

Towards a Global Compact for Migration: A Development Perspective

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From Crisis toward Consolidation

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Executive Summary

In recent years, migration and development policy discussions have slowly but surely edged closer to each other on the international stage. A direct line of debate joins the 2030 Agenda for Sustainable Development, issued in 2015, and the Global Compact for Safe, Orderly, and Regular Migration, adopted in December 2018; both represent important milestones in the effort to derive more benefit from the relationship between migration and development. Although the Global Compact is not explicitly a development manifesto, it addresses many of the elements that link migration to a broad conception of human development, reflected in the compact's concern for the protection of migrants' rights and for their social and economic inclusion.

Rounding out a collaborative project between the Migration Policy Institute and the German Development Cooperation Agency that has provided a development perspective on the Global Compact, this policy brief draws together findings on key topics addressed in the compact. Many of the thorniest challenges for compact negotiators, explored in this research, cluster around three areas: the complexity of the relationship between migration on development, labor mobility at both higher and lower skill levels, and the governance of international migration.

Policymakers frequently make the assumption that development, aided by international development cooperation, will reduce migration. Yet there is little hard evidence on how these two forces affect each other, and what research exists indicates that rising incomes in migrants' countries of origin are often correlated with an increase—not a decrease—in migration, as more people can afford the costs of a journey abroad. Migration decisions are

made at the individual and household levels, so attempts to reduce migration pressures must address particular local opportunities and obstacles to advancement. The long-term goals of migration and development actors—reducing the forces that motivate migration—are often aligned, but their different approaches need to be reconciled so as not to undermine cooperation, with each other and with key partners in origin countries.

The migration of both high-skilled and low-skilled workers can contribute to development, but the mechanisms—and the potential pitfalls—are different and highly context-specific. One of the Global Compact’s aims is to increase the availability and flexibility of legal pathways for migration. Opening wider legal pathways for low-skilled migrants could enable some migrants to avoid the dangers of irregular migration, reduce poverty in households that receive remittances, and channel more migrants into orderly programs that fill labor shortages in destination countries. But existing opportunities for low-skilled migrants are far below demand, and those who are unable to access them and instead move without legal status are especially vulnerable to exploitation and abuse. Highly skilled migrants are more welcome in most countries, but their departure may give rise to concern about the loss of human capital in origin countries. While some, such as China, India, and South Korea, benefit from connections with skilled emigrants, others have struggled to reap these rewards, especially if they are small, poor, isolated, or have not established a relationship of trust with their diaspora. Adjustments to legal labor migration pathways, including temporary schemes, should both strengthen protections for migrants’ human and labor rights and shore up human capital development in origin countries (for example, through skills partnerships).

The years 2016–18 saw important developments in the governance of international migration. The International Organization for Migration (IOM) joined the UN system as a related organization. Its deep expertise and operational experience give the United Nations

the capacity to better assist its Member States in an issue area of great concern to individual states and to the multilateral system. The UN Secretary General also created a UN Migration Network, with IOM as secretariat, to build synergies among the many UN entities that have migration-related capabilities. The Network includes UN humanitarian organizations that work with refugees as well as other migrants, recognizing that the vulnerabilities and the development potential of both groups often overlap. Finally, the Global Compact for Migration creates an unprecedented framework for cooperation among states that incorporates the priorities of both origin and destination countries, including compromises on contentious issues. For example, it balances a commitment by origin countries to cooperate on the return of their nationals when another state determines they do not have a right to stay, with a commitment by destination countries to provide reintegration assistance and humane treatment of returning migrants.

The developments of 2016–18 represent real progress toward international cooperation on migration. But the long-term impact of these changes will depend on states’ commitment to implementation of the Global Compact and cooperation with the United Nations system and each other.

I. Introduction

The unanimous adoption by the United Nations General Assembly of the 2030 Agenda for Sustainable Development¹ in 2015 was the culmination of a long series of deliberations about migration’s role in promoting—or inhibiting—development. The new agenda for development declared resoundingly, “We recognize the positive contribution of migrants for inclusive growth and sustainable development,”² a stance that states had never before negotiated and agreed. Among the 2030 Agenda’s 17 Sustainable Development Goals, migration was mentioned several times, and in one target the Member States committed themselves to

“facilitate orderly, safe, regular, and responsible migration.”³

Despite this unanimous declaration in the United Nations, many controversies persist about the economic, political, and social impacts of international migration. Governments have different views on the effects of migration and how it should be managed; as a result, there has been little agreement on what form international cooperation on migration should take or, indeed, what it should be trying to achieve. It took another three years after the adoption of the 2030 Agenda for states to negotiate a framework of cooperation on migration—the Global Compact for Safe, Orderly, and Regular Migration. After nearly a year of negotiation, the compact was adopted by the vast majority of states at a special General Assembly conference in Marrakech in December 2018 and endorsed days later by the General Assembly in a 152–5 vote.⁴ Its 23 agreed objectives are accompanied by a menu of 187 actions from which states will draw as they go about implementing the objectives in the coming years.

