

Editorial

The reasons why more than 250 million people around the world now live outside their homeland are manifold and varied. The decision to migrate is complex – often driven by a combination of concrete, tragic circumstances and the more abstract notion of a better life. In essence, it is a very personal initiative.

On a larger scale, however, and given the vast network of migration routes that exist, there is a need today for a public, collective and responsible response at the international level. Not only to regulate the migration movements – which at times are a matter of serious concern – but also to build on the potential of this intake of foreign workers, and the skills and competencies they bring. The contribution made to general economic development by such knowledge transfer is undisputed.

The Global Compact for Safe, Orderly and Regular Migration (short: Global Compact for Migration) which UN Member States intend to adopt in 2018 aims to set new international standards applicable to all stakeholders involved in migration. Facilitated and well-managed migration policies will be of greater benefit to countries, and of course to the migrants themselves. Based on its expertise, Switzerland is participating in the process towards the Global Compact for Migration at two levels – a sign of its commitment to tackling the issues of international migration.

I hope you enjoy reading this edition.

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TOWARDS A GLOBAL COMPACT FOR MIGRATION



The Global Compact for Migration seeks to consolidate the vision of the 2030 Agenda whereby migrant workers make a sizeable contribution to the sustainable development of their countries of origin and destination. © SDC

Switzerland's involvement in an ambitious project to bring together the international community for a Global Compact for Migration is twofold. First, its Permanent Representative to the UN is co-facilitating the negotiations under way and, secondly, a national task force is shaping Switzerland's contribution to migration governance at the global level. The Global Compact for Migration, to be adopted in 2018, will offer concrete solutions to facilitate and diversify the pathways for regular migration.

On 19 September 2016 the UN General Assembly adopted the New York Declaration for Refugees and Migrants. This date is likely to go down in UN history as a momentous occasion, when the member states agreed to approach the issue of migration from a new angle. This development was undoubtedly triggered by the tragic and highly publicised fate of tens of thousands of migrants trying to reach Europe, but also one that was driven by a new understanding of the phenomenon of migration. Specifically, the New York Declaration stipulates a commitment to achieve two global compacts: one for refugees and one for safe, orderly and regular migration on a global scale.

Co-facilitation by the UN Ambassadors of Switzerland and Mexico

The responsibility for formulating a Global Compact on Refugees was entrusted to the Office of the United Nations High Commissioner for Refugees. Regarding the Global Compact for Migration, the President of the UN General Assembly appointed the Permanent Representatives of Switzerland and Mexico to the UN to present an action plan and a timeline leading to the adoption of a definitive text by the end of 2018. The co-facilitators duly set about their task and, in April 2017, Swiss Ambassador Jürg Lauber and his Mexican counterpart, Ambassador Juan José Gómez Camacho, presented the General Assembly with a roadmap negotiated and agreed to by all states. The

action plan provided for a series of regional and global preparatory meetings before entering the negotiations phase. The UN General Assembly adopted the action plan and the two Ambassadors were reaffirmed in their roles as co-facilitators.

Beyond a simple declaration of intent

The consultations leading to a Global Compact for Migration were formally launched in May 2017. As set out in the New York Declaration of 19 September 2016, the Global Compact should “make an important contribution to global governance” with regard to migration. It should also present a “framework for comprehensive international cooperation on human mobility”, as such mobility is an essential factor for sustainable development. A list of 24 elements was drawn up, covering matters such as the distinction between regular and irregular migration, the rights of migrants, and the conditions of their integration.

As with many such multilateral initiatives, the challenge will be to take the concept beyond a simple declaration of intent. The document should outline a series of new mechanisms to be applied in a coordinated manner between the Member States and prospective migrants. It should also address all their interests and sensitivities. In fact, many countries including Switzerland (see *article on page 3*) intend to use this occasion to underscore the rights of migrants and to improve their prospects, specifically by facilitating labour mobility for people from countries of the South. “While this process will not lead to a new international treaty, it will nonetheless result in much more effective instrument than anything we currently have in place,” claims Eduard Gnesa, Switzerland’s former Special Ambassador for international cooperation on migration.

A new vision of migration

What seems certain, in any case, is that the Global Compact for Migration will be aligned with the 2030 Agenda and the paradigm shift it effectuated on how migration is understood. The phenomenon of migration is nowadays perceived less as a consequence of the social dysfunction or failures of many countries in the South and more as

a real opportunity for sustainable development, beneficial to both countries of origin and destination of migrants.

