

The Role of Regional Consultative Processes in Managing International Migration

No. 3

**IOM
MIGRATION
RESEARCH
SERIES**



IOM International Organization for Migration

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ISSN 1607-338X
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Prepared for IOM by
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May 2001



IOM International Organization for Migration

ACKNOWLEDGEMENTS

I am very grateful to Frank Laczko, Heikki Mattila and Bob Paiva for their extensive comments on an earlier version of this report.

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EXECUTIVE SUMMARY

Over the past ten years, there has been a significant increase in the number of regional consultative processes focussing on migration. These non-binding fora bring representatives of states, civil society and international organizations together at the regional level to discuss migration-related issues in a cooperative manner. Governments increasingly support regional consultative processes to address migration issues and are working ever more closely with each other under the auspices of such meetings.

Regional consultative processes are partly a response to the growing complexity and diversity of international migration. Their emergence attests to the importance that governments attach to a regional approach to migration management. Regional consultative processes have emerged in response to four basic trends: first, migration patterns have undergone a shift since the end of the Cold War: irregular migration, including the trafficking of human beings, has increased. Second, the international system was designed in a different era, with a different balance of power and different focal points in the world. Today, there are many more states involved in migration than before and new focal points of migration have emerged. Third, the majority of migration occurs on a regional basis, on the same continent, rather than intercontinentally. Fourth, a point that goes to the heart of regional consultative processes, regional consultative processes are non-binding and informal. Rather than acting as a brake to action, it appears that the non-binding nature of regional consultative processes actually encourages participation.

Regional consultative processes act informally, but focus on cooperative dialogue on migration issues. Information exchange and technical cooperation are emphasized. For example, with its introduction of a “virtual secretariat”, with both a public site and a private site for participating states,¹ the Puebla Process has merged modern technology and the need for information-sharing. The information-exchange and confidence-building that occurs in regional consultative processes is quite important in terms of developing links between states and influencing the likelihood of future bilateral and multilateral agreements. Within these loose fora, alliances which ultimately lead to bilateral or multilateral agreements can be created and strengthened.

This report outlines eleven regional consultative processes and investigates the development and achievements of four in depth. The report tentatively suggests that the development of regional consultative processes can be understood in terms of a four-stage model: first, the decision to address issues of concern in a cooperative

regional forum; second, to agree upon definitions, that is upon a “common language”; third, the agreement upon a Plan of Action or a list of goals and, fourth, a shift toward a more operational process. Nor is this fourth step a final one. It remains to be seen where regional consultative processes move and what they achieve.

INTRODUCTION

In the past ten years, there has been a marked increase in the number of regional consultative processes focusing on migration-related issues. Regional consultative processes have, in these years, been initiated in the Americas, Africa, Asia and Europe; on each continent, some type of regional consultative process, whether in a more advanced state of development or only slowly consolidating into more than just a series of meetings, is present. The first steps toward new regional consultative processes are being taken in more and more regions. Most recently, in October 2000, an International Conference on Migration was organized by the International Organization for Migration (IOM) in Dakar, the final Declaration of which is the first step in the establishment of a West African regional consultative process.

These non-binding consultative fora bring representatives of states, civil society (NGOs) and international organizations together at the regional level to discuss migration issues in a cooperative manner. Regional processes are fora within which informal discussions may be carried out and multinational agreements concluded, or the groundwork laid for such agreements. Within these loose fora, alliances can be created and strengthened that ultimately lead to bilateral or multilateral agreements on migration which otherwise might not have had the necessary support. In this manner, regional consultative processes complement the discussions on migration and decisions made in more formal and institutionalized settings, namely the United Nations, European Union and other regional bodies.

Governments increasingly recognize that migration needs to be managed at the regional level. Regional processes are a sign of a recognition that there is a greater need for a multilateral response if migration is to be managed successfully. States are increasingly realizing that migration is a challenge which cannot be addressed by one state alone. That there is a need for a regional approach when addressing migration is clearly recognized by both the United States and Europe. As US Immigration and Naturalization Service Commissioner Meissner said in inaugurating the Fifth Vice-Ministerial Meeting of the Regional Conference on Migration, or Puebla Process, in 2000, nation-states “have to recognize that the challenges created by migration do not begin or end at any one nation’s borders.” Likewise, the European Union governments, at the Tampere European Council Meeting in October 1999, called for more regional cooperation in addressing migration and the creation of “Partnerships with Countries of Origin”. Indeed, international migration is, by its very definition, a process involving at least two, and increasingly three or more, states, thus making cooperation an integral part of migration management.

Although regional processes are increasingly mentioned in policy or academic literature, there are few studies on the workings and achievements of the processes themselves. This paper seeks to rectify this omission by providing a comprehensive overview of regional consultative processes, their course of development, what it is they have to offer and why they have so rapidly grown in number. Thus, this paper aims not only to fill a gap in the literature but, at the same time, to provide a basis for further studies on regional consultative processes which are, likewise, lacking.

This paper will outline the key aspects of a number of regional consultative processes, will then move on to analyse their development process and attempt to suggest a means by which this process can be evaluated, and will explore four regional consultative processes in greater depth. Finally, this paper will evaluate these four processes and make some recommendations for the development and analysis of future processes.

THE REGIONAL CONSULTATIVE PROCESSES

Before moving on to a deeper discussion of the development and discussion of the processes, an introduction to the processes themselves is first necessary. The basic characteristic of regional consultative processes which distinguishes them from other regional bodies is their informal nature. As perhaps best highlighted by information from the IGC (Inter-Governmental Consultations on Asylum and Migration) (below), this feature leads to a number of advantages: (1) informality – they are a process, not an institution, meaning that working toward an eventual final goal is an important aspect of the process; (2) openness – as agreement on all issues is not required, all options can be explored openly, thus increasing the number of possible solutions to issues; (3) efficiency – as there is a minimum of administration, direct communication is more easily possible between high level officials and experts in regional consultative processes. As will be discussed below, these three points serve not only to distinguish regional consultative processes from more formal bodies but, in so doing, also offer an alternative forum in which to discuss migration issues – a forum which often helps prepare for better results in the more formal setting.

	IGC (Inter-governmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia)
Participants:	Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, Ireland, Italy, the Netherlands, Norway, Spain, Sweden, Switzerland, the United Kingdom and the United States. Also UNHCR, IOM and the European Commission
Secretariat:	IGC
First Meeting:	1985
Reason for Establishment:	An initial meeting in 1985, initiated by UNHCR, with 35 countries attending, discussed "The Arrivals of Asylum-Seekers and Refugees in Europe." As a result of this meeting, 7 states started an informal consultative process to address and to identify proper policy responses to the issues of increased numbers of asylum-seekers worldwide, the specific flight from internal upheavals, the importance of developing a comprehensive response to population displacement, the need to improve asylum application procedures and the increasing abuse of the system. Out of this mini-process, plans for a series of regular meetings were made, with a coordinator appointed in 1987 and, in 1990, the IGC Secretariat was created.
Financial Support:	Participating States make voluntary contributions to support the IGC Secretariat, which in turn sponsors the various meetings.
Main Goal:	Information exchange and policy debate on asylum, refugee and migration policies in the participating states.
Plan of Action:	None. Issues of common concern are identified in each Full Round of Consultations. The issue is then analysed and policy options are discussed.

Major Achievements:	Over 300 inter-governmental meetings have been held since 1985, addressing a wide range of relevant issues, consisting of annual Full Round meetings, monthly working groups on issues of primary concern, workshops and meetings. While exact achievements are difficult to judge, it can be said that the information exchange and informal cooperation, leading to more formal cooperation, is furthered through this longstanding regional consultative process. The IGC characterizes the process as having three essential features: informality – the IGC emphasizes that it is a process and not an institution; openness – agreement on all issues is not required, thus permitting participating states to explore all options openly; efficiency – direct communication among members is emphasized, with a minimum of administration.
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	Budapest Process
Participants:	Albania, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Macedonia, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, and United States
Secretariat:	ICMPD (International Centre for Migration Policy Development)
First Meeting:	1991, initiated by Germany
Main Goals:	To reduce irregular migration from Eastern and Central Europe toward Western Europe, especially smuggling of migrants, later more specifically to help Eastern and Central European states further EU acquis-adaptation. Divided into seven sub-areas, including return and readmission, cooperation between participating states, information exchange and technical assistance.
Plan of Action:	In 1997, 55 recommendations were issued at the ministerial (Ministers of the Interior) conference in Prague.
Major Achievements:	Over 60 meetings have taken place at various levels, addressing specific issues within seven categories. Progress has been made toward fulfilling EU requirements for accession, in visa approximation, readmission agreements, passing new legislation and in technical cooperation. Discussed in more detail below.

	Conference of Uncontrolled Migration Across the Baltic Sea
Participants:	Belarus, Denmark, Estonia, Finland, Latvia, Lithuania, Norway, Sweden, Poland, Russia, Ukraine, Germany. Observers: US and Canada
First Meeting:	1993, initiated by Sweden.
Main Goals:	To develop a constructive response to increased irregular migration flows to the Baltic states after the end of the Cold War. The focus was placed upon reducing transit migration via the Baltic states to the Nordic countries and/or EU. Initiated by Sweden specifically with the intention of moving to a multilateral or regional framework from bilateral contributions.

Major Achievements:	<p>Provided technical assistance to Baltic governments, assisted with creating legislation and infrastructure to deal with irregular migrants in the Baltics. Irregular migration was reduced in the Baltic region (difficult to assign cause and effect, but reduction took place).</p> <p>Note: No longer in existence as such, but succeeded by the Migration Committees of the Nordic Council of Ministers and the Baltic Council of Ministers. These two groups are regularly brought together with the assistance of IOM. The majority of the original participants of the Conference are still cooperating on the issue of combating irregular migration, but Belarus has left. The renewed focus is on EU enlargement, for which Latvia, Estonia and Lithuania are candidates, but Belarus is not.</p>
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	<p>CIS Conference (Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States) and Follow-Up Process</p>
Participants:	<p>Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan (45 countries – European states, Australia, US, Canada – took part in the initial steering committee)</p>
Secretariat:	<p>IOM, OSCE/ODIHR, UNHCR</p>
First Meeting:	<p>1995, at request of Russia</p>
Main Goals:	<p>To provide a reliable regional forum in which to address problems raised by population movements; analyse the population movements in order to determine the make-up of these movements; and develop a comprehensive strategy at the national, regional and international level in order to address these problems on the basis of the 1996 Programme of Action.</p>
Financial Support:	<p>IOM and UNHCR supported the annual meeting, and funding for projects within the Conference is provided on a project by project basis. The majority of the support is provided by the United States and Switzerland.</p>
Plan of Action:	<p>Programme of Action, agreed upon in 1996.</p>
Major Achievements:	<p>One of the major achievements has been the recognition of the importance of migration and protection issues. Many states did not recognize these issues as significant, but now do so. Organizational capacity, including administrative structures and technical assistance, has been developed and a legislative base has been established – a significant achievement, as these states had no migration legislation before. There are improved relations among CIS states as well as between CIS states and non-CIS states. NGOs play a significant role in the CIS Conference Process. Implementation issues do remain a problem. Follow-up activities are currently under review by participant states.</p> <p>Discussed in more detail below.</p>

	Puebla Process (Regional Conference on Migration)
Participants:	Belize, Canada, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama and the United States
Secretariat:	IOM
First Meeting:	1996, initiated by Mexico
Main Goal:	Management of irregular migration in and through the region. Specifically, solving the issues raised by international migration, the link between development and migration, combating migrant trafficking, cooperation on the return of extra-regional migrants, human rights and technical cooperation.
Plan of Action:	Agreed upon in 1997, new goals discussed in 2000.
Major Achievements:	Plan of Action largely achieved – seminars on specific topics have been held, information exchange has occurred as planned, technical assistance has been carried out. Many instances of one-off assistance among states. Discussed in more detail below.

