration	Global compact for safe, orderly and regular migration
GFMD	Global Forum on Migration and Development
ICMC	International Catholic Migration Commission
ICRC	International Committee of the Red Cross
IDM	International Dialogue on Migration
IDP	Internally displaced person
IGAD	Intergovernmental Authority on Development
ILO	International Labour Organization
IMUMI	Instituto para las Mujeres en Migración (Mexico)
IOM	International Organization for Migration
ISNA	Instituto Salvadoreño para el Desarrollo Integral de la Niñez y la Adolescencia
MICIC	Migrants in Countries in Crisis Initiative
Migrant Workers Convention	International Convention on the Rights of All Migrant Workers and Members of their Families
Nansen Initiative	Nansen Initiative Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change
NGO	Non-governmental organization

OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
Palermo Convention	United Nations Convention against Transnational Organized Crime
Paris Agreement on Climate Change	Paris Agreement under the United Nations Framework Convention on Climate Change
SDG	Sustainable Development Goal
Special Representative for International Migration	Special Representative of the Secretary-General for International Migration and Development
Sutherland Report	Report of the Special Representative of the Secretary-General on Migration, document A/71/728 of 3 February 2017
UN	United Nations
UN DESA	United Nations Department of Economic and Social Affairs
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNISDR	United Nations Office for Disaster Risk Reduction
UNODC	United Nations Office on Drugs and Crime
WHO	World Health Organization

# **REPORT OF THE TWO WORKSHOPS**

**18–19 April 2017,  
United Nations Headquarters, New York  
and  
18–19 July 2017,  
Palais des Nations, Geneva**



# INTRODUCTION

The International Dialogue on Migration (IDM) is IOM's principal forum for dialogue on migration policy. In the modalities for the intergovernmental negotiations of the global compact on migration, Member States called on IOM to make use of the IDM to contribute to the preparatory process. In line with this call, and with the role the IDM has had for over a decade, namely "to provide a forum to States as well as international and other organizations for the exchange of views and experiences, and the promotion of cooperation and coordination of efforts on international migration issues" (Art. 1(1)(e) of the IOM Constitution), IOM dedicated the 2017 IDM to stimulating in-depth exchanges of views between Member States and with other relevant stakeholders on core elements of the global compact.

The global compact on migration originated in the September 2016 New York Declaration for Refugees and Migrants, in which United Nations Member States committed "to launching, in 2016, a process of intergovernmental negotiations leading to the adoption of a global compact for safe, orderly and regular migration at an intergovernmental conference to be held in 2018" (para. 63). Annex II, paragraph 2 of the Declaration describes the intent of the global compact:

The global compact would set out a range of principles, commitments and understandings among Member States regarding international migration in all its dimensions. It would make an important contribution to global governance and enhance coordination on international migration. It would present a framework for comprehensive international cooperation on migrants and human mobility.

It would deal with all aspects of international migration, including the humanitarian, developmental, human rights-related and other aspects of migration.

Annex II also contains a non-exhaustive list of 24 themes that the global compact on migration would address. The two most directly relevant to this report are:

- (f) The scope for greater international cooperation, with a view to improving migration governance; and  
[...]
- (i) Effective protection of the human rights and fundamental freedoms of migrants, including women and children, regardless of their migratory status, and the specific needs of migrants in vulnerable situations.

Many others are highly pertinent to the discussions at the IDM, including calls to address the drivers of migration, consider the opportunities that migration represents for migrants and States, and foster cooperation at the national, regional and international levels on all aspects of migration.

To offer space for reflection on these issues, the IDM organized two workshops. The first took place from 18 to 19 April 2017 at United Nations Headquarters in New York, the second from 18 to 19 July 2017 at the Palais des Nations in Geneva. More than 300 people, including representatives of governments, the United Nations and other international and regional organizations, academia, the private sector, diaspora and migrant organizations, and civil society, participated in each workshop.

The theme of the New York workshop was “Strengthening international cooperation on and governance of migration: Towards the adoption of a global compact for safe, orderly and regular migration in 2018”. It was opened by the IOM Director General, William Lacy Swing and the Special Representative for International Migration, Louise Arbour, and closed by the President of the United Nations General Assembly, Peter Thomson, the United Nations Deputy Secretary-General, Amina J. Mohammed, and the IOM Deputy Director General, Laura Thompson. The participants addressed key questions and

identified the challenges and opportunities the global compact on migration would face when it came to increasing international cooperation and improving migration governance.

Over the course of two days, the workshop stimulated rich discussion on the substance of the global compact on migration and the process leading to its development and adoption in 2018. The participants shared experiences and lessons learned regarding migration governance and international cooperation on migration. They considered that the global compact constituted a historic opportunity to strengthen the protection of migrants' rights and enhance governance of and international cooperation on migration, and stressed the need to make the most of what was a unique moment. Throughout the workshop, many referred to the global compact as a pivotal opportunity to make concrete commitments to vulnerable populations and ensure that nobody was left behind.

The theme of the Geneva workshop, "Understanding migrant vulnerabilities: A solution-based approach towards a global compact that reduces vulnerabilities and empowers migrants", elaborated on that thought. The workshop considered migrants' vulnerabilities and capacities, and policy, programmatic and operational responses to address vulnerabilities and enhance migrant resilience through protection and assistance. The participants addressed all aspects of migrant vulnerability and the challenges involved, from a policy, cooperation and practical perspective, including:

- Understanding situations of vulnerability for migrants, including the often multi-causal and complex nature of vulnerabilities;
- Identifying individual and group vulnerability and assessing the causes, considering both structural and situational factors of vulnerability;
- Reviewing the protection systems available to international migrants and identifying protection gaps, barriers and needs;

- Fostering consensus on appropriate policy responses to situations of vulnerability before, during and after migration processes; and
- Proposing frameworks for inter-State and inter-agency cooperation and collaboration on policies to prevent, address and sustainably resolve migrant vulnerability.

According to the participants, the global compact on migration should address all those points. Many of them asserted that enshrining concrete commitments to migrants in situations of vulnerability in the global compact on migration would help ensure that nobody was left behind, in keeping with the 2030 Agenda for Sustainable Development.

In his welcoming remarks at the first workshop, the IOM Director General laid the foundations for both workshops. He recalled that “the global compact is expected to serve as a framework for comprehensive international cooperation to address human mobility and all aspects of international migration, placing the needs, capacities and contributions of migrants at its core, with a view to ensuring their safety, dignity and human rights”.

The Director General further noted that IOM’s vision of well-managed migration as a choice and not a desperate necessity had four core elements: (a) protecting the rights of migrants; (b) facilitating safe, orderly and regular migration; (c) reducing the incidence and impact of forced and irregular migration; and (d) addressing the mobility consequences of natural and human-induced disasters. He stressed the need for the process and outcomes to be inclusive and practical, and cautioned that only under those circumstances would the global compact on migration succeed and make a real difference in the lives of migrants and in the ability of governments to manage migration humanely and effectively.

At both workshops, the Director General reminded participants that much work had already been done that was relevant to the development of the global compact on migration. The stage had been set by the significant progress made in 2015, including the

United Nations General Assembly's adoption of the 2030 Agenda for Sustainable Development, the Sendai Framework on Disaster Risk Reduction, the Addis Ababa Action Agenda of the Third International Conference on Financing for Development and the Paris Agreement on Climate Change. Together with the substantial body of international human rights law and labour standards, this provided a solid normative basis for the global compact on migration.

Many speakers echoed that point, suggesting that the global compact should build on and implement the existing normative framework, in particular the goals and targets set forth in the 2030 Agenda for Sustainable Development, the New York Declaration and the Sutherland Report. Other key building blocks included the Berne Initiative's International Agenda for Migration Management, the Regional Consultative Processes on Migration and interregional forums on migration, the International Dialogue on Migration, the Global Forum on Migration and Development, the High-level Dialogue on International Migration and Development, the Paris Agreement on Climate Change, the IOM Migration Governance Framework, the IOM Migration Crisis Operational Framework, the MICIC Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disasters, and the Nansen Initiative.

In each workshop, the discussion was structured around substantive panels, each of which was followed by a question-comment-and-answer session and led by speakers representing a balanced mix of policymakers and experts in the areas of migration governance and other migration-related fields.

The first workshop addressed six main themes: (a) Implementing the Sustainable Development Goals and other frameworks (moderated by the IOM Director General); (b) The global compact on migration as a tool for migration governance and the role of global and regional actors (moderated by El Habib Nadir, Secretary General of the Ministry in Charge of Moroccans Living Abroad and Migration Affairs); (c) Reaching a whole-of-government approach to migration (moderated by Sarah Cliffe, Director of the Center on International Cooperation at New York University); (d) Promoting a whole-of-society approach to good migration governance

(moderated by Ashley William Gois, Regional Coordinator for the Migrant Forum in Asia); (e) The global compact on migration as an opportunity to synergize the efforts of the international community (moderated by Götz Schmidt-Bremme, Ambassador for the 2017–2018 GFMD Co-Chairmanship for the German Federal Foreign Office); and (f) Existing and envisaged cooperation and follow-up mechanisms for implementing the global compact on migration (moderated by the IOM Deputy Director General).

The second workshop was organized around the following themes: (a) Understanding migrant vulnerability: concepts, drivers, protection frameworks and gaps (moderated by Vincent Chetail, Professor of International Law and Director of the Global Migration Centre); (b) Identifying migrant vulnerabilities – structural and situational factors of vulnerability (moderated by Lilana Keith, Advocacy Officer for Labour Rights and Children’s Rights, Platform for International Cooperation on Undocumented Migrants); (c) Applying policy and operational frameworks in a migration context (moderated by Elizabeth Ferris, Research Professor at the Institute for the Study of International Migration, Georgetown University); (d) Integration and social inclusion as a means of addressing and mitigating migrant vulnerabilities (moderated by Anastasia Crickley, Chairperson of the UN Committee for the Elimination of Racial Discrimination and Vice-President of the International Association for Community Development, Department of Applied Social Studies, Maynooth University, Ireland); (e) Promoting resilience and agency in support of vulnerable migrants (moderated by Daniela Reale, Child Protection and Children on the Move Lead, Save the Children); and (f) Towards a global compact on migration: Comprehensive and coordinated initiatives to reduce vulnerability and empower migrants (moderated by Jean-Christophe Dumont, Head of the International Migration Division, Directorate for Employment, Labour and Social Affairs, OECD).

During the second workshop, a side event was organized to launch the book *Migrants in Disaster Risk Reduction: Practices for Inclusion*. The Deputy Director of the IOM Department of Emergencies, Vincent Houver, moderated a discussion between Denis McClean (Chief, Communications and Outreach Communication and Media Unit, UNISDR), Mechthilde Fuhrer

(Deputy Executive Secretary, European and Mediterranean Major Hazards Agreement, Council of Europe), and Lorenzo Guadagno (IOM Manager of the MICIC Capacity-building Programme).

The panels were composed with a view to ensuring gender and geographical balance, and good representation of all relevant sectors of expertise. As per its established practice, the IDM also included dedicated sessions for the expression of migrants' voices; as migrants are the key subjects of this effort, they are and must be afforded space in the development of the global compact on migration.

In addition, the Special Representative for International Migration, the President of the General Assembly and the Deputy Secretary-General of the United Nations offered remarks. They each strongly affirmed the importance of the global compact on migration to the United Nations and pledged the organization's active support in the upcoming negotiations. The Deputy Secretary-General advocated an evidence-based approach through which "the underlying premise of the global compact on migration is that migration is a potential benefit to all parties involved". She praised IOM for holding this timely discussion in New York just a few months after its entry into the United Nations system, demonstrating the kind of leadership on migration that the United Nations had come to expect of IOM. Also actively involved were the two co-facilitators of the global compact on migration, Juan José Gómez Camacho, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Mexico to the United Nations, and Jürg Lauber, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Switzerland to the United Nations. They called on IOM to make available the substantial technical and policy expertise it had gained from working with migrants and governments throughout the world, so as to support ambitious outcomes.

Several key areas of convergence emerged from the 2017 IDM workshops as discussed further in this report.

- All the participants agreed that the global compact on migration constituted a historic opportunity and could become an important tool for improving migration

governance. In that context, several speakers said that the September 2016 Summit on Addressing Large Movements of Refugees and Migrants, and the resulting New York Declaration, were important steps towards launching what they hoped would be a comprehensive approach to human mobility.

- The participants also underscored the need for comprehensive responses, with whole-of-government and whole-of-society approaches to migration, and encouraged the framers of the global compact on migration to incorporate those perspectives into the final document.
- They urged that the global compact on migration be guided by a comprehensive and nuanced understanding of the vulnerabilities of migrants, focusing on pre-existing vulnerabilities before migration, including those related to drivers of migration; those encountered while migrating; and those affecting the experiences of migrants at reception and during longer-term integration and social inclusion, as well as during return. Within this context, they urged the framers of the compact to offer solutions to the underlying situations that rendered migrants vulnerable at each of those stages.
- There was substantial agreement that the global compact on migration should build on existing human rights frameworks for protecting the rights of migrants, identify gaps in their implementation, and support efforts, such as the Migrants in Countries in Crisis and Nansen Initiatives, that provided concrete guidance and practical measures to improve protection for all migrants in need.
- Both workshops highlighted the importance of international cooperation in improving responses and the need for effective follow-up mechanisms for ongoing focused implementation of the global compact.

The prevailing message of the IDM was that increasing opportunities for safe, orderly and regular migration should be prioritized globally, with States leading the effort, but with the active collaboration of civil society and other players. Several

speakers expressed the hope that facilitating mechanisms to encourage regular migration would enable more people to avail themselves of formal migration processes, rather than clandestine methods with all their attendant risks. Ahmed Hussen (Minister of Immigration, Refugees and Citizenship, Canada), for example, emphasized that, as migration would always exist, it was essential that it be planned, well-managed and comprise robust regular pathways. In keeping with this sentiment, speakers also stressed the importance of changing the narrative to ensure that the benefits and contributions of migrants received greater attention. They concluded that the global compact on migration had to be predicated on the notion that migration was of potential benefit for all – migrants, their families, and the countries and communities they came from, transited through and arrived in.

In her concluding remarks at each workshop, the IOM Deputy Director General recognized the rich and wide array of viewpoints and practical, concrete experiences brought to the table by Member States and other key players on enhancing international cooperation on, and improving the governance of, migration, and on identifying core elements for the global compact regarding migrants in vulnerable situations. It was clear from the discussions that well-managed migration was indeed possible, and States and other players had provided many examples that could be drawn on. At the conclusion of the second workshop, she said, “We must place migrants and their rights, vulnerabilities, needs, responsibilities and capacities at the heart of our efforts, and address migration comprehensively, including in relation to development, humanitarian, climate change, and peace and security matters.” The opening and concluding remarks thus called for a true sense of solidarity and collaboration to make the concept of “safe, orderly and regular migration” a reality for migrants, their families and societies worldwide.

This report will be provided as input for, among others, the intergovernmental stock-taking conference scheduled to take place in Puerto Vallarta, Mexico, in the first week of December 2017. It is organized around the five themes described above and reflects the significant convergence of views that emerged during the two workshops. The final section brings together key recommendations made during the workshops.



## THE GLOBAL COMPACT: A HISTORIC OPPORTUNITY



IDM meeting, 18–19 July 2017, Geneva. © IOM 2017 (Photo: Muse Mohammed)

Throughout the discussions at the IDM, the participants referred to the global compact on migration as a historic opportunity to strengthen the protection of the rights of migrants, including those in vulnerable situations, and enhance governance of and international cooperation on migration. They stressed the need to make the most of what was a unique chance. The IOM Director General articulated the historic role of the global compact on migration in the opening panel discussion: “The process upon which we are embarked offers the international community a trailblazing opportunity to develop a comprehensive global framework for the governance of global human mobility. We dare not miss this ‘rendezvous with history’. This moment has been long – too long – in coming, and is not likely to come again soon if we miss this opportunity. We dare not fail.”

Those sentiments were echoed by Mehmet Samsar (Director General for Consular Affairs, Ministry of Foreign Affairs, Turkey) in the next panel discussion: “The mass movement of people is one of the most significant challenges the world faces today... I believe that the global compact on Migration provides the international community with the opportunity to create more coherent, comprehensive and better coordinated approaches to the migration, as well as strengthening international cooperation among all stakeholders.” With respect to migrants in vulnerable situations, Maria Pia Belloni Mignatti (World Organization for Early Childhood Education; Chair, NGO Committee on Migration) referred to the negotiation of the global compact on migration as “this momentous opportunity”, calling for a global compact “that is human-rights based, gender- and age-sensitive, and that, most of all, protects and assists persons who are most vulnerable, especially women and children”.

In many respects, the global compact on migration presents just such an opportunity for forging a new consensus on both governance and migrant vulnerabilities. In his opening message to the second workshop, the President of the United Nations General Assembly reminded participants, “The global compact for migration will be the first, intergovernmentally negotiated agreement, prepared under the auspices of the United Nations, to cover all dimensions of international migration in a comprehensive manner.” As such, it represents the first effort by United Nations Member States to elaborate a comprehensive strategy for addressing the myriad problems and opportunities presented by the international movements of people who do not qualify as refugees.<sup>1</sup>

Previous initiatives to protect the rights of mobile populations have generally focused on specific sets of migrants. For example, the 1990 Migrant Workers Convention and ILO Conventions on migrant workers focus on persons who move for labour purposes, whether as the principal worker or as family members. Similarly, the Protocols to the Palermo Convention that address trafficking

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<sup>1</sup> The New York Declaration also committed to the promulgation of a global compact on refugees building on the 1951 Refugee Convention and the 1967 Protocol on the Status of Refugees.

in persons and human smuggling are specific to these phenomena. Efforts to stimulate international cooperation on migration have generally focused on the linkages between human mobility and other transnational issues. Examples are the incorporation of migration into the Cairo Plan of Action issued by the 1994 International Conference on Population and Development, the United Nations High-level Dialogues on International Migration and Development in 2006 and 2013, and the inclusion of migration in the SDGs in 2015.

In contrast to these initiatives, the global compact on migration will focus on the full spectrum of international migration. The New York Declaration recognizes the multidimensional character of international migration. It does not specify the types of migrants who will be covered or limit the compact's application to one category by cause of movement or legal status; instead, it stipulates that Member States "will cooperate internationally to ensure safe, orderly and regular migration involving full respect for human rights and the humane treatment of migrants, *regardless of migration status*" (emphasis added).

The global compact on migration is also historic as a new mechanism for enhancing international cooperation in managing migration. More typically, Member States negotiate international conventions or treaties when elaborating the rights of persons under international law or forging new governance structures to enhance cooperation among States. The global compact process acknowledges that there is a substantial body of international law that already sets out the rights of migrants, in instruments that are among the most ratified and fundamental, such as the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. Others are migration-specific, such as the Migrant Workers Convention. Progress has also been made in the past few decades towards establishing institutional frameworks for managing international migration, with the entry of IOM into the United Nations system and the proliferation of State-led regional and international thematic consultative processes, whose success over the past decade has paved the way in many respects for the readiness of Member States to negotiate the global compact on migration. In agreeing to

those negotiations, Member States have acknowledged that these legal and institutional arrangements are insufficient to ensure the protection of migrants or the likelihood that most migration will be safe, orderly and regular. They have therefore committed to negotiate practical solutions. As the IOM Director General stated at the first workshop:

Principles must be supplemented by tools, facts and implementation. This necessitates: 1) Being practical, pointing to remaining gaps in commitments and understandings and identifying barriers and challenges causing those gaps and resulting from them, as well as identify pathways forward to resolve them; and 2) Setting out ways and means of translating principles, commitments, and understandings into actionable objectives, laying out options for the governance of mobility, encouraging regular migration, addressing the mobility dimensions of crises, and offering innovative and practical solutions that can be applied widely.

Given the wide range of issues that could be covered by the global compact on migration, several speakers at the first workshop emphasized the importance of setting priorities [Colombia, Sweden, Chile, President of the General Assembly]. Many suggested that it was crucial to focus on ensuring protection of the rights of migrants, specifically migrants in vulnerable situations, whether in countries of origin, during transit, at destination or on return. The delegate from Colombia framed this in terms of human rights, and how the global compact process was a way to uphold and implement the 24 commitments made in the New York Declaration, rather than just discussing them. In her closing remarks during the first workshop, the IOM Deputy Director General noted that the process was an “opportunity to share best practices and develop cooperation and improve system-wide coherence”.

Mehmet Samsar (Turkey) provided a concise breakdown of how he saw a historic opportunity being brought to a successful conclusion. The efforts made must be unified; “[n]early all our problems are embedded to each other, creating layers of complexity which neither a country nor an international

organization can address solely." The dialogue must be open and honest in order to lead to strengthened cooperation; there had to be more coordinated migration management at the governmental level, and a breakdown of silos at the international level. In the same spirit, James Cockayne (Head, United Nations University Office at the United Nations; Representative of the Chair, Global Migration Group) cautioned that "[t]he global compact will not be effective if it offers a one-size-fits-all solution, because the functions of governance of migration will be different at different levels - local, subnational, national, regional and global - and in dealing with different aspects of migration - such as labour migration, displacement, or migration for educational purposes".

Ola Henrikson (Director General, Department of Migration and Asylum, Ministry of Justice, Sweden) reminded the participants that two global compacts would be considered in 2018 - not only the global compact on migration, but also the global compact on refugees. He noted that "[t]he commitment to develop two global compacts is a unique opportunity to improve the way we cooperate on migration and refugees. The synergies and operational challenges on the ground should be reflected in both compacts". Ayoade Olatunbosun-Alakija (Chief Humanitarian Coordinator, Nigeria) also raised the issue of forced migration when she noted: "Taking north-eastern Nigeria as a case study, the primary reason for migration is to escape conflict. As a consequence of the insurgency, violence and civil war, persons displaced migrate to seek basic amenities that have been destroyed as a result of the conflict, such as food, shelter, health, etc."

Multiple speakers also highlighted the need to leverage this historical opportunity to change the narrative about migration. They stressed the need to frame the phenomenon of migration in positive terms, touting the economic, social and cultural benefits that properly managed and orderly migration had for host communities and countries of origin. In other words, for the endeavour to provide safe, orderly and regular routes for people on the move to be successful, the benefits human mobility offered had to be totally reconceptualized.

For example, Luigi Maria Vignali (Principal Director for Migration Policies, Ministry of Foreign Affairs, Italy) agreed with the IOM Director General that migration management efforts should be reframed as investments rather than costs. Likewise, Ahmed Hussen (Canada) pointed to the need for more favourable accounts of the effects of migration: “We also need to encourage public and private sector leaders to confront and deal with negative rhetoric by promoting a more positive view of migration, and stressing the growing evidence of the many benefits mobility can bring.” Bart Somers (Mayor, Mechelen, Belgium) took that line of thinking one step further, arguing that it was not just a matter of reorienting the rhetoric to be more positive, but of creating a truly new appreciation for diversity “as the new normal”. Francisco Hagó (Vice Minister of Human Mobility, Ecuador) challenged all countries to “recognize the cultural, social and economic contributions that refugees and immigrants bring to the societies where they settle”. His message acknowledged the human dignity of all migrants, and advocated the free movement of people, alongside capital, across the world.

Several government representatives [Mexico, Colombia, South Africa, Kenya] said that the global compact on migration should use terminology that reflected the contributions of migrants. The language of migration was currently influenced by negative emotions and associated with incorrect narratives. The negotiations of the global compact must be based on an accurate description of migration supported by reliable data, and not influenced by negative stereotypes. Many participants - including the representative from Colombia - advocated the need to remain consistent in referring to “regular” and “irregular” rather than “legal” and “illegal” migration, as the latter implied a “punitive approach”.

## **WHOLE-OF-GOVERNMENT AND WHOLE-OF-SOCIETY APPROACHES TO MIGRATION**

A second area of substantial consensus was the need for a holistic, comprehensive approach to migration in the global compact on migration. Global strategies to manage international movements of people must build on strong and coherent national policies. At the same time, national policies must be built on the interests and needs of local communities in which migrants reside. With nearly all countries today simultaneously, albeit to varying degrees, being countries of origin, transit and destination for migrants, national migration policies need to be balanced and comprehensive. They must address nationals moving abroad, migrants transiting through and coming to other countries, and migrants returning home. Effective national policies also need to be consistent with agreed international legal frameworks and mechanisms for international cooperation. At the same time, global migration priorities and principles need to take account of different national and regional migration realities. A unified vision of migration at the national level will help ensure that policies are well coordinated, coherent and comprehensive.

### **Whole-of-government approaches**

Many participants at both workshops stressed the importance of a whole-of-government approach in negotiating the global compact on migration. Speaking for the Global Migration Group at the first workshop, for example, James Cockayne emphasized

the need to consider “steps to achieve a whole-of-government approach, to include national, subnational levels, including parliaments and local governments as well as steps to achieve meaningful participation of migrants” in the discussions leading up to the global compact.

Development, security and protection perspectives on migration, among others, needed to be integrated and mutually supportive elements of a whole-of-government approach to migration. There were calls for the establishment of coordination mechanisms to assist the various ministries and other relevant government partners to develop and implement a whole-of-government approach to migration. Among the ministries that needed to be involved, either because they helped formulate migration policy or were responsible for sectors affected by migration, were justice and home affairs, foreign affairs, development, health, education, labour and social affairs, and the environment. Having clearly designated focal points to bring together the perspectives of all relevant stakeholders would help ensure a whole-of-government approach to the formulation of policies on immigration, emigration and transit.

Many speakers offered concrete examples of good practices that demonstrated the utility of a whole-of-government approach. States shared good migration practices in areas such as civil registration [Sierra Leone and South Africa], the use of remittances – especially harnessing the nexus between migration and development – [Mexico] – and inclusive policies that built societies based on common values and universal human rights, so as to foster inclusion rather than exclusion [Mayor of Mechelen, Belgium].

Incorporating good practices into policy was also discussed. After reviewing the important role played by her country’s Ministries of Internal Affairs, Foreign Affairs and Social Welfare and Youth, Elona Gjebrea Hoxha (Deputy Minister, Ministry of Internal Affairs, Albania) described its emerging migration governance policy. The policy’s vision was to “establish an effective migration governance system in Albania”. It aimed to achieve several strategic objectives: promote safe and regular channels for migration to prevent irregular migration; enhance

the development impact of migration; enhance the sustainability of return migration by supporting the reintegration of returning migrants; advance implementation of policies to ensure equal treatment of citizens of other countries and their integration in Albania; and consolidate the migration policy, legal framework, management structures and coordination, in order to ensure better responses to migration challenges.

A whole-of-government approach must go beyond the ministries that implement policies. Paddy Torsney (Permanent Observer of the Inter-Parliamentary Union to the United Nations) presented the role of national parliaments in the migration management process. Drawing on the Sutherland Report, she explained the major role played by parliaments in “bringing about a more open and informed public debate on the trade-offs involved in migration policy”. This, in addition to the legal frameworks and international agreements and protocols that parliaments were responsible for ratifying, added to their significant role in the whole-of-government approach to migration management.

Other speakers addressed the need for strong leadership and coordination to achieve a whole-of-government approach. According to George Jashi (Executive Secretary, Secretariat of the State Commission on Migration Issues, Public Service Development Agency, Ministry of Justice, Georgia) such mechanisms were able to: correctly and effectively assign the roles of different players; coordinate and increase cooperation among all (including international) parties; avoid overlaps, parallel action and duplications, and thereby increase resource mobilization; and, lastly, ensure the sustainability of decision-making.

Other speakers emphasized the need for national government institutions to work with officials at the subnational and local levels, systematically bringing in mayors and other local authorities, who had important roles to play. This would help local governments to manage greater diversity and contribute to national, regional and global policies and migration governance. At multiple points, panellists and speakers expressed the need for local government players to be included in the consultative and implementation process established at the national level. For example, Berhane Gebre-Christos (Special Envoy for Regional

Affairs, Office of the Prime Minister, Ethiopia) noted that, “In Ethiopia, we have a federal system of government and at the federal level, the Ministry of Labour and Social Affairs is designated as the focal point to coordinate relevant ministries and other non-State actors on national labour migration issues. Whereas, at the regional level, agencies and bureaux of labour and social affairs in all the regional States and in our two special city administrations play their respective coordinating roles. There are regular forums whereby both federal and regional stakeholders come together to discuss on different migration issues, exchange experience and information.”