This positive approach to migration, which was explored at length during the negotiations on the Sustainable Development Goals, now enjoys a broad consensus. The envisaged Global Compact for Migration should address the many drivers of migration – forced or not – such as conflicts, climate change, poverty, unemployment and bad governance with the aim to seek constructive solutions. One of them could be to generalize agreements between countries of origin, transit and destination, based on a study of their respective needs. In that way, regulated migration would create added value for all (see *article on page 4*). Ideally the provisions of the Global Compact will make a practical contribution to target 10.7 of the 2030 Agenda, which explicitly seeks to “facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”.

In this respect, the drafting of the future Global Compact for Migration is based on solid fundamentals, originating at least in part in the first High-Level Dialogue on International Migration in 2006. “The UN Secretary-General at the time, Kofi Annan, had the foresight to put migration on the agenda of the international community,” explains Bettina Etter, migration adviser at the Permanent Mission of Switzerland to the United Nations in New York. “However, it wasn’t until the second dialogue in 2013 for Member States to commonly agree on

how to address the issue politically. At least their responsibility with regard to migration movements was recognized already in 2006.”

Also in 2006, the first Global Forum on Migration and Development was launched. This is an international platform for informal, state-led dialogue between governments and civil society representatives. The most recent meeting, held in Berlin in June 2017, focused on the priorities of the future Global Compact.

What about long-term governance?

One outstanding matter to be resolved in the upcoming negotiations will be the modalities for an institutional framework to ensure the long-term viability of commitments by Member States. “Some countries place high expectations on the International Organization for Migration, which officially became a UN-related Organisation in 2016,” points out Bettina Etter. But other UN agencies also come into play. The key question is to which extent the Member States will accept to confer a leading role to the UN. The absolute sovereignty of Member States in managing immigration into their national territory is indeed undisputed. This is something of familiar ground for Switzerland, having to renegotiate the free movement of persons with the EU since the referendum of 9 February 2014.

For more details, see:
<http://refugeesmigrants.un.org/>



The civil society platform “Global Forum on Migration and Development”, shown here in Berlin in June 2017, has actively promoted the idea that migration is closely related to sustainable development. © GFMD 2017

Switzerland's four priority themes

Apart from the co-facilitation role of its Ambassador in New York, Switzerland is actively contributing to the content of the future Global Compact for Migration. A task force of representatives from the Swiss Agency for Development and Cooperation (SDC), other directorates of the Federal Department of Foreign Affairs (FDFA) and the State Secretariat for Migration was set up to fine-tune Switzerland's official position. The final version will be approved by December 2017, when all UN Member States are gathering in Mexico to conclude the consultation phase with a stocktaking meeting.

The Swiss task force has identified four working themes to highlight in its position.

1. Drivers of forced and irregular migration.

There is an urgent need to offer better development prospects in the countries of origin and to establish new regular pathways so as to reduce the risks faced by large numbers of migrants.

2. *Protection of migrants' rights.* Migrants are subject to frequent discrimination in the course of their journeys or after they arrive at their destination. International standards are urgently needed as a basis for supporting and protecting unaccompanied minors, in particular.

3. *Mobility of migrant workers.* Switzerland sees real potential in offering its support to regional mobility programmes. It therefore calls for more systematic recognition of foreign workers' qualifications and for compliance with socially acceptable pay and working conditions.

4. *Conditions for successful integration of migrants and their eventual return.* Better framework conditions for the (provisional) integration of migrants increases the chances of their successful return in the longer term.

Open door for civil society

Switzerland regards the participation of civil society organisations as decisive. "The SDC has provided financial support to various civil society organisations in countries of the South, enabling them to have their voices heard," points out Pietro Mona, the Federal Council's Ambassador for development, forced displacement and migration.

Meetings with civil society representatives are also held regularly in Switzerland. The Swiss Civil Society Platform on Migration and Development welcomes these "constructive exchanges". At the most recent Global Forum on Migration and Development in Berlin, it recommended setting up

'national compacts' for migration, as a follow-up to the Global Compact. "This would be a means of institutionalising the dialogue needed in all countries between governments and civil society actors," explains Peter Aeberhard, coordinator of the platform.

According to Pietro Mona, Switzerland's engagements under the Global Compact will have to be coherent with respect to its national policy for the integration of foreign nationals. "The challenge lies in reconciling the very long-term agenda set by the Global Compact with the four-year policy cycles of the Federal Assembly, cantons and communes."

Three questions to...