It remains to be seen how strongly committed states will be to implementation of the migration compact’s objectives. Some have made a robust start. But the controversies and divergent interests inherent to migration policy have by no means disappeared in a cloud of comity surrounding the compact; rather, they have been submerged in an agenda so broad that it allows room for every state to construct its own priorities for implementation.

This policy brief draws together the key findings of a series of expert briefs published by the Migration Policy Institute (MPI) in collaboration with the German Development Cooperation Agency (GIZ). The series tracked the negotiation of the Global Compact for Safe, Orderly, and Regular Migration and has begun to look ahead to its implementation, all with a particular focus on how development issues feature in and are likely to be affected by the compact. Since its launch in 2017, the series has explored some of the most important—and some of the most contentious—questions that the negotiators of

the compact had to confront as they sought to craft an agreement that would “make an important contribution to enhanced cooperation on international migration in all its dimensions.”⁵

These questions broadly cluster under three headings:

- What is the actual relationship between migration and development, and how do the two forces affect each other?
- What is the impact of labor mobility on development in migrants’ countries of origin?
- How has the governance of international migration evolved since 2015 and what changes are likely in the future?

One policy brief in this last issue area went beyond the boundaries of the Global Compact for Migration and into territory shared with the Global Compact on Refugees that was also concluded in December 2018. It examines how development assistance can help refugee-hosting countries build effective humanitarian protection systems.⁶

It is too early to say what the impact of the migration compact will be; that will unfold over many years. But it is safe to say that the adoption of the compact is in itself an important milestone in international cooperation on what has been the global issue most resistant to compromise and collaboration among sovereign states.

Learn More about the Global Compact and Development

To read the other policy briefs in this series—which explore issues such as legal migration pathways for workers, returns and reintegration, asylum, and more—please visit [this project website](#).

II. Migration and Development Policy: It's Complicated

Migration and development are inextricably linked, with causality running in both directions.⁷ Yet the effort to “mainstream” migration into development policy-making is fairly recent and is still an uphill climb. The Millennium Development Goals adopted for the 2000–15 period⁸ made no mention of international migration, although they included goals on forces that are much less effective in directly reducing poverty, such as trade and development assistance. Fifteen years later, the Sustainable Development Goals included a target on migration in Goal 10 on “reducing inequality within and among countries.” They also mention migration explicitly in two other targets⁹—although migrants can be viewed as intrinsic to the 2030 Agenda as a whole, given the document’s commitment to “leave no one behind.”¹⁰

The Global Compact for Migration uses effectively the same formulation as the migration target in the 2030 Agenda when stating its ambition: safe, orderly, and regular migration. While building upon the 2030 Agenda’s recognition that migration is a “multidimensional reality of major relevance for the sustainable development of countries of origin, transit, and destination,” the compact goes further: it asserts that “migration contributes to positive development outcomes and to realizing the goals of the 2030 Agenda....”¹¹ This raises the question of how development fits into the migration compact.¹² The compact adopts the language of the 2030 Agenda but its roots stretch back at least to the year 2000, through many formal and informal processes including two high-level dialogues in the General Assembly, ten meetings of the Global Forum on Migration and Development, and the special summit of the General Assembly on large movements of refugees and migrants in September 2016. The outcome document of the 2016 summit, known as the New York Declaration for Refugees and Migrants,¹³ set in motion the negotiation of the Global Compact for Migration (and a separate process leading to a Global Compact on Refugees).

The New York Declaration reiterates the 2030 Agenda’s recognition that migrants can contribute positively to inclusive growth and sustainable development, but that connection did not provide the impetus for the special summit. Rather, the meeting was called in response to the migration crises of 2015 (the “large movements of refugees and migrants” in question); the most visible of these unfolded in the Mediterranean, but also affected were the Middle East, North Africa, sub-Saharan Africa, Southeast Asia, and West Asia. As a result, the motivation and the focus of the 2016 summit were on migration as a problem, rather than an asset for development. The migration compact negotiations, however, escaped the confines of the crisis-response framing that animated the New York summit, returning focus to the positive potential of migration while not ignoring its dangers. Negotiators did so in part by taking a broader view of development than the narrow conception of it as economic growth alone. The compact emphasizes the critical role that protecting human rights, supporting social inclusion, responding to the best interest of children, and boosting gender sensitivity and social cohesion have in advancing development—human development instantly and economic development ultimately. More importantly, the compact did not fall into the facile and all-too-common assumption that development can act as a “cure” for migration, even as it recognized development failures as a driver of migration.

A. Understanding the Evidence on Migration’s Drivers

The connections between migration and development are deep but not simple.¹⁴ Remarkably little hard evidence exists to show what impact development interventions have on emigration. Nonetheless, development initiatives have become the go-to response among wealthy destination countries to the challenges of irregular migration. Such is the case for the 4.2-billion-euro EU Emergency Trust Fund for Africa, which was set up in 2015 and aims to “deliver an integrated and coordinated response to the diverse

causes of instability, irregular migration, and forced displacement.”¹⁵ These are admirable efforts to address the “root causes” of migration, based on the conclusion that economic stagnation or development failures are among the major drivers of irregular migration. However, the expectations attached to the migration-and-development relationship are often unrealistic and may both overburden and distort development assistance.