Jürg Lauber (Switzerland) shared the Swiss Government’s collaborative efforts to define and implement foreign migration policy, in which all federal agencies dealing with migration took part: “This cooperation mechanism, endorsed at the highest political level, guarantees a balance between different interests and increases the coherence when it comes to implementing projects and defining priority areas of engagement.” In addition to the whole-of-government approach within the national context, since 2008, Switzerland had engaged in a multilateral instrument of migration partnerships with other States to tackle specific concerns, such as human trafficking.

At the first workshop, Francisco Hagó (Ecuador) offered examples of how the creation of agencies at different levels of government in Ecuador had helped foster a whole-of-government approach, the various components of which followed a rights-based approach. At the national level, the Vice Ministry of Human Mobility had been recently established to implement public policy for the defence, protection and promotion of the rights of migrants. At the local level, the cantons had formed regional boards to help create systems for equality, including on the topic of human mobility.

Speakers at the second workshop also raised the need for a whole-of-government approach in respect to protection of migrants in vulnerable situations. They emphasized that rights had to be integrated into legislation and guidelines developed for national and local authorities. Such an approach would help

ensure that officials looked at vulnerability first, before defining status. For example, children should be protected first as children, not migrants. Moreover, the people inspecting forms at borders had a duty to know how to identify vulnerable migrants. Edward Hobart (Migration Envoy, Europe Directorate, Foreign and Commonwealth Office, United Kingdom of Great Britain and Northern Ireland), for example, noted that the United Kingdom had drawn up guidelines for service providers in a variety of areas (i.e. agriculture, borders) that took into account the circumstances of migrants and occasions when migrants might be particularly vulnerable. Border officials, for instance, had to be trained to screen for vulnerable children or potential victims of trafficking. The United Kingdom's Border Force was trained to identify such migrants and knew how to implement the frameworks covering such situations. The guidelines were simple and available online.

The participants underlined the need to enhance capacity, encourage horizontal cooperation and engage both rural and urban administrations. Moreover, "localizing" migration governance required integrating it into education, social service delivery and rural development plans. To that end, local administrations must break down barriers to working with both international and internal migrants. Bart Somers (Belgium), awarded for his efforts to welcome and implement long-term integration mechanisms for refugees and other migrants in recent years, shared his recommendations, including that society as a whole needed to make an effort for successful integration and that societies had to be built on common values and universal human rights (fostering inclusion rather than exclusion or division).

### **Whole-of-society approaches**

Indeed, a recurring theme throughout the workshops was the need for migration efforts to include not only all government ministries with responsibilities for migration, but also civil society, the private sector, diaspora communities, migrants, origin and host societies, local authorities, schools, academia and others, so as to generate and sustain a coherent and truly

whole-of-society approach to migration governance. Hisham Badr (Assistant Minister for Multilateral Affairs and International Security Affairs, Ministry of Foreign Affairs, Egypt) observed that the complexity and multifaceted nature of migration required an approach involving key stakeholders across the spectrum to “effectively address the issue in all its inter-linked aspects”. Carmen Muñoz Quesada (Vice Minister of Government and Police, Costa Rica) described the country’s efforts to implement a whole-of-society approach: the Permanent Forum on Migrants and Refugees brought together government institutions, international agencies, academics and NGOs. Moreover, the National Council on Migration had promulgated legislation to provide advice and policy recommendations to the executive branch, in coordination with the public authorities and social organizations.

Many speakers said that involving a full range of stakeholders at all levels could help reframe the migration narrative in positive terms, curtail racism and xenophobia, and champion the merits of migration. Their suggestions included the participation of civil society entities in campaigns to inform the debate about the realities of migration and fight the erroneous, dehumanizing public discourse about migration. Those efforts should encompass private sector members, particularly employers (to recognize and broadcast the contributions migrants brought to the labour force) and the media (to disseminate positive stories about migrants and refugees). Much was said about the significant positive impact of remittances for countries of origin, but it was also underlined that campaigns on the contributions of migrants went well beyond remittances, to include knowledge and skills transfers, entrepreneurship and innovation, trade and investment, and major social, cultural and other contributions.

The discussion of the whole-of-society approach during the first workshop reflected clear agreement on one critical aspect: the participation of civil society, the private sector, diaspora communities, academia and migrants themselves was imperative to strengthening migration practices at the national level and in the consultative process leading to the development of the global compact on migration. As Firudin Nabiyeu (Chief, State Migration Service, Azerbaijan) stated, “Expanding international cooperation on migration, strengthening governance in this

field and promoting a whole-of-society approach to good migration governance will contribute [to the] achievement of the objectives [of the global compact] more quickly.” The Azerbaijani Government had put this principle into practice in 2015 by establishing the Public Council within the State Migration Service as a means of ensuring the active participation of civil society in migration management policymaking.

Likewise, Jürg Lauber (Switzerland) highlighted an innovative approach in his country whereby civil society had a permanent role in discussions with the Government on migration matters.

A representative of Nigeria said that the country recognized the need to involve civil society, NGOs and the private sector at all levels. Adopted in 2015 with the support of IOM and the European Union, Nigeria’s National Migration Policy put into practice the whole-of-society and whole-of-government approaches, in that it involved a technical working group comprised of government, private, social and development partners. The National Migration Policy and its implementation plan “provide an appropriate legal framework for monitoring and regulating internal and international migration, and proper collection and dissemination of migration data”.<sup>2</sup>

A number of States addressed whole-of-society approaches specifically in the context of migrants in vulnerable situations. A representative of Kenya referred to the Government’s robust plan for addressing migrants’ rights. The Government took a whole-of-society approach to migration governance, including State and non-State actors, civil society organizations and even private individuals, which helped to reduce migrants’ vulnerabilities. It brought together police and international organizations to deal with the difficult tension between security and human rights. It had drafted a national labour migration policy and was developing comprehensive national migration and diaspora policies. As a result of those actions, it had been able to rescue Kenyans from the Middle East who were at risk.

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<sup>2</sup> IOM, “Nigeria Adopts National Migration Policy”, press release, 22 May 2015. Available at [www.iom.int/news/nigeria-adopts-national-migration-policy](http://www.iom.int/news/nigeria-adopts-national-migration-policy).

The representative of the Holy See said that a comprehensive response should entail coordinated efforts from local and regional civil society participants in the discussions.

Speakers representing civil society organizations (including Robert J. Vitillo, ICMC Secretary General; Maria Pia Belloni Mignatti, NGO Committee on Migration; Berenice Valdez Rivera, Coordinator of Public Policies, IMUMI; and Ashley William Gois, Migrant Forum in Asia) spoke passionately about the important role of civil society and multi-stakeholder participation in the process to develop the global compact on migration. Some NGO representatives called for a more institutionalized role for civil society in the global compact consultations.

While there was a general consensus that civil society had an important role to play, Member States were also clear that the global compact process needed to be State-led. Government representatives from Canada, Costa Rica, Chile, Colombia, Switzerland and others stressed that ultimate responsibility for managing migration rested with Member States, but that the latter could not manage migration on their own. According to Ahmed Hussen (Canada), for example, “While the global compact process should be State-driven, States cannot and should not address migration alone. The process must involve the many other actors who contribute to migration governance, including citizens, international organizations, the private sector, cities and subnational governments, unions, NGOs, community organizations, religious organizations, academics and of course, migrants themselves.”

In addition, Thomas Gass (Assistant Secretary-General for Policy Coordination and Inter-Agency Affairs, UN DESA) encouraged improved dialogue and interaction between the Global Migration Group and stakeholders, especially civil society.

Many speakers noted the important role of international organizations in helping Member States manage movements of people. At the close of the first workshop, the IOM Deputy Director General commented on how many speakers had called for strengthened and synergized United Nations leadership and capacities on migration, and pointed to the opportunities and

expectations IOM faced now that it was formally part of the United Nations system. Indeed, several panellists and speakers from the floor had provided examples of how IOM had helped coordinate migration management mechanisms in and between countries.

The representatives of Albania, Azerbaijan, Burundi, Colombia, Congo, Eritrea, Kenya and Myanmar all mentioned the role IOM had played in providing technical assistance and/or facilitating regional dialogue. In Kenya, for example, IOM had helped establish the National Coordination Mechanism on Migration in order to bring together and streamline the activities of all the different stakeholders working on migration matters in the country. The Mechanism had been launched in the summer of 2016, and the process of mapping all relevant stakeholders, including civil society and private institutions, was well under way. Those efforts illustrated Kenya's commitment to the whole-of-government approach. In another example, Ildegarde Niyonzima (Director General of Diplomatic Inspection, Diaspora and Communication, Burundi) said that IOM had helped Burundi establish a national diaspora policy, with a view to the country's economic development. Several other speakers shared their country's desire for IOM to continue to support regional and transnational processes that enabled the exchange of information and development of cooperative arrangements. Delegates from South America and Africa were particularly vocal about wanting continued regional dialogues on migration governance and management.



## MIGRANTS AND VULNERABILITY

The subject of migrants in vulnerable situations was a specific theme of the second workshop but came up repeatedly in the first workshop as well. A central concern was the need to protect vulnerable groups of migrants, particularly women and children. Equal importance was laid on not characterizing all migrants as victims, and on recognizing the capacities and agency of migrants. Speakers called for attention to be paid to the situations that created vulnerabilities for migrants, as a way to protect them from harm and build their resilience. Addressing the drivers of vulnerability, a number of speakers noted, was consistent with the goal of the 2030 Agenda for Sustainable Development to not leave anyone behind.

The background paper for the Geneva workshop explained some of the reasons that a nuanced definition of vulnerability was important:

There is therefore a need to better understand what is meant by the term “vulnerable migrant” or a “migrant in a situation of vulnerability”. In general, discussions of vulnerability tend to focus exclusively on those with legal definitions and specified protections (e.g. refugees, trafficked persons), or on an individual’s membership in groups (e.g. women, children, people with disabilities). This approach can obscure the fact that, within these groups, vulnerabilities vary significantly. Further, classifying individuals as vulnerable due to their membership in a particular group does not take into account the many factors that may protect an individual from exploitation or abuse, regardless of their membership in said group, and downplays the agency of individuals and their abilities to

overcome vulnerability factors and achieve their migration goals. It also contributes to protection gaps, as protection actors may be blind to the needs of those who are not members of a protected class of migrant or of a group deemed vulnerable.<sup>3</sup>

Speakers emphasized that addressing situations of vulnerability did not imply the need to create a new category of migrants. The IOM Director General was clear: “We are not talking about creating a new category of migrants to whom new protections are owed. While some migrants may be inherently vulnerable (such as separated and unaccompanied migrant children) the focus is primarily on: what situations create vulnerabilities for migrants; at which stages in their migratory journeys; how these vulnerabilities can be reduced or eliminated; and by whom.” Aud Kolberg (Deputy Secretary General, Ministry of Foreign Affairs, Norway) also cautioned about the use of the term “vulnerable” in relationship to migrants. She reminded participants that most of today’s migration was voluntary and flowed through regular channels. The way governments talked about migrants affected public opinion. It was important, therefore, to acknowledge that migrants were not vulnerable per se, but rather were affected by situations that lessened their coping capacity. The Deputy Director of IOM Department of Emergencies echoed that sentiment, stating that “age, sex and gender are some of the defining elements which have an impact on vulnerability”, but that migrants of a specific gender or age should not be automatically defined as vulnerable. Following up on that line of thought, Anh Nguyen, Head of IOM’s Migrant Assistance Division succinctly summed up how migrants were deemed vulnerable: “Either because of who they are or the situation they are in.”

Pia Oberoi (Policy Advisor on Migration, OHCHR) defined vulnerable individuals as those not able to fully exercise their rights, noting the centrality of human rights to protecting all people in vulnerable situations. The New York Declaration contained

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<sup>3</sup> IOM, *International Dialogue on Migration 2017. Understanding migrant vulnerabilities: A solution-based approach towards a global compact that reduces vulnerabilities and empowers migrants*, background paper, July 2017. Available at [www.iom.int/sites/default/files/our\\_work/ICP/IDM/2017\\_IDM/Background%20paper%20IDM%2018-19%20July.pdf](http://www.iom.int/sites/default/files/our_work/ICP/IDM/2017_IDM/Background%20paper%20IDM%2018-19%20July.pdf).

over 100 references to human rights, and the international legal protection framework included human rights law, refugee law, labour laws, and the Convention relating to the Status of Stateless Persons. The global compact on migration should not create hierarchies of vulnerability or distinguish between good migrants and others. The multiplicity of categories meant numerous barriers to claiming rights. In addition, the need for specific protection interventions did not mean that migrants did not have agency. At the same time, migrants in vulnerable situations were entitled to a strengthened duty of care.

Speakers cautioned about getting bogged down in terminology. Christine Matthews (Senior Policy Advisor, Office of the United Nations Special Representative for International Migration) noted: “Whether we are speaking of vulnerable migrants such as unaccompanied children or victims of trafficking or we are speaking of migrants in vulnerable situations such as those abused by smugglers or abandoned on unseaworthy ships, all have specific needs that must be met in accordance with international law, particularly international human rights law.”

Differentiating between migrants in vulnerable situations and refugees was a further topic of discussion. Speakers pointed out that the New York Declaration used very specific language. Further, a separate compact was to be adopted on refugees. A representative of Australia, speaking from the floor, welcomed clarification of the terms “refugee” and “migrants in vulnerable situations”. The problem was patchy implementation; guidance was needed on how to apply existing frameworks. Several speakers (Ethiopia, Denmark, Norway and others) agreed that it was important to keep the distinction between refugees and migrants, but asked how the global compact on migration should address protection of migrants in vulnerable situations in cases of mixed movements.

A representative of UNHCR, speaking from the floor, argued that refugees were not a subset of migrants. Rather, a clear distinction had to be drawn between migrants in vulnerable situations and those needing international protection (particularly from non-refoulement). The UNHCR position was that it was

essential that any measures developed in support of migrants in vulnerable situations did not reduce protection of refugees.

Other speakers, while agreeing that there were legal distinctions between refugees and migrants, argued that addressing the situation of vulnerable migrants would not diminish the protection of refugees. Christine Matthews (Office of the United Nations Special Representative for International Migration) stated: "While recognizing the legal distinction between refugees and migrants, it is evident that specific vulnerabilities requiring specific humanitarian and assistance responses, affect individuals in both groups irrespective of their legal status and of the reasons that propelled or compelled them to move." She further argued that existing international law provided the basis for protection of vulnerable migrants and refugees; the problem was one of implementation. The IOM Deputy Director concluded: "You underlined the importance of distinguishing between refugees and migrants, given the separate legal frameworks involved and the need for international protection in the case of refugees, while recognizing that, in practice, migrants and refugees can experience many of the same vulnerabilities."

Some speakers also questioned whether the global compact on migration should be addressing irregular migration, which was not safe, orderly or regular. The representative of Libya, speaking from the floor, for example, stated that migration that was unsafe, disorderly or irregular was not covered by the theme of the compact and should not be included. He went on to say that the solution for migrants in vulnerable situations was to make migration safe, orderly and regular. The discussion on migrants in vulnerable situations focused on a number of sub-themes: the drivers of migration and vulnerability; the gender and age dimension; and potential solutions to vulnerability.

## Drivers of vulnerability

Mohammad Shahidul Haque (Foreign Secretary, Ministry of Foreign Affairs, Bangladesh) described vulnerability as the inability of people to address adverse environments and as powerlessness. Other factors of vulnerability were migrants' capacities to return to a normal life and livelihood, and the larger socioeconomic and political situation in their place of stay. In a statement from the floor, the representative of Senegal added another dimension, noting that migrants were vulnerable because they were far from their families.

Roxana Castro de Bollig (Director of Protection and Assistance to Nationals, Ministry of Foreign Affairs, Peru) and others agreed that migrant vulnerability stemmed from both social fragility and personal and social factors (lack of resources, access), which made it difficult for people to use orderly migration channels. When migrants travelled irregularly, they faced threats and were vulnerable to abuse. They had fewer resources and skills to defend themselves. Mohammad Shahidul Haque (Bangladesh) also noted that migrants faced vulnerabilities when they moved through irregular channels.

Monami Maulik (International Coordinator, Global Coalition on Migration) echoed those concerns: "It is precisely due to the lack of adequate regular and safe channels that migrants are pushed into dangerous journeys and irregular status. What deterrence and criminalization policies do succeed in is to render migrants even more vulnerable to abuse and exploitation. Millions of low-wage and irregular migrant workers and their families – domestic and care workers, farmworkers, service and construction workers – live precarious lives and in fear, preventing them from raising their voices, joining trade unions or accessing basic public services." In a comment from the floor, the representative of Médecins du Monde added that migration policies created additional vulnerabilities, as when migrants could not access health care.

In another comment from the floor, the representative of Ethiopia agreed that the definition of vulnerability should not be limited to particular characteristics; migrants often faced

situational vulnerabilities. Even people who did not belong to designated vulnerable groups should still have protection.

Many States called for an understanding of pre-existing vulnerabilities that served as drivers of regular and irregular migration and of future vulnerability. They suggested that it was necessary to take stock of the complexity of causes, including macrolevel factors like poverty and fragile governments, mesolevel factors such as social networks and political frameworks, and microlevel factors like education and access to work, to name but a few. Identifying those nuanced drivers would allow for a more comprehensive strategy and response for addressing vulnerability.

While agreeing with other speakers that most migration was voluntary, Ahmed Hussen (Canada) noted that, “Increasingly, we see conflict and civil unrest, severe poverty, starvation and lack of opportunity, and climate change as drivers of migration out of necessity. Desperation and a lack of available legal pathways compel them to embark on precarious migration schemes, and sustain networks of smugglers and human traffickers. This can create or exacerbate vulnerability, opening up migrants to exploitation or abuse.”

Gordon Kihalangwa (Director, Department of Immigration Services, Ministry of Interior and Coordination of National Government, Kenya) provided a concrete overview of the factors influencing migration, separating them into overarching themes related to sociopolitical, economic and ecological vulnerabilities, with more specific concerns such as communal violence, which might arise from ethnic or religious intolerance; economic disparity between developing and developed economies; and changes in the ecological environment, which could lead to food and water insecurity. The representative from Nigeria added causes more specific to Nigeria and the region, stating that fragile governments, the actions and consequences of extremist groups such as Boko Haram – notably economic crises and decreased trade in the region – and difficulties in obtaining visas to study were all drivers contributing to irregular migration.

Cecilia Jimenez-Damary (United Nations Special Rapporteur on the Human Rights of Internally Displaced Persons) also

emphasized the importance of looking at vulnerabilities in the country of origin, in particular the vulnerabilities of IDPs. Member States had a responsibility to protect and assist IDPs. The latter's participation in programmes was essential. She argued that implementation of the Guiding Principles on Internal Displacement was the first step in responding to IDP vulnerabilities. The 20th Anniversary of the Guiding Principles next year offered an opportunity to raise awareness of IDPs. A representative of Afghanistan, speaking from the floor, agreed. Many IDPs eventually crossed borders. Although IDPs were a priority for Afghanistan, reintegrating those who returned from overseas was difficult.

Chidi King (Director, Equality Department, International Trade Union Confederation) noted that, while it was assumed that migrants involved in temporary, circular migration did not have problems with rights violations, a close look at vulnerabilities showed otherwise. Although circular migration programmes were often touted as triple-win solution for migrants, countries of origin and countries of destinations, "[f]or vast numbers of migrants, particularly those in less-skilled, low-paid jobs, the reality is rather different. It is difficult to see migrant workers as winners in circular schemes, or as able to exercise their own agency, since they have limited choice regarding the jobs, change of employers, family unification and timing of return, among others". She listed other causes of vulnerability in these programmes, including poverty wages, increased exposure to health and safety risks, no or inadequate access to social protection, legal and practical problems in joining trade unions or otherwise engaging in collective bargaining, etc. Nilambar Badal (Program Director, Asian Human Rights and Culture Development Forum (Asian Forum – Migrants' Center)) also elaborated on the vulnerabilities faced by labour migrants, pointing to the fraudulent activities of recruitment agencies and lack of proper enforcement against them.

Representing the private sector, Mirela Stoia (Director, Immigration Services, PricewaterhouseCoopers) set out a number of drivers of vulnerability that affected regular as well as irregular migrants: racism and xenophobia; language barriers; cultural barriers (for example, not being familiar with the work ethic, working patterns, work processes, day-to-day cultural norms and

traditions of the host country in respect of something as simple as queueing); administrative processes relating to registration, school, banking; understanding the requirement to obtain certain types of insurance (e.g. medical insurance, car insurance); understanding operational procedures for accessing medical and health-care services; accessing emergency services; social etiquette in terms of, for example, engaging socially with work colleagues outside work; and exploitation at work (being underpaid, forced to work overtime, etc.). These practical barriers to inclusion made it difficult for migrants to adapt to their new environments.

Trafficking in persons and human smuggling were two final drivers of vulnerability for migrants. A representative of Guatemala noted that trafficking networks were difficult to control because it was difficult to know who they were. A representative of the International Maritime Organization (speaking from the floor) noted that international maritime law, especially on search and rescue, had never been intended to respond to mixed migration. It was not viable to divert merchant ships to rescue migrants. Instead, safe, legal, alternative pathways were needed, including safe migration by sea. It was essential to control irregular migration. Ultimately, the solution was to address the causes of migration, but this was not covered by the mandate of the Organization, which in June 2017 had called for further action by the United Nations.

A representative from Libya (speaking from the floor) cautioned that migrants sometimes put themselves into vulnerable situations, by placing themselves in the hands of smugglers and traffickers.

María Fernanda Rodríguez (Deputy Secretary of Access to Justice, Ministry of Justice and Human Rights, Argentina) reminded participants that trafficking was a crime and distinct from smuggling, but that smuggling could lead to trafficking when victims became indebted and were forced into exploitative situations. She also noted that the feminization of poverty had contributed to the proliferation of sex trafficking and child pornography.

Khadijetou Mbareck Fall (Minister Delegate, Ministry of Foreign Affairs and Cooperation, Mauritania) talked about the special challenges experienced by source and transit countries that were becoming host countries. Mauritania had signed a tripartite agreement with Mali and UNHCR to promote returns to Mali, but there were still 41,000 Malians in Mauritania and the situation in Mali was not improving. Mauritania did not have the capacity to deal with the transit situation. The challenge was to ensure security and also protect rights. Combating illegal migration required more effective control of borders. At the same time, the Government was concerned to protect Mauritanian nationals abroad, with whom it was in close contact and who could report problems to a government hotline round-the-clock. The Government supported the integration of Mauritanians wherever they were.

### **Gender, age and disability**

Multiple statements were made advocating the mainstreaming of gender, age-sensitive and disability considerations in the formulation and implementation of migration policies. Better data and understanding of the factors that made certain migrants more vulnerable would help to develop more effective policy responses and implementation mechanisms.

According to some speakers, women, children, the elderly and disabled had agency and could protect themselves when given the opportunity, but they also had characteristics that could make them vulnerable in difficult conditions. Carmen Muñoz Quesada (Vice Minister of Government and Police, Costa Rica) emphasized the need to bolster efforts to provide information to migrants, particularly vulnerable individuals, such as women, children and indigenous people. She pointed out that women were also in need of more services to protect their rights, regardless of their legal status, and suggested more meetings be convened to brainstorm on that subject.

A representative of the European Union reported on the need to focus on gender, children and the disabled, but not to limit vulnerability to just age and gender; countries had an obligation

to respect the rights of all migrants. More data were needed on migrants' vulnerabilities in countries of origin and transit. The European Union welcomed the identification of gaps in migrant protection and the focus on specific ways of overcoming them.

A representative from the Holy See emphasized that migrants were vulnerable when they were without their families – separation was a double vulnerability, for the migrants themselves and their families. The global compact on migration should also consider the needs of migrants' families.

Sikander Khan (Director, Geneva Office of Emergency Programmes, UNICEF) referred to the increase in the number of children and unaccompanied children on the move. The psychosocial impact on the children was enormous and had to be addressed throughout the journey. The needs of children left behind when their parents migrated in search of work also had to be considered. The international community had to be the voice of children in both the global compact on refugees and the global compact on migration. It had to provide policymakers with the evidence on children they needed to make decisions. In that regard, he referred to the forthcoming IOM-UNICEF study, *Harrowing Journeys*.

Throughout both workshops, Member States and civil society representatives emphasized the importance of the global compact on migration in addressing the protection of unaccompanied children. The delegate from Guatemala, speaking from the floor during the first workshop, stressed the importance of developing guidelines that took special account of vulnerable groups such as unaccompanied minors. The representatives of the ICMC, the ICRC, the Holy See, the NGO Committee on Migration and Caritas Internationalis also commented on the need to integrate a focus on children into the global compact. Maria Pia Belloni Mignatti (NGO Committee on Migration), for example, stated the need to focus on the “delivery of protection and assistance to migrants in vulnerable situations, in crisis and in transit, especially children whose best interest must be served and who must be protected against trafficking, detention and death”.

Several Member State delegates and civil society representatives shared measures aimed at addressing the protection needs of children. Most argued that the best interests of the child should be the determining factor in any policies and programmes. Luigi Maria Vignali (Italy) referenced new legislation enacted by the Italian Parliament concerning unaccompanied minors and providing targeted assistance in the realms of legal protection, health care and education. The legislation was based on the *best interest of the child* principle and afforded those services to all unaccompanied children, regardless of their legal status. The Italian Government was “practically stating a child is a child, before being a migrant or a refugee”.

In Egypt, the National Council of Human Rights, the National Committee on Combating Illegal Migration and Human Trafficking, and the National Centre for Social and Criminological Research had recently made efforts to study the movement of Egyptian unaccompanied children. Hisham Badr (Egypt) added that the National Council of Childhood and Motherhood was one of the institutions responsible for helping unaccompanied minors return and reintegrate in their home communities. Elona Gjebrea Hoxha (Albania) spoke of her country’s efforts to afford special services to child migrants, namely new houses and free education and health care.

The vulnerabilities of children in transit were cause for considerable concern. A representative of Guatemala observed that the migration corridor from Central America through Mexico was a huge challenge, particularly for children. The Convention on the Rights of the Child should be the basis for action to protect such children. Action was needed at all stages of migration. Elda Gladis Tobar Ortiz (Executive Director, ISNA) noted that children and adolescents, particularly unaccompanied children, and people with disabilities were particularly vulnerable during journeys. So, too, were women and persons of different sexual orientations or gender identities, who might be vulnerable to trafficking. She spoke of the longer-term emotional crises that arose because of abuse during migrant journeys and persecution by gang members.

An area of considerable concern was the detention and deportation of children. A representative of Honduras agreed that unaccompanied children should never be detained. She said that Member States needed to take decisive action. Honduras was issuing what she described as a “Permanent Alert” decree to offer legal assistance to returning migrants. Elda Gladis Tobar Ortiz (ISNA) asserted that many countries continued to deport children without paying heed to basic human rights. ISNA had decided to work with the international community to guarantee human rights for migrant populations, especially those 17,500 children and adolescents who had been deported to El Salvador.

There were specific calls from NGOs for States to end the detention of children on immigration grounds and to act consistently in accordance with the best interests of the child. Throughout the workshop, civil society representatives (notably the representatives of the ICMC, the ICRC, the NGO Committee on Migration and Caritas Internationalis) and the representative from the Holy See emphasized how important it was for the global compact on migration to address the protection of unaccompanied children. Many speakers focused on the need for policies that centred on “dignity in human mobility”, ensured protection and promoted safe, regular migration channels. The Special Representative for International Migration pointed out that lack of effective global cooperation often led to more restrictive migration policies, and called on the international community collectively to strengthen the narrative on migration with a view to recognizing the enormous contributions of migrants and migration, including to development. It was underlined that while Member States retained the sovereign right to determine which non-nationals may enter and stay on their territories, consistent with the requirements of international law, cooperation was one of the most powerful expressions of, and vehicles for, concerted sovereign action. In that context, the panellists and speakers shared a wide range of examples of good practices from their own experiences and spoke of their ambitions and concerns for the way forward in the development of the global compact on migration.

