

# Towards a Global Compact for Migration: A Development Perspective

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## Global Governance of International Migration 2.0

### What Lies Ahead?

By Kathleen Newland

#### Executive Summary

Global governance of international migration received an upgrade in 2018. For the first time—and not without controversy—governments succeeded in negotiating an agreement to cooperate to make migration work better, with less danger and greater rewards. The Global Compact for Safe, Orderly, and Regular Migration is the first comprehensive framework of principles and objectives to guide international cooperation on migration that has been formally negotiated and adopted by states.<sup>1</sup> The compact unfolded as a drama with a number of twist and turns before reaching a resolution when a resounding majority of states adopted it at a United Nations special conference in December 2018, and then endorsed it in the UN General Assembly later that month. That achievement was slightly tarnished as several countries, including some major countries of immigration such as the United States and Australia, refused to support the compact.

The compact emerged from a sense of crisis, which reached a peak in 2015 and brought home to many governments that unilateral action is not effective in coping with large, unanticipated, and unauthorized flows of migrants. Collaboration is needed not only among source, transit, and destination countries, but also between governments and other stakeholders such as private-sector, civil-society, and local government actors. The compact aims to help states realize the greatest benefits from international migration, while reducing the negative forces that impel people to leave their homes and bring order and greater safety to the migration process.

The heart of the compact is a commitment to pursue 23 objectives (see Appendix A), with 187 associated actions from which states will draw to realize those goals. The objectives range

from the very specific and noncontroversial, to more wide-ranging and controversial, to very general and, presumably, long-term. It also includes a section on implementation, which includes an ill-defined “capacity-building mechanism,” and welcomes the UN Secretary-General’s decision to establish a UN Network for Migration. Together with the entry into the UN system of the International Organization for Migration (IOM) as a related organization in 2016, the network gives the United Nations unprecedented capacity to help its Member States implement their commitments under the compact.

The Global Compact is not legally binding and cannot be expected to revolutionize the governance of migration immediately. Its effectiveness over time will depend on how serious states are about delivering on their commitments. A major constraint is the unwillingness of governments, thus far, to provide multilateral agencies the resources they need to be effective in helping states to implement the compact.

Some compact opponents charge that it undermines national sovereignty. In reality, the kind of collaboration outlined in the compact is a way for states to reclaim sovereignty—to exert greater control over migration processes and their outcomes by working with all stakeholders. The goal of better governance of migration is not to stop movement, but to gradually transform it from a crisis to a normal part of human life and a more manageable aspect of international relations.

## I. Introduction

A sense of crisis often shakes up conventional ways of responding to a stimulus. The reactions to crises may be positive or negative, and the 2010-19 period has seen plenty of both in relation to migration: extraordinary generosity toward migrants and refugees at national, community, and individual levels as well as rejection and vilification. Neither is new. But this decade has produced one unprecedented

response to migration: the first formal framework, negotiated and adopted by an overwhelming majority of states, of principles and objectives to guide international cooperation on migration. In 2018, UN Member States overwhelmingly adopted the Global Compact for Safe, Orderly, and Regular Migration, which was then endorsed by a resolution in the United Nations General Assembly.<sup>2</sup>

International migration is a fact, and it is not going away. This reality should not be a cause for either complacency or despair. Governments, international institutions, and societies are not helpless in the face of migration. But it takes effort to devise and implement policies to ensure that the movement of people into, out of, and across countries is a net positive for all of those who are affected, in political, social, and economic terms. The Global Compact for Migration is a collective effort at the international level to devise more beneficial ways of governing migration. Implementation will be up to states, and multilateral institutions have pledged to assist them.

Responsibility for migration governance belongs largely to national governments, and they have a primary duty to their own people, tempered by their obligations under international law. But it has become increasingly clear, in an era of large and often unauthorized flows of people, that national governments cannot control migration effectively with unilateral actions. To derive the greatest benefit from migration, even the most capable destination countries need the cooperation of their partners in migration corridors—countries of origin and transit as well as other countries of destination—and of other stakeholders: in civil society broadly conceived, the private sector and local governments. Countries of origin also need the cooperation of other states and non-state partners to create legal migration opportunities for their nationals and make better use of existing channels protect their emigrants’ rights while abroad, and avoid depleting national stores of needed talents and skills while not inhibiting people’s ability to take advantage of legal migration opportunities.

The practical importance of the compact will be revealed over time—perhaps over decades. Its very existence in a period in which anti-migration sentiment is being encouraged and cultivated by many political forces is a striking achievement. It may or may not signal a new era in the governance of migration, but the compact does establish common goals and starting points for states that wish to work together toward common objectives. The objectives outlined in the compact are a product of compromise among countries with very different perspectives on migration—as well as of the appreciation that a growing number are simultaneously places of origin and destination, and often countries of transit as well. The compact signals a recognition that cooperation is essential, and it springs from one attitude that virtually all states have in common: none is satisfied with the status quo.

