



Vision for the Future: The Global Compact for Migration

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Context

In December, 2018, an Intergovernmental Conference to adopt the Global Compact for Migration (GCM) will take place in Marrakech, Morocco, under the auspices of the United Nations (UN) General Assembly. It will be a culmination of the numerous rounds of thematic consultations, intergovernmental meetings that were set in motion by the adoption of the New York Declaration for Refugees and Migrants in 2016 (A/RES/71/1). Once adopted the GCM would be the first intergovernmental instrument that aspires to cover all aspects of migration. The long road to the agreement has not been without some hiccups. The United States pulled out of the negotiations in December 2017, just days before stocktaking negotiations were due to be held in Mexico. Since then, the international community has rallied behind the cause and the final adoption will take place in Morocco. This paper traces the development of GCM and analyses why it is a significant development for migration governance.

Conceptualizing GCM

The GCM is the result of sustained efforts at the global level to address migration in all its aspects. Notable among these are the High Level Dialogue on Migration 2006 and 2013, Global Commission on International Migration 2005, Global Forum for Migration and Development 2007 and the creation of Global Migration Group in 2006. Remarking on the need for global cooperation on migration, the UN Secretary General Ban Ki Moon argued in 2016 that “this is not just a crisis of numbers; it is also a crisis of solidarity.”¹ This need for cooperation found resonance in the New York Declaration for Refugees and Migrants, 2016 through which the UN General Assembly decided to develop a global compact for safe and orderly migration. Coinciding with the adoption of the declaration, the International Organization for Migration (IOM) was brought within the fold of UN as a related agency, and was given the task of leading the negotiations on GCM.

With Mexico and Switzerland as the co facilitators, the GCM negotiations were stretched across a three-step consultative process- thematic consultations, stocktaking and inter-governmental negotiations. In the first stage, the thematic consultations were held from April-November 2017. The organization of consultative process was structured to involve stakeholder consultations at all levels- national, regional and global to contribute to a comprehensive GCM on the following six thematic clusters: Human rights, social inclusion, cohesion, discrimination, including racism, xenophobia and intolerance; Addressing drivers of migration; International Cooperation and governance of migration in all its aspects; Contribution of migrants and diasporas to development; Smuggling of migrants and trafficking in persons; Irregular migration and regular pathways.

The second step was stocktaking which was held in Puerto Vallarta, Mexico in December 2017. It was before this meeting that the United States announced its withdrawal from the negotiation process. The then US Secretary of State, Rex Tillerson, said that the compact, which aims to protect the rights of migrants as well as help them resettle, "contains a number of policy goals that are inconsistent with U.S. law and policy."² In his reaction to this development, the UN General Assembly President Miroslav Lajčák remarked that disengaging was not the solution and migration issues could only be resolved through multilateralism.

The other country that denounced the compact is Hungary. The Hungarian foreign minister Peter Szijjarto said his country won't be signing the compact, referring to it as "extreme and biased."³ The EU negotiated the compact as one bloc and throughout the process argued that it should be a non binding instrument. In its input to the Secretary General's *Report on Safe, Orderly and Regular Migration* it pitched for the compact to go beyond the commitments and result in actionable commitments that could be evaluated.⁴ India also gave inputs for the Secretary General's Report and argued that the Compact should clarify between migrants and refugees, foster an environment that allows for labour mobility and provide for a framework of cooperation keeping the developmental aspects of international migration in focus.⁵

Based on the inputs received in the consultation and stocktaking phase, the third stage of intergovernmental negotiations took place between February- July 2018. After six rounds of negotiations, the final text was agreed upon on 13 July 2018. William Lacy Swing, the then Director General of IOM remarked that "This is not the end of the undertaking but the beginning of a new historic effort to shape the global agenda on migration for decades to come".⁶ It is this text that will be put on the table for adoption in Marrakech, Morocco on 10-11th December 2018.

What Next

Even before the GCM negotiations began, three international conventions on migration, ILO Convention No. 97 (1949) and 143 (1975) and the UN Convention on Migrant Workers (1990) existed but all of them have seen meager ratifications. As hard law approach has not made much headway on migration issues given its political overtones; hence the negotiated final draft of GCM is non-binding. The principles of state sovereignty, responsibility sharing, non discrimination, human rights, gender and child sensitivity and people centered approaches in management of

migration that the compact espouses will guide the migration policies of countries in years to come. The GCM is not without limitations; it is a lengthy document, some states may pull out of the process but its value as an attempt to find pragmatic solutions to migration issues cannot be brushed aside. Migration has been reduced to negative rhetoric in many countries today, and international cooperation to deal with issues emanating from it requires more attention than ever. As a comprehensive document which includes inputs from grass roots to the interstate level, GCM represents a vision for the future of migration management and explores solutions to move forward.

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Disclaimer: The views expressed are that of the Researcher and not of the Council.*

Endnotes:

¹ UN (2016), “Remarks on Forced Displacement: A Global Challenge Ban Ki-moon”, Accessed on 5 October 2018, Url:<https://www.un.org/press/en/2016/sgsm17670.doc.htm>

² Tillerson, Rex W. (2017), “U.S. Ends Participation in the Global Compact on Migration”, Press Statement, 3 December 2017, Available at

URL: <https://www.state.gov/secretary/20172018tillerson/remarks/2017/12/276190.htm>

³ Quartz (2018), “The global migration plan that every UN country agreed to—except the US and Hungary”, Accessed on 5 October 2018, URL:

<https://qz.com/1332922/the-entire-united-nations-agreed-on-the-global-compact-for-migration-except-the-us-and-hungary/>

⁴ UN (2018)a, “EU input to the UN Secretary-General's report on the Global Compact for Safe, Orderly and Regular Migration”, Accessed on 7 October, URL: https://refugeesmigrants.un.org/sites/default/files/stocktaking_eu.pdf

⁵ UN (2018)b, “India's input to the UN Secretary-General's report on the Global Compact for Safe, Orderly and Regular Migration”, Accessed on 7 October 2018, URL: https://refugeesmigrants.un.org/sites/default/files/india_sgreport.pdf

⁶ IOM (2018), “IOM Director General Swing lauds “historic” Global Compact for Migration”, Press Release, 13 July 2018, Accessed on 6 October 2018, URL: <https://www.iom.int/news/iom-director-general-swing-lauds-historic-global-compact-migration>