	Manila Process (IOM Regional Seminar on Irregular Migration and Migrant Trafficking in East and South-East Asia)
Participants:	Australia, Brunei Darussalam, Cambodia, People's Republic of China, Indonesia, Japan, Republic of Korea, Laos, New Zealand, Papua New Guinea, Philippines, Thailand, Viet Nam and the Hong Kong SAR
Secretariat:	IOM
First Meeting:	1996 – outgrowth of an initial “Regional Seminar on Irregular Migration and Trafficking” organized by IOM with the Government of the Philippines
Main Goal:	Primary focus has remained on combating and reducing irregular migration and trafficking within the region.
Plan of Action:	No specific plan of action. Bangkok Declaration of 1999 (see below) plays this role to some extent.
Major Achievements:	Information-sharing has been a focus in the fight against trafficking. The participating states have shared reports on trafficking, anti-trafficking legislation and reports on other irregular migration on a regular basis, helping all participants gain an overall view of the phenomenon of irregular migration in the entire region. The participants initially called for the consideration of root causes, such as uneven development of migration along with irregular migration while also recognizing the essential impossibility of one country addressing irregular migration or trafficking on its own. Both of these viewpoints were later mirrored in the Bangkok Declaration, upon which the Manila Process itself now draws as a guide for future action. Most recently, a request was made by the Manila Process participants that IOM prepare a capacity-building training seminar on irregular migration and migrant trafficking, thus shifting the Process from regional dialogue to a more operational process. Discussed in more detail below.

	APC (Inter-Governmental Asia-Pacific Consultations on Refugees and Displaced Persons)
Participants:	Australia, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, China, Hong Kong SAR, India, Indonesia, Japan, Rep. of Korea, Laos, Malaysia, Myanmar, Nepal, New Zealand, Pakistan, Papua New Guinea, Philippines, Singapore, Solomon Islands, Sri Lanka, Thailand, Viet Nam
Secretariat:	APC, supported by IOM and UNHCR
First Meeting:	1996, arising from a meeting organized by Australia and UNHCR
Main Goal:	Advisory body to the governments in the region, provides an informal forum to discuss issues relating to refugees and displaced persons and has begun to expand to include migration in general. With well more than half of the participating states not party to the 1951 Geneva Convention Relating to the Status of Refugees,* the APC plays a particularly valuable role in providing a somewhat institutionalized protection mechanism for refugees, while permitting states the latitude to install their own mechanisms.
Plan of Action:	No specific plan of action. Bangkok Declaration of 1999 (see below) plays this role to some extent.
Major Achievements:	Recognition that countries of origin, transit and destination of refugees and displaced persons must work together and dialogue must be maintained. Discussions of the role and responsibilities of the countries of origin in a lasting solution for refugees and displaced persons. Note: There is some talk of uniting APC and Manila, as there is a great deal of overlap both in their membership and, to some extent, in their points of discussion. One possibility might be to have the Manila Process become part of APC, but as the core of the irregular migration and trafficking arm of APC.

	Bangkok Declaration on Irregular Migration
Participants:	Australia, Bangladesh, Brunei Darussalam, Cambodia, China, Hong Kong SAR, Indonesia, Japan, Rep. of Korea, Lao PDR, Malaysia, Myanmar, New Zealand, Papua New Guinea, Philippines, Singapore, Sri Lanka, Thailand, Viet Nam
Date:	April 1999. Result of a regional conference entitled "International Symposium on Migration: Towards Regional Cooperation on Irregular/Undocumented Migration"
History/Main Goals:	Issued some three years after Manila and APC were instituted, the Bangkok Declaration is at once the result of regional dialogue and the new stimulus for regional cooperation in the region, calling, inter alia, for new anti-trafficking legislation. In the Bangkok Declaration, the 18 participating states acknowledge that international migration has become an international problem and must be addressed from a multilateral perspective. Both regular and irregular migration should be regarded together in order to best address the issues. The Bangkok Declaration makes special note of factors which are unique to the region, in particular the Asian financial crisis and aftermath, the high incidence of trafficking and the fact that there are substantial differences in development as well as high poverty within the region.

*Not party to the 1951 Convention are: Bangladesh, Bhutan, Brunei Darussalam, Hong Kong SAR, India, Indonesia, Lao PDR, Malaysia, Myanmar, Nepal, Pakistan, Singapore, Sri Lanka, Thailand, Viet Nam.

	South American Meeting on Migration, Integration and Development
Participants:	Argentina, Bolivia, Brazil, Colombia, Ecuador, Paraguay, Peru, Uruguay and Venezuela (joined by Surinam and Guyana in 2001)
Secretariat:	IOM serves as "Technical Secretariat"
First Meeting:	July 1999
Main Goals:	In the "Lima Declaration", coming from the July 1999 meeting, the delegates declared that: "The importance of the migration processes in the region makes it desirable that they should be monitored for the purposes of the analysis and discussion of the question of migration, in order to find solutions consistent with the interests of the countries involved through channels characterized by dialogue and cooperation". The Buenos Aires declaration of May 2000 echoed this, emphasizing once again the cooperation of the South American countries on migration issues, as well as calling for respect for migrants' rights. The third major meeting under the auspices of this arrangement takes place in Santiago de Chile in April 2001.

	MIDSA (Migration Dialogue for Southern Africa)
Participants:	SADC members: Angola, Botswana, Comoros, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe
Secretariat:	IOM, IMP (International Migration Policy Programme)
First Meeting:	January 2000
Main Goal:	To facilitate cross-border inter-agency cooperation and to manage issues of migration in the Southern African (SADC) region.
Plan of Action:	<p>A summary report of the observations and conclusions of the Mbabane Forum, held in November 2000, broadly calls for focusing on: (1) an assessment of existing data on migration in Southern Africa in order to determine future needs of information collection, standardization and exchange; and (2) a review of regional approaches to border management and an assessment of future needs in the areas of technical assistance. The conclusions are divided into: (1) General Policy Concerns; (2) Steps Toward a Common Approach to Migration; (3) Rights and Obligations Relating to Refugees; (4) Research, Information and Data Exchange; (5) The Way Forward.</p> <p>A second MIDSA full-round meeting is planned for the end of 2001 in order to review and assess the progress toward the above points.</p>
Major Achievements:	The first follow-up meeting in November 2000 provided a forum for regional-level discussions on migration. A commitment to work together to address migration issues in the MIDSA regional forum is an important beginning to successfully addressing migration-related issues.

	Dakar Declaration (West African Regional Ministerial Meeting on the Participation of Migrants in the Development of their Country of Origin) and Follow-Up Process
Participants:	West African States (Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo), with representatives from Belgium, France, Italy, the Netherlands, Portugal, United Kingdom, Spain, Switzerland, the United States and intergovernmental organizations
Secretariat:	IOM
First Meeting:	9-13 October 2000
Main Goal:	The newest of the regional consultative processes, the Dakar Declaration and Follow-up Proposals of the Dakar Declaration have as their goal promoting peace and stability in the region as linked to migration, calling for the protection of migrants as well as the use of migrants in development – both through remittances and the insertion of highly skilled returning migrants into jobs in their home countries.
Plan of Action:	This Dakar Declaration will serve as the Plan of Action for the follow-up process.
Background:	Based on the existence of other regional-level treaties, two economic and one migration-related, in Western Africa, the Dakar Declaration takes as its point of departure a need to reduce conflict in the region and to protect those who have fled conflict or migrated as a direct or indirect result of conflict.

WHY HAS A REGIONAL CONSULTATIVE APPROACH TO MIGRATION MANAGEMENT EMERGED?

The emergence of regional consultative processes over the last ten years can perhaps be best understood as a regional-level response to changes in international migration trends and a growing recognition that the current international migration system, which was developed in another era with other determinants, focal points and a completely different balance of power, is no longer appropriate. The international migration system was in place by the early 1950s, when world population was less than half that today. At that time, development contrasts between the northern and southern hemispheres were not as stark as they are today, when colonies had not yet become independent and when fully a third of the world's population lived in an environment of restricted emigration, namely, in a Communist state (Widgren, 1994: 2).

There are four essential points which help explain the emergence of regional consultative processes: first, migration patterns have undergone a shift since the end of the Cold War: irregular migration, including the trafficking of human beings, has increased. Second, the international system was designed in a different era, with a different balance of power and different focal points in the world. Today, there are many more states involved in migration than before and new focal points of migration have emerged. Third, the majority of migration occurs on a regional basis, on the same continent, rather than inter-continentially. Fourth, a point that goes to the heart of regional consultative processes, regional consultative processes are non-binding. Rather than acting as a brake to action, it appears that the non-binding nature of regional consultative processes actually encourages participation.

Since the immediate post-war era, contrasts between south and north have intensified, refugee crises have worsened and south-north migration pressure has increased, all factors which have led to increased south-north migration flows. Colonies have won independence, which has added another element to world migration – that of people who were formerly citizens migrating to their previous colonizers and, generally, receiving some sort of privileged treatment.² Indeed, states are finding it increasingly difficult to manage migration because of the rising levels of migration and the increased diversity of patterns of migration (Ghosh, 2000a). IOM's recently published *World Migration Report 2000* shows that the number of migrants in the world doubled between 1965 and 2000, rising from 75 million to 150 million (IOM, 2000a).

One element of the new diversity of migration is reflected in irregular migration: as legal migration channels have diminished and as more people seek to leave their

homes, there is now more irregular migration as well as smuggling and trafficking of migrants. Trafficking today is again and again referred to as a growing and changing problem. It appears that at least some trafficking and smuggling is controlled by organized crime, meaning that traffickers/smugglers have a wide network upon which they can draw to outwit or avoid law enforcement authorities. While some of the organized trafficking/smuggling groups appear to be very small operations, others are international in scope and are thus able to function effectively across borders, for instance within the former Soviet Union. Logically, then, governments could be more effective in combating trafficking/smuggling were they also to work together on this issue. Many more countries are now involved in the international migration system as sending, transit and/or receiving countries. New focal points of migration have emerged – whereas before, Western Europe was a major region of origin, today it is, primarily, a destination region. Other traditional emigration countries have also become receiving countries while new sending countries have emerged.

In the immediate post-war era, migration was characterized by a single, no return trip between the Old World and the New or between Africa, Asia, the Caribbean and Europe. As the years have passed, migration has become a dynamic process, with migration and return migration becoming the norm and with transnationalism a commonality.³ As globalization proceeds and as borders fall, national or bilateral approaches to migration management are no longer as applicable as they once were.

Not only have migration flows shifted over the intervening years, but the make-up of the world has shifted as well, for instance as a result of the end of the Cold War and the removal of the dichotomy of Communist and non-Communist sectors. There is a stronger sense of regionalism and regional support these days, rather than a sense of the world being divided into two ideologically defined halves.⁴ Regional consultative processes are at once a result of this shift toward regionalism as well as a factor perpetuating regionalism.

Regional processes also respond to the high proportion of regional migration – much migration occurs on a regional basis, on the same continent, rather than between continents (IOM, 2000a: 6; Ghosh, 2000b: 235). Most migrants today, and the majority of refugees, remain within one region – such as within the former Soviet Union, Eastern and Central Europe, sub-Saharan Africa, Asia (where the largest numbers of international migrants are to be found) or the Middle East. Data on labour migration from Asia in the 20 years between 1975 and 1994, for instance, reveal that just 10 per cent of Asian migrants (with the exception of Chinese migrants) left the Asian region (IOM, 2000a: 6). It is estimated that, likewise, the majority of trafficking occurs within the region, with secondary trafficking occurring outside the

region, such as in the case of Thai women trafficked within Thailand and subsequently trafficked to the United States.

Overall, more people are seeking to leave their homes today and to seek asylum elsewhere, generally under the protection of the 1951 Geneva Convention relating to the Status of Refugees and, again, generally within the region. In 1980, 152,160 people applied for asylum worldwide, a figure which jumped to 312,320 by 1989 and 437,310 in 1999 (UNHCR, 1999: Table VI.7; IOM, 2000a: 15-17).

As migration has shifted toward a more multinational process, so the management of migration can no longer solely be on a unilateral or bilateral basis. Extra-regional migrants – for instance, Asian or Middle Eastern migrants en route to the United States transiting via Central America – are a regional issue, and not the responsibility of just one or two states. For instance, the case of Chinese migrants in transit to the US being intercepted by the US Coast Guard and returned by the Guatemalan government reflects a regional approach. Likewise, short-term migrants from many Central American countries, both regular and irregular, seek employment in the United States, transiting Mexico to arrive in the US. Another region of the world in which the issue of extra-regional migrants is particularly acute is the former Soviet Union, where extra-regional migration of Sri Lankans, Iranians, and Iraqis transiting toward the European Union appears to be rising rapidly. This rise is seen in anecdotal evidence and surveys (IOM, 2000b) and is reflected in asylum data – Iraqis made up 9 per cent of all asylum seekers in the European Union in July 2000, Iranians and Afghans about 7 per cent and Sri Lankans about 3 per cent (UNHCR, 2000: 1). Regional cooperation in the area of addressing extra-regional irregular migration is essential.

