



Analysis

Assessing the success of the UN's Global Compact for Migration - credible global action or more non-binding commitments?

Introduction

Raphaela Schweiger, May 2022

World leaders and a diverse set of stakeholders meet mid-May to assess the success of the 2018 Global Compact for Migration (GCM). The first International Migration Review Forum (IMRF) in New York will convene governments and organizations implementing the world's first – albeit non-binding – agreement on safe, orderly and regular migration. One of the last outstanding issues to be brought to the UN, the GCM is meant to complement the decades-old international framework to protect and help refugees.

The compact is based on the premise that migration does not have to be a social strain or personal stigma but can instead lead to economic growth and sustainable development in host countries and new opportunities for people forced to leave home. The GCM came in the wake of the large number of refugees arriving in Europe in 2015, which sorely tested the region. The world has moved on since 2018, not all for the better:

- Covid-19 reduced global mobility significantly and proved a “great disruptor” (World Migration Report, 2021) for travelers, migrant workers, and people seeking protection alike.¹
- The climate crisis is in parallel forcing people to leave their homes. Island states have warned about losing land to the sea and mayors of big cities have warned about the effects of climate-induced migration.²
- Migrants and refugees remain in difficulty – Afghan residents displaced after the August 2021 take-over by the Taliban; residents of Latin American and Caribbean countries forced to leave their homes;³ African citizens migrate especially continent-wide for work, but also due to conflicts, and climate change;⁴ millions of Ukrainian residents seeking refuge domestically or abroad.⁵
- Many governments are under ever greater pressure to attract skilled workers from abroad to make up for skills shortages at home, while standards and processes to do so are lacking.
- The UN system has recognized the importance of cities. Mayors have staked a claim as important implementers of migration policies that deserve to be heard at UN-level. Bodies like the Mayors Migration Council (MMC) are spearheading mayors’ engagement internationally.

The GCM and the IMRF

The GCM is based on the “collective realization that no single government can effectively govern migration alone.” It has 23 objectives that are supported by concrete actions based on international good practices. Not legally binding, the GCM draws its legitimacy from commitments made by governments and stakeholders – and the “established obligations and principles” of the Universal Declaration of Human Rights, the 2030 Agenda for Sustainable Development and other points of international law (UN Migration Network, n.d.).⁶

The IMRF is the first review of the GCM and will take place at the UN in New York from May 17–20, 2022. Four stakeholder round tables, a policy dialogue and a plenary session are meant to produce a Progress Declaration regarding the GCM’s objectives. Some of the most important of these are:

- minimizing the drivers (including climate) that force people to leave their homes (objective 2),
- enhancing more pathways for regular migration (objective 5),⁷
- using migrant detention only as last resort and working towards alternatives (objective 13).⁸

What has been achieved?

Global Compact for Migration and International Migration Review Forum have established crucial principles and processes

The adoption of the GCM set up new processes for governments, stakeholders (civil society, the private sector, mayors) and the UN system to meet regularly under the auspices of the UN Migration Network, established in 2019. For example, multi-stakeholder working groups are discussing a range of important migration-related issues, such as alternatives to migrant detention.⁹ This regular exchange of ideas is meant to foster peer learning and step-by-step policy changes by communicating best practices.

The UN Migration Multi-Partner Trust Fund is funded by government donations and provides resources for pilot schemes and projects to foster GCM objectives.¹⁰ Programs all over the globe work to establish regular migration, better social inclusion, and improved use of data.¹¹ A “Champion Countries Initiative” has seen a growing number of governments put GCM higher on their political agendas.¹²

While the GCM and the IMRF review are not perfect, they offer the only platform to discuss migration issues at the UN. Non-binding though it is, this global agreement has elicited commitments from governments. It holds them accountable, helps with implementation, upholds norms, and informs other decisions, including those about funding. Improving the lives of migrants will take a long time, but GCM signatories accept the principle this is necessary – a crucial step towards global standards and norms.