## Responses to vulnerability

There was considerable agreement that the responses to vulnerability had to be as multifaceted as the causes. Carlos Arturo López Damm (Ambassador, Undersecretary of Migration and Consular Services, Ministry of Foreign Affairs and Human Mobility, Ecuador) noted that everyone needed to be involved: international agencies, the private sector, civil society. Ecuador was developing a holistic approach, based on the SDGs, that recognized the contributions that migrants made. Robert J. Vitillo (ICMC), referencing the Global Forum on Migration and Development in Bangladesh (2016), reiterated the proposals offered by civil society for a “compact...articulated within a multi-lateral and human rights-based framework. Their proposals included the following: ... migrants in crises, in transit and at borders: organize, and, when possible, consolidate existing rights, frameworks, practical tools, and partnerships to more consistently implement need-first, human rights-based and human development-driven protections and solutions for migrants of all kinds in all crises...”.

It was generally agreed that new international instruments were not needed. Rather, the problem was to implement existing instruments. Some speakers argued that the guidelines on migrants in vulnerable situations proposed in the New York Declaration would go a long way towards protecting migrants with particular vulnerabilities – just as the Nansen and Migrants in Countries in Crisis initiatives did with other groups (those affected by disasters and the longer-term impact of climate change, and migrants in countries in crisis, respectively). The principles promulgated by the initiatives had been derived from existing international law, and the effective practices that they recommended were already being implemented by some Member States.

Pia Oberoi (OHCHR) reviewed the principles and guidelines developed by a working group of the Global Migration Group on human rights protection of migrants in vulnerable situations, noting that the group would report on progress to the Human Rights Council in March 2018. The principles and guidelines were without prejudice to the specific rights of groups in other legal frameworks (e.g. refugees). There were 20 principles,

incorporating recommendations such as to strengthen firewalls in service provision. The question was how that tool could be used in the global compact on migration. The main challenge was to implement existing legal frameworks. A non-binding new compact should not replace legally binding documents. Stronger international commitments were needed for monitoring and accountability.

Ola Henrikson (Sweden) suggested five ways to reduce risks to migrants en route and in destination countries: (a) combat trafficking and smuggling; (b) manage migration along migration corridors, with migration assistance centres set up en route and providing information about the risks of the journey; (c) combat abuse of labour migration through fair recruitment policies and ILO's guiding principles; (d) develop responses for specific vulnerable groups, especially children; and (e) end the practice of detention of children and combat gender-based violence against women and girls.

Timur Shaimergenov (Deputy Director, Head of the Policy Analysis Centre, Library of the First President, Kazakhstan) listed five other priorities: (a) legislation at the policy level and social infrastructure for the integration of migrants and to reduce the criminality of corrupt officials; (b) destination language acquisition (migrants who spoke local languages did better); (c) a balanced distribution of migrants in accordance with regional and labour needs, relocating migrants to less populated areas that needed labour; (d) clear data from countries of origin, so that countries of destination knew more about who the migrants were; and (e) training workshops for local officials.

Reducing pre-existing vulnerabilities while providing avenues for regular migration was the focus of several interventions. Luigi Maria Vignali (Italy) noted: "So we have to transform this unmanaged and dangerous movement in an orderly way. In order to do so, we are proposing three objectives: investing in countries of origin and transit to tackle the root causes of migration; protecting the most vulnerable among migrants, as women and children, especially unaccompanied minors, during their journey; valuing the positive aspects of migration in destination countries." In terms of responding to and managing migration,

Italy was following a systematic plan: “Our idea is to shift the focus on human mobility from an emergency approach to an encompassing and long-term one.” That view of the transition from a humanitarian crisis response to migration to a more sustained, development approach had important implications for countries of origin, transit and destination working together under the premise of shared responsibility.

Several speakers stressed the importance of leveraging diasporas for their contributions to development, for example through remittances. Juan José Gómez Camacho (Mexico) pointed to his country’s investment in projects boosting development schemes in Central American countries. Domestically, the Mexican Government had devised a programme whereby the federal and state governments matched the remittances sent home by Mexicans living abroad, dollar for dollar, so that two dollars were invested in the community for each dollar sent to an individual. Such programmes tried to tackle some of the underlying drivers of migration, in order to limit the need to migrate. Juan José Gómez Camacho also suggested that strengthening the SDGs was another useful way to tackle the root causes of migration.

Isata Kabia (Minister of State, Ministry of Foreign Affairs and International Cooperation, Sierra Leone) spoke about her country’s efforts within African Union mechanisms working to encourage diaspora engagement in the development process. Likewise, the delegate from Eritrea said that her country had implemented a 2 per cent tax on remittances, for reconstruction and rehabilitation, that drew inter alia on strong diaspora community ties abroad. The delegate from Mali also spoke of the huge impact the diaspora could have. With four million Malians living abroad, the Government had adopted a new migration policy in September 2014 in order to capitalize on the link between migration and development. Through the policy, the Government worked with banks to limit fees for money transfers, thereby encouraging the diaspora to send remittances back to Mali. At the same time, it was working to create more jobs in Mali and support migrants when they returned home.

Fatumo Farah (Director, Himilo Relief and Development Association (HIRDA), Netherlands) explained how the diaspora in the Netherlands was being tapped to support political and social development, in addition to economic development. Founded by the Somali diaspora, HIRDA worked with civil society in Somalia, Ethiopia and Kenya in many areas of development, mobilizing funds for humanitarian relief efforts and contributing to reconciliation and peacebuilding processes, among others.

While agreeing that the potential contributions of migrants could be substantial, some delegates brought up the concerns a country of origin might experience when people fled their homeland. Speaking from the floor, the Congolese representative mentioned the country's need to limit "brain drain" and the efforts being made to encourage educated professionals, particularly doctors, to return to Congo to practice. IOM was helping the Government of the Congo, especially in terms of providing technical assistance for Congo's programmes to incentivize the return of doctors.

Firudin Nabiyev (Azerbaijan) also highlighted efforts aimed at citizens living abroad, further emphasizing the need for sustained approaches addressing human mobility at all stages. Azerbaijan had signed a number of bilateral and multilateral agreements to ensure protection of the rights of migrants and of Azerbaijanis living as migrants in other countries. The delegate from Armenia told how IOM had helped Armenia develop a new strategy on migration for 2017-2021 that provided "practical steps to try to maximize positive contributions made by migrants". A major focus of that initiative was to encourage Armenians living abroad to return home. Online platforms such as "Returning Home" provided timely information on socioeconomic progress in Armenia over the past 15 years.

Several speakers highlighted innovative practices that could be models for others within the context of the global compact on migration. For example, the delegate from Myanmar shared the numerous ways in which the Government of Myanmar was making progress in migration management by linking migrant rights to labour standards: it had a strategy for the systematic management of overseas workers, in order to limit human smuggling and

trafficking (215 registered overseas employment agencies were currently participating); it had signed a memorandum of understanding with Thailand and the Republic of Korea, ensuring that Myanmar citizens working abroad in those two countries had formal mechanisms by which to lodge complaints about their employers; and Myanmar and Thailand had developed bilateral standard operating procedures on case management and the return and reintegration of victims of trafficking. IOM had been helpful in those efforts.<sup>4</sup> In addition, the Government of Myanmar had a programme whereby Myanmar migrants were offered temporary passports in order to work for a limited time in Thailand, and it had established migrant centres in cooperation with the ILO and IOM. All of those actions tried to manage systems so that individuals migrated through regular migration channels, thereby hopefully offering safer and more orderly human mobility options. The strategies worked with regional governments and employment agencies, and were therefore comprehensive and incorporated all stakeholders.

The need to reduce vulnerabilities stemming from labour exploitation, trafficking and smuggling were clear areas of agreement. The representative of the Sovereign Order of Malta (speaking from the floor) stated that commitment was needed to reduce the vulnerability of migrants, especially victims of trafficking. Cooperation had to be maximized to protect migrants based on full respect for international and domestic law and universal religious values that protected life and dignity.

Many speakers noted that efforts to combat labour exploitation, human trafficking and smuggling appeared to be areas marked by great progress in terms of international cooperation. A few brief examples of national and/or regional progress towards protecting victims of and preventing human trafficking are set out below.

Ethiopia: Berhane Gebre-Christos described three specific actions the Ethiopian Government had undertaken in terms of human trafficking: (a) adoption of comprehensive anti-trafficking legislation, to prevent and suppress trafficking

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<sup>4</sup> See "IOM Myanmar. Migrant Protection", factsheet, March 2016. Available at [www.iom.int/sites/default/files/country/docs/myanmar/IOM-Myanmar-Factsheet-Migrant-Protection.pdf](http://www.iom.int/sites/default/files/country/docs/myanmar/IOM-Myanmar-Factsheet-Migrant-Protection.pdf).

in persons and smuggling of migrants; (b) design of the National Plan of Action to Combat Trafficking in Persons; and (c) the establishment of the National Anti-trafficking Council, headed by the Deputy Prime Minister of Ethiopia.

United Arab Emirates: Alex Zalami (Advisor to the Minister, Ministry of Human Resources and Emiratization) spoke about the advances his country had made in curbing human trafficking, with more monitored recruitment processes. “The United Arab Emirates, in partnership with the Philippines, is currently looking at strengthening and improving recruitment practices in the United Arab Emirates-Philippines corridor, with a view to ensuring that legal prohibitions on workers paying for their own recruitment are properly enforced.”

Burundi: The delegate from Burundi said that his country was preparing a memorandum of understanding with the Governments of Saudi Arabia and Oman that defined decent working conditions for Burundians working abroad in those countries in an effort to prevent business practices that flouted individual rights. In addition, a new law adopted in Burundi in 2014 specifically addressed the protection needs of women and children, focusing on prevention of human trafficking, and clamped down on traffickers.

The Khartoum Process: Established in 2014, the process exemplifies synergized efforts between the European Union and African States to prevent and fight human trafficking and smuggling of migrants from the Horn of Africa to Europe. In Africa, Ethiopia, Sudan, South Sudan, Eritrea and Egypt all hold seats on the Steering Committee for the Khartoum Process; Germany, Italy, France, the Netherlands and the United Kingdom are the European Steering Committee members. At its core, the Khartoum Process seeks to promote many of the same objectives put forth in the global compact on migration, including: improving national capacity for migration management; developing cooperation at bilateral and regional level between countries of origin, transit and destination; and

in terms of human trafficking, helping to ensure that States establish legal frameworks and ratify the protocols to the Palermo Convention.<sup>5</sup>

Nigeria: A delegate from Nigeria (speaking from the floor) explained that the Nigerian National Migration Policy had been established to further regular migration efforts in the country. It proposed an e-passport and partnerships with the Japanese and Swiss Governments for technology that tracked people at land and sea borders. It also proposed regional border management on the borders with Niger and Benin, sites of considerable human trafficking.

Argentina: María Fernanda Rodríguez said that the country had adopted special legal measures to address trafficking. Victims of trafficking, for example, could not be held accountable for crimes they had committed while being trafficked. There was a need for transparency in government and the rule of law. Regularization was the best solution for vulnerabilities associated with irregular movement.

Sri Lanka: To reduce the vulnerabilities of migrant workers and protect victims of human trafficking, the Government had appointed an anti-trafficking task force, together with IOM, the ILO and civil society.

Mauritius: A representative from Mauritius said that, as a country of origin and host country, Mauritius was keenly interested in the plight of vulnerable migrants and in making sure that foreign workers benefitted from the same rights as others. The Government was working on a new migration policy framework and on enhancing the security and health screening of migrants. It was also trying to address poor practices among recruiting agents.

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<sup>5</sup> Berhane Gebre-Christos (Ethiopia) spoke about the Khartoum Process, with additional information provided here being drawn from *Khartoum Process*, fact sheet, n.d. Available at [www.khartoumprocess.net/resources/library/128-khartoum-process-factsheet](http://www.khartoumprocess.net/resources/library/128-khartoum-process-factsheet).

A representative of the Community of Sant'Egidio spoke about the pilot programme Humanitarian Corridors, which came to the aid of vulnerable migrants who did not fall under the UNHCR mandate. The programme's main goals were: (a) to reduce the number of people making journeys across the Mediterranean on boats, and hence the high death rate; (b) to help people avoid human trafficking; and (c) to help people in vulnerable situations gain legal entry into Italy with a humanitarian visa.<sup>6</sup> The programme therefore helped provide migrants with safe alternatives to dangerous trips, and to integrate in Italy.

Better integration of migrants in destination countries and reintegration in source countries could also reduce vulnerabilities. The representative of Ecuador offered examples of a highly inclusive approach being implemented by the Government. Newly arrived refugees and migrants received help with paperwork and could settle wherever they wanted in the country. All persons residing in Ecuador were entitled to free health care, regardless of migration status, and non-nationals who had lived in Ecuador for five years were granted full civic rights, including the right to vote.

In terms of reintegration, Berenice Valdez Rivera (IMUMI), representing the civil society sector in Mexico, spoke about the different challenges faced by women returning home by choice and those who were deported. She stressed the need to be cognizant of the fact that women who decided to return home on their own terms could plan their reintegration, whereas women who were deported had neither the time nor the luxury to factor in plans for reintegration. The same applied to men and children.

According to Carlos Arturo López Damm (Ecuador), reducing vulnerability meant looking at the human face of migration, not just the economic contributions made by migrants. Human rights needed to be a key aspect of migration management. Responses had to build on local communities. Ecuadorean legislation sought to do away with inequities and provided for the gradual end to foreign status in the country. Ecuador had set up integration

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<sup>6</sup> Community of Sant'Egidio, *Humanitarian Corridors for refugees*, n.d. Available at [www.santegidio.org/pagelD/11676/langID/en/Humanitarian-Corridors-for-refugees.html](http://www.santegidio.org/pagelD/11676/langID/en/Humanitarian-Corridors-for-refugees.html).

programmes that considered differentiated needs (women, children). It believed that no human being should be deemed “illegal”. The Constitution called for mobility to be included in all policies. Ecuador’s leaders acknowledged that this was a historic moment for redesigning global migration governance to encompass inclusion, recognition of migrants’ contributions and prevention of xenophobia and intolerance.

Edward Hobart (United Kingdom) also argued that integration would reduce vulnerability, adding that regular migration channels were the best means of reducing migrant vulnerability.

Speaking from the private sector perspective, Austin T. Fragomen Jr. (Chair, Business Mechanism, Global Forum on Migration and Development) stated: “Governments need to adopt and enforce the appropriate legal and regulating framework by addressing the legal gaps and practices that have been embedded in local labour markets.”

A number of countries explained how they were combating irregular migration with an eye to reducing migrant vulnerabilities. Ethiopia was fighting irregular migration by addressing the root causes thereof, specifically targeting youth unemployment. It had created 2.6 million jobs. Mexico was using existing frameworks and good practices on the southern border, to help Central American migrants in vulnerable situations. The representative of Costa Rica explained that the country had a long tradition of asylum and had become a transit country for migrants from Cuba heading to the United States of America. Costa Rica had set up two centres for migrants and would continue to offer them support, as exemplified in the presidential decree that gave documents for migrants in transit. To deal effectively with irregular migration, however, pathways for legal migration were required.

Several Member States spoke of efforts to improve the knowledge of their citizens about migration policies and pitfalls. For instance, the Commissioner General of Immigration Services in the United Republic of Tanzania said that travellers had to be told that their pictures would be seen by immigration officials and that holding centres had to be established to protect vulnerable migrants who were victims of trafficking and smuggling. Roxana

Castro de Bollig (Peru) explained that her Government worked with its consulates in the United States to educate would-be migrants about their rights and responsibilities, had set up an administrative register for migrants, and provided migrants with a card with contact numbers and a list of rights. At the same time, Peru tried to ensure that its consulates had the basic data needed to protect migrants.

Others discussed the need to empower migrants to protect themselves. Nanette Thomas (Minister of Political and Public Affairs, Sierra Leone) recounted that she had been a refugee in the United States, had worked as a maid, and had faced discrimination because of her accent. Migrants faced various types of discrimination in countries of destination, and often encountered barriers to employment and other basic services, all of which made them more vulnerable and unable to integrate successfully. Her advice to migrants was “don’t allow anyone to intimidate you” and “get an education”. Solutions were needed to empower migrants. Nilambr Badal (Asian Human Rights and Culture Development Forum) argued that pre-departure and post-arrival orientation was needed to empower migrants. In addition, counselling centres at community level would help foster integration and reduce vulnerability. It was essential to engage the police and local officials. Migrant workers needed access to complaint mechanisms, and steps had to be taken to ensure that they actually received responses.

According to Javier Darío Higuera (Director of Migration, Consular Affairs and Citizen Service, Ministry of Foreign Affairs, Colombia) Colombia’s goal was resilience. At present, the international community was leaving migrants behind. Countries of origin had to do more. Colombia was doing a great deal to protect its migrants overseas. It was trying to figure out how to provide migrants with the same services and protections as citizens, such as pensions, and how to reduce the cost of remittances. Regarding returns, migrants often did not want to go home. They felt like migrants in their own countries; more work was needed in countries of destination to boost their resilience.

Natapanu Nopakun (Director of Social Division, Department of International Organizations, Ministry of Foreign Affairs,

Thailand) spoke about the numerous steps that must be taken to ensure protection of vulnerable migrants. Safe migration started with ethical recruitment policies and contracts. It also required coordination among government agencies; for example, difficulties emerged when one government agency dealt with registration of migrants and another dealt with other aspects of migrants' integration. It was also very important to find interpreters, in order to protect migrants and clearly explain the implications for them of policy changes. When a new migration act had come into force, many regular migrants had left the country because they did not understand it.

Daniela Núñez Pares (Director of Institutional Coordination for Migrant Health, General Direction of International Relations, Ministry of Health, Mexico) explained that the Ministry had developed a number of programmes to meet the health needs of its citizens living in the United States, including an annual binational health week that had benefited 240,000 people in 2016. The Ministry had also established health wickets and mobile units to provide health care to Mexican migrants, developed a popular health insurance scheme for migrants, and provided health services to repatriated migrants. It also had the means to repatriate seriously ill migrants.

A representative of Morocco described the dilemma Member States faced: they had to take on the costs of migrants in the short term, but many of the benefits would only accrue 30 years later. Since investment in the long-term integration of migrants would prevent them from getting into danger, Member States needed to understand that there were short-term gains to be had from such investments.

Marina Del Corral (Secretary General of Immigration and Emigration, Ministry of Employment and Social Security, Spain) reminded the participants that integration was a two-way process. Migration was not a problem, it was an opportunity. States needed to address economic and administrative barriers to prevent exclusion of migrants. Programmes were needed to educate migrant parents that children had a right to education – education was not a choice made by parents. It is important to transmit the

values of society – norms of democracy, tolerance and opportunity. It was also important to recognize the qualifications of workers.

Marina Del Corral also discussed the key role of the private sector in integration. She explained that access to the labour market was a major driver of integration. Academics and civil society played a critical role. Managing diversity in the workplace included awareness-raising, training, salary rules and promotion, and countering racism and xenophobia through training. Diversity was good for companies; it made them competitive and gave a better impression to the outside world. The role of local authorities was fundamental, as they provided services closest to migrants. Local authorities were usually responsible for education, housing and health. Effective integration happened at the local level, and local authorities should therefore avoid creating ghettos by settling migrants in various neighbourhoods. They should fight xenophobia early by teaching about human rights and tolerance in schools. The media also played a crucial role, as creators and vehicles of public images.

Mirela Stoia (PricewaterhouseCoopers) agreed that the private sector could play a key role, supporting migrants through sound human resources policies and procedures, advocating on their behalf (for example, in order to confront xenophobia), and developing a diverse workforce that helped businesses compete but was also good for society. With the power of their brands, companies could help address negative narratives. They could share best practices at local, national and international level. Private sector engagement with policymakers could lead to innovative policies.

Marius Olivier (Director, Institute for Social Law and Policy (ISLP); Extraordinary Professor, Faculty of Law, Northwest University, South Africa) argued that a major cause of migrant vulnerability was the lack of social protection (social security, participation in national insurance schemes). Problems with providing social protection to migrants included lack of monitoring, enforcement and persuasion mechanisms. The contributions were often too low to provide adequate protection. The benefit range was often too unwieldy, and it was not clear how to provide for cases of deportation or repatriation. Further

challenges included: weak social security systems, the absence of a statutory mandate or policy and programme frameworks, and complex claim mechanisms. Moreover, social security tended not to cover the informal sector, in which many migrants worked.

Local leaders at the workshop agreed that they played an important role in protecting migrants in vulnerable situations. The more integration was supported by everyone, the less xenophobia prevailed, according to Matteo Biffoni (Mayor, Prato, Italy). A representative from the United Kingdom (speaking from the floor) agreed that integration was a key means of reducing migrant vulnerability. In the United Kingdom, each local council had an integration strategy. Hibaq Jama (Councillor, City of Bristol, United Kingdom) described the need for a coordinated community response, with safe houses for trafficking victims. Every new arrival should have an assigned caseworker. She also explained the importance of community-based English classes, which were less intimidating for migrants than university courses. Volunteers in Bristol provided a range of community support: free clothes, food bank, advocacy, legal support, reading programmes, day care, and other services. Asylum seekers and refugees underwent needs assessments and a strategic action plan was developed to meet their needs. The Council had supported a number of specific projects (e.g. employment navigators and education officers).

A number of speakers returned to the need to change the narrative about migration to a more positive one. Daniel Klein (documentary filmmaker, founder of the project “The Perennial Plate”) was making documentaries about the lives of migrants, targeting the Facebook market, and trying to bring a human face to migrants by introducing real positive stories about them and about how they contributed to society. Others spoke about the need to educate the media about migrants, including their needs, capacities and vulnerabilities.

A representative of Guatemala (speaking from the floor) argued that work was the best way to ensure reintegration. In Guatemala’s case, returnees encountered problems accessing the labour market. The Government had launched an initiative to match migrant skills with employer labour needs. Guatemala’s consulates tried to provide information to migrants. Chidi King (International Trade

Union Confederation) talked about the right to decent work as central to reducing vulnerabilities. She noted that there already existed various frameworks and tools; the ability to exercise labour rights required a collective response, but migrants had limited possibilities to organize for collective action. All labour migration policies should be based on international human rights and labour law. More pathways to permanent migration were needed at all skill levels. The right to organize and bargain collectively was key to the application of the right to non-discrimination and to proper working conditions.

Other speakers also focused on non-discrimination. A representative from Argentina, speaking from the floor, argued that migration policies should guarantee migrants access to services on an equal basis with natives. A representative from Morocco, also speaking from the floor, said that Morocco had a holistic policy to ensure integration of migrants, who enjoyed the same social and economic rights as citizens. Morocco was initiating occupational training policies and had removed the “national preference” for some jobs. It had a housing programme under which migrants had access to subsidized housing on the same basis as nationals. Migrants had basic health insurance. Bart Somers (Belgium) held that migrants were citizens of the town they lived in regardless of their status. He had rejected ghettos, provided for social mobility, and accepted cultural diversity as a positive thing for his city. A representative from the Philippines (speaking from the floor) agreed that irregular migrants had no fewer rights than regular migrants.

By contrast, other countries argued that regular and irregular migration required different approaches in terms of integration. A representative from Denmark (speaking from the floor) said that the country emphasized integration of regular migrants. Local authorities had to offer an integration programme to refugees and other legal migrants, including language and job training. A shorter introductory course was available for students and others. Everyone capable of working should work – it was the most efficient pathway to integration – but some migrants did not have the skills needed for high-wage Danish jobs. The authorities were working with local organizations and employers

on this. For irregular migrants, the only solution was dignified return. A representative from Libya (speaking from the floor) argued that social inclusion could only be applied in countries of destination, not in transit countries. Irregular migration was tantamount to breaking the law, and the law had to be upheld. A representative from Serbia (speaking from the floor) observed that all migrants in irregular situations were vulnerable. States should either regularize their status or they should be sent back. Anna Makakala (Commissioner General of Immigration Services, Immigration Services Department, United Republic of Tanzania) remarked that all Member States faced a common reality. They were responsible for controlling the movement of people to make the country safe for everyone. Some vulnerable migrants engaged in criminal activity. A representative from Zimbabwe (speaking from the floor) noted in that respect that the global compact on migration would be seeking clarity on security and protection.

Several speakers referred to integration as a dynamic two-way process. The European Union had published a collection of 50 concrete activities for fostering integration and providing support for both labour market and social inclusion. Those activities were supported by European investment funds. Practical measures were needed to overcome language and labour barriers. The representative of the Holy See reminded the participants that integration was not assimilation. As a two-way process, it did not involve closing migrants off from their country of origin. Migration policies must respect families and family reunification.

The need for skills training emerged in a number of remarks. For example, a representative from Kenya stated from the floor that it was difficult to integrate migrants because they lacked skills. Other speakers focused on the impact on host countries. The representative of Patriotic Vision (speaking from the floor) argued that the arrival of large numbers of migrants, even if they spoke the same language, placed a strain on the host country's infrastructure and economy. The host country might initially be very welcoming but grow less tolerant over time. Host communities needed more support.

A final option was to integrate migrant issues into other frameworks to reduce vulnerability and increase resilience. The integration of migration into the SDGs was a consistent theme throughout the workshops. For example, a representative of the United States spoke from the floor about the need to look at social cohesion through a development lens. The United States supported addressing the protection needs of migrants and refugees in development planning. Mechthilde Fuhrer explained that the Council of Europe, working with IOM and UNISDR, had developed guidelines and case studies for including vulnerable groups, such as migrants, refugees, asylum seekers, children, the elderly, and those with disabilities in disaster preparedness and risk reduction measures.

## **INTERNATIONAL COOPERATION AND SHARED RESPONSIBILITIES, INCLUDING REGIONAL AND SITUATION-SPECIFIC MULTILATERAL INITIATIVES**

At the beginning of the first workshop, the IOM Director General stated that “international cooperation is essential to making all of this a reality”. Indeed, one point made over and over again in the workshop was that the entry of IOM into the United Nations system was a positive step towards strengthening United Nations leadership on migration. Beyond the Regional Consultative Processes on Migration that exist in nearly every region of the world and play a critical role in fostering dialogue and cooperation among Member States on specific migration challenges and opportunities, the United Nations has an important role to play in fostering international cooperation. The international community needs to validate and take concrete steps to ensure the effective implementation of existing normative frameworks, as a necessary step towards advancing common goals for international cooperation. The development of voluntary, targeted mechanisms to promote improved migration governance in specific areas of migration, for example on labour mobility, can facilitate the attainment of these goals. Information and best practices should be exchanged among practitioners to allow the identification of shared interests and areas of aligned efforts between different actors at national and international levels. Implementation of joint actions at the transnational level, promoting evidence-based programming by encouraging long-term, systematic and comprehensive data collection and monitoring and evaluation schemes, will be pivotal in this regard.



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Gregory Maniatis (Co-director, Columbia Global Policy Initiative, International Migration Project; Senior Advisor, Open Society Foundations), who formerly supported the work of the Special Representative for International Migration, reiterated the importance of cooperation: “The response of this organization [the United Nations], and of the multilateral system writ large, must be to show that international cooperation is indispensable in meeting the needs of Member States, in protecting the rights of migrants, and promoting the well-being of the communities that receive them, and the communities they leave behind.” The representative from Sweden suggested that the global compact on migration and IOM’s Migration Governance Framework serve as a basis for improving global cooperation, which currently lacked the necessary robustness to govern migration well. The Special Representative for International Migration pointed out that “lack of international cooperation often leads to more restrictive migration policies that ultimately leave migrants with few legal pathways and instead puts them in precarious situations, creating or perpetuating the perception of a ‘migration crisis’, which those policies have been largely responsible in fomenting”. The way forward ultimately lay in fostering cooperation and advancing discussions that relied on collective responsibility.

Throughout the four days of discussions, the participants learned of the myriad ways in which international cooperation is

already taking place. Many representatives shared examples of how their country, through national policies and participation in international processes, had embarked on synergized efforts to respond to and mitigate migration challenges.

Several speakers at both workshops highlighted the importance of international dialogues in developing synergized governance schemes for migration processes. Isata Kabia (Sierra Leone) highlighted the relevance and significance of IOM organizing the IDM in New York, where the global compact on migration would be negotiated, and of having done so at the very beginning of the global compact consultation phase. George Jashi (Georgia) cautioned, however, that coordination at the global level did not necessarily translate into effective coordination at the national level. Moreover, fragmented action at the local level could do harm at both the national and the global level. Coordination was needed at all levels.

