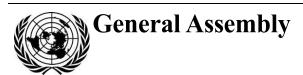
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Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Global Compact for Safe, Orderly and Regular Migration

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 73/195, in which the Assembly requested the Secretary-General, drawing on the United Nations Network on Migration, to report to the Assembly on a biennial basis on the implementation of the Global Compact for Safe, Orderly and Regular Migration, the activities of the United Nations system in this regard and the functioning of the institutional arrangements. It is the first report responding to this mandate and is based on extensive input and consultation.^a





^a Inputs were received from 54 Member States, two intergovernmental organizations, 16 United Nations entities and nine stakeholders in response to a note verbale dated 15 May 2020 from the Coordinator of the United Nations Network on Migration. Inputs have been complemented by stakeholder consultations, bilateral discussions with United Nations entities and supporting information from the regional offices and missions of the International Organization for Migration.

I. Introduction

- 1. The Global Compact for Safe, Orderly and Regular Migration was adopted at the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration in Marrakech, Morocco, and subsequently endorsed by the General Assembly in its resolution 73/195 of December 2018. The Global Compact sets out a cooperative framework for achieving safe, orderly and regular migration, including 10 overarching guiding principles and 23 objectives with attendant actions and a process for its implementation, follow-up and review, as well as guidance for support from the United Nations system.
- 2. According to the Department of Economic and Social Affairs of the Secretariat, the estimated number of international migrants is nearing 272 million. Over the past several decades, migration has become increasingly complex, due in part to political, environmental and socioeconomic changes in countries of both origin and destination. In this context, the Global Compact is based on the recognition that no single State can effectively govern migration without principled and effective international cooperation. The Global Compact creates a comprehensive 360-degree approach, and a common language, for discussing migration and provides tools for implementing well-governed migration policies.
- 3. In the present report, issued two years after the adoption of the Global Compact, the Secretary-General looks first at what the implementation of the Global Compact means to the international community and the mechanisms created by Member States to realize its 10 guiding principles and 23 objectives. This is followed by an assessment of the impact the coronavirus disease (COVID-19) has had on migrants, as well as specific actions taken by governments in accordance with the Global Compact. Finally, the Secretary-General looks at the activities of the United Nations system, paying particular attention to the United Nations Network on Migration and the functioning of the institutional arrangements.
- 4. It is clear that the COVID-19 pandemic has had a fundamental impact on human mobility, while also emphasizing the many contributions made to societies by migrants who provide essential and front-line services. With many borders closed, and global mobility dramatically slowed, the potential for the Global Compact to navigate these new challenges has become apparent through a range of State practices. However, there are cases where State measures have exacerbated existing inequalities and eroded migrants' rights and dignity, sometimes even at the cost of their lives.²
- 5. Governments now have an opportunity to take strong ownership of the commitments they made in the Global Compact, ensure consistent application of its guiding principles and respond to the evolving needs of migrants and their communities. While there is sound basis for optimism, concerns remain. In the report, the Secretary-General highlights a wide range of policies and initiatives designed to improve migration for the benefit of all. Building on these while addressing continued abuses of migrants' rights and well-being, including through the forthcoming regional reviews to assess the state of implementation of the Global Compact, will be crucial. This is especially so in a context of deep social and economic disruption, where the lives, families and livelihoods of millions of migrants and their communities risk becoming ever more precarious.
- 6. Overall, the degree to which countries and other stakeholders are beginning to draw on the Global Compact to help strengthen migration policies, governance and cooperation is to be welcomed. As States and others step up their efforts, so too will

¹ See https://publications.iom.int/system/files/pdf/wmr_2020.pdf.

² See www.un.org/sites/un2.un.org/files/sg_policy_brief_on_people_on_the_move.pdf.

the United Nations system. Progress has been made since the establishment of the United Nations Network on Migration, building the foundation for enhanced support from the United Nations system for safe, orderly and regular migration at all levels in the years to come.

II. What does implementation of the Global Compact mean to the international community?

- 7. The Global Compact does not start from zero: its guiding principles, objectives and actions are rooted in established obligations and principles and underpinned by the Universal Declaration of Human Rights, the 2030 Agenda for Sustainable Development and international law. The Global Compact focuses on issues that have long been central to strengthening migration governance, and spotlights areas which hitherto had received more limited attention. The Global Compact recognizes important drivers of migration, including climate change, and proposes collective action to mitigate impacts for communities most at risk, and for those on the move.
- 8. Though it calls for a 360-degree approach, the implementation of the Global Compact is not an even process and will mean different things to different States, a reality explicitly acknowledged in the Compact. Context, experience and resources are key. For small island developing States, prioritizing objectives related to climate change and environmental degradation is critical. For countries with large diasporas, actions that focus on remittances and the portability of qualifications and social security contributions are central.
- 9. There is no identifiable finish line for implementing the Global Compact. Migration systems function best when subject to continual reflection and are capable of adapting to new dynamics, needs and realities. There is no uniform level of migration across the world. Migration is a complex dynamic based on many factors, including historical relationships, demography, labour markets, humanitarian and human rights considerations and geography. Migrant inclusion is not a set process, but a uniquely individual chronicle of experiences; the realities experienced by migrants constantly evolve and the role of migrants themselves as independent agents, and as integral, valuable members of society, have to be recognized. Given this dynamic, targeted action and the continual and inclusive review of efforts to implement the Global Compact offer governments an opportunity to improve their policies, gain inspiration from other States and from migrants and other stakeholders, and, ultimately, ensure safe, regular and orderly migration across the world.

III. How have Member States and others approached implementation?

- 10. Approaches to the implementation of the Global Compact vary. Some countries have chosen to progressively incorporate Global Compact objectives into new legislation, policies and practice. Thus, the Global Compact becomes a guide, which will lead to convergence with, and the realization of, its commitments and actions. For example, since the adoption of the Global Compact, the Government of Canada has undertaken a new National Strategy to Combat Human Trafficking, reflecting several of the Compact's objectives.
- 11. Other countries have established new mechanisms to promote coordination to implement the Global Compact. Sri Lanka has created an interministerial mechanism that will work with the national network and other stakeholders to create an implementation strategy for the Global Compact. Bangladesh has held dialogues with

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stakeholders to identify barriers to its future implementation of the Global Compact that necessitate new or strengthened legal measures. Kenya has created the National Coordination Mechanism on Migration, inclusive of non-governmental stakeholders. The International Organization for Migration (IOM) and the Government of Iraq are working together to develop a national migration strategy, which will be the main tool at the national level to implement the Global Compact.

