

The Present and Future of the Global Compacts

International workshop convened by Anna Triandafyllidou, Younes Ahouga and Richa Shivakoti (CERC Migration and Integration, Toronto Metropolitan University), and Binod Khadria (Jawaharlal Nehru University and CERC Migration Scholar of Excellence)

Date: Tuesday, June 7, 2022

Time: 9:30 AM EDT - 3:15 PM EDT

Location: Hybrid (In person at CERC Migration office / online via Zoom)

WORKSHOP OVERVIEW

Practitioners extolled the adoption of the Global Compact for Migration (GCM) and the Global Compact for Refugees (GCR) in December 2018 as a critical milestone in migration and asylum governance. Yet to truly be considered a milestone, the two Compacts must overcome shortcomings: (1) the many competing priorities due to the divergent interests of the endorsing states, and (2) the lack of an enforcement mechanism that could hold states accountable.

This workshop aims to take stock of how the GCM and the GCR were implemented to address these shortcomings and it examines the future of the two Compacts in a post-pandemic world. While the COVID-19 global pandemic as well as the Afghanistan and Ukraine crises stressed the need for global *cooperation* on migration and asylum, they also resulted in a range of *challenges* that could limit the *relevance of the Global Compacts*. As the states favoured imposing unilateral restraints on mobility through the pandemic, some sectors relying on circular temporary labour migration saw large, possibly unprecedented, restrictions in mobility and massive layoffs of migrant workers. The hypermobility that was foreseen earlier came to a complete standstill during the pandemic, resulting in crisis returns and therefore contradicted the GCM's aim to facilitate safe, orderly and regular migration. On the other hand, the refugee emergencies proliferating around the world including for instance Venezuela or Central America, make the GCR all the more relevant and needed. The question of course arises are the two Global Compacts fit for purpose.

This workshop aims to address the following questions:

- How has the implementation of the GCM and GCR progressed since their adoption? What are the lessons learned? Have States been held accountable for meeting their voluntary commitments?
- Have the regional reviews succeeded in building trust between the stakeholders and avoiding politicization of the implementation of the two Compacts?
- Particularly as regards to the GCM did the capacity building mechanism set up by the UN Network on Migration improve the implementation? Has the UN Network on Migration been able to speak in one voice?
- How will the global governance of migration and asylum change in the post-pandemic world? Are the two Compacts still fit for the purpose?
- Given the prominent role the non-state actors played during crisis return and reintegration, should their role evolve to permit greater contribution to deliberations on the global governance of migration and asylum?

AGENDA

- 9:30-10 AM** Welcome reception
- 10 AM** Welcome: Anna Triandafyllidou, CERC Migration
- 10:10 AM-12 PM** **Session 1: Taking Stock of the Global Compacts**
- Chair: Richa Shivakoti, CERC Migration
Co-chair: Rasha Arous, CERC Migration
- Did catchy slogans and future commitments in the IMRF reflect poor implementation of the GCM?* | Binod Khadria, Jawaharlal Nehru University and Toronto Metropolitan University
- The Global Compact on Migration: Improving protection for environmental migrants?* | Susan Martin, Georgetown University
- Institutionalizing a new hybrid organizational form? The UN Network on Migration and the Global Compact for Migration* | Younes Ahouga, Toronto Metropolitan University
- Discussant: **Randall Hansen**, University of Toronto
- 12:30-1 PM** Lunch break
- 1-3 PM** **Session 2: The Future of the Global Compacts**
- Chair: Younes Ahouga
Co-chair: Michelle Nguyen, CERC Migration
- Future of the Global Compacts, global co-operation, and international organizations** | Martin Geiger, Carleton University
- Between shrinking spaces, meaningful participation and “zoomification”: Civil society and the International Migration Review Forum* | Stefan Rother, University of Freiburg
- The Global Compacts and collective action problems: Incentives for responsibility-sharing amid externalized and militarized migration management* | Craig Damian Smith, CERC Migration
- Discussant: Anna Triandafyllidou
- 3 PM** Concluding remarks
- 3:15 PM** End of workshop

ABSTRACTS

Session 1: Taking Stock of the Global Compacts

Did catchy slogans and future commitments in the IMRF reflect poor implementation of the GCM? | Binod Khadria, Jawaharlal Nehru University and Toronto Metropolitan University