## II. Adoption of the Global Compact for Safe, Orderly, and Regular Migration: A Drama in Five Acts

From what we know from their surviving works, the classical dramatists of ancient Greece constructed their plays according to a dramatic arc in five parts: the scene-setting of the problem and its context (exposition), the events that build up to a point at which pressure for change becomes irresistible (rising action), the turning point (climax), the reactions to and consequences of the climax (falling action), and the resolution (dénouement) leading to a release of tension and a “new normal.” The path to the adoption of the Global Compact for Migration can be thought of in a similar arc.

### A. First Act: Exposition

Large-scale movements of people in the new century, both authorized and irregular, forced

and voluntary, increased the sense that migration must be addressed in a more systematic way. International institutions responded. The UN High Commissioner for Refugees (UNHCR) initiated a process to address mixed flows of refugees and non-refugees. The World Trade Organization (WTO) took up the question of movement of “natural persons” as a form of trade. The International Labor Organization (ILO) made migrant labor the headline of its International Labor Conference.

UN Secretary-General Kofi Annan convened a working group on migration in his office, and at his urging UN Member States set up a Global Commission on International Migration. Also at his suggestion, the UN General Assembly convened a High-Level Dialogue on Migration in 2006, which led to the establishment, outside the United Nations, of the Global Forum on Migration and Development (GFMD) as an informal venue for discussion of migration and development issues among states. Since 2007, the GFMD has met annually (except for 2013, when another High-Level Dialogue was held in the General Assembly), and forum participation has gradually expanded to include, first, civil society and then the private sector and local governments. Annan also appointed in 2006 a Special Representative (SRSG) for International Migration, who was influential in promoting the migration agenda and developing practical ideas for cooperation among states in this thorny policy arena.

In 2015 migration was included in the 2030 Agenda for Development and was referenced in several of the targets under its 17 Sustainable Development Goals (SDGs). The broadest reference was under Goal 10: Reduce inequality within and among countries. In Target 10.7, states committed themselves to “facilitate safe, orderly, regular, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies.”<sup>3</sup> Although international migration was firmly on the international agenda, a sense of urgency was lacking.

## B. Second Act: Rising Action

The second decade of the 21st century has seen momentous developments in migration flows in every populated region of the world. The Arab Spring; the Syrian civil war; the arrival of sharply increased numbers of families and unaccompanied children at the southern U.S. border; the emergence of Libya as a dangerous and lawless country of transit; the meltdown of the Venezuelan economy and polity; and the protracted flight of refugees from Afghanistan, Myanmar, South Sudan, and Syria are only a sample of the developments that generated alarm and produced sharp departures from accepted humanitarian norms and established national migration practices. Most regions of the world have experienced dramatic migration episodes that gave rise to a sense of urgency in this decade.

## C. Third Act: Climax

The year 2015 was widely perceived as a year of crisis, particularly but not exclusively in Europe. However, the arrival of approximately 1 million asylum seekers and migrants in Europe can with good reason be described as the climax of the migration drama that led to the adoption of the Global Compact for Migration. International negotiations on migration had long been stymied by the “asymmetric power” between countries of origin and destination; the 2015 flows brought home to some of the most powerful migrant-destination states that they too needed a global framework to organize broad-based cooperation in the effort to bring order to the dangerous and chaotic movement of people toward and across their borders.

## D. Fourth Act: Falling Action

Spurred by the crises of 2015, European and North American states joined with countries of origin in calling for a special session of the UN General Assembly to address “Large Movements

of Refugees and Migrants.” The session took place on September 16, 2016. In the outcome document of that session, known as the New York Declaration, the Member States committed themselves to negotiate a Global Compact for Safe, Orderly, and Regular Migration by the end of 2018.<sup>4</sup> (They also committed to pursue a Global Compact on Refugees through a separate and quite different process led by UNHCR rather than the Member States.<sup>5</sup>)

The Global Compact for Migration process began with extensive consultations throughout most of 2017. In December of that year, a stocktaking meeting took account of the priorities expressed by states as well as the concerns of other stakeholders. Negotiations began in earnest at the beginning of 2018. Only one government, that of the United States, refused even to be involved in negotiation of the compact. This was not entirely surprising, since the Trump administration had consistently been averse to multilateralism and was expressing its disapproval of other international agreements, such as the Paris climate accords. The United States was an outlier, and while the absence of the most important immigration country in the world was regrettable, many were secretly relieved that it would not be in the negotiations as a spoiler.

The text of the Global Compact for Migration was finalized in July 2018. All but one of the 193 UN Member States had participated in the often-difficult negotiations to develop the core principles and broad objectives of the compact, and none of them spoke against the agreement before the finalization of the text on July 11, 2018. The next steps of the process? Formal adoption of the compact by a conference of UN Member States and the endorsement of that action by the UN General Assembly.

## E. Fifth Act: Dénouement

The government of the Kingdom of Morocco wished to host the conference for adoption of the compact as an expression of its growing

role on the international stage and as a leader in Africa, and on migration policy, in particular. It needed time to prepare to host the conference—not least to construct, in record time, a building large enough to hold it. In addition, others felt that states should be given enough time to prepare concrete implementation plans to bring to the adoption conference to show their commitment to the compact. Thus, a critical decision was made to delay the formal adoption of the compact for five months after the July agreement on the final text in New York. Formal adoption was scheduled for December 10 in Marrakech. It does not appear that government representatives or the UN authorities saw any danger in this arrangement. Relief at having arrived at an agreed text may have encouraged a sense of complacency. Even when Hungary, within days of the acceptance of the text, announced that it would not support the compact, it was seen as another outlier. However, the five-month delay allowed time for opposition to the compact to spread and become organized.