JÜRIG LAUBER is the Permanent Representative of Switzerland to the United Nations in New York. Together with his Mexican counterpart, Juan José Gómez Camacho, he co-facilitates the consultations and negotiations on the Global Compact for Migration.



Ambassador, what does it mean for Switzerland to be appointed co-facilitator of the Global Compact for Migration?

This mandate is an indication of Switzerland's credibility among UN Member States as a promoter of safe spaces for dialogue, both in general terms and specifically in relation to migration. Switzerland has been successful over the past 10 years in its efforts to promote better governance of migration movements at the global level, fostering a greater degree of cooperation between countries.

Where do you see the biggest challenges to formulating a coherent Global Compact?

The interests and concerns of all countries have to be taken into account in equal measure. However, a more far-reaching – and thus also a more positive – definition of migration will also depend on the international community's willingness to listen to non-state actors, such as civil society or the private sector, as they are

significant in forming public opinion. Together with my Mexican co-facilitator, we have developed the vision of the '360 degrees of migration', highlighting the need for the future Global Compact to include all dimensions and approaches of migration.

Have you considered a particular strategy to ensure that the Global Pact will be more than simply a declaration of intent?

Our first priority is clearly to promote a relationship of trust between member states and to encourage mutual learning and a sharing of experiences. This is the objective of the consultation phase. It was clear from the outset that a more conventional process of intergovernmental negotiations would never really get off the ground. Our focus is therefore on finding mutually beneficial solutions. The – hopefully high – significance of the Global Compact will ultimately depend on the quality of the discussions held in the initial phase.

What are the alternatives to irregular migration?

The last in a series of six thematic sessions in the consultation phase of the Global Compact for Migration was held in Geneva on 12 and 13 October 2017. The theme of this session was irregular migration and ways to replace uncontrolled immigration by regular migration pathways.

“What was significant about these discussions was that they addressed the close connection between regular and irregular migration,” points out Bettina Etter, migration adviser at the Permanent Mission of Switzerland to the United Nations in New York. The proceedings opened with the some 300 participants acknowledging that irregular migration poses a challenge not only to states – which are entitled to demand compliance with their national laws – but also to migrants in an irregular situation, who may be exposed to different forms of exploitation. At present, around one in five migrants in the world is in an irregular administrative situation.

Irregular from one day to the next

“There are many cases of migrants in a regular situation in a host country who suddenly become irregular overnight,” says Bettina Etter. Examples are the many Asian migrants working in the Middle East whose fate depends on the whims of their employers, or migrants with humanitarian visas that are suddenly withdrawn for one reason or another. “On this basis, the participants at the

session called for more transparent information to be given to migrants, and at an earlier stage, so that they can prepare for the transition.”

Facilitating migrants’ professional integration

With government delegations from all over the world as well as numerous representatives from the private sector, employers’ federations and recruitment agencies, the meeting in Geneva produced some highly specific discussions on how to improve migrants’ integration into the labour force. It should be remembered that the vast majority of migration movements concern countries in the South, outside of Europe. Also, regardless of the countries of destination, there is no denying that the number of people seeking to migrate will continue to rise. The tighter the restrictions on regular migration, the more likely migrants will go underground.

From this point of view, relaxing national labour mobility policies would seem to be the only real option. An internationally recognised ‘skills passport’ was one idea proposed by participants in Geneva. Another was the possibility of countries of origin and of destination joining forces for vocational training in certain sectors identified as saturated in one of the countries and under-represented in the other. “Better hiring conditions and appreciation of migrant workers could become a central area of work for Switzerland

in the years following the Global Compact”, says Pietro Mona.

Finally, within the host countries, the social protection of migrants, their opportunities to integrate and the right to family reunification should be improved. “We advocate for a greater recognition of the role diasporas play,” says Peter Aeberhard, coordinator of the Swiss Civil Society Platform on Migration and Development. “If we understand migration as being circular, moving in both directions between countries of origin and destination, migrants must be truly recognised for the added value they bring. Host countries should allow them to map out real career plans wherever they are.”

Illegal or irregular migration?

There is a growing consensus to avoid the word ‘illegal’ in reference to migration. While certain population movements that contravene the migration laws of the countries of origin or destination may legitimately be described as ‘illegal’, there is a considerable risk of confusing this status with the migrants themselves, thus calling them ‘illegal’ too. As a matter of fact individuals *per se* cannot be associated to ‘illegal’. This is why undocumented immigrants are preferably called as ‘migrants in an irregular situation’.



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