- 12. In the months following the adoption of the Global Compact, the Government of Portugal identified 97 actions based on the 23 objectives of the Compact as part of a national implementation plan. In Greece, a mapping exercise to identify gaps in national policies with respect to the Global Compact by the Ministry of Migration and Asylum has identified nine priority objectives for future action.
- 13. Regional entities have a role to play, offering States a forum for exchange. The African Union Commission has developed a plan of action that envisions a cascading approach to implementation, from continental to regional to national levels. Thus far, the Intergovernmental Authority on Development (IGAD) has taken steps to develop a regional plan of action, while Kenya and Zambia are doing so at the national level.
- 14. The Global Compact provides States with a tool to better meet their legal obligations to protect, include and empower all migrant children and young people regardless of status. The fact that child sensitivity is one of the guiding principles of the Global Compact is itself an important achievement that has already translated into active involvement of children and young people as key stakeholders in the implementation, follow-up and review of the Global Compact.³
- 15. The promise of the Global Compact to move beyond a transactional approach to migration, towards multifaceted and human rights-based collaboration between States has yet to be fully realized. There are, however, promising signs of regional collaboration. The project entitled "Towards a Holistic Approach to Labour Migration Governance and Mobility in North Africa" (the THAMM project), for instance, is aimed at bringing countries in the North Africa region together to strengthen national legislation and labour standards. Many other examples have also been spearheaded by international partners and led by multi-agency partnerships.

IV. Impact of the coronavirus disease on the implementation of the Global Compact

- 16. COVID-19 has been a disrupter, but also a leveller. The pandemic has demonstrated that all countries have work to do to fulfil the objectives of the Global Compact, and it has also halted progress towards it. For example, data collection on migration (objective 1) has been severely affected by pandemic measures, in particular where they affect national censuses scheduled for 2020.
- 17. In many countries, reactions to the pandemic have intensified practices that compromise the rights, well-being and dignity of migrants (see A/HRC/45/30). Positive policies or practices coexist with damaging ones or may be implemented only partially, further complicating assessments of the success of Global Compact implementation.
- 18. Nevertheless, COVID-19 has highlighted the relevance of the Global Compact and opened new avenues for implementation (see A/HRC/45/30). Many governments around the world are implementing COVID-19 response measures that are aligned

³ See www.unmgcy.org/youth4migration.

with the Global Compact.⁴ And stakeholders have noted that their advocacy since the onset of the pandemic has been supported by the Global Compact in key areas.

- 19. There is a newfound acceptance by States of the importance of ensuring inclusive access to health care, regardless of migration status (objective 15), which has long been recognized by local authorities. The spread of COVID-19 has reinforced the importance of providing timely, accessible and trusted information for migrants (objective 3). The fluid, shifting nature of the pandemic response has brought home the need for transparency and predictability regarding immigration processes at a moment of deep uncertainty (objective 12).
- 20. In Thailand, for example, the Government has worked with the World Health Organization (WHO) and local non-governmental organizations to provide information on effective disease control to migrants. In addition, a number of new information portals and centres pre-date the pandemic, including in Azerbaijan, Bolivia (Plurinational State of), Kazakhstan and Lithuania. Basic information has also been made available more broadly across countries.⁵
- 21. Early in the pandemic, borders shut around the world. While this has had an impact on many people, migrants have been particularly affected, underscoring the importance of consular protection, support and assistance (objective 14). Some governments have worked to bring home their overseas citizens, while others have focused on extending visas to avoid unintended irregularity among their resident migrants. Yet in many other countries, migrants are unable to access such support and are stranded: borders are closed and bilateral and regional arrangements are absent or suspended. The need for greater cooperation across borders (objective 11), including the integration of public health concerns into rights-based border governance, has become urgent.⁶
- 22. The Global Compact offers guidance on how to meet the immediate needs of those stranded, from access to services (objective 15) to ensuring that return is safe and dignified and reintegration is sustainable (objective 21). While some States have suspended returns owing to unsafe conditions, others have made efforts to ensure that those returning or who have been deported have access to support upon return, including health checks, adequate reception and accommodation for those who are self-isolating and in quarantine and broader reintegration support. However, this has not been the norm, and there are rising concerns in all regions about forced returns without due process, including the return of unaccompanied and separated children and returns to countries that lack adequate health infrastructure, thereby exposing returnees to greater risk of contracting COVID-19, as well as numerous instances of violence, stigma and discrimination against returnees.⁷
- 23. Other areas of the Global Compact have taken on increased relevance, given the high risk of infection for those in close quarters, notably with regard to moratoriums on the use of immigration detention and the release of migrants during the pandemic (in line with objective 13), highlighting emerging good practices for replication.
- 24. Looking forward, the global recession is expected to have a serious impact on migrant workers: unemployment, social exclusion, human development challenges, declining remittances and heightened discriminatory discourse and actions vilifying

4 See https://migrationnetwork.un.org/sites/default/files/docs/policy_brief-gcm_and_well_governed_migration_as_an_essential_element_of_effective_covid-19_response_1.pdf.

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⁵ For example, the translation of essential information on COVID-19 into more than two dozen languages. See www.iom.int/news/iom-informing-migrant-communities-italy-protection-covid-19.

 $^{^{6}} See\ www.iom.int/sites/default/files/documents/issue_brief_cross-border_human_mobility.pdf.$

⁷ See https://migrationnetwork.un.org/un-network-migration-official-statement-forced-returns-migrants-must-be-suspended-times-covid-19.

migrants are all real risks. Previous experience suggests that migrants are more deeply affected than nationals and have less social and financial capital to sustain extended periods of lockdown and unemployment. Migrants tend to be overrepresented in the most precarious sectors of employment, and the specific characteristics of a recession sparked by health concerns mean that the estimated 8.5 million migrant women in domestic work may be disproportionately affected. States often exclude migrants from social protection systems and economic stimulus measures. For migrant workers, dismissal may mean the loss of income, housing or migration status, early return or potentially becoming stranded. In the context of widespread disruption to education, the world's 33 million migrant children face particular challenges to participation in remote learning, relating to the digital divide, language barriers and limited personalized support.