Over the course of the late summer and autumn of 2018, the pact was taken up as another weapon in the arsenal of anti-immigration, anti-globalization forces on the European right, in sync with attitudes in a number of other countries. On far-right websites, a drum roll of denunciation gathered strength, painting the compact as a nefarious attempt to deny states their sovereign right to make decisions about their migration policies—despite the fact that one of the guiding principles in the compact specifies that “the Global Compact reaffirms the sovereign right of states to determine their national migration policy and their prerogative to govern migration within their jurisdiction in conformity with international law.”<sup>6</sup> Much of the virulent criticism could be contradicted by even a cursory reading of the text. In Estonia, in fact, controversy about the compact was dampened when a well-known actor went on national television and actually read all 34 pages of the text aloud.<sup>7</sup>

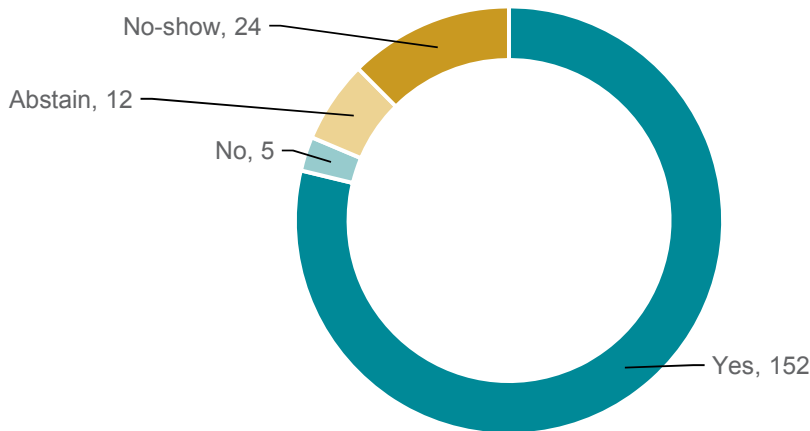
Compact supporters were slow to come up with a forceful counter-narrative about the urgent

need for cooperation among countries to address the worst effects of migration—the misery and death along the trail of unauthorized movements as well as people’s legitimate fears of the consequences of out-of-control migration—and the benefits of well-managed movements. Many chastened supporters admitted later that they did not do enough to sell the benefits of the compact to skeptical publics.

The October 31, 2018 announcement by the government of Austria, then holding the presidency of the European Union, that it would not endorse the compact,<sup>8</sup> led to a cascade of expressions of withdrawal of support from Eastern European governments. They were joined by Australia, Israel, the Dominican Republic, and, at the last minute before adoption, Chile. The Swiss and Italian governments delayed their endorsement decision in order to allow for parliamentary debate. The Belgian prime minister went to Marrakech to support the compact despite a split in the governing coalition that threatened the collapse of his government—and ultimately led to his resignation after a vote of no confidence.<sup>9</sup> The United States issued a statement immediately before the Marrakech conference which stated: “We believe the compact and the process that led to its adoption, including the New York Declaration, represent an effort by the United Nations to advance global governance at the expense of the sovereign right of states to manage their immigration systems in accordance with their national laws, policies, and interests.”<sup>10</sup>

Despite a strong counter-narrative that seemed to be gaining momentum, by the time the Marrakech conference convened, only about a dozen governments had declared that they would not support the compact. Several others were equivocal. In the end, 164 countries, or 85 percent of the UN membership, attended the Marrakech conference and the compact was adopted unanimously by those in attendance on December 10. On December 19, the 169 states present at the UN General Assembly endorsed the compact by a vote of 152-5, with 12 states abstaining.<sup>11</sup>

**Figure 1. Votes in the UN General Assembly to Endorse the Global Compact for Migration, December 2018**



*Notes:* The countries voting against the compact: Czechia, Hungary, Israel, Poland, and the United States. The countries abstaining were: Algeria, Australia, Austria, Bulgaria, Chile, Italy, Latvia, Libya, Lichtenstein, Romania, Singapore, and Switzerland.

*Source:* United Nations, “General Assembly Officially Adopts Roadmap for Migrants to Improve Safety, Ease Suffering,” UN News, December 19, 2018, <https://news.un.org/en/story/2018/12/1028941>.

Although the compact was not derailed by this tumult, the withdrawal of support by a number of states demonstrated that the adoption of a Global Compact for Migration in 2018 was a minor miracle. International migration has proved to be one of the most effective tools of mobilization for right-wing populist forces in political contests across the West.<sup>12</sup> It is perhaps surprising that the organizers of such forces were slow to pick up on the potential of the compact to aid their projects. But once the pact was recognized as a valuable tool of right-wing populism, the division of the West followed a now-familiar pattern. In the end, moderate forces prevailed in most countries and the compact, as noted, drew overwhelming support.

In classical drama, the dénouement wraps up the loose ends and brings catharsis—a release of tension. But with the Global Compact for Migration, we have not reached the end of the story. Contentious politics is the “new normal” of migration—neither tragedy nor comedy, but certainly a continuing drama.