There is, however, clearly still much migration that is strictly bilateral, for instance from Mexico to the US or from Turkey to Germany, although this migration is still often not permanent and entails continuing ties to the home country, or transnationalism. The issues revolving around migrants from Guatemala or even China who transit Mexico to arrive in the US, or Kurdish migrants fleeing Iraq via the Balkans, however, cannot be resolved on the basis of a bilateral agreement. Nor is a unilateral decision by the US or Germany likely to affect either Mexican or Turkish governmental decision-making processes.⁵ In this modern age of migration, represented by transit migration and continued migration, regional consultative processes provide a fora in which such issues can be discussed.

As fairly informal arrangements, regional consultative processes offer flexible fora for addressing the new outcomes of these continually shifting migration patterns. They thus represent a supplement to the current system of managing interna-

tional migration, made up primarily of the United Nations and other international organizations, such as IOM. In the post-Cold War world, it is increasingly clear that, while the sovereign nation-state remains the basic unit in the world, there are also other important actors, primarily those in civil society, the NGOs, who should be included in various deliberations. The UN was founded as an international body of states, represented by Governments. The sovereign nation-state was widely regarded as the only type of international actor. In 1960, the influence of NGOs on the UN was dismissed as minimal and impractical (Hadwen and Kaufmann, 1960: 23). Today, it has become clear that consultations among governments alone are no longer enough. The UN has recognized the necessity of including non-governmental actors, permitting them to apply for so-called consultative status with the ECOSOC, while increasingly many regional consultative processes include NGOs as actors.

Many regional consultative processes go several steps further, including special sessions for NGOs to meet and discuss issues on their own, to develop their own regional strategy, a process which is particularly strong in the CIS Conference Process and the Puebla Process. Regional consultative processes also involve NGOs as an integral element in the governmental meetings. The NGOs' influence upon the states in question may be variable, yet the institutional framework is in place to support the NGOs' participation. Even more importantly, the meetings among the NGOs help to foster international cooperation on the NGO level, as well as on the governmental level, thus permitting more effective intra-regional work on all fronts. As noted above, there is some scepticism as to whether non-binding fora can really achieve successes. Referring to regional consultative processes active in addressing refugee issues, the following argument has been made:

Far from being mere "talking shops", such initiatives contribute, by involving state as well as non-official actors [NGOs], to the dissemination within the region of the normative and legal underpinnings of the international refugee regime. Though none of the regional initiatives can so far be said to have a binding character, the creation of convergent expectations through repeated participation in such processes of consultation over time would tend eventually to influence state behaviour (Oberoi, 1999: 194).

Increased cooperation among governments is one of the intangibles of regional consultative processes which cannot be underestimated. In the South Asian region, where states are not signatories to the Geneva Convention, regional consultative processes represent a forum in which, over time, state behaviour can be influenced. The primary vehicle by which this behaviour is influenced is information exchange – as states receive information on the international refugee regime and are made aware of the elements contained therein and the possibilities of pursuing part or all of the regulations, progress occurs. Indeed, "...there are encouraging signs. There appears to be growing awareness of the importance of sharing migration-related in-

formation” (Miller, 2000: 41), which is one of the significant tangible outcomes of regional consultative processes. Information-sharing is central to increased cooperation as well as to improved effectiveness and efficient complementary action. Initial hesitancy to share information openly is being overcome as governments recognize that information-sharing is a means of gaining information, rather than losing it, and is an action which will only enhance cooperative efforts.

These issues, and shifts in migration patterns, reinforce the point that the international migration management system, which, as argued by Jonas Widgren, was in place by the early 1950s and was composed of (1) ILO protecting the rights of migrant workers; (2) the international system to assist refugees, now embodied in UNHCR; (3) an element to provide for the orderly transfer of migrants, IOM; (4) an element of a regional character, namely the nascent European Economic Community, now the EU and (5) an attempt by states to “harmonize entry policies with a view to attack irregular migration movements” (Widgren, 1994: 3) needs additional means of managing both regular migration, including short-term labour migration, and irregular migration. The international character of this system, which was developed at a different time, with different characteristics, is perhaps no longer as sufficient as it once was. Additionally, it has become clear that States do not always lean toward cooperating on a global level. Indeed, it has been said that:

The increasing proclivity of national states to cooperate and govern informally and formally through regional and multilateral fora is symptomatic of the underlying changes in international relations which some regard as transformative of the global system (Miller, 2000: 38).

That is to say, the emergence of regional consultative processes reflects the changes that have occurred in the international migration management system, particularly in the post-Cold War era, such as the supposed move away from the nation-state and toward a more regional approach. Particularly in the case of migration, which itself, as noted, most often occurs intra-regionally, the issues are also best discussed on the regional level. Generally speaking, migration has increased in significance since the end of the Cold War and the significance of the nation-state is said to have decreased, a shift which suggests that the international migration management system might likewise be supplemented by a regional element.

REGIONAL CONSULTATIVE PROCESSES: DISTINCTIVE CHARACTERISTICS AND FUNCTIONS

The previous discussion sought to explain the reasons for the emergence of regional consultative processes, in particular over the last ten years. This section will discuss in more depth the characteristics of regional consultative processes, the process of development of a regional consultative process, what regional consultative processes do and how they are organized. The subsequent section will then move on to explore four processes in closer detail, enabling a more concrete application of the general description of regional consultative processes.

Regional Consultative Processes: Their Distinctive Characteristics

Literature on regions and regional bodies emphasizes (see, for instance, Hurrell, 1997; Taylor, 1993) that there is no widely accepted definition of regionalism or of a region. According to one author, a region is broadly understood to be “less than global” (Hurrell, 1997: 38), that is to say, a region could encompass as few as two or three states, but could also stretch to include an entire hemisphere. Practically speaking, this is not the case. The states of a region, first and foremost, have some sort of link, be it common culture, common problems or, not insignificantly, an external Other against which the region can define itself, whether as a threat or as a cultural influence. While such common understandings – whether a positively or negatively defined understanding – are the glue that hold a region together, they are also the basis for excluding other states that are not judged to belong to the region. That is to say, the membership of regional bodies of any variety is generally limited by the common understanding of cultural ties, economic ties or, more concretely, continental borders. Thus, another definition of a region, a utilitarian or functional one, appears to be more applicable, namely that a region is “an area in which a function might be most efficiently performed” (Taylor, 1993: 7). This definition, then, explains the presence of the United States or Australia in some regional consultative processes – such as IGC, the CIS Conference Process and the Budapest Process – where they do not belong geographically, but do belong functionally, in that they are involved in migration in the various regions, namely, as significant receiving countries. Some sense of common purpose – whether highly developed or less so – is, then, an underlying element in regional consultative processes.

There are myriad regional bodies, arrangements, agreements, associations and processes in the world, some general in nature, offering an open discussion forum to all states in a region, with others more specifically targeting one or two broad areas,

such as economics or military or defence issues. Likewise, the spectrum of organizations ranges from the highly organized and nearly supranational European Union and the highly organized NATO (North Atlantic Treaty Organization) to economic groupings, such as NAFTA (North American Free Trade Agreement) or Mercosur (Southern Common Market). All such organizations, whether they have one point of focus or more and whether they have an organized parliament or have a looser organization, have certain points in common. They make binding decisions insofar as members are bound to uphold the initial treaty, the constitution and subsequent agreements.

Regional consultative processes are a different phenomenon altogether and can be identified by their own distinctive characteristics. Perhaps the most fundamental characteristic distinguishing them from other regional bodies is that decisions, taken unanimously, are always non-binding, in contrast to these other regional bodies. They are thus also different from many, although not all, United Nations fora where ratification and adherence to the Conventions ratified is often required. Although much discussion in other regional bodies is, clearly, non-binding, the end goal is often a binding Convention or agreement. The nature of regional consultative processes, on the other hand, is just that – they are consultative processes acting on a regional level, not law-making organizations and not enforcement agencies. Indeed, the States which take part in a regional consultative process are referred to as “participating States” and not as “Member States”, as they are for the United Nations and other regional alliances. Regional consultative processes do, however, require binding agreements in that they have admission requirements and, for instance, ask that nations share information and are amenable to participating in such exercises as technical cooperation.

The second crucial distinguishing characteristic of regional consultative processes is that they do not require membership fees for all participants, as does the United Nations, but generally rely on one or several financially strong participants to support the process.

Regional consultative processes, then, can be identified by at least two characteristics: they impose no financial obligations upon all their participants and they issue only jointly agreed-upon recommendations for action. In a region, there is often a strong sense of, in the words of Andrew Hurrell, all being in the same boat (1997), not necessarily that “they are pulling together, but that, either explicitly stated or implicitly implied, they should put aside national egoisms and devise new forms of co-operation” (Hurrell, 1997: 39). Indeed, it is this attitude which is crucial to the smooth operation of regional consultative processes. For a process to deal adequately with the issues before it, and, indeed, to have the common basis for an eventual understanding, the parties must have a common basis in order for voluntary agree-

ment – the cornerstone of regional consultative processes – to have some meaning. As will be discussed below, a smoothly operating Process depends upon such a common understanding. Further, such an understanding does not appear spontaneously, but must be cultivated and nurtured and, in some cases, actively developed and advocated by the participating governments and the facilitating organizations.

Another element characterizing regional consultative processes is that their secretariats are often managed by an international organization, e.g., IOM (International Organization for Migration), also UNHCR (United Nations High Commissioner for Refugees), OSCE (Organization for Security and Cooperation in Europe) or ICMPD (International Centre for Migration Policy Development). Where an international organization does not play the role of secretariat itself, the secretariat is generally supported by an international organization. The role of international organizations as organizer, often mediator, chair and facilitator is an important one. In some cases, the Process is even financially supported by these facilitators – for instance, in the case of the APC, IOM and UNHCR financially support the Process. In many cases, these organizations either helped to support or initiated the start-up of these processes. In the majority of cases, international organizations facilitate the discussion of sensitive issues in a nonpartisan way. In this manner, certain issues may be brought to the table which, under leadership of one or another participating state, might not be possible. With a third party facilitating discussion, discussion can be more open and avoid or move past historic points of disagreement.

Finally, regional consultative processes can also address one or two specific topics, such as trafficking and/or smuggling of human beings or refugees or address, for instance, the entire field of irregular migration. Again, the focus is different from region to region, depending upon what is more crucial in or appropriate for that particular region.

Regional Consultative Processes: Organization

As noted above, the majority of regional consultative processes are run by an international organization which helps plan meetings, discuss priority issues and facilitate meetings. These international organizations, sometimes alone, more often in close discussion with participating States, determine the topics to be discussed at the next meeting, and help with the successful achievement of the meeting's goals. Regional consultative processes provide a structure for the discussion of migration, including an agreed-upon plan with key areas for action, established priorities and a framework for managing their implementation. Activities are no longer ad hoc, but are organized and placed within a structure.

Many regional consultative processes dealing with irregular migration start with some variation upon the comment that “by and large, migration is a beneficial phenomenon with potential advantages for both countries of origin and countries of destination; however, in order for these benefits to be realized, it is essential that migration be orderly” (Puebla Secretariat, 1996). Although sending countries benefit from remittances sent back by migrants, whether regular or irregular, they also wish to have their citizens’ human rights respected. The process is a self-perpetuating one: for countries of destination to be more lenient toward irregular migrants, sending countries must be seen to make a genuine effort to curb irregular migration. Thus, each participating State benefits in a migration management scheme.

