

Overview of the UN Secretary-General's report on the Global Compact for Safe, Orderly and Regular Migration

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"This background document has been realized in the framework of the project, to spread data and information based on a scientific analysis. If you want to know more about this project and be part of its activities, please feel free to contact the leading partner Diaconia in Czech Republic (email: nozinova@diakoniespolu.cz), as well as Focsiv in Italy (email: f.novella@focsiv.it)."

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1. MIGRATION GOVERNANCE: WHERE DO WE STAND?

In December 2021, the Secretary-General of the United Nations published a report aimed at monitoring the implementation of the Global Compact on Migration in the world's countries, also considering the impact of the Pandemic.

With the outbreak of COVID-19, indeed, the mechanics and opportunities for admission, stay, work and return were altered¹ as the general tendency was that of limiting people's movement to prevent the spread of the virus. Governments have mainly focused on domestic health and emergency issues, while the development of new provisions on migration, as in Italy, were carried out to fill labour shortages in sectors mostly dependent on seasonal workers.

At the EU level, the attention on joint management of migration was raised again in September 2020, when the New Pact on Migration and Asylum was presented as a roadmap for a fresh start for the EU migration governance. Although new solutions have emerged in terms of legal migration and solidarity mechanism between EU states, the strong focus on the external dimension of migration, insufficient attention to the human rights of migrants as well as the spread of COVID-19 have to some extent weakened the initial purpose of this path.



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¹ See: https://migrationnetwork.un.org/sites/g/files/tmzbd1416/files/resources_files/sgs_report_english.pdf



Ph. Global Goals for Sustainable Development



The document was based on the “shared responsibility” between countries, both to address each other’s needs and concerns over migration and to protect the human rights of migrants, while promoting security and prosperity for all³.

Facilitating safe, orderly and regular migration is a core component of the **2030 Agenda** and, specifically of its **Target 10.7**.

In evaluating the advancement of such ambitious goal, a positive outcome was undoubtedly the agreement reached in 2018 by the Heads of State and Government within the UN General Assembly on the Global Compact on Migration. The majority of the UN member states have adopted the Compact aimed at improving the governance of migration at the global level, addressing the challenges of migration and strengthening the role of migrants in sustainable development².

A comprehensive approach to the management of migration was then translated into cooperation and a combination of measures, in line with the principle that no country can act on its own. The 23 objectives and commitments are articulated to respond to the Goal 10 of the 2030 Agenda (box 1 at pag.4).

Ahead of the first International Migration Review Forum -scheduled for May 2022- it is important to understand whether (and to what extent) the commitments made in Marrakesh have been met.

So, three years on the GCM, where do we stand?

² See: <https://www.iom.int/global-compact-migration>

³ A/RES/73/119 To download the Global Compact on Safe Orderly and Regular Migration see https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_73_195.pdf

Box 1: The Global Compact for Safe, Orderly and Regular Migration: objectives⁴.

- 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

⁴ Ibid.

2. THE UNSG REPORT ON THE GCM: IMPROVEMENTS AND POLICIES

The Secretary-General's report on the Global Compact on Migration (GCM) outlines the major results and implementations of the world's countries in terms of structural policies on migration and notably on the improvements of the GCM⁶. The report is a 111-point document in which every single issue has been analyzed, as said, with particular reference to the pandemic. In this respect, three areas of intervention have been displayed:

1. inclusion in the host society as well as within the transit countries

2. regular migration promotion

3. reduction of vulnerabilities

According to the report figures, migration is still a central factor which requires, especially during the ongoing pandemic period, swift action by states at the global level. Before we get into the report, it is worth noting some figures on migration at the global level to better understand the situation.

Box 2: Snapshot on migration and migrants: global data and trends

- The number of persons living outside their country of birth or citizenship has witnessed robust growth in recent decades, reaching 281 million in 2020⁷.
- As a result, international migrants as a share of the global population increased from 2.8 per cent in 2000 to 3.6 per cent in 2020.

