

# WORLD MIGRATION REPORT 2018: CHAPTER 5



SUSAN MARTIN  
SANJULA WEERASINGHE

The opinions expressed in the report are those of the authors and do not necessarily reflect the views of the International Organization for Migration (IOM). The designations employed and the presentation of material throughout the report do not imply the expression of any opinion whatsoever on the part of IOM concerning the legal status of any country, territory, city or area, or of its authorities, or concerning its frontiers or boundaries.

All reasonable efforts have been made to ensure the accuracy of the data referred to in this report, including through data verification. We regret, however, any data errors that may remain. Unless otherwise stated, this report does not refer to data or events after June 2017.

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

Publisher: International Organization for Migration  
17 route des Morillons  
P.O. Box 17  
1211 Geneva 19  
Switzerland  
Tel.: +41 22 717 9111  
Fax: +41 22 798 6150  
E-mail: [hq@iom.int](mailto:hq@iom.int)  
Website: [www.iom.int](http://www.iom.int)

Suggested citation: Martin, S. and S. Weerasinghe (2017) 'Global Migration Governance: Existing Architecture and Recent Developments' in IOM (2017) *World Migration Report 2018*, IOM: Geneva.

Cover photo: The IOM 107th Council at the United Nations Palais in Geneva, Switzerland, which marked the 65th anniversary of the Organization's founding on 5 December 1951. The Council is the highest authority of IOM and meets for one regular session annually. Its main functions include determining policy, reviewing reports, approving and directing the activities of the Executive Committee and the Director General, and reviewing and approving the programme, budget, expenditure and accounts of the Organization. © IOM (Photo: Muse Mohammed)

© 2017 International Organization for Migration (IOM)

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise without the prior written permission of the publisher.

# 5

## GLOBAL MIGRATION GOVERNANCE: EXISTING ARCHITECTURE AND RECENT DEVELOPMENTS<sup>1</sup>

### Introduction

In recent decades, there have been incremental and substantial efforts to improve the global governance of migration, building on the norms and institutions developed over the course of the last century. In the *2016 New York Declaration for Refugees and Migrants* (New York Declaration) – the negotiated outcome of the most high-profile plenary meeting to take place on human movements at the United Nations (UN) General Assembly (GA) – States committed to set in motion a process of intergovernmental negotiations leading to the adoption of a global compact for safe, regular and orderly migration. In an area in which global governance has lagged other transnational issues, this development is particularly noteworthy. It reflects the extent to which confidence in multilateral approaches has been built by efforts to strengthen international cooperation through informal dialogues and initiatives that allowed States to consult and share information. Yet, as at other times in history, it is also emblematic of the need for global cooperation in the face of underlying political, demographic, environmental and socioeconomic drivers of migration.

This chapter describes key aspects of the existing architecture relevant to the global governance of migration and reviews recent developments. It focuses on movements of people across international borders and on governance at the global level – that is, governance relevant to, or open to participation by, all UN Member States. In this context, governance encompasses the following substantive rules and norms, processes for decision-making, and mechanisms for implementation and monitoring:

1. Binding laws and norms, non-binding normative frameworks, and agreements among States to cooperate on various aspects of migration;
2. Institutional actors and institutional frameworks and mechanisms; and
3. Processes such as dialogues and initiatives that have taken place at the global level or that relate to governance at the global level.<sup>2</sup>

The next section begins with a discussion of the benefits of governing migration at the global level and identifies some of the main barriers inhibiting greater progress to this end, followed by an overview of key norms and institutions. This provides the context for the discussion in the penultimate section, which highlights three major themes: (1) key dialogues and initiatives instrumental to building momentum and confidence towards greater action at the global level, with particular focus on the 2016 UN High-level Meeting on Addressing Large Movements of Refugees and Migrants (2016 UN High-level Meeting) and the negotiations over the global compacts on refugees and migration; (2) initiatives specifically aimed at building normative frameworks to enhance protection of migrants, such as the Nansen Initiative on disaster-induced cross-border displacement and the Migrants in

---

1 Susan Martin, Donald G. Herzberg Professor Emerita of International Migration, Georgetown University and Sanjula Weerasinghe, non-resident Fellow, Institute for the Study of International Migration.

2 See Appendix A for a definition of global governance and definitions of other key terms used in this chapter.



Countries in Crisis (MICIC) Initiative; and (3) the integration of international migration into global-level responses on other salient issues, such as sustainable development and climate change. The conclusion brings these strands together to discuss steps that may be taken to further advance the global governance of migration.

## Benefits and barriers to global migration governance

There are advantages to enhancing the global governance of migration. Managing movements of people across international borders cannot be achieved through unilateral State action alone; rather, the development and implementation of migration policy benefits from international cooperation in addressing the complex drivers and processes of migration. By definition, international migration involves at least two countries – origin and destination – and increasingly implicates numerous other countries that serve as transit points, competitors for talent, collaborators in combating organized crime and movement of terrorists, and participants in the global financial system that moves remittances. Moreover, migration also involves non-State actors that intersect with governments and each other in managing movements of people. Some of these have formal, sanctioned roles (e.g. multinational corporations, labour recruitment agencies, humanitarian aid organizations and trade unions) whereas others are engaged in illicit activities (e.g. migrant smuggling and human trafficking). Furthermore, international migration intersects with other transnational issues, including development, trade, security, environmental change, conflict resolution, disaster risk reduction, human rights and humanitarian action. But, unlike these other areas, efforts to develop global governance systems to respond to existing and emerging challenges have lagged in the migration area.

In the face of global cooperation and coordination problems, a more effective system of global migration governance has the potential to improve collective responses and create opportunities for mutual benefits. Such a system can bring States together to discuss issues of mutual concern; identify common goals and strategies; create the space for learning and understanding; and allow States to coordinate and cooperate, including in the development and implementation of systems, processes and initiatives. Global norms, including principles, rules and guidance, whether legally binding or not, establish benchmarks against which State behaviour can be measured. Even when they are not widely ratified or adhered to, global norms can affect State behaviour. Ultimately, the benefits stemming from the global governance of migration should also be judged by the extent to which such a system enhances the realization of rights and the well-being of migrants. In this sense, the system for global migration governance and any improvements to it should necessarily be grounded in a recognition and acceptance that migrants, like everyone else, are entitled to inalienable rights.<sup>3</sup>

In his final report as the Special Representative of the Secretary-General on International Migration (SRSG), Sir Peter Sutherland cautioned that global migration governance cannot be achieved by fiat:

Progress is likely to hinge on the involvement of those directly affected and those responsible for policy implementation, while reaching agreement on common minimum standards, principles and approaches that should apply across the board. The latter provides predictability for inter-State cooperation, based on clearly articulated mutual expectations and responsibilities, and for migrants, whose rights must be protected wherever they happen to move in the world.<sup>4</sup>

<sup>3</sup> On grounding claims about “better” global migration governance, see, for example, Betts, 2011; Martin, 2014 and 2015; and Betts and Kainz, 2017; See also, Koser, 2010.

<sup>4</sup> SRSG, 2017.

Efforts to improve global governance of migration are not new. The post-World War I and II eras saw significant progress in establishing international norms, rules, procedures and institutions in the area of labour migration and refugee movements, as part of the broader establishment of the modern international system dealing with a range of economic, social and political issues.<sup>5</sup> At the same time, however, the global governance of migration remains fragmented, with robust international law in some areas, significant gaps in others, and inadequate decision-making processes and mechanisms for implementation of policies. The legal and institutional frameworks are strongest and oldest for refugees, with a widely ratified UN convention and a clear lead agency, the UN High Commissioner for Refugees (UNHCR). International treaties on human trafficking and migrant smuggling are also relatively widely ratified. By contrast, the various instruments to protect migrant workers have received less support. While migrant workers, and indeed all migrants, are covered under core international human rights instruments, normative gaps also remain, especially with regard to access to territory and stay for migrants in highly vulnerable situations, including those who do not qualify for protection as refugees.<sup>6</sup>

A number of factors have impeded progress in establishing a more coherent system of global migration governance. The first is concern articulated by a number of States about the effect on their sovereignty. Migration is understood to affect sovereignty directly by its impact on the integrity of borders, economic growth, social relationships, demography, cultural values and – in rare cases – political stability. These impacts are felt not only by countries of destination, but also by origin and transit countries. Immigration, for example, is a pathway in many States towards citizenship, which determines who will be making decisions about the identity and future of the country. Large-scale or specific manifestations of emigration (such as of highly skilled or leadership groups) can have a detrimental effect on a country's stability. Concerns about loss of sovereignty in the context of international cooperation are significant, but often misconstrue the nature of global governance systems. Recognition of the sovereign rights of States to manage migration is likely to be a core feature of any system of global migration governance. Even when States agree to the free movement of people across their borders, they retain the right to reinstate border controls when they believe national interests dictate such action, as occurred in some European Union Member States in 2015. States understandably prefer to operate on a “mutual interest” basis, rather than relinquish aspects of sovereignty to other countries that may have vastly different interests at stake.

Second, migration is often a contested issue in domestic politics. Publics are divided as to whether migration is a problem or an opportunity.<sup>7</sup> Interest groups tend to take more consistent stances in favour of, or opposed to, enlarging or contracting immigration, but they may cancel each other out in public immigration debates. Moreover, even among those who see migration as an opportunity, there are concerns that governments are increasingly unable to manage it well in the context of deepening globalization.<sup>8</sup>

Third, and related, effective international cooperation requires States to consider the interests of other countries, which is difficult when States are conflicted about their own interests with regard to migration. When States are unclear about what they want to achieve through their own migration policies, it is difficult for them to engage constructively with others in international forums. Many States are, at one and the same time, countries of origin, transit and destination. Their interests may differ significantly, depending on the topic under discussion or the agreements being negotiated. Finding consensus is all the more difficult because there is little agreement as to whether all parties to any accord would, on the whole, benefit from specific migration policies. Even

---

5 For a detailed account of these historical developments, see, for example, Martin, 2014.

6 This is not to say that significant implementation and enforcement gaps do not exist in practice under existing frameworks.

7 See, for example, German Marshall Fund of the United States, 2014.

8 Ibid.

though the economic research literature suggests that migration can generate significant economic benefits,<sup>9</sup> economics is not the only – or sometimes even the most important – factor in considering the effects of population movements. Social, fiscal, cultural, religious and other impacts may be as salient to governments when weighing how to manage flows of people or enter into agreements with other States.

Fourth, there is a natural asymmetry in the process of building a global migration governance system. Most destination countries tend to be global or regional hegemony in relationship to the countries of origin from which people migrate. This is equally true for South–South and South–North migration. Destination countries are generally wealthier and are often also strategically and militarily dominant. In negotiations, the destinations can have disproportionate power to define the terms by which their visas will be allocated. Even among countries with similar economies and political systems, agreement on policies is often elusive. The European Union has been working on such issues for decades and has still not achieved the level of policy coherence it has sought. Similarly, as early as 1992, the *Treaty of the Southern African Development Community* stated that Southern African Development Community (SADC) shall “develop policies aimed at the progressive elimination of obstacles to the free movement of capital and labour, goods and services, and of the people of the Region generally among Member States”.<sup>10</sup> The *2005 SADC Protocol on Facilitation of the Movement of Persons*, adopted to fulfil this commitment, is yet to come into force.<sup>11</sup>

Finally, and perhaps most importantly, migration is fundamentally about people, in contrast to the global regimes to address movement of capital and goods. For the system of global migration governance to benefit States, migrants and societies, the very people to be regulated have to be engaged in developing and improving relevant frameworks, institutions and processes. However, incorporating migrants into such a system is exceedingly difficult, particularly since it is not always clear who can represent migrants’ interests in any given context. Some progress has been made at the Global Forum on Migration and Development (GFMD) through the establishment of a civil society component, which includes representatives of migrant and diaspora-led organizations. As the GFMD is a consultative rather than a decision-making process, however, whether these organizations would indeed represent the interests of the vast array of different types of migrants is an open question.