The pairing might not be perfect, but it is better than nothing

Global migration governance faces numerous challenges, especially as it is split between two frameworks that each have problems. The UNHCR-led international refugee regime was founded on clear rules after World War II. Sadly, it is at risk of being weakened by host nations undermining the principle of territorial asylum – one recent example being the UK-Rwanda deal on asylum seekers.¹³ The global migration and mobility regime has been very weak for decades, even if it did receive an “upgrade” with the agreement of the GCM (Newland, 2019).¹⁴ The two systems have both gaps and overlaps, which makes it harder to help migrants and refugees in the best ways possible. Future discussions about migration and refugee governance must consider these deficits more closely. Another challenge is the growing internal displacement, which is not covered by either regime.

At the end of 2020, a record number of 55 million people were displaced within their home countries (IDMC, 2021)¹⁵. While the UN set up the UN Secretary-General’s High-Level Panel on Internal Displacement in 2019,¹⁶ its mandate to recommend solutions remains separate from the other two.

Lastly, government commitments to implement the GCM remain weak and appear to be low priority in many cases – this is illustrated by the fact that the budget for the UN Migration Multi-Partner Trust Fund is still short of its official fundraising objective. The IMRF will give governments the opportunity to show in how far they still stand to the course of action they agreed on in Marrakech in 2018.

Principles and processes help governments respond more quickly

International agreements and their attendant processes connect actors and create new multi-stakeholder formats that build trust. This can help actors respond quickly and concertedly in moments of crisis, as Europe did in March 2022 after Russia went to war against Ukraine. Key to the European Union granting protection to Ukrainians and access to services was the Temporary Protection Directive, which gives beneficiaries more rights than other groups of migrants and refugees entering the EU.¹⁷ It was agreed by member states in 2001, yet never used until now.

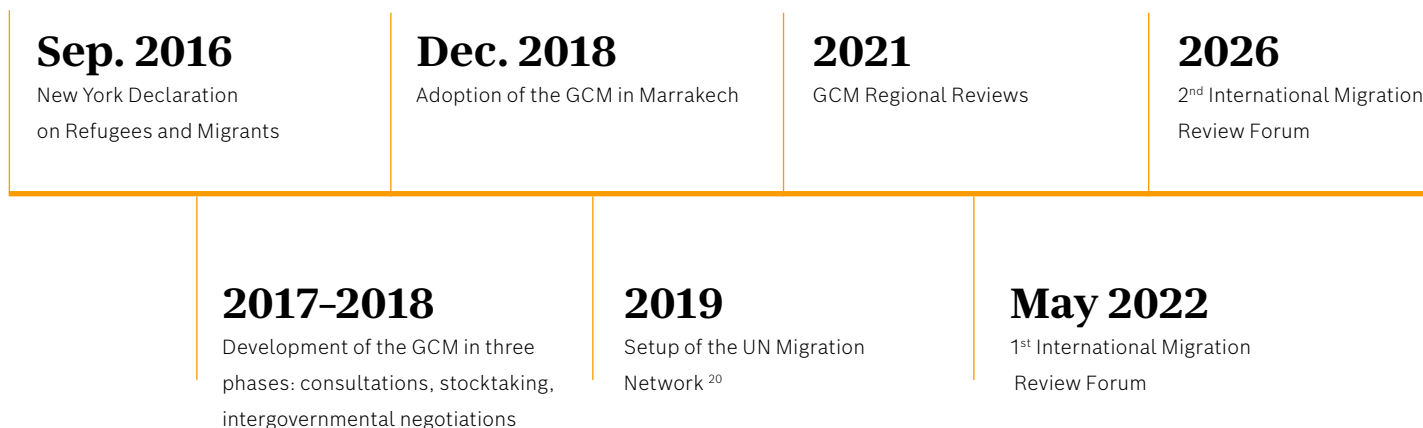
Although the GCM might not be able to help Ukraine migrants

The UNHCR and global and regional refugee schemes are primarily responsible for responding to refugee situations. The GCM tackles migration and mobility more broadly, although some of its objectives are highly relevant to the migration and refugee situation currently unfolding in Ukraine.

- Objective 17 aims to eliminate discrimination against migrants and refugees. The Ukraine crisis saw the unacceptable discrimination of third-country nationals – e.g., African students fleeing their Ukrainian universities were not granted the same rights as Ukrainians on entering Europe and they faced severe discrimination. The UN's International Organization for Migration (IOM), responsible for GCM implementation, quickly issued a statement condemning such unequal treatment.¹⁸
- Objective 15 aims to ensure non-discriminatory access to basic services, such as health or education. The need to treat all migrants equally must be on the European agenda from now on.