Speakers reminded the participants that the current global compact process followed years of debate and discussion about the best way to improve migration management and enhance international cooperation. Margaret Pollack (Acting Deputy Assistant Secretary, Bureau of Population, Refugees and Migration, United States Department of State) cited the Berne Initiative as a process to emulate as Member States moved forward with the global compact on migration. Started in 2001, the Berne Initiative was a consultative process led by the Member States involved; it brought together experts representing varying interests and regions. A significant outcome of the Initiative was the formation of the International Agenda for Migration Management, a cooperation framework developed in collaboration with international organizations, NGOs and other independent migration experts advising the Member States. Non-binding in nature, the framework aimed to foster cooperation between Member States by planning and managing humane and orderly human mobility.<sup>7</sup> Since the Agenda had been used to inform the 2006 High-level Dialogue on International Migration and Development, there was a precedent to its serving as a framework for further dialogues.

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<sup>7</sup> See IOM, “Berne Initiative”, n.d. Available at [www.iom.int/berne-initiative](http://www.iom.int/berne-initiative).

Mehmet Samsar (Turkey) discussed the role of the Global Forum on Migration and Development (GFMD) in paving the way for the global compact on migration. Importantly, the Global Forum allowed for frank and honest discussion of a range of migration issues. As he reflected, “Indeed, some of the topics elaborated at the Global Forum are sensitive ones that are mostly avoided to be discussed at the international fora. But in the end, we saw that governments, international organizations, civil society and private sector can create a synergy to address contemporary challenges.” The Global Forum process also allowed participants to share effective practices. Mr Samsar concluded: “I believe that we can make use of the experience accumulated by the GFMD in the global compact on migration process. It has fostered the sharing of countless ideas, programmes and policies. At the GFMD platform, we discussed nearly all the themes that are mentioned in the modalities resolution. We can distil the ideas, practices and recommendations that were discussed during its meetings.”

The NGO Committee on Migration sounded the same theme, citing a number of prior initiatives that had provided the building blocks for effective cooperation within the context of the global compact on migration:

We need not start from scratch in the development of an effective governance mechanism; some tools already exist, including IOM’s Migration Governance Framework, and MICIC Guidelines; UNHCR guidelines on mixed migrations; OHCHR, Recommended Principles and Guidelines on Human Rights at International Borders, and contributions from ILO, UN-Women, UNODC, UNICEF, WHO, etc. There are also the tools of the civil society, such as the High-level Dialogue 2013 8-point 5-year plan, the 2014 Stockholm Agenda (with Goals and Targets), the 2015 GFMD Civil Society Recommendations (with Benchmarks), and the 2016 ACT NOW call (with Scorecard) in response to the NYD [New York Declaration] for Refugees and Migrants. The most important tool for protecting the rights of migrants is to empower them to defend their own rights.

Ultimately, a number of speakers agreed, it was up to Member States to determine whether and how to enhance international

cooperation. Others could help, but the final decisions on migration governance rested with Member States. As James Cockayne, speaking on behalf of the Global Migration Group, stated: “The UN can assist and support, by providing information and data, services, normative frameworks and coordination mechanisms, but ultimately the responsibility for governing migration is that of Member States. In that sense, while it is crucial that the global compact consider how the UN, civil society, the private sector and local authorities can aid and support states, it is States that will be centre-stage.” This did not mean that the United Nations need not improve its own mechanisms to provide assistance to Member States and monitor their actions. In fact, at least one speaker, Mehmet Samsar (Turkey), while praising the progress that the Global Migration Group had made, said that, “at the international level, we need to break down the silos”.

## **Regional partnerships and Consultative Processes**

The Regional Consultative Processes on Migration – the Regional Conference on Migration in Central America, Mexico and North America, the South American Conference on Migration, the Abu Dhabi Dialogue between Asian countries and the Gulf Cooperation Council, the Bali Process, and more – are critical to forging understanding and cooperation on migration. They were identified by participants as opportunities for strengthening regional and bilateral cooperation. Alex Zalami (United Arab Emirates) stated: “Regional consultative processes are often where the most in-depth and engaged examples of bilateral and multilateral cooperation on migration reside.” In a similar vein, Ayoade Olatunbosun-Alakija (Nigeria) said that regional cooperation was needed and stressed that the African Union had an important role to play in that regard.

One interregional process, the Abu Dhabi Dialogue between the main Asian labour-exporting countries and the Gulf Cooperation Council countries, accounts collectively for the largest labour mobility annually. Thanks to the trust and confidence built up over time, the Ministerial Consultation held in Colombo, Sri Lanka, in January 2017, resulted in an agreed focus on: (a) promotion

and enforcement of fair labour recruitment, (b) certification and development of skills, and (c) leveraging technology, in particular information and communication technology, in partnerships between countries of origin and destination. The Abu Dhabi Dialogue has seen the emergence of innovative pilot projects, such as that launched between the United Arab Emirates and the Philippines on improving recruitment practices and ensuring that workers do not pay for the services of recruiters, leveraging skills development, certification and mutual recognition, and preparing workers for return and reintegration, with a longer-term goal of establishing a shared digital platform. This is just one example of the important contributions these mechanisms make to improving migration governance.

The presentation by the speaker from Kenya offered several examples of regional partnerships that serve as foundations for further synergized efforts by the international community. The African Economic Community (EAC), for example, was established in 1991, with 49 African countries ratifying the “Abuja Treaty.” Among other things, the EAC commits its Member States to ‘the gradual removal of obstacles to the free movement of persons, goods, services and capital between Member States.’ Additionally, the Member States have agreed to “adopt, individually, at bilateral or regional levels, the necessary measures...to ensure the enjoyment of the right of residence and the establishment by their nationals within the Community”.<sup>8</sup> In this way, the Community offers another regional mechanism on which to base sustainable international synergies for migration management. COMESA has also attempted to develop protocols to manage migration flows. The Protocol on the Free Movement of Persons, Labour, Services, Right of Establishment and Residence (The Free Movement Protocol) was adopted in 1998 by COMESA Member States. While it has yet to be signed, and ratified by the majority of States, the Protocol’s legal framework is an important contribution in the area of advancing labour migrants’ rights.<sup>9</sup>

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<sup>8</sup> See Treaty Establishing the African Economic Community. Available at [https://au.int/sites/default/files/treaties/7775-treaty-0016\\_-\\_treaty\\_establishing\\_the\\_african\\_economic\\_community\\_e.pdf](https://au.int/sites/default/files/treaties/7775-treaty-0016_-_treaty_establishing_the_african_economic_community_e.pdf).

<sup>9</sup> See United Nations Economic Commission for Africa, “COMESA - Free Movement of Persons”. Available at [www.uneca.org/pages/comesa-free-movement-persons](http://www.uneca.org/pages/comesa-free-movement-persons).

Finally, the Joint Valletta Action Plan has also had a positive impact on cooperation on migration and on jointly addressing migration between the European Union and Africa. The Action Plan, which resulted from the 2015 Valletta Summit on Migration, brings together Member States from the African Union and European Union. As Hisham Badr (Egypt) pointed out in his panel remarks, the Action Plan has five pillars: addressing the root causes of irregular migration and forced displacement; promoting legal and regular migration; protection and asylum, including upholding the human rights of all migrants; prevention and combating of irregular forms of migration, such as migrant smuggling and human trafficking; and return, readmission and reintegration of returnees. In sum, the Action Plan offers a comprehensive approach to managing human mobility between Africa and Europe. Discussions on the Action Plan are continuing, with the latest being a Senior Official Meeting in Malta in February 2017 and a future meeting planned for early 2018 in Ethiopia. Representatives from civil society organizations have been involved in the Action Plan process since the initial Summit in 2015, a promising step towards involving all relevant stakeholders in more formal ways.<sup>10</sup>

The workshop also heard about efforts to develop regional agreements within Africa. The Central African Economic and Monetary Community has been working to establish protocols for the free movement of people. Only four Member States have implemented the protocol to allow free movement of people between States in the region, and political will from policymakers in the other Member States is needed to put the protocol into effect. Progress has been made among IGAD Member States to enhance regional cooperation. Berhane Gebre-Christos (Ethiopia) stated: "Ethiopia has benefitted from IGAD Regional Migration Policy and the regional IGAD-led assessment on the state of play of migration governance and existing coordination mechanisms in IGAD Member States." Gordon Kihalangwa (Kenya) also spoke about how IGAD had helped foster coordination between

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<sup>10</sup> For more information on the Joint Valletta Action Plan and the Malta Summit, see [www.consilium.europa.eu/media/21839/action\\_plan\\_en.pdf](http://www.consilium.europa.eu/media/21839/action_plan_en.pdf) and [www.icmc.net/newsroom/news-and-statements/civil-society-statements-senior-officials-meeting-valletta](http://www.icmc.net/newsroom/news-and-statements/civil-society-statements-senior-officials-meeting-valletta).

State and civil society organizations, particularly in developing the National Coordination Mechanism. Khadijetou Mbareck Fall (Mauritania) nevertheless highlighted the financial costs of regional cooperation, noting that the new African Union Capacity-building Centre in the United Republic of Tanzania needed more support. She also referenced the need for a global migration fund to meet the emergency needs of migrants.

## **Human rights and international cooperation**

The overarching theme of the entire discussion was the need to keep protection of migrants at the heart of efforts to enhance international cooperation. As Edward Hobart (United Kingdom) emphasized, cooperation was needed between countries to reduce vulnerabilities for migrants. Mehmet Samsar (Turkey) added: “The global compact should be shaped around a strong human rights perspective. We must uphold the human rights of migrants and refugees – especially in the face of rising anti-migrant sentiment, xenophobia and discrimination. Recognizing that right-wing extremism can have an impact on that radicalization, we must also consider ways of addressing prejudice against and the social stigmatization of migrants to promote tolerance, and respect for all migrants.”

International law plays an important role in this process. As the delegate from the ICRC pointed out, “Protection needs of migrants need to be addressed first, and measures adopted by States must be upheld by international law.” Likewise, Maria Pia Belloni Mignatti (NGO Committee on Migration) referenced the New York Declaration’s language regarding protecting and assisting migrants in vulnerable situations, with special attention to women and children.<sup>11</sup> In fact, throughout the workshops, civil society representatives (and the representative of the Holy See) emphasized the importance of the global compact on migration in addressing the protection of unaccompanied children, with representatives from the ICMC, the ICRC and Caritas Internationalis arguing for that approach.

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<sup>11</sup> See paragraph 32 of the New York Declaration.

Some civil society participants expressed concern that the IOM Constitution did not include a protection mandate. Maria Pia Belloni Mignatti (NGO Committee on Migration) recommended: “IOM should be given an official human rights protection function, and the United Nations human rights framework should be referred to in its Constitution. This would allow IOM to measure its policies and practices against a clear, binding normative framework and ensure that all projects funded by States and implemented by IOM are negotiated in accordance with that framework.” The Special Rapporteur on the Human Rights of Migrants and some academic institutions with observer status on the IOM Council also recommended that the Constitution be revised.

### **Shared responsibility, coordination and cooperation**

The concept of “shared responsibility” for migration also received attention. Riaz Hamidullah (High Commissioner of Bangladesh in Sri Lanka) suggested that the collective understanding of shared responsibility required further discussion. In the first workshop, he called for continued dialogue on that issue, including with development and public financing stakeholders. Luigi Maria Vignali (Italy) said that his country had incorporated an understanding of the drivers of migration into its policy. Italy had centred its migration strategy on two principles: “the principle of shared responsibilities in managing migration flows and the principle of partnerships among countries of origin, transit and destination, in order to tackle the root causes of migration”. Taking into account the root causes of migration promoted a comprehensive approach to migration management, enabling all phases of the migration process to be addressed.

Margaret Pollack (United States) stressed that countries of origin, destination and transit had a shared responsibility to curb irregular migration, and that the global compact on migration offered countries the opportunity to share best practices in that regard.

Javier Darío Higuera (Colombia) emphasized that the discussion should not be about shared responsibilities, because too often the burden fell on countries of origin, but instead about shared opportunity, and “focus on cooperation, not shared responsibility”. Countries of destination had a massive responsibility and required money, but countries of origin also had responsibilities and were stepping up.

Carlos Arturo López Damm (Ecuador) noted that the global compact on migration would only be adopted with the international community’s support. Relations between countries of origin, transit and destination need to be strengthened. The Global Forum on Migration and Development had done some work on shared responsibility for migrants, and that work should be looked at.

For Daniela Núñez Pares (Mexico), health was a shared responsibility between governments and migrants and between governments of origin and destination.

The delegate from the Philippines (speaking from the floor) commented on the need for political buy-in from Member States to implement the commitments that had already been made. He saw responsibility for migrants as a shared responsibility and asked the panel whether they agreed. Ola Henrikson (Sweden) responded that if a migrant was in Sweden, it was clearly the responsibility of Sweden to ensure that his or her rights were respected. But all countries had the responsibility to protect people, including the country of origin.

Shared responsibility in the context of efforts to combat trafficking and smuggling received specific attention. For example, the Myanmar representative (speaking from the floor) noted that people-smuggling and -trafficking directly affected the global compact on migration. Thought should therefore be given to ways of eliminating smuggling and trafficking, and to building the capacity of Member States for safe and orderly migration. The law enforcement agencies of sending and receiving States had to coordinate in order to protect the rights of migrants. NGOs had contributed to efforts to support migrants in vulnerable situations.

## Evidence-based decision-making

Both the global compact and the consultative process leading to its adoption should emphasize the importance of evidence, particularly long-term, systematic and comprehensive data collection and analysis. Reliable data and research should be harnessed in order to inform policy and to counter negative stereotypes of migration. In this respect, several representatives noted that IOM's Global Migration Data Analysis Centre offered a wealth of data and analyses of migration which could be used by Member States as a basis for the development of policies. Moreover, considerable evidence on migration already existed and should be used, such as the recent report of the McKinsey Global Initiative entitled *People on the Move: Global Migration's Impact and Opportunity*. The delegates from Sweden and Australia called for a standardized mechanism for collecting human mobility data. Likewise, Juan José Gómez Camacho (Mexico) argued that "we need to negotiate based on reality, evidence, data, and figures, so we can all be informed of the real picture".



## **IMPLEMENTING AND FOLLOWING UP THE GLOBAL COMPACT ON MIGRATION**

A recurring sentiment expressed in the workshops was the need for the global compact on migration to succeed. Many speakers underscored, therefore, that the global compact should focus on practicable outcomes and effective implementation rather than simply restating principles. Many also emphasized that priority needed to be given to setting realistic expectations and to developing specific indices to track and monitor implementation of the goals established. While it was too early to have a clear view on the particular set of indices needed, many speakers said that having such indicators and benchmarks would enable Member States and others to measure progress and outcomes.

Mohammad Shahidul Haque (Bangladesh) set out some of the challenges ahead. First, the global compact on migration must address a number of pressing issues, some of which were discussed in the workshops, including:

- Not leaving anyone behind (vulnerable migrants);
- New and innovative mechanisms for migration governance;
- Ensuring peace and stability along the migration pathway;
- Implementing normative frameworks;
- The need for a bold, focused and measurable migration compact.

States would also need to decide on the nature of a negotiated compact. In that regard, he referenced four potential models: (a) a migration convention (binding); (b) guiding principles

and guidelines (non-binding); (c) commitments with concrete deliverables (like the Agenda for Sustainable Development); or (d) an instrument like the Paris Agreement on Climate Change, which included both binding and voluntary commitments.

Most Member States appeared more comfortable with the thought of strengthening implementation of existing frameworks, rather than promulgating a new convention. That there was no need for new international law was a recurring theme. The Danish representative (speaking from the floor) noted that the necessary human rights norms existed but needed effective implementation. Edward Hobart (United Kingdom) said that there was a need for better implementation of all rights for everyone, including migrants. The Colombian delegate (speaking from the floor) noted that the 1990 Migrant Workers Convention had not been ratified by destination countries. The global compact on migration should contain clear commitments for Member States and international organizations. Other representatives speaking from the floor stated that existing frameworks sufficed (Ethiopia), called for United Nations system-wide coherence and for whole-of-government approaches building on existing norms (Sweden), and expected non-binding guidelines and practical ideas from the global compact on migration (United Kingdom). Agreement was also expressed on the contents of the global compact on migration: rather than new norms or frameworks, it should address better implementation of existing frameworks to protect migrants. According to a representative of the United States (speaking from the floor), the global compact should promote practical suggestions, not new structures, forums or finance, and support existing mechanisms. Realistic suggestions and practical actions were needed to reaffirm the human rights of migrants in policy and practice. In that respect, the MICIC guidelines were a good model. The global compact on migration should avoid conflating refugees and migrants while highlighting the respective roles of UNHCR and IOM in responding to mixed migration. Mahboub Maalim (IGAD Executive Secretary) also urged that the focus be on implementation of existing legal norms. He criticized other efforts, saying the tendency was to start a process and hold good meetings, only to have nothing happen.

The IOM Director General, the IOM Deputy Director General and many other speakers mentioned existing frameworks that could be used as a foundation for moving forward and implementing the global compact on migration. Tijani Mohammad (Deputy Minister for Foreign Affairs and Regional Integration, Ghana) echoed this, emphasizing that frameworks were necessary for efforts toward a global compact on migration to be coordinated. Riaz Hamidullah (Bangladesh) spoke of using the Sutherland Report and the New York Declaration as foundations for devising comprehensive actions. The representative from Sweden said that his country wanted the follow-up to the global compact on migration to be linked to follow-up of the 2030 Agenda for Sustainable Development, and agreed that the Sutherland Report could serve to define operational commitments and measures of success. The delegate from the Philippines (speaking from the floor) referred to both the Global Migration Group Guidelines on vulnerable migrants and the Migrants in Countries in Crisis Initiative as helpful ways forward. Several participants referred to IOM's Migration Governance Framework and the Migration Governance Index as useful frameworks for implementation and follow-up of the global compact on migration.

Austin T. Fragomen Jr. (GFMD Business Mechanism) pointed out the obvious connections between the global compact objectives and existing regulatory frameworks concerning business and labour practices. He said that "existing international standards, such as the ILO Convention 181 for Private Employment Agencies and the IOM International Recruitment Integration System (IRIS), provide international voluntary ethical recruitment standards that will bridge international regulatory gaps". In other words, the international community would benefit from drawing on mechanisms already in place rather than trying to devise new approaches. Moreover, "[t]he Business Mechanism plans to work closely with civil society in an effort to present unified recommendations expressed in simple and achievable terminology, with appropriate metrics and benchmarks to track progress in meeting the objectives".

Throughout the workshops, many examples were presented of Member State policies that already mirrored what was likely to be included in the global compact on migration, or at least worked towards advancing the same objectives. Jürg Lauber (Switzerland) offered several examples of how the Swiss Government had already implemented coherent and holistic approaches to migration management, notably with international cooperation and multi-stakeholder alliances domestically. The way forward was through a set of practical, actionable commitments, articulated within a multilateral and human rights-based framework, with ways and means of translating them into practice, and a framework for follow-up and review of implementation. Cooperation mechanisms at regional and other levels – between Member States of origin and destination and with civil society, the private sector and other critical players – must inform the development and implementation of the global compact on migration, including reviewing and taking stock of progress achieved.

Elona Gjebrea Hoxha (Albania) explained several mechanisms that her country was pursuing in order to achieve progress in migration governance. They included the Agreement on Stabilization and Association (in concert with the European Union) and a new national migration governance policy to support safe and regular migration channels, enhance the development impact of migration, and promote implementation of immigration policies (to be in line with the global compact).

Gibril Faal (Director of GK Partners; Interim Director of the Africa-Europe Diaspora Development Platform (ADEPT)), said that the global compact on migration should include a set of principles, actionable commitments and understandings. Participants at the Global Forum on Migration and Development had discussed a possible format for the global compact, which should have a short vision statement and reaffirm existing agreements. The statement of principles should focus on new principles or principles that needed updating. The global compact also needed to include commitments to omit – a short list of things never to be done, e.g. a child should never be detained. General commitments included a long list of things to be done – actions that Member States and partners (civil society) – could commit to: for

example, to end indentured employment, to ensure access to social security in the country of origin, not to link terrorism/heinous crimes with migrants. Regarding monitoring and accountability, the approach should not be to name and shame countries, but to make it easier for States to say, “In this area, I am not doing well.”

The need for clear targets and indicators was referenced by many speakers. Robert J. Vitillo (ICMC), drawing on the actions recommended in the Sutherland Report, stated that clear goals, targets and indicators should be established, but on a graduated timeline. He suggested: “Two years could be allocated for the goals and targets most urgent and immediately achievable, including more systematic implementation of best interest determinations for children, reform of migrant worker recruitment practices, alternatives to detention, and orderly departure programmes; five years for goals more difficult to be achieved, such as return and reintegration; and 15 years for full achievement.”

Civil society members described efforts made within the context of the Global Forum on Migration and Development to monitor implementation of the commitments set out in the New York Declaration as a potential model. The Civil Society Action Committee had created the “Act Now Joint Statement and Scorecard”, in order to promote a timely implementation plan for the commitments made in the New York Declaration. A similar committee should be created to track the progress of implementation of commitments under the global compact on migration. The committee should include civil society, private sector and migrant representatives.

Several speakers said that political will was crucial to strengthening collective approaches to migration, but many noted the importance of enhanced operational capacity and resources for effective implementation of the migration-related commitments in the international normative framework, including, importantly, the 2030 Agenda for Sustainable Development. Berhane Gebre-Christos (Ethiopia), for example, suggested drawing on the 2030 Agenda and the Addis Ababa Action Agenda specifically for approaches to address “the financial and social costs of unethical recruitment and lowering remittance transfer costs”.

In terms of implementing actions arising from the global compact on migration, several speakers [Morocco, United Arab Emirates and Sri Lanka] also noted the importance of discussing and deciding on mechanisms for following up and monitoring implementation. A representative from Morocco urged that one of the main topics of consultation subsequent to the first workshop should be follow-up of the global compact on migration implementation scheme. The representative of IGAD raised the issue of financing for implementation of the good ideas coming out of the global compact process.

## RECOMMENDATIONS



IDM event 18–19 April 2017, New York. © IOM 2017 (Photo: John Walder)

The global compact on migration is expected to achieve several objectives: (a) to create a comprehensive guidance framework in the field of international migration; (b) to fill an important gap in today's international system; (c) to create the first comprehensive global agreement on human mobility, one that will guide Member States' approaches to migration through a set of common principles and understandings regarding migration in all its dimensions; and (d) to foster deeper collaboration between Member States and with relevant partners on international migration. Discussion during the two IDM workshops offered a wealth of recommendations for further action on these issues during the global compact negotiations. The recommendations fall into two main areas: those related to the global compact process and those focusing on major substantive areas of discussion.

## Recommendations related to the global compact process

**Build on existing frameworks and processes.** A consistent message of the IDM was that there is no need to reinvent the wheel in framing the global compact on migration. Much existing international law applies to migrants. Some of it is migrant-specific, such as the ILO Conventions on migrant workers and the 1990 Migrant Workers Convention. Others are core human rights instruments that apply to all persons, regardless of their citizenship or migrant status. Still others can be applied by analogy to address the needs of migrants in vulnerable situations, such as the Nansen Initiative Agenda and the MICIC principles, guidelines and effective practices. Processes informing the global compact on migration include the Berne Initiative, the Global Commission on International Migration, the work of the Regional Consultative Processes, IOM's International Dialogue on Migration, and the Global Forum on Migration and Development. Several speakers also highlighted existing frameworks, such as IOM's Migration Governance Framework, the Sutherland Report, the 2030 Agenda for Sustainable Development, the Paris Agreement on Climate Change and the Sendai Framework for Disaster Risk Reduction, as important bases setting ambitious benchmarks for the global compact. Rather than developing new normative frameworks, emphasis should be placed on implementation of existing commitments.

**Establish priorities for the global compact on migration.** The New York Declaration sets out 24 areas of potential focus in the global compact on migration. Many suggested that trying to address all equally would detract from the most important areas on which agreement can be reached. Nevertheless, as Ahmed Hussien (Canada) stated, the global compact on migration "should include both long-term and short-term goals". Along with other speakers, he believed "the focus should first be on encouraging more countries to adopt comprehensive, planned approaches to migration. It should begin with frameworks that already exist, such as the Migration Governance Framework, and build from there." There was also substantial agreement that the global compact on migration should focus on ensuring

protection of the rights of migrants, specifically migrants in vulnerable situations, whether in countries of origin, during transit, at destination or upon return. Further, the global compact on migration provides an important opportunity for improving national policies by recommending whole-of-government and whole-of-society approaches to managing movements of people across borders. Finally, there was substantial agreement that enhancing international cooperation should be a priority of first order for the global compact on migration.

**Define terminology.** Over the course of the workshop, several representatives identified the need to clarify migration terminology. Several Member States [Mexico, Colombia, South Africa and Kenya] all expressed the need to use common, agreed migration terminology in the global compact on migration. Today the language on migration is influenced by negative emotions and associated with incorrect narratives. The negotiations of the global compact on migration must be based on an accurate description of migration supported by reliable data and not influenced by negative stereotypes. Many participants advocated the need to consistently use “regular” and “irregular” rather than “legal” and “illegal” migration, as the latter implies a “punitive approach”. Others similarly stressed that no person can be illegal and that the use of such terminology contributes to negative stereotyping of migrants that has a real impact on their treatment and rights. Similarly, participants emphasized the importance of not conflating refugees and migrants. Refugees are defined and have enumerated rights in the 1951 Refugee Convention. Efforts to protect the rights of migrants in vulnerable situations should not weaken protections for refugees.

**Compile data and research, including information on the benefits of migration, to ensure that the global compact on migration is evidence based.** Both the global compact on migration and the consultative process leading to its adoption should emphasize the importance of evidence, particularly long-term, systematic and comprehensive data collection and analysis. Reliable data and research should be harnessed to inform policy and to counter negative stereotypes of migration. Considerable evidence already exists and should be used. The global compact on migration should support efforts by UN DESA, IOM, the

OECD and others to improve statistics on international migration. It should also promote research that helps Member States and other stakeholders gain a better understanding of the impact of international migration. Participants referenced the recent report of the McKinsey Global Initiative, entitled *People on the Move: Global Migration's Impact and Opportunity*, and the Global Migration Data Analysis Centre as examples of research and analysis which are currently available.

**Continue to promote and draw on Regional Consultative Processes and global dialogues on migration.** Although it will be global in scope, the global compact on migration should reinforce the value of regional initiatives to improve migration management. Many States [Albania, Azerbaijan, Burundi, Colombia, the Democratic Republic of the Congo, Eritrea, Kenya and Myanmar] expressed gratitude to IOM for its role in providing technical assistance and/or facilitating regional dialogue on migration. Several speakers shared their country's desire for IOM to continue to support regional and transnational processes that enable the exchange of information and the development of cooperative arrangements. Delegates from South America and Africa were particularly supportive of continued regional dialogues on migration governance and management. The discussions held at IOM's multi-stakeholder forum, the IDM, since 2001, as well as discussions at the GFMD (both government and civil society components) also provide a wealth of ideas and information to incorporate into the global compact on migration, as do the recommendations in the output documents of the Nansen and Migrants in Countries in Crisis Initiatives.

**Establish a clear and achievable timeline to accomplish the objectives of the global compact on migration.** Several participants noted that the global compact on migration could be aligned with the 2030 Agenda for Sustainable Development in terms of timelines for targets and indicators. The ICMC and the NGO Committee on Migration provided specific examples of proposed measures that could be achieved within a two-year framework (e.g. the best interest determination for children); a five-year framework (e.g. a 60% reduction in persons trafficked across borders compared to 2018); and a 12-year framework (e.g. a

reduction in the number of forced migrants). Deciding on common targets and their timelines should, it was suggested, be part of the negotiation process.