- 25. One of the risks of the pandemic is that the financial contributions of migrants decrease under the competing pressures of declining migrant income and increasing needs of family members at home, with possibly aggravated risks for migrant women. Dependent children in countries of origin risk falling back into poverty or resorting to harmful coping strategies such as child labour or child marriage. The World Bank has predicted a drop in remittance flows in 2020 of around 20 per cent as a result of the pandemic, though there have been reports of increases in remittances to some countries.
- 26. Some States, United Nations entities and other stakeholders have already identified some of the negative effects for migrants, which include exacerbated risks of exploitation, and are working on ways to counter them, including ways to ensure fair and ethical recruitment (objective 6), reduce the need for and incidence of migrant smuggling (objective 9), lessen the risk of human trafficking (objective 10) and reduce discrimination against migrant workers and other mobile populations (objective 17). ¹³
- 27. The International Labour Organization (ILO) and IOM have highlighted the need to prepare for large-scale returns of migrants and their sustainable reintegration (objective 21), ¹⁴ and many in the United Nations system have emphasized the importance of making social protection measures available and accessible to all migrant workers and their families, regardless of status. ¹⁵ As employers make longer-term decisions about their workforces, impacts for migrants are expected to intensify. But equally, the pandemic has highlighted the value of migrant labour and shifted the conversation in some quarters from the dichotomy between skilled and unskilled work towards one focused on essential workers.

⁸ See www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/guidance-note-impacts-of-the-covid-19-pandemic-on-women-migrant-workers-en.pdf?la=en&vs=227.

⁹ See https://migrationnetwork.un.org/sites/default/files/policy_brief-_remittances_in_the_time_of_covid-19.pdf.

¹⁰ See www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/guidance-note-impacts-of-the-covid-19-pandemic-on-women-migrant-workers-en.pdf?la=en&vs=227.

¹¹ See www.cgdev.org/blog/migrant-remittances-will-plummet-here-what-means-global-development.

¹² See www.worldbank.org/en/news/video/2020/07/17/expert-answers-what-has-covid-19-meant-for-migrants-and-remittances.

¹³ See www.un.org/sites/un2.un.org/files/sg_policy_brief_on_people_on_the_move.pdf.

¹⁴ See www.iom.int/sites/default/files/documents/05112020_lhd_covid_issue_brief_0.pdf and www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms 743268.pdf.

¹⁵ See, for example, www.iom.int/sites/default/files/institutional statement covid19 28052020.pdf.

V. What progress can be identified?

28. In the present section, the Secretary-General focuses on State-level initiatives to implement the 23 objectives of the Global Compact based on five thematic issues that correspond to the 360-degree approach.

A. Promoting fact-based and data driven migration discourse, policy and planning

- 29. Almost all inputs from States for the present report highlighted their participation in international forums (objective 23), such as the high-level political forum on sustainable development, the 2019 and 2020 Global Forums on Migration and Development, chaired by Ecuador and the United Arab Emirates, respectively, and the annual International Dialogue on Migration and the regional consultative processes on migration of IOM, as evidence of cooperation and partnership. The Global Compact also solidified the General Assembly's commitment to cooperation by including a forthcoming quadrennial International Migration Review Forum to review progress, informed by regional reviews.
- 30. There are indications that the Global Compact has had a ripple effect in terms of formal and informal cooperation. For example, following the publication of the policy brief of the Secretary-General, entitled "COVID-19 and people on the move", 103 States joined a statement in support of its recommendations. ¹⁶ In addition, 14 Member States have so far committed to become "champions" of the Global Compact. ¹⁷ These States will work with the United Nations Network on Migration in promoting best practices, peer exchange and the further implementation of the objectives of the Global Compact. The mayoral mechanism of the Global Forum on Migration and Development ¹⁸ has mobilized pledges from cities to accelerate implementation of the Global Compact.
- 31. Whole-of-society spaces have led to constructive dialogues where policies and politics can be disentangled and incentives for national-level reform and international cooperation promoted, both generally and on specific issues, from alternatives to detention to return and reintegration. These dialogues include multi-stakeholder meetings convened by the International Committee of the Red Cross, ¹⁹ and collaborations among the Platform for International Cooperation on Undocumented Migrants, the European Council on Refugees and Exiles and a number of other organizations, including the Office of the United Nations High Commissioner for Refugees (UNHCR), to discuss the implementation by the European Union of the Global Compact (and the global compact on refugees). ²⁰ The International Migration Research Centre, the Women in Migration Network and others partnered with the Government of Canada to launch a gender hub for the Global Compact.
- 32. Collaborative efforts with regard to work promoting evidence-based and datadriven discourse, policy and planning include the African Observatory for Migration and Development in Morocco. Meanwhile the Government of Egypt, with IOM, the Department for Economic and Social Affairs and the Organization for Economic

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¹⁶ See www.un.int/philippines/statements_speeches/joint-statement-impact-covid-19-migrants#:~: text=Excellency%2C&text=The%20statement%20welcomes%20your%20report,economies%20h eavily%20dependent%20on%20remittances.

¹⁷ Bangladesh, Canada, El Salvador, Ethiopia, Ghana, Guinea Bissau, Indonesia, Mexico, Morocco, Nepal, Philippines, Portugal, Senegal and Thailand.

¹⁸ Co-steered by the Mayors Migration Council, United Cities and Local Governments and IOM.

¹⁹ See www.redcross.org.uk/-/media/documents/about-us/what-we-do/policy-into-practice-global-compact-migration.pdf.

²⁰ See https://picum.org/wp-content/uploads/2019/02/GCR-and-GCM-joint-event-report-1.pdf.