### III. Governance of Migration after the Global Compact

No one should expect the adoption of the Global Compact for Safe, Orderly, and Regular Migration to revolutionize the governance of migration overnight. Implementation will require resources, policy changes, collaboration across borders, political commitment, and a positive, realistic narrative. The compact is not legally binding. It has the same legal status as the 2030 Agenda for Sustainable Development and the Sustainable Development Goals: a political agreement among states to pursue agreed objectives through recognized means of implementation. The compact’s only means of “enforcement” are peer pressure and self-interest. Nonstate actors from civil society and the private sector, as well as local governments, will play important roles in encouraging and assisting national governments to meet their stated commitments, and helping to define self-interest at local, national, regional, and global levels. The compact represents a new commitment to international cooperation

on migration and sets the stage for pragmatic, problem-solving coalitions of states and other stakeholders.

The 23 objectives at the heart of the Global Compact respond to three core imperatives:

- Reducing the negative factors that compel people to leave their homes—from poverty and lack of opportunity to climate change and lawlessness—and protecting them from harm on their journeys (objectives 2, 7, 8, 9, 10, 13, 17)
- Amplifying the benefits that migration can bring to individuals, communities, and countries of origin and destination (objectives 5, 6, 15, 16, 18, 19, 20, 22)
- Bringing order to the migration process through better understanding of its scale and dynamics, more effective policies, and expanded international cooperation (objectives 1, 3, 4, 11, 12, 14, 21, 23).

Some of the 23 objectives are quite specific and, while ambitious, are within reach: collect more and better data on migration (Obj. 1), reduce the cost of money transfers to recipients in migrants' countries of origin (Obj. 20), improve the consular services available to migrants (Obj. 14), and ensure that they have proof of legal identity (Obj. 4) so that authorities can determine their identities. Goals such as these need smart, determined implementation; appropriate resources; and coordinated action both within and among states.

A second group of objectives is even more ambitious and was difficult to agree, particularly those goals related to access and stay. Implementation of these will entail resolving political, technical, and financial challenges. Objectives in this category include:

- Making legal entry available to a larger share of those who migrate (Obj. 5),

which would disrupt the business model of smugglers while making the immigrant's journey much safer—but might also cause concern to native-born workers who are unemployed or in precarious jobs

- Providing access to basic services to migrants (Obj. 15), which is critical to their well-being but controversial where citizens struggle to obtain such services and fear that extending them to migrants will strain public resources—or result in higher taxes
- Committing states to facilitate returns of migrants who do not have legal permission to remain in a country (Obj. 21). This goal, while difficult was one of the most important to negotiators from destination countries in Europe. Although balanced with more reintegration assistance for returning migrants and the communities that receive them, the goal nonetheless requires reconciling political interests in origin and destination countries that are often diametrically opposed.

A third group of objectives is very broad and long-range, such as reducing the negative drivers of migration (Obj. 2), reducing the vulnerability of migrants on their journeys (Obj. 7), eliminating discrimination (Obj. 17) and social exclusion (Obj. 16), and strengthening international cooperation and global partnerships (Obj. 23). These objectives are aspirational and leave much room for different ideas about how best to achieve them.

The compact is an ambitious document. It seeks to balance the rights of individuals with the prerogatives of states, emphasizing both the importance of rules and the need for flexibility in applying them. The document asserts that migration policymaking should be guided by empirical evidence and improved data collection, while recognizing that governments have different priorities, capabilities, and resources.

And it acknowledges that states have responsibilities to each other in migration matters as well as a duty to protect those on the move. It reinforces the fact that human rights do not stop at borders; migrants have the same fundamental rights as anyone else, regardless of where they are or their migration status.

The compact's character is often misrepresented—sometimes deliberately—and it is widely misunderstood. It is not a treaty. Some of its opponents have suggested that it could make it way into “soft law” and eventually become legally binding, but a “compact” has no standing in law. A compact is, in essence, a statement of intent—a political, rather than a legal, document. The migration compact's significance lies in its being the first international agreement that governments have formally negotiated and adopted on migration, and in its emphasis on cooperation rather than confrontation, even on controversial issues. With its 23 objectives and 187 associated actions from which states can draw in implementing the compact, the agreement has something for everyone to like—and probably something for everyone to dislike (at least in terms of not including stronger statements on some issues). States can and will choose their own priorities among the goals of the compact. The danger is that the pre-compact fragmentation of efforts to govern migration more successfully will continue. But many states are convinced of the value of cooperation. Having invested so much effort in the compact, they will want to see results. Different states will lead on different issues and form coalitions of the like-minded to collaborate with them, including and often instigated by civil-society, private-sector, or local government actors.