**Ensure broad representation of local officials, civil society, the private sector and migrants themselves in the negotiation of the global compact on migration.** Many speakers endorsed a whole-of-society approach to migration governance that requires the involvement of representatives of local government, NGOs, the private sector and migrants themselves. These are the entities that often have the best understanding of the challenges and opportunities presented by migration. The participation of representatives from each of these groups, and of migrants themselves, was seen as a key advantage of the IDM workshops. Participants appreciated the contribution from Austin T. Fragomen Jr. (GFMD Business Mechanism) and some noted that other international and regional financial institutions (i.e. the World Bank and the International Monetary Fund) should be present at future meetings, given the importance of financial institutions and major development entities to implementing agreed commitments.

**Rely on actors with local, on-the-ground expertise in formulating the global compact on migration.** Immigrant integration, in particular, takes place at the local level. Mayors, other local officials, civil society organizations, religious groups and other local entities often have the best information available on the opportunities and challenges presented by migration. Along these lines, the ICRC representative recommended that there should be institutionalized measures whereby those on the ground (non-governmental, international and State agencies) are relied on for their expertise concerning migrants and their vulnerabilities and needs. Existing assets have to be leveraged in a coordinated manner.

**Establish a mechanism to track progress towards achieving the goals of the global compact on migration.** There was broad consensus that follow-up was essential to ensure that the global compact on migration is truly implemented. Member States, civil society and the private sector made it clear that they have high hopes for what was described as an unprecedented process. The global compact should not, however, be simply another piece of

paper. The example of the SDGs, with their goals, targets and indicators, was discussed as a model for the global compact. The efforts of the ICMC and other civil society groups to monitor implementation of the New York Declaration was cited as another model. Although there were some differences of opinion on new financing mechanisms in support of the global compact, a number of speakers noted that without such funding it would be difficult for poorer countries to implement the compact. Berenice Valdez Rivera (IMUMI), for example, stated: “The global compact must provide sufficient elements for each State in the region to adopt them in their policies, including with financing for their implementation in the programmatic planning and budgets for each country.” Such financing would also ensure the inclusion of civil society and migrant communities at the decision-making level for implementation and evaluation of programmes (not just as guests but as entities bearing co-responsibility).

## Recommendations on substantive issues

**Strengthen international cooperation.** Although there has been substantial progress in bilateral, regional and global consultative mechanisms on migration, there was strong consensus on the need to strengthen those mechanisms further. Participants were unanimous in welcoming the entry of IOM into the United Nations system and appreciated its leadership in supporting Member States and the Special Representative for International Migration in the development of the global compact on migration. The discussion confirmed the IOM Director General’s description of the principal aims of international cooperation: “It needs to involve and take into account all relevant actors – national and local governments, multiple ministries; civil society; the private sector, migrant and diaspora organizations; the academic world; the media and others; and it needs to recognize the obligations of all actors and the commitments required from all of them in the field of international migration.” In her closing remarks at the first workshop, the IOM Deputy Director General summarized the key role for the international community in the years ahead: “To validate and take concrete steps to ensure the effective

implementation of existing normative frameworks, including as a necessary step towards advancing common goals for international cooperation. The development of voluntary, non-binding, targeted suggestions to promote improved migration governance in specific areas can facilitate the attainment of these goals.”

**Affirm the benefits of migration.** A recurrent call to action at the workshops was the need to change the narrative and public perception from what some referred to as toxic to one that increases awareness of the benefits of migration for communities of destination as well as those of origin. Participants expressed concern about rising xenophobia, referring to the New York Declaration’s strong condemnation of “acts and manifestations of racism, racial discrimination, xenophobia and related intolerance against refugees and migrants, and the stereotypes often applied to them, including on the basis of religion or belief” (Article 14). Without a better understanding of the benefits of migration, it will be difficult to counter people’s fears and concerns about newcomers. An important role for IOM and others is to collect and disseminate information through multiple outlets, including the media, on benefits to the economy, society, security and culture resulting from safe, orderly and regular migration. Partnerships with academia and research centres would be beneficial in carrying out these responsibilities.

**Support comprehensive whole-of-society and whole-of-government approaches** to migration management. There was strong consensus on the value of a “big tent” strategy to ensure participation of all concerned in formulating and implementing migration policies. These approaches are not just useful for providing input to processes such as the global compact on migration. They are essential for obtaining expertise, knowledge and strategic agreement from those most likely to be affected by decisions on migration policy. This holds true equally for countries of origin, transit and destination. Involving a broad spectrum of participants is essential at the national level, where decisions may otherwise be made from the narrow perspective of one ministry or set of protagonists, but miss important consequences or opportunities that may be apparent to others.

**Improve protection for migrants in vulnerable situations, as well as those with inherent vulnerabilities, such as unaccompanied minors.** The discussion focused on ways to reduce the pre-existing and situational vulnerabilities that endanger some migrants' lives and well-being. Participants emphasized that there are no one-size-fits-all solutions to migrant vulnerability, since the situations that pose harm differ, and some are structural in nature – high levels of poverty, environmental degradation, conflict, repression, etc. Hence, in the words of Hisham Badr (Egypt), “the global compact should be guided by a number of the following parameters:

- Migration should be dealt with through a holistic and comprehensive approach, which should address the root causes of forced and irregular migration.
- Migration is a multifaceted phenomenon, and hence cannot be fixed by applying security measures only; it requires rethinking of how development can work and what role the international community should play in that regard.
- Opening regular pathways for safe and orderly migration must be discussed in a frank and objective debate.
- We should avoid as much as possible divisive and controversial issues that would ultimately lead to fragmentation and foment division.”

Linking the global compact on migration proposals on migrant vulnerability with the SDGs is an important step in the right direction, as the SDGs address many of these structural forces. Compromises may also be needed to enhance protection. Gregory Maniatis (Open Society Foundations), for example, concluded that, “In order to meet the interests of all parties, the global compact on migration would likely need to combine substantive opportunities for legal movement with cooperation on immigration enforcement and return, and financial support for development and governance capacities in origin countries.”

Among the areas that need to be addressed in reference to children, particularly unaccompanied minors who face inherent vulnerabilities, are the following:

- Commit to take measures to prevent family separation;
- Commit to take action to prevent and minimize forced displacement;
- Commit to work to end the practice of child migrant detention in accordance with the principle of the best interest of the child;
- Commit to developing and implementing State-led gender- and age-sensitive guidelines to protect migrants in vulnerable situations.

**Adequate regular migration channels.** The participants underscored that the achievement of safe, orderly and regular migration required the establishment of, and facilitated access to, adequate regular migration channels, for labour migration at all skills levels, for study abroad, to join family, and for humanitarian purposes. While the precise numbers and mix are for each Member State to determine according to its own needs and national processes, significant opportunities exist for concrete regional and international cooperation to realize these in practice.



# **FINAL AGENDA**

**First workshop**

**18–19 April 2017**

**United Nations Headquarters, New York**





International Organization for Migration (IOM)  
The UN Migration Agency

International Dialogue on Migration (IDM) 2017

**STRENGTHENING INTERNATIONAL COOPERATION  
ON AND GOVERNANCE OF MIGRATION TOWARDS  
THE ADOPTION OF A GLOBAL COMPACT FOR SAFE,  
ORDERLY AND REGULAR MIGRATION IN 2018**

First workshop, 18–19 April 2017  
Venue: Conference Room 1, United Nations Headquarters,  
New York

FINAL AGENDA

DAY 1	
10:00 - 11:30	<b>Opening Session</b>
	<ul style="list-style-type: none"><li>• <b>William Lacy Swing</b>, Director General, International Organization for Migration (<i>Opening remarks</i>)</li><li>• <b>Louise Arbour</b>, Special Representative of the Secretary General for International Migration</li></ul>
11:30 - 13:00	<b>Panel 1 - Implementing the SDGs and other major frameworks: how the global compact on migration can help meet commitments made</b>
	<p>In light of its significance to the international policy agenda, migration has become a recurring feature in many of the global frameworks adopted by Member States in recent years. It is also central to many bodies of international law, including human rights and international humanitarian law, amongst others. However, despite this wide attention, there are many gaps in the way migration is addressed. Specifically, implementation of the migration commitments requires an enhanced operational capacity and resources. This panel will provide participants with the opportunity to discuss the ways in which migration is reflected in major</p>

	<p>frameworks dealing with the development, humanitarian and human rights aspects of migration, to identify the gaps in coverage across the various agendas, and to determine how the global compact on migration can address those gaps and otherwise operationalize the commitments made to date.</p> <p><b>Moderator: William Lacy Swing</b>, Director General, International Organization for Migration</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Ahmed Hussen</b>, Minister of Immigration, Refugees, and Citizenship, Canada</li> <li>• <b>Isata Kabia</b>, Minister of State II, Ministry of Foreign Affairs and International Cooperation, Sierra Leone</li> <li>• <b>Juan José Gómez Camacho</b>, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Mexico to the United Nations, Co-facilitator of the intergovernmental consultations and negotiations on the global compact on migration</li> <li>• <b>Robert J. Vitillo</b>, Msgr., Secretary General, International Catholic Migration Commission</li> <li>• <b>Gregory Maniatis</b>, Co-director, Columbia Global Policy Initiative, International Migration Project, Senior Advisor, Open Society Foundations</li> </ul> <p>To following questions are proposed to guide the discussion:</p> <ul style="list-style-type: none"> <li>• How have governments integrated the migration dimensions of major development frameworks, in particular the SDGs, in their policies and programmes at the national level?</li> <li>• Which best practices have been implemented to address social and other costs of migration, provide means to maximize the positive outcomes of migration for migrants, their families and communities (supporting ethical recruitment, developing channels for cheaper, faster and safer transfers of remittances in both source and recipient countries, creating enabling conditions for knowledge and skills exchange, migrants’ access to health, education, gender empowerment, etc.)?</li> <li>• What are challenges in the implementation of planned and well-managed migration policies? How can the global compact on migration help to address these challenges and support the implementation process of the SDGs?</li> </ul>
13:00 - 15:00	<i>Break</i>

15:00 - 16:30	<b>Panel 2 – The global compact on migration as a tool for migration governance and the role of global and regional actors</b>
	<p>The New York Declaration sets out the aim for a global compact on migration as an important contribution to the global governance of migration and coordination of efforts on migration among States as well as all relevant stakeholders. The global compact on migration would present a global comprehensive framework for heightened collaboration on all aspects of international migration, including the humanitarian, developmental and human rights. This panel will discuss means to enhance governance and coordination on international migration at the global and regional levels. There will be a focus on strengthening migration governance capacities of States to enable them to respond to multidimensional challenges of human mobility. These challenges include but are not limited to the most complicated ones, such as: protection of migrants at risk, facilitating labour migration, and arrangements for return and reintegration consistent with international standards.</p> <p>The panel would also look at how to improve coherence within and among different levels of governance and how to mainstream the role of international and regional actors in migration governance frameworks.</p> <p><b>Moderator: El Habib Nadir</b>, Secretary General, Ministry in Charge of Moroccans living abroad and migration affairs, Morocco</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Luigi Maria Vignali</b>, Principal Director for Migration Policies, Ministry of Foreign Affairs, Italy</li> <li>• <b>Paddy Torsney</b>, Permanent Observer of the Inter-Parliamentary Union (IPU) to the United Nations</li> <li>• <b>Ildegarde Niyonzima</b>, Director General of Diplomatic inspection, Diaspora and Communication, Burundi</li> <li>• <b>Alex Zalami</b>, Advisor to the Minister, Ministry of Human Resources and Emiratization, United Arab Emirates</li> </ul> <p>The following questions are proposed to guide the discussion:</p> <ul style="list-style-type: none"> <li>• Do we have a common understanding of ‘migration governance’? What are the various aspects of governance, and how can they be addressed in a global compact?</li> <li>• How can the global compact contribute to improve international and regional cooperation and governance of migration in all its dimensions (including at borders, on transit, entry, return, readmission, integration and reintegration)?</li> </ul>

	<ul style="list-style-type: none"> <li>• How can the global compact help to define the roles and responsibilities of countries of origin, transit and destination, to promote dialogue and address drivers of migration and irregular migration in a holistic manner?</li> <li>• How can regional and international fora facilitate intra-regional dialogue to develop coherent and effective governance frameworks, for example to fight human trafficking and expand regular pathways for migration?</li> </ul>
16:30 - 18:00	<p><b>Panel 3 – Reaching a whole-of-government approach to migration: national and local perspectives</b></p>
	<p>The law and policy affecting the movement of people are not restricted to any single issue, but include many economic, social, environmental and humanitarian dimensions. At the same time, the impacts of migration are most evident at the local level. This implies involving all parts of government, from the national to the local level, as well as all ministries with responsibilities touching on the movement of people. This panel will explore whole-of-government approaches to migration governance, look at the various institutional mechanisms in place in certain countries and how they work together, and focus on how to streamline migration governance at national and local levels.</p> <p><b>Moderator: Sarah Cliffe</b>, Director, Center on International Cooperation (CIC), New York University</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Elona Gjebrea Hoxha</b>, Deputy Minister, Ministry of Internal Affairs, Albania</li> <li>• <b>Francisco Hagó</b>, Vice-Minister of Human Mobility, Ecuador</li> <li>• <b>Berhane Gebre-Christos</b>, Special Envoy for Regional Affairs, Office of the Prime Minister, Ethiopia</li> <li>• <b>Bart Somers</b>, Mayor, City of Mechelen, Belgium</li> </ul> <p>The following questions are proposed to guide the discussion:</p> <ul style="list-style-type: none"> <li>• Which institutional mechanisms are in place at national and local level to manage migration and how they are working together?</li> <li>• How can we improve adequate legal migration frameworks at national level and horizontal coherence and coordination within states? What has been done to strengthen governance capabilities?</li> <li>• In defining the global compact, what lessons could be learned from a review of different approaches? Where has success been achieved? How can these best practices be built upon?</li> <li>• How can the global compact promote a whole-of-government approach to migration governance?</li> </ul>

DAY 2

10:00 - 11:30

**Panel 4 – Building from the ground up: promoting a whole-of-society approach to good migration governance**

Good governance of migration requires the involvement and contribution of key stakeholders involved in managing the daily realities of migration or personally touched by the experience of migration. As the global compact is also an opportunity for correctly framing the perspective about migration and changing the often distorted discourse about it, it is crucial that the realities of migration are accurately reflected in the set of common principles, commitments and understandings about migration the international community is aiming at agreeing on. This panel will discuss ways to ensure that the perspective of relevant stakeholders, from local institutions to the civil society, private sector, to diaspora communities, migrants, origin and host societies, schools, academia are taken on board throughout the elaboration process and beyond during the implementation stages of the global compact. The panel will try to define the role and the contribution expected from these actors in the process towards the global compact.

**Moderator: Ashley William Gois**, Regional Coordinator, Migrant Forum in Asia

**Speakers:**

- **Carmen Muñoz Quesada**, Vice Minister of Government and Police, Costa Rica
- **Firudin Nabiye**v, Chief, State Migration Service, Republic of Azerbaijan
- **Hisham Badr**, Assistant Minister for Multilateral Affairs and International Security Affairs, Ministry of Foreign Affairs, Egypt
- **Gordon Kihalangwa**, Maj.Gen. (RTd), Director, Department of Immigration Services, Ministry of Interior and Coordination of National Government, Kenya

The following questions are proposed to guide the discussion:

- How can civil society and other relevant actors best organize themselves to contribute to migration policy and its implementation?
- In view of the role of the private sector and civil society in managing the day-to-day impacts of migration, how can governments work with these groups to promote well-managed migration?
- What role will these actors have after the adoption of the global compact to assist States in fulfilling their commitments?

11:30 - 13:00	<b>Panel 5 – The global compact on migration: an opportunity to synergize the efforts of the international community</b>
	<p>In order to ensure that international commitments translate into actual assistance to people who need it, international organizations should help States strengthen their responses and cooperation. This implies a need to strengthen the UN’s leadership and capacities on migration. As the former SRSG, Peter Sutherland outlined in his report, there are 5 core areas where organizations must strengthen cooperation to perform better: 1. Anticipate and respond quickly to movements in a crisis, 2. Speak with one voice to deliver political messages, 3. Support and monitor implementation of SDG commitments, 4. Support “soft law” development and the formulation of common standards, 5. Work towards the conclusion of new, issue-specific treaties. This panel seeks to develop these themes into practical, actionable points and to share best practices already existing in these areas.</p> <p><b>Moderator: Götz Schmidt-Bremme</b>, Ambassador for the 2017-2018 GFMD Co- Chairmanship, Federal Foreign Office, Germany</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Mehmet Samsar</b>, Director General for Consular Affairs, Ministry of Foreign Affairs, Turkey</li> <li>• <b>James Cockayne</b>, Head of the United Nations University (UNU) Office at the UN, and Representative of the Chair of the Global Migration Group (GMG)</li> <li>• <b>Thomas Gass</b>, Assistant Secretary General for Policy Coordination and Inter- Agency Affairs, United Nations Department of Economic and Social Affairs (UN DESA)</li> <li>• <b>Maria Pia Belloni Mignatti</b>, World Organization for Early Childhood Education, Chair of the NGO Committee on Migration</li> </ul> <p>The following questions are proposed to guide the discussion:</p> <ul style="list-style-type: none"> <li>• How can we reach a greater system-wide coherence? (Engagement of UN with international financial institutions and private sector, engage with civil society, migrants, national governments)</li> <li>• How can international organizations help Member States in building genuine consensus towards a global compact?</li> <li>• How can we make the best use of relevant existing processes, mechanisms and initiatives in the field of migration?</li> </ul>

	<ul style="list-style-type: none"> <li>• In the modalities resolution, IOM was called to jointly service the negotiations and preparatory process to develop the global compact by “extending the technical and policy expertise required”. Which concrete recommendations can be addressed to IOM to help the Organization fulfil its role and maximize its assistance to Member States in the preparatory process for the global compact?</li> </ul>
13:00 - 15:00	<i>Break</i>
15:00 - 16:30	<b>Panel 6 - Implementing the global compact on migration: existing and envisaged cooperation and follow-up mechanisms</b>
	<p>The global compact should not just be intended to reiterate obligations and principles regarding international migration, but it should be envisaged as putting forward a set of actionable commitments, ways and means of translating them into practice and a framework for follow-up and review of implementation. This panel will look at cooperation mechanisms required for the implementation of the compact and at mechanisms for taking stock of progress achieved towards the commitments set therein, in order to ensure that the unachieved objectives remain under consideration by Member States in the medium and long-term. The discussion will also contemplate on tools for financing the development of capacities necessary for the implementation of the global compact. Furthermore, it could also help define the role of various stakeholders in the upcoming stages of the global compact process with a view of streamlining efforts and rationalizing resources.</p> <p><b>Moderator: Laura Thompson</b>, Deputy Director General, International Organization for Migration</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Jürg Lauber</b>, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Switzerland to the United Nations, Co-facilitator of the intergovernmental consultations and negotiations on the global compact on migration</li> <li>• <b>M. Riaz Hamidullah</b>, High Commissioner of Bangladesh in Sri Lanka</li> <li>• <b>Margaret Pollack</b>, Acting Deputy Assistant Secretary, Bureau of Population, Refugees and Migration, United States Department of State</li> <li>• <b>Berenice Valdez Rivera</b>, Coordinator of Public Policies, Institute for Women in Migration (IMUMI), Mexico</li> <li>• <b>Austin T. Fragomen Jr.</b>, Chair, Business Mechanism, Global Forum on Migration and Development</li> </ul>

	<p>The following questions are proposed to guide the discussion:</p> <ul style="list-style-type: none"> <li>• What mechanisms currently exist to facilitate cooperation regarding migration? What could be envisaged?</li> <li>• What has been done to enhance “cooperation at the national, regional and international levels on all aspects of migration” as outlined in the New York Declaration?</li> <li>• What cooperation gaps exist? How can these gaps be filled?</li> <li>• Looking ahead, how can we build the necessary consensus to consider in the future cooperation in areas where there is no agreement to cooperate for now? Will the global compact help in this?</li> <li>• How can we support States and regions whose priorities are aligned to the aspirations of the Agenda 2030 and the global compact, but that lack the necessary resources and capacities to put them into effect?</li> </ul>
<b>16:30 - 17:00</b>	<b>Closing Session</b>
	<ul style="list-style-type: none"> <li>• <b>Peter Thomson</b>, President, United Nations General Assembly</li> <li>• <b>Amina J. Mohammed</b>, Deputy Secretary-General, United Nations</li> <li>• <b>Laura Thompson</b>, Deputy Director General, International Organization for Migration</li> </ul>
<b>End of Workshop</b>	

# **CONCEPT NOTE**

**First workshop**

**18–19 April 2017**

**United Nations Headquarters, New York**





International Organization for Migration (IOM)

The UN Migration Agency

International Dialogue on Migration (IDM) 2017

**STRENGTHENING INTERNATIONAL COOPERATION  
ON AND GOVERNANCE OF MIGRATION TOWARDS  
THE ADOPTION OF A GLOBAL COMPACT FOR SAFE,  
ORDERLY AND REGULAR MIGRATION IN 2018**

First workshop, 18–19 April 2017

Venue: Conference Room 1, United Nations Headquarters,  
New York

CONCEPT NOTE

So far, our response to the global phenomenon that is migration has all too often been disjointed. There are numerous interested parties but insufficient coordination. We focus too much on problems; too little on solutions. In recent times, we have, arguably, become better at addressing immediate needs, but we struggle to develop a comprehensive, long-term vision for human mobility. – W.L. Swing at the IOM Council in December 2016.

In the New York Declaration for Refugees and Migrants, adopted by the United Nations General Assembly on 19 September 2016, Member States made a commitment, inter alia, to strengthen the global governance of migration through the development of a global compact for safe, orderly and regular migration. The global compact, guided by the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, is intended to promote international cooperation on migration. It seeks to create a comprehensive framework that will allow the field of migration

to be guided by a set of common principles and approaches and to foster more collaboration between Member States and relevant partners on international migration.

In the modalities for the intergovernmental negotiations of the global compact on migration,<sup>1</sup> Member States called on IOM to make use of its premier policy forum, the International Dialogue on Migration (IDM), to contribute to the preparatory process of the global compact. In line with this call, and with the role the IDM has had for over a decade, namely “to provide a forum to States as well as international and other organizations for the exchange of views and experiences, and the promotion of cooperation and coordination of efforts on international migration issues” (Art. 1(1) (e) of the IOM Constitution), IOM is dedicating the IDM in 2017 to in-depth dialogues aimed at stimulating exchanges of views between Member States and with other relevant stakeholders and identifying core elements for the global compact.

In line with a process that is open, transparent and inclusive, two separate IDM workshops will be convened under the overarching theme of “Strengthening international cooperation on and governance of migration towards the adoption of a global compact for safe, orderly and regular migration in 2018”, bringing together around the same table all relevant stakeholders. Participants, including government representatives, local and regional authorities, international organizations, non-governmental and civil society organizations, migrant and diaspora groups, the private sector and academia, will explore approaches to governance of international migration at the local, national, regional and global levels as input for developing the global compact for safe, orderly and regular migration.

With a view to connecting the diplomatic and expert communities in New York with the migration policy community in Geneva, one workshop will be held in each location.

**The first workshop will be held on 18 and 19 April 2017 in New York** and will discuss international cooperation on and governance of migration. The workshop will focus, inter alia,

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<sup>1</sup> See United Nations document A/71/L.58.

on migration governance at the global, national, regional and local levels, and on cooperation mechanisms, with a view to identifying concrete elements, models and potential actionable commitments for the global compact. A discussion on this topic will offer Member States and other stakeholders an opportunity to frame the core objectives for the global compact, and ground it in the existing normative framework and the 2030 Agenda for Sustainable Development. Specifically, the workshop will facilitate exchange on:

- Implementation of the migration-related Sustainable Development Goal targets (target 10.7 and others specific to migration), including results of the use of tools such as the Migration Governance Framework and the Migration Governance Index;
- Whole-of-government and whole-of-society approaches to migration, including consideration of the role of local authorities, diasporas and migrant communities, and the private sector;
- Coherence within and among different levels of governance;
- Strengthening migration governance capacities for the protection of migrants at risk, for facilitating labour migration, and for arrangements for return and reintegration consistent with international standards;
- Existing and envisaged cooperation and follow-up mechanisms aimed at facilitating safe, orderly and regular migration (including strengthening United Nations leadership and capacities on migration);
- How existing and envisaged cooperation mechanisms could best contribute to the elaboration and implementation of the global compact on migration.

The outcomes of this workshop will inform the preparatory process for the global compact and help elaborate recommendations covering various aspects of migration as identified in the New York Declaration, including, but not limited to, facilitating safe, regular and orderly migration; protecting the rights and well-being of migrants; reducing the incidence and impact of forced and irregular migration; and addressing the mobility dimensions of crises.

The **second workshop will be held on 18 and 19 July in Geneva** and will provide Member States and other relevant actors in the migration area an opportunity to explore protection of and assistance for migrants in vulnerable situations from a policy, cooperation and practical perspective. This is a key issue that is highlighted in the New York Declaration (paragraph 52: “We will consider developing non-binding guiding principles and voluntary guidelines, consistent with international law, on the treatment of migrants in vulnerable situations”), but not specifically captured in the themes for the informal thematic sessions. This is a critical issue for governance and cooperation on migration that requires detailed and practical consideration. The workshop will offer Member States and other stakeholders an opportunity to highlight their efforts to include migrants in their national plans for the protection of the most vulnerable groups of people, share challenges to the protection of migrants in vulnerable situations and recommend ways in which all relevant actors can reduce and address these vulnerabilities. Elements proposed for discussion under this theme will include:

- Identifying how and where migrant vulnerabilities arise;
- Crisis and non-crisis/forced and voluntary/regular and irregular migration scenarios: similarities and differences between protection and assistance needs and responses; what these situational responses can teach us and where there are gaps;
- Current practices and processes to identify vulnerable migrants in need of protection and assistance, including best practices and gaps in protection and assistance at the national level;
- Protection and assistance gaps within the contexts of migrant smuggling and separately in the context of human trafficking;
- Addressing the needs of children on the move;
- Cross-border cooperation on data collection, sharing and monitoring;
- This workshop is expected to identify challenges and put forward recommendations, including concrete and implementable measures, for consideration by stakeholders in their endeavour to develop the global compact on migration.

## Outcomes

Discussions during the two proposed workshops will help frame and complement the informal thematic sessions on facilitating safe, orderly and regular migration, and consequently provide important input for the intergovernmental negotiations leading to the development of the global compact on migration. The results of the 2017 IDM will be consolidated in a publication constituting part of IOM's contribution to the development of the global compact on migration, and specifically in relation to the elaboration of the first comprehensive global framework for cooperation on international migration.



# **SUMMARY OF CONCLUSIONS**

**First workshop**

**18–19 April 2017**

**United Nations Headquarters, New York**





International Organization for Migration (IOM)  
The UN Migration Agency

International Dialogue on Migration (IDM) 2017

**STRENGTHENING INTERNATIONAL COOPERATION  
ON AND GOVERNANCE OF MIGRATION TOWARDS  
THE ADOPTION OF A GLOBAL COMPACT FOR SAFE,  
ORDERLY AND REGULAR MIGRATION IN 2018**

First workshop, 18–19 April 2017  
Venue: Conference Room 1, United Nations Headquarters,  
New York

**SUMMARY OF CONCLUSIONS**

The International Dialogue on Migration (IDM) is the principal migration policy dialogue forum of the International Organization for Migration (IOM) and is comprised of Member States and partner inter-governmental and non-governmental stakeholders. In consultation with Member States, IOM's Director General decided to dedicate the IDM in 2017 to supporting Member State development of the global compact for safe, orderly and regular migration by providing an inclusive policy dialogue forum focused on key issues for consideration for the global compact on migration. IOM held the first IDM workshop of 2017 on the 18th and 19th April 2017 at the United Nations Headquarters in New York. The first workshop in the series was dedicated to discussing the theme "*Strengthening international cooperation on and governance of migration towards the adoption of a global compact for safe, orderly and regular migration in 2018*". This event gathered over 300 participants, representing governments, United Nations and other international and regional organizations, academia, the private sector, diaspora and migrant organizations, as well as civil society. It was opened by the Director General of IOM and the Special Representative of the Secretary General for International

Migration, and closed by the President of the General Assembly, the Deputy Secretary General of the United Nations, and IOM's Deputy Director General.

