



# BRIEFING #88



## Global Compact on Migration



The Global Compact for Safe, Orderly and Regular Migration (GCM) main purpose is to create a global framework in order to harmonise and improve the global governance of migration and refugees. It represents a collective commitment of States on cooperation and shared responsibilities. The pact is expected to be adopted at the intergovernmental conference on international migration on 10 – 11 December in Morocco.





## OVERVIEW

The [Global Compact for Safe, Orderly and Regular Migration \(GCM\)](#) main purpose is to create a global framework in order to harmonise and improve the global governance of migration and refugees. It represents a collective commitment of States on cooperation and shared responsibilities. The pact is expected to be adopted at the intergovernmental conference on international migration on 10 – 11 December in Morocco. The agreement defines [22 goals](#) and for each of them the required actions for reaching it. The pact is based on the following four core elements:

1. Protecting the rights of migrants
2. Facilitating safe, orderly and regular migration
3. Reducing the incidence of irregular and forced migration
4. Addressing diaspora consequences of natural and human-induced disasters<sup>1</sup>.

Migration is a macro-critical policy issue. According to UNDP, with a zero-migration scenario, in the developed world, by 2025, only New Zealand and Ireland will still have growth in their working age population, as all other countries experience a severe decline. In other cases, such as Australia, France, and the United States, population growth is expected to stagnate. The global compact is a significant opportunity to improve governance on migration, to address the challenges associated with modern migration movements, and to strengthen the contribution of migrants and migration to sustainable development. The New York Declaration contains bold commitments both to address current issues and to prepare the world for future challenges. The Declaration calls for the protection of all migrants, regardless of their migratory status, and calls for particular attention to be paid to migrants in vulnerable situations, including women at risk, children, persons with disabilities, persons who are discriminated against on any basis, victims of violence, and victims of trafficking. The general public, as well as civil society play a leading role in the discussion on the GCM.

## EU PRIORITIES ON GCM

The EU would like to position itself more concretely as a global actor in migration. To this end it is important for the Union to be fully supported by its Member States, in negotiations on the Compact. The EU and its member states should use the Global Compact opportunity to commit to reforms and policies that provide social protection. The EU human rights and democracy [action plan](#), particularly in Action 24, calls for EU diplomacy to enhance human rights safeguards in all migration and mobility dialogues, and to assess policy ex-ante, using human rights impact assessments. The EU priorities are the following:

1. Human rights of all migrants and protection of migrants in vulnerable situations
2. Addressing the drivers of migration, including climate change impacts, natural disasters and man-made crises
3. Migration and development, including remittances and portability of earned benefits
4. Promoting international governance of migration, including through effective cooperation on return, readmission, integration and reintegration
5. Addressing irregular migration, including trafficking in human beings and smuggling of migrants, and through promoting border management
6. Promoting regular pathways



1. <https://www.iom.int/global-compact-migration>



## SOME POSITIVE ASPECTS

- Respect for fundamental rights is the main purpose of the GCM
- Predominates the human rights and human needs on the interests of the States
- GCM brings from a reactive to a proactive attitude on the issue
- Enhance the positive role of NGOs and CSOs
- Helps to underline the benefits of the migratory phenomenon, reducing the negative implications
- Contributes to the creation of a new platform for cooperation, and is the first complete official document on the migration phenomenon that the world has ever seen
- Promotes the protection of all migrants, regardless of their migratory status, and calls for particular attention to be paid to migrants in vulnerable situations
- Helps in recognising the principles of international norms principles and standards protecting migrants and refugees<sup>2</sup>
- Facilitates circular migration
- Promotes social protection and social cohesion
- Foster the creation of safe pathways for migration
- Fights xenophobia and fosters social inclusion to promote harmonious and peaceful societies on international, regional, national and local levels.

## NEGATIVE (UNCLEAR) ASPECTS

- The non-mandatory value of the pact weaken its concrete validity. It doesn't have legally binding effects. It will remain a state-led procedure.
- The GCM includes some elements that generate doubts about the possibilities of effective implementation of the action.

2. International migration law, which consists of the applicable norms contained in, inter alia, international human rights law, international refugee law, labour law, international humanitarian law, maritime law, law of the sea, transnational criminal law and general principles of international law applicable to States and their sovereignty

## STATES DEFEATING THE GCM

### EU Member States

The number of Member States that oppose the signing of the Pact continues to increase. The countries of the **Visègrad Group**, Hungary at the top, already declared their intention to defeat the signature of the Pact. The **Czech Republic** government has officially declared that the Pact would not provide sufficient guarantees to the country by not distinguishing clearly between legal migration and illegal migration. Also the **Austrian government** critics mainly the mixing of migrants situation in the Compact, not clearly making distinction between protection seekers and labour migrants. The decision of the Czech Republic and Austria is only the latest in a long list of countries that have already announced that they are opposed to signing this agreement (**Hungary, Bulgaria, Poland, Estonia**). The charges sent from **Budapest** to the UN Secretary General underline the question in sovereign terms. These declarations are shared by several Eastern European countries and which threatens to weaken the European commitment to the unified definition of «a framework for reviewing the implementation procedures» as well as the table of negotiations open internally on the reform of the Common European Asylum System (CEAS).

### United States

Just two months after the signing of the New York Declaration, Washington representatives at the UN informed the UN General Secretariat that the United States would abandon negotiations on the Global Compact on Migration. The cause of the defection is the breakthrough that the Trump administration has impressed in the US foreign policy, in general, but above all in terms of migration. The original platform, strenuously desired by the Obama Administration, is judged «inconsistent with the immigration principles of the Trump Administration».





## Australia

The Australian government's view is that this policy is not in line with the settlements run by the Australian government in Papua New Guinea as a solution to the issue of mixed flows coming from the Asian continent via barges. Australia also shares the position of the American president regarding the transfer of sovereignty on the issue of migration to bureaucratic bodies not responsible from the democratic point of view and not in line with the national interest.

## RECOMMENDATIONS

The decision of some EU Member States displays a lack of solidarity and a constant fear and misunderstanding of the migration phenomenon. As international migration is a global phenomenon, SOLIDAR believes it can indeed only be tackled in a global and human-rights based approach. EU members are especially expected to hold true to the EU founding values of solidarity and respect for fundamental freedoms and sign the Global Compact on Migration. SOLIDAR and its members will continue and strengthen the advocacy work to promote an international cooperation, in order to guarantee social justice and inclusion of migrants, worldwide. Civil society, including migrants, refugees and diaspora organizations, must be meaningfully part of the discussion and solutions. The first week of November the World Social Forum on migration issued a statement, signed by SOLIDAR too, reiterating the call to states to comply with their obligations to fully respect human rights and provide immediate humanitarian assistance.



# **solidar**

Rue de Pascale 4-6  
1040 Brussels  
Belgium  
T +32 2 500 10 20  
F +32 2 500 10 30

Twitter: @SOLIDAR\_EU  
Facebook: SOLIDAR  
[www.solidar.org](http://www.solidar.org)  
[solidar@solidar.org](mailto:solidar@solidar.org)

**Responsible Editor:**  
Conny Reuter

**Author:**  
Federica Rosato

SOLIDAR is a European network of membership based Civil Society Organisations who gather several millions of citizens throughout Europe and worldwide. SOLIDAR voices the values of its member organisations to the EU and international institutions across the three main policy sectors; social affairs, lifelong learning and international cooperation.



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