The finalization of the Global Compact for Migration's so-called "Progress Document" for the International Migration Review Forum (IMRF) through four townhall meetings, comprising the non-state stakeholders, convened by the UN's International Network on Migration and conducted by the UN's two co-facilitators included a number of catchy slogans and innumerable commitments. These appeared in the vocabulary of discourse leading to the IMRF in May 2022 at New York, the first four-yearly review of the implementation of the GCM for Safe, Orderly and Regular migration by the UN member states. A few of the holistic slogans are "the whole of government" and "the whole of society" approach, adopting "a 360-degree view", etc. The message was that the member states had so far failed to harmonize their policies across various government departments dealing with one or the other issues related to migration – both immigration and emigration. It was an indirect admission that harmonization was wanting over the last three and a half years as, for example, a national consultation reflected ministries highlighting limited responsibilities in their protocol-defined domains whereas some crucial ministries (like that of home affairs dealing with citizenship and immigration per se) were not even included in the consultation.

The focus was apparently also on inclusion of the whole of civil society organizations, those dealing with the migrants' labour rights, child rights, gender rights, civil rights, human rights, academia, media and so on. However, their effective participation has been minimized by allowing a "gagged" role of silent listening, delayed funding of travel for in-person participation, and limited facilitation of the US visas for their entry into the United States. In contrast, the prime stakeholder in the story, viz., the migrant, has been given a short shrift. Despite the fact that the migrant is a generic agency at the centre of the GCM, and despite many Civil Society Organizations requesting the explicit inclusion of specific migrant categories like the refugees (otherwise segregated from the GCM just because there is a separate GCR), the international students, the Diaspora and so on, "migrants" have been left undefined and without the diversity of their voices in the IMRF.

The author had suggested, through both verbal intervention and written submission, that spelling out the third stakeholder in a generic term, e.g., the "whole of migrant" alongside the "whole of government" and "whole of society" would complete the trinity of stakeholders of the GCM, effectively leaving no scope for "no one to be left behind" by default. It seems the persistence of this omission was driven by a majority of member states' veiled urge to downplay direct migrant voices as a separate entity. Only the admitted CSOs were allowed to talk on the migrants' behalf, narrating how the whole of state and the whole of society have failed the migrants through the COVID-19 miseries, and continue to fail them in general.

The member states have been seemingly confident that the CSOs can be countered by projecting the so-called "good practice guidelines" proudly paraded by state after state. Confronting the use of innovative and more effective tools, would have helped to phase out the ineffective, failed and regressive policies, e.g., the draconian sedation law practiced since the colonial regimes. The member states, one after the other in an "orderly" but stereotypical way, presented their report cards of assumed success. They were hailed by the chorus sung by other states. Instead, the IMRF could have broken away from this tradition of the member states blowing one's own trumpets and

could have used the opportunity to highlight where they failed or met with inadequate success before stating all that they did on how they plan to do it in future.

Citing the missed opportunities of optimizing GCM objective 19 on the role and contribution of the migrants and Diasporas, this presentation will elaborate on how the GCM and the IMRF have so far been off the mark in implementation. A dynamic view will be presented of how, over time, refugees could become international students and eventually part of a Diaspora, such as to be able to contribute in attaining the objectives of the GCM through various forms of Diaspora philanthropy.

The Global Compact on Migration: Improving protection for environmental migrants? |
Susan Martin, Georgetown University

The Global Compact for Safe, Orderly and Regular Migration addresses key issues related to all forms of human mobility that occur in the context of climate and other environmental change. Migration in the context of environmental drivers are discussed in Objective 2 (Minimize the adverse drivers and structural factors that compel people to leave their country of origin) and Objective 5 (Enhance availability and flexibility of pathways for regular migration) among others. Recommended actions include better mapping, understanding, predicting and addressing migration movements that may result from sudden-onset and slow-onset natural disasters, the adverse effects of climate change, and environmental degradation; developing adaptation and resilience strategies to address these movements; integrating displacement considerations into disaster preparedness strategies, such as early warning, contingency planning and reception and assistance policies; and developing practices for admission and stay for migrants compelled to leave their countries of origin due to sudden-onset natural disasters, as well as identifying solutions for those leaving due to slow-onset disasters, the adverse effects of climate change, and environmental degradation. This presentation will discuss these and other provisions in the compact related to climate mobility as well as steps taken (or not) by the UN Network on Migration, the International Migration Review Forum, and other processes designed to foster the implementation of the compact.

Institutionalizing a new hybrid organizational form? The UN Network on Migration and the Global Compact for Migration | Younes Ahouga, Toronto Metropolitan University

The implementation of the Global Compact for Migration entails creating a new hybrid organizational form which combines the convening of communication episodes with the production of texts and governmental technologies. However, the open-ended character of the compact's implementation begs the question of the durability of this hybrid organizational form. Drawing on insights from organization studies, this paper examines the institutionalization process of the hybrid organizational form. This process hinges on the institutional work of the UN Network on Migration which consists of discursive practices of problematization, theorization and legitimation. To ensure that the hybrid organizational form becomes taken for granted, these practices must tackle three sources of complexity arising from the institutional environment, the hybrid organizational form and the degree of legitimacy of the UN Network on Migration. The paper assesses the latter's institutional work through a discursive analysis of the events, texts, and governmental technologies generated by the implementation of the compact.

Session 2: The Future of the Global Compacts

Future of the Global Compacts, global co-operation, and international organizations |

Martin Geiger, Carleton University

The Covid-19 pandemic hampers much of the ideas and goals set out in the two Global Compacts. During at least the first 1.5 years of the pandemic, states almost exclusively adopted and relied on unilateral, unparalleled and strong-impact border and related immigration and refugee policy measures, with little or no interest in coordinating with other states or the UN, and also often in contradiction to both Compacts' agreed stipulations and principles.

Meanwhile, the withdrawal of U.S. and other Western-allied troops from Afghanistan, and the chaos following the re-establishment of Taliban rule, caused strong doubt in established instruments and ideas of humanitarian intervention, protection, peacebuilding, post-conflict stabilization and democratization. While these events question what the global community had set out to achieve through the two Compacts, Russia's war on Ukraine has brought further serious challenges. The massive displacement of Ukrainians, and the departure of many dissidents and other populations from Russia and Belarus to other countries, yet again demonstrate the need for a better, more effective, and comprehensive global response to refugee movements, displacement, and other forms of migration.

This talk examines recent global challenges and their implications for the two Global Compacts and their implementation process; it also discusses the state of global cooperation in general. A key argument is that the fate of the Compacts will depend on certain states and their willingness to step forward, revive and (re-)engage in global cooperation. Further, the relevance of international organizations will likely significantly increase, and must increase further, as much will also depend on IOM, UNHCR and others, and their contributions as much needed visionaries, intermediaries, and fixers of the global cooperation system.

Between shrinking spaces, meaningful participation and “zoomification”: Civil society and the International Migration Review Forum | Stefan Rother, University of the Bundeswehr Munich / Arnold-Bergstraesser-Institute at the University of Freiburg

This presentation will map the advocacy of migrant civil society in the implementation and monitoring process of the Global Compact for safe, orderly and regular migration (GCM) leading up to and including the International Migration Review Forum (IMRF). For migrants' rights activists, the shift of migration governance deliberations from informal spaces such as the GFMD into the UN system has been a mixed blessing. On the one hand, the advocacy of global migrant civil society has very much influenced the format and content of the process. Several issues have found their way into the global compact and the IMRF progress declaration which would otherwise have received less or no recognition: these include wage theft, regular pathways, child rights and access to services regardless of status.

On the other hand, migrant civil society has denounced the shrinking space for its involvement at the UN level. This includes opportunities to engage directly and as equally important stakeholders and principles of self-organizing and self-representation. The shift towards virtual meetings as a result of the pandemic (“zoomification”) has been another mixed blessing. The online format has

provided potentially easier access to the “invited spaces” of consultations, while opportunities for meaningful participation in particular in the regional reviews of the GCM have been very limited.

Migrant civil society advocacy must thus feel at times like a Sisyphus' struggle: While it may at times have succeeded in expanding its space for meaningful participation such as during the GCM deliberations, this space is under permanent threat to be limited again. Regarding content, the various revisions of the IMRF progress declaration have shown that without constant migrant civil society interventions, several essential issues would have fallen off the agenda. This paper therefore argues that if the GCM wants to live up to its proposed “whole of society”-approach, it has to acknowledge the agency of migrant civil society and provide it with permanent resources for self-organizing and -representation – not (only) as a means in itself, but also for the sake of more well-informed and inclusive implementation and monitoring of the GCM.

The Global Compacts and collective action problems: Incentives for responsibility-sharing amid externalized and militarized migration management | Craig Damian Smith, CERC Migration