- At the end of 2020, 35.5 million children, or 1 in 66 children globally, under 18 years of age were living outside their country of birth⁸.
- In 2019, there were more than 169 million migrant workers in the world⁹.
- During the 2015–2020 period, the net flow of migrants moving from less developed to more developed regions were estimated at 2.8 million annually¹⁰.
- The pandemic may have reduced the global number of international migrants by around 2 million by mid-2020.
- Between 1 January 2019 and 24 November 2021, more than 8,436 migrant deaths were recorded globally; a further 5,534 migrants went missing and are presumed dead¹¹.
- In 2020, officially recorded remittances to low- and middle-income countries were \$549 billion, only 1.7 per cent below the total for 2019¹².
- At their peak, in mid-December 2020, travel measures, mobility restrictions and border closures implemented by Governments in the context of the COVID-19 pandemic exceeded 111,000 and, as of November 2021, more than 25,000 entry restrictions related to the pandemic remained in place¹³.

Source: Secretary-General's report on the Global Compact for Safe, Orderly and Regular Migration, at link: https://reliefweb.int/sites/reliefweb.int/files/resources/A_76_642_E.pdf.

⁵ See the document in: https://reliefweb.int/sites/reliefweb.int/files/resources/A_76_642_E.pdf

⁶ See the entire document here: https://refugeesmigrants.un.org/sites/default/files/180711_final_draft_0.pdf

⁷ International Migration 2020: Highlights (United Nations publication, 2020).

⁸ International Data Alliance for Children on the Move, "Missing from the Story: The Urgent Need for Better Data to Protect Children on the Move" (2021).

⁹ International Labour Organization, ILO Global Estimates on International Migrant Workers (Geneva, 2021).

¹⁰ International Organization for Migration, Migration Policy Institute, COVID-19 and the State of Global Mobility in 2020 (Geneva, 2021).

¹¹ Notably during the trip, in cross-border zones and by sea: <https://www.infomigrants.net/en/post/37184/rising-migrant-deaths-worldwide-top-4470-in-2021>

¹² Ibid.

¹³ Ibid., "Human mobility impacts due to COVID-19". Si veda: at <https://migration.iom.int/> (accessed in November 2021).

COVID-19, as outlined in the report, has been an influent factor which reshaped international migration. Restrictions by States, to contain the pandemic, have pushed migrants to turn to other paths, often more dangerous than the previous ones. The closures put in place by some governments -notably by the most developed ones- have caused casualties and deaths along the routes. The Central Mediterranean route, as well as the Balkan one, are two examples of this¹⁴.

In addition, in the deep socio-economic crises which struck the world, forms of **xenophobia and hate** against migrants have re-emerged. The narrative on migrants as a threat and as mere receivers of welfare benefits has returned violently, and cases of assaults and violence -not only physical- have increased. To halt this wave of hate, some states have proceeded to put in place some measures against racism, xenophobia, and misinformation on migrants. Colombia, in 2019, adopted legislation to outlaw the use of xenophobic narratives on Venezuelan migrant and refugee communities. As outlined in the report, the "It takes a community" campaign, co-chaired by Canada and Ecuador, together with the Mayors Mechanism of the Global Forum on Migration and Development, convenes national and local Governments, businesses, civil society, and international organizations to promote balanced, evidence-based narratives on migration that show that migrants help create productive, safe and welcoming communities"¹⁶.

Although the GCM has drawn up a road map to curb these situations, problems have nevertheless emerged.

The **implementation of the GCM has occurred in different ways and methods.**

As outlined in the report, more than 90 States discussed progress and challenges. Countries such as Kenya and Portugal have adopted the 'Compact specific implementation plan', while others incorporated the Compact into existing frameworks¹⁷.

These differences, however, have stimulated exchange between states. This was useful, according to the report, in view of further pathways for future implementation. 27 countries, defined in the report as the "27 champion countries", together with the UN, have shared experiences to implement policies at national, regional, and international level.

Difficulties in implementing the GCM have been registered especially in terms of funding, lack of technical and technological resources and, finally, the absence of coordination and cooperation between states and stakeholders.