At the Marrakech conference in December 2018, many states emphasized that they were already taking action to implement the commitments hammered out over the previous two years. On the day the Global Compact for Migration was adopted, Morocco's foreign minister signed an agreement with the African Union to establish the African Observatory for Migration and

Development (Obj. 1), emphasizing that this was the beginning of implementation of the compact.<sup>13</sup> Germany's programs to widen legal pathways for migration through enhanced skills partnerships (Obj. 5 and 18) and its reintegration programs for returning migrants form part of its commitment to compact implementation. Several countries, including Kenya, Mexico, Niger, the Russian Federation, and Zambia, pointed to the creation of national plans for implementation of the compact. Zambia, Zimbabwe, and Kenya revealed border management initiatives (Obj. 11); the United Kingdom pledged new funding for a counter-trafficking and -smuggling project (Obj. 9); Nepal emphasized its commitment to ethical recruitment (Obj. 6), and several countries reiterated their determination to promote international cooperation (Obj. 23).<sup>14</sup>

## IV. Migration in the UN System

The United Nations plays a role in the governance of virtually all major global issues, even though it is not the major actor in most of them. States work with UN bodies to negotiate agreements, set standards, and create institutions to facilitate cooperation and maintain order on issues of finance and trade, transnational crime, arms control, development, climate change, rescue at sea, and more. Almost all of these are mediated through UN agreements with varying degree of legal force, such as the Framework Convention on Climate Change and the 2030 Agenda for Sustainable Development, and/or institutions such as the International Monetary Fund and the World Trade Organization. But migration has remained a patchwork of unilateral, bilateral, and regional policies, with a limited role for the UN system. Historically, UN agencies have focused on aspects of the issue, and the International Organization for Migration (IOM) remained outside the UN system. With discourse dominated by sharp North-South differences, migration was considered too contentious for general debate in the United Nations.



With the Global Compact for Migration, a framework of common expectations and obligations has at long last emerged through a UN process. The United Nations is the most universal international institution, and the formal equality of all Member States that exists in the General Assembly gives it credibility with the poorer and weaker countries that are the source of much of the world's irregular migration—countries whose participation is essential for the global compact to work in practice.

Member States and UN leadership recognized that the fragmentation of migration work in the UN system has long left the United Nations a minor player in one of the most pressing issues of the day. Governments fostered this reality by creating IOM as a multilateral agency outside the UN system and denying UN agencies the mandates and resources to do coherent policy work on migration. The resulting lack of expertise, coordination, and leadership left the United Nations unable to give its Member States the assistance they need to work toward safe, orderly, and regular migration. The Global Migration Group (GMG), consisting of 22 UN entities that had some involvement with migration issues, plus IOM, was too unwieldy to provide coordination. None of its UN members had experience across the whole spectrum of migration issues, and they were not willing to give IOM a leading role. The attitude of the leading donor states changed after the 2015 crisis.

Two developments in the UN system since 2015 have altered the way the United Nations relates to migration issues. First, in 2016 IOM and the United Nations agreed that IOM would become a UN “related organization.” With this act, IOM became part of the most universal and broadly legitimate group of international organizations in existence and the UN system acquired deep capacity to address migration in a comprehensive way. Second, in 2018 the UN Secretary-General replaced the GMG with a UN Migration Network, designed to give the United Nations a coherent voice on migration issues, drawing upon the knowledge residing in all parts of the UN system

to address specific items that are not covered adequately by any single entity.<sup>15</sup> The Secretary-General tasked IOM to be the network's coordinator, with the aim of offering comprehensive support to states as they devise and implement their commitments to safe, orderly, and regular migration. The Global Compact welcomed the move to create a more coherent migration network within the UN system.

The UN Network on Migration became operational in the final quarter of 2018 and is therefore a work in progress at the time of writing. But its structure shows promise as a means of providing the coordination, expertise, and leadership that have been lacking on migration in the United Nations to date. Its eight-member executive committee<sup>16</sup> is small enough to function effectively and is instructed to work with but avoid overlapping other UN coordination mechanisms, for example on development or humanitarian affairs. The broader membership of the network, another 30 entities at last count, can muster the expertise on most issues that Member States may encounter. (See Appendix B.) Issue-specific working groups are planned to organize the needed expertise, calling on the appropriate UN entities as well as organizations outside the United Nations.

Although the internal flaws that kept the UN system from being an effective actor in the governance of migration may be on their way to rectification, a major external constraint remains. States have not been willing to endow the agencies within the UN system with enough resources to do their jobs effectively. IOM, for example, receives almost entirely project-based funding. If the UN Member States recognize that international cooperation on migration is in their national interests singly and collectively, it is therefore in their interests also to fund the institutions that organize and facilitate cooperation to perform those functions, including IOM and the UN Migration Network.

The least developed part of the Global Compact for Migration is the chapter on implementation.

It prescribes a three-part “capacity-building mechanism” in the United Nations: a connection hub, a start-up fund, and a knowledge platform. But it does not specify where these functions will be located or how they will be resourced. This open question must be answered if the UN system is to fulfill the expectations of the states that adopted the compact. The UN Migration Network is the logical structure for placing the capacity-building functions in their proper places. And so far, it is the only new structure in place for assisting states to implement the compact. It should be seen, however, in the broader context of the reform of the UN development structures, which is designed to make UN agencies more responsive to the needs of Member States.

The follow-up and review mechanisms outlined in the migration compact provide platforms for assessing progress on implementation. Review fora will meet at the regional level every four years starting in 2020 and at the global level, in the UN General Assembly, starting in 2022. A less leisurely approach is foreseen in the use of the annual meetings of the Global Forum on Migration and Development, both for review of progress and for exchange of good practices on implementation of the compact.