Given these barriers, progress in establishing international norms, procedures and rules of decision-making has been slow, focused mostly on building confidence among States and between States and other partners. Two decades ago, the UN Secretary General (SG) asked States if they wanted the UN to convene an international conference to discuss greater cooperation in migration management. The opposition to such a discussion at a global level was strong. The SG concluded:

The disparate experiences of countries or subregions with regard to international migration suggest that, if practical solutions are to be found, they are likely to arise from the consideration of the particular situation of groups of countries sharing similar positions or concerns with the global international migration system. In the light of this, it may be expedient to pursue regional or subregional approaches whenever possible.<sup>12</sup>

---

9 World Bank, 2006.

10 Article 5(2)(d), SADC, 1992.

11 SADC, 2005.

12 UN SG, 1997.

In fact, the proliferation of regional and cross-regional consultative processes was already under way, having begun in the mid-1980s and expanded subsequently. Some of these processes included like-minded countries experiencing similar challenges as origin or destination countries. Others were composed of both origin and destination countries. The opposition to global meetings on migration has since dissipated, as evident in the 2006 and 2013 High-level Dialogues on International Migration and Development (HLD) and the 2016 UN High-level Meeting. As many of their supporters believed they would, regional consultative mechanisms have provided constructive input to the emerging global consultative arrangements discussed further below.

## Norms and institutions

The normative and institutional architecture for the global governance of migration has developed, evolved and proliferated over time, particularly during the last century, and now embodies a relatively detailed – albeit fragmented – set of norms, rules and institutions that regulate the behaviour of States and other actors. This section provides an overview of key aspects of the legal/normative architecture and the institutional architecture.

### *Overview of legal and normative architecture*

Stemming from a State's authority over its territory and population, international law recognizes a significant role for unilateral State action in regulating migration. States possess broad powers in this field, which include authority to determine admission, residence, expulsion and naturalization laws and policies. Yet this authority is also constrained by substantive and procedural norms relating to the exercise of State power. States have entered into treaties and agreements, and agreed to customary international law that restrict their authority to regulate migration, as an exercise of their sovereignty and in pursuance of their interests and duties.<sup>13</sup> Thus, in essence, under international law, States have expressly or implicitly consented to limits on their power to regulate migration.

This has meant that the laws and norms relevant to migration governance are found in customary international law and diverse instruments, including multilateral treaties, bilateral agreements and domestic laws. Some of these instruments relate to specific facets of migration, although, given its multidimensional nature, migration governance naturally intersects with and is influenced by laws and norms in many other areas. While acknowledging these practical implications, this subsection focuses principally on global-level treaties relevant to *international* movements associated with persecution and torture, smuggling and trafficking, labour and services, and family unity, as well as modes of movement.<sup>14</sup>

International human rights law permeates and is applicable to each of these themes. In the area of human rights, through deliberations and practice, States have undertaken significant obligations towards individuals and groups, including migrants. International human rights law imposes duties on States to respect, protect and fulfil human rights. The 1966 *International Covenant on Civil and Political Rights* (ICCPR), the 1966 *International Covenant on Economic, Social and Cultural Rights* (ICESCR), the 1948 *Universal Declaration of Human Rights* (UDHR) and seven other core human rights treaties articulate civil, political, economic, social and cultural rights that are inherent to all human beings in light of the recognition and acceptance of the fundamental importance

---

13 See Appendix A for a definition of customary international law. More generally, see for example, Aleinikoff, 2002.

14 The subsection does not delve into implementation and enforcement gaps, although these are significant and arguably impede the global governance of migration in ways that affect the interests of migrants as well as those of States.

of safeguarding human dignity.<sup>15</sup> Since human rights inhere due to a person's status as a human being and not because of citizenship, the vast majority of human rights are guaranteed to migrants and citizens alike, regardless of immigration status or other characteristics.

While all human rights are applicable to State action on migration, the principle of non-discrimination is among the fundamental rights that impose obligations on States.<sup>16</sup> This principle does not mean all distinctions between citizens and migrants are prohibited. For differential treatment to be permissible, in general, it must be "reasonable and objective" and the overall aim must be "to achieve a purpose which is legitimate" under human rights law.<sup>17</sup> With respect to freedom of movement, Article 12 of the ICCPR articulates the contours of the right. Persons lawfully within State territory have the right to liberty of movement within the territory and freedom to choose their residence. Everyone is also free to leave any country, including their own, and no one can be arbitrarily deprived of the right to enter their own country. However, States are permitted to impose restrictions that are based in law and consistent with the other rights in the ICCPR, if the restrictions are necessary to protect national security, public order, public health or morals, or the rights and freedoms of others.

### *Persecution, torture and war*

The most elaborate, well-established and widely adopted global laws and norms relate to movements associated with persecution, particularly to persons who can satisfy the legal definition of a refugee. The *1951 Convention Relating to the Status of Refugees* and its *1967 Protocol* (Refugee Convention) establish a framework of surrogate protection for any person who "owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country".<sup>18</sup> In its preamble, the Refugee Convention explicitly recognizes the international scope and nature of refugee problems and the need for international cooperation in achieving solutions.

Even though the UDHR recognizes the right to seek and to enjoy asylum from persecution in other countries, under the Refugee Convention, States do not have a corresponding obligation to admit asylum seekers, since international law does not articulate a general right to enter a State of which one is not a citizen.<sup>19</sup> The principal duty relates to *non-refoulement*, an obligation against the forcible return to territories where life or freedom would be threatened on account of the traits noted above.<sup>20</sup> However, *refoulement* is permitted under the Convention if there are reasonable grounds to believe that a person presents a danger to the security of the country or to its community because of a final conviction for a particularly serious crime. Article 31 explicitly requires States to refrain from imposing penalties on refugees, recognizing that seeking asylum can breach immigration rules. Once asylum seekers are recognized as refugees, States are obligated to grant a range of rights and benefits; some rights are automatic, while other entitlements accrue, for example, as a function of the nature and duration of the attachment to the host State.<sup>21</sup>

---

15 See Appendix B for ratifications relating to the treaties discussed in this chapter.

16 See, for example, Article 2(1), ICCPR; Article 2(2), ICESCR.

17 UNHRC, 1989.

18 Article 1A(2), Refugee Convention.

19 Article 14, UDHR.

20 Article 33(1), Refugee Convention.

21 Hathaway, 2005.



Burgeoning State practices directed at deterring, preventing and punishing irregular entry call into question the robustness of the Refugee Convention in fulfilling its original objective to provide international protection. Even though international human rights law has expanded the interpretation of the Convention definition of a refugee and thereby the breadth of persons who may fall within the definition, its circumscribed nature – the need to show persecution based on one of five grounds – means that it is poorly equipped to protect people who cross international borders in the context of war or natural disasters, absent these factors. Regional instruments have sought to fill some of the gaps by expanding the refugee definition to cover persons who cross borders in the context of wars and civil unrest, and there have been recent efforts to address normative gaps associated with cross-border movements in the context of disasters and environmental change (on the latter, see the next section).

Victims of torture who cross international borders – whether or not they qualify as refugees – can also seek protection on the basis of human rights treaties and customary international law. The *1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)* prohibits the return of persons to torture, while the ICCPR prohibits return to torture and other forms of ill-treatment. Unlike the Refugee Convention, the CAT contains an express and absolute prohibition against *refoulement* of a person to a State where there are substantial grounds for believing that the person would be subject to torture.<sup>22</sup> The prohibition is implied in the ICCPR.<sup>23</sup>

### *Trafficking and smuggling*

The other thematic areas in which a relatively large number of States have converged on the need for an international approach and agreed to global laws and norms relate to human trafficking and migrant smuggling. The *2000 Protocol to Prevent, Suppress, and Punish Trafficking in Persons Especially Women and Children* (the so-called “Palermo Protocol”) to the *Convention against Transnational Organized Crime (UNTOC)* defines “trafficking in persons” as comprising three key elements: an act; a means or method; and a purpose or motivation.<sup>24</sup> This means trafficking in persons, as defined, can apply to both internal and international movements, even though the Protocol’s scope is limited to offences that are transnational in nature and where trafficking involves an “organized criminal group”.<sup>25</sup> Among the Protocol’s objectives are protection and assistance of victims of trafficking with full respect for human rights,<sup>26</sup> and the Protocol explicitly articulates ways of achieving this,<sup>27</sup> although these have been criticized for insufficiently addressing the interests and needs of victims.<sup>28</sup> States are required to consider laws or other measures that would allow victims to remain temporarily or permanently on their territory;<sup>29</sup> however, subject to the State’s international protection obligations such as those stemming from refugee or human rights law, victims can be repatriated.<sup>30</sup>

Smuggling, on the other hand, a key means through which irregular migration takes place, is generally viewed as a commercial transaction rather than a situation of vulnerability, although contemporary research is generating

---

22 Article 3(1), CAT.

23 Article 7, ICCPR; UNHRC, 1992.

24 See Appendix A for definition of trafficking in persons.

25 See Appendix A for definition of organized criminal group.

26 Article 2(b), Palermo Protocol.

27 Article 6, Palermo Protocol.

28 See, for example, Gallagher, 2010.

29 Article 7, Palermo Protocol.

30 Article 8 and 14, Palermo Protocol.

greater insights into its complexity.<sup>31</sup> The commercial lens is arguably due in part to the definition in the *2000 Protocol against the Smuggling of Migrants by Land, Sea and Air* (Smuggling Protocol) to UNCTOC, which characterizes “smuggling of migrants” as a transaction between the smuggler and a migrant that entails a benefit to the smuggler.<sup>32</sup> Unlike trafficking, smuggling requires the crossing of an international border and the unauthorized entry of a migrant into a State in which the person is not a national or a permanent resident. The Protocol’s purpose is to prevent and combat the smuggling of migrants and to promote cooperation among States’ parties towards these ends, while protecting the rights of smuggled migrants.<sup>33</sup> Importantly, this means that the smuggler can be subject to criminal prosecution for smuggling, but not the smuggled migrant.

### *Labour and services*

In contrast to movements associated with persecution, torture, trafficking and smuggling, there is less convergence and cooperation at the global level on laws and norms for migrant workers. To regulate international movements related to labour and services, States have primarily adopted bilateral agreements and multilateral agreements at regional and subregional levels, including under broader frameworks for free movement. Nonetheless, a number of relevant laws exist at the global level: the *1990 Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (ICRMW); the *1949 Migration for Employment Convention (Revised)* (ILO Convention No. 97); and the *1975 Convention Concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers* (ILO Convention No. 143). Although individually these instruments are not widely ratified, about 86 States have ratified at least one of the three; together, they “comprise an international charter on labour migration, providing a comprehensive framework covering most issues of treatment of migrant workers and members of their families.”<sup>34</sup>

The ICRMW seeks to secure for migrant workers the rights guaranteed by the UDHR and core human rights treaties. The ICRMW relates to the whole labour migration process, including prevention of abuses; it covers migrants in both regular and irregular situations and includes substantive and procedural safeguards. The two binding ILO conventions, which are supported by non-binding recommendations, also relate to the protection of migrant workers throughout the labour migration process. Among the key themes covered by ILO Convention No. 97 are the conditions governing the orderly recruitment of migrant workers, as well as equal treatment with nationals for lawfully resident migrants in respect of working conditions, trade union membership and enjoyment of benefits including collective bargaining, social security and employment taxes.<sup>35</sup> ILO Convention No. 143 supplements ILO Convention No. 97; for example, it includes provisions specifically on migrants in irregular situations. In addition, the ILO’s eight fundamental rights conventions – recognized as fundamental to the rights of human beings at work as well as ILO instruments of general applicability, such as the *2011 Convention Concerning Decent Work for Domestic Workers* (ILO Convention No. 189) – are relevant to migrant workers.