It is widely agreed within regional consultative process circles that one of the significant benefits of regional consultative processes is the process in itself, namely, the discussion of migration issues and the associated ongoing contact that occurs. Indeed, the process itself has a value that is immeasurable in its eventual repercussions: “confidence building is no doubt an essential first step towards a harmonized policy approach; and it is perhaps equally true that building such confidence is generally less difficult within a relatively small group of contiguous countries than on a global level” (Ghosh, 2000b: 235). Summit meetings may not achieve much in one meeting, but the ground has been prepared for the next face-to-face meeting which may, then, achieve more. Similarly, regional consultative processes provide the venue for repeated personal contact among representatives of states, permitting this confidence to grow. Similar cultures and, in many cases, economic ties and common problems all help forge a basis for commonality, upon which regional consultative processes build. Due to such confidence-building and the regular exchange of information, the bases for signing bilateral agreements are much more substantial. Thus, agreements have a stronger base and they are more likely to hold up over time, even if non-binding, in turn, strengthening the support for UN Conventions.

Regional consultative processes are based upon voluntary membership – States are under no obligation to belong to a regional consultative process nor do they suffer sanctions for non-participation. Although the decisions reached in regional consultative processes are non-binding, the participants have already made the decision to participate in the process, hence suggesting they are willing at least to entertain pursuing the decisions reached. One of the underpinnings of a regional process is the willingness of countries to work together on mundane tasks as well as on more significant issues, a particularly important point in cases where one country is better developed than others and is thus often responsible for financial support and the provision of officials and training within technical cooperation activities. Thus, the basic building blocks of the common foundation are already present. The development of this common understanding – to call it a sense of common identity would be overstating the case – is crucial to the

development of regional consultative processes. Without such an understanding, the meetings of a process are merely a series of meetings. The Puebla Process, or Regional Conference on Migration, appears to have been particularly successful in creating this basis, as well as establishing a structured programme.

In the case of Puebla, the Joint Communiqué issued after the first minister-level meeting in 1996 indicates that agreement on the significance of managing irregular migration in and through the region was an important goal, and one that was better achieved in a regional forum rather than on a series of bilateral bases. Goals were established that increased information flow and improved communication which led to stronger bases for cooperation. Thus, the current existence of a common understanding was not left to chance, but was nurtured in the early days of Puebla. Four years later, the participating states' support for the regional forum was reiterated, and plans are being made for further years of the Puebla Process with a new series of goals designed to move toward action based on four years of discussions, information-sharing and cooperation.

The recommendations that emerge at the end of a minister-level session in a regional consultative process are intended as general guidelines and are not binding. The Joint Communiqués of the Puebla Process, for instance, issued at the close of each year's minister-level meeting, conclude with a list of items upon which States have agreed. The list of the first Puebla meeting included, among other items, such points as "acknowledg[ing] that migration can make a positive economic and cultural contribution both to countries of origin and countries of destination" and "encourag[ing] public awareness about the human rights of migrants as a means to promote respect for their dignity, to counteract anti-immigrant attitudes and to eradicate unlawful acts targeting migrants." These agreements reflect common beliefs and issues of agreement.

The Bangkok Declaration, agreed upon in April 1999, in part as the outcome of the Manila Process and the APC,⁶ includes similar statements calling for cooperative regional action and recognizing the situation with regard to migration. In the Bangkok Declaration, emphasis is placed in several points upon the Asian economic crisis as well as upon "periodic natural crises", which serves to underline the point that regional consultative processes have a role to play on the regional level. Action, it has been agreed in these two cases, and in many more, must be taken. However, in contrast to a more structured regional body, a regional consultative process is based on the complete maintenance of each State's sovereignty, and is thus restricted to suggesting general directions of policy rather than requiring specific actions. Thus, states, many themselves still feeling their way in the new migration world of today, have an opportunity to participate in this general shaping of policy.

In the case of the Puebla Process, which was initiated by Mexico in 1996 with a meeting of the representatives of ten states⁷ (since joined by the Dominican Republic), the United States together with Canada is the primary financial backer with IOM as the Secretariat. In this case, the United States and Canada, aware of a link between the US, Canada and Central American countries, forged by heavy immigration, trade, economic and cultural ties, were willing (and remain willing) to support the Puebla regional consultative process. Joint problems play a role as well – Mexicans, Salvadorans and Guatemalans together make up 3.2 million of the estimated 5 million illegal alien residents in the US (INS, 1999). If a regional consultative process can help reduce irregular migration to the US, then financial support of a regional consultative process will in the end be a good financial investment. It will also contribute to increased cooperation in the region, an intangible result which cannot be underestimated. Likewise, from the perspective of sending countries, the protection of its citizens' human rights, as well as managing the migration of skilled workers to prevent so-called "brain drain" are key reasons for participating and cooperating in a regional consultative process.

In each regional consultative process, in addition to one major meeting once a year or, in some cases, less often, there are a number of smaller meetings at lower levels, where details on specific issues are discussed. These lower-level workshops and training seminars are much more specific and applied, but still remain a matter of voluntary action. The topics discussed at these seminars in the Puebla Process have included "Migrant Trafficking", "Migrants' Human Rights", "International Migration and Development in North and Central America" and "Migrant Women and Children", while the Budapest Process has focused more on such issues as visa policy approximation and border control. In Puebla's trafficking workshop, such themes were introduced as addressing the problems encountered in applying trafficking legislation; these seminars, then, do address specific issues and solve quite distinct problems. Trafficking, again, often occurs on the regional level. By approaching the different aspects of trafficking from a regional standpoint, the participating states have a better chance of combating trafficking.

These seminars have greatly aided the information-sharing component contained in regional consultative processes as well as ensuring that all participating states are operating on the same basis of information. These seminars also issue recommendations that lay new groundwork for government action. These recommendations and guidelines are not issued with the force of a law or even of a UN Convention. Instead, the consensus on the guidelines is arrived at by discussion; the specific points of the agreement still permit each State to take action for itself, and are not prescribed elements. What precisely is to be done, and which points will be acted upon, remains in the realm of each Government to decide.

Regional Consultative Processes: The Process of Development

How are the processes initiated?

Regional consultative processes are initiated largely to deal with one or two specific problem areas which affect a whole region. In the case of Puebla, concern over irregular migration affecting the entire region inspired the Mexican government to move toward a regional process with US support, later joined by the Canadians and Central Americans. From the Mexican initiative, the first meeting of the Puebla Process in 1996 emerged. Indeed, a joint concern, even when states may have competing interests, is one of the main forces behind the creation of regional processes and is a prerequisite for the progression of a regional consultative process. The first challenge of any regional consultative process is to create something productive out of competing and, in some cases, even conflicting interests: “Translating these common interests [benefits of legal migration, protecting migrants while maintaining sovereign control over borders] into plans for mutually beneficial interaction has been the work of our Regional Conferences on Migration” (US State Dept, 1999: 1). The achievement of mutually acceptable basic principles is the minimum criterion for being able to decide upon issues such as return agreements, conditions for removal, etc. (Technical Cooperation Centre, 1999: 15). As noted by INS Commissioner Doris Meissner at the fifth meeting of the Puebla Process: “by recognizing the transnational nature of the challenges we face, we have been able to reach beyond purely national agendas and begin solving common problems that we face as a region.” As noted, the United States has been one of the states which has recognized that many migration issues do not affect just one or two states – and could thus be discussed among these few states – but are regional issues, and must therefore be addressed on the regional level.

The CIS Conference Process started when Russia called for a special conference on migration, fearing massive migration from other CIS States and hoping that the Western European states, likewise fearing CIS migration, would assist them. Russia initially wanted to create new mechanisms of immigration management, which were previously not extant in the single state of the USSR. With UNHCR organizing the beginning of the process, other CIS states were invited to join the initial meetings, as they shared the concerns and problems of migration and migration management in the post-Soviet space. Along with Western European and other states which indicated an interest, the CIS Conference began, initiating a series of cooperative meetings led by UNHCR, OSCE and IOM aimed at capacity-building in issues of border control, visa approximation, etc., building the CIS Conference Process.

More generally, the process of regionalization, or “the growth of societal integration within a region and ... the often undirected process of social and economic interaction” (Hurrell, 1997: 39) or, paraphrased, “the growth of migration within a region as an issue of some concern” is a prerequisite for the formation of a regional consultative process. Only if interactions within a region have developed to a certain extent are States likely to join forces to address issues that are of concern to all parties concerned. Prior interactions between the governments, in particular on migration issues, are also important for the initiation of a regional consultative process, which, in turn, enhances cooperation and trust among the involved states.

As to the specific question of why there are so many more new regional consultative processes, one of the answers is the “snowball” factor – as one process showed success, other regions saw the wisdom of following suit. To quote U.S. Assistant Secretary of State Julia Taft at the Fifth Puebla Meeting in March 2000, “We’ve shown ourselves and the world that there is great benefit to such a regional dialogue on migration. Indeed, our success is borne out by the number of countries and regions that have sought to establish similar forums in their own regions.” Indeed, Puebla is perhaps the process which has progressed furthest and demonstrates the clearest sense of purpose. With its introduction of a “virtual secretariat”, with both a public site and a private site for participating states,⁸ Puebla has merged modern technology and the need for information-sharing.

Development: a multi-stage process

The development of a regional consultative process differs from case to case: the designation “regional consultative process” does not imply a specific institutional format. Regional consultative processes are, as the name suggests, based upon a process, and can be regarded as being at one of four roughly defined stages of development. As the regional consultative process matures, which is a longer process for some and shorter for others, various stages are reached, roughly speaking:

- first, the decision to address problematic issues in a regional cooperative forum at all, and,
- second, the agreement upon definitions, that is upon a “common language”,
- third, the agreement upon a Plan of Action or list of goals facilitating information exchange and regional dialogue and,
- fourth, a shift toward a more operational and action-oriented process with the purpose of concretely addressing some of the issues raised.
- As these processes are ongoing, it is not premature to state that there may be a fifth, as yet unknown, stage.

In some regions, the decision to work together to address particular issues is the most difficult step, requiring intensive negotiation, while in other regions, this first step may follow naturally from other regional associations already extant. Likewise, the time period between the subsequent stages of development may differ as well. For instance, the second and third stages are in some cases two separate stages separated by a period of time, but are, in others, achieved at the same time. Another important point is that the significance of reaching each stage differs from case to case. For instance, in the CIS Conference Process, much was accomplished in the way of defining terms and agreeing on common language – a key step forward in a region where many migration terms were politically contentious following the break-up of the former Soviet Union.⁹

This development process is discussed in greater depth below with reference to four regional consultative processes which have been selected to reflect different stages of development: the Manila Process (taken first steps toward third stage), the Budapest Process (moved in direction of fourth stage), the CIS Conference Process (third stage) and the Puebla Process (taken steps toward fourth stage).

REGIONAL CONSULTATIVE PROCESSES: WHAT HAVE THEY ACHIEVED, WHAT CAN THEY ACHIEVE?

Based, as noted above, on a sense of regional cooperation, regional consultative processes serve to increase that sense of “being in the same boat”, and help to create a willingness to act cooperatively in the realm of migration which can best be seen in the case of crises. For instance, the Asian economic crisis affected all states in the region, forcing them to work together to deal with the migratory aftermath, namely, the increased flow of irregular migrants and the rise in trafficking in women. In October 1998, Hurricane Mitch hit Central America hard, affecting, in particular, Honduras, Nicaragua, El Salvador and Guatemala. The region pulled together, working both within the stricken region and outside: in addition to technical cooperation within the four affected countries, Costa Rica and the United States both offered amnesties to irregular migrants from the hardest hit countries.

Thus, although detractors of regional consultative processes have argued that the processes have accomplished little concretely (Helton and Voronina, 2000), it must be remembered that the proximate aims of regional consultative processes are not necessarily directed at immediate, concrete outcomes, but place a great deal of emphasis on long-term goals such as increasing cooperation, improving information-sharing and, through these vehicles, creating an atmosphere in which bilateral and multilateral agreements (which do have concrete outcomes) have a better chance of success. Even though cause and result cannot be clearly identified in these cases – who can state with certainty, for example, that the Puebla Process played a role in the Central American countries’ cooperation in the aftermath of Hurricane Mitch – certain conclusions regarding the positive contributions of regional consultative processes may be drawn.

Another key activity of regional consultative processes is information exchange – an activity which helps greatly in combating irregular migration or trafficking, but which does not involve making concessions on policy actions.¹⁰ Again, here, what can be constituted as a successful action differs from region to region. In the CIS Conference Process, regular reports on migration in the CIS were produced. Such reports were the first of their kind in the region, representing a significant achievement, in particular a step toward more efficient and thorough information-sharing.