Over the course of two days, the workshop stimulated rich discussion on both the substance and the process leading to the development and planned consideration for adoption of the global compact on safe, orderly and regular migration in 2018, as well as it shared experiences and lessons learnt regarding migration governance and international cooperation on migration. Participants highlighted that the global compact on migration presents an historic opportunity to strengthen the protection of migrants' rights and enhance governance of and international cooperation on migration and stressed the necessity to make the most of this unique chance. Throughout the workshop, many echoed that this is a pivotal opportunity to make concrete commitments to vulnerable populations to ensure nobody is left behind.

In his welcome remarks IOM Director General, William Lacy Swing, recalled that "the global compact is expected to serve as a framework for comprehensive international cooperation to address human mobility and all aspects of international migration" placing the needs, capacities and contributions of migrants at its core, with a view to ensuring their safety, dignity and human rights. Central to IOM's vision of well-managed migration as a choice and not a desperate necessity are four core elements: (1) protecting the rights of migrants; (2) facilitating safe, orderly and regular migration; (3) reducing the incidence and impacts of forced and irregular migration; and (4) addressing mobility consequences of natural and human-induced disasters. The Director General also stressed the need for the process and outcomes to be inclusive and practical in order to succeed and make a real difference in the lives of migrants and in the ability of governments to manage migration humanely and effectively. He noted that this process is not starting from scratch. Many speakers echoed this theme, suggesting building on and implementing the existing normative framework and in particular the goals and targets set forth in the 2030 Agenda for Sustainable Development, the New York Declaration for Refugees and Migrants adopted on 19 September 2016 - which also ushered IOM into the UN system -- and the

report of former Special Representative of the Secretary General for International Migration, Peter Sutherland. Other key building blocks exist in the Berne Initiative's International Agenda for Migration Management, the Regional Consultative Processes and interregional forums on migration, IOM's International Dialogue on Migration, the Global Forum on Migration and Development, the High-Level Dialogue on International Migration and Development, the Sendai Framework for Disaster Risk Reduction, the Addis Ababa Action Agenda, the Paris Climate Change Agreement, as well as the Migration Governance Framework recently adopted by IOM's Member States, the Migration Crisis Operational Framework, the Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disasters, and the Nansen Initiative Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change, and more.

Many speakers focused on the need for policies that centre on "dignity in human mobility", ensure protection and promote safe, regular migration channels. The Special Representative of the Secretary General for International Migration (SRSG), Louise Arbour, pointed out that lack of effective global cooperation often leads to more restrictive migration policies, and called on the international community to strengthen collectively the narrative on migration to recognize the enormous contributions of migrants and migration, including to development. It was underlined that while governments retain the sovereign right to determine which non-nationals may enter and stay on their territories, consistent with the requirements of international law, cooperation is one of the most powerful expressions of and vehicles for concerted sovereign action. In this context, the panelists and speakers shared a wide range of examples of good practices from their own experiences and offered their ambitions and concerns for the way forward in the development of the global compact on migration.

The discussion was structured around six panels, each followed by a session for questions, comments and answers, and led by 35 speakers representing a balanced mix of policymakers and experts in the areas of migration governance and other migration-related fields. The composition of the panels allowed for good gender and geographical balance, with speakers, of whom 12 were

women, representing almost all regions of the world. In addition to SRSG Arbour, the President of the General Assembly as well as the Deputy Secretary General of the United Nations addressed the gathering, showing the strong commitment of senior UN leadership to the global compact on migration and to IOM's efforts to support its development. Each of the senior representatives of the United Nations, and many others, highlighted the important opportunity created by IOM's entry into the UN family.

The workshop addressed six main themes: 1) Implementing the Sustainable Development Goals and other frameworks; 2) The global compact on migration as a tool for migration governance and the role of global and regional actors; 3) Reaching a-whole-of-government approach to migration; 4) Promoting a whole-of-society approach to good migration governance; 5) The global compact on migration as an opportunity to synergize the efforts of the international community; and, 6) Existing and envisaged cooperation and follow-up mechanisms for Implementing the global compact on migration.

This document summarizes the main conclusions of the deliberations held over the course of the two days.

Several key areas of convergence emerged:

- 1. The need to ensure that commitments are implemented.** Political will is crucial in strengthening collective approaches to migration but many noted the importance of enhanced operational capacity and resources for effective implementation of the migration-related commitments in the international normative framework, including, importantly, the 2030 Agenda for Sustainable Development. Building a comprehensive approach to migration through the global compact on migration should ensure that migration governance is consistent and coherent with human rights, humanitarian and development considerations and takes into account each of these considerations. Panelists from Italy, Ecuador and Mexico, among others, recalled the enormous contributions that migrants and migration make to development. Italy's objectives in this regard are based on three key elements: investing in, protecting and valuing

the contribution of migrants and migration. The prevailing message is that increasing opportunities for safe, orderly and regular migration should be prioritized globally, with States leading the effort, but with the active collaboration of civil society and other actors. Several speakers expressed the hope that by facilitating mechanisms that encourage regular migration, more people will avail themselves of formal migration processes, rather than clandestine methods with all their attendant risks. The Canadian Minister of Immigration, Refugees and Citizenship emphasized that, as there will always be migration, planned and well-managed migration, including robust regular pathways, is essential. He suggested starting with the Migration Governance Framework as the foundation for well-managed migration policies and building from there.

2. **The need to protect and empower vulnerable migrants.** A central issue that came up time and again over the two days was the need to protect vulnerable migrant populations, and particularly women and children. Equally importantly were calls to avoid assuming or characterizing all migrants as victims, and to recognize the capacities and agency of migrants. Multiple statements were made advocating for gender and age- sensitive considerations to be considered. There were specific calls from NGOs to end detention of children on migration grounds and to act consistently in accordance with the best interests of the child. Throughout the workshop, civil society representatives emphasized the importance of the global compact addressing the protection of unaccompanied children, notably the representatives from the International Catholic Migration Commission, ICRC, the Holy See, the NGO Committee on Migration and Caritas Internationalis.
3. **Reinforcing the importance of a whole-of-society approach to migrants and migration, and the need to combat racism and xenophobia, and reframe the migration narrative in positive terms.** A recurring theme throughout the workshop was the necessity of including not only all ministries of governments with responsibilities on migration or that affect migration – such as justice and home affairs, foreign

affairs, development, health, education, labour and social affairs, environment and more – to ensure a whole-of-government approach, but also civil society, private sector, diaspora communities, migrants, origin and host societies, local authorities, schools, academia and more in migration efforts to generate and sustain a coherent and truly whole-of-society approach to migration governance. Several speakers emphasized the need to reframe the migration narrative in positive terms. Through the work of actors at all levels, racism and xenophobia can be curtailed, and the merits of migration can be championed. Suggestions included civil society actors partaking in campaigns to inform the debate about the realities of migration and in fighting erroneous, dehumanizing public discourse about migration. This should include private sector actors, particularly employers -- to recognize and broadcast the contributions migrants bring to the labor force -- and the media -- to disseminate positive stories about migrants and refugees. While many spoke about the significant positive impact of remittances for countries of origin, it was underlined that some noted that campaigns on the contributions of migrants go well beyond remittances and include knowledge and skills transfers, entrepreneurship and innovation, trade and investment, as well as important social, cultural and other contributions.

4. **The need for synergized efforts of the international community.** Beyond regional consultative fora on migration, which exist in nearly every region of the world and have a critical role to play in fostering dialogue and cooperation amongst Member States on specific migration challenges and opportunities, a resounding theme in the workshop was that the entry of IOM into the United Nations system is a positive step toward strengthening UN leadership on migration. The international community needs to validate and take concrete steps to ensure the effective implementation of existing normative frameworks, including as a necessary step towards advancing common goals for international cooperation. The development of voluntary, targeted mechanisms to promote improved migration governance in specific areas of migration, for example on labour mobility, can facilitate the attainment of these goals. Information and best practices should be

exchanged among practitioners to allow the identification of shared interests and areas of aligned efforts between different actors at national and international levels. Implementation of joint actions at the transnational level, promoting evidence-based programming by encouraging long-term, systematic and comprehensive data collection and monitoring and evaluation schemes, will be pivotal in this regard. Several speakers, including the representative from Guatemala, highlighted the importance of international dialogues in developing synergized governance schemes for migration processes. The Minister of State of Sierra Leone highlighted the relevance and significance of IOM organizing the International Dialogue on Migration in New York, where the global compact will be negotiated, and to have done so at the very beginning of the global compact on migration consultation phase. The Regional Consultative Processes on Migration (RCPs) – from the Regional Conference on Migration in Central America, Mexico and North America, to the South American Conference on Migration, to the Abu Dhabi Dialogue in Asia and the Gulf Cooperation Council and the Bali Process and more – are critical to forging understanding and cooperation on migration. RCPs were identified by participants as often where the most in depth regional and bilateral cooperation results. One example of this is the Abu Dhabi Dialogue (ADD) amongst the main Asian labour origin countries and the Gulf Cooperation Council countries, accounting collectively for the largest labour mobility annually. Through the trust and confidence built over time in the ADD, the recent Ministerial consultation in Colombo, Sri Lanka, in January 2017, resulted in an agreed focus on (1) promotion and enforcement of fair labour recruitment, (2) certification and development of skills, and (3) leveraging technology, and ICT in particular, in partnerships between countries of origin and destination. Innovative pilot projects, such as that launched between the United Arab Emirates and the Philippines on improving recruitment practices and ensuring that workers do not pay for the services of recruiters, leveraging skills development, certification and mutual recognition, and preparation of workers for return and reintegration, with a longer term goal of establishing a shared digital platform, emerged from the ADD RCP and provide just one example of the important

contributions these mechanisms make to improving migration governance.

5. **The need for a holistic, comprehensive approach.** With nearly all countries today simultaneously, albeit to varying degrees, being countries of origin, transit and destination for migrants, national migration policies need to be balanced and comprehensive, and address nationals moving abroad, migrants transiting through, and migrants coming to their countries, as well as mechanisms for international cooperation. Global migration priorities and principles need to take account of different national and regional migration realities. A unified vision on migration at the national level, as well as coordinated policies that are coherent and comprehensive, are needed. Development, security and protection perspectives on migration, amongst others, need to be integrated and mutually supportive elements of a whole-of-government approach to migration. Many stressed the importance of a whole-of-government foundation for work on the global compact. National government institutions must work together with other governments, and also within their own states at the subnational and local levels, systematically bringing in mayors and other local authorities, who have important roles to play. There were calls for the establishment of coordination mechanisms to assist the various ministries and other relevant government partners to develop and implement a “whole-of-government” approach to migration. This would help local governments to manage greater diversity and contribute to national, regional and global policies and migration governance. At multiple points, panelists and interveners expressed the need for local government actors to be included in the consultative and implementation process. Discussions underlined the need to enhance capacity, encourage horizontal cooperation and to engage both rural and urban administrations. Moreover, “localizing” migration governance requires integrating it in education, social service delivery and rural development plans. To this end, local administrations must break down barriers to working with both international and internal migrants. Mayor Somers of Belgium, awarded for his efforts to welcome and implement long-term integration mechanisms for refugees and other migrants in recent years,

shared his recommendations including that the entire society needs to make efforts for integration to occur successfully, and that we need to encourage societies built on common values and universal human rights (fostering inclusion rather than exclusion or division).

6. **Understanding the drivers of migration.** Many States called for an understanding of the drivers of regular and irregular migration. It is necessary to take stock of the complexity of causes, such as macrolevel factors like poverty and fragile governments, mesolevel factors such as social networks and political frameworks, and microlevel factors, like education and access to work, to name a few. Identifying these nuanced drivers will allow a more comprehensive strategy and response for migration governance.
7. **Implementing the global compact on migration and setting-up a robust follow-up mechanism.** A recurring sentiment expressed in the workshop was the need for this endeavor to succeed. Many speakers underscored therefore that the global compact should focus on practicable outcomes and effective implementation rather than on simply restating principles. Many also emphasized a priority on setting realistic expectations and for specific indices to track and monitor implementation of goals established by the global compact. While it is too early to have a clear view on the particular set of indices needed, many expressed the need to include clear indicators and benchmarks to measure progress and outcomes of commitments agreed upon in the global compact. The Swiss Permanent Representative to the UN in New York, Jürg Lauber, offered several examples of how the Swiss Government has already implemented coherent and holistic approaches regarding migration management, notably with international cooperation and multi-stakeholder alliances domestically. The way forward requires the elaboration of a set of practical, actionable commitments, articulated within a multi-lateral and human rights-based framework, with ways and means of translating them into practice as well as proposing a framework for follow-up and review of implementation. Cooperation mechanisms at regional and

other levels – between states of origin and destination and with civil society, private sector and other critical actors -- must inform the development of the global compact as well as its implementation, including reviewing and taking stock of progress achieved.

8. **The need to be clear on the role of civil society.** The discussion surrounding the whole-of-society approach fostered clear agreement on one critical aspect: participation of civil society, the private sector, diaspora communities, academia and migrants themselves, is imperative in strengthening migration practices at the national level and in the consultative process leading to the development of the global compact. Members representing civil society organizations [including Monsignor Robert Vitillo from ICMC, Maria Pia Belloni Mignatti of the NGO Committee on Migration, Berenice Valdez River of IMUMI and Ashley William Gois, Regional Coordinator, Migrant Forum in Asia] spoke passionately about the important role of civil society and multi-stakeholder participation in the processes for the development of the global compact. Government representatives from Canada, Costa Rica, Chile, Colombia, Switzerland and others echoed this. Some NGO representatives called for a more institutionalized role for civil society in the global compact consultations. While there was general consensus that civil society has an important role to play, States were also clear that the process needs to be a State-led one.

Speakers were eager to highlight good practices in their country, at national, transnational and local levels. States shared good migration practices in areas such as civil registration [Sierra Leone and South Africa], use of remittances--especially harnessing the nexus between migration and development [Mexico]— and inclusive policies that build societies based on common values and universal human rights so as to foster inclusion rather than exclusion [Mayor Somers, Belgium]. Many States also shared examples of national and regional policy initiatives concerning combating and preventing human trafficking [Costa Rica, Egypt, Nigeria, Myanmar and Burundi].

In addition to good practices, discussion during the workshop offered a wealth of ideas for further action to be taken leading up to the global compact negotiations, including to:

**Establish priorities for the global compact.** Given the wide range of issues which might be included in the global compact, several speakers emphasized the importance of setting priorities, with many suggesting that a key focus should be on ensuring the protection of the rights of migrants and specifically the need to address the situation of migrants in vulnerable situations, whether in countries of origin, during transit, at destination or upon return.

**Compile evidence that speaks to the benefits of migration.** Both the global compact and the consultative process leading to its adoption should emphasize the importance of evidence, particularly long-term, systematic and comprehensive data-collection and analysis. Reliable data and research should be harnessed in order to inform policy and to counter negative stereotypes of migration. Considerable evidence already exists and should be used, such as the recent report of the McKinsey Global Initiative entitled *People on the Move: Global Migration's Impact and Opportunity*.

**Continue to promote and draw on regional consultative processes on migration.** Many States [Albania, Azerbaijan, Burundi, Colombia, the Democratic Republic of the Congo, Eritrea, Kenya, Myanmar] expressed gratitude to IOM for its role in providing technical assistance and/or facilitating regional dialogue on migration. Several speakers shared their country's desire for IOM to continue to support regional and transnational processes that allow exchange of information and development of cooperative arrangements. Delegates from South America and Africa were particularly supportive of continued regional dialogues concerning migration governance and management.

**Rely on existing frameworks to define benchmarks for the global compact.** Several comments recalled that existing normative frameworks should be the basis for further commitments and action on the global compact. The representative of Sweden, as well as several other speakers, mentioned existing frameworks such as IOM's Migration Governance Framework, Special

Representative Sutherland's report, and the 2030 Agenda for Sustainable Development Goals as important bases for establishing ambitious benchmarks for the global compact.

**Establish a graduated timeline to achieve targets.** Some noted that the targets in the global compact could be aligned with the 2030 SDG Agenda in terms of timelines for targets and indicators. The International Catholic Migration Commission and the NGO Committee on Migration provided specific examples of proposed measures that could be achieved within a two-year framework (e.g. the best interest determination for children); a five-year framework (e.g. a 60% reduction in persons trafficked across borders from the 2018 figure); and a 12-year framework for other actions (e.g. a reduction in the number of forced migrants). Deciding on common targets and their timelines should, it was suggested, be part of the negotiation process.

**Consider inclusion of financial institutions in subsequent dialogues and consultations.** Participants appreciated the contribution from Austin T. Fragomen Jr., representative of the Business Mechanism of the Global Forum on Migration and Development and some noted that other international and regional financial institutions (i.e. World Bank and IMF) should be present at future meetings given the importance of financial institutions and major development actors to implementing agreed commitments.

**Define terminology.** Over the course of the workshop, several representatives identified the need for clarification of migration terminology. Several States [Ambassador Juan José Gómez Camacho from Mexico, the representative from Colombia, the representative from South Africa, and the representative from Kenya] all expressed a need for using common, agreed migration terminology in the global compact. Today the language about migration is influenced by negative emotions and associated incorrect narratives. The negotiations of the global compact must be based on an accurate description of migration supported by reliable data and not influenced by negative stereotypes. Many participants [including the Representative from Colombia] advocated the need to remain consistent in using "regular" rather than "legal" migration and "irregular" rather than "illegal" migration as the latter implies a "punitive approach."

**Establish a committee to track progress.** The International Catholic Migration Commission has played a coordination role among civil society in the Global Forum on Migration and Development (GFMD) and in the lead-up to the New York Declaration. The Civil Society Action Committee created the “Act Now Joint Statement and Scorecard” in order to promote a timely implementation plan for the commitments made in the New York Declaration. A similar committee should be created in order to track the progress of implementation of global compact commitments. The committee should be comprised of, amongst others, civil society, private sector, and migrant representatives.

In the closing session, the President of the United Nations General Assembly, His Excellency Peter Thomson, and Her Excellency Amina J. Mohammed, the Deputy Secretary-General of the United Nations, both offered remarks affirming the importance of the development of the global compact on migration to the United Nations. The New York Declaration and September 2016 Summit for Refugees and Migrants were important steps in launching this comprehensive approach to human mobility that the global compact on migration offers the international community. Both called upon IOM to bring its substantial technical and policy expertise gained from working with migrants and governments throughout the world to support ambitious outcomes, and the Deputy Secretary General praised IOM for holding this timely discussion in New York just a few months after IOM’s entry into the UN system, demonstrating the kind of leadership on migration that the UN expects of IOM. Both emphasized that the global compact on migration’s foundational premise must rest on the notion that migration is a potential benefit for all – migrants and their families, as well as the countries and communities they come from, transit through and come to.

Culminating remarks offered by IOM’s Deputy Director General, Laura Thompson, recognized the rich and wide array of viewpoints and experiences expressed by Member States and other relevant actors on enhancing international cooperation on and improving the governance of migration, as well as in identifying core elements for the elaboration of the global compact. It is clear even from this first dialogue at the outset of the process to develop a global compact for migration that well-managed

migration is indeed possible, and that there are many existing examples from States and other actors that can be drawn upon. As with the opening remarks for the workshop, the concluding comments offered a call for a true sense of solidarity and working collaboratively to make the concept of “safe, orderly and regular migration” a reality for migrants and their families and or societies worldwide.

### **Conclusion:**

The present summary is not all-encompassing. A comprehensive analytical report will be produced and include the outcomes of the two workshops of the International Dialogue on Migration scheduled in 2017. The report will be provided as input to, amongst others, the intergovernmental stock-taking conference scheduled in Mexico, in the first week of December 2017.

# **FINAL AGENDA**

**Second workshop**

**18–19 July 2017**

**Palais des Nations, Geneva**





International Organization for Migration (IOM)

The UN Migration Agency

International Dialogue on Migration (IDM) 2017

**UNDERSTANDING MIGRANT VULNERABILITIES:  
A SOLUTION-BASED APPROACH TOWARDS  
A GLOBAL COMPACT THAT REDUCES  
VULNERABILITIES AND EMPOWERS MIGRANTS**

Second workshop, 18–19 July 2017

Venue: Conference room XVIII, Palais des Nations, Geneva

FINAL AGENDA

This workshop of the International Dialogue on Migration (IDM) 2017 aims to offer a global platform to discuss and analyse migrants' vulnerabilities and capacities, guide appropriate policy, programmatic and operational responses to address them, and enhance resilience through protection and assistance services. It aims at identifying challenges and proposing elements for consideration in the elaboration of the global compact for safe, orderly and regular migration.

The overall objective of this second workshop is to address all aspects of migrant vulnerabilities and challenges involved, by: (i) understanding migrant vulnerability and clarifying terminology; (ii) identifying vulnerability and assessing the causes; (iii) reviewing the protection systems available to international migrants and specifying the protection gaps and needs; (iv) fostering consensus on appropriate policy response to migrant vulnerability before, during and after migration processes; and (v) developing frameworks for inter-agency cooperation and collaboration on policies to prevent, address and sustainably resolve migrant vulnerability.

The outcomes of this workshop, along with those of the first workshop organized in New York on 18 and 19 April 2017, will be included in a comprehensive report that will feed into the global compact on migration elaboration process as mentioned in the United Nations General Assembly resolution on the modalities for the intergovernmental negotiations (A/RES/71/280).

DAY 1	
09:00 – 10:00	<b>Registration</b>
10:00 – 10:45	<b>Opening</b>
	<ul style="list-style-type: none"> <li>• <b>William Lacy Swing</b>, Director General, IOM</li> <li>• <b>Tijani Mohammad</b>, Deputy Minister for Foreign Affairs and Regional Integration, Ghana</li> <li>• <b>Peter Thomson</b>, President, United Nations General Assembly (Video message)</li> </ul>
10:45 – 11:00	<b>Keynote remarks</b> <ul style="list-style-type: none"> <li>• <b>Ahmed Hussen</b>, Minister of Immigration, Refugees, and Citizenship, Canada</li> </ul>
11:00 – 11:35	<b>Migrants’ Voices</b> <ul style="list-style-type: none"> <li>• <b>Fatumo Farah</b>, Director, Himilo Relief and Development Association (HIRDA), The Netherlands</li> <li>• <b>Monami Maulik</b>, International Coordinator, Global Coalition on Migration</li> </ul>
11:35 – 11:50	<b>Setting the scene</b> <ul style="list-style-type: none"> <li>• <b>Vincent Houver</b>, Deputy Director Department of Emergencies, IOM</li> <li>• <b>Anh Nguyen</b>, Head, Migrant Assistance Division, IOM</li> </ul>
11:50 – 13:10	<b>Panel 1 – Understanding migrant vulnerability: concepts, drivers, protection frameworks and gaps</b>
	<p>Despite the growing prevalence and impact of migration, migration governance frameworks have not kept pace, and many migrants face significant protection risks during the migration process and after having reached their final destination. Protection frameworks for migrants fail to adequately implement migrants’ rights or to meet the needs of all vulnerable migrants in today’s world. It is important to underline that existing legal frameworks protect all individuals regardless of “category” and that all individuals are rights holders, but implementation needs to be better geared to meet the needs of all vulnerable migrants.</p>

	<p>The global compact on migration will have to address these gaps, but clarity is required on what is meant by the terms “vulnerable migrant” and “migrant in a situation of vulnerability”, as well as on the type of protection and assistance that should be afforded to such migrants. It is necessary to understand the terminology and to agree on the best way forward in meeting the significant operational challenges of providing protection and assistance to significant numbers of migrants in need of such services. This session will build upon the first IDM event (18 and 19 April 2017), which focused on international cooperation and governance of migration towards identifying elements, models and commitments for the global compact on migration. It will examine sociodemographic characteristics which, depending on the context, make some migrants more vulnerable than others: exploring gender, sex, age, ethnicity, disability, diversity and inclusion. This session will also discuss the adequacy of existing frameworks for addressing the protection and assistance needs in today’s migration context, identify protection gaps and discuss potential solutions to those gaps.</p> <p>Guiding questions:</p> <ul style="list-style-type: none"> <li>• How do global policy discussions address migrant vulnerabilities and what recommendations do they make?</li> <li>• How can stakeholders’ understanding of migrant vulnerability be increased?</li> <li>• What protection frameworks exist? How adequately are they implemented?</li> <li>• How can protection elements be incorporated/adequately taken into account in different areas pertaining to migration?</li> <li>• How can migration protection frameworks be better operationalized?</li> </ul> <p><b>Moderator: Vincent Chetail</b>, Professor of International Law, Director, Global Migration Centre</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Nanette Thomas</b>, Minister of Political and Public Affairs, Sierra Leone</li> <li>• <b>Md. Shahidul Haque</b>, Foreign Secretary, Ministry of Foreign Affairs, Government of the People’s Republic of Bangladesh</li> <li>• <b>Edward Hobart</b>, Migration Envoy, Europe Directorate, Foreign and Commonwealth Office, United Kingdom</li> <li>• <b>Matteo Biffoni</b>, Mayor of Prato, Italy</li> <li>• <b>Cecilia Jimenez-Damary</b>, UN Special Rapporteur on the Human Rights of Internally Displaced Persons (IDPs)</li> </ul>
13:10 – 15:00	<i>Break</i>

15:00 – 16:30	<b>Panel 2 – Identifying migrant vulnerabilities – structural and situational factors of vulnerability</b>
	<p>Migrant assistance and protection practitioners face significant challenges in identifying vulnerable migrants in migration flows who are in need of services. These challenges stem not only from the magnitude of migration flows and the different forms of protection risks to which migrants are exposed, but also from the lack of a comprehensive definition of “vulnerable migrant” and the inconsistent implementation of protection frameworks. This can lead to vulnerable migrants “falling through the cracks”. Furthermore, given the range of vulnerabilities, root causes and push and pull factors influencing migration decisions and patterns, there is no “one-size-fits-all” protection and assistance package to address the needs of vulnerable migrants or groups of vulnerable migrants. This session will map vulnerabilities and discuss challenges associated with identifying migrant vulnerability and assessing assistance needs. It will consider which categories of migrants could be deemed “most vulnerable” (level/degree of vulnerability) and in which contexts, as well as factors such as crisis and governance; lack of social cohesion (due to discrimination, xenophobia, racism, stigmatization, marginalization, alienation, social exclusion); trafficking; smuggling; environmental degradation/climate change; and disasters. The panel will present current practices and processes to identify vulnerable migrants in need of protection and assistance, with a view to learning from existing systems at country level.</p> <p>Guiding questions:</p> <ul style="list-style-type: none"> <li>• How should issues related to vulnerable migrants be addressed in the global compact on migration?</li> <li>• What are the protection needs of different legally recognized categories of vulnerable migrants, such as refugees, victims of trafficking and smuggled migrants?</li> <li>• What are the health determinants and vulnerabilities of migrant populations?</li> <li>• Can the assistance to vulnerable migrants framework serve to address protection needs of migrants who do not fall within these categories?</li> <li>• How can the international community promote effective and coherent response to the protection and assistance needs of all vulnerable migrants, regardless of context or migration status?</li> </ul>

	<p><b>Moderator: Lilana Keith</b>, Advocacy Officer, Labour Rights and Children’s Rights, Platform for International Cooperation on Undocumented Migrants (PICUM)</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Anna Makakala</b>, Commissioner General of Immigration Services, Immigration Services Department, United Republic of Tanzania</li> <li>• <b>Aud Kolberg</b>, Deputy Secretary General, Ministry of Foreign Affairs, Norway</li> <li>• <b>Roxana Castro de Bollig</b>, Director of Protection and Assistance to Nationals, Ministry of Foreign Affairs, Peru</li> <li>• <b>Elda Gladis Tobar Ortiz</b>, Executive Director, Salvadoran Institute for Comprehensive Protection for Children and Adolescents (ISNA)</li> <li>• <b>Natapanu Nopakun</b>, Director of Social Division, Department of International Organizations, Ministry of Foreign Affairs, Thailand</li> </ul>
16:30 – 18:00	<b>Panel 3 – Applying policy and operational frameworks in a migration context</b>
	<p>Migrants sometimes engage in unsafe and irregular migration practices, for a variety of personal, social, economic, political and environmental reasons. However, attempts to prevent unsafe and irregular migration rarely address the full range of factors involved. Similarly, protection risks faced by migrants en route vary significantly for a number of reasons, including age, gender, socioeconomic status, migration status and migration routes. Upon arrival in their final destination, many migrants remain vulnerable to violence, abuse, exploitation and rights violations. Migrants who return or are returned to their communities of origin to face circumstances similar to those that prompted their migratory process are likely to engage in further unsafe and irregular migration practices in the future. This panel will discuss responses currently in place at the policy and operational levels to address migrant vulnerability before, during and after migration.</p> <p>Guiding questions:</p> <ul style="list-style-type: none"> <li>• What types of policies and practices can be proposed to prevent irregular and unsafe migration before the migration process begins?</li> <li>• Which policy and operational frameworks/responses reduce the vulnerability of migrants to violence, exploitation, abuse and rights violations during the migration process?</li> <li>• How can responses, at policy and practical level, to trafficking and exploitation in emergency settings reduce the vulnerability of crisis-affected communities?</li> </ul>