The *1994 General Agreement on Trade in Services* (GATS), a key instrument in international trade law further liberalizing the trade in services, contains provisions indirectly supporting the temporary movement of persons between trading partners, thus facilitating international mobility at the global level. GATS applies to all measures by 164 WTO Members affecting trade in services, except where services are supplied in the exercise

---

31 See, for example, McAuliffe and Laczko, 2016.

32 Article 3, Smuggling Protocol. See Appendix A for definition of smuggling of migrants.

33 Article 2, Smuggling Protocol.

34 Cholewinski, 2012.

35 Ibid.

of governmental authority (on a non-commercial basis).<sup>36</sup> GATS contains rules and a framework for countries to make specific commitments to open particular service sectors to foreign suppliers. GATS establishes four possible modes through which services can be traded between WTO Members. Under Mode 4, WTO Members can commit to permit the presence of natural persons from other WTO Members for purposes of supplying services. GATS commitments are subject to national immigration provisions and accordingly, GATS does not require WTO Members to confer rights to live in their territories. GATS commitments are enforceable in the WTO.<sup>37</sup>

### *Family unity*

There are no global treaties specifically on international movements related to family unity. Indeed, the term “family unity” is not expressed as such in international instruments; it is generally used to describe rights that respect, protect and support the family, including its ability to be together.<sup>38</sup> Similarly, while the family is regarded as the fundamental unit of society, a single internationally accepted definition does not exist. The United Nations Human Rights Committee (UNHRC) has interpreted the term, as contained in the ICCPR, in broad terms as embodying “all interpersonal relations that are held to constitute a family in the society concerned.”<sup>39</sup> Protection of family unity is underscored by universal rights, including Articles 12 and 16 of the UDHR, Articles 17 and 23 of the ICCPR, and Article 10 of the ICESCR, as well as provisions in the *1989 Convention on the Rights of the Child* and the *ICRMW*. These rights interact with, and impose constraints on, State authority to regulate on migration, particularly in situations where a State seeks to deport a non-citizen member of a family residing within their territory or to deny entry to a non-citizen seeking to join family members residing in the territory.

### *Modes of movement*

State interests have also converged at the global level to regulate modes of movements. Customary international law and key global treaties are relevant to, and impose obligations on States, and in some instances on other actors, in the context of movements by sea and air. These treaties and customary international law are particularly relevant in an environment and context where States, through bilateral agreements and other mechanisms, increasingly seek to prevent and deter movements. Arguably, lack of clarity under international law on certain critical issues has also created the space for such arrangements. Key treaties on maritime movements and international transport by air are:

- *1982 United Nations Convention on the Law of Sea (UNCLOS)*;
- *1979 International Convention on Maritime Search and Rescue (SAR)*;
- *1974 International Convention for the Safety of Life at Sea (SOLAS)*; and
- *1944 Convention on International Civil Aviation* (also known as the “Chicago Convention”), in particular Annex 9.

Movements across land or “green” borders, the other key mode of entry for migrants, tend to be controlled unilaterally or via bilateral agreements.

---

36 Article 1, GATS.

37 For more on GATS and movement of persons, see, for example, WTO, n.d.

38 See, for example, Jastram, 2003.

39 Kälin and Künzli, 2009, drawing on UNHRC, 1988 and 1990.

### *Overview of institutional architecture*

This subsection highlights the roles of the International Organization for Migration (IOM), UNHCR and the International Labour Organization (ILO), the three international organizations with the most robust normative and/or operational mandates related to the global governance of migration. It also touches upon the roles and missions of the Global Migration Group (GMG) and the SRSR, while acknowledging that a host of other institutional actors play important direct and indirect roles.

Since its founding in 1951, IOM has adapted significantly, expanding from a regional organization with primarily logistical responsibilities to a global one with a much broader set of objectives, especially in humanitarian engagement. Established through a State-led process outside the UN system and under a different name and without the underpinnings of a convention, IOM joined the UN as a related organization in September 2016.<sup>40</sup> IOM's Constitution does not exhaustively define or limit the populations able to benefit from IOM's efforts and services in pursuance of its purposes and functions.<sup>41</sup> This has allowed IOM to be entrepreneurial and flexible in responding to evolving political and humanitarian needs.<sup>42</sup> Since 2001, IOM has convened an annual International Dialogue on Migration (IDM) as a key global forum that brings together relevant stakeholders to discuss emerging and complex migration governance themes. IOM's Migration Governance Framework, adopted in 2015, is particularly relevant to the themes of this chapter. The framework identifies essential elements for facilitating orderly, safe, regular and responsible migration (and mobility) of people through planned and well-managed migration policies. It articulates three principles: (1) adherence to international standards and fulfilment of migrants' rights; (2) formulation of policy using evidence and a whole-of-government approach; and (3) engagement with partners to address migration and related issues; and three objectives: (1) advance the socioeconomic well-being of migrants and society; (2) effectively address the mobility dimensions of crises; and (3) ensure that migration takes place in a safe, orderly and dignified manner.<sup>43</sup>

Established as a temporary regionally focused organization tasked to provide legal protection, over time in the context of evolving political and mobility landscapes and humanitarian exigencies, UNHCR's responsibilities and operations have adapted and expanded significantly. It is the primary global institution responsible for protection and assistance to refugees, asylum seekers and stateless persons.<sup>44</sup> Under the Refugee Convention, States undertake to cooperate with UNHCR in the exercise of its functions, particularly to facilitate UNHCR's specific duty to supervise the Convention's application.<sup>45</sup> In this sense, UNHCR is the "guardian" of the Refugee Convention and promotes and monitors implementation and compliance. UNHCR's mandate and functions are set out in its 1950 Statute; its core mandate is to provide international protection and seek permanent solutions for refugees.<sup>46</sup> The Statute also provides for UNHCR's mandate and activities to evolve, based on instructions and policy directives from the GA and the UN Economic and Social Council (ECOSOC).<sup>47</sup>

---

40 Initially established as the Provisional Intergovernmental Committee for the Movement of Migrants from Europe (PICMME) and later the Intergovernmental Committee for European Migration (ICEM) and the Intergovernmental Committee for Migration (ICM), the current name was adopted in 1989.

41 Article 1(1), IOM, 2017.

42 Bradley, 2017.

43 IOM, 2015.

44 The UN Relief and Works Agency (UNRWA) provides assistance and protection to Palestinian refugees in Jordan, Lebanon, Syrian Arab Republic, the Gaza Strip and the West Bank, including East Jerusalem. See, for example, UNRWA, n.d.

45 Article 35, Refugee Convention.

46 UNGA, 1950.

47 See in particular UNGA, 1950. The Statute and GA and ECOSOC resolutions identify persons who may qualify as refugees and fall within UNHCR's mandate as well as other "persons of concern" who may fall within UNHCR's competence. See also, UNHCR, 2013.

UNHCR also convenes agenda-setting global consultations, hosts the annual High Commissioner's Dialogue on key protection challenges and publishes Guidelines on International Protection to clarify the application of the Convention. Its Executive Committee, which is comprised of 101 Member States,<sup>48</sup> is "the only specialized multilateral forum at the global level responsible for contributing to the development of international standards relating to refugee protection."<sup>49</sup>

The ILO's operational role is much narrower than either of the other two organizations, but it continues to play an important normative function. In addition to its conventions, the ILO's non-binding Multilateral Framework on Labour Migration, adopted in 2006, and developed in the context of the ILO's general commitment to decent work, represents consensus on the part of the three sets of actors that make up the ILO's governing structure: governments, employers and trade unions. Its aim is to assist States "in implementing more effective policies on labour migration, including on rights, employment and protection of migrant workers."<sup>50</sup> Operationally, the ILO supports programmes to enhance social protection of migrants, such as the negotiation of agreements that allow portability of benefits; prevent human trafficking; improve migrant labour recruitment practices; enhance skills recognition of migrants; support reintegration of migrants; and protect domestic workers. In contrast to UNHCR and IOM, migration is one among many priorities within the ILO.<sup>51</sup>

Beyond these three key UN agencies, a whole host of other institutional actors and mechanisms are relevant to the governance of migration at the global level.<sup>52</sup> In recognition of the complexity of the institutional landscape, the GMG was established to promote greater cooperation and coordination. It is comprised of 22 entities that meet regularly at heads of agency and working levels.<sup>53</sup> In its terms of reference, the GMG identifies establishing comprehensive and coherent institutional responses to international migration and working to ensure full respect for rights of international migrants, including protection to vulnerable migrants, among its key priorities.<sup>54</sup>

A final important actor is the SRS on International Migration. The office, established in 2006 in the lead-up to the UNHLD, supports and advises the Secretary-General in promoting and advocating the UN agenda on international migration and provides policy advice and coordinates the engagement of UN entities on migration-related issues. The office has led efforts to foster international cooperation, including initiatives on specific issues such as migrants affected by crises and will coordinate the work to implement the New York Declaration (see next section). Louise Arbour succeeded Sir Peter Sutherland as SRS in 2017.

---

48 UNHCR, n.d.

49 Loescher, 2014.

50 ILO, 2006.

51 Labour migration is one of more than 40 issues listed on the ILO's homepage under "topics"; see, for example, ILO, n.d.a. It is one of 10 areas in which the budget is organized; see, for example, ILO, n.d.b.

52 Among them are the Office of the High Commissioner for Human Rights (OHCHR) and the population division within the UN Department of Economic and Social Affairs (UN DESA). The OHCHR has a mandate to promote and protect the enjoyment and full realization of human rights of all people, including migrants. The office also supports the Special Procedures of the Human Rights Council, including the Special Rapporteur on the Human Rights of Migrants and the Special Rapporteur on Trafficking in Persons Especially Women and Children. Among other aspects, UN DESA prepares global migrant stock estimates and supports dialogues and meetings on international migration within the UN.

53 Members are: FAO, IFAD, the ILO, IOM, OHCHR, UN Regional Commissions, UNEP, UNICEF, UNCTAD, UN DESA, UNDP, UNESCO, UN Women, UNHCR, UNIDO, UNITAR, UNODC, UNFPA, UNU, World Bank, WFP and WHO. Some notable organizations are not members, including WTO, ICAO and WMO. See GMG, n.d.a.

54 GMG, n.d.b.



## Efforts to improve global governance (2001–2016)

During the twenty-first century, there have been recurrent efforts to improve global migration governance through formal UN mechanisms as well as through informal State-led mechanisms. This section briefly examines three sets of such activities: (1) dialogues and consultative processes to build confidence and consensus among States; (2) mini-multilateral normative initiatives to enhance protection of migrants; and (3) efforts to ensure that migrants are included in decision-making on other, related global issues.

### *Dialogue and consultation*

The last two decades have seen a marked increase in global-level dialogues and consultative mechanisms on international migration, as awareness has grown of its multidimensional and transnational nature and of the need for multilateral cooperation on various aspects of the issue. Table 1 highlights key dialogues and consultations held at the global level since 2001, organized by States or the UN, and presents an overview of major outputs or outcomes. These dialogues and initiatives are not without criticisms at the substantive and procedural levels.<sup>55</sup> Nonetheless, the growing salience and priority of governing migration at the global level is reflected in the fact that past reluctance and disagreements have shifted somewhat towards increased cooperation with greater recognition of the benefits to be gained from global discussions and action.

According to a recent analysis of nine global dialogues and initiatives, the following broad thematic clusters have featured in all of them: (1) minimizing the negative aspects of migration by addressing drivers and consequences of displacement and irregular migration; (2) acknowledging and strengthening the positive effects of migration for countries of origin and destination, as well as for migrants; and (3) protecting migrants' rights and ensuring their well-being.<sup>56</sup> While the dialogues and initiatives have approached these broad themes from different angles and with varying degrees of emphasis, there has been convergence on the importance of making progress with regard to a number of subthemes across the dialogues and initiatives. The main subthemes where tensions are apparent include recommendations related to opening more legal avenues for migration, considering low-skilled labour migration outside temporary channels, and the rights of migrant workers, especially as articulated in the ICMWC.<sup>57</sup>

---

55 See, for example, Newland, 2005.

56 Bauloz, 2017. The paper examined the Berne Initiative, annual meetings of IOM's IDM, the so-called "Doyle Report", the Global Commission on International Migration (GCIM), the GMG, the 2006 HLD, GFMDs, the 2013 HLD and the 2016 UN High-level Meeting. See discussion of some of these in the table below.