Although many issues can be dealt with on a bilateral basis, as noted above, migration issues are increasingly regional. Guatemalan migrants to the US generally transit through Mexico, making cooperation between all three countries more efficient than bilateral agreements. Migration within the former Soviet Union has also

accelerated in the post-Cold War era, both for CIS nationals as well as extra-regional migrants. Trafficking has become an issue within many regions, such as within Asia or within Eastern and Central Europe and, while an international body can call for general approaches, as the UN does in the Protocol on trafficking, calling for states to “adopt effective measures to prevent trafficking in persons”, for instance, it is up to the countries to determine these appropriate measures. Regional consultative processes can help ensure that steps appropriate for the whole region are taken. Indeed, a letter to the *International Herald Tribune* from the spokesman for the Japanese Foreign Ministry, written in response to an article about trafficking, notes that “the problem of smuggling migrants and trafficking in persons is not unique to Japan. Many other countries face the same issue. In fact, Japan has joined forces with these countries to find solutions to these immigration problems” (Yamazaki, 2000: 19). Combating trafficking is, indeed, one of the main issues discussed at the majority of the regional consultative processes addressing migration and is a topic, more than others, that appears to concern sending and receiving countries equally, largely because of the grave human rights abuses inherent in trafficking and the potential for such abuses in smuggling.

On the more long-term level, regional-level migratory patterns can be addressed and managed to the benefit of all the states. For that matter, prior contact between states then facilitates dealing with emergency situations. For instance, in the wake of Hurricane Mitch in 1998 in Central America, the region pulled together in an admirable fashion. Long-term migratory issues relating to the aftermath of Hurricane Mitch were then specifically addressed in the next Puebla Process meeting, rather than having to take place in an ad hoc meeting with no history of cooperation.

In pointing out the usefulness of regional consultative processes for refugee issues, it should be noted that 139 states have ratified the Geneva Convention, some 50 less than are members of the United Nations. Two regions stand out: in South Asia, no states have ratified the Convention and in the Middle East, Israel is the only state to have done so. It is particularly striking that no South Asian state has ratified the Convention, especially as there has been a flood of refugees in that region in recent years (Oberoi, 1999: 193). In the absence of an international agreement, then, regional consultative processes have taken up the issue. Indeed, over the last years, several sets of guidelines on the protection and treatment of refugees have been developed (Oberoi, 1999: 195).

Although it is seen as a shortcoming that South Asian states have not signed the Geneva Convention, international law is not always “one size fits all”. In such cases, regional consultative processes are a valuable alternative – important issues are brought to the table, discussed in the region for which these issues are significant,

and States arrive at an agreement beneficial both to the States and to the migrants. Thus, the Informal Consultations on Refugee and Migratory Movements in South Asia developed a Model National Refugee Law, adopted by the participant governments by consensus, which “had been formulated so as to take into account the particular features of South Asian refugee flows. Hence it includes provisions on mass influx, on special considerations for women and children refugees, and strengthens the provision on voluntary repatriation and non-refoulement” (Oberoi, 1999: 198). It is clear that this regional consultative process took the special considerations of the South Asian case into account and thus produced a more applicable and useful product. Showing a consideration of individual countries which would not be possible in the context of a UN Convention, “it was recognized, however, that the law might have to be adapted to take into account the particular legal context and political imperatives of individual countries” (Oberoi, 1999: 198). On a regional basis, these concessions can easily be made, as the participants are more likely to be able to understand and accept differences among states: “Regional Migration Conventions must provide the institutional and operational settings in which to specify and operationalize the general principles set out in the global frameworks” (Overbeek, 2000: 70). Indeed, regional consultative processes fill precisely this role between the global level and the national level.

As noted earlier, UN Conventions are binding, whereas regional consultative process agreements are not. The major UN Convention on migrant rights (International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the UN General Assembly in 1990) has not yet entered into force. Twenty states must ratify the Convention for it to enter into force at all, but, as of October 2000, only fifteen had done so. One of the fears about regional consultative processes is that, due to the non-binding nature, states may take no action at all. However, the non-binding nature may, in fact, encourage States to follow the general intentions of an agreement, while permitting them to find their own way and pace of doing so, whereas UN Conventions – which play a crucial role in setting standards, often for regional consultative processes, require exact conformity. Indeed, as long ago as 1959, concerns were already being raised about this issue:

While the international agreement or convention is a useful tool in the armory of methods available to the United Nations for achieving its economic and social purposes, it has proven to have certain serious shortcomings in actual practice. First it is not applicable to many situations of increasingly frequent occurrence or if applicable is capable of providing only a small part of the remedial action required. It may be necessary to provide the legal basis for the necessary international action but it does not by itself provide an assurance that the action will be taken (Goodrich, 1959: 283).

The international Conventions adopted by the UN General Assembly, then, could be seen as setting important standards for others, such as regional consultative processes, to draw upon, as is also noted in the Chairman's Summary of the Fourth Regional Seminar of the Manila Process in October 2000: "The need for protecting the human rights of migrants in countries of origin, transit and destination was also highlighted. The United Nations Convention on the Protection of Migrant Workers and their Families could be useful in this regard". Although few participant states of the Manila Process are signatories to this Convention, and it has not yet entered into force in any case, the Manila Process suggests using this UN Convention as a guide to protecting workers, thus demonstrating one value of UN Conventions. Participating states of regional consultative processes can already begin to implement selected elements of the Convention if they should choose to do so, an implementation that a regional consultative process can help to facilitate. As noted, most migration, whether labour migration or forced migration, is intra-regional. Thus, the adoption of some of the elements of a UN Convention under the auspices of a regional consultative process is particularly significant.

REGIONAL CONSULTATIVE PROCESSES – AN IN-DEPTH LOOK AND COMPARISON: PUEBLA, BUDAPEST, MANILA, CIS

Regional Conference on Migration (Puebla Process)

As mentioned earlier, the Puebla Process or, formally, the Regional Conference on Migration, was initiated in 1996 in Mexico. This first meeting took place in Puebla, Mexico and was attended by representatives of ten governments. To return to the schematic four-stage process of development introduced above, this meeting ushered in the first stage, namely that of making a decision to meet and discuss issues of common concern.¹¹ The Dominican Republic, an observer for several years, became a participant in 2000. Observer status may be granted to international organizations, such as IOM, UNHCR and ECLAC, as well as to states – as of 2000, Argentina, Colombia, Ecuador, Jamaica and Peru have become observers. Participant states may, at any time, invite special participants, including NGOs, to any of the meetings. Criteria for membership require that a state is committed to the principles of Puebla, as explicated in various documents, is committed to the orderly movement of persons and the respect of migrants' human rights, is willing to address migration in a multilateral context within the Puebla Process and is committed to the exchange of information on migration-related policies and practices (RCM, 2000: 1). Observers must fulfil these criteria – as noted earlier, there are some elements of regional consultative processes which are binding – as well as making a written statement of commitment to the Puebla principles, be geographically a part of the western hemisphere¹² and have a significant migration flow with at least one participant state.¹³ The criteria for membership, then, are the primary binding element of the Puebla Process. The recommendations and guidelines of the Puebla Process, as noted above, are not binding, yet a commitment to the principles of the Process is required. Requiring adherence to such criteria then helps ensure that governments will be willing to take action upon the recommendations made.

The Puebla Process emerged due to concern over irregular migration affecting the entire region. Again, much of the extra-regional migration in the region has increased in the post-Cold War era. On the basis of this initial framework, the Puebla Process was initiated with the firm intention of reducing irregular migration in the North and Central American region. Among the many points of agreement at the initial meeting, emphasis was placed upon a long-term approach, the respect of the sovereignty of each state and each state's right to safeguard its own borders in the way it sees fit, along with a dedication to approaching the issues of migration co-

operatively. The governments also agreed to promote information exchange and cooperation addressing the needs of undocumented migrants. Thus, at the first meeting, the second stage of development – that of agreeing upon definitions and agreeing to a common language – was achieved as well. While recognizing national differences and respecting them, the governments made a commitment to reducing irregular migration while acknowledging the benefits of regular migration and improving the exchange of information among the states. At the second meeting in 1997, a Plan of Action was drawn up to address the main topics of concern to the Puebla Process, namely, broadly speaking, “migration policies, the link between development and migration, combating migrant trafficking, cooperation on the return of extra-regional migrants, human rights and technical cooperation”. Activities supporting each of these broad subjects were proposed and an execution timeline was established with deadlines by which each of the activities should be completed. This Plan of Action represents the third stage in the development process.

As is common in regional consultative processes, the Puebla Process meets on a rotating basis in each of the participant States, with the government of that state acting as organizer, host and chair for the three regular meetings (one vice-ministerial, two Consultative Group meetings) in that year of the Process. The annual meeting takes place on the Vice-Ministerial level, with technical meetings and workshops/seminars throughout the year. These other meetings involve lower-level government officials with competency in the given area as well as NGOs. The exchange of information is seen as a valuable contribution to addressing problems related to migration – for example, exchanging “information on migration policies and legislation”. Information exchange has been one of the areas in which cooperation has been both easiest and most successful at the technical level. The results of this particular information exchange, namely the identification that problems included a lack of knowledge of the seriousness of trafficking among administrators and a non-uniform application of laws, led to a recommendation that each participating State identify priorities and themes for technical training programmes to be provided to judicial and law enforcement authorities. Indeed, particularly in the field of migration, information-sharing is crucial, as the migration patterns themselves cross borders and thus areas of state competence. A regular exchange of information among states sharing migration flows, whether regional or extra-regional, is crucial to effective border control and to dealing with all issues of irregular migration. As noted earlier, the Puebla Process has established a virtual secretariat – a web-based information exchange mechanism – thus simplifying the process of information exchange and ensuring that needed information reaches the intended contact person quickly and easily.

At the ministerial meeting in 1999, the progress toward achieving the objectives laid out in the 1997 Plan of Action was noted. The Puebla Process places emphasis

upon information exchange and regional dialogue. Although the achievement of these goals is not easy to assess, activities contributing to these goals can be identified. It was found in 1999 that nearly all objectives laid out in 1997 had been achieved, ranging from such activities as annual reports on counter-trafficking legislation to seminars on specific topics, such as trafficking, the special issues of migrant women and children and protection and consular assistance. Within these seminars and workshops, specific issues were addressed. While the terms “information exchange” and “regional dialogue” are not precise ones, their application has been very precise. In the seminar on trafficking, for instance, the regional dialogue included a discussion of the problems encountered in the application of legislation on migrant trafficking. Different states experienced similar problems or, in other instances, different problems. In each case, the sharing of experiences assisted officials in achieving a better result over the long term. The final result has been a regular series of meetings in which officials met and collaborated with their counterparts, along with a collection of documents, regularly updated, which provide participants of the RCM with a great deal of organized information on specific migration-related topics. Most recently, the virtual secretariat, which will further improve the coordination of activities, allow for better communication among participants and enable a more efficient distribution of information, was inaugurated. The spirit of cooperation and willingness to exchange information has positively affected the outcome of this regional process.

At the Puebla Process meeting in March 2000 in Washington, DC, the Vice-Ministers issued a statement concerning the progress of the Puebla Process toward its goals. Listed first among the achievements was the adoption and implementation of the Plan of Action, indeed an achievement – to agree upon and remain committed to one Plan of Action. This Plan of Action – identified here as the third stage of development – can serve as a useful guide for all future activities, for instance providing a framework for technical cooperation. In addition to the convening of over twenty different meetings in four years, concrete advances have been made in several areas: safe and orderly repatriation programmes for irregular migrants have been established, reintegration programmes for returning migrants and programmes combating trafficking have been initiated, the protection of the human rights of migrant workers and their families has been promoted and efforts have been made toward the modernization of the border control systems. The achievement of the goals laid out in 1997 is impressive. Still more meaningful, however, is the recognition of the participants that still more can and must be done. In a statement on strengthening the Puebla Process, and reiterating their support for the Process, the Vice-Ministers agreed that the activities undertaken to date must be carefully evaluated to determine in which areas more work is needed. The participants are committed to maintaining the Puebla Process. Best practices in migration-related areas should be developed in order to give participant governments a guide to follow. Finally, the Vice-Ministers state that

they will seek the support of international institutions for regional cooperative projects developed by the Puebla Process.