Research shows that migration typically increases, rather than decreases, as countries begin to develop and incomes rise, simply because more people can afford to move.¹⁶ This effect is exaggerated if income inequality increases as development takes off. But neither narrative—that migration is spurred by development or by a lack of development—captures the subtlety and complexity of the relationship. Migration decisions are made at the individual and household levels, often responding to multiple incentives, constraints, opportunities, and sources of information. As the distinguished Norwegian migration researcher Jørgen Carling writes, migration is a function of both aspiration and capability.¹⁷ These two factors are shaped by the particular circumstances that individual migrants face, and how they react to those circumstances. For example, research shows that having a job decreases the likelihood that an individual will migrate in some contexts but increases it in others.¹⁸ Employment may reduce the aspiration to migrate while also increasing the capability to move. How the two factors will balance is hard to predict.

Three broad sets of factors are particularly influential in shaping migration patterns:

- ***The attractiveness of local opportunities (both in work and in personal life) compared to the perceived alternatives available through migration.*** For many people, migration is a livelihood strategy. It is often undertaken to compensate for a decline of living standards at home resulting from one or a combination of factors such as conflict, pervasive criminality, environ-

mental degradation, rising inequality, and economic stagnation. Some households also turn to migration to manage risk, sending some members abroad and thus diversifying their sources of income beyond a single physical or economic ecosystem.

- ***The existence of an established migration corridor.*** One of the strongest predictors of migration is having a connection to someone who has already moved. Such connections provide information about opportunities abroad as well as help in reaching them. Friends and relatives living in the diaspora may provide legal sponsorship, financing for the journey, connections to employers, interim housing, and a ready-made social milieu, among other forms of assistance. Their life abroad may also provide an example of the benefits of migration, thereby raising migration aspirations.
- ***Availability of the means to cover the costs of migration.*** Moving is expensive. This is especially true of international movement, which typically requires documentation such as passports and visas, tickets for transportation, and subsistence expenses along the way. Migrant workers often have to pay recruitment fees, and those traveling without authorization may have to pay smugglers. Consequently, members of more well-off households are more likely to move than members of poorer households. Financial resources also affect how far people move, whether they have the option of moving through legal pathways, and whether they are vulnerable to forms of debt bondage.¹⁹ The poor often migrate step-wise, breaking their journey to work and earn money in interim locations.

If development cooperation is to have an impact on migration, it must address the motivations for migration at a very local, or even individual,

level. Yet doing so may reduce the effectiveness of both development and migration policy over the long run by failing to respond to the broader development needs of the community and the country. Investing in the economic and governance systems related to growth and stability are unlikely to pay short-term dividends in terms of changing migration patterns. And investment needs will be different in different countries, in different regions within countries, and for members of different social groups within those regions. In short, the impact of development policy on migration is both complex and context specific.

The same might also be said of the impact of migration policy on development outcomes. Since the migration crises of 2014–16 that had such a profound political effect on major donor countries, from the mass arrival of Central American children and families at the southern U.S. border to the million-plus irregular entries to Europe across the Mediterranean, donor governments have sought to more closely align migration and development policies and programs.²⁰ The result can be seen, for example, in the Joint Valletta Action Plan agreed by EU and African heads of state in 2015 and in the 2016 decision by the U.S. government to commit U.S. \$750 million to the Alliance for Prosperity in the Northern Triangle of Central America (El Salvador, Guatemala, and Honduras). The push for alignment has been asymmetrical, however. Donor-country development programming has been put at the services of migration objectives much more consistently than migration policy has been employed to reinforce development goals.

B. Amid Pressure for Results, Few Quick Fixes

This asymmetry is hardly surprising, given the high political salience of immigration in almost all donor countries. But there are risks in closer coordination of development and migration programs, particularly in terms of how this can affect cooperation with migrant-origin and transit countries. Development actors may find

that incorporating their governments' migration goals—such as focusing on returns of unauthorized migrants—into their work introduces tensions into partnerships that have been carefully cultivated over long periods, and this may undermine long-term development goals. Meanwhile, the “more-for-more” and “less-for-less” calculation of some kinds of migration-management thinking—which makes aid and other forms of assistance contingent on a partner country's willingness to cooperate on, for example, securing borders—potentially transforms development partnerships into transactional relationships. The transactional orientation, at its most negative, is apparent in decisions such as the U.S. government's March 2019 cut to funding for the Alliance for Prosperity because the Northern Triangle countries “haven't done a thing for us” to stop irregular migration toward the United States.²¹

Most “migration partnerships” have focused heavily on border enforcement and on incentives for countries of origin to prevent irregular migration and accept returns of unauthorized migrants. They have done much less to address common concerns of origin countries, such as opening wider access for their nationals to legal migration pathways.

