

# UN Global Compact on Safe, Regular and Orderly Migration FAQs

27 April, 2017

## What is the Global Compact on Safe, Regular and Orderly Migration?

### The September 19 Summit and the New York Declaration

On September 19, 2016, the United Nations General Assembly hosted a **High-Level Summit** in New York (<http://refugeesmigrants.un.org/summit>), marking the first time world leaders, heads of state and government, came together at the UN with the aim of improving international cooperation and governance of migration and refugee issues.

The **New York Declaration** was the outcome of this Summit (summary and link to full text at <http://refugeesmigrants.un.org/declaration>). In it, the 193 UN Member States committed to negotiating two “Global Compacts”, a “**Global Compact on Refugees**” and a “**Global Compact on Safe, Regular and Orderly Migration.**”

The Summit and the resulting compact process show how important international migration issues have become on the international stage. States are showing a new willingness to cooperate with one another on migration policy. **The stakes are high: depending on what forms this cooperation takes, states’ cooperation could be good for migrants, or bad.** Migration is a high priority, but amidst a wave of populist scapegoating of migrants and rising racism and xenophobia around the world, it is a difficult time to negotiate an agreement to protect migrants’ rights and interests.

States committed in the New York Declaration to protect the human rights of all migrants, regardless of status, but they did not say how they would do this. In the current climate many states will feel pressure to backtrack on their commitments. **This is why civil society voices, especially the voices of migrant organizations and communities, must speak out clearly and effectively on our own behalf** on the policy issues states will be addressing as they work towards this Global Compact on Safe, Regular and Orderly Migration.

The compact *could* establish a framework and mechanisms for

- more and better mobility options,
- at lower cost and
- with greater security, respect for human rights, and access to justice when rights are violated.

But states’ cooperation with one another **could also be harmful to migrants**—for example

- reaching agreements on returns/deportations that would make it easier for states to separate migrants from their lives and families and return people to countries that have little to offer in the way of decent work or social support, or
- supporting the expansion of highly restrictive circular migration programs that require migrants to give up fundamental rights and freedoms for the opportunity to work in another country.

**As stakeholders and rights-holders, migrants must be prepared to speak up in this Global Compact process, so that international cooperation and governance of migration protect migrants' human rights and reflect migrants' perspectives and interests.** Civil society can work with states and other stakeholders to identify ways to improve mobility options, reduce costs, and improve safety, security, and access to justice, while opposing measures that fail to protect migrants' rights.

## What is a “Global Compact”?

The **Global Compact on Safe, Regular and Orderly Migration** will be an agreement states make with one another. States have committed to completing it in time for another UN conference to be held in New York in September 2018, where they will formally adopt it. There is more information on the timeline for consultations and negotiations below.

While states have the final say (as long as they stick to the human rights obligations they have already made), other stakeholders “**including civil society, scientific and knowledge-based institutions, parliaments, local authorities, the private sector and migrants themselves**” will be able to contribute their views, opinions, and expertise to the process through a variety of different channels (see further details below).

The compact will

- present a framework for comprehensive international cooperation on migrants and human mobility,
- deal with all aspects of international migration, including the humanitarian, developmental, human rights-related and other aspects of migration.”<sup>1</sup>

The Global Compact will not make new law, but **its provisions must be consistent with states' obligations under existing international human rights law and labor standards.**

## What will all these commitments and frameworks be about? What will they do?

In the New York Declaration, states included a list of 24 topics, issues or “elements,” that the compact might address.<sup>2</sup> Some of these are welcome and could pave the way toward positive developments. Others are framed in ways that will be challenging for migrants, such as the element on return and readmission, “improving cooperation in this regard between countries of origin and destination.” In addition to some abstract issues like improving governance of migration, other key issues on the list to be addressed include:

- “**Effective protection of the human rights and fundamental freedoms of migrants, including women and children, regardless of their migratory status, and the specific needs of migrants in vulnerable situations**”
- Combating racism, xenophobia, discrimination and intolerance towards all migrants
- The inclusion of migrants in host societies, access to basic services for migrants and gender-responsive services
- Remittances, including lowering costs of sending remittances
- Addressing migration drivers (such as absence of decent work opportunities, loss of livelihood due to climate change or disaster)

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<sup>1</sup> Modalities for the intergovernmental negotiations of the global compact for safe, regular and orderly migration, A/71/L.58

<sup>2</sup> See New York Declaration Annex II, para. 8, A/71/L.1

- Consideration of policies to regularize the status of migrants
- Protection of labour rights and a safe environment for migrant workers
- Promotion of labour mobility, including circular migration
- Recognition of foreign qualifications, education and skills and cooperation in access to and portability of earned benefits
- International cooperation for border control
- Combating trafficking in persons, smuggling of migrants and contemporary forms of slavery

It is difficult to tell at this stage how some of these issues will be addressed, but relevant **international human rights and labor rights standards already exist**, and agreement on frameworks to support their implementation at regional, bilateral and national levels could be a positive outcome that migrant and other civil society organizations could not only advocate for during the consultation and negotiation process (described below), but also monitor progress on after the compact is agreed.

### What is the process and the timeline for this Global Compact?

Earlier this year, states agreed on the process and timeline. The process will have three phases: 1. Consultations, 2. Stock-taking, and 3. Negotiations. Between **April and November 2017** there will be a very busy schedule of **consultations**, most of which will offer at least informal opportunities for civil society and other stakeholder participation. The consultations will be organized by the UN Secretariat and the International Organization for Migration (IOM), together with the relevant UN agencies like the Office of the High Commissioner for Human Rights (OHCHR) and the International Labor Organization (ILO), and, in the case of the regional consultations, the UN Regional Commissions.

**There will be six global thematic consultations.** The 24 elements listed in the New York Declaration have been consolidated into six thematic areas, with a global multistakeholder consultation devoted to each. These elements and perhaps others will also be discussed at **regional consultations**.

1. **Human rights of all migrants**, social inclusion, cohesion and all forms of discrimination, including racism, xenophobia and intolerance (May 8-9, Geneva, see <http://refugeesmigrants.un.org/compact-partners> for information and to apply **by May 2** to attend)
2. **Addressing drivers of migration**, including adverse effects of climate change, natural disasters and human-made crises, through protection and assistance, sustainable development, poverty eradication, conflict prevention and resolution, (May 22-23, New York)
3. **International cooperation and governance of migration** in all its dimensions, including at borders, on transit, entry, return, readmission, integration and reintegration (June 19-20, Geneva)
4. **Contributions of migrants and diasporas** to all dimensions of sustainable development, including remittances and portability of earned benefits (July 24-25, New York)
5. **Smuggling of migrants, trafficking in persons and contemporary forms of slavery**, including appropriate identification, protection and assistance to migrants and trafficking victims (September, Vienna)
6. **Irregular migration and regular pathways**, including decent work, labour mobility, recognition of skills and qualifications and other relevant measures (October, Geneva)

**There will be four regional intergovernmental consultations**, organized by the UN Regional Commissions according to the priorities of the respective member states, for Africa (ECA), Asia (ESCAP), Latin America and the Caribbean (ECLAC), and the Arab states (ESCWA). They will take place between August and November. There will also be sub-regional consultations in advance of the regional consultations in some cases.

IOM has asked its country offices to suggest to governments that they hold **national multistakeholder consultations** that include all relevant ministries/offices and levels of government as well as civil society and other stakeholders and so far **over 50 have agreed**. The list of which countries is not available yet, **but be on the lookout, it should be available soon**.

**There will also be five or six regional CIVIL SOCIETY consultations**, one connected to each of the four regional intergovernmental consultations plus one for Europe (tbc) and probably one for the Central/North American corridor. These are being supported by IOM in conjunction with regional civil society partners in each region. These may take place either several weeks before or immediately before the respective intergovernmental regional consultation (held by ECA, ESCAP, ECWAS, ECLAC). **Be on the lookout for information for your region!**

There will be additional consultations in conjunction with existing **Regional Consultative Processes (RCPs)**.

**Phase 2, Stock-taking.** After the consultations, there will be an **intergovernmental stock-taking conference in Guadalajara**, Mexico, in early December, where inputs from the consultations will be presented and discussed, then consolidated as the basis for a draft. The co-facilitators-- the Swiss and Mexican governments-- will produce a **first draft** of the Global Compact on Safe, Regular and Orderly Migration **by February 2018** which will be the basis for the intergovernmental negotiations culminating in the compact (**Phase 3**). Negotiations should be concluded by the end of July ahead of the September conference.

Over the course of the consultation, stock-taking and negotiation phases, there will also be several **multistakeholder hearings**. Most of these will be in New York, including one in late July and another on December 18. Others will be held in 2018 during the negotiations. A multistakeholder **Steering Committee** is currently being formed and will hold calls to select participants in the hearings. For more info and to apply, see <http://refugeesmigrants.un.org/compact-partners>.

## **How can we get useful up to date information about it throughout the process?**

The Global Coalition on Migration has an email listserve devoted to the Global Compact, and will send out weekly updates. You can send a message to [coordinator@gcmigration.org](mailto:coordinator@gcmigration.org) asking to be subscribed as well as indicating your organization's particular interests, constituency and priorities. You can also follow GCM on Facebook and Twitter @GCMigration.

### **Useful links to Global Compact-related sites**

<http://gcmigration.org>, Global Coalition on Migration website (which also has links to GCM members' websites)

<http://refugeesmigrants.un.org/summit>, UN page on the 19 September High Level Summit on Refugees & Migrants (**Note:** this <http://refugeesmigrants.un.org/> site should soon be updated to serve as a compact info site, new Steering Committee and Thematic Consultation application info already available at <http://refugeesmigrants.un.org/compact-partners>).

<http://refugeesmigrants.un.org/declaration>, Summary of the commitments states made in the New York Declaration (full text available directly at [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/71/L.1](http://www.un.org/ga/search/view_doc.asp?symbol=A/71/L.1)).

<https://www.iom.int/global-compact-migration>, IOM's Global Compact site, with updated information on thematic consultations, regional consultations, stakeholder meetings, etc.