57 Ibid.

Table 1. Selected dialogues and consultations at the global level during the twenty-first century<sup>58</sup>

Year	Dialogue or Initiative	Key Outcome
2001–2004	Berne Initiative, launched by Switzerland and State-owned.	<a href="#">International Agenda for Migration Management</a> including: (1) common understandings outlining fundamental shared assumptions and principles underlying migration management; and (2) effective practices on a range of migration issues that draw on actual and practical experiences of States.
2003–2005	Global Commission on International Migration, co-chaired by Switzerland and Sweden, with over 30 States as part of a core group. <sup>a</sup>	<a href="#">Migration in an Interconnected World: New Directions for Action</a> , laying out a framework for the formulation of coherent responses to the issue of international migration at national, regional and global levels. <sup>b</sup>
2006	UN High-level Dialogue on International Migration and Development.	Resolution ( <a href="#">A/RES/61/208</a> ) on International Migration and Development adopted by the General Assembly by consensus in December 2006. The Summary of the High-level Dialogue by the President of the General Assembly ( <a href="#">A/61/515</a> ) noted support for continuing the global dialogue on international migration and development.
2007–present	Global Forum on Migration and Development.	<a href="#">State-led process</a> that allows for consultation, dialogue and cooperation on international migration issues with growing and extensive government participation. Civil society discussions have preceded State discussions with common space for interaction.
2013	UN High-level Dialogue on International Migration and Development.	Negotiated Declaration adopted unanimously by General Assembly ( <a href="#">A/RES/68/4</a> ), which recognized and reaffirmed the need for international cooperation and action in managing migration and protecting the rights of migrants.
2016	UN High-level Meeting on Addressing Large Scale Movements of Refugees and Migrants.	First summit at the Heads of State and Government level on large movements of refugees and migrants. Resulted in the New York Declaration adopted unanimously by all 193 UN Member States.

a The GCIM was established following recommendations stemming from the so-called “Doyle Report”. See, for example, GCIM, n.d.; see also Doyle, 2004.

b The GMG, discussed earlier in this chapter, was established as a response to this recommendation.

58 Even earlier, at the 1994 International Conference on Population and Development (ICPD) in Cairo, 179 States adopted a 20-year Programme of Action that was intended to “serve as a comprehensive guide to people centered development action.” It contained a whole chapter on international migration and arguably launched further dialogue on migration. See, for example, UNFPA, 2014. Summaries of the dialogues and initiatives highlighted in this table have been drawn from relevant websites. More generally, see for example, Newland, 2011.

The 2016 UN High-level Meeting deserves special attention. The summit came in the aftermath of several major refugee and migration crises affecting many parts of the world. The large-scale movements of people from and through the Middle East and North Africa into Europe brought particular attention to the issue, but significant movements of Central Americans through Mexico into the United States and people from Bangladesh and Myanmar into other Southeast Asian countries also raised its global visibility.

The SG's report for the 2016 UN High-level Meeting focused on both refugees and migrants, highlighting trends, causes of large movements, and needs both en route and upon arrival. It called for "new global commitments to address large movements of refugees and migrants, commencing with recommendations to ensure at all times the human rights, safety and dignity of refugees and migrants".<sup>59</sup> The report also elaborated the need to address the causes of movements and protect those who are compelled to move, and to prevent discrimination and counter xenophobia against refugees and migrants.<sup>60</sup> The New York Declaration recognized that although there are separate legal frameworks governing refugees and migrants, both have the "same universal human rights and fundamental freedoms [and] [t]hey also face many common challenges and have similar vulnerabilities, including in the context of large movements."<sup>61</sup> In this context, the New York Declaration endorsed a set of commitments that apply to both refugees and migrants, as well as separate sets of commitments for refugees and for migrants. The Declaration acknowledged that States have "a shared responsibility to manage large movements of refugees and migrants in a humane, sensitive, compassionate and people-centred manner" and to do so through international cooperation, while recognizing that there are varying capacities and resources to respond.<sup>62</sup>

With regard to refugees, the SG's report called for "[a] more predictable and equitable way of responding to large movements of refugees ... through the adoption of a global compact on responsibility-sharing for refugees, and [by setting out] elements of a comprehensive response plan for refugees".<sup>63</sup> It called on Member States to adopt a compact that would "commit to sharing responsibility for hosting refugees more fairly" and to "take immediate steps ... to ensure ... the impact of [refugee] flight is not borne disproportionately by countries and regions on the basis of their proximity to countries of origin alone."<sup>64</sup> Responsibility-sharing could manifest itself through, among other things, "financial and in-kind support, technical assistance, legal or policy measures, personnel and resettlement places or other pathways for admission of refugees, and to endeavour to make contributions proportionate to the global needs of refugees and to the diverse capacities of each Member State".<sup>65</sup> In the New York Declaration, States committed to a "more equitable sharing of the burden and responsibility for hosting and supporting the world's refugees, while taking account of existing contributions and the differing capacities and resources among States."<sup>66</sup> And, despite the fears of many advocates for refugees, the declaration strongly endorsed the existing normative framework for refugee protection. These statements were a significant achievement in themselves, as "[t]he 19 September summit

---

59 UNSG, 2016.

60 Ibid.

61 UNGA, 2016.

62 Ibid.

63 UNSG, 2016. The work on refugees was informed by several other high-level meetings in 2016 that sought greater cooperation in responding to crises, including the Supporting Syria and the Region Conference, held in London in February 2016; the High-level Meeting on Global Responsibility Sharing through Pathways for Admission of Syrian Refugees, held in Geneva in March 2016; and the World Humanitarian Summit, held in Istanbul in May 2016.

64 UNSG, 2016.

65 Ibid.

66 UNGA, 2016.

was the first time ever that the UN General Assembly had expressed a collective commitment to sharing responsibility for refugees.<sup>67</sup> The New York Declaration gave UNHCR principal responsibility for drafting the compact on refugees, which is to be included in the High Commissioner's annual report to the GA in 2018.<sup>68</sup>

On migration, the SG's report called for "strengthening global governance of migration through the development of a global compact for safe, regular and orderly migration, in a process to be initiated now and realized in the coming years."<sup>69</sup> Instead of proposing language for the compact, the SG asked for "a State-led process to elaborate a comprehensive international cooperation framework on migrants and human mobility ... and to hold an intergovernmental conference on international migration in 2018 to adopt the global compact".<sup>70</sup> The New York Declaration confirmed this approach and indeed, responsibility for drafting the migration compact rests firmly with States. The process for developing the migration compact is led by the President of the UNGA, who named the governments of Mexico and Switzerland as co-facilitators. The UN Secretariat and IOM are jointly servicing the negotiations, the former providing capacity and support and the latter extending technical and policy expertise.<sup>71</sup> The global compact on migration is to set out "a range of principles, commitments and understandings among Member States regarding international migration in all its dimensions."<sup>72</sup> Annex II of the New York Declaration lists a non-exhaustive set of 24 issues to be addressed in the compact. They range from the very general (for example, cooperation at the national, regional and international levels on all aspects of migration) to the very specific (for example, promotion of faster, cheaper and safer transfers of remittances through legal channels).

In his final report as SRSR, Sir Peter Sutherland recommended an agenda for action that highlights five policy priorities for the global compact: (1) managing crisis-related movement and protecting migrants in vulnerable situations; (2) building opportunities for labour and skills mobility; (3) ensuring orderly migration, including return; (4) fostering migrant inclusion and development benefits; and (5) strengthening governance capacities. Others have emphasized that the global compact should primarily reinforce the human rights framework for the protection of migrants.<sup>73</sup>

A further major outcome of the 2016 UN High-level Meeting related to institutional arrangements for global migration governance. The New York Declaration endorsed IOM's entry into the UN, "which will assist and protect migrants more comprehensively, help States to address migration issues and promote better coherence between migration and related policy domains."<sup>74</sup> Member States expressed their wish that IOM's admission as a related organization would not change its mission or mode of operation.<sup>75</sup> Director General, William Lacy Swing, made this point at the signing of the agreement between IOM and the UN during the 2016 UN High-level Meeting:

---

67 Ferris, 2017.

68 UNGA, 2016.

69 UNSG, 2016.

70 Ibid.

71 UNGA, 2017a.

72 UNGA, 2016.

73 Guild and Grant, 2017.

74 UNGA, 2016.

75 According to the UN, "The term 'related organization' has to be understood as a default expression, describing organizations whose cooperation agreement with the United Nations has many points in common with that of Specialized Agencies". See, for example, United Nations System Chief Executives Board for Coordination, n.d.

We will continue to keep our Member States fully and regularly informed. We will continue to insist on being cost-effective with our business model: where 97 per cent of our 10,000 people are overseas, and out of a budget of 1.5 billion we will use less than 50 million to run the organization. We will also [sic] to continue to offer quick delivery – the same sort of openness that allowed us to come to consensus on this agreement.<sup>76</sup>

From a policy and UN coordination perspective, however, as a member of the UN family of agencies, IOM should be better positioned to bring greater attention, coherence and more effective responses to migration issues within the overall UN system and among its Member States.

### *Mini-multilateralism in filling normative protection gaps*

The New York Declaration called for a State-led, consultative process to improve protection and assistance for migrants in vulnerable situations and to give favourable consideration to implementing the recommendations of the Nansen Initiative on cross-border movements in the context of natural disasters and climate change, and the MICIC Initiative. These two initiatives represent what are called mini-multilateral approaches to norm-building to fill gaps in binding international law, particularly ones that are unlikely to be filled by new conventions or treaties.<sup>77</sup> Sir Peter Sutherland, the former SRSG on international migration, argued strongly that such “willing coalitions of States, working with other stakeholders, can begin to tackle ... priorities and gradually broaden the consensus on what a functioning international architecture for migration should look like in 2018 and beyond.”<sup>78</sup>

### Nansen Initiative Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change

The State-led Nansen Initiative was launched by Norway and Switzerland in light of broad consensus surrounding the need to address the normative gap for the protection of people displaced across borders in the context of disasters, including those related to climate change. Focused on the protection of people, but with a wider scope, including the need to address issues of international cooperation and solidarity, the Nansen Initiative’s aim was to develop a more coherent and consistent approach at the international level and help the international community develop an effective normative framework.<sup>a</sup>

As a State-led, bottom-up, intergovernmental consultative process, the Initiative built a global evidence base and consensus on the needs of such people, and in October 2015 launched an Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change, which was endorsed by 109 government delegations.

<sup>76</sup> IOM, n.d.

<sup>77</sup> Naim, 2009.

<sup>78</sup> SRSG, 2017.



To assist States and other stakeholders to improve preparedness and responses to address cross-border displacement, the Protection Agenda conceptualizes a comprehensive approach – a toolbox that not only focuses on protecting those who cross borders, but also presents measures to manage risks in the country of origin. The Agenda compiles a broad set of effective practices and highlights three priority areas for action at the national, (sub)regional and international levels:

- (a) Collecting data and enhancing knowledge on cross-border displacement;
- (b) Enhancing the use of humanitarian protection measures for those who cross borders in the context of disasters and climate change; and
- (c) Strengthening the management of disaster displacement risk in the country of origin by:
  - (i) Integrating human mobility within disaster risk reduction and climate change adaptation strategies and other relevant development processes;
  - (ii) Facilitating migration with dignity as a potentially positive way to cope with the effects of natural hazards and climate change;
  - (iii) Improving the use of planned relocation as a preventative or responsive measure to disaster risk and displacement; and
  - (iv) Ensuring the needs of persons displaced internally in disaster situations are specifically addressed in relevant laws and policies on disaster risk management and internal displacement.