## V. Conclusion

The migration crisis of 2015-16, in the Mediterranean and other parts of the world, may in future decades be seen as a point of inflection in the governance of international migration. Scholars and observers of migration long maintained that asymmetric power between origin and destination countries was the main reason for the failure of migration governance at the global level, because the destination countries could get what they wanted without negotiating or compromising. The large-scale movements of people in the 21st century—especially the events of 2015—demonstrated the fallacy of this premise and underscored the reality that destination countries cannot unilaterally craft effective policy responses and must work with

countries of origin and transit, while recognizing the needs and pressures these countries also face. The false premise that unilateralism can work is underlined by the presence of millions of unauthorized migrants in many of the most powerful destination countries. Employers, smugglers, recruitment agents, migrant networks, and individual immigrants continue to defy national policies on admission and stay. In reality, state sovereignty in migration has already been eroded. The Global Compact on Safe, Orderly, and Regular Migration is not a further erosion, but rather a way of reclaiming state sovereignty, which must be exercised cooperatively to be effective.

If national governments, bound together by migration, cannot agree on the rules of the game, the rules will be set by actors who operate outside the framework of public policy, and perhaps law, such as traffickers, criminal smugglers, deceptive recruiters, and unscrupulous employers. The Global Compact for Migration presents a commonly, and almost universally, accepted set of, if not rules, at least guidelines. In the last few years, it seemed finally to become clear to many migrant-receiving states that they cannot go it alone in governing migration flows, especially those resulting from crises both natural and manmade. They need the cooperation of origin and transit states, just as origin and transit states need the cooperation of the countries of intended destination, if they are to achieve the overall goal that is articulated in the 2030 Development Agenda as well as the Global Compact: safe, orderly and regular migration.

This fundamental shift of thinking may be the most important outcome of the drama around the adoption of the Global Compact. States turn to international cooperation when unilateral action fails them, as it did spectacularly at the climax of 2015, and they are convinced that their goals are more likely to be reached by collaborating with others. Governance can be thought of as the set of collaborative practices that states and others adopt in order to bring about best outcomes and reduce the likelihood of undesirable results<sup>17</sup>—a framework the Global Compact laid out in the context of migration.

The goal of good governance of migration is not to slow or stop the movement of people, but to reduce migration that is driven by negative forces, characterized as “forced migration,” “distress migration,”<sup>18</sup> or (somewhat hyperbolically) “survival migration.”<sup>19</sup>

“Safe, orderly, and regular” is the language of the Global Compact, in which “regular” is generally understood to mean “legal.” But using the

word in its ordinary sense may better describe the goal of changes in the governance of migration—that migration should be seen as a normal pattern of behavior for people everywhere who choose to move and one that proceeds in a thoughtfully constructed framework of public policy that brings order and predictability to a process that is not a crisis, not a danger, not an extraordinary privilege, but just part of life, as it has always been for the human species.

***The goal of good governance of migration is not to slow or stop the movement of people, but to reduce migration that is driven by negative forces.***

## Appendices

### Appendix A. Objectives of the Global Compact for Safe, Orderly, and Regular Migration

1. Collect and utilize accurate and disaggregated data as a basis for evidence-based policies.
2. Minimize the adverse drivers and structural factors that compel people to leave their country of origin.
3. Provide accurate and timely information at all stages of migration.
4. Ensure that all migrants have proof of legal identity and adequate documentation.
5. Enhance availability and flexibility of pathways for regular migration.
6. Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work.
7. Address and reduce vulnerabilities in migration.
8. Save lives and establish coordinated international efforts on missing migrants.
9. Strengthen the transnational response to smuggling of migrants.
10. Prevent, combat, and eradicate trafficking in persons in the context of international migration.
11. Manage borders in an integrated, secure, and coordinated manner.
12. Strengthen certainty and predictability in migration procedures for appropriate screening, assessment, and referral.
13. Use migration detention only as a measure of last resort and work towards alternatives.
14. Enhance consular protection, assistance, and cooperation throughout the migration cycle.
15. Provide access to basic services for migrants.
16. Empower migrants and societies to realize full inclusion and social cohesion.
17. Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration.
18. Invest in skills development and facilitate mutual recognition of skills, qualifications, and competences.
19. Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries.
20. Promote faster, safer, and cheaper transfer of remittances and foster financial inclusion of migrants.

21. Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration .
22. Establish mechanisms for the portability of social security entitlements and earned benefits.
23. Strengthen international cooperation and global partnerships for safe, orderly, and regular migration.