Perhaps most importantly, the Puebla Process has attained wide acceptance as a forum in which open multilateral dialogue can take place among partners with different needs and viewpoints, validated by the subsequent emergence of other regional consultative processes. The outcomes of this forum have included the exploration of policy options, better coordination among agencies dealing with migration and improved resource use. These outcomes are the direct result of the seminars and workshops held to discuss issues as diverse as Migrant Trafficking and a pilot project to provide return and reintegration assistance for return migrants to El Salvador. Much remains to be done in the Puebla Process and new challenges will no doubt emerge over time, but the participants have shown their commitment to the Process and their willingness to cooperate with one another and deal with unexpected large-scale challenges, such as the migratory aftermath of Hurricane Mitch. Most recently, in November 2000, the biannual Consultative Group meeting discussed the future of the Puebla Process. Having achieved many of the goals laid out in the 1997 Plan of Action, new goals needed to be established. A "Vision Paper" was presented to the meeting with recommendations for the future, primarily with three new areas of focus – migration management; human rights of migrants; and migration and development. Within these topics, a new shift toward an operational basis, as apparently wished for by participant states, is called for, as is a means of maintaining contact and discussion throughout the year, perhaps with three working groups, each chaired by a participant state for a period of two years. The future seems well-assured in the Puebla Process, regardless of the status of these particular recommendations – the will to continue working together on migration issues is strong. The move toward the fourth, operational, stage of development has been nearly completed.

In the realm of regional consultative processes, where non-binding agreements are issued and where cooperation and open discussions on issues large and small, seen over the long term, are an achievement in and of themselves, the Puebla Process has achieved a great deal. Even more pragmatically, it can be seen that there are concrete steps forward. Countries are working together to prevent irregular migration through, *inter alia*, increased border controls and tighter regulations. Nonetheless, it can be seen that countries are still willing to be flexible and offer options to irregular migrants. In the aftermath of Hurricane Mitch, both the US and Costa Rica offered amnesties to migrants from the countries hardest hit until the countries were out of the crisis stage. The temporary protected status in the US for such irregular migrants, just the second time the TPS has been offered to those affected by an environmental crisis, was extended twice, most recently until July 2001, over two and a half years since Hurricane Mitch hit Central America. The involvement of civil

society, as represented by NGOs, has become a fixture in the Puebla Process, holding their own Regional Network for Civic Organizations for Migration (RNCOM) meeting. They also met in parallel and in two joint sessions with the governmental representatives in March 2000, presenting the regional viewpoint of NGOs. In the most recent meeting, the regional network of NGOs “compared national perspectives on increased enforcement throughout the region, shared common values and concerns, and initiated a regional project on human rights standards to be carried out over the next year” (Gzesh and Seymour, 2000: 2). The NGOs, advocates for migrants, have progressed in regional cooperation and collaboration as well. Thus, increased regional cooperation among governments is paralleled by increased regional cooperation and collaboration among migrants’ advocates, helping to assuage fears of some advocates that the increased cooperation among governments would be to migrants’ detriment.

In the area of information-sharing, a self-declared focal point, the Puebla Process has likewise registered progress. Practical ideas on technical cooperation have been exchanged and best practices have been discussed, including the use of migrant remittances to enhance development. The Process has not only collected information from the participant states or, rather, the participant states have not only contributed this information, but the Puebla Process has also made this information widely available to its participants and, through the website of its virtual secretariat, improved communication among the participating states.

Budapest Process

Originally intended to stem the feared flow of illegal migration from Eastern and Central Europe toward Western Europe, the first meeting of what would become the Budapest Process was called by Wolfgang Schäuble (CDU), then Germany’s Minister of the Interior, in October 1991. Primarily concerned with reinforcing border control between Eastern and Central Europe and Western Europe in the wake of the fall of the Berlin Wall and liberalization of emigration regulations in Eastern and Central Europe, the Ministers met at a critical time; some 16,000 Albanian refugees landed on the coasts of Italy in August 1991. Likewise, the final break-up of the Soviet Union in August 1991 raised Western European governments’ fears of mass migration from the former Soviet Union.

Initially a consultative process forum with an immediate aim of preventing east-west irregular migration and a longer-term goal of establishing sustainable systems for orderly migration in Europe, the Budapest Process has slowly become more operational, specifically with respect to technical cooperation.

Since 1991, the focus of the Budapest Process has shifted while the number of participants has steadily increased: since its inception with 26 participants at the ministerial meeting in 1991, the total increased to 34 in 1993 and, most recently, to over 40 participants. The International Centre for Migration Policy Development (ICMPD) serves as Secretariat and several representatives of various bodies of the EU and ten international organizations are participants. The Hungarian Ministry of the Interior serves as Chairman. Participation in the Budapest Process extends across both Western and Eastern and Central Europe, along with several states outside the region, but all are states concerned with managing migration in the region.¹⁴ Ministerial meetings do not occur on a regular basis in the Budapest Process, but are scheduled when it is felt necessary. The next will take place not later than 2002. Since the first meeting initiating the Budapest Process in 1991, over 60 meetings have taken place at various levels of participation and on various topics.

With every ministerial meeting, another step has been taken toward formalizing these meetings as a regional consultative process. At the Budapest meeting in 1993, seven relevant areas were identified for action: (1) harmonization of legislation to combat trafficking, (2) pre-entry and entry control, in particular the approximation of visa regimes, (3) return to the country of origin and readmission agreements, (4) information exchange on illegal migration, (5) technical and financial assistance to Central and Eastern European States, (6) linkage between trafficking in aliens and other forms of organized crime and (7) future cooperation between participating States in the context of the Budapest Process. These seven areas covered the topics of most concern to all governments concerned as well as ensuring the continuation of the process by encouraging independent cooperation between participant States.

It was at this meeting in 1993 when it could be said that the Budapest Process achieved both the first and second stages of development. After this meeting, ten Central and Eastern European states signed association agreements with the European Union¹⁵ over the next several years, making adherence to Budapest Process recommendations all the more meaningful and more crucial for these states' future status. As more Central and Eastern European participants of the Budapest Process became candidates for accession to the EU, the EU realized that the Budapest Process, already addressing many issues related to the EU acquis, was a vehicle for furthering the acquis-adaptation process of the Central and Eastern European states. Since 1996, the Budapest Process has, therefore, increasingly gained momentum. The Budapest Process includes sending, receiving and transit countries, as well as outside observers. While focused primarily on irregular migration, the concentration within this focus is that of achieving management over irregular migration, including approximation of visa regimes and other border control

measures. The main focus is on the smuggling of migrants; although the issue of trafficking of women, particularly for sexual exploitation, is an issue of growing concern in the region, few of the Budapest Process's reports or meetings have dealt with this subject.

The broad goals envisioned at the Budapest meeting in 1993 were converted into 55 recommendations adopted by the next minister meeting in 1997 in Prague, just one year after the EU developed closer ties with the Budapest Process, thus reaching the third stage of development. Many of these recommendations call for a common recognition of definitions, such as for "trafficking" (rec. 1); it is only on the basis of common definitions that national legislation can be made compatible. Many more recommendations address the issue of trafficking, with such specific issues as recommending minimum jail sentences for convicted traffickers (rec. 5) and the confiscation of motor vehicles used in trafficking (rec. 6). Protection of trafficked persons (rec. 9) is also encouraged, as is the introduction of sanctions against airlines carrying persons with false or forged documentation (rec. 15). Many more points also recommend specific action, such as carrying out seminars on topics such as visa approximation, or that annual reporting be instituted on the implementation process of the Prague recommendations. Again, as is usual in regional consultative processes, all of these recommendations are non-binding. Each Western European country has responsibility for one area – Norway leads the group responsible for overseeing the implementation of the Prague recommendations, while France and Poland are in charge of return and readmission policies. Other Groups have oversight over particular regions, such as in South-East Europe, and, in particular, the Bosnia-Herzegovina border control and the fight against trafficking through Albania to Italy. The Western European states support the system so as to reduce irregular migration into their territory, while the Central and Eastern European states are interested in achieving eligibility for EU accession or candidate country status.

As noted earlier, regional consultative processes, to a certain extent, base their work upon international fora. The Budapest Process is no different – recommendation 12 calls for states to accede to and implement numerous UN or European conventions while many other recommendations call upon states to cooperate with each other. It can be seen in practice here, as noted earlier, that UN Conventions play a key role in setting out the best possible situation, while regional consultative processes then adapt these standards as necessary for use within a certain region, for instance in the case of refugee status in South Asia. With the more immediate goal of achieving the EU acquis, the Budapest Process began to move in a more operational direction, addressing certain specific questions. Despite the more applied nature of this regional consultative process, the Budapest Process remains non-binding and voluntary.

The last recommendation of the 55 Prague Recommendations is that follow-up be pursued within the process. Over the last three years since then, a steady, even if slow, process of implementation appears to have occurred. In 1998, the Secretariat of the Budapest Group produced a report evaluating the implementation of these recommendations. This report indicated the continuing need for technical and financial assistance to many countries in the region in order to assist with implementation. A draft report on harmonization of visa policies, for instance, was issued in 1999 outlining the advances made by each candidate country (ICMPD, 1999). These include fully or partially introducing visa regulations for other non-candidate countries, timelines to ensure that the countries in question will be compliant by the time of accession and the removal of visa requirements for members of EU countries. Central European states are making progress in combating irregular migration, but it is not clear to what extent this progress is due to the Budapest Process and to what extent it is due to EU demands and the technical assistance provided by the EU.

In addition to internal Budapest Process follow-up procedures, the Budapest Process, its main goal now that of ensuring the readiness of the Central and Eastern European States for EU accession, has a ready-made indicator for progress – the European Union. According to the 1999 Regular Report on Poland (europa.eu.int/comm/enlargement/poland), on the eastern border, which will become the EU's new eastern-most frontier, work remains to be done, but "On the Western border, however, as a result of an increasingly close co-operation with the German side and the equipment/infrastructure upgrades, the efficiency of the services has resulted in a reduction of 40 per cent of illegal crossings – which indicates the potential for development elsewhere". While cause and effect are difficult to distinguish, a case could be made that cooperation, occurring under the auspices of the Budapest Process, has perhaps helped to play a role in the reduction of illegal crossings. Likewise, the EU's 1999 Hungary report (europa.eu.int/comm/enlargement/hungary) shows that great progress has been made on many issues addressed in the Budapest Process recommendations, including the signing of readmission agreements with Bulgaria, Slovenia, France, Germany and Italy – bilateral agreements, made within the framework of a regional consultative process, and under the general guiding principles of the EU.

The Prague recommendations called for progress toward the EU requirements for visa regimes, including holding an expert meeting on the approximation of visa regimes in 1998. The report from this meeting (ICMPD, 1999) indicates that progress has been made and that there is a timeline in the majority of the states on when further progress will be made, showing not only progress but also future planning. According to ICMPD data, a majority of the participating states comply with some 60 per cent of the 55 recommendations, just three years after the recommendations were adopted by the Ministerial meeting. Some of the recommendations dealt with

the need to produce reports on return migration, smuggling, visa approximation, border management, etc. This high implementation rate indicates not only an initially well-planned set of step-by-step recommendations, but also shows the high willingness of the Central and Eastern European states to comply with non-binding recommendations aimed both at reducing irregular migration and at improving their chances at becoming EU members or, for some of the Budapest Process participants, becoming accepted as candidate countries.

Manila Process (IOM Regional Seminar on Irregular Migration and Migrant Trafficking in East and South-East Asia)

The Manila Process stems from a seminar organized in 1996 by IOM addressing migrant trafficking and irregular migration in the region. Originally intended just to be a one-off seminar, the Manila Process had fourteen states or administrative regions¹⁶ participating in its fourth meeting in October 2000, among them sending, receiving and transit countries in the East Asian and South-East Asian region. Unlike both the Puebla Process and the Budapest Process, smaller meetings or theme-specific workshops in between the central meetings have not occurred with great frequency, although information has been shared and non-ministerial meetings have been held. Another regional consultative process in the region, the APC (Inter-Governmental Asia-Pacific Consultations on Refugees and Displaced Persons), which likewise holds an annual ministerial meeting and ca. three other meetings, initially focused on refugees and displaced persons, but now also addresses irregular migration more generally, whereas the Manila Process is more specifically focused on countering trafficking. The possibility of uniting APC and Manila has been mentioned, as there is a great deal of overlap both in their membership and, to some extent, in their points of discussion. One possibility might be to have the Manila Process become part of APC, but as the core of the irregular migration and trafficking arm of APC.

