



The Berne Initiative

## **The Berne Initiative**

### **Managing International Migration through International Cooperation:**

#### **The International Agenda for Migration Management**

**Berne II Conference**

**16-17 December 2004**

**Berne, Switzerland**

**CHAIRMAN'S SUMMARY**

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1. In recent years, migration has been making its way steadily to the top of the international affairs agenda and now calls insistently for the attention of all governments, whatever the nature of their involvement or interest in the management of migratory processes. Movements of people today are more diverse and complex than in previous eras, with more temporary and circular migration. World demographic, economic, political and social trends urge governments and societies to put more emphasis on migration management in all of its dimensions. States increasingly recognize that migration holds great potential to contribute to the growth, development and stability of economies and societies worldwide and that measures to realize this potential need to be identified.

2. Migration is managed first and foremost at the national level, with each State retaining its right to determine who can enter and remain in its territory and under what conditions. Nonetheless, due to the transnational nature of migration and its relationship to issues such as security, social, political, and economic stability, trade, employment and health, Governments progressively recognize their shared migration interests and the value of strengthened cooperation and coordination to effectively manage migration. Migration cannot be managed effectively through national measures alone or through addressing individual migration issues in isolation. Therefore, collective efforts at the regional and global level are required to strengthen national capacities.

3. Positive developments in the field of inter-state cooperation in migration have emerged through regional consultative processes on migration on every continent. Owing to their informal and non-binding nature, these consultative processes lay the groundwork for developing common orientations and directions on migration, and serve as useful complements to bilateral approaches to migration management. Inter-regional dialogue on migration is emerging now as well.

## **THE BERNE INITIATIVE**

4. The Berne Initiative was launched by the Government of Switzerland at the International Symposium on Migration in 2001, with the International Organization for Migration (IOM) serving at its secretariat. It responds to the need to institute inter-state dialogue and cooperation on migration management at the global level. It involves other relevant stakeholders in migration including inter-governmental organizations, non-governmental organizations and migration experts. In particular, the International Labour Office (ILO) and the Office of the United Nations High Commissioner for Refugees (UNHCR), the Intergovernmental Consultations on Asylum, Refugees and Migration Policies in Europe, North America and Australia (IGC), the International Centre for Migration Policy Development (ICMPD) and IOM have taken active part in the process.

5. The Berne Initiative is a States'-owned consultative process of national migration authorities, involving relevant stakeholders, in identifying a common language on migration as a basis for a non-binding reference system and policy framework on migration management at the international level. In preparation for this consultative process, an expert study "Migration and International Legal Norms" was commissioned and published in May 2003, and IOM prepared a compilation of non-binding significant international statements on migration.

6. Building on the recognition that States, while retaining distinct national priorities, are all increasingly countries of origin, transit and destination simultaneously in one way or another, it is therefore possible to identify common interests and perspectives on migration. The Berne Initiative gathers these common perspectives and understandings in a comprehensive and balanced framework in the form of an "International Agenda for Migration Management". It represents the first attempt of Governments to map out in a comprehensive manner all major aspects of migration at the international level. It includes such issues as human rights of migrants, labour migration, integration, irregular migration, trafficking in human beings and migrant smuggling, trade and health issues, return as well as migration and development.

7. The aim of the "International Agenda for Migration Management" is to assist government policy makers and migration practitioners in building capacity to develop effective national migration policy, legislation and appropriate administrative structures, as well as effective inter-state cooperation on migration management, while respecting their sovereignty in this field. The format of an agenda was chosen to highlight the non-binding and practical character of the document. It consists of two essential components:

- A set of common understandings outlining fundamental shared assumptions and principles underlying migration management, and
- An accompanying set of effective practices on a comprehensive range of migration issues drawing on the actual, practical experience of Governments.

8. In 2004, four regional consultations were organized in Addis Ababa for Africa, in Budapest for Europe and Central Asia, in Guilin for Asia and the Pacific and in Santiago de Chile for the Americas region. Government officials and migration experts from all regions of the world explored the concept and contributed to the further development of the "International Agenda for Migration Management".

9. In all four regional consultations, participants emphasized the timeliness of developing a process for dialogue and consultation on migration at the international level, as migration has become an issue of prime importance at the national, regional and global levels. It was acknowledged that most countries are no longer exclusively countries of origin, transit or destination but more often now all three simultaneously. Against this background, States

were showing greater willingness to focus on what unites them rather than on what divides them in this field and, as a consequence, areas of consensus are emerging. Participants stressed that the time was ripe to identify these areas and to compile common understandings on migration as a reference towards the development of effective national migration policy, legislation, and capacity, and for inter-state cooperation on migration management.

10. While the discussions in each of the four regions on the range of migration management issues differed, key common themes emerged:

- If properly managed, migration has positive potential for both countries of origin and destination, as well as for individual migrants and their families.
- Capacities need to be built at the local and national level to manage migration; technical assistance and cooperation can be essential in this regard.
- The central challenge is how to work effectively together in partnership to manage migration so as to reduce its negative impacts and maximize its beneficial impacts.
- Dialogue, confidence building and cooperation for the management of migration at the national and international level – including between countries of origin, transit and destination – need to be strengthened and are key to achieve better management of migration.
- There is the potential richness of migration for development as migrants bring skills, investment and resources back to support the development of their countries of origin.
- There is a need to achieve a balance between facilitation of migration for legitimate purposes – particularly labour migration – and the reduction and control of irregular migration, including crime related to it in the form of smuggling of migrants and trafficking in human beings.
- There is a need to establish linkages between migration and related policy domains such as trade, environment and health.

11. To complement the regional consultations, four regional studies on inter-state cooperation were conducted to provide a comprehensive overview of how States currently cooperate with each other across the wide spectrum of policy areas that involve or affect migration. One thematic study examined current forms of inter-state cooperation at the global level in relation to the specific policy area of migration and development.

12. An open-ended Support Group composed of governments having shown a particularly active interest in the Berne Initiative during the four regional consultations held a preparatory meeting for the Berne II Conference in Geneva on 21 October 2004. Approximately 20 governments participated in

the meeting, at which participants agreed upon the methodology for the finalization of “The International Agenda for Migration Management” and prepared the agenda for the Berne II Conference.

13. The Berne II Conference, organized and hosted by the Swiss Government, took place in Berne on 16 - 17 December 2004. It was attended by some 300 participants representing more than 100 countries –few of which attending in an observer capacity - as well as representatives from international organizations, NGOs, and independent migration experts.

14. In his opening address, his Excellency Federal Councillor Dr. Christoph Blocher of the Ministry of Justice and Police thanked the States present for their support to the Berne Initiative. He underlined the importance of migration as a global challenge and explained the Swiss engagement in the debate on migration. His statement, together with a keynote address by the Director General of the Swiss Agency for Development and Cooperation of the Ministry of Foreign Affairs, Ambassador Walter Fust on “Capacity Building for Managing Migration,” set the scene and tone for the Conference.

15. After presentations on the Berne Initiative process and “The International Agenda for Migration Management,” the participants engaged in a substantive exchange on three selected sets of issues addressed in “The International Agenda for Migration Management”

- Migration, Development and Inter-State