Cooperation and Development (OECD), and under the auspices of the African Union, hosted the second International Forum on Migration Statistics in January 2020. ²¹ In March 2020, the United Nations Children's Fund (UNICEF), IOM, UNHCR and OECD launched the International Data Alliance for Children on the Move, ²² while the United Nations Office on Drugs and Crime (UNODC) created the United Nations Observatory on Smuggling of Migrants in 2019.

- 33. The Government of Sweden has developed a regional programme to improve migration statistics in Africa, together with the African Union and IOM. These overarching approaches are complemented by national efforts, such as the establishment of the Migration Information and Management Centre (CIGEM) in Mali.
- 34. Objective 17 combating discrimination against migrants is a core principle of migrants' human rights. Many governments crack down on instances of discrimination, but racism and xenophobia can be deeply institutionalized, and are often the result of unconscious, yet pernicious, societal bias. Through the actions proposed in the Global Compact, governments have the opportunity to lead by example, rooting out discrimination in their own policies, actions and services, and communicating on migration in a way that reduces concerns among arriving migrants or resident populations and encourages inclusion.
- 35. Concerted action is critical, particularly as migrants are facing more racist and xenophobic behaviour, which the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance has described as "inexcusable, unconscionable and inconsistent with States' international human rights law obligations". ²³ The Kenya National Commission on Human Rights has carried out sensitization campaigns on migration and human rights. The Government of Canada launched a communications campaign called "#ImmigrationMatters" that seeks to demonstrate the contribution that migrants make within their communities. Canada also led the development of a communications guide launched at the Global Forum on Migration and Development in 2020 designed to help governments, civil society and businesses generate balanced narratives on migration. ²⁴ The Office of the United Nations High Commissioner on Human Rights (OHCHR) launched an initiative to reframe narratives and public messaging around human-rights based migration. ²⁵

B. Protecting safety and well-being of migrants, including through addressing the drivers and mitigating situations of vulnerability in migration

- 36. Minimizing the adverse drivers of migration as outlined in objective 2^{26} is closely linked to the realization of the 2030 Agenda for Sustainable Development. Thus, many government activities to address this are bound up with other, broader, actions and programming.
- 37. Objective 2 also calls for strengthened mechanisms to anticipate risks and threats that might trigger or affect migration movements. However, since the adoption

²¹ See www.iom.int/ifms/sites/ifms/files/IFMSOutcomeDocument-V2.pdf.

²² See https://data.unicef.org/resources/international-data-alliance-for-children-on-the-move/.

²³ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25739&LangID=E.

²⁴ See www.imap-migration.org/narrative/publications/shaping-public-narrative-migration-and-migrants-guide-promoting-balanced.

²⁵ See www.ohchr.org/Documents/Issues/Migration/SevenKeyElements.pdf.

²⁶ See General Assembly resolution 73/195, annex, para. 18 (b).

of the Global Compact, significant numbers of people have left their country of origin due to various adverse drivers and structural factors.

- 38. Inputs from States suggest that migration is increasingly a consideration in development programming. Several countries have integrated both the Global Compact and the Sustainable Development Goals into their national migration policies and other guiding documents, including Denmark, Iraq, Ireland, Kyrgyzstan and Mauritania. The Government of Sweden views the Global Compact as an extension of the 2030 Agenda, and primarily of target 7 of Goal 10. Similarly, an emerging strategic results framework being developed by IOM is aimed at mapping the Goals and the Global Compact together with the broader organizational activities and priorities to facilitate reporting against both frameworks. Furthermore, the *Africa Migration Report*, published jointly by the African Union Commission and IOM, focuses on the role of migration as a driver for trade, innovation and employment, recognizing the positive effect that mobility has for migrants, their families and their communities.²⁷
- 39. There is an important opportunity to explore, in a more systematic way, synergies between the Sustainable Development Goals and the implementation and follow-up of the Global Compact, while being cognizant of critiques that programmes created with the sole aim of reducing migration flows may be counter-productive, ²⁸ and may conflict with other policy objectives.
- 40. A key innovation of the Global Compact has been the comprehensive inclusion of environmental degradation, natural disaster and climate change as a driver of contemporary migration, as well as the complex interaction of environmental drivers with political, economic and demographic factors (objective 2, but also objective 5). Before the Global Compact, a number of countries incorporated climate change considerations into their national migration policies, including Bolivia (Plurinational State of), Botswana, France, and Uganda, while others have drafted policies focused on human mobility stemming from environmental factors, such as Nepal and Vanuatu.²⁹ Peru is developing a specific national plan of action to address climaterelated drivers of migration. Belize is integrating human mobility and planned relocation into its climate strategy. The 2019 revision of the Guatemala National Plan of Action on Climate Change integrates a section on human mobility with concrete commitments. The Government of France has led the Platform on Disaster Displacement in projects in the Pacific and in West (and increasingly in East) Africa. There is an urgent need to address the most severe impacts of environmental change on vulnerable communities.
- 41. Actions are also being taken to promote gender-responsive implementation of the Global Compact. The United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) ensured the participation of women migrant workers in consultations on the implementation of the Global Compact in the Asia-Pacific region and supported a project in the Niger to ensure that migrant women were safe from abuse. Canada requires its federal government departments to review new policies, legislation and programmes, including those on migration, through a gender lens. At the local level, Brussels; Gothenburg, Sweden; Luxembourg City; Milan, Italy; and Rome are part of the IOM "Equal(c)ity" project to prevent gender-based violence in migrant communities and strengthen support for survivors.

²⁷ IOM, Africa Migration Report: Challenging the Narrative (Addis Ababa, 2020).

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²⁸ See, for example, Susan Fratzke and Brian Salant, "Moving beyond 'root causes': the complicated relationship between development and migration", *Towards a Global Compact for Migration: A Development Perspective*, No. 2 (January 2018).

²⁹ See https://unfccc.int/sites/default/files/resource/20180917%20WIM%20TFD%20I.1%20Output%20 final.pdf.