The Asian region is very diverse; within the Asian region are, with the exception of Cuba, all of the remaining Communist states (North Korea, PR China), military regimes as well as many democracies. Likewise, the region has the world's richest and the world's poorest states, the two most populated and some of the smallest. On this basis, achieving even the first stage of development – that of establishing common interests and agreeing to discuss issues cooperatively – is a more complicated process.

The Manila Process completed its fourth meeting in October 2000, for which IOM continues to serve as organizer and Secretariat. In its meetings, the Manila

Process has addressed irregular migration and, in particular, trafficking, seen as a significant problem in Asia, both within and outside of the region. In the first meeting in 1996, in addition to the prevention and control of trafficking, the participants also called for the consideration of root causes such as uneven development, of regular migration along with irregular migration while also recognizing the essential impossibility of one country addressing irregular migration or trafficking on its own, thus representing the first stage of development. Information-sharing has been a focus in the fight against trafficking. The participating states have shared reports on trafficking, anti-trafficking legislation and reports on other irregular migration on a regular basis, helping all participants gain an overall view of the phenomenon of irregular migration in the entire region.

The ideas expressed at the first Manila Process meeting were then mirrored in the 1999 Bangkok Declaration on Irregular Migration, three years after that first Manila Process meeting, upon which the Manila Process itself now draws as a guide for future action. The Bangkok Declaration represents a significant step toward regional agreement and cooperation on combating irregular migration while protecting the human rights of irregular migrants. The Bangkok Declaration represents, at once, the second and beginning of the third stages of development. Thus, although the Bangkok Declaration is not a regional consultative process *per se*, it is closely linked both as an outcome of regional consultative processes and as an input. The final point in the Bangkok Declaration is to encourage cross-sectoral international cooperation, between “governments, non-governmental organizations, the private sector and civil society to join in a collective regional effort to alleviate the adverse effects of irregular migration and to prevent and combat trafficking of human beings, especially women and children” (point 18 in the Bangkok Declaration), an element already present in many regional consultative processes. The Bangkok Declaration additionally calls for a “comprehensive analysis” of the causes of irregular migration in order to better manage migration as well as information-sharing, in particular emphasizing the need to “exchange information on migration legislation and procedures for analysis and review, with a view to increasing coordination to effectively combat migrant traffickers”. One study commissioned by IOM, published in December 2000,¹⁷ answers that call – and was commissioned with precisely that intention.

As noted, in the Asian region, steps occur somewhat more slowly than in other regions. Most recently, in the Fourth Manila Process meeting, a request was made by the Manila Process participants that IOM prepare a capacity-building training seminar on irregular migration and migrant trafficking, thus indicating a wish to move ahead in pursuing yet another of the aims of the Bangkok Declaration and make the transition from a series of meetings toward a regional consultative pro-

cess. In addition, the Chairman's Summary of the Fourth Meeting made note of the reference to inclusion of civil society in the process – echoing the call in the Bangkok Declaration for precisely that. Thus, although progress is slow, it is identifiable.

CIS Conference (Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States) and Follow-up Process

The CIS Conference Process began its path of development in 1995 when Russia, concerned about the potential for intra-regional migration, called for a conference on migration. Russia initially wanted to discuss the creation of new migration management mechanisms, a particularly important point, as within the USSR, such mechanisms had neither existed nor been necessary. In that sense, the CIS Conference Process is somewhat different from other regional consultative processes in that it brought together states which were once part of one larger entity, whereas the majority of regional consultative processes bring together otherwise unrelated states in one region. Joined and supported by many states from the former Soviet Union, Western Europe and even outside Europe,¹⁸ who likewise feared the potentially negative consequences of an unmanaged migration flow within, from and through the former Soviet Union, the CIS Conference Process emerged under the initial leadership of UNHCR. The first cooperative meetings, headed by UNHCR, OSCE/ODIHR and IOM began with capacity-building in issues of border control, visa approximation and other practical issues of immediate relevance. Thus, the first stage of development – that of making the decision to address problematic issues in a cooperative fashion – was reached at this point.

In the mid-1990s, many different types of migration were occurring in the former Soviet Union, among them ethnically determined migration (Russians to Russia, Germans to Germany or Russia, Azeris to Azerbaijan, Armenians to Armenia, etc.), forced migration due to conflict, the trafficking of women for sexual exploitation and the smuggling of extra-regional migrants through the territory of the former Soviet Union en route to Western Europe. The CIS Conference Process hoped to provide a reliable regional forum in which to (1) address problems raised by these and other population movements; (2) analyse the population movements in order to determine the exact make-up of these movements and (3) develop a comprehensive strategy at the national, regional and international level in order to address these problems on the basis of the 1996 Programme of Action.

The issue of the smuggling of extra-regional migrants, as listed above, is a significant issue. If Ukraine discovers a group of irregular Iranian and Sri Lankan migrants, but, for instance, merely delivers them back to the Ukrainian-Russian border, then, as has been indicated (Klinchenko, 2000), the smugglers will merely re-smuggle the persons in question into Ukraine via another route or on another day. Within the framework of the CIS Conference Process, the CIS states have, with the assistance of an IOM Capacity-Building Programme, progressed toward discussing region-wide harmonization of visa and entry requirements and bilateral while multilateral agreements on many topics, including border control, have been or are being signed. The CIS Conference Process has, against significant odds, moved forward in fulfilling its goals, although implementation does, by all accounts, still lag behind.

Developing a means for addressing the different migration flows was one of the most pressing issues for the CIS Conference Process. The second stage of development was aided by the approval of a Programme of Action in 1996, in which various definitional issues were addressed. One of the first issues that was addressed was a working definition of categories of migrants. In the Programme of Action, the contentious term “forced migrant” was replaced by eight categories of migrants which were identified: refugees, internally displaced persons, illegal migrants, externally displaced persons, repatriants, involuntarily relocating persons, formerly deported peoples and ecological migrants (CIS Conference Process, 1996: 27). These eight categories of migrants covered all migrants in the former Soviet Union, allowing appropriate, differentiated and coordinated action to be taken with respect to each group. The creation of these categories was, despite criticism to the contrary,¹⁹ a crucial step for the future of cooperative migration management in the former Soviet Union.

During the course of the CIS Conference Process, IOM assisted with capacity-building projects in border control and in migration management schemes. UNHCR and IOM together helped train migration personnel, including tours of other states’ facilities while a series of newsletters, reports and studies on the implementation of the recommendations of the Plan of Action were published. At the close of its intended five-year run, an Assessment Report of the CIS Conference Process was produced, based on a questionnaire to the governments and to NGOs which gathered information on activities and implementation of recommendations from participating States. The most significant success of the CIS Conference Process is agreed to have been the recognition of the importance of migration and migrant protection issues. While many states still do not give migration a top priority, its importance has been acknowledged. Likewise, the development of organizational capacity, including administrative structures and the establishment of a legislative base have been a significant achievement, as these states had no need of either during the time of the

Soviet Union. One problem remains that implementation of agreed-upon principles is still somewhat difficult: there are so many different issues with higher priority in the former Soviet Union that migrant protection and asylum rights are, understandably, not always the highest priority.

ASSESSMENT AND COMPARISON

The four processes described here in more detail may be said, as noted throughout, to be at different stages of development. To recap, these stages of development are distinguished by, first, the decision to address issues of concern in a cooperative regional forum; second, to agree upon definitions, that is upon a “common language”; third, the agreement upon a Plan of Action or a list of goals and, fourth, a shift toward a more operational process. Nor is this fourth step a final one. It remains to be seen where regional consultative processes move and what they achieve. Whatever the future, regional consultative processes appear to have become an element of the international migration system, offering an alternative to the global system.

Of the processes profiled here, the Puebla Process is the most advanced and wide-ranging in focus. It has a clearly defined purpose and set of goals and has made progress towards achieving the goals laid out in the 1997 Panama Plan of Action. Puebla also has the most advanced mechanisms for information-sharing, also as represented by the virtual secretariat. Puebla has, with its second Plan of Action, taken a first step toward the fourth stage of development.

The Budapest Process, some five years older than the Puebla and Manila Processes, both of which were initiated in 1996, is in a slightly different position, having the added incentive of EU accession always present. The Budapest Process had a somewhat slower start than the Puebla Process, first agreeing upon a general list of action areas (second stage) in 1993, and then issuing a list of recommendations (third stage) in 1997, the same year the Puebla Process agreed upon its Plan of Action. These 55 recommendations, however, started with a list of goals intended to achieve information exchange and regional dialogue, including the commissioning of papers and the organization of workshops and seminars, but also included specific technical recommendations of an operational nature (fourth stage), which the Puebla Process is just now issuing in its second Plan of Action. These 55 recommendations were intended to be moved through in sequence, moving from agreement upon definitions to seminars to simple operational elements and then to more involved operational activities, thus giving each State a clear map of where the Process intended to go and permitting them to act accordingly. The time spent developing these recommendations was based on the information exchange to date and the needs of the participating states. The Budapest Process has thus moved toward the fourth stage of development, nine years after the initial meeting.

The CIS Conference Process is the only regional consultative process to have conducted an evaluation of its progress. This evaluation report enabled the organiz-

ers and participants alike to determine what had been achieved and what lagged behind. As noted earlier, implementation remained a key problem, and is something that must be solved if the CIS Conference Process is to continue. Other regional consultative processes might consider conducting an evaluation with the same basis of a questionnaire to participating States and to NGOs. Additionally, it appears that the Programme of Action was perhaps overambitious in its goals.

The Manila Process, as noted above, lags somewhat behind, yet signs of progress are to be seen. The Bangkok Declaration is a very positive development. It remains to be seen whether the recommendations are put into action. Thus, the Manila Process can be categorized as having just taken the first step toward the third stage of development.

A close look at these four processes yields several crucial points. First, based upon the experience of the Budapest, Puebla and CIS Processes, a well-organized and realistic Plan of Action is crucial. In the Puebla Process, broad goals were established. They were then further specified by objectives, which were, in turn, addressed in specific activities. A time plan was drawn up and these activities were carried out. There is no doubt that regional cooperation played a role in the efficiency with which these activities were executed, while it is also clear that a great deal of thought went into the development of this Plan of Action. The successful conclusion of the items included in the 1997 Plan of Action speaks highly of its quality. Other processes can learn from the Puebla Plan of Action by taking note of its details, logical progression, the wisdom in not taking on too much at once, but waiting to learn from a first stage (Panama Plan of Action), conducting evaluation and then moving on. The Budapest Process offers an alternative means of laying out goals, and one which appears to have worked quite well. The CIS Conference Process, aside from its financial limitations on implementation, appears to have taken on too much in its 1996 Programme of Action. On the other hand, the Manila Process had no Plan of Action for its first four years of existence, which were marked more by an uncertainty of direction than a unity of purpose.

Thus, a Plan of Action is clearly a valuable element in the forward progress of a regional consultative process, yet care must be taken in the elaboration of such a Plan of Action to ensure that it is not overambitious. Finally, a lesson learned from the CIS Conference Process is that a Process Evaluation is valuable. Such an evaluation could be carried out by the international organization serving as secretariat or some other nonpartisan actor. An evaluation serves to highlight the elements of the Plan of Action which are not working, which might be overambitious, to highlight elements which were not included initially, and which should be, or to indicate points at which a wrong turn was taken in development.

Another crucial point that is gained from the examination of these four processes is that these are *regional* processes. Throughout this paper, the importance of the differences among regions has been emphasized. Therefore, it is important to note that these processes do not move at the same pace in all regions; that the CIS Conference Process has implementation problems is related to regional issues, and must be addressed. The Manila Process is slower to achieve the various stages of development than the Budapest or Puebla Process. However, it is very important to note that these processes move at different speeds in different regions. Slower development must not necessarily be taken as an indication of failure. Indeed, a sense of common purpose is very important. While, to some extent, this can be created by external factors requiring joint action, such as earthquakes or economic crises, to a certain extent, this purpose must be encouraged to develop. As noted, the Puebla Process appears to have developed furthest in this regard and could be looked to as an example for other, fledgling regional consultative processes.