	<p><b>Moderator:</b> Elizabeth Ferris, Research Professor, Institute for the Study of International Migration, Georgetown University</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>María Fernanda Rodríguez</b>, Deputy Secretary of Access to Justice, Ministry of Justice and Human Rights, Argentina</li> <li>• <b>Ola Henrikson</b>, Director General, Department of Migration and Asylum, Ministry of Justice, Sweden</li> <li>• <b>Ayoade Olatunbosun-Alakija</b>, Chief Humanitarian Coordinator, Emergency Coordination Center, Nigeria</li> <li>• <b>Pia Oberoi</b>, Advisor on Migration and Human Rights, Office of the United Nations High Commissioner for Human Rights (OHCHR)</li> <li>• <b>Nilambar Badal</b>, Program Director, Asian Human Rights and Culture Development Forum (Asian Forum - Migrants' Center)</li> </ul>
End of first day	
<b>Day 2</b>	
10:00 – 11:30	<b>Panel 4 – Integration and social inclusion as a means of addressing and mitigating migrant vulnerabilities</b>
	<p>Vulnerabilities can often lead to the exclusion and marginalization of migrants, resulting in rights abuses and anti-migrant sentiment. It is therefore important to engage at both the local and national levels to mobilize the actions of various stakeholders in order to address the challenges faced by migrants. Key players include local communities, migrant organizations (including members of the diaspora and migrants themselves), governments and the private sector. This panel will address the matter from multiple perspectives (e.g. health and labour market perspectives). Health is a human right and a precondition for migrants' successful integration. Leaving no one behind – addressing the health needs of migrants, and their access to health and other services – facilitates integration and social inclusion. Employment plays a critical role in facilitating economic inclusion, thereby enabling migrants to be active contributors to social and economic development.</p> <p>Guiding questions:</p> <ul style="list-style-type: none"> <li>• How can migrant integration and social inclusion be enhanced in the host society?</li> <li>• What role can the private sector play in building social cohesion and promoting diversity? What role does culture play in facilitating the social cohesion and integration of migrants and in promoting diversity?</li> <li>• What role do local authorities and city planners play in preparing the ground for newcomers?</li> <li>• What kinds of policy responses for each stage of migration can help ensure successful integration and inclusion?</li> </ul>

	<ul style="list-style-type: none"> <li>• How can changing the negative discourse on and public perception of migrants and migration in general contribute to successful integration outcomes?</li> </ul> <p><b>Moderator: Anastasia Crickley</b>, Chairperson, United Nations Committee for the Elimination of Racial Discrimination (CERD), Vice-President International Association for Community Development, Department of Applied Social Studies, Maynooth University, Ireland</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Marina Del Corral</b>, Secretary General of Immigration and Emigration, Secretariat General for Immigration and Emigration, Ministry of Employment and Social Security, Spain</li> <li>• <b>Carlos Arturo López Damm</b>, Ambassador, Undersecretary of Migration and Consular Services, Ministry of Foreign Affairs and Human Mobility, Ecuador</li> <li>• <b>Timur Shaimergenov</b>, Deputy Director, Head of the Policy Analysis Center, The Library of the First President of the Republic of Kazakhstan</li> <li>• <b>Hibaq Jama</b>, Councillor, City of Bristol</li> <li>• <b>Daniel Klein</b>, Founder of the project “The Perennial Plate” (documentary series)</li> </ul>
11:30 – 13:00	<p><b>Panel 5 – Promoting resilience and agency in support of vulnerable migrants</b></p>
	<p>This panel will discuss the protection needs of specific populations (i.e. children and women on the move and young migrants), examine the specific situations of both regular and irregular migrant workers and address issues such as labour exploitation, access to decent work, recognition of qualifications and informal work. The panel will also focus on the conditions of extreme vulnerability associated with people who are unable to flee from crisis-affected areas and their specific needs for emergency and livelihoods assistance. The discussion will examine the policy options for a more concerted focus on prevention of human-made crises, for example, through joint humanitarian- development and peacebuilding efforts that seek to address root causes. A key consideration in this panel will be how to build peaceful and secure environments in communities of origin, transit and destination.</p> <p>Guiding questions:</p> <ul style="list-style-type: none"> <li>• How can stakeholders engaged across the humanitarian-development nexus better tailor their responses to situations of migrant vulnerability, exploitation or displacement to build individual and community resilience, and engage migrants in crafting solutions to their situations?</li> </ul>

	<ul style="list-style-type: none"> <li>• How can policies and responses that harness the potential positive contributions of migrants in transit, destination and return communities be crafted to mitigate migrant vulnerability?</li> <li>• How can national and international stakeholders increase the implementation of resilience-based strategies that embrace mobility, particularly with regard to labour mobility schemes?</li> <li>• What do “universal health coverage” and “leaving no one behind” mean for migrants? How can these principles be achieved?</li> <li>• What continuum of support should be provided in different contexts, for example when making a key transition from solely/mainly humanitarian interventions to more development-oriented ones?</li> <li>• How can stakeholders support migrants in mitigating risks and diversifying opportunities, thereby reducing migrant vulnerability to displacement?</li> </ul> <p><b>Moderator: Daniela Reale</b>, Child Protection and Children on the Move Lead, Save the Children</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Khadijetou Mbareck Fall</b>, Minister Delegate, Ministry of Foreign Affairs and Cooperation of Mauritania, responsible for Maghreb and African Affairs, and Expatriate Mauritians</li> <li>• <b>Javier Darío Higuera</b>, Director of Migration, Consular Affairs and Citizen Service, Ministry of Foreign Affairs, Colombia</li> <li>• <b>Daniela Núñez Pares</b>, Director of Institutional Coordination for Migrant Health, General Direction of International Relations, Ministry of Health, Mexico</li> <li>• <b>Mechthilde Fuhrer</b>, Deputy Executive Secretary of the European and Mediterranean Major Hazards Agreement of the Council of Europe</li> <li>• <b>Sikander Khan</b>, Director, Geneva Office of Emergency Programmes, UNICEF</li> <li>• <b>Chidi King</b>, Director, Equality Department, International Trade Union Confederation (ITUC)</li> </ul>
13:00 – 15:00	<i>Break</i>
13:30 – 14:15	Side event
	<p><b>Book launch: <i>Migrants in Disaster Risk Reduction: Practices for Inclusion</i></b></p> <p><b>Moderator: Vincent Houver</b>, Deputy Director Department of Emergencies, IOM</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Denis McClean</b> UNISDR’s Chief, Communications and Outreach Communication and Media Unit</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Mechthilde Fuhrer</b>, Deputy Executive Secretary of the European and Mediterranean Major Hazards Agreement of the Council of Europe</li> <li>• <b>Lorenzo Guadagno</b>, Manager - Migrants In Countries In Crisis Capacity-Building Programme, IOM</li> </ul>
15:00 – 17:00	<b>Session 6 – Towards a global compact on migration: comprehensive and coordinated initiatives to reduce vulnerability and empower migrants</b>
	<p>This session will discuss how to operationalize the protection of migrants in vulnerable situations in the global compact on migration. The session will discuss how to successfully mainstream specific challenges of vulnerable populations, mobilize international coordination to address migration governance, and reflect on concrete policies and programmes to prevent, address and sustainably resolve migrant vulnerability. Discussions will consider different regional and international approaches to address migrant vulnerability and explore how to mainstream these approaches in the development of the global compact on migration. The session will equally provide the opportunity to examine the roles of various actors and how to engage them while maximizing coordination and cooperation opportunities and avoiding duplication of efforts and resources (i.e. whole-of-government approaches, the role of civil society in inclusion and changing the narrative, diaspora contribution to empowering migrants, and reducing vulnerabilities).</p> <p>Guiding questions:</p> <ul style="list-style-type: none"> <li>• What roles do the various actors have in preventing and addressing migrant vulnerability?</li> <li>• How can international cooperation and coordination efforts to address migrant vulnerability and empower migrants be strengthened?</li> <li>• How can the multilateral system foster discussions and consensus on the inclusion of these issues in the global compact on migration?</li> </ul>
15:00 – 16:00	Panel 1
	<p><b>Moderator: Jean-Christophe Dumont</b>, Head of the International Migration Division, Directorate for Employment, Labour and Social Affairs, OECD</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>George Jashi</b>, Executive Secretary, Secretariat of the State Commission on Migration Issues, Public Service Development Agency, Ministry of Justice of Georgia</li> <li>• <b>Gibril Faal</b>, Director of GK Partners, Interim Director of the Africa-Europe Diaspora Development Platform (ADEPT)</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>Marius Olivier</b>, Director, Institute for Social Law and Policy (ISLP), Extraordinary professor, Faculty of Law, Northwest University</li> </ul>
16:00 – 17:00	Panel 2
	<p><b>Moderator: Laura Thompson</b>, Deputy Director General, IOM</p> <p><b>Speakers:</b></p> <ul style="list-style-type: none"> <li>• <b>Md. Shahidul Haque</b>, Foreign Secretary, Ministry of Foreign Affairs, Government of the People’s Republic of Bangladesh</li> <li>• <b>Mahboub Maalim</b>, Executive Secretary of the Intergovernmental Authority on Development (IGAD)</li> <li>• <b>Christine Matthews</b>, Senior Policy Adviser, Office of the United Nations Special Representative of the Secretary-General for International Migration</li> </ul>
17:00 – 18:00	<p><b>Wrap-up and closing remarks</b></p> <ul style="list-style-type: none"> <li>• <b>Laura Thompson</b>, Deputy Director General, IOM</li> </ul>
End of workshop	

# **BACKGROUND PAPER**

**Second workshop**

**18–19 July 2017**

**Palais des Nations, Geneva**





International Organization for Migration (IOM)  
The UN Migration Agency

International Dialogue on Migration (IDM) 2017

**UNDERSTANDING MIGRANT VULNERABILITIES:  
A SOLUTION-BASED APPROACH TOWARDS  
A GLOBAL COMPACT THAT REDUCES  
VULNERABILITIES AND EMPOWERS MIGRANTS**

Second workshop, 18–19 July 2017  
Venue: Conference room XVIII, Palais des Nations, Geneva

**BACKGROUND PAPER**

The International Organization for Migration (IOM) held the first session of the International Dialogue on Migration (IDM) 2017 on 18 and 19 April at the United Nations in New York on the theme “Strengthening international cooperation on and governance of migration towards the adoption of a global compact for safe, orderly and regular migration in 2018”. Attendees examined aspects of international cooperation on and governance of migration and discussed concrete and implementable measures for consideration by stakeholders towards elaborating the global compact on migration.

On 18 and 19 July at the Palais des Nations in Geneva, IOM will hold its second IDM of the year on the topic “Understanding migrant vulnerabilities: A solution-based approach towards a global compact that reduces vulnerabilities and empowers migrants”. The workshop will offer Member States and other relevant actors the opportunity to explore all aspects of migrant vulnerabilities from a policy, cooperation and practical perspective. Participants will aim to discuss and propose concrete and implementable measures to reduce migrants’ vulnerabilities and respond to their protection and assistance needs.

This paper introduces some of the factors, drivers and capacities that shape the concept of vulnerability when applied to migrants and looks at different scenarios of migrant vulnerability and areas of action for policy and international cooperation. These elements, together with the existing frameworks, tools and best practices, will be further analysed and discussed during the workshop.

## Introduction

Migration is a megatrend in today's international system, with an unprecedented level of human mobility. Although most migration is voluntary and has a largely positive impact on individuals and societies, migration, particularly irregular migration, can increase vulnerability to violence, abuse, exploitation, and/or rights violations. Despite the growing prevalence and impact of migration, migration governance frameworks have not kept pace, and many migrants face significant protection risks during the migration process and after having reached their final destination. Limited data are available on the proportion of the world's 244 million international migrants who could be considered vulnerable, but the fact that there were 21.3 million refugees and 3.2 million asylum seekers at the end of 2015, an estimated 9.1 million migrants who are victims of forced labour, and an estimated 50 million irregular migrants worldwide in 2010,<sup>1</sup> gives an indication of the scale of the issue.

Protection frameworks for migrants have not shown themselves to adequately implement migrants' rights or to meet the needs of all vulnerable migrants in today's world. Existing legal frameworks protect all individuals regardless of "category" and all individuals are rights holders, but effective implementation needs to be better geared to meet the needs of vulnerable migrants. Furthermore, there is a lack of clarity on what is meant by the term "vulnerable migrant", and what protection and assistance might be afforded to such migrants. There is a need for clarity around this term and agreement on the best way forward in meeting the significant operational challenges of providing protection and assistance to significant numbers of migrants in need of such services.

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<sup>1</sup> <http://gmdac.iom.int/global-migration-trends-factsheet>.

## Existing frameworks

In the 2013 Declaration of the High-level Dialogue on International Migration and Development, representatives of States and governments reiterated their “commitment to prevent and combat trafficking in persons, protect victims of trafficking, prevent and combat migrant smuggling, and protect migrants from exploitation and other abuses” and called for the development of an effective and inclusive agenda on international migration that respects human rights.

Further, paragraph 29 of the 2030 Agenda for Sustainable Development specifically recognizes the positive contribution of migrants to inclusive growth and sustainable development, as well as the fact that international migration is a multidimensional reality of major relevance for the development of countries of origin, transit and destination, which requires coherent and comprehensive responses. It further pledges that States will cooperate internationally to ensure safe, orderly and regular migration with full respect for human rights and the humane treatment of migrants, regardless of their migration status. The Agenda also pledges that “no one will be left behind”, a commitment that would be meaningless if the world’s 244 million international migrants were not included in efforts to achieve the Agenda’s Goals.

The New York Declaration, adopted by the United Nations General Assembly following the 19 September 2016 Summit for Refugees and Migrants, also refers to the vulnerabilities of migrants to exploitation and abuse, and notes States’ commitment to “protecting the safety, dignity and human rights and fundamental freedoms of all migrants, regardless of their migratory status, at all times.”

Currently, the international system has four main bodies of law that relate to the protection of and assistance for migrants: international human rights and humanitarian law; international refugee law; international criminal law; and international labour law. International human rights law details the basic civil, political, economic, social and cultural rights that all human beings should enjoy, while international humanitarian law seeks to limit the

effects of conflict and protect those who are not participating in hostilities. Both bodies of law apply to all persons, including all migrants. International refugee law defines the term “refugee”, and establishes the legal rights and protections to which they are entitled, such as non-refoulement. This body of law applies only to refugees. International criminal law contains elements relevant to migration, specifically the United Nations Convention against Transnational Organized Crime, its Protocol against Smuggling of Migrants by Land, Sea and Air, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. The smuggling protocol aims to prevent and combat smuggling of migrants and to promote cooperation among State Parties, while also protecting the rights of smuggled migrants. The trafficking protocol aims to prevent and combat trafficking in persons, to protect and assist the victims of trafficking, with full respect for their human rights, and to promote cooperation among State Parties. Finally, international labour law contains provisions related to international labour migration and the rights of migrant workers. This body of law pertains specifically to migrant workers and their families.

### **Understanding migrant vulnerability to address protection gaps**

While international human rights law is applicable in all circumstances and for all persons, including migrants, it is rarely fully implemented in States’ responses to irregular migration.<sup>2</sup> Migrants, and the practitioners that assist them, are rarely equipped to pursue formal redress for human rights or other rights violations. It must be recalled that even when migrants who are vulnerable to violence, exploitation, and abuse fall outside of the existing definitions of migrants entitled to specific protection, specifically refugees and trafficked persons, or are not migrant workers, they will always be entitled to the respect for and protection of their inalienable human rights, based on the main human rights treaties. While many vulnerable migrants are

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<sup>2</sup> Alexander Betts, *Soft Law and the Protection of Vulnerable Migrants*, *Georgetown Immigration Law Journal*, Vol. 24, pages 533–552 (2010).

indeed smuggled migrants, and the smuggling protocol sets out specific protections for smuggled migrants in addition to calling for the protection of their rights, most State responses to migrant smuggling have focused on border control and law enforcement efforts and, in general, paid much less attention to the rights and protections elements of the smuggling protocol than they have in the trafficking protocol.<sup>3</sup>

There is therefore a need to better understand what is meant by the term “vulnerable migrant” or a “migrant in a situation of vulnerability.” In general, discussions of vulnerability tend to focus exclusively on those with legal definitions and specified protections (e.g. refugees, trafficked persons), or on an individual’s membership in groups (e.g. women, children, people with disabilities). This approach can obscure the fact that, within these groups, vulnerabilities vary significantly. Further, classifying individuals as vulnerable due to their membership in a particular group does not take into account the many factors that may protect an individual from exploitation or abuse, regardless of their membership in said group, and downplays the agency of individuals and their abilities to overcome vulnerability factors and achieve their migration goals. It also contributes to protection gaps, as protection actors may be blind to the needs of those who are not members of a protected class of migrant or of a group deemed vulnerable.

Finally, a narrow interpretation of vulnerability as a result of membership in a particular group compresses the broad range of factors, from the individual to the structural, that contribute to the vulnerabilities of particular groups and the individuals within them, and hinders the development of comprehensive prevention and protection responses.

In order to address these protection gaps, a more comprehensive understanding of vulnerability is necessary: one that does not focus solely on protected categories of migrants, or on a migrant’s membership in a particular group, but instead complements these approaches with a more complete understanding of the factors that contributed to the individual migrant’s or group of migrants’

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<sup>3</sup> International Council of Human Rights Policy, *Irregular migration, migrant smuggling and human rights: towards coherence*, page 71 (2010).

vulnerability, and the resources and capacities they themselves can mobilize to resist or recover from their vulnerability, and which would apply at any stage of the migration process and in any context. The adoption of such an approach would set the stage for more effective operational and programmatic responses, based in existing obligations, to current and future migration crises and would enable the international community to better meet the protection and assistance needs of vulnerable migrants.

### **Identifying migrant vulnerabilities – a proposed model**

Within the migration context, vulnerability can be defined as the diminished capacity of an individual or group to resist, cope with, or recover from violence, exploitation, abuse, and/or violation(s) of their rights. It is determined by the presence, absence and interaction of factors or circumstances that increase the risk of and exposure to, or protect against, violence, exploitation, abuse and rights violations. This definition is applicable not only to individual migrants, but also to families, groups and migration-affected communities. It requires a thorough assessment not only of the factors and circumstances that increase vulnerability, but also of the factors and circumstances that contribute to the ability of an individual migrant or group of migrants to resist and overcome risks, allowing for a more complete understanding of their needs and capacities.

There are multiple forms of exploitation and abuse, and there are a number of factors that are generally understood to make individuals and groups more or less vulnerable to them. For example, being female or transgender increases an individual's risk of sexual exploitation and abuse, while being in an irregular migration status increases vulnerability to labour exploitation. There are also a number of factors that may contribute to individuals and groups being more or less vulnerable to violations of their rights, depending on specific circumstances. For example, in some contexts being a boy decreases the risk of being denied the right to an education, and in some contexts a person's sexual orientation or gender identity can influence the risk of being denied the right to family life.

When considering the vulnerability of an individual, a family, a community or a group, it is therefore essential to consider what they are vulnerable to.

### *Determinants of vulnerability*

IOM's migrant vulnerability model conceives vulnerability, or capacity to resist or overcome violence, exploitation, abuse and rights violations, as the interplay of factors – rather than the result of membership in a vulnerable group – that either increase or decrease the vulnerability of individuals, households, communities and groups to violence, exploitation, abuse and rights violations. It analyses factors at the individual, household, community and structural levels, and takes into account the situational circumstance that can lead to greater exposure to these risks.

Individual factors are those related to the migrant as an individual (i.e. status in society, beliefs and attitudes). Individual characteristics are a central element in assessing vulnerability, as they contribute to an individual's vulnerability or resilience to risk factors, and determine how individuals respond to their household, community, structural and situational contexts.

Household factors are those related to the family circumstances of individuals, their role and position within the family, and family histories and experiences. Families are important in determining vulnerabilities as they are typically the option of first resort for individuals who require support, particularly for children and youth. Families offer both risk and protective factors with regard to exploitation and abuse. Individuals and their families are situated within a broader physical and social community context, and are affected by the community's economic, cultural and social structure and their position within it. Communities with strong social support networks and sufficient resources can offer support and protection to individuals and families; whereas being located in communities without such networks and resources can create risk factors for individuals and families.

At the broadest level, structural factors are the historical, geographic, political, economic, social and cultural conditions and institutions at the national, regional and international levels that influence the overall environment in which individuals, families, communities and groups are situated and which shape their economic, educational and migration decisions. Structural factors are typically relatively stable and have longer-term impacts.

Situational factors are circumstances or statuses at any level that have changed quickly and in unforeseen ways, for example as the result of the outbreak of conflict, a sudden and unexpected change to family situation or socioeconomic status, a change in migration status. Such changes can increase the exposure of individuals, families and communities to violence, exploitation, abuse and/or rights violations.

Further, circumstances change over time and differ throughout the phases of the migration process, and migrants are not vulnerable *per se*, but as a result of the constellation of factors affecting them at a particular time and in a particular place. An individual who has experienced trafficking for labour exploitation may escape the situation, recover and become an empowered advocate for the rights of trafficked persons. A family that has experienced a period of vulnerability can develop and implement strategies to improve their situation and reduce vulnerabilities over time. Communities that were once prosperous, with strong social networks, can become more vulnerable over time due to changes to overall economic conditions or the proliferation of organized crime. Assessing or predicting the vulnerability of individuals, households or groups therefore requires a holistic evaluation of the risk and protective factors of their circumstances, and the resources at their disposal.

### **Implications for policy and programming**

A comprehensive understanding of vulnerability has clear implications at policy and operational level, as it demonstrates the need for holistic responses aimed at reducing the vulnerability of individuals, families, communities and/or groups to violence,

exploitation, abuse or rights violations through consideration of the risk and protective factors at each level and at all stages in the migration process.

### *Addressing the integration continuum*

The successful integration of migrants depends largely on addressing the vulnerabilities that they may be prone to before departure and the potential risks they face upon arrival. This entails concrete actions such as ensuring access to health care and facilitating employment by proposing innovative forms of vocational training, skills assessment and qualification of foreign credentials. Policies and programmes should see integration as a process that begins before migrants' departure and extends well after their arrival. This process involves multiple stakeholders, ranging from private sector actors to local authorities in receiving countries. Private sector entities play a crucial role, not only as employers of migrants, but also as knowledge partners and key actors in the enforcement of legal obligations regarding the protection of migrants' human and labour rights. Local authorities and city planners are also important partners in addressing vulnerabilities. There is increasing demand for proper support and information-sharing to enhance their capacity to assess and meet the needs of new arrivals. Addressing challenges early on and in a concerted manner is helpful in overcoming the obstacles to gainful employment, health care, including psychosocial support, and other relevant services.

### *A holistic approach for sustainable results*

At the individual level, migrants who are vulnerable to or have experienced violence, exploitation, abuse or rights violations require responses that directly address their immediate needs, as well as ones that address the particular constellation of risk factors that contribute(d) to their vulnerability. Suitable responses could include, inter alia, access to appropriate accommodation; physical and mental health services, care and treatment; documentation,

legal and consular assistance; education, skills development and training; and livelihood and income-generation opportunities. Addressing risk factors should be understood along a continuum, with some risk factors more amenable to immediate solutions (e.g. temporary shelter, vaccination against preventable diseases), some to more medium-term solutions (e.g. improving educational attainment), while others may require longer-term or even lifetime efforts.

At the household level, a holistic response requires understanding the position of the individuals within the household, and addressing any household factors that contributed to their vulnerability. Responses could include family tracing and assessment; best interest determinations; family reunification; improving abilities to provide for children in a fair and equitable manner; improving abilities to provide for the care and maintenance of elderly and disabled household members; livelihoods and income-generating opportunities; support services for families left behind; and alternative care arrangements. Household level interventions may also require shorter- or longer-term approaches, depending on the particular risk factors being addressed.

Community-level programming tends to require medium- to longer-term approaches, as addressing community risk factors typically requires changes to broader social, economic, environmental and cultural factors. Programmatic interventions could include efforts to ensure that community members view women and girls as full and equal participants in the cultural, social, economic and political life of the community; that community members and leaders encourage full and equal participation of boys and girls in education; that communities encourage and support safe migration processes; and that communities have the skills, knowledge and resources necessary to adapt to, mitigate and reduce the effects of climate change and environmental degradation.

At the structural level, programming aimed at reducing migration-related vulnerability could include efforts to reduce structural inequalities and discrimination (i.e. policies that facilitate access to affordable health services for migrants, social protection mechanisms in place for migrants and their family

members); to improve the rule of law and the respect for human and migrant rights; and to ensure that appropriate migration governance frameworks, policies and practices are in place and implemented. Such responses tend to be longer-term, and require the leadership and participation of national governments and regional or international institutions.

Migrants' circumstances can quickly change in a number of ways. Appropriate programmatic responses to situational factors are varied and context-specific. One example of responses to situational factors is the counter-trafficking in crisis approach. Anecdotal evidence indicates that counter-trafficking responses need to be provided at the very onset of a crisis, even before victims have been identified, in order to prevent particularly vulnerable groups from being exposed to risks of trafficking, exploitation and abuse, by providing alternatives to negative coping strategies and by joining responders' efforts.

### *Improved coherence and capacity*

The broad adoption of a comprehensive approach to migrant vulnerability would complement existing, and significant, efforts to protect migrants while, at the same time, closing the gap between protection afforded to recognized categories of migrants and protection afforded to those who are experiencing violence, exploitation, abuse and/or rights violations, but are not within protected classes. This would more fully address the human rights of migrants, as it would enable the full protection of their rights regardless of their migratory or other status. Further, it would enable appropriate preventive measures, as this approach is designed not only to address protection risks once they have occurred, but to better understand and address vulnerabilities before they arise.

Over time, implementation of programmes based on this model would serve to enhance the evidence base on migrant vulnerability, as the collection and analysis of data on individual, household, community, structural and situational variables would facilitate a better understanding of what factors are in fact

associated with vulnerability, and how these factors may vary across regions and in different contexts. Such knowledge would empower the international community, national governments and migrants themselves to take appropriate steps to ensure the well-being of migrants, their families and their communities.

A general acceptance of this approach would allow humanitarian and development actors to best leverage their comparative advantages in protecting and assisting migrants. For example, organizations and agencies with social protection capacities could focus on programming aimed at addressing vulnerabilities related to individual and household factors, while agencies with development expertise could focus on interventions aimed at increasing communities' resilience to migration-related exploitation and abuse. Rights organizations could work to ensure that the rights of migrants are recognized and upheld, and humanitarian actors could ensure that the dynamics between human-made and natural disasters and migration crises are better understood and that the needs of all persons affected by crises, including migrants, are addressed in line with their rights.

### *Improved policy and international cooperation*

States, regional bodies, and international bodies are all currently affected by and concerned with the challenges associated with today's large-scale migration flows. A shared, comprehensive, and coherent approach to understanding the root causes, the push and pull factors, and the rights-based, effective and sustainable responses to migration would enable all actors to develop more effective policy and cooperation at the national, regional and international levels.

## Conclusion

When developing policies and protection frameworks at the national, regional and global levels, consideration needs to be given to what individuals, families, communities or groups of migrants are vulnerable to in a specific context, without focusing exclusively on recognized categories of vulnerable migrants. Therefore, when assessing or predicting the vulnerability of individuals, households or groups, States should always adopt a holistic evaluation of the risk and protective factors of their circumstances, and the resources at their disposal. Further, responses should differ, distinguishing between the needs that require an immediate short-term response and those that require prevention and long-term consideration, and resources should be directed to meet both kinds of needs, without leaving aside structural and long-term problems.