Some EU countries now hosting Ukrainians were against the GCM and did not sign it – Poland, Hungary and the Czech Republic joined the USA and Israel to vote against it.¹⁹ This suggests the GCM will be not relevant to Ukraine and neighboring countries at this point. But it could gain more importance over time, especially if the UN Migration Multi-Partner Trust Fund can disburse funding for similar crises. It will be interesting to see if the IMRF can debate migration without mentioning the Ukraine crisis.

The path to the GCM and the IMRF



Important details need to be decided over the next four years

There is a risk the IMRF's Progress Declaration will be weak and fall behind some commitments made in 2018. But the process the GCM has initiated gives some hope beyond that. The next IMRF will take place in 2026 and the GCM's various stakeholders will continue to stay in conversation and work on issues such as alternatives to migrant detention, pathways to employment – and perhaps make progress.

Secondly, the IMRF will be inclusive as mechanisms for stakeholders to travel have been established (also with support of the Robert Bosch Stiftung). This means, for example, that mayors will be prominently represented in New York, bringing a crucial local perspective to the issues. A variety of stakeholders will be able meet in person again, although just how many do make it remains to be seen.

Third, the IMRF is a truly global forum for mobility-related issues like gender and climate change.

The IMRF will add momentum to a UN migration debate just beginning

Governments were hesitant to discuss migration at UN-level before 2015 – and the adoption of the GCM three years later was a milestone. The IMRF and other mechanisms they agreed for monitoring implementation have yet to prove themselves. But that should not distract from the fact that making migration more humane has to be tackled at UN level – to serve more than 281 million migrants (World Migration Report, 2021).²¹ Stakeholders must acknowledge that the UN migration debate is still in its infancy and needs to be driven forward. The IMRF should agree a path to the next forum in 2026.

What needs to be done

This and the next GCM review must boldly address future issues

Governments and stakeholders have enough information about the many trends, developments, and crises – from public health and new technologies to climate change and conflict – that affect migration and human mobility. They must address looming issues boldly and come up with solutions in good time. More preventative approaches to potential future crises and developments – the effects of climate change or technological changes on human mobility and migration – are not only more cost-efficient but also more immediately human-centered.

The IMRF should deliver more national commitments and include cities

The IMRF is designed to elicit greater commitment from governments. The UN can push governments to adhere to the GCM and set up implementation mechanisms – but so do civil society, private sector, mayors, trade unions, academia, and other stakeholders. The IMRF should also create indicators to measure progress of GCM implementation – an option omitted in 2018. In addition, it should look at mechanisms to permanently include mayors along with other non-state actors in the GCM process.

GCM needs data and information to underpin regular expert assessments

There is much research on migration globally. But there is still a lack of data about the state of scientific, technical, and socio-economic knowledge on migration, its impacts and risks, and options for shaping a human-centered migration policy. GCM implementation will only work if governments have access to new sources of information. Akin to the IPCC, the IMRF should establish an independent panel of migration scholars to produce regular assessments of global migration – with a first report presented at the IMRF in 2026.²²

About the author

Raphaela Schweiger is the Director of the Migration program at the Robert Bosch Stiftung. Since joining the Foundation in 2015, she developed numerous programs on migration and inclusion issues for policy makers and practitioners and published widely on the issues.

About the Robert Bosch Stiftung

The Robert Bosch Stiftung is one of the major foundations in Europe associated with a private company. It works in the areas of health, education, and global issues. With its charitable activities, it contributes to the development of viable solutions to social challenges. For this purpose, the Foundation implements its own projects, enters into alliances with partners, and supports third-party initiatives. Since it was established in 1964, the Robert Bosch Stiftung has invested over 2 billion euros in charitable work.