For more on the Nansen Initiative, including its Protection Agenda, see: [www.nanseninitiative.org/](http://www.nanseninitiative.org/). For more on the successor to the Nansen Initiative, the Platform on Disaster Displacement (PDD), see: <http://disasterdisplacement.org/>.

a Kälin, 2012.

## MICIC Initiative Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster

The MICIC Initiative has also been praised as an important effort at mini-multilateralism. Launched at the 2014 GFMD in Sweden by its co-chairs the United States and the Philippines, the Initiative was a response to a series of calls to action, including at the 2013 HLD where former Secretary-General Ban Ki-moon noted the need to address the plight of migrants caught in situations of conflict or natural disaster. These calls stemmed from recognition – evidenced most acutely during the 2011 Libyan crisis, when over 800,000 migrants fled the country in a matter of months – that migrants can fall through the cracks of preparedness and response efforts in the context of crises and that this is an issue of global concern.<sup>b</sup>

Following its launch, a committed working group – comprised of the co-chairs, the governments of Australia, Bangladesh, Costa Rica and Ethiopia, the European Commission, IOM (which also served as the secretariat), UNHCR, the Office of the SRSG, the International Centre for Migration Policy Development (ICMPD) and Georgetown University’s Institute for the Study of International Migration (ISIM) – undertook a broad and inclusive evidence-gathering and consultative process. The MICIC Initiative’s main outcome, the non-binding and voluntary Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster, launched at the UN in New York and Geneva in June 2016, provides practical guidance to States, international organizations, private sector actors and civil society on better ways to protect migrants prior to, during, and in the aftermath of conflicts or natural disasters. The document entails 10 fundamental and cross-cutting precepts (Principles); 15 targeted suggestions organized by theme and by phase (Guidelines); and a non-exhaustive selection of illustrative practices (Practices).

The MICIC Initiative and its Guidelines have been regarded as a useful model, both in terms of process and outcome, for tackling issues of concern to the global community of States. Like the Nansen Initiative, the salience and relevance of the MICIC Initiative for addressing the needs and protection of migrants has been recognized in the 2016 New York Declaration.

For more on the MICIC Initiative, see: <https://micicinitiative.iom.int/>.

b For more on the impacts of crises on non-citizens, see, for example, Weerasinghe et al., 2015.

There are a number of reasons to be optimistic about mini-multilateralism as a way to fill persistent gaps in protection. Martin, observing these processes from the inside, concluded that informal, non-binding, State-led processes for reform are seen by States as pragmatic approaches to norm-filling.<sup>79</sup> The ad hoc nature of these processes allows them to address emerging issues and concerns more effectively than more formal mechanisms that are often tied to specific mandates. Because States are leading these efforts, there is a built-in constituency for ensuring their implementation. Moreover, these processes have been highly inclusive in terms of regional scope and participation. The resulting recommendations have been vetted with multiple stakeholders, although responsibility for issuing them ultimately rested with the State leads. These processes will only work, however, if States are willing to implement policies consistent with the recommended principles and guidelines. As Martin concluded: “Enhancing protection of those displaced by conflict, natural disasters and other crises will require sustained attention. In the long term ... they will only be as effective as the willingness of States and other stakeholders to implement the recommendations and offer protection on a non-discriminatory basis to all who flee life-threatening situations.”<sup>80</sup> Betts and Kainz also caution that mini-multilateralism, because it may generate overlapping initiatives on similar issues, “exemplifies a trend towards fragmentation in global migration governance” that could impede efforts to develop a more universal system.<sup>81</sup>

---

79 Martin, 2016.

80 Ibid.

81 Betts and Kainz, 2017.

Negotiations on new approaches to protect migrants in vulnerable situations, as proposed in the New York Declaration, will be a greater test of mini-multilateralism than the Nansen or MICIC Initiatives, largely because vulnerability is an amorphous concept that potentially encompasses a very large number of people. How vulnerable situations are defined will be indicative of the commitment of States to protect persons who are not covered under existing laws and frameworks. Vulnerable migrants may include persons who do not qualify for protection under refugee frameworks, but who face a range of life-threatening situations in their home countries, such as communal, electoral, gang, cartel and terrorist violence; nuclear accidents; epidemics and pandemics; and disasters, to name a few.<sup>82</sup> They can also include migrants with personal crises, including those stranded in a transit country en route to a final destination. Vulnerability can also stem from inherent or experienced characteristics, such as “women at risk, children, especially those who are unaccompanied or separated from their families, members of ethnic and religious minorities, victims of violence, older persons, persons with disabilities, persons who are discriminated against on any basis, indigenous peoples, victims of human trafficking, and victims of exploitation and abuse in the context of the smuggling of migrants.”<sup>83</sup> By contrast, the Nansen and MICIC Initiatives addressed more specific populations in need of protection – disaster displaced and non-citizens in countries experiencing crisis, respectively.

#### GMG Principles and Guidelines on the Human Rights Protection of Migrants in Vulnerable Situations within Large and/or Mixed Movements

Since 2016, the GMG Working Group on Human Rights and Gender Equality, has been leading efforts to develop a set of principles and guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations within large and/or mixed movements. The framework, which has been developed through a multi-stakeholder, expert process, seeks to provide guidance to States and other stakeholders on how to implement obligations and duties to respect, protect and fulfil the rights of persons in vulnerable situations within large and/or mixed movements who might not fulfil the conditions of the refugee definition. The precarious nature of large and/or mixed movements places some migrants in particular situations of vulnerability and they are therefore, in need of specific protection interventions.

For more on the Principles and Guidelines on the Human Rights Protection of Migrants in Vulnerable Situations, see: [www.ohchr.org/EN/Issues/Migration/Pages/Draftsforcomments.aspx](http://www.ohchr.org/EN/Issues/Migration/Pages/Draftsforcomments.aspx).

82 For more on diverse humanitarian crises and their impacts on populations that may not qualify for refugee protection, see, for example, Martin, Weerasinghe and Taylor, 2014.

83 UNGA, 2016.

## *Migration and other areas of global governance*

This section discusses the ways in which States, usually within the UN framework, have committed to integrate migration and human mobility more generally, often for the first time, into other global governance areas. Four major global meetings merit attention, as they highlight the ways in which migration governance intersects with governance of other transnational issues, including development, climate change, disaster risk reduction and urbanization. Although it is too soon to tell if significant progress will be made in implementing the commitments made with regard to migration, getting migration into these agendas has been one of the most significant achievements of the past two years.

### *Migration and development*

With the incorporation of migration into the *2030 Agenda for Sustainable Development*, States rectified the failure to acknowledge the linkages between migration and development in its predecessor, the Millennium Development Goals. The Agenda, adopted at the GA in September 2015, comprises 17 goals and 169 targets to end poverty, protect the planet, and promote peace and prosperity.<sup>84</sup> The inclusive Agenda, which promises to “leave no one behind”, incorporates migration, mobility and migrants in its introduction, its sustainable development goals (SDGs) and targets, and in the *2015 Addis Ababa Action Agenda* – the outcome agreement of the latest international conference on financing for development. Migration is no longer seen as a consequence of lack of development; the Introduction and various goals and targets recognize the multidimensional reality of migration and its ability to contribute to inclusive growth. The 17 SDGs comprise concrete measures to implement the sustainable development agenda. At least 10 of the 169 targets include references directly related to migration, mobility or migrants.<sup>85</sup> Goal 10 “to reduce inequality within and among countries” calls on countries under target 10.7 to “facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”.<sup>86</sup>

### *Migration and climate change*

Human mobility has featured in global outcome declarations on climate change since 2010, when the Conference of the Parties (COP) to the *1992 UN Framework Convention on Climate Change* (UNFCCC) adopted the Cancun Adaptation Framework. The Framework called on all countries to take “measures to enhance understanding, coordination and cooperation with regard to climate change induced displacement, migration and planned relocation, where appropriate, at national, regional and international levels”.<sup>87</sup> Subsequent UNFCCC action has focused mostly on displacement, with passing reference to migration and none to relocation.<sup>88</sup> In 2012, the COP noted the need for greater understanding of “how impacts of climate change are affecting patterns of migration,

---

84 See, for example, UN Sustainable Development Knowledge Platform, n.d.

85 UN DESA, 2015.

86 See, for example, UN Sustainable Development Goals, n.d.a.; UN DESA, 2015.

87 UNFCCC, 2011.

88 IOM, UNHCR and the World Bank – through its Knowledge Partnership on Migration and Development (KNOMAD) – have taken up migration and planned relocation as important issues. Research is showing that these mechanisms can have a positive impact in building resilience and reducing vulnerability to the impacts of climate change when there are safe and legal avenues through which people can migrate or relocate and the rights and future well-being of those who move are protected. For more, see Martin and Bergmann, 2017.

displacement and human mobility”.<sup>89</sup> The Advisory Group on Climate Change and Human Mobility, composed of UNHCR, IOM and other agencies, recommended at COP 21 in Paris in 2015 that the COP establish a facility that would “serve as a forum for sharing experience and enhancing capacities to plan and implement climate adaptation measures that avoid displacement, facilitate voluntary migration, and encourage participatory and dignified planned relocation.”<sup>90</sup> The Paris Agreement instead committed to the establishment of “a task force ... to develop recommendations for integrated approaches to avert, minimize and address displacement related to the adverse impacts of climate change”.<sup>91</sup> The task force’s terms of reference specify that it will consider approaches at the international level, recognizing that some significant cross-border movements will also occur. It is charged with identifying legal, policy and institutional challenges, good practices and lessons learned in developing its recommendations, which are to be delivered at the COP in 2018.<sup>92</sup>

### *Migration and disaster risk reduction*

Another global document and the outcome of stakeholder consultations and intergovernmental negotiations – the Sendai Framework for Disaster Risk Reduction 2015–2030 (SFDRR), adopted by 187 country delegations in 2015 at the Third UN World Conference on Disaster Risk Reduction and subsequently endorsed by the UNGA – also contains several explicit references to human mobility. The Framework seeks to substantially reduce disaster risk and losses through the prevention of new, and the reduction of existing, disaster risk. In its preamble, the SFDRR acknowledges that displacement is one of the devastating effects of disasters and that migrants are a relevant stakeholder. The multiple references to different forms of mobility throughout the SFDRR reflect the fact that both displaced persons and migrants are encompassed with the SFDRR’s global targets. The Framework encourages “the adoption of policies and programmes addressing disaster-induced human mobility to strengthen the resilience of affected people and that of host communities”.<sup>93</sup> It states that “[m]igrants contribute to the resilience of communities and societies and their knowledge, skills and capacities can be useful in the design and implementation of disaster risk reduction”.<sup>94</sup> In addition, the Sendai Framework also makes references to evacuations and relocations.<sup>95</sup> On the latter, for example, the Framework calls on States to develop public policies to relocate “human settlements in disaster risk-prone zones”.<sup>96</sup>

### *Migration and urbanization*

The 2016 UN Conference on Housing and Sustainable Urban Development focused on “the important challenges of how cities, towns, and villages can be planned and managed, in order to fulfil their role as drivers of sustainable development, and how they can shape the implementation of the SDGs and the Paris Agreement on climate change.”<sup>97</sup> As internal and international migration are major contributors to the growth and dynamism of cities, inclusion of migration into the outcome document was important. In the *New Urban Agenda*, in line with the

---

89 UNFCCC, 2012.

90 Advisory Group on Climate Change and Human Mobility, 2015.

91 UNFCCC, 2015.

92 UNFCCC, n.d.

93 UNGA, 2015.

94 Ibid.

95 On evacuations, see, for example, paras. 33(h) and 33(m).

96 UNGA, 2015. For more on Planned Relocations, see, for example, Brookings Institution, Georgetown University and UNHCR, 2015 and Georgetown University, IOM and UNHCR, 2017.

97 United Nations Sustainable Development Goals, n.d.b.



New York Declaration and the 2030 Agenda for Sustainable Development, States committed to “ensuring safe, orderly and regular migration through planned and well-managed migration policies”.<sup>98</sup> A particular focus was the role of local authorities. Involving local actors in the formulation of policies, especially for integration of migrants, is an important but often neglected component of migration governance.