## Appendix B. Membership of the UN Migration Network

Chief Executives Board Secretariat (CEB)

Department of Economic and Social Affairs (DESA) \*

Department of Public Information (DPI)

Food and Agriculture Organization (FAO)

Inter-Agency Standing Committee Secretariat (IASC)

International Fund for Agricultural Development (IFAD)

International Labor Organization (ILO) \*

International Maritime Organization (IMO)

International Organization for Migration (IOM) \*

Joint United Nations Program on HIV/AIDS (UNAIDS)

Multi-Partner Trust Fund Office (MPTFO)

Office for the Coordination of Humanitarian Affairs (OCHA)

Office of the High Commissioner for Human Rights (OHCHR) \*

Office of the Special Representative of the Secretary-General for International Migration (OSRSG)\*

Peacebuilding Support Office (PBSO)

United Nations Alliance of Civilizations (UNAoC)

United Nations Children's Fund (UNICEF) \*

United Nations Conference for Trade and Development (UNCTAD)

United Nations Development Program (UNDP) \*

United Nations Economic, Social, and Cultural Organization (UNESCO)

United Nations Economic Commission for Africa (UNECA)

United Nations Economic Commission for Latin America and the Caribbean (UNECLAC)

United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP)

United Nations Economic and Social Commission for Western Asia (UNESCWA)

United Nations Economic Commission for Europe (UNECE)

United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)

United Nations Environment (UNE)

United Nations High Commissioner for Refugees (UNHCR) \*

United Nations Human Settlements Program (UN Habitat)

United Nations Industrial Development Organization (UNIDO)

United Nations Institute for Training and Research (UNITAR)

United Nations Office on Drugs and Crime (UNODC) \*

United Nations Population Fund (UNFPA)

United Nations Sustainable Development Group (UNSDG) Secretariat

United Nations University (UNU)

World Food Program (WFP)

World Bank

World Health Organization (WHO) \*

\* Serve on the Migration Network's Executive Committee

## Endnotes

- 1 The Global Compact for Safe, Orderly, and Regular Migration deals only with international migration; it does not address issues surrounding migration within countries.
- 2 The Global Compact was formally adopted by 164 national governments at a UN meeting in Marrakech on December 10, 2018. The compact was ratified during a UN General Assembly meeting on December 19, 2018 with 152 votes in favor, five against (Czechia, Hungary, Israel, Poland, and the United States), and 12 abstentions. See United Nations, “General Assembly Endorses First-Ever Global Compact on Migration, Urging Cooperation among Member States in Protecting Migrants” (UN meetings coverage, December 19, 2018), [www.un.org/press/en/2018/ga12113.doc.htm](http://www.un.org/press/en/2018/ga12113.doc.htm). For the final text of the compact, agreed July 11, 2018, see Letter from UN President of the General Assembly, Miroslav Lajčák, to UN Secretary-General António Guterres, July 11, 2018, [www.un.org/pga/72/wp-content/uploads/sites/51/2018/07/migration.pdf](http://www.un.org/pga/72/wp-content/uploads/sites/51/2018/07/migration.pdf).
- 3 United Nations, Sustainable Development Goals Knowledge Platform, “Transforming Our World: The 2030 Agenda for Sustainable Development,” accessed February 4, 2019, <https://sustainabledevelopment.un.org/post2015/transformingourworld>.
- 4 United Nations, “New York Declaration,” accessed February 18, 2019, <https://refugeesmigrants.un.org/declaration>.
- 5 The Global Compact on Refugees was affirmed by UN Member States on December 17, 2018 in the annual resolution on the work of the UN High Commissioner for Refugees (UNHCR); see UNHCR, “Global Compact on Refugees,” accessed February 18, 2019, [www.unhcr.org/towards-a-global-compact-on-refugees.html](http://www.unhcr.org/towards-a-global-compact-on-refugees.html).
- 6 Letter from UN President of the General Assembly, Miroslav Lajčák, to UN Secretary-General António Guterres, July 11, 2018.
- 7 ERR News, “Actor Reads Through Entire UN Global Migration Compact, Takes 2 Hours,” ERR News, November 23, 2018, <https://news.err.ee/879398/actor-reads-through-entire-un-global-migration-compact-takes-2-hours>.
- 8 Agence France Presse, “Austria Rejects UN Migration Pact to ‘Defend National Sovereignty,’” October 31, 2018, [www.telegraph.co.uk/news/2018/10/31/austria-rejects-un-migration-pact-defend-national-sovereignty/](http://www.telegraph.co.uk/news/2018/10/31/austria-rejects-un-migration-pact-defend-national-sovereignty/).
- 9 Deutsche Welle, “Belgian Prime Minister Charles Michel Resigns after Losing Vote of Confidence,” December 18, 2018, [www.dw.com/en/belgian-prime-minister-charles-michel-resigns-after-losing-vote-of-confidence/a-46795136](http://www.dw.com/en/belgian-prime-minister-charles-michel-resigns-after-losing-vote-of-confidence/a-46795136).
- 10 United States Mission to the United Nations, “National Statement of the United States of America on the Adoption of the Global Compact for Safe, Orderly, and Regular Migration,” December 7, 2018, <https://usun.state.gov/remarks/8841>.
- 11 See United Nations, “General Assembly Endorses First-Ever Global Compact on Migration, Urging Cooperation among Member States in Protecting Migrants” (press release, December 19, 2018), [www.un.org/press/en/2018/ga12113.doc.htm](http://www.un.org/press/en/2018/ga12113.doc.htm). Czechia, Hungary, Israel, Poland, and the United States voted against the resolution. Algeria, Australia, Austria, Bulgaria, Chile, Italy, Latvia, Lichtenstein, Libya, Romania, Singapore, and Switzerland abstained. Non-attendance at the Marrakech conference and/or the General Assembly session should not necessarily be interpreted as a sign of opposition to the compact. For example, although Kiribati, Micronesia Federated States, Timor Leste, Tonga, and Vanuatu did not attend the General Assembly session, Fiji spoke in favor of the resolution to endorse the compact on behalf of the Pacific Small Island Developing States, of which the five are members. Only two of the General Assembly no-shows, the Dominican Republic and Slovakia, had previously stated that they did not support the compact.