The tension between migration-management and development actors is not inevitable. Since 2011, the Swiss government has practiced a whole-of-government approach that gives the Federal Office for Migration, the Federal Department of Foreign Affairs, and the Swiss Agency for Development and Cooperation joint responsibility for coordinating migration policy across all government departments, based on a balanced consideration of the interests of origin and transit countries as well as Swiss interests.²²

With the rising priority given to migration management, many development agencies are exploring ways to bring migration considerations into their work more systematically. Often, these efforts are based on the assumption that successful development cooperation programs will help to reduce migration pressures and ease the challenge of migration management, though this is

far from clear and unrealistic expectations may undermine support for the development cooperation in general. Nonetheless, there are sound reasons for bringing migration considerations into development cooperation: support for the potential development benefits of diaspora engagement, attention to creating opportunities for migrants and their families to convert remittances and experience gained abroad into more sustainable livelihoods, and investment in more and better data collection to understand the risks and benefits of migration more thoroughly, among others.

Building migration into development partnerships, and vice versa, may allow governments to realize economies of scale as different agencies link efforts and maximize their collective impact. Coordination should also allow agencies to tap a wider pool of expertise than is available to them internally. For example, designing a labor migration program with the aim of boosting development will require expertise on legal migration channels and procedures, which development agencies do not necessarily possess; bringing in colleagues from a migration ministry could fill this gap.

Successful alignment between migration and development policies and programs, which does not undermine the purpose of either field, requires that the goals and approaches of the two sets of actors are reconciled, or at least sufficiently well understood that they do not work at cross purposes. Development actors, for example, have generally been supportive of regional mobility and free movement regimes in Africa because of their interest in helping to create larger and stronger labor markets, but the EU Migration Partnership Framework has emphasized border enforcement in its five African partner countries, which could reduce regional circulation of labor. Despite such challenges, migration-management and development agencies have many common interests that can benefit from their working together. Barriers to economic growth and a lack of economic opportunities hinder development and drive emigration; addressing these problems requires a sustained, many-faceted effort on a scale that

no single government department can manage on its own. Effective reintegration for returned migrants is a priority for both migration management and development cooperation, as is assistance to help countries develop the resilience to withstand stresses resulting from natural or manmade disasters. These are only three of the areas in which migration-management and development goals naturally align. Nonetheless, some tensions are likely to persist. They will be reduced if migration policymakers are realistic in their expectations of what development can accomplish in reducing migration (and on what time scale) and if development policymakers can identify their interests in fostering orderly migration, while maintaining the integrity of their programs. Both policy areas could benefit.

III. The Many Faces of Labor Mobility

Attitudes toward labor mobility differ markedly depending on the skill level of those on the move. Highly skilled workers, especially those in high-demand fields, are welcome in most countries, while those without formal qualifications are likely to face high barriers to entry.²³ Both groups of migrants can contribute greatly to development in their countries of origin.

Low-skilled workers²⁴ who move from a poor country to a rich one are likely to see their earnings rise dramatically, even if they hold the same kind of job they did before migrating. They are also likely to benefit from better housing, infrastructure, access to health care, and educational opportunities for their children (if they have children who move with them). Yet their opportunities for regular migration are limited by legal pathways that fall far short of accommodating all who would use them.²⁵

One of the Global Compact for Migration's 23 objectives is to "Enhance availability and flexibility of pathways for regular migration."²⁶ In it, states commit to "adapt options and pathways for regular migration in a manner that facilitates

labor mobility and decent work reflecting demographic and labor market realities....”²⁷ This is an implicit acknowledgement that demand for migrant labor in low-waged occupations such as child and elder care, agriculture, construction, and food service are robust, particularly in countries where increasingly educated native-born workers are employed in sectors requiring medium- or high-level qualifications. Many of the low-waged jobs that immigrants fill cannot be outsourced or automated, and inadequate channels to fill them only encourage irregular migration.

A. Legal Pathways for Low-Skilled Migrants

Increasing the capacity of legal pathways for low-skilled labor is seen to offer three kinds of benefits. As a *migration-management* tool, it could divert migrants away from dangerous, irregular channels into more orderly and predictable modes of entry—although there is reason to doubt that a one-to-one trade of irregular for regular entries would materialize as long as the opportunities for legal entry do not match the numbers of low-waged workers who would like to access them. As a *humanitarian* policy, legal pathways would spare unauthorized migrants the dangers that many encounter on clandestine journeys, such as the more than 5,000 migrants who died in 2016 in the Mediterranean alone.²⁸ Finally, more opportunities for legal migration can act as a *development* instrument; apart from the gains to individual migrants and their families, countries of origin may benefit from the increased remittances permitted by the higher earnings of migrants with legal status as well as the gain of skills, experience, and technical knowledge that migrants may bring if they return home. Of course, destination countries also benefit from the ability to fill labor needs at the lower end of the skills spectrum and the release of native-born workers to enter the labor force (because of the enhanced availability of child care, for example) or take higher-productivity

jobs. Many kinds of low-waged labor must be done in person and on the spot; they cannot easily be outsourced or automated.