## Conclusion

This chapter has focused on the existing architecture and contemporary deliberations and reflections regarding global migration governance. At some future time, there may be a paradigm shift that opens broad, new, as yet unnamed opportunities for international cooperation that would more closely mirror the trade and capital regimes – migration’s counterparts in globalization – and result in less fragmentation. At present, what we have is a slow, albeit accelerating process of change, in which States are building confidence in the process, exhibiting greater willingness to engage in multilateral action, and establishing mechanisms for enhancing international cooperation in diverse aspects of migration.

In many ways, the progress attained to date in improving global migration governance is remarkable. In an era of increasing nationalism, in which publics and politicians alike rail against globalization, States have been willing to cooperate in formulating strategies and approaches to address one of the great transnational issues on the global agenda. Despite great reluctance only a decade ago to engage with migration in the context of the UN, States are now willing to negotiate UN resolutions, declarations and global compacts, to hold summits and shepherd the entry of IOM into the UN system as its migration agency.

The progress made to date has built on the regional processes, dialogues and consultative mechanisms that began in the mid-1980s and continue until today. These initiatives were important confidence-building exercises that enabled States to discuss common interests and concerns, identify options and effective practices, understand each other’s perspectives and needs, and collaborate in training and technical assistance activities. In more concrete ways, they paved the way for the GFMD in showing that informal consultative processes could be sustained over time and provide benefits to participants.

Admittedly, global governance in the migration area still lags the systems in place to manage the international flow of capital and goods. Migration governance more generally also lacks the strong normative bases that guide responses to refugees and UNHCR’s activities. Yet, even here, there has been progress in gaining universal recognition that the rights and safety of migrants must be at the centre of any actions taken to manage movements of people across international borders. Significantly, States affirmed in the New York Declaration that they “will fully protect the human rights of all refugees and migrants, regardless of status; all are rights holders” and that their “response will demonstrate full respect for international law and international human rights law and, where applicable, international refugee law and international humanitarian law.”<sup>99</sup> Equally salient, the Declaration emphasized the benefits, not just the costs of international migration, and the important contributions that migrants make to their countries of origin and destination.

---

98 UNGA, 2017b.

99 UNGA, 2016.

The challenge ahead is to move from what are now largely consultation and ad hoc efforts to greater joint action that ultimately mitigates the level of fragmentation in the system. Notwithstanding the progress to date, there is no assurance – as States weigh the practical advantages and, in some cases, the political costs of strengthening global migration governance – that they will forge a more coherent system that enables them to make and implement mutually beneficial decisions on the movement of people across international borders. Yet, without such agreement, States are unlikely to find solutions to global-level cooperation and coordination problems or to benefit from common opportunities. As this chapter has pointed out, attempting unilaterally to solve the complex challenges that migration presents is likely to fail. A challenge for proponents of international cooperation is to identify the issues and thematic areas most amenable to global, rather than national or regional, responses. When is global governance an effective response for migrants and societies, as well as States? How can global-level cooperation and coordination create mutual benefits? The global compacts on migration and on refugees provide the opportunity to move ahead in strengthening the norms, principles, rules and decision-making processes that will allow for more effective international cooperation in responding to what is a defining issue of our times. Whether States seize that opportunity is still to be known.

Providing continued institutional support to address these issues and implement the outcomes of the global compacts will be a challenge. The entry of IOM into the UN system is promising, but by no means sufficient. A principal obstacle to IOM assuming this role as the global leader on migration is its financing mechanism. Its “projectized” funding model has meant that IOM has necessarily had to focus on its operational programmes, with few resources available for policy-related work. Improving global migration governance, however, requires a stream of funds untied to operations that will allow IOM to enhance its role in protecting the rights and safety of migrants and in assisting States and other entities to develop and implement policies that contribute to safe, orderly and regular movements of people worldwide. A further impediment in the view of critics is the non-normative basis for IOM’s activities.<sup>100</sup> In this regard, the UN Special Rapporteur on the Human Rights of Migrants has recommended that IOM take on responsibility for ensuring implementation of the ICRMW, much as UNHCR has responsibility for the Refugee Convention.<sup>101</sup> In earlier work, one of the co-authors of this chapter has recommended that IOM Member States amend its Constitution to make explicit that an important role of the organization is to protect the rights of migrants under international law.<sup>102</sup>

Coordination among the various institutions with mandates, programmes and interest in migration issues will be another important challenge. The GMG potentially can serve an important role in this regard, but it is neither staffed nor funded to meet the challenges ahead. Many of the members of the GMG have a narrow focus, and few resources (sometimes only one or two staff) devoted to migration, while some have little or no field presence. As the Chair rotates among members, it is difficult for them to provide effective leadership across the broad migration spectrum when they assume this position. In 2014, the organizations chairing the GMG took on annual, rather than the previous semi-annual responsibility for the group, enabling more time for accomplishing goals; however, this applied even more pressure on the organizations with marginal roles or interest in migration. On the positive side, GMG has engaged in stock-taking exercises related to, for example, crisis-related migration and rescue at sea. These have identified areas of strengths and weaknesses within UN agencies to tackle these problems and provided recommendations to the heads of agencies on priorities for

---

100 See, for example, Guild and Grant, 2017.

101 See, for example, UN Special Rapporteur on the Human Rights of Migrant, 2013: “IOM would need to be given a legal protection mandate and guided by the core international human treaties, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the principles enshrined in the Charter of the United Nations would need to be integrated into its Constitution.”

102 Martin, 2014.

improvement. However, moving from stock-taking to coordinated action will require a new level of engagement by the GMG, such as in monitoring implementation of its recommendations. Strengthening the SRSG's office will also be a challenge. The staffing of the office has been very limited and largely reliant on external sources of funding from private foundations and donor governments.<sup>103</sup>

The principal State-led global initiative on international migration, the GFMD, which has entered its eleventh year of operation, may also need to grapple with a range of complexities. The GFMD was created as an ad hoc, State-led, non-binding venue for discussion and consultation outside the UN. During this first decade, it has largely played a confidence-building role in enabling government officials responsible for migration to get to know and learn from each other. Whether it will continue to succeed, however, depends largely on its agenda in the years ahead. The outgoing SRSG recommended that the GFMD focus its attention on implementation of the various international commitments made in recent summits, particularly the 2030 Sustainable Development Agenda and the 2016 UN-High level Meeting. Other commentators have recommended that the GFMD strengthen its working groups, capacity to engage more actively between annual meetings, and interactions with civil society and the private sector.<sup>104</sup> The formation of the GFMD Business Mechanism and the continuing and active participation of civil society in GFMD meetings are signs of progress and should be nurtured.

International migration is an important global issue that requires a more effective system of global governance. States have demonstrated willingness during the past decade, since the first HLD and establishment of the GFMD, to explore ways to enhance their cooperation both within and outside of the UN. At the same time, international organizations charged with helping States manage the movement of people and protect their rights have also shown greater willingness to cooperate among themselves and with States. The entry of IOM into the UN family is but the latest manifestation. Nonetheless, barriers to global migration governance abound and will grow if States turn inward and xenophobia is not addressed. Countering these forces will be difficult but not impossible.<sup>105</sup> The step-by-step process of consultation, cooperation and confidence-building that has taken place to date has shown that progress can occur, albeit in incremental ways. It remains the most promising path towards global migration governance.

---

103 Significant resources to date have come from the MacArthur Foundation, which recently eliminated its funding programme on international migration.

104 Martin, 2014.

105 The New York Declaration condemned xenophobia ("We strongly condemn acts and manifestations of racism, racial discrimination, xenophobia and related intolerance against refugees and migrants, and the stereotypes often applied to them, including on the basis of religion or belief.") and welcomed the Secretary-General's global campaign to counter xenophobia: UNGA, 2016.

## Appendix A: Definitions

Definitions are organized by first word alphabetical order.

---

### *Customary International Law*

Article 38 of the Statute of the International Court of Justice (ICJ) identifies key sources of international law. These are:

(a) International conventions, whether general or particular, establishing rules expressly recognized by the contesting States; (b) *international custom, as evidence of a general practice accepted as law*; (c) the general principles of law recognized by civilized nations; (d) subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.<sup>106</sup>

The ICJ's case law, including in particular the North Sea Continental Shelf case, provides further guidance on customary international law (CIL) and its content.<sup>107</sup>

### *Global Governance*

One definition of global governance suggests it can be defined in either procedural or substantive terms:

On a procedural level, it can be understood as the process by which states engage in collective action to address common problems arising around a particular issue. This process involves agenda-setting, negotiations, monitoring, implementation, and enforcement. On a substantive level, global governance is identifiable by the norms, rules, principles, and decision-making procedures that regulate the behaviour of states (and other transnational actors) in a particular issue area.<sup>108</sup>

### *Organized Criminal Group*

Article 2 of the UNCTOC defines "Organized criminal group" as:

A structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with the Convention, in order to obtain, directly or indirectly, a financial or other material benefit.

---

106 Emphasis added. For the full article, please see the Statute of the International Court of Justice, available at: [www.icj-cij.org/en/statute](http://www.icj-cij.org/en/statute) (accessed: 18 July 2017).

107 North Sea Continental Shelf (Federal Republic of Germany v. Denmark), 1969.

108 Betts, 2011. See also Krasner, 1983, for a definition of "regime", which is incorporated into the above.

### *Smuggling of Migrants*

#### **Article 3(a) of the Smuggling Protocol defines “smuggling of migrants” as:**

The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.

#### **Articles 3(b) and (c) also provides further clarification:**

- (b) “Illegal entry” shall mean crossing borders without complying with the necessary requirements for legal entry into the receiving State;
- (c) “Fraudulent travel or identity document” shall mean any travel or identity document:
  - (i) That has been falsely made or altered in some material way by anyone other than a person or agency lawfully authorized to make or issue the travel or identity document on behalf of a State; or
  - (ii) That has been improperly issued or obtained through misrepresentation, corruption or duress or in any other unlawful manner; or
  - (iii) That is being used by a person other than the rightful holder.

### *Trafficking in Persons*

#### **Article 3(a) of the Palermo Protocol defines “trafficking in persons” as:**

The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

#### **Article 3(b), (c) and (d) also provide further clarification:**

- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- (c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;
- (d) “Child” shall mean any person under eighteen years of age.



## Appendix B: Global multilateral treaties and state parties

Conventions are listed under a primary thematic area. Some Conventions relate to more than one theme; in such cases, they are listed only once.<sup>109</sup>

Thematic Area	Treaty	Adopted	Entered into Force	No. of State Parties	Link for No. of State Parties
<b>Human Rights</b>	International Covenant on Civil and Political Rights (ICCPR)	1966	1976	169	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-4&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-4&amp;chapter=4&amp;clang=_en</a>
	International Covenant on Economic, Social and Cultural Rights (ICESCR)	1966	1976	165	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-3&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-3&amp;chapter=4&amp;clang=_en</a>
	International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	1966	1969	178	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-2&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-2&amp;chapter=4&amp;clang=_en</a>
	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	1979	1981	189	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-8&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-8&amp;chapter=4&amp;clang=_en</a>
	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	1984	1987	162	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-9&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-9&amp;chapter=4&amp;clang=_en</a>
	Convention on the Rights of the Child (CRC)	1989	1990	196	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-11&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=IV-11&amp;chapter=4&amp;clang=_en</a>

<sup>109</sup> Unless otherwise noted, information on adoption, entry into force, and State Parties were accessed between 18 and 23 July 2017.