While looking at the specific needs of certain categories of migrants, such as children, those suffering from illness and trafficked migrants, it is essential to recognize in the global compact for safe, orderly and regular migration how to address the situational factors that make migrants vulnerable and to look at ways to increase resilience and empower migrants.

Solving structural vulnerability requires not only clear policies and frameworks, but their full implementation and monitoring. Responding effectively to the immediate needs of vulnerable migrants demands appropriate programmatic responses and distribution of tasks. For that reason, increasing cooperation and coherence, building national and regional responses for a shared and comprehensive approach that addresses the root causes of vulnerabilities is key.

There is a need for specific policy and practical schemes to prevent and reduce the exploitation of vulnerable migrants. The role of diasporas, the private sector, civil society, health personnel, schools and local institutions in these efforts should be acknowledged and increased. States and key partners should promote the role of integration, inclusion, access to health services, education and linguistic and cultural skills as a means to reduce vulnerabilities.

Finally, coherent, whole-of-system approaches are needed to address today's migration challenges. There is a particularly acute need to face the fact that many migrants suffer from violence, exploitation, abuse and rights violations during their migration processes, and they need protection from further mistreatment and assistance in recovering from their experiences. IOM proposes an integrated and comprehensive approach to meet these challenges and to improve the capacity of the international community as a whole to work towards the same goal: safe, orderly and regular migration for the benefit of migrants and society. It aims to provide States, policymakers and regional and international forums with an appropriate framework for analysis, policy and programmatic responses as well as, over time, an increasingly comprehensive evidence base in which to embed such policy and cooperation efforts. In particular, this approach aims to inform the development of the global compact on migration, in its efforts to ensure safe, orderly and regular migration.

### **Selected further reading:**

- Summary of Conclusions of the IDM workshop held in New York, 18–19 April 2017
- IOM Thematic Paper: Protection of Human Rights and Vulnerable Migrants
- IOM Thematic Paper: The Health of Migrants
- IOM Thematic Paper: Integration and Social Cohesion
- IOM Thematic Paper: Family reunification
- IOM Thematic Paper: Migrants in Countries in Crisis
- IOM Thematic Paper: Climate Change and Environmental Degradation
- IOM Thematic Paper: Migration Risk & Resilience in the Context of Disaster

# **SUMMARY OF CONCLUSIONS**

**Second workshop  
18–19 July 2017  
Palais des Nations, Geneva**





International Organization for Migration (IOM)

The UN Migration Agency

International Dialogue on Migration (IDM) 2017

**UNDERSTANDING MIGRANT VULNERABILITIES:  
A SOLUTION-BASED APPROACH TOWARDS A GLOBAL  
COMPACT THAT REDUCES VULNERABILITIES  
AND EMPOWERS MIGRANTS**

Second workshop, 18–19 July 2017

Venue: Conference room XVII, Palais des Nations, Geneva

SUMMARY OF CONCLUSIONS

The International Dialogue on Migration (IDM) is the principal migration policy dialogue forum of the International Organization for Migration (IOM) and is comprised of Member States and partner inter-governmental and non-governmental stakeholders. In consultation with Member States, IOM's Director General decided to dedicate the two IDMs in 2017 to supporting Member State development of the global compact for safe, orderly and regular migration by providing an inclusive policy dialogue forum focused on key issues for consideration for the global compact on migration. IOM held its second IDM workshop of 2017 on the 18th and 19th of July 2017 at the Palais des Nations in Geneva. It was the second workshop organized within the framework of the IDM 2017 and built on discussions held from 18 to 19 April 2017 in New York which focused on issues around global governance of migration. This workshop was dedicated to discussing the theme "*Understanding migrant vulnerabilities: A solution-based approach towards a global compact that reduces vulnerabilities and empowers migrants.*" The event gathered approximately 400 participants, representing governments, United Nations and other international and regional organizations, academia, the private sector, diaspora and migrant organizations, as well as civil society.

Over the course of two days, the workshop stimulated rich discussion on both the substance and the process leading to the development and planned consideration for the adoption of the global compact on safe, orderly and regular migration in 2018. The workshop provided an opportunity to consider migrants' vulnerabilities and capacities, to guide appropriate policy, to discuss programmatic and operational responses to address vulnerabilities and to enhance migrant resilience through protection and assistance services. Participants highlighted that the global compact on migration presents a historic opportunity to address issues linked to situations of vulnerability for migrants, addressing their causes, reviewing the protection systems available to migrants and identifying implementation gaps in those systems, fostering consensus on appropriate policy responses before, during and after migration, and developing frameworks for inter-agency cooperation and collaboration on policies to prevent, address and sustainably resolve situations of vulnerability. Throughout the workshop, many echoed that this is a unique opportunity to make concrete commitments to vulnerable populations to ensure that nobody is left behind.

In his opening remarks IOM Director General, William Lacy Swing, reminded participants that this is a crucial moment in preparing the global compact on migration, recalling the significant progress in 2015 that set the stage for this process, including the UN General Assembly's adoption of the Agenda for Sustainable Development, the Sendai Framework on Disaster Risk Reduction, the Addis Ababa Action Agenda on Humanitarian Financing and the Paris Climate Change agreement. Together with the substantial body of human rights law and labour standards, this provides a solid basis for negotiating a global compact on migration.

Director General Swing suggested a number of points for participants to consider during this second IDM workshop: 1) International cooperation is at the heart of the global compact on migration. 2) The focus of this workshop is on situations of vulnerability for migrants. "We are not talking about creating a new category of migrants to whom specific protections are owed. Rather we are talking about migrants in vulnerable situations" he underlined. Discussions should thus focus on the specific situations that create vulnerabilities for migrants throughout the

migration process and the need to understand the factors that cause vulnerabilities, review available protection systems and foster consensus on how best to address migrant vulnerabilities. 3) This workshop needs to look at pathways to solutions and to make sure that human rights and dignity are upheld for all migrants regardless of status, including at the border, in return and readmission processes and in accountability mechanisms. There is a need to avoid assuming that all migrants are victims and instead recognize their capacities and come up with specific practical solutions for addressing their vulnerabilities. Social inclusion and community integration is a prerequisite for protecting migrants' rights. Actions need to be grounded in existing principles and frameworks to ensure that we implement commitments that have already been made. The follow-up phase must be discussed now if the global compact on migration is to succeed after its adoption.

In his opening remarks, Tijani Mohammed, Ghana's Deputy Minister for Foreign Affairs, noted that historically migration has played an important role in the country's development and that by the 1980s Ghana had developed a "culture of migration." He emphasized the importance of offering alternatives to youth living in areas of irregular migration and underscored the importance of inclusive governance. In this regard, the newly-created National Commission on Migration includes not only government officials, but also NGOs, academics and representatives of civil society and the media.

Peter Thomson, President of the UN General Assembly, offered remarks by video presentation, reminding participants that in the New York Declaration, States made a commitment to develop the global compact on migration which will be adopted at an intergovernmental conference in 2018. Three of the six thematic consultations have already been held and many more consultations and meetings are scheduled. He reported that in September the General Assembly will adopt a concise political declaration on combating trafficking, noting that the nexus between smuggling and trafficking is as prevalent today as when the Palermo Protocol was adopted in 2000. He welcomed IOM's leadership and the IDM's focus on migrant vulnerabilities, which was a theme that was also recognized in the Sustainable Development Goals (SDGs).

Ahmed Hussen, Minister of Immigration, Refugees and Citizenship of Canada, stressed the importance of this IDM workshop's focus on migrant vulnerability, sharing some reflections about ways in which Canada tries to reduce vulnerabilities at the international, bilateral and national levels. Canada promotes increasing regular pathways for mobility as a key means of reducing vulnerability. It is the lack of legal pathways which compels some migrants to take risky irregular journeys. At the bilateral and regional levels, Canada has prioritized supporting human rights and especially the rights of women and girls, citing examples where Canada took actions to prevent the exploitation of women, to provide employment opportunities to youth at risk and to ensure decent wages for migrants. At the national level, Canada's policy has been to help all newcomers through a whole-of-society approach that recognizes that Canada is a multicultural, multiethnic, multi-linguistic society. Canada's inclusive policies toward migrants enjoy broad public support and indicate that inclusive policies contribute to tolerance and prevent xenophobia. Minister Hussen also spoke of his personal experience of migrating to Canada in 1993 and expressed his gratitude for the generosity of welcome which encouraged him to integrate fully in the Canadian society. He noted that two decades after his arrival he was able to lead the department of which he was once a beneficiary.

As per its established practice the workshop included a migrants' voices session. Two migrant women, Fatumo Farah, head of HIRDA and Monami Maulik, International Coordinator of the Global Coalition on Migration, spoke of the importance of both migrant engagement in their communities as well as the key role played by diaspora organizations in contributing to the development of their countries of origin. Both shared with the audience their experiences and how their successful integration helped them and their organizations to better serve their countries of origin.

The discussion was structured around seven panels covering all aspects of migrant vulnerability, each addressing the main themes of the workshop: 1) Understanding migrant vulnerability: concepts, drivers, protection frameworks and gaps; 2) Identifying migrant vulnerabilities - structural and situational factors of vulnerability; 3) Applying policy and operational frameworks in

a migration context; 4) Integration and social inclusion as a means of addressing and mitigating migrant vulnerabilities; 5) Promoting resilience and agency in support of vulnerable migrants; and 6) Towards a global compact on migration: comprehensive and coordinated initiatives to reduce vulnerability and empower migrants.

The panels were led by 40 speakers representing a balanced mix of policymakers and experts in the areas of migration governance and other migration-related fields. The composition of the panels allowed for good gender and geographical balance, with speakers, 22 of whom were women, representing almost all regions of the world. Panel presentations were followed by interactive sessions for questions and comments in which many State and non-State representatives shared their experiences in addressing migrants' vulnerability. Deputy Director General Laura Thompson offered closing remarks, by indicating seven take-aways from this meeting – all of which are incorporated into the summary points below. She also underscored the complementarity of the two IDM workshops, with both emphasizing the centrality of international cooperation, the importance of holistic migration policies, and the need to implement commitments already made and to ensure a robust follow-up mechanism to the global compact on migration.

This document summarizes the main conclusions of the deliberations held over the course of the two days.

A number of key areas of convergence emerged in the discussion:

1. **Migrants are not inherently vulnerable.** There was a consensus that the terms “situations of vulnerability for migrants” or “migrants in vulnerable situations” should be used rather than “vulnerable migrants”. Although participants did not spend much time on terminology, many referred to the background paper which provided a definition of vulnerability as “the diminished capacity of an individual or group to resist, cope with, or recover from violence, exploitation, abuse, and/or violation(s) of their rights.” There is consensus on the various factors which influence one’s vulnerability and their interplay. Others, including Shahidul Haque, Foreign Secretary, Ministry

of Foreign Affairs, Bangladesh noted that vulnerability is a reflection of lack of power and resources. Aud Kolberg, Deputy Secretary General, Ministry of Foreign Affairs, Norway said that it is important to retain the distinction between refugees and migrants, a point reinforced by other speakers. As the New York Declaration underscores, while they face many similar challenges, they are governed by distinct legal frameworks.

Participants pointed out that the vast majority of today's migration is voluntary, legal and a positive force for development. They noted that the way we talk about migrants affects public opinion and thus it is important not to depict migrants as victims or as vulnerable but to emphasize that situational and structural factors which create vulnerabilities (Norway and Morocco). Migrants have agency, are drivers of development and should not be depicted as being a burden (Morocco). Moreover, as one participant affirmed, we need to see the human faces of migrants and not consider them only as units of labour (Colombia).

While much of the discussion focused on irregularity as a cause of vulnerability, a representative of the private sector, Mirela Stoia, Director, Immigration Services, PricewaterhouseCoopers, reminded participants that even those migrating via safe, orderly and regular pathways can face barriers to integration and difficulties in accessing services and need support. In addressing vulnerabilities faced by migrants, there is a need to differentiate between measures needed in the immediate short-term – such as responding to migrants' immediate needs – and longer-term measures to address the underlying structural causes of vulnerabilities, such as youth unemployment (Ethiopia). There is also a need for more data on migrants in vulnerable situations at every stage of the migration process (EU/DFID).

**2. The causes of vulnerability are both situational and structural.**

It is important to understand and address the complex array of factors that create vulnerable situations for migrants and also to recognize that migration patterns change over time. Factors in the country of origin, in transit and in destination can all create vulnerabilities. As Ayoade Olatunbosun-Alakija, Chief Humanitarian Coordinator, Emergency Coordination Center, Nigeria, explained, one of the principal drivers of migration is hopelessness.

Demographic characteristics, such as age, gender and disabilities can make individuals more vulnerable to difficulties encountered during the journey or upon arrival. While certain groups – such as women and youth – are not inherently vulnerable, they are likely to face specific challenges.

Situations in the country of origin, such as conflict, disasters, environmental degradation and internal displacement can increase the vulnerability of migrants. Cecilia Jimenez-Damary, UN Special Rapporteur on the Human Rights of Internally Displaced Persons (IDPs) highlighted the particular vulnerabilities of IDPs. In transit, migrants may face harsh physical environments, difficulties in accessing borders and may suffer exploitation and abuse at the hands of smugglers and traffickers – all of which increases their vulnerability. In the country of destination, migrants can encounter xenophobia and racism as Nanette Thomas, Minister of Political and Public Affairs of Sierra Leone, recounted. They also often face barriers to accessing employment and services – all of which increase their vulnerability. The lack of family and community support are factors that contribute to vulnerabilities as are negative media images of migrants.

There was considerable discussion of the vulnerabilities of irregular migrants. Those travelling by irregular means are vulnerable to abuse, exploitation, and violence en route, including by criminal smugglers and human traffickers. Many participants spoke of the need to crack down on smuggler networks and human traffickers (Myanmar, Argentina and Sweden). While further work is needed to address the particular concerns raised by smuggling and trafficking, the next thematic consultation in Vienna (September 2017) will provide an opportunity to focus specifically on this issue. At the same time there was a recognition that creating more safe, orderly and regular routes would go a long way toward reducing the vulnerability of migrants undertaking dangerous irregular journeys. Irregular status can also put migrants at risk in their countries of destination, as when they are unable to go to the police, get a driver's license or access services. Migrants who are caught up in crises in countries of transit or destination are also at risk and the Migrants in Countries in Crisis (MICIC) initiative was held up as a positive example of a multilateral initiative to respond to a particular situation of vulnerability.

More attention needs to be paid to the vulnerabilities of migrants in temporary and circular migration – processes which are usually assumed to function well. However, migrants working in such situations may not be able to express their agency given restrictions on such issues as labour mobility, timing of return, family reunions and measures preventing residency options.

3. **Special measures are needed to address vulnerabilities of children.** While accepting the premise that migrants are not inherently vulnerable, many participants, such as Gibril Faal, Director of GK Partners, Interim Director of the Africa-Europe Diaspora Development Platform (ADEPT) noted that children may be an exception given their inherent lack of capacity to deal with the challenges they face. There was an affirmation that children need to be protected, regardless of their migratory status. The example of migration corridors from Central America to Mexico was cited as an example where unaccompanied children face significant risks (Guatemala). Sikander Khan, Director, Geneva Office of Emergency Programmes, UNICEF underscored that a continuum of services for children is needed to ensure that they are protected at all stages of their journey. Several participants called for an end to the practice of detaining children (for example, Sweden and Honduras) and stressed the need for more information about alternatives to detention.
4. **Comprehensive policies are needed to address vulnerability in countries of origin, transit and destination.** Such policies should be grounded in international human rights law, labour standards and, where relevant, international humanitarian law and refugee law. Policies addressing the vulnerabilities of migrants need to be holistic, incorporating a whole-of-government and whole-of-society approach, including migrants' associations and civil society actors. Holistic policies should include measures to evaluate the risks facing migrants and provide differentiated responses on the basis of risks affecting specific groups of individuals, including for example, children, women, the elderly and those with disabilities. Such policies should uphold the rights of migrants, including labour mobility, reduce discrimination, improve access to justice and uphold the rule of law. Policies to address potential risks should be implemented both before migrants leave (so they understand

the risks, particularly when moving irregularly) and after they arrive in transit or destination countries are needed. For example, migrant service centres could be established in migration corridors to address vulnerabilities encountered by migrants en route (Sweden). Fair recruitment policies as spelled out by the International Labour Organization need to be implemented. María Fernanda Rodríguez, Deputy Secretary of Access to Justice, Ministry of Justice and Human Rights, Argentina, explained the ways in which the crime of trafficking is dealt with in Argentina.

Comprehensive laws and policies should integrate rights into legislation and provide guidelines and training for local officials. Participants from a wide range of countries shared examples of holistic and comprehensive policies at the national level, some of which are mentioned in the last section of this report on good practices. OHCHR presented the draft principles and guidelines on the protection of the human rights of migrants in a vulnerable situation, jointly developed with the GMG members representing a good starting point for inclusive frameworks and practical guidelines. Participants also stressed the importance of engaging local officials, noting that they are often the first line of contact for migrants. The role of consular officials in addressing vulnerabilities of migrants in destination countries should also be strengthened where necessary and again, examples of some good practices are included below.

- 5. Successful integration and social and economic inclusion are critical to address vulnerabilities.** Promoting integration and inclusion are powerful tools in reducing vulnerabilities faced by migrants in countries of destination. Natapanu Nopakun, Director of Social Division, Department of International Organizations, Ministry of Foreign Affairs, Thailand explained that migrants play an essential role in Thailand's economy and that many are well-integrated into the country as evidenced by ATM machines in migrants' languages. Marina De Corral, Secretary General of Immigration and Emigration, Secretariat General for Immigration and Emigration, Ministry of Employment and Social Security, Spain noted that integration is a two-way process in which migrants adapt to their new situation and the destination society also changes as it

incorporates newcomers, a sentiment that was affirmed by many other speakers as well. Integration is mutually enriching for both the migrant and the country of destination. Successful integration can re-shape the narrative about migrants and counter xenophobia. At the same time, successful integration does not mean closing migrants off from their country of origin.

Access to the labour market is a key driver of integration (Guatemala and Denmark). Skills recognition, training, and engaging with employers to promote diversity can be helpful steps to integration into the labour market (EU). This is an area where the role of the private sector is particularly important.

Language acquisition and enjoying access to health care and education can enable migrants to contribute to the development of both their countries of origin and destination. But sometimes migrants are unaware of services available to them and confront barriers in accessing them. As Nilambar Badal, Program Director, Asian Human Rights and Culture Development Forum noted, counseling centres at the community level are needed. In a similar vein, Roxana Castro de Bollig, Director of Protection and Assistance to Nationals, Ministry of Foreign Affairs of Peru noted, it is important that migrants themselves understand the laws. Chidi King, Director, Equality Department, International Trade Union Confederation, explained that another challenge which can increase migrants' vulnerability is the difficulty faced by migrant workers in organizing in order to collectively advocate for their rights.

**6. International cooperation is essential to the global compact on migration** and to addressing vulnerabilities of migrants. Many participants referred to shared responsibility for migrants as the cornerstone of international cooperation: responsibilities of the governments of countries of origin, transit and destination to work together as well as shared responsibilities between governments and migrants themselves. Enhanced international cooperation with other actors, including diaspora groups, the private sector, NGOs and other civil society actors is needed. As Timur Shaimergenov, Deputy Director, Head of the Policy Analysis Center, the Library of the First President of the Republic of Kazakhstan, noted there is a need for better data

from the country of origin. Javier Darío Higuera, Director of Migration, Consular Affairs and Citizen Service, Ministry of Foreign Affairs, Colombia, reminded participants that it is not just responsibility that is shared but also opportunities.

Cooperation at the international level is closely tied to coordination at the national and regional levels (Georgia). Strong coordination mechanisms at all levels reinforce each other. Several speakers, including Matteo Biffoni, Mayor of Prato, Italy, noted the importance of enhancing cooperation at the regional level. African States are presently working on a freedom of movement protocol and both the MICIC and the Nansen initiatives are successful models of state-led non-binding collaboration to address specific vulnerabilities of migrants.

**7. Policies and frameworks are important but must be implemented.** The key challenge in addressing vulnerabilities of migrants is not to create new norms and guidelines but rather to implement commitments already made, as underlined by Christine Matthews, Senior Policy Adviser, Office of the SRSG for International Migration, which was echoed by many others. In this regard, participants highlighted the centrality of international human rights law as underpinning all efforts to protect migrants in vulnerable situations. Pia Oberoi, Advisor on Migration and Human Rights, Office of the High Commissioner for Human Rights, provided an overview of the work of the Global Migration Group in drafting guidelines on migrants in vulnerable situations. Edward Hobart, Migration Envoy, European Directorate, Foreign and Commonwealth Office, United Kingdom emphasized that the challenge is how to integrate human rights into legislation. Participants emphasized that we are not starting from zero but should seek to implement decisions already taken. The shortcomings of the international system in addressing the situation of vulnerability and risks faced by migrants are a matter of lack of implementation and coordination, recalled Ola Henrikson, Director General, Ministry of Justice, Sweden. Too often, as Mahoub Mallim, Executive Secretary of IGAD, noted, governments participate in important meetings and commit themselves to working on an issue, but follow-up is limited.

Along these lines, participants underscored comments made at the first IDM workshop on the need to carefully plan the implementation phase following the adoption of the global compact on migration. Without monitoring and implementation, the global compact on migration would be an empty shell. Moreover, data and concrete tools are needed to measure the process of implementation.

**8. The particular challenge of returning migrants.** Returning migrants may face particular vulnerabilities, particularly when they have lived in destination countries for an extended period and when the country of origin faces political instability or economic difficulties (Afghanistan and Ecuador). In some cases, returned migrants do not feel like they are going home, but rather feel like migrants in their own countries (Colombia). In some countries (for example, El Salvador and Mexico) the governments have set up special programmes to facilitate the re-integration of returnees into their countries of origin. As Elda Gladis Tobar Ortiz, Executive Director, Salvadoran Institute for Comprehensive Protection for Children and Adolescents (ISNA) noted, special programmes have been established to deal with the protection needs of children deported from the United States.

**9. Acknowledgement of areas of challenge:** A theme that surfaced at several points in the workshop was the tension between security concerns and addressing migrants' vulnerabilities. States face the challenge of balancing competing demands: maximizing economic gains, protecting citizens, and maintaining state security (Bangladesh). Several governments, including Khadijetou Mbareck Fall, Minister Delegate, Ministry of Foreign Affairs and Cooperation of Mauritania, responsible for Maghreb and African Affairs, and Expatriate Mauritians highlighted the challenges faced in both protecting vulnerable migrants and addressing security concerns of reducing irregular movements and preventing terrorism. States also face the challenge of managing tensions between state sovereignty/national interest of the State and universal human rights and the challenge of matching capacity and resources with rising demand for governing migration and mobility (Bangladesh). Finally, while acknowledging that the rights of all migrants - whatever their status - should be

upheld, different opinions were expressed about the extent to which migrants in irregular situations should be encouraged to integrate into their country of destination.

- 10. Observations on the global compact on migration.** There seemed to be general support that the focus of the global compact on migration should be on safe, orderly and regular migration which is in line with the SDG goals. Different views were expressed on how to address irregular migration since it was recognized that irregular status is a key reason for vulnerability. As Shahidul Haque, Foreign Secretary, Ministry of Foreign Affairs, Government of the People's Republic of Bangladesh, explained, a key issue which governments will have to decide on is the nature of the global compact. Is it to be a binding legal instrument? A set of non-binding principles? A framework with measurable indicators such as the Agenda for Sustainable Development? Or an agreement similar to the Paris Climate Change Agreement which includes both binding and voluntary commitments?

## Sharing Good Practices

While recognizing that contexts differ tremendously, participants appreciated the importance of sharing good practices for reducing vulnerabilities. Some of these practices shared at the workshop included: In the United Republic of Tanzania, Anna Makakala, Commissioner General of Immigration Services, Immigration Services Department, reported that standard operating procedures have been developed for identifying and responding to migrants in vulnerable situations as well as an ethical code of conduct for immigration functionaries when dealing with vulnerable migrants.

As Hilbaq Jama, Councillor, City of Bristol, explained, the local government of Bristol, United Kingdom mobilizes community and volunteer engagement to provide a range of services to migrants and refugees, through, for example, community-based English classes and other services (e.g. reading programmes, free barber, legal assistance, child-minding services, drop-in centres, and many others.)

Art producers and media have an important role to play in changing the narrative about migration. Participants had a chance to learn from Daniel Klein about his project “The Perennial Plate”, a documentary series, and preview a short film intended to raise awareness of the vulnerabilities of migrants and introduce positive stories into a society that is mainly receiving negative stories about migrants.

The Philippines has developed a comprehensive information programme as a means of empowering migrants and reducing vulnerabilities through pre-departure orientation of migrant workers and through consular offices for Filipino migrants abroad.

Guatemala has developed a programme to assess migrants’ skills and match them with labour markets.

The Government of Colombia is working to enable migrants abroad to access basic services, such as pensions, and reducing the costs of remittances.

Mexico’s health ministry has developed a number of programmes to meet the health needs of its citizens living in the United States, including through an annual binational health week which benefited 240,000 people in 2016. Daniela Núñez Pares, Director of Institutional Coordination for Migrant Health, General Direction of International Relations, Ministry of Health, Mexico explained that the Ministry has also established health windows and mobile units to provide health care to Mexican migrants, developed a popular health insurance scheme for migrants, and provided health services to repatriated migrants.

Mechthilde Fuhrer, Deputy Executive Secretary of the European and Mediterranean Major Hazards Agreement of the Council of Europe explained that the Council of Europe, working with IOM and the International Strategy for Disaster Risk Reduction has developed guidelines and case studies for including vulnerable groups, such as migrants, refugees, asylum seekers, children, the elderly, and those with disabilities in disaster preparedness and risk reduction measures.

Thailand has implemented programmes to regularize migrants in irregular situations, to prosecute smugglers and traffickers and to organize awareness campaigns on safe migration.

UNHCR has developed tools to identify and assess vulnerabilities among the refugee population, including a vulnerability screening tool for persons in detention, a heightened risk identification tool and a rapid best interest assessment form for children as soon as a child is identified as vulnerable.

As Marius Olivier, Institute of Social Law and Policy, Extraordinary Professor, Faculty of Law, Northwest University, explained, there are positive examples in which countries of origin, particularly in Asia, are developing programmes to provide social protection such as portable social security benefits and participation in national insurance schemes to their migrants living abroad.

Many governments have developed comprehensive migration policies. For example, as George Jashi, Executive Secretary, Secretariat of the State Commission Migration Issues, Public Service Development Agency, Ministry of Justice of Georgia, explained, Georgia's migration strategy for 2016-20 brings together government agencies and civil society organizations to support integration, to provide international protection where needed, to mainstream migration into development plans, to strengthen migration management, and raise public awareness of migrants. Kenya has developed a whole-of-society approach to migration. Ecuador, as Carlos Arturo López Damm, Ambassador, Undersecretary of Migration and Consular Services, Ministry of Foreign Affairs and Human Mobility, reported, has strong migration policies, rooted in its constitution which, among other things, provides for the progressive end to foreign status in the country and provides for integration programmes built on differentiated needs, for example for women and children. Morocco has a holistic integration policy to ensure that migrants have the same social and economic rights as nationals. In Denmark, local authorities must offer an integration programme, including language and job training, for refugees and others. In Mauritania, a National Migration Management Strategy has been adopted and the National Migration Management Committee is chaired by the prime minister.

## Conclusion

The discussions in this IDM workshop, as many States affirmed, will provide substantive input into the global compact on migration, particularly in identifying the needs of migrants in vulnerable situations, understanding the causes of vulnerabilities and developing appropriate policy responses. The present summary is not all-encompassing. A comprehensive analytical report will be produced and will include the outcomes of the two workshops of the International Dialogue on Migration held in 2017.

The report will be provided as input to, amongst others, the intergovernmental stock-taking conference scheduled in Mexico, in the first week of December 2017 which will be an important opportunity to consolidate input into the global compact on migration.

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