Most of the low-skilled migrants who gain permanent legal entry to a wealthy country do so through family reunification, humanitarian admissions, or successful asylum claims. Job-seekers who cannot access these channels are more likely to resort to irregular migration, and thus become the primary targets of immigration enforcement actions. Most of the legal pathways for low-skilled workers that do exist are temporary employment programs, with the most common being for seasonal work. While some migrants may prefer a limited stay abroad, temporary programs are often criticized for leaving migrant workers vulnerable to exploitation. Such programs often tie migrant workers to a particular employer. Abusive employers may threaten to withdraw the employment on which a visa depends if a worker complains about substandard pay or working conditions; and unscrupulous recruiters, travel agents, or legal advisors may overcharge migrants for their services, even to the point of plunging them into debt bondage. The design and monitoring of temporary labor programs are crucial. Employers must be held to the terms of contracts, and migrants must have access to justice if their rights are violated.

The division of labor in low-waged sectors is deeply gendered. Legal, mostly temporary work programs for low-skilled migrants are most commonly found in seasonal, male-dominated sectors such as landscaping, construction, and agriculture. Low-waged women’s work is, for the most part, neither seasonal nor temporary, meaning that short-term programs are a poor fit for sectors such as personal care, domestic service, and hospitality. Lacking longer-term legal channels that fit the patterns of migrant women’s employment means that women have fewer alternatives to irregular work; as a result, those who provide domestic or care services in private households are among the least protected migrant workers.

The least restrictive approaches to legal migration, including that of low-skilled workers, are those in areas of free movement, such as within the European Union or between Australia and New Zealand. Other regional agreements with labor-market dimensions include the Commonwealth of Independent States, made up of former Soviet republics, and MERCOSUR in South America. Limited bilateral labor agreements are far more common than broad regional arrangements. They can be designed to meet a particular country's labor-market needs and often involve partners with historical or linguistic commonalities. Some also incorporate a development dimension. New Zealand's Recognized Seasonal Employer scheme is an often-cited example because the program has succeeded both in meeting New Zealand's need for agricultural labor and in raising incomes for migrants from participating countries.²⁹ In two partner countries where evaluation was built into the program from the beginning, participants in the New Zealand scheme also reported higher subjective feelings of economic wellbeing and were more likely than their peers who did not migrate to open bank accounts, improve their housing, and buy durable goods.³⁰

Low-skilled migration has proven development benefits. It contributes toward Sustainable Development Goal 1, in which states pledged to "end poverty in all its forms everywhere." The commitment under the Global Compact for Migration's Objective 5 to "enhance availability and flexibility of pathways for regular migration" has great potential to improve the lives of low-skilled migrant workers. Its promise is most likely to be realized if implementation of Objective 5 goes hand-in-hand with Objective 6: "Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work."³¹ Low-skilled workers are especially vulnerable to unscrupulous recruitment practices because the number of willing migrants so outnumbers the number of legal migration opportunities. The design of legal pathways should be absolutely transparent and specific; they can then be implemented with some flexibility to accommodate changing labor-market conditions and individual migrants' circumstances. The bureaucratic

requirements for both migrants and employers should be kept as light as possible. Communication and coordination between partner countries is essential to safeguard program integrity and to generate confidence that opening wider legal channels will benefit both. Course corrections may also be needed. Regular monitoring and evaluation allow policymakers to determine if policies are meeting their objectives.

B. Legal Pathways for Middle- and High-Skilled Migrants

Enhancing legal pathways for migration is particularly important for low-skilled migrants, who are most likely to pay the multiple penalties for irregular status. But the states negotiating the Global Compact for Migration also recognized the benefits that legal pathways for skilled migration can bring to both countries of origin and destination. Among the actions the compact sets out for realizing Objective 18 ("Invest in skills development and facilitate mutual recognition of skills, qualifications, and competences"³²), there are two kinds of partnerships. One is relatively traditional, offering professional training or work experience in destination countries, with the option of seeking employment or business opportunities after successful completion.³³ The other—"global skills partnerships"—invest in education and training for workers in their countries of origin as well as for migrants in countries of destination.³⁴

Skills partnerships are not a new idea; several have been running for years.³⁵ An example of the first kind of partnership is Germany's "Triple Win" project, which has successfully recruited nurses to work in Germany for a limited period under agreements with several countries, including the Philippines, Serbia, and Bosnia and Herzegovina.³⁶ The concept is that all parties involved will benefit from the project: as nurses return home with experience and enhanced skills, origin countries will gain experienced health-care workers; meanwhile, the country of destination fills labor-market gaps and migrants have a chance to augment their earnings by

working abroad and advance their careers at home.

An example of the second kind of partnership is the Australia-Pacific Technical College (APTC). By intervening earlier in the process of professional formation—at the training stage—the initiative aims to equip workers in low-income countries with skills that are in demand both at home and abroad. Having completed a training course in one of several mid-skilled occupations, trainees may choose to seek jobs in either the domestic job market or by migrating. The trainee gains skills and qualifications; the country that receives those who choose to migrate is able to address the need for qualified workers; and the country of origin benefits doubly—both from the skills of those who elect not to migrate and from the remittances and connections of those who do.