Thematic Area	Treaty	Adopted	Entered into Force	No. of State Parties	Link for No. of State Parties
Human Rights	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)	1990	2003	51	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtmsg_no=IV-13&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtmsg_no=IV-13&amp;chapter=4&amp;clang=_en</a>
	Convention on the Rights of Persons with Disabilities (CRPD)	2006	2008	174	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtmsg_no=IV-15&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtmsg_no=IV-15&amp;chapter=4&amp;clang=_en</a>
	International Convention for the Protection of All Persons from Enforced Disappearance	2006	2010	57	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtmsg_no=IV-16&amp;chapter=4&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtmsg_no=IV-16&amp;chapter=4&amp;clang=_en</a>
Refugee Law	Convention Relating to the Status of Refugees (Refugee Convention)	1951	1954	145	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtmsg_no=V-2&amp;chapter=5&amp;Temp=mtmsg2&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtmsg_no=V-2&amp;chapter=5&amp;Temp=mtmsg2&amp;clang=_en</a>
	Protocol Relating to the Status of Refugees	1967	1967	146	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtmsg_no=V-5&amp;chapter=5&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtmsg_no=V-5&amp;chapter=5&amp;clang=_en</a>
Trafficking and Smuggling	UN Convention Against Transnational Organized Crime (UNTOC)	2000	2003	188	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&amp;mtmsg_no=XVIII-12&amp;chapter=18&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&amp;mtmsg_no=XVIII-12&amp;chapter=18&amp;clang=_en</a>
	Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, Supplementing UNTOC (Palermo Protocol)	2000	2003	171	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&amp;mtmsg_no=XVIII-12-a&amp;chapter=18&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&amp;mtmsg_no=XVIII-12-a&amp;chapter=18&amp;clang=_en</a>
	Protocol Against Smuggling of Migrants by Land, Sea and Air, Supplementing UNTOC (Smuggling Protocol)	2000	2004	145	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&amp;mtmsg_no=XVIII-12-b&amp;chapter=18&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&amp;mtmsg_no=XVIII-12-b&amp;chapter=18&amp;clang=_en</a>

Thematic Area	Treaty	Adopted	Entered into Force	No. of State Parties	Link for No. of State Parties
<b>Labour and Services*</b>	Migration for Employment Convention (Revised) (ILO Convention No. 97)	1949	1952	49	<a href="http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312242:NO">www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312242:NO</a>
	Convention Concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (ILO Convention No. 143)	1975	1978	23	<a href="http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312288:NO">www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312288:NO</a>
	Convention Concerning Decent Work for Domestic Workers (ILO Convention No. 189)	2011	2013	24	<a href="http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:2551460:NO">www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:2551460:NO</a>
	General Agreement on Trade in Services (GATS)	1994	1995	164 Members of WTO**	<a href="http://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm">www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm</a>
<b>Modes of Movement</b>	International Convention for the Safety of Life at Sea, as Amended (SOLAS)	1974	1980	163	<a href="http://www.imo.org/en/About/Conventions/StatusOfConventions/Documents/Status%20-%202017.pdf***">www.imo.org/en/About/Conventions/StatusOfConventions/Documents/Status%20-%202017.pdf***</a>
	International Convention on Maritime Search and Rescue, as Amended (SAR)	1979	1985	110	<a href="http://www.imo.org/en/About/Conventions/StatusOfConventions/Documents/Status%20-%202017.pdf****">www.imo.org/en/About/Conventions/StatusOfConventions/Documents/Status%20-%202017.pdf****</a>

\* The ILO's Eight Fundamental Conventions, noted in the body of the chapter, are accessible here: [www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang-en/index.htm](http://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang-en/index.htm).

\*\* Members of the WTO include States, Hong Kong (Special Administrative Region China), Taiwan Province of the People's Republic of China and the European Union.

\*\*\* See p. 16; document dated 11 July 2017.

\*\*\*\* See p. 410; document dated 11 July 2017.

Thematic Area	Treaty	Adopted	Entered into Force	No. of State Parties	Link for No. of State Parties
<b>Modes of Movement</b>	UN Convention on the Law of the Sea (UNCLOS)	1982	1994	168	<a href="https://treaties.un.org/Pages/ViewDetailsIII.aspx?src=TREATY&amp;mtdsg_no=XXI-6&amp;chapter=21&amp;Temp=mtdsg3&amp;clang=_en">https://treaties.un.org/Pages/ViewDetailsIII.aspx?src=TREATY&amp;mtdsg_no=XXI-6&amp;chapter=21&amp;Temp=mtdsg3&amp;clang=_en</a>
	Convention on International Civil Aviation (Chicago Convention)	1944	1947	191	<a href="http://www.icao.int/publications/Documents/chicago.pdf">www.icao.int/publications/Documents/chicago.pdf</a>
<b>Climate Change</b>	UN Framework Convention on Climate Change (UNFCCC)	1992	1994	197	<a href="https://treaties.un.org/Pages/ViewDetailsIII.aspx?src=IND&amp;mtdsg_no=XXVII-7&amp;chapter=27&amp;Temp=mtdsg3&amp;clang=_en">https://treaties.un.org/Pages/ViewDetailsIII.aspx?src=IND&amp;mtdsg_no=XXVII-7&amp;chapter=27&amp;Temp=mtdsg3&amp;clang=_en</a>
	Paris Agreement	2015	2016	154	<a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=XXVII-7-d&amp;chapter=27&amp;clang=_en">https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&amp;mtdsg_no=XXVII-7-d&amp;chapter=27&amp;clang=_en</a>

## References

Most of the treaties discussed in the chapter are detailed in Appendix B. Therefore, they are not repeated here.

### Advisory Group on Climate Change and Human Mobility

- 2015 *Human Mobility: In the Context of Climate Change UNFCCC-Paris COP-21*. November 2015. Available from <http://unhcr.org/en-us/protection/environment/565b21bd9/human-mobility-context-climate-change-unfccc-paris-cop-21-recommendations.html>.

### Aleinikoff, A.

- 2002 *International Legal Norms and Migration: An Analysis*. International Dialogue on Migration No. 3, IOM, Geneva. Available from [http://publications.iom.int/system/files/pdf/idm\\_3\\_en.pdf](http://publications.iom.int/system/files/pdf/idm_3_en.pdf).

### Bauloz, C.

- 2017 *A Comparative Thematic Mapping of Global Migration Initiatives: Lessons Learned Towards a Global Compact for Safe, Orderly and Regular Migration*. IOM, Geneva. Available from [https://publications.iom.int/system/files/pdf/global\\_compact\\_paper.pdf](https://publications.iom.int/system/files/pdf/global_compact_paper.pdf).

### Betts, A.

- 2011 *The governance of international migration: Gaps and way forward*. In: *Improving the Governance of International Migration* (Bertelsmann Stiftung and Migration Policy Institute, eds.). Verlag Bertelsmann Stiftung, Gütersloh.

### Betts, A. and L. Kainz

- 2017 *The History of Global Migration Governance*. Oxford Refugee Studies Center Working Paper Series, 122. Oxford Refugee Studies Center. Available from [www.rsc.ox.ac.uk/people/alexander-betts](http://www.rsc.ox.ac.uk/people/alexander-betts).

### Bradley, M.

- 2017 *The International Organization for Migration (IOM): Gaining power in the forced migration regime*. *Refuge*, 33(1):97–106.

### Brookings Institution, Georgetown University and United Nations High Commissioner for Refugees

- 2015 *Guidance on Protecting People from Disasters and Environmental Change Through Planned Relocation*. Available from <https://georgetown.app.box.com/s/6uhtgnynbsafos68dt7e8b94rjl2tef>.

### Cholewinski, R.

- 2012 *International labour migration*. In: *Foundations of International Migration Law* (B. Opeskin, R. Perruchoud and J. Redpath-Cross, eds.). Cambridge University Press, Cambridge and New York.

### Doyle, M.

- 2004 *The challenge of worldwide migration*. *Journal of International Affairs*, 57(2):1–5.

### Ferris, E.

- 2016 *In Search of Commitments: The 2016 Refugee Summits*. Policy Brief 3. Andrew Renata Kaldor Centre for International Refugee Law. Sydney. Available from [www.kaldorcentre.unsw.edu.au/publication/policy-brief-3-search-commitments-2016-refugee-summits](http://www.kaldorcentre.unsw.edu.au/publication/policy-brief-3-search-commitments-2016-refugee-summits).

### Gallagher, A.

- 2010 *The International Law of Human Trafficking*. Cambridge University Press, Cambridge.

### Georgetown University, International Organization for Migration and United Nations High Commissioner for Refugees

- 2017 *A Toolbox: Planning Relocations to Protect People from Disasters and Environmental Change*. Available from <https://georgetown.app.box.com/s/lagulcgiummuzv4c7ogx2ywywypfo4lla1>.

## German Marshall Fund of the United States

- 2014 *Transatlantic Trends: Key Findings 2014*. German Marshall Fund of the United States, Washington D.C. Available from [http://trends.gmfus.org/files/2012/09/Trends\\_2014\\_complete.pdf](http://trends.gmfus.org/files/2012/09/Trends_2014_complete.pdf).

## Global Commission on International Migration (GCIM)

- n.d. *Summary Note*. Available from [www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/policy\\_and\\_research/gcim/GCIM\\_Summary\\_Note.pdf](http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/policy_and_research/gcim/GCIM_Summary_Note.pdf).

## Global Migration Group

- n.d.a. *Members*. Available from [www.globalmigrationgroup.org/gmg-members](http://www.globalmigrationgroup.org/gmg-members).
- n.d.b. *Global Migration Group: Terms of Reference*. Available from [www.globalmigrationgroup.org/system/files/uploads/documents/Final\\_GMG\\_Terms\\_of\\_Reference\\_prioritized.pdf](http://www.globalmigrationgroup.org/system/files/uploads/documents/Final_GMG_Terms_of_Reference_prioritized.pdf).

## Guild, E. and S. Grant

- 2017 *Migration Governance in the UN: What is the Global Compact and What Does it Mean?* Legal Studies Research Paper No. 252/2017. Queen Mary School of Law, London. Available at SSRN: <https://ssrn.com/abstract=2895636>.

## Hathaway, J.

- 2005 *The Rights of Refugees in International Law*. Cambridge University Press, Cambridge.

## International Labour Organization (ILO)

- n.d.a. *Topics*. Available from [www.ilo.org/global/topics/lang--en/index.htm](http://www.ilo.org/global/topics/lang--en/index.htm).
- n.d.b. *The Director General's Programme and Budget Proposals for 2018–19*. Available from [www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_542955.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_542955.pdf).
- 2006 *ILO Multilateral Framework on Labour Migration: Non-binding Principles and Guidelines for a Rights-Based Approach to Labour Migration*. ILO. Available from [www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms\\_146243.pdf](http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_146243.pdf).

## International Organization for Migration (IOM)

- n.d. *IOM Director General William Lacy Swing's Speech at the UN Summit on Refugees and Migrants and Signing of the IOM–UN Agreement, 19 September 2016*. Available from <https://weblog.iom.int/iom-director-general-william-lacy-swings-speech-un-summit-refugees-and-migrants%C2%A0and-signing-iom-un>.
- 2015 *Migration Governance Framework*. IOM Council, 106th Session, C/106/RES/1310. 4 December 2015. Available from <https://governingbodies.iom.int/system/files/en/council/106/C-106-RES-1310%20MIGOF.pdf>.
- 2017 *Constitution and other basic texts*. 2017. Available from [https://publications.iom.int/system/files/pdf/iom\\_constitution\\_en.pdf](https://publications.iom.int/system/files/pdf/iom_constitution_en.pdf).

## Jastram, K.

- 2003 Family unity . In: *Migration and International Legal Norms* (T.A. Aleinikoff and V. Chetail, eds.). T.M.C. Asser Press, The Hague.

## Kälin, W.

- 2012 From the Nansen Principles to the Nansen Initiative. *Forced Migration Review: Preventing Displacement*, 41:48–49.

## Kälin, W. and J. Künzli

- 2009 *The Law of International Human Rights Protection*. Oxford University Press, Oxford.

## Koser, K.

- 2010 Introduction: International migration and global governance. *Global Governance*, 16(3):301–315.