www.bosch-stiftung.de

Endnotes

- 1 IOM (2021): World Migration Report, <https://worldmigrationreport.iom.int/wmr-2022-interactive/>
- 2 Mayors Migration Council (n.d.): Climate Migration. Cities at Forefront, <https://www.mayorsmigrationcouncil.org/climate>
- 3 Inter-American Development Bank; Organization for Economic Cooperation and Development (2021): Migration Flows in Latin America and the Caribbean: Statistics on Permits for Migrants, <https://publications.iadb.org/en/migration-flows-latin-america-and-caribbean-statistics-permits-migrants>
- 4 Reliefweb (2021): African Migration Trends to Watch in 2022, <https://reliefweb.int/report/world/african-migration-trends-watch-2022>
- 5 BBC News (April 30, 2022): How many Ukrainians have fled their homes and where have they gone?, <https://www.bbc.com/news/world-60555472>
- 6 UN Migration Network (n.d.): The Global Compact for Migration, <https://migrationnetwork.un.org/global-compact-for-migration>
- 7 United Nations (2022): IMRF Roundtable 1. Background Note, <https://www.un.org/sites/un2.un.org/files/imrf-round-table-1-background-note.pdf>
- 8 United Nations (2022): IMRF Roundtable 2. Background Note, <https://www.un.org/sites/un2.un.org/files/imrf-round-table-2-background-note.pdf>
- 9 UN Migration Network (n.d.): Working Groups, <https://migrationnetwork.un.org/working-groups>
- 10 UN Migration Network (n.d.): UN Migration Multi-Partner Trust Fund, <https://migrationnetwork.un.org/mptf>
- 11 Migration Multi-Partner Trust Fund Fact Sheet, <https://mptf.undp.org/factsheet/fund/MIG00>
- 12 UN Migration Network (n.d.): Champion Countries Initiative, <https://migrationnetwork.un.org/champion-countries>
- 13 Beirens, Hanne/ Davidoff-Gore, Samuel (2022): The UK-Rwanda Agreement Represents Another Blow to Territorial Asylum, <https://www.migrationpolicy.org/news/uk-rwanda-asylum-agreement>
- 14 Newland, Kathleen (2019): Global Governance for Migration 2.0. What lies ahead?, <https://www.migrationpolicy.org/sites/default/files/publications/GlobalCompact-Migration-Governance-Final.pdf>

- 15 Reliefweb (2021): Global Report on Internal Displacement, <https://reliefweb.int/report/world/global-report-internal-displacement-2021-grid-2021>
- 16 United Nations (2021): High-Level Panel on Internal Displacement, <https://www.un.org/internal-displacement-panel/>
- 17 European Commission (2022): Temporary protection, https://ec.europa.eu/home-affairs/policies/migration-and-asylum/common-european-asylum-system/temporary-protection_de
- 18 ADEPT (2022): ADEPT prepares the International Review Migration Forum (IMRF) with UN entities, <https://www.adept-platform.org/adept-prepares-the-international-review-migration-forum-imrf-with-un-entities/>;
Foresti, Marta/ Nwajiaku-Dahou, Kathryn (2022): Fleeing Ukraine and the inequality of Africa-Europe relations, <https://odi.org/en/insights/fleeing-ukraine-and-the-inequality-of-africa-europe-relations/>;
IOM (2022): Statement. Discrimination and Racism Against Third Country Nationals Fleeing Ukraine Must End: IOM Director General, <https://www.iom.int/news/discrimination-and-racism-against-third-country-nationals-fleeing-ukraine-must-end-iom-director-general>
- 19 Wydarzenia (2018): Polska nie przystąpi do Paktu ONZ o migracji. Jest oficjalne stanowisko rządu, <https://www.rp.pl/kraj/art1629621-polska-nie-przystapi-do-paktu-onz-o-migracji-jest-oficjalne-stanowisko-rzadu>; Reuters (2018): Czechs join other EU states rejecting U.N. migration pact, <https://www.reuters.com/article/us-migrants-czech-idUSKCN1NJ007>
- 20 UN Migration Network (n.d.): About <https://migrationnetwork.un.org/about>
- 21 IOM (2021): World Migration Report, <https://worldmigrationreport.iom.int/wmr-2022-interactive/>
- 22 Such an idea has been put forward by a group of scholars from Science Po in 2018: "In the context of the European Council held on June 28 th 2018 three French researchers Virginie Guiraudon (Sciences Po, CEE), H el ene Thiollet (Sciences Po, CERl) and Camille Schmoll Universit e Paris Diderot) launched a call to create an International Panel of Migration and Asylum following the experience of the Intergovernmental Panel on Climate Change" (Science Po, 2020). The call has been signed by more than 700 scholars until 2020.