The global skills partnership model is attractive for several reasons. It mitigates the risk of depriving origin countries of skills their economies need—indeed, the global skills partnership model augments the availability of skilled workers. Training costs in countries of origin generally are much lower than in the country of destination: it costs approximately U.S. \$14,000 for a three-year nursing course in Morocco compared to U.S. \$80,000 to \$100,000 in London or Witten, Germany.³⁷ Thus, for the cost of training one person in a high-income country, several people could be trained in a lower-income country, of whom some will emigrate and some will stay, meeting labor needs in both partner countries.

In practice, some skilled migration programs have struggled to meet the expectations of both partners. In the APTC program, for example, Australian donors were disappointed that few trainees migrated to Australia. In some cases, graduates of the program could not move because APTC training was not updated to provide the qualifications or the work experience needed to meet the revised requirements for admission under Australia's skilled immigration system. In addition, training costs were higher than anticipated.³⁸ In the Triple Win program, some German employers have retained migrant nurses past the end of their contract period, hav-

ing invested in their training and not wanting to lose a valued employee, which may limit the benefits to their origin countries. Other nurses, upon return, have found the skills they acquired in Germany (such as German language proficiency or the ability to use highly advanced medical technology) are not useful in the domestic labor market.³⁹ These may be the growing pains of relatively new programs, but they illustrate that skills partnership models, so appealing in concept, may be less rewarding as currently practiced.

Certainly, the experiences of these pioneering projects offer lessons that could lead to greater success in the future. Employers may need to be more involved in the design of training curricula. More thought may need to be given to how the costs of the programs are distributed among donors, employers, origin-country governments, and trainees, and to the frequent dependence of such programs on sustained (if unpredictable) political support. Most importantly, all participants need to be convinced of the benefits of the programs compared to available alternatives.

IV. Governance of International Migration

The endorsement of the Global Compact for Safe, Orderly, and Regular Migration in December 2018 by the vast majority of states is the biggest breakthrough to date in global governance of international migration. As with many breakthroughs, it emerged from a sense of crisis, generated by the multiple large, irregular movements of refugees and migrants that occurred from late 2014 through the first half of 2016. In many countries, such movements continue—at the southern border of the United States, in the countries surrounding Venezuela, and in the heart of Africa. The lasting impact of that *sense* of crisis, beyond the real *fact* of crisis for the many people and countries directly affected, is the realization in many quarters that national governments cannot manage migration effectively with unilateral action alone. That fact has raised the stakes for international cooperation,

not only among states but also with other stakeholder in civil society (broadly conceived), the private sector, and local governments.

The rising momentum in favor of international cooperation on migration embodied by the compact process generated a backlash by some who feared that national sovereignty would be compromised or who saw in the compact an opportunity to stoke both anti-multilateralist and anti-immigration sentiments.⁴⁰ They did not prevent the compact from being adopted unanimously at the special United Nations meeting in Marrakesh attended by 85 percent of the UN Member States, or from being endorsed by a vote of 152–5 (with 12 abstentions) in the General Assembly regular session in New York. But the accomplishment was tarnished by the refusal of several countries to support the compact, including some major countries of immigration—notably Australia and the United States.

Although it is an important milestone, the migration compact will not revolutionize the governance of migration in the short term. In the first place, it is not legally binding. It has no means of enforcing the commitments it encompasses beyond peer pressure and self-interest. Its 23 objectives range from the very specific and achievable (though requiring determined effort) to the extremely broad and long term. Some objectives are utterly consensual, such as collecting and using accurate, disaggregated data as a basis for policy, while others are controversial, such as providing basic services to migrants regardless of their legal status or cooperating to facilitate the return of migrants to their countries of origin when a destination country finds that they have no right to stay. And, as noted, the objectives taken together are so broad as to permit every country to, in effect, set its own agenda by picking and choosing among them.⁴¹

The compact is, however, coherent. The 23 objectives address three core imperatives: reducing the negative factors that compel people to leave their homes (objectives 2, 7, 8, 9, 10, 13, and 17); amplifying the benefits of migration (objectives 5, 6, 15, 16, 18, 19, 20, and 22); and bringing order to the migration process through

better understanding of how migration works, more effective policies, and greater international cooperation (objectives 1, 3, 4, 11, 12, 14, 21, and 23).

Alongside the compact process, other important changes in the architecture of migration governance took place in 2016–18. The International Organization for Migration (IOM) was brought into the UN system as a related organization, which gave the United Nations real capacity and expertise on migration.⁴² In 2018, the UN Secretary General created a UN Migration Network to replace the unwieldy group of UN agencies, funds, and programs that had been loosely, and ineffectually, organized as the Global Migration Group. The network has a manageable executive structure while still having a place for the more than 30 UN entities that have things to contribute to migration discussions. It faces bureaucratic opposition from some entities but has a clear mandate from the Secretary General to coordinate them. Finally, the Secretary General made clear that IOM will be the leading entity within the UN system on international migration.⁴³

The major missing link in the UN system is a predictable and robust source of funding for the implementation of the Global Compact. A “Start-Up Fund for Safe, Orderly, and Regular Migration” was called for in the compact. It was established in May 2019 as a multi-partner trust fund (MPTF) administered by the UN MPTF Office and awaits funding at the time of writing.⁴⁴ Without substantial dedicated funding, the system will have limited ability to help states pursue priorities deriving from the compact.