- Krasner, S.  
1983 *International Regimes*. Cornell University Press, Ithaca.
- Loescher, G.  
2014 UNHCR and forced migration. In: *The Oxford Handbook of Refugee and Forced Migration Studies* (E. Fiddian-Qasmiyeh, G. Loescher, K. Long and N. Sigona, eds.). Oxford University Press, Oxford and New York.
- Martin, S.  
2014 *International Migration: Evolving Trends from the Early Twentieth Century to the Present*. Cambridge University Press, Cambridge and New York.  
2015 International migration and global governance. *Global Summitry*, 1(1):64–83.  
2016 New models of international agreement for refugee protection. *Journal on Migration and Human Security*, 4(3):60–75. Available from <http://cmsny.org/multimedia/mes-susan-martin/>.
- Martin S. and J. Bergmann  
2017 *Environmental Change and Human Mobility: Reducing Vulnerability and Increasing Resilience*. Policy Brief 6. February 2017. KNOMAD. Available from [www.knomad.org/sites/default/files/2017-04/Policy%20Brief%20\\_Environmental%20Change%20and%20Human%20Mobility\\_final.pdf](http://www.knomad.org/sites/default/files/2017-04/Policy%20Brief%20_Environmental%20Change%20and%20Human%20Mobility_final.pdf).
- Martin, S., S. Weerasinghe and A. Taylor (eds.)  
2014 *Humanitarian Crises and Migration: Causes, Consequences and Responses*. Routledge, Abingdon and New York.
- McAuliffe, M. and F. Laczko (eds.)  
2016 *Migrant Smuggling Data and Research: A Global Review of the Emerging Evidence Base*. IOM, Geneva. Available from [https://publications.iom.int/system/files/smuggling\\_report.pdf](https://publications.iom.int/system/files/smuggling_report.pdf).
- Migrants in Countries in Crisis (MICIC) Initiative  
2016 *Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster*. Available from <https://micicinitiative.iom.int/>.
- Naim, M.  
2009 Minilateralism: The magic number to get real international action. *Foreign Policy*, June 21. Available from <http://foreignpolicy.com/2009/06/21/minilateralism/>.
- Nansen Initiative  
2015 *Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change*. Available from [www.nanseninitiative.org/](http://www.nanseninitiative.org/).
- Newland, K.  
2005 *The Governance of International Migration: Mechanisms, Processes and Institutions*. A Paper Prepared for the Policy Analysis and Research Programme of the Global Commission on International Migration. Global Commission on International Migration.  
2011 Global governance: Fear and desire. In: *Improving the Governance of International Migration* (Bertelsmann Stiftung and Migration Policy Institute, eds.). Verlag Bertelsmann Stiftung, Gütersloh.
- Southern African Development Community (SADC)  
1992 *Declaration and Treaty of the Southern African Development Community*. Available from [www.sadc.int/files/8613/5292/8378/Declaration\\_\\_Treaty\\_of\\_SADC.pdf](http://www.sadc.int/files/8613/5292/8378/Declaration__Treaty_of_SADC.pdf).  
2005 *Protocol on Facilitation of Movement of Persons*. Available from [www.sadc.int/documents-publications/show/Protocol\\_on\\_Facilitation\\_of\\_Movement\\_of\\_Persons2005.pdf](http://www.sadc.int/documents-publications/show/Protocol_on_Facilitation_of_Movement_of_Persons2005.pdf).
- Special Representative of the Secretary-General on Migration (SRSG)  
2017 *Report of the Special Representative of the Secretary-General on Migration*. UN Doc. A/71/728. 2 February 2017. Available from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/002/18/PDF/N1700218.pdf?OpenElement>.

United Nations Department of Economic and Social Affairs (UN DESA)

- 2015 *Population Facts: Integrating Migration into the 2030 Agenda for Sustainable Development*. No. 2015/5. Population Division. Available from [www.un.org/en/development/desa/population/publications/pdf/popfacts/PopFacts\\_2015-5.pdf](http://www.un.org/en/development/desa/population/publications/pdf/popfacts/PopFacts_2015-5.pdf).

United Nations Framework Convention on Climate Change (UNFCCC)

- n.d. *Terms of Reference: Task Force on Displacement*. Available from [https://unfccc.int/files/adaptation/groups\\_committees/loss\\_and\\_damage\\_executive\\_committee/application/pdf/tor\\_task\\_force\\_final.pdf](https://unfccc.int/files/adaptation/groups_committees/loss_and_damage_executive_committee/application/pdf/tor_task_force_final.pdf).
- 2011 *Report of the Conference of the Parties on its Sixteenth Session, Held in Cancun from 29 November to 10 December 2010*. UN Doc. FCCC/CP/2010/7/Add.1. 15 March 2011. Available from <http://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf#page=4>.
- 2012 *Report of the Conference of the Parties on its Eighteenth Session, Held in Doha From 26 November to 8 December 2012*. UN Doc. FCCC/CP/2012/8/Add.1. 28 February 2013. Available from <http://unfccc.int/resource/docs/2012/cop18/eng/08a01.pdf>.
- 2015 *Report of the Conference of the Parties on its Twenty-first Session, Held in Paris From 30 November to 13 December 2015*. UN Doc. FCCC/CP/2015/10/Add.1. 29 January 2016. Available from <http://unfccc.int/resource/docs/2015/cop21/eng/10a01.pdf>.

United Nations General Assembly (UNGA)

- 1950 *Statute of the Office of the United Nations High Commissioner for Refugees*. General Assembly Resolution 428(V). 14 December 1950. Available from [www.unhcr.org/3b66c39e1.pdf](http://www.unhcr.org/3b66c39e1.pdf).
- 2015 *Sendai Framework for Disaster Risk Reduction*. UN Doc. A/RES/69/283. 23 June 2015. Available from [www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A\\_RES\\_69\\_283.pdf](http://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_69_283.pdf).
- 2016 *New York Declaration for Refugees and Migrants*. UN Doc. A/RES/71/1. 3 October 2016. Available from [www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/71/1](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1).
- 2017a *Modalities for the Intergovernmental Negotiations of the Global Compact for Safe, Orderly and Regular Migration*. UN Doc. A/RES/71/280. 17 April 2017. Available from [www.iom.int/sites/default/files/our\\_work/ODG/GCM/A-71\\_280-E.pdf](http://www.iom.int/sites/default/files/our_work/ODG/GCM/A-71_280-E.pdf).
- 2017b *New Urban Agenda*. UN Doc. A/RES/71/256. 25 January 2017. Available from [www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/71/256](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/256).

United Nations High Commissioner for Refugees (UNHCR)

- n.d. *ExCom Plenary Sessions*. Available from [www.unhcr.org/excom-plenary-sessions.html](http://www.unhcr.org/excom-plenary-sessions.html).
- 2013 *Note on the Mandate of the High Commissioner for Refugees and His Office*. Division of International Protection. October 2013. Available from [www.unhcr.org/protection/basic/526a22cb6/mandate-high-commissioner-refugees-office.html](http://www.unhcr.org/protection/basic/526a22cb6/mandate-high-commissioner-refugees-office.html).

United Nations Human Rights Committee (UNHRC)

- 1988 *CCPR General Comment No. 16: Article 17 (Right to Privacy), The Right to Respect of Privacy, Family, Home and Correspondence, and Protection of Honour and Reputation*. 8 April 1988. Available from [www.refworld.org/docid/453883f922.html](http://www.refworld.org/docid/453883f922.html).
- 1989 *CCPR General Comment No. 18: Non-discrimination*. 10 November 1989. Available from [www.refworld.org/docid/453883fa8.html](http://www.refworld.org/docid/453883fa8.html).
- 1990 *CCPR General Comment No. 19: Article 23 (The Family) Protection of the Family, the Right to Marriage and Equality of the Spouses*. 27 July 1990. Available from [www.refworld.org/docid/45139bd74.html](http://www.refworld.org/docid/45139bd74.html).
- 1992 *CCPR General Comment No. 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment)*. 10 March 1992. Available from [www.refworld.org/docid/453883fb0.html](http://www.refworld.org/docid/453883fb0.html).

## United Nations Office of the High Commissioner for Human Rights (OHCHR)

- n.d. *Principles and Guidelines on the Human Rights Protection of Migrants in Vulnerable Situations Within Large and/or Mixed Movements*. Available from [www.ohchr.org/EN/Issues/Migration/Pages/Draftsforcomments.aspx](http://www.ohchr.org/EN/Issues/Migration/Pages/Draftsforcomments.aspx).

## United Nations Population Fund (UNFPA)

- 2014 *International Conference on Population and Development Program of Action*. Available from [www.unfpa.org/publications/international-conference-population-and-development-programme-action](http://www.unfpa.org/publications/international-conference-population-and-development-programme-action).

## United Nations Relief and Works Agency (UNRWA)

- n.d. *Where We Work*. Available from [www.unrwa.org/where-we-work](http://www.unrwa.org/where-we-work).

## United Nations Secretary-General (UNSG)

- 1997 *Report of the Secretary General on International Migration and Development, Including the Convening of a United Nations Conference on International Migration and Development*. UN Doc. A/52/314. 18 September 1997.
- 2016 *Report of the Secretary General: In Safety and Dignity: Addressing Large Movements of Refugees and Migrants*. UN Doc. A/70/59. 21 April 2016. Available from [https://refugeesmigrants.un.org/sites/default/files/in\\_safety\\_and\\_dignity\\_-\\_addressing\\_large\\_movements\\_of\\_refugees\\_and\\_migrants.pdf](https://refugeesmigrants.un.org/sites/default/files/in_safety_and_dignity_-_addressing_large_movements_of_refugees_and_migrants.pdf).

## United Nations Special Rapporteur on the Human Rights of Migrants

- 2013 *Report of the Special Rapporteur on the Human Rights of Migrants*. UN Doc. A/68/283. 7 August 2013. Available from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N13/421/15/PDF/N1342115.pdf?OpenElement>.

## United Nations Sustainable Development Goals

- n.d.a. *17 Goals to Transform Our World*. Available from [www.un.org/sustainabledevelopment/sustainable-development-goals/](http://www.un.org/sustainabledevelopment/sustainable-development-goals/).
- n.d.b. *UN Habitat III Conference*. Available from [www.un.org/sustainabledevelopment/habitat3/#prettyPhoto](http://www.un.org/sustainabledevelopment/habitat3/#prettyPhoto).

## United Nations Sustainable Development Knowledge Platform

- n.d. *Transforming Our World: The 2030 Agenda for Sustainable Development*. Available from <https://sustainabledevelopment.un.org/post2015/transformingourworld>.

## United Nations System Chief Executives Board for Coordination

- n.d. *Directory of United Nations System Organizations*. Available from [www.unsystem.org/members/related-organizations](http://www.unsystem.org/members/related-organizations).

## World Bank

- 2006 *Global Economic Prospects: Economic Implications of Remittances and Migration*. World Bank, Washington D.C. Available from <http://documents.worldbank.org/curated/en/507301468142196936/Global-economic-prospects-2006-economic-implications-of-remittances-and-migration>.

## Weerasinghe, S., A. Taylor, S. Drury, P. Indravudh, A. Gregg and J. Flanagan

- 2015 On the margins: Non-citizens caught in countries experiencing violence , conflict and disaster. *Journal on Migration and Human Security*, 3(1):26–57. Available from <http://jmhs.cmsny.org/index.php/jmhs/article/view/42>.

## World Trade Organization (WTO)

- n.d. *Movement of Natural Persons*. Available from [www.wto.org/english/tratop\\_e/serv\\_e/movement\\_persons\\_e/movement\\_persons\\_e.htm](http://www.wto.org/english/tratop_e/serv_e/movement_persons_e/movement_persons_e.htm).



International Organization for Migration (IOM)

---

The UN Migration Agency

17 route des Morillons, P.O. Box 17, 1211 Geneva 19, Switzerland  
Tel.: +41 22 717 9111 • Fax: +41 22 798 6150  
E-mail: [hq@iom.int](mailto:hq@iom.int) • Website: [www.iom.int](http://www.iom.int)