- 12 For more on this, see Demetrios G. Papademetriou, Kate Hooper, and Meghan Benton, *In Search of a New Equilibrium: Immigration Policymaking in the Newest Era of Nativist Populism* (Washington, DC: Migration Policy Institute, 2018), [www.migrationpolicy.org/research/immigration-policymaking-nativist-populism](http://www.migrationpolicy.org/research/immigration-policymaking-nativist-populism).
- 13 Xinhua News, “Morocco, African Union Agree to Establish African Migration Observatory in Rabat,” Xinhua News, December 10, 2018, [www.xinhuanet.com/english/2018-12/11/c\\_137664551.htm](http://www.xinhuanet.com/english/2018-12/11/c_137664551.htm).
- 14 United Nations, “World Leaders Adopt First-Ever Global Compact on Migration, Outlining Framework to Protect Millions of Migrants, Support Countries Accommodating Them” (press release, December 10, 2018), [www.un.org/press/en/2018/dev3375.doc.htm](http://www.un.org/press/en/2018/dev3375.doc.htm).
- 15 United Nations, “Terms of Reference for the UN Network on Migration,” accessed February 18, 2019, [www.un.org/en/conf/migration/assets/pdf/UN-Network-on-Migration\\_TOR.pdf](http://www.un.org/en/conf/migration/assets/pdf/UN-Network-on-Migration_TOR.pdf).
- 16 The Executive Committee of the UN Network for Migration consists of the UN Department of Economic and Social Affairs (DESA), International Labor Organization (ILO), International Organization for Migration (IOM), Office of the High Commissioner for Human Rights (OHCHR), United Nations Development Program (UNDP), UNHCR, United Nations Children’s Fund (UNICEF), and the United Nations Office on Drugs and Crime (UNODC).
- 17 For the author’s original formulation of this concept and an elaboration of it, see Kathleen Newland, “Global Governance of Migration: Fear and Desire,” in *Improving the Governance of International Migration*, eds. Bertelsmann Stiftung and Migration Policy Institute (Berlin: Verlag Bertelsmann Stiftung, 2011).
- 18 Jacqueline Bhabha, *Can We Solve the Migration Crisis?* (Medford, MA: Polity Press, 2018).
- 19 Alexander Betts, “Survival Migration: A New Protection Framework,” *Global Governance: A Review of Multilateralism and International* 10, 16 (2010): 361-82.



## About the Author



**Kathleen Newland** is a Senior Fellow and Co-Founder of the Migration Policy Institute (MPI). Her focus is on the relationship between migration and development, the governance of international migration, and refugee protection. She is also the Founding Director of the International diaspora Engagement Alliance (IdeA) during its incubation phase at MPI from 2011 to 2013; IdeA was established as a partnership among MPI, the State Department, and U.S. Agency for International Development. She is a Member of the MPI Board of Trustees.

Previously, at the Carnegie Endowment for International Peace, she was a Senior Associate and then Co-Director of the International Migration Policy Program (1994–01). She sits on the Board of Overseers of the International Rescue Committee and the boards of directors of USA for UNHCR, the Stimson Center, Kids in Need of Defense (KIND), and the Foundation for The Hague Process on Migrants and Refugees. She also is a Chair Emerita of the Women’s Commission for Refugee Women and Children.

Prior to joining the Migration Program at the Carnegie Endowment in 1994, Ms. Newland worked as an independent consultant for such clients as the UN High Commissioner for Refugees (UNHCR), the World Bank, and the office of the Secretary-General of the United Nations. From 1988 to 1992, Ms. Newland was on the faculty of the London School of Economics. During that time, she also co-founded (with Lord David Owen) and directed Humanitas, an educational trust dedicated to increasing awareness of international humanitarian issues. From 1982 to 1988, she worked at the United Nations University in Tokyo as Special Assistant to the Rector. She began her career as a researcher at Worldwatch Institute in 1974.

Ms. Newland is author or editor of nine books, including *All at Sea: The Policy Challenges of Rescue, Interception, and Long-Term Response to Maritime Migration* (MPI, 2016); *Developing a Road Map for Engaging Diasporas in Development: A Handbook for Policymakers and Practitioners in Home and Host Countries* (MPI and International Organization for Migration, 2012); *Diasporas: New Partners in Global Development Policy* (MPI, 2010); *No Refuge: The Challenge of Internal Displacement* (United Nations, 2003); and *The State of the World’s Refugees* (UNHCR, 1993). She has also written 17 shorter monographs as well as numerous policy papers, articles, and book chapters.

Ms. Newland is a graduate of Harvard University and the Woodrow Wilson School at Princeton University. She did additional graduate work at the London School of Economics.

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