- 42. While men are experiencing higher fatalities due to COVID-19, the effects of the pandemic on women and lesbian, gay, bisexual, transgender and intersex persons, including migrants, can be harsh, as there is increased incidence of domestic violence³⁰ and resources are being redirected away from sexual and reproductive health services. This widening of gender inequalities as a result of COVID-19 makes a gender-responsive rights-based approach to migration all the more necessary.
- 43. Reducing the specific vulnerabilities faced by migrants speaks to a number of the objectives of the Global Compact, and there are many examples of innovative work to address situations of vulnerability.
- 44. Some governments operate safe houses in other countries for their nationals, such as migrant women forced to leave their employers. Kenya is in the process of operationalizing a shelter for victims of trafficking. The United Kingdom of Great Britain and Northern Ireland has collaborated with stakeholders to develop a pilot initiative to prioritize case resolution for women in situations of vulnerability held in immigration detention. The Government of Jordan, with the support of the United Nations country team, developed a socioeconomic framework for COVID-19 response that recognizes the need to address the vulnerability of migrant workers to human rights abuses within the country.
- 45. Each year, many migrants and refugees lose their lives or go missing, whether during their journeys or upon arrival. Maritime routes are particularly dangerous whether across the central Mediterranean Sea to Europe, through the Gulf of Aden to the Middle East or crossing the Andaman Sea towards Malaysia and Indonesia. Reports of missing and dead, from Central America to the Sahara, highlight the extreme risks that individuals are willing to take. The imperative to save lives does not receive the priority action it deserves, despite the commitment to do so in the Global Compact (objective 8).³¹
- 46. COVID-19 has sharpened this reality. IOM has estimated the global number of migrants whose intended movements were impacted during the first months of the crisis including those who were stranded to be approximately 2.7 million.³² This links closely to objective 12, regarding the need for predictability in assessment and screening processes, objective 7 on vulnerabilities and objective 13 on detention.
- 47. The pandemic has been used by some States to justify the increased and discriminatory use of immigration detention and to deport migrants without due process. In a number of cases often driven by swift advocacy from civil society actors and other stakeholders, or litigation, some States have adapted their policies and practices to reduce or eliminate immigration detention during the pandemic through the use of alternatives, in alignment with guidance by the United Nations Network on Migration on the issue.³³ Countries include Belgium, Japan, Mexico, Norway, Spain and the United Kingdom.
- 48. Prior to COVID-19, the Government of the United Kingdom had initiated several pilot programmes to test alternatives to immigration detention, in collaboration with UNHCR. The Government of Thailand set out an interministerial framework to apply alternatives for children in immigration detention, in partnership with civil society and UNICEF, establishing a practical link between migration and

³⁰ See www.ohchr.org/Documents/Issues/Women/COVID-19_and_Womens_Human_Rights.pdf and www.ohchr.org/Documents/Issues/LGBT/LGBT/Ipeople.pdf.

³¹ See https://missingmigrants.iom.int/.

³² See www.iom.int/sites/default/files/documents/issue_brief_return_task_force.pdf.

³³ See https://migrationnetwork.un.org/sites/default/files/docs/un_network_on_migration_wg_atd_policy_brief_covid-19_and_immigration_detention_0.pdf.

child protection law.³⁴ More broadly, UNICEF and the International Detention Coalition developed the Cross-Regional Peer Learning Platform on Alternatives to Child Immigration Detention to support States in addressing the practical challenges they face when putting in place alternatives to child immigration detention. Since 2018, several regional peer learning events have taken place.³⁵ There is a need to build upon and sustain these positive developments and to prioritize non-custodial, community-based alternatives to detention (objective 13).

C. Addressing irregular migration, including by managing borders and combating transnational crime

- 49. With global mobility significantly reduced for much of 2020, the world has been forced to contemplate border management and safe mobility through a shared lens of public health. The risks to those travelling irregularly, particularly those who are coerced or under duress, have become patently evident.
- 50. International law regarding trafficking in persons is well established and has been given additional impetus through the Global Compact (objective 10). Examples of action include plans to introduce new laws in Finland to help municipal authorities to assist victims of trafficking and the creation of a governmental coordinator to counter trafficking. Other countries, notably Egypt and Serbia, have created shelters for victims of trafficking and are strengthening procedures and capacity for case identification and management. In Kyrgyzstan, a nationwide awareness campaign was launched by UNODC in partnership with national counterparts and civil society.
- 51. The Government of the Plurinational State of Bolivia is updating its strategy to address both the trafficking and smuggling of persons, including mechanisms for their protection. Mauritania has revised its laws on migrant smuggling and human trafficking, in line with the Global Compact. UNODC has worked with prosecutors in Latin America to strengthen regional cooperation on trafficking and smuggling and has provided technical assistance to Nepal and countries in West and Central Africa to harmonize national laws with international standards.
- 52. Well-managed borders (objective 11) to facilitate safe and regular movement and to protect the rights of migrants, regardless of their status, require that officials be trained in human rights and related standards and that the infrastructure have the capacity to manage high-frequency and complex mobility, consistent with international law. The Government of Canada has worked with IOM to provide training on document verification to border officials from 18 countries in the western hemisphere. The Government of Denmark has contributed to OHCHR projects and capacity-building efforts to strengthen human rights compliance in border governance in the Middle East and North Africa.
- 53. As several countries gradually reopen international borders, additional health requirements for travel have been imposed, increasing the need for health assessments and testing and screening for COVID-19, in accordance with the International Health Regulations.³⁶ Cambodia, with support from WHO, has initiated screening at borders, quarantine for those with symptoms and follow-up with returnees, working with multiple sectors to ensure adequate communication.
- 54. More technical issues included in the Global Compact have become urgent as the closure of borders in relation to COVID-19 has suspended normal rules of travel. This measure renders actions to strengthen consular protection and assistance

34 See www.nsc.go.th/?p=2300.

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³⁵ See https://idcoalition.org/wp-content/uploads/2020/02/Platform-Brochure-2020-FINAL.pdf.

³⁶ See www.who.int/ihr/publications/9789241580496/en/.

(objective 14) particularly relevant. For example, Kenya increased the number of immigration attachés in embassies around the world.