At the core of the report, a special focus has been dedicated to the correlation of the effects of the **COVID-19 pandemic with migration**, especially on cross influencing factors such as: socio-economic factors, migration laws, access to healthcare and on the role of territorial, national, and regional stakeholders in fostering measures and policies on migration.

¹⁴ The Balkan route Migrants without rights in the heart of Europe, Rivolti ai Balcani, Asgi, June 2020, at the link: https://www.asgi.it/wp-content/uploads/2020/09/The-Balkan-Route-Report-2020-by_-Rivolti-ai-Balcani_-italian-network.pdf.

¹⁵ See the report: https://reliefweb.int/sites/reliefweb.int/files/resources/A_76_642_E.pdf, pp. 2.

¹⁶ Ibid. pp. 14.

¹⁷ Ibid. pp. 4.

For this reason, the UNGS stressed the importance of conceiving migration within the framework of the Sustainable Development Goals (SDGs).

While, on the one hand, the pandemic has increased the issue of migrants within the host society, on the other hand, it has pushed some countries to put in place measures aimed at promoting a better migration system, notably in terms of services -healthcare, education, and legal status-.

Notably during this pandemic period, many states have prevented irregular migrants from accessing public services. Vaccination, as well as COVID-19 tests, have remained a utopia for irregular migrants.

Civil society organizations, especially during the pandemic, have been champions of solidarity in providing free services to migrants. In this respect, only a few states, as displayed below, have put on the table a structural reform in line with the GCM guidelines.

In addition, other problems have emerged: most developed countries acknowledge in the ongoing pandemic the importance of migrants within the labour market. In this respect, if on the one hand some States have prolonged work permits and visas to fill the void in some economic sectors -agriculture, logistics, etc.-, on the other hand, exploitation has increased especially in developed ones.

This was visible, for example, in Italy where the government attempted to fill the gap in agricultural labour demand during the pandemic period.

Indeed, the Ministry of Agriculture, under pressure from enterprises, proposed a regularization of irregular migrants that would cover the 'vacancies'¹⁸. Despite the good intentions, this move has failed to reach its objective due to the limits imposed by the government for the request for regulation and due to the high costs -on the backs of migrants- for regularization. According to the figures, only 5% of migrants requested regularization.

This context, as outlined in the report, has pushed States to "build on linkages between **the Global Compact and the Sustainable Development Goals**"¹⁹. This point in the report is strictly related to issues such as: "fair and ethical recruitment and decent work and invests in solutions that facilitate the mutual recognition and development of skills, qualifications and competencies will be crucial"²⁰.

Goal 10 (reduced inequalities), as well as those related to **health services and decent work** are central. According to the report, very little has been done. The most visible progress has been recorded in countries such as **Azerbaijan, Vietnam, Tunisia and, in Europe, Germany**. Azerbaijan, for example, automatically extended temporary residence permits for migrant workers during the pandemic. Germany, in 2020, established a central advisory service to promote the recognition of foreign qualifications. Other countries, such as Ecuador, has put in place policies for Venezuelan migrants in the country by granting them basic services and extensions of visa permit.

¹⁸ Arturo Raffaele Covella, "Allo studio un'ipotesi di regolarizzazione dei migranti tra polemiche e problemi normativi", Diritto Civile e Commerciale, Diritto.it, 11/05/2020, in <https://www.diritto.it/allo-studio-unipotesi-di-regolarizzazione-dei-migranti-tra-polemiche-e-problemi-normativi/>.

¹⁹ See the report: https://reliefweb.int/sites/reliefweb.int/files/resources/A_76_642_E.pdf pp. 6.

²⁰ Ibid. pp. 7.

In addition, some European, African, and American countries have implemented policies for minor migrants. **Egypt**, as well as **Italy** and **Ireland**, have developed a set of policies that ensure minors all the services they need. Italy, and particularly the **City of Milan**, has guaranteed minors -also **unaccompanied minors**- health, education, and social services²¹.