CONCLUSION AND RECOMMENDATIONS

Regional consultative processes are the regional response to a world of increasingly complex and diverse migration flows with more and more states involved. Multilateral cooperation, rather than unilateral action or bilateral agreements, is necessary in this complex migration system. Regional consultative processes offer a forum in which to discuss these issues in a cooperative dialogue on migration. Regional consultative processes are informal, provide for openness and increase efficiency.

Critics of regional consultative processes say that their shortcomings are too many, that too much migration is inter-regional. Even if this is the case, a global system of migration management is simply not yet practical. The differences between the regions in terms of needs, resources, political and economic systems and migration patterns is too divergent to be addressed within one single forum. Regional consultative processes are therefore playing an increasingly significant role in managing migration, the majority of which is on the regional level. It is foreseeable that, in the future, regional consultative processes of two affected regions might join together on the issue of inter-regional migration – for instance, that of African migration to Europe. Indeed, the very first meeting of two regional consultative processes (IGC and APC) which both deal with refugee issues occurred in April 2001. Indeed, regional consultative processes “could be valuable building blocks towards the establishment of a new international regime for better management of migration” (Ghosh, 2000b: 239).

However, such an international regime is not yet foreseeable, and the potential “building blocks” of such a regime are themselves still under construction. One of the great advantages of regional consultative processes is their ability to agree on a common language, information sharing and on a list of important goals – a common plan of action. These fundamentals will greatly aid the cooperative discussion of migration in a region when states’ delegates assemble to discuss the issues.

This paper has offered a discussion of regional consultative processes and of their role in managing migration, neither of which has been undertaken previously. The advantage of regional consultative processes lies in what has often been seen as a shortcoming, namely, the non-binding character of their recommendations and guidelines. As discussed in this paper, regional consultative processes may actually benefit from the non-binding aspect: states, particularly those sceptical of the international system, are more likely to participate in a non-binding process. This outcome can only be positive for migrants, for states and for the overall state of international migration. The participants who provide financial support, who are also generally the

receiving countries of migrants in the region, appear to believe in the power of dialogue, a power which has been substantiated again and again with the positive results of non-binding events, such as summits. Face-to-face meetings often resolve issues which, when carried on through intermediaries, can never reach resolution. Thus, these states clearly believe that, in this issue as well, the financial support of such meetings will turn out to be a good investment in terms of managing irregular migration as well as the intangibles, such as good will among neighbours. One of the most significant achievements of regional consultative processes is simply bringing representatives of the states together. When representatives meet together in an established forum with a history of cooperation, topics which are brought to the table, in particular by a neutral third party such as an international organization, can be discussed clearly and productively.

Regional consultative processes address several aspects of migration. Primarily, of course, regional consultative processes can manage intra-regional migration. Secondly, not insignificantly – in face of the increase in smuggling and trafficking – regional consultative processes can also assist in the management of extra-regional migration, for instance, as noted above, the cases of Chinese migrants en route to the US apprehended off the coast of Guatemala or of Sri Lankan migrants en route to the EU apprehended in Ukraine. This is an area in which regional consultative processes can and should play a more significant role – states can use the regional consultative process as a vehicle in which to decide upon cooperative action *vis-à-vis* extra-regional migrants. Thirdly, regional consultative processes should be used as a means of collecting data, both on intra-regional and extra-regional migration. Each state maintains some data, but often does not share with its immediate neighbours – and much of the data would not be comparable, even if it were to be shared. Were regional consultative processes to be used to collect and analyse migration data, the quality and efficiency of international migration management could be greatly increased. Finally, as per the example of the CIS Conference Process, the careful and critical evaluation of a regional consultative process would be a means of not only improving the current regional consultative processes, but also preparing the ground for the future, whether in existing regional consultative processes or in ones yet to come.

As noted above, there is little research on the development of regional consultative processes and their achievements to date. This study has striven to provide a comprehensive overview of regional consultative processes, why they have so rapidly appeared on the world scene and what they have to offer international migration management. This study provides the basis for further studies on regional consultative processes, which might include the following: an investigation of best practices, for instance, what type of regional consultative process is best for efficient information-sharing? Are regional consultative processes more efficient if they focus

on one or two specific topics, such as migrant trafficking and/or smuggling, or are they more efficient if they have a broader scope, for instance, all of irregular migration? Other topics for future research might include investigating a means of addressing the one major drawback of regional consultative processes – the inter-regional aspect. One way in which to address this drawback would be of initiating joint regional consultative process meetings. How likely is the success of such meetings?

Thus, the conclusions of this paper are that:

- a well-thought out, but not over-ambitious Plan of Action is crucial to the success of a Process;
- an evaluation process, preferably during the course of the Process, aids in identifying both positive and negative aspects of the process implementation;
- processes move at their own pace and, while they can be facilitated, cannot be rushed.

The recommendations of this paper are that:

- Regional consultative processes should be more engaged in addressing extra-regional migration;
- they should play a role in collecting and disseminating standardized data on migration in their regions;
- evaluation of existing regional consultative processes should be carried out to establish by what means they have accomplished what they have, what problems they have experienced (and why);
- mechanisms to investigate means of addressing inter-regional migration should be investigated.

NOTES

1. The public site is accessible at www.rcmvs.org.
2. Citizens of former colonies or current possessions may receive, depending upon the country, citizenship or a permanent residence permit and work permit, as well as welfare benefits and even integration training. Such training is required in the Netherlands for all new migrants, for instance those from the Netherlands Antilles, indeed, migrants' social benefits can be cut off if they do not attend language and other training.
3. Increased migration, along with increased technological aids such as satellite television, affordable air travel and cheap telephone rates, have strengthened the ties between migrants and their home countries considerably, meaning that migration for family unification has increased in importance, along with chain migration (potential migrants hearing of opportunities from those who have already migrated). Expatriate or diaspora communities often vote in their home elections, leading some candidates for political office for the Dominican Republic to campaign in New York City, for instance.
4. Among other points indicating this shift, US refugee acceptance figures tell an interesting story: whereas, during the Cold War, a very high proportion of all refugees from the USSR or other Soviet-controlled states were welcome in the US (74.5 per cent of all Soviet refugees were granted asylum in the US between 1983 and 1991), whereas Central Americans' acceptance rate hovered around 2 or 3 per cent. In contrast, after the Cold War, those from the former Soviet Union are accepted at much lower rates (although special programmes do continue to exist for minority ethnic and religious groups) while the acceptance rate for refugees from various Central American countries has risen to just about one-third.
5. It must be said, however, that a change in inheritance laws in Mexico, permitting non-citizens to inherit property, did lead to increased naturalization of Mexicans in the United States.
6. Inter-Governmental Asia-Pacific Consultations on Refugees and Displaced Persons.
7. Belize, Canada, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama and the US.
8. The public site is accessible at www.rcmvs.org.
9. For example, for some states, migrants were described as "forced migrants" whilst for others they were described as "returnees" or "repatriants".
10. Information exchange does, however, involve a certain amount of cooperation, as states must determine which information – some previously classified – they are willing to share with their partner states.
11. Belize, Canada, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama and the US. IOM serves as Secretariat to the Process.
12. Note that, as stated in the first part of this paper, a region may be regarded as simply "less than global".
13. Here, the criterion is functional, rather than geographical (see section Regional Consultative Processes: Their Distinctive Characteristics).
14. Albania, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Macedonia,

- Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and the US.
15. EU candidate states in Eastern and Central Europe: Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia (all participating members of the Budapest Process).
 16. Australia, Brunei Darussalam, Cambodia, People's Republic of China, Indonesia, Japan, Republic of Korea, Laos, New Zealand, Papua New Guinea, Philippines, Thailand, Viet Nam and the Hong Kong Special Administrative Region of China.
 17. Annuska Derks, *Combating Trafficking in South-East Asia: A Review of Policy and Programme Responses*. 2/2000 Migration Research Series. Geneva: IOM.
 18. Participants include: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan (altogether 45 countries – Western European states, Australia, US, Canada – took part in the initial steering committee).
 19. Helton and Voronina (2000) refer to the CIS Conference Process as being characterized by “modest consequences and lost opportunities” (73).

BIBLIOGRAPHY

CIS Conference Process

1996 *Programme of Action*, Geneva.

Ghosh, Bimal (Ed.)

2000a *Managing Migration: Time for a New International Regime?* Oxford University Press, Oxford.

Ghosh, Bimal

2000b “New international regime for orderly movements of people: what will it look like?”, in Bimal Ghosh (Ed.), *Managing Migration: Time for a New International Regime?* Oxford University Press, Oxford.

Goodrich, Leland M.

1959 *The United Nations*, Thomas Y. Crowell Co., New York.

Gzesh, Susan, and Anne Seymour

2000 “Immigrants’ rights advocates from ten countries meet in Washington”, *Mexico-U.S. Advocates Network News*, 4 April.

Hadwen, John, and Johan Kaufmann

1960 *How United Nations Decisions Are Made*, A.W. Sythoff-Leyden, Leyden.

Helton, Arthur C.

1996 “Lost opportunities at the CIS Migration Conference”, *Transition*, 28 June.

Helton, Arthur C., and Natalia Voronina

2000 *Forced Displacement and Human Security in the Former Soviet Union: Law and Policy*, Transnational, Ardsley, NY.

Hurrell, Andrew

1997 “Regionalism in theoretical perspective: regional organization and international world order”, in Louise Fawcett and Andrew Hurrell (Eds), *Regionalism in World Politics*, Oxford University Press, Oxford.

ICMPD

1999 “Recent visa policy approximation in the context of the Budapest Process: draft report with an up-date on developments since the meeting held on the Approximation of Visa Policies in Europe held in Portoroz in September 1998”, ICMPD, Vienna.

INS

1999 “Illegal Alien Resident Population”, www.ins.gov/graphics/aboutins/statistics/illegalalien/index.htm

IOM

2000a *World Migration Report 2000*, IOM, Geneva.

2000b *Migrant Trafficking and Human Smuggling in Europe: A Review of the Evidence with Case Studies from Hungary, Poland and Ukraine*, IOM, Geneva.

Klinchenko, Tatiana

2000 “Migrant trafficking and human smuggling in Ukraine”, in *Migrant Trafficking and Human Smuggling in Europe*, IOM, Geneva.

Miller, Mark J.

2000 “International migration in post-Cold War international relations”, in Bimal Ghosh (Ed.), *Managing Migration: Time for a New International Regime?* Oxford University Press, Oxford.

- Oberoi, Pia
 1999 “Regional initiatives on refugee protection in South Asia”, *International Journal of Refugee Law*, 11(1): 93-201.
- Overbeek, Henk
 2000 “Globalization, sovereignty, and transnational regulation: reshaping the governance of international migration”, in Bimal Ghosh (Ed.), *Managing Migration: Time for a New International Regime?* Oxford University Press, Oxford.
- Puebla Secretariat
 1996 “Puebla Joint Communiqué 1996”, IOM, Geneva.
- RCM
 2000 “Criteria for Members and Observers”.
- Taylor, Paul
 1993 *International Organization in the Modern World: The Regional and Global Process*, Pinter, London.
- Technical Cooperation Centre for Europe and Central Asia
 1999 “Facilitating the return of irregular migrants: the challenge for Eastern and Central Europe”, IOM, Vienna.
- UNHCR
 1999 “Refugees and others of concern to UNHCR – 1999 statistical overview”.
 2000 “Asylum applications in Europe, January-July 2000”.
- United States State Department
 1999 “Regional migration process: the North and Central American experience”, paper prepared by the Bureau for Population, Refugees and Migration, for the International Symposium on Migration: Towards Regional Cooperation on Irregular/Undocumented Migration.
- Widgren, Jonas
 1994 “Multilateral cooperation to combat trafficking in migrants and the role of International Organizations”, IOM, Geneva.
- Yamazaki, Rye
 2000 “Sex and the Japanese”, letter in the *International Herald Tribune*, 19 October: 9.