



*From the pen of Cecilie Kern!*

*Migration Expert for Good Shepherd!*

The Global Compact for Safe, Orderly, and Regular Migration (GCM) represents a unique opportunity for the global community to create common approaches toward the treatment of migrants worldwide. Since February, the Member States of the United Nations — with the noted absence of the United States — have been negotiating an international agreement containing 23 objectives that would establish a multilateral framework for migration governance.

The objectives laid out in the draft Global Compact follow the general path of migration, from root causes to return, and are progressive and based on human rights principles, but based upon the negotiations to date, it is clear that they go too far for some governments which have called for an explicit mention of the non-legally binding nature of the document, and offered amendments to the text to reaffirm their sovereignty and lessen their obligations. With five rounds of negotiations completed and only one round to go, there are still worries for many civil society advocates and migrant communities that all of this effort will produce a document which does little, if anything, to impact the status quo.

Since the Global Compact is “for Safe, Orderly, and Regular Migration,” it is important that this document should encourage the implementation of policies that would increase legal pathways for migration, including regularization programs for people in an irregular or undocumented status. Regularization would reduce vulnerabilities and allow people to come out of the shadows, helping to ensure their wellbeing by giving them open access to social services, decent work, and allow them to fully integrate into societies. It is vital that the Global Compact articulate that irregular migrants should be ensured basic services and access to justice regardless of their migratory status, and that they should be able to access these services without fear of being reported to immigration authorities.

One of the most important aspects of the Global Compact is that it addresses migrants in vulnerable situations who do not qualify as refugees under the definition set in 1951 Convention on the Status of Refugees. While every person has the right to live with safety and dignity in one's country of origin, sometimes people leave their countries out of desperation, due to violence, extreme poverty, natural disasters and environmental degradation, among many other drivers. To ensure that people are able to migrate in safety and dignity, governments should allow and expand visas that can be used to protect migrants in vulnerable situations, including humanitarian visas and visas tailored toward specific vulnerable populations, such as victims of human trafficking and domestic violence, unaccompanied children, people with disabilities, and those in need of protection due to climate displacement.

Beyond expanding legal channels for migrants in vulnerable situations, the Global Compact must ensure that all migrants can exercise their human rights in their countries of destination, regardless of their migratory status or their skill level. Global trade unions and other civil society organizations have advocated strongly for inclusion of the decent work agenda into the Global Compact, to ensure that all migrant workers, especially women migrant workers, low-skilled workers, domestic workers and others in the informal economy (particularly undocumented workers) are able to enjoy their full labor rights, including full and productive employment based on their skills, can be reunited with their family members, are free from exploitation, are able to access justice.

The Global Compact should not promote deterrence and enforcement tactics as a means of reducing irregular migration, as these tactics are certainly not "safe" for the migrant. Deterrence policies such as closed borders, pushbacks, family separation and immigration detention can place migrants in danger by removing due process. Return and reintegration policies should be voluntary and sustainable, and should not return migrants to an environment where they would be at risk of violence, torture and death. Reintegration programs should be tailored to the needs of returned migrants and include job training and placement, physical and social protection, and basic needs support.

Even if all of this is achieved in the commitments of the Global Compact on Migration, this is only the beginning. How will the GCM be implemented? How will States be held accountable? To make a real difference in the lives of migrants and their communities, these key questions still remain. In the end, the Global Compact for Migration will be successful if it creates a new approach to governing global migration that emphasizes human rights and dignity for all people, and if governments demonstrate the political will to follow through with their obligations, cooperate with each other and with civil society, and show solidarity with those who are made vulnerable.