A. Tackling Tough Questions: Return and Reintegration

The compact did not shy away from controversial issues. One of the most contentious was the question of returning migrants to their countries of origin against their will. Return is central to the national interests of both source countries and receiving countries, but more than in most areas addressed by the compact, here the interests of states conflict fundamentally. To return

migrants who have no legal right to remain in a country is a sovereign right of national governments and a legitimate instrument of migration management. Many governments believe that their credibility with their own citizens depends on it. But returns also have financial, humanitarian, security, and development implications that are often detrimental for origin countries—especially when they take place on a large scale or unexpectedly. The space to make allowances for the negative effects on origin countries has diminished as the return of unauthorized migrants has become a top policy priority for many destination countries.

Addressing these differing interests was a major challenge for compact negotiators, and the compromise they reached sits uneasily in Objective 21 as a mixture of procedural commitments, programmatic interventions, and guarantees of protection and humane treatment of returning migrants. Countries of origin got a commitment to reintegration assistance, while countries of destination got a commitment to facilitate and cooperate on returns.

As all eyes turn toward implementation of this delicate balance, policymakers should be aware of the multiple policy frameworks implicated by return decisions.⁴⁵ A rule of law framework constrains the sovereign right of states to return migrants at will, through treaty obligations prohibiting the return of refugees and likely victims of torture to danger and requiring return cases involving children to be guided by the best interest of the child.⁴⁶ A humanitarian framework may lead states to refrain from returning people to countries suffering from natural disasters or other circumstances that make reintegration exceptionally difficult. In a development framework, decisions may be calibrated to take account of the origin country's ability to absorb returnees, or of the potentially devastating effects of the loss of migrant remittances on the country's economy. A reintegration framework may motivate states to take steps to compensate for the development losses threatened by large-scale returns. Yet another framework is security, as returns may feed into dynamics that threaten instability or violence in the

origin country, perhaps leading the destination country to reorder its policy priorities. Finally, viewing returns through a political framework may harden origin and destination countries' association of returns with their credibility, popularity, or even their political survival. These different policy frameworks need to be carefully assessed and reconciled when making decisions about returns. In some cases, origin and destination countries have multifaceted relationships in which returns can implicate several policy frameworks, which may facilitate negotiations on whether and how they are carried out.

Many Western European countries offer reintegration assistance to some migrants who return, voluntarily or under a legal order. Reintegration is a process of mutual adaptation by migrants and their home communities, involving economic, social, cultural, psychosocial, and human security elements. Countries of destination may offer assistance in cash or in kind to aid reintegration, providing that migrants cooperate with return procedures. The assistance ranges from a small, nominal one-time payment to built-out programs of counseling pre- and postdeparture, cash assistance, professional training, and access to information about the donor's development projects and other resources in the country of origin. But many reintegration programs are ineffective because they focus too narrowly on financial assistance, neglect (or are powerless to address) structural issues that impede reintegration, or end too quickly, before reintegration has had time to take root. Some good practices have emerged, however, as in the development of Germany's Returning to New Opportunities program, which provides seamless counselling and assistance to migrants.⁴⁷ Some private-sector companies have played a constructive role by training and employing returned migrants. Unfortunately, monitoring and follow-up with returnees for more than a few months is rare, so it is difficult to be sure what kinds of assistance are most effective across a variety of settings.

Increasingly, return and reintegration programs are being funded out of development cooperation rather than migration budgets. Return and

reintegration assistance should be aligned with development cooperation, but the two are not interchangeable. Development cooperation can, however, help to shape reintegration assistance around the development needs and priorities of the country of origin.

A more constructive dialogue on returns could be encouraged by a commitment to reintegration assistance that is long term, broad in scope, development oriented, and devised in concert with countries of origin. It would also help if destination countries would take a broader view of their national interests when debating return migration, based not only on law and domestic politics, but also on consideration of humanitarian, development, and security and stability interests. More generally, destination-country politicians could contribute to constructive engagement with migration partners by lowering the temperature of political discussions around compulsory returns. Strict rules can and should govern return requirements, but they can and should be applied with flexibility, taking into account the multiple interests of the many stakeholders involved in return migration.

B. Tackling Tough Questions: Humanitarian Protection

Among the stakeholders in return migration are many people whose asylum claims have been denied or abandoned. The line between refugees and other migrants, so bright in law, is often faint in real life. Some refugees will have fled to a second—or third or fourth—country because conditions in a first asylum country became unbearable. The quality of protection available to refugees varies dramatically according to the country in which they land. The onward movement of refugees from countries of first asylum to a country in which they hope to be able to resume a life of stability and hope is just one of the reasons that it is unrealistic to separate the governance of international migration of refugees from that of other migrants—despite the fact that the members of the UN General Assembly chose to separate the Global Compact

on Refugees from the Global Compact for Safe, Orderly, and Regular Migration.

Refugees and other migrants commonly travel on the same routes to the same destinations, use the same services to facilitate their travel, and face the same dangers on their journeys. They will often enter the same administrative processes upon arrival and are entitled to the same protection of their fundamental human rights. Refugees, however, are also entitled to international legal protection and, as a result, a different set of economic and civil rights compared to migrants who are not refugees. But although international law forbids states from returning a refugee to a place where his or her life or freedom would be endangered, it does not forbid returning them to a country where an asylum claim could have been lodged or where refugee protection had already been granted, no matter how poor the quality of protection in that country.

The poor quality of refugee protection in many low- and middle-income countries, where more than 85 percent of the world's refugees reside,⁴⁸ condemns long-staying refugees to a life in limbo with little chance of making full use of their talents and energies.⁴⁹ The resulting waste of human potential is a development crisis in itself. It also encourages irregular secondary migration to high-income countries where most recognized refugees enjoy secure legal status, core social and economic rights, access to social services, and basic assistance. Many low- and middle-income host countries lack the resources to guarantee refugees access to already-strained national services. Some are also reluctant to give refugees broader rights and benefits for fear of encouraging them to stay longer, or even permanently.

Beyond asylum laws and processes—a minimum requirement—a high quality of protection requires investment in the asylum country's capacity for service delivery and good governance, similar to the kinds of investments that development organizations often include in their normal programming.⁵⁰ Development actors are accustomed to working with local part-

ners, assessing needs and planning how to meet them, strengthening the capacity of systems that are needed by both refugees and local citizens, conducting data collection, and monitoring and evaluating programs. As development policy and practice increasingly include a migration component, these organizations could learn from humanitarian actors how to better recognize and respond to the specific needs and vulnerabilities of refugees. Humanitarian actors, on the other hand, stand to learn from development specialists about tools and strategies for interacting with the broader systems within which refugee protection must operate—including the justice system, public education, labor markets, and public services.

The development of the Comprehensive Refugee Response Framework (CRRF) by the UN High Commissioner for Refugees (UNHCR)⁵¹ is helping to bridge the humanitarian–development divide. Beyond the fundamental need for legal protection, refugees have other needs—such as access to livelihoods, education, and health care—that development actors are accustomed to supporting for other populations. It would not be a great functional leap for them to take on this role in relation to refugees (although they may have to jump a bureaucratic chasm). And just as development actors are learning to incorporate refugees and other migrants more intentionally into their programs, refugee agencies are learning to work on development priorities for entire host communities, not just the refugees within them. Making sure that investments benefit both host and refugee communities can help to prevent tensions from developing around the presence of refugees. In the past few years, and through pilot projects rolling out the CRRF, some development and humanitarian actors have developed deeper collaboration. UNHCR and the World Bank have taken the lead.⁵² It is now incumbent upon other development and humanitarian actors to follow suit. As these adjustments are taking place, however, it is important to keep in mind that the role of international cooperation is to strengthen host governments' ability to fulfill their obligation to provide humanitarian protection, and not to substitute for it.

V. Conclusion

Because the issue of migration is so heavily freighted with political consequences at home, policymakers commonly are reluctant to compromise with their counterparts in countries that are in effect their migration partners. But it is not possible for countries that share well-trodden migration corridors as countries of origin, transit, or destination—and sometimes all three at once—to avoid dealing with each other, directly or indirectly. If one lesson has been learned from the experience of the last 20 years or so, it is that migration is difficult, and perhaps impossible, to manage well without cooperation among migration partners. Such cooperation between governments can be induced by threat or bribery, but it works best on the basis of mutual benefit—and it is unlikely to achieve objectives that run contrary to market forces and the interests of migrants themselves. Figuring out the “triple win” of global migration, to the benefit of origin countries, destination countries, and people on the move, is the challenge that governments faced in negotiating the Global Compact for Safe, Orderly, and Regular Migration. It is too early to say whether or not they succeeded.

The most compelling motivating force for governance of international migration before 2015 was domestic politics, with the priorities of wealthy destination countries predominant. The inability of even the most powerful countries to control large movement of refugees and other migrants in times of crisis, demonstrated in 2015 and subsequently, created an opening for other considerations to take a larger part in policy-making. International migration is never about just one thing. Domestic politics continues to play an important, even dominant role, in migration policy decision-making. But it has become increasingly obvious that other policy frameworks, including humanitarian imperatives, security concerns, and development opportunities, also shape the national interests of origin and destination countries alike. Both are more likely to achieve their multiple policy objectives by working together.

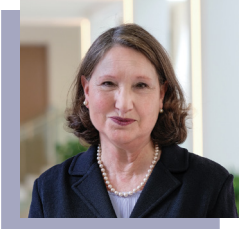
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