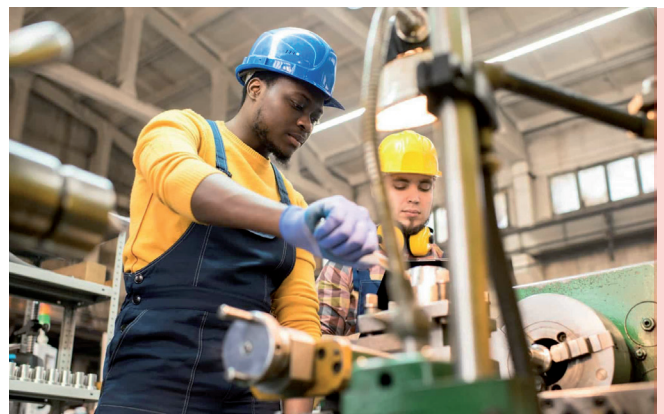
Another point worth noting in the report is **the role of the diaspora**. During the ongoing pandemic period, social solidarity has increased among communities in countries of arrival. As outlined in the report, the most active diaspora has been the Pakistani one -although it is not specified where-. This community has developed a digital solidarity network aiming at supporting Pakistani migrants. The diaspora of Pakistan brought on a health initiative to develop a digital platform for diaspora health professionals to provide online consultations and training.

Moldova, in this context, represents another good practice in terms of solidarity within the diaspora. The government developed the “Diaspora Succeeds at Home” programme, which offers grants to local governments and aims to make emigration work for local development. In addition, some European States -France and Germany- during the MEETAfrica meeting sponsored projects with the aim of promoting investments of African diaspora in Germany and France to create business in the countries of origin²².

Speaking of diaspora and international cooperation, it is important to underline the centrality of **economic remittances**.

The GCM stressed remittances as a tool for promoting the development of poor countries. Indeed, objective 19 of the GCM - create conditions for migrants and Diasporas to fully contribute to sustainable development in all countries- demonstrates how diasporas could contribute to development.

During the ongoing pandemic period, remittances increased and with them the use of digital tools to send money to countries of origin. Many governments have set themselves the goal of promoting more suitable methods to send money, such as reducing fees, promoting digital tools and conducting research on migrants in order to implement policies. As outlined in the report, England, Northern Ireland, and Switzerland have started to reform taxation on remittances²³.



Ph. piuculture.it

²¹ Ibid. pp. 13.

²² Ibid. pp. 10.

²³ Ibid.

In addition, Kenya launched its first online survey on Kenyan diaspora remittances to advance the role of remittances in supporting livelihoods and economic development²⁴.

Despite some timid improvements, the critical points are still there. Women, for example, are still facing difficulties in entering this system. Indeed, as the report underlines: “women struggle disproportionately to gain access to finances and mobile-enabled data, even though they rely more on remittances than men do”²⁵.

Finally, the report attempts to give some indications in order to stress the need for greater **collaboration and reform** in terms of national and international policies. In this respect, great emphasis has been put on collaboration between civil society organizations and national governments to create effective networks to improve the GCM.

Regular migration paths, together with the guarantee of services to migrants and real inclusion are among the main points to be addressed. The pandemic revealed social disparities within both developed and less developed countries, and migrants have been and still are the weakest link in the chain.

Combining GCM objectives with those of the SDGs should be the core of governments’ agenda to guarantee basic services and real social inclusion to migrants. It is not surprising that **Goal 10 of the 2030 agenda** is, indeed, at the center of the policy recommendations of the report.



Ph. neodemos.info



Ph. ingegnere.it



Ph. lavoce.info

²⁴ Ibid.

²⁵ Ibid.

3. CONCLUSION

The report has outlined the improvements of some states in terms of new structural policies regarding migrants.

The pandemic, as said, has demonstrated how migrants, both in poor and rich countries, have been and continue to be affected by disparities and a lack of basic rights.

Despite these assumptions, what emerged clearly in the report is that the major increments in terms of new policies have come from those peripheral countries that very often lack basic human rights and the rule of law. We have seen relevant improvements in states such as Moldova, Vietnam or Ecuador notably in terms of visa policy (i.e., Ecuador visa policies for Venezuelans) and social inclusion, while countries in Europe still lacking a radical transformation in terms of inclusion.

Access to vaccinations, as well as a broader inclusion within the social system is still a critical point for developed countries.

Borders management and building walls within democratic Europe represent an involution towards the implementation of the GCM. In this sense, and according to the policy recommendations put forward in the report (box 3), more should be done notably in the ongoing pandemic period in which funds for reforms -for example, New Generation Europe- represent an occasion to rethink policies and increment real inclusion.

Finally, the fundamental point of the GCM is the issue of entry visas, especially in Europe.

In this sense, new modalities should be put on the table, incrementing those tools, as the New Pact on Migration, aimed at promoting regular and safe migration.

Box 3: Policy recommendations as displayed in the report

- States and stakeholders are urged to ensure that all migrants are granted and enabled to gain access to essential health services and continuity of care, including COVID-19 vaccinations, testing and treatment, regardless of migration status, and in line with the principles of universal health coverage.
- States are urged to ensure that migrants and returning migrants are included in development, Social protection, and socioeconomic response and recovery frameworks, drawing on lessons learned from the pandemic.
- States are urged to establish mechanisms to separate immigration enforcement activities from service provision, including access to basic services.
- States are urged to cooperate through State-led and other regional, subregional and cross-regional processes and platforms to expand and diversify rights-based pathways for regular migration. Such efforts should be grounded in labour market realities and decent work; promote pathways for migrants affected by disasters, climate change and environmental degradation and other migrants in vulnerable situations; and facilitate family reunification and regularization for migrants in irregular situations.

- States are urged to comply with the obligation of non-refoulement at borders and to stop forced returns in situations where the health, safety, dignity and human rights of migrants and communities of origin and transit cannot be safeguarded. At all times, States are urged to uphold the best interests of children.
- States are urged to cooperate with other States and local governments, including through their consular and diplomatic missions, to uphold the right to proof of legal identity for all migrants, regardless of status, by ensuring that all children are registered at birth and by providing identification documents to prove legal identity and facilitate access to services, participation and protection of rights.
- States are urged to develop clear, safe and predictable disembarkation mechanisms for rescued people, whereby coastal States take equal responsibility in providing a place of safety, in accordance with international law, joined in solidarity by other States, in lieu of ad hoc approaches that undermine human rights, including the right to life.
- States are urged to comply with their international obligations at borders and along migratory routes and to safeguard human rights, counteracting the erosion of humane and rights-based border management systems and deterrence-based approaches.
- States are urged to stop obstructing humanitarian efforts aimed at providing life-saving assistance and criminalizing those who provide such humanitarian assistance, including by ensuring that criminal liability for migrant smuggling is in accordance with international law.
- States are urged to assess the consequences of restrictive, deterrence-based migration-related laws, policies and practices and to revise those, as necessary, to mitigate potential negative consequences.
- States are encouraged to meet the migration multi-partner trust fund capitalization target of \$70 million by the time of the International Migration Review Forum in 2022, and to use it to reflect on thematic priorities and provide guidance on the strategic direction of the trust fund, to cement its relevance and potential and to sustain support.
- States are encouraged to integrate migration as a core, cross-cutting issue in sustainable development and other applicable frameworks, including by developing ambitious national plans to implement the Compact, to strengthen its implementation, follow-up and review.
- States are encouraged to consider how to develop benchmarks and mechanisms to measure progress on, and monitor the implementation of, the commitments in the Compact, taking account of existing mechanisms, such as the Sustainable Development Goal indicator framework, where relevant.
- States, the United Nations system and stakeholders are encouraged to use the Migration Network Hub systematically to promote the cross-fertilization and exchange of ideas and disseminate information and good practices, including as they relate to priority issues, in order to fulfil the commitments made by States in the Compact.



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