- 55. Positive practices have also emerged, with residence and work permits extended in a number of European countries and Chile, Indonesia, Mauritius, New Zealand and Thailand, among others, although some of these measures may be temporary. ³⁷ Many more countries have developed innovative means of processing visas and travel documents, taking applications for travel documents online and setting up contact centres for information on international travel. Others have gone further and regularized the status of undocumented migrants, as in France, Italy, Portugal and Zambia. ³⁸
- 56. The Global Compact emphasizes the need for return to be safe and dignified and for sustainable reintegration to ensure the well-being of migrants and the protection of their human rights. It is an area where consensus-building and good practice through peer learning is urgently needed. The United Nations Network on Migration supports States in strengthening laws, policies and practices to ensure that returns are safe and dignified and that reintegration is sustainable.
- 57. Several countries have invested in improving the reintegration of returning migrants. Azerbaijan has developed an electronic readmission case management system to better support those who return. UNICEF has convened and worked with Governments on child-sensitive returns and reintegration, including in North and Central America. Together with IOM, OHCHR and civil society partners, UNICEF has produced guidance on protecting children's rights within returns policy and practice in the European Union. 40
- 58. The pandemic has created new urgency to ensure that the return of migrants, whether forced or voluntary, remains safe and dignified. Forced returns, if mishandled, come with additional risks to the health and rights of migrants and border officials as well as receiving communities. Voluntary returns need to be facilitated with specific health measures to prevent the spread of the pandemic. IOM has facilitated the voluntary return (and reintegration, when feasible) of approximately 15,000 migrants since March 2020 through the application of protocols specific to COVID-19. The Network has called upon States to suspend forced returns during the pandemic in order to protect the health of migrants and communities and uphold the human rights of all migrants, regardless of status. HOHCHR issued guidance on COVID-19 and the human rights of migrants, including in relation to border management issues, Hour and Indian and Indian

³⁷ See www.iom.int/sites/default/files/our_work/DMM/IBM/2020/en/covid-19iomissuebrief-immigrationconsularandvisarecommendations.pdf.

³⁸ See https://migrationnetwork.un.org/sites/default/files/docs/un_network_on_migration_wg_atd_policy_brief_covid-19_and_immigration_detention_0.pdf; see also www.theguardian.com/world/2020/sep/15/foreign-covid-workers-in-france-to-be-fast-tracked-for-nationality.

³⁹ See https://www.unicef.org/honduras/comunicados-prensa/honduras-es-sede-de-encuentro-regional-sobre-retorno-y-reintegraci%C3%B3n-integral-de.

⁴⁰ See https://reliefweb.int/sites/reliefweb.int/files/resources/Guidance%20in%20children%27s%20 rights%20%282019%29.pdf.

⁴¹ See https://migrationnetwork.un.org/un-network-migration-official-statement-forced-returns-migrants-must-be-suspended-times-covid-19.

⁴² See www.ohchr.org/Documents/Issues/Migration/OHCHRGuidance_COVID19_Migrants.pdf and https://bangkok.ohchr.org/un-human-rights-office-urges-asia-pacific-states-to-release-detained-migrants-suspend-forced-returns-amid-covid-19-crisis/.

the context of the COVID-19 response.⁴³ Ensuring due process and support for all those returning remains an enduring challenge.

- 59. Countries with large numbers of nationals abroad have faced particular pressure. In Sri Lanka, the Bureau of Foreign Employment, supported by IOM and ILO, developed a national COVID-19 response plan for safely repatriating Sri Lankan workers overseas.
- 60. The pandemic has created concerns for countries that anticipate large-scale returns of their citizens in a context of rising unemployment. States will need development programmes that look beyond short-term, cash-based payments and will need to mainstream reintegration programming more broadly within development and economic recovery planning. In Africa, the integration and reintegration of migrants into the labour market was listed as a priority in the draft African Union Commission plan of action even before the pandemic; it will become critical in the coming months.

D. Facilitating regular migration and decent work and enhancing the positive development effects of human mobility

- 61. The positive effects of migration and mobility for development have been demonstrated repeatedly,⁴⁴ and despite greater economic uncertainty, countries have recognized the contributions that migrants have made during the pandemic as essential workers, notably within the health and agricultural sectors.⁴⁵
- 62. Objective 5 of the Global Compact sets out a number of different approaches to establishing regular migration, from regional integration frameworks to bilateral labour migration agreements, emphasizing the need for family reunification where possible and opening up different channels for those who have humanitarian or human rights protection needs or educational ambitions.
- 63. Governments are constantly adjusting their immigration systems. Recent positive changes include the Government of Germany passing the Skilled Labour Immigration Act (2020), which expands the possibilities for qualified professionals to come to work in Germany. While Spain has managed a number of labour programmes in the past, it developed a pilot labour migration programme with Senegal for the agricultural sector in 2019, alongside a pilot visa programme with Argentina. WHO has facilitated a bilateral agreement for the training of Sudanese health workers to work in Saudi Arabia.
- 64. The facilitation of regular migration has to be matched by the quality of the migration experience of migrants themselves. Several countries have focused on improving recruitment practices and reducing abuse by employers (objective 6). The Government of Canada introduced changes to its Temporary Foreign Worker Programme in 2019 to allow workers to leave an abusive employment situation and seek alternative work without jeopardizing their immigration status. Supported by ILO and the World Bank, many countries are conducting surveys to monitor recruitment fees and related costs.
- 65. The private sector is a key partner. In April 2020, IOM published guidance for employers and labour recruiters to enhance migrant worker protection, ⁴⁶ and is actively working with the private sector in Asia to identify emerging challenges and

43 See https://www.refworld.org/docid/5e7132834.html.

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⁴⁴ See, for example, www.oecd-ilibrary.org/fr/how-immigrants-contribute-to-developing-countries-economies 5jfj2sg0970x.pdf.

⁴⁵ See https://migrationdataportal.org/themes/migration-data-relevant-covid-19-pandemic.

⁴⁶ See https://iris.iom.int/covid-19-crisis-response.

practices to mitigate negative impacts on migrants.⁴⁷ Through its Fair Recruitment Initiative and guidelines, ⁴⁸ ILO works with States, the recruitment sector, employers and workers' organizations to strengthen international recruitment practices.⁴⁹

66. Regional integration frameworks can be an essential buffer against the sharpest impacts of recession, including where they promote regional mobility. In this regard, ILO has supported IGAD in its adoption of a free movement protocol. There is potential to promote new and innovative regular pathway models that acknowledge the economic and labour realities post-pandemic while promoting safe and rights-based movement.

E. Improving the social inclusion and integration of migrants

- 67. Social inclusion is not merely a reflection of the situation of migrants in society, but also the strength and well-being of communities overall. While Governments can put in place laws and regulations to facilitate social integration and mobility, integration is a process that encompasses all members of society and that is constantly evolving. In a world where almost all towns and cities are experiencing high levels of population change, it is an integral part of good migration governance.
- 68. A number of countries have taken measures to promote the inclusion of migrants. Following a registration and regularization process for Venezuelan nationals, the Government of Ecuador has developed a number of programmes, including a "one-stop shop" for migrants and refugees, campaigns to prevent xenophobia and discrimination, and free access to public education and health. The Government has also issued identity cards on the same basis as for nationals. These initiatives reflect the need to look not just at one aspect of inclusion, but rather to the broad range of needs and rights of newcomers. Support from the international community is essential to maintain and deepen this approach; for example, the Canada Fund for Local Initiatives has focused on the situation of LGBTI migrants in Ecuador, supporting access to services and support networks in partnership with local civil society.
- 69. Without a legal identity (objective 4) in the country of residence, migrants may be shut out of essential services and unable to find employment or housing or to open bank accounts. Ensuring that migrants and refugees can register their children's births and confer their nationality to their children, without discrimination on the basis of gender or other factors, is an important measure to reduce the risk of statelessness. 50 The Government of Portugal has moved to provide all migrants with social security numbers, regardless of legal status, allowing them to access essential social support. Documentation can also facilitate mobility: with secure status, migrants are more willing to return home for short periods.
- 70. Some other countries have strengthened the documentation of their own nationals. The Plurinational State of Bolivia began issuing e-passports in 2019, while the Government of Kenya has begun digitizing civil registries and expediting the issuance of civil registration documents (birth, marriage and death certificates, for

⁴⁷ See https://crest.iom.int/sites/default/files/document/labour_recruiter_rapid_assessment_-_executive_summary revised 4.pdf.

⁴⁸ See www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms 536755.pdf.

⁴⁹ See www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms 748839.pdf.

⁵⁰ See www.refworld.org/docid/58cfab014.html and https://www.refworld.org/docid/5a0ac8f94.html.

example). This initiative is linked to a broader effort to recognize stateless minorities, such as the Makonde, and offer them citizenship.

- 71. Accessing services is not always straightforward for migrants (objective 15). ⁵¹ Migrants in an irregular situation are often unable or unwilling to access health care or provide information on their health status when they fear or risk detention, deportation and penalties as a result of their immigration status. Turkey has organized training courses for migrants on their rights, while Serbia has extended universal health coverage to migrants as part of its COVID-19 response efforts.
- 72. City authorities are also demonstrating leadership in the implementation of the Global Compact. In Morocco, the city of Rabat and several regions worked with a number of United Nations entities to provide assistance and basic services both to nationals and migrant groups. In Tunisia, the municipality of Sfax has expanded social programming for migrant residents in the context of COVID-19.
- 73. Given that inclusion starts at the local level, a whole-of-government approach to advance the objectives of the Global Compact is vital. Local governments are well placed to drive forward many Global Compact commitments. UNICEF is partnering with local governments to address the needs and amplify the voices of the hardest-to-reach children. In Honduras, UNICEF works with 38 municipalities to provide psychosocial support to returned migrant children and other children at risk, while the youth council in Postojna, Slovenia, allocates two seats to migrant children.
- 74. Governments are also supporting development through diaspora engagement. The Government of Kenya has established a national diaspora council and developed a diaspora investment portfolio in collaboration with local banks. Germany has established a programme to promote the positive impacts of diaspora engagement in driving economic development in 22 partner countries.

VI. Action by the United Nations to support the Global Compact

United Nations Network on Migration

- 75. With the understanding that migration is a cross-cutting issue that requires action from a range of stakeholders, the decision of the Secretary-General to establish the United Nations Network on Migration to promote coordinated action on migration within the United Nations system was welcomed in the Global Compact.
- 76. The Network was established in late 2018. It is coordinated by IOM, with eight agencies forming its Executive Committee. ⁵² It is open to all United Nations entities and engages proactively with other coordination mechanisms of the United Nations. It is supported by a dedicated secretariat, housed by IOM, to which UNHCR and UNICEF have seconded personnel.
- 77. Over the past two years, the Network has made significant progress. It has developed a focused workplan to support Member States in their implementation of the Global Compact, facilitated expanded collaboration among United Nations entities at the regional and country levels, broadened its partnerships with stakeholders, including through their participation in working groups, ⁵³ and

51 See https://migrationnetwork.un.org/enhancing-access-services-migrants-context-covid-19-preparedness-prevention-and-response-and-beyond.

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⁵² ILO, IOM, OHCHR, the United Nations Development Programme, UNHCR, UNICEF, UNODC and the Department of Economic and Social Affairs of the Secretariat. Since the onset of the pandemic, WHO has joined Executive Committee meetings by invitation.

 $^{^{53}~}See~https://migrationnetwork.un.org/sites/default/files/documents/final_nw_workplan.pdf.$

developed key tools to support implementation of the Global Compact. In the intergovernmental arena, it has supported the organization of the regional reviews of the Global Compact and is currently preparing for Member States' deliberations on the Compact, with meaningful stakeholder engagement.

- 78. The Network has established guidance within the United Nations system on key issues, most notably on alternatives to the detention of migrants, including ending child immigration detention, on access to services and on forced returns, issues that have been exacerbated by national responses to COVID-19.
- 79. The Network has also increased the ability of the United Nations to speak with one voice on migration-related issues. In the first days after COVID-19 took hold globally, the Network called upon the global community to adopt an inclusive approach to the pandemic response, calling upon States to confront and combat discrimination against migrants.⁵⁴ That statement was followed by statements and policy briefs on forced returns, remittances, access to services and supporting stakeholders in responding to COVID-19, accompanied by "listening sessions" bringing Network members together with stakeholders to better understand impacts of the pandemic on the ground.⁵⁵
- 80. At the regional and country levels, where implementation of the Global Compact has the most impact, the added value of the Network is also evident. Thirty-one coordination structures have been integrated into the work of United Nations country teams as a clear and welcome demonstration of the shift to more coordinated support from the United Nations system on migration. ⁵⁶ Furthermore, since January 2020, six regional migration coordination structures have either been created or strengthened, with the Network also engaging actively in a number of coalitions based on migration-related issues that are being established progressively as part of the regional review of the United Nations development system. Further progress is expected in the next two years, leveraging the fully revitalized United Nations development system and its new regional architecture and the planned piloting of Global Compact implementation tools developed by the Network.
- 81. The Network has also made considerable progress in establishing the three components of the capacity-building mechanism whose establishment was decided in the Compact. The global knowledge platform and connection hub a "virtual meeting space" for the international community has taken its first steps online, with the development of a community of practice, through discussion spaces, including one in cooperation with the Government of Germany on migration and digitalization ("Migration 4.0"), alongside a space that will house inputs for the regional reviews of the Global Compact to better inform the International Migration Review Forum in 2022. Given the exponential growth in research and data on migration over the past two decades, the knowledge platform faces the challenge of being both comprehensive and accessible, by curating, rather than simply collecting, the most relevant expertise.
- 82. The "start-up fund", or United Nations multi-partner trust fund to support the Global Compact, was established by the Network in May 2019 and has generated resource commitments of approximately \$12 million to date. It is governed by a diverse and inclusive Steering Committee and focuses its support on joint initiatives of Member States, the United Nations system and other stakeholders. With 50 requests

⁵⁴ See https://migrationnetwork.un.org/statements/covid-19-does-not-discriminate-nor-should-our-response.

⁵⁵ See https://migrationnetwork.un.org/covid-19.

⁵⁶ See https://migrationnetwork.un.org/country-and-regional-networks.

for funding, the first year of operation has proven that the trust fund responds to a strong need of Member States.

- 83. In October 2020, the Steering Committee demonstrated its commitment to the 360-degree approach of the Global Compact by allocating funds to an initial set of joint programmes distributed across the five broad thematic areas of the trust fund. With a pipeline of 30 additional programmes covering a wide array of issues, from facilitating access to education for migrant children in Thailand to combating human trafficking and the smuggling of migrants in Costa Rica and ensuring that migration is safe for all women moving from, to and through South Africa, the fund is poised, subject to the availability of funding, to support many Member States in the implementation of the Global Compact and make a positive impact on the lives of migrants all over the world.
- 84. As the Network expands, it will seek to strengthen efforts of States and other relevant stakeholders in their implementation, follow-up and review of the Global Compact. In this respect, a number of Governments and regional actors have called for stronger financial and operational day-to-day support for Member States in their implementation of the Global Compact, alongside strong partnerships between the Network and capitals.

VII. Conclusion and recommendations

- 85. The adoption of the Global Compact for Safe, Orderly and Regular Migration was an important step in enhancing global cooperation on migration and a call to build comprehensive, rights-based policies to ensure that migrants and their communities can thrive. As noted in paragraph 9 of the Global Compact, it is crucial that the challenges and opportunities of international migration unite us, rather than divide us.
- 86. The COVID-19 pandemic has disrupted efforts to implement the Global Compact in some areas while accelerating implementation in others. The key challenge facing States as the pandemic continues to impact on lives and livelihoods will be to shore up positive policy developments and mitigate economic and social impacts, while recovering better by ensuring respect for the human rights of migrants. As outlined in the policy brief of the Secretary-General on COVID-19 and people on the move, the COVID-19 crisis presents an opportunity to reimagine human mobility for the benefit of all while advancing the central commitment of the 2030 Agenda to leave no one behind.

A. Implementation of the Global Compact

- 87. In pursuit of the above and with a view to advancing implementation of the Global Compact, the following recommendations are offered to Member States:
- (a) To maintain and strengthen implementation of the Global Compact to improve migration governance and cooperation at all levels, through the development of comprehensive national implementation plans that are fully aligned with the guiding principles and objectives of the Global Compact and the Sustainable Development Goals and targets, and to mainstream migration considerations into other related action plans, including policy responses and recovery efforts relating to the COVID-19 pandemic and in pursuit of the Sustainable Development Goals;
- (b) To implement measures and practices in response to COVID-19 that are in line with the Global Compact and draw on the four tenets outlined in the

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policy brief of the Secretary-General on COVID-19 and people on the move, including through bilateral and regional cooperation, drawing on international human rights and decent work standards;

- (c) To participate actively in the follow-up and review mechanisms for the Global Compact, as well as facilitating meaningful stakeholder participation, and to use all relevant opportunities to further multilateral dialogue and peer learning on developing practice, lessons learned and continuing challenges with the aim of furthering implementation of the Global Compact and ensuring robust discussions at the International Migration Review Forum in 2022;
- (d) To strengthen evidence-based discourse on migration, redoubling efforts to address discrimination against migrants, and to foster social inclusion and cohesion between host communities and migrants;
- (e) To consider streamlining and increasing financial support for implementation of the Global Compact through contributions to the United Nations multi-partner trust fund to support the Global Compact.

B. Functioning of institutional arrangements

- 88. In support of implementation by Member States of the Global Compact, the United Nations system, through the United Nations Network on Migration and its coordinator, will:
- (a) Fully embrace the spirit of collaboration required to further strengthen support to States to implement the Global Compact, including through the provision of tools, guidance and support for national implementation plans and the establishment and strengthening of national and regional-level system-wide migration coordination structures;
- (b) Speak with one voice on pressing issues calling for system-wide engagement, in order to highlight best practice and bring attention to urgent situations calling for immediate action;
- (c) Ensure close collaboration with other existing United Nations system coordination mechanisms addressing migration-related issues in particular the reinvigorated resident coordinator system by actively seeking synergies and avoiding duplication;
- (d) Support the meaningful access and participation of all stakeholders at the global, regional, national and local levels to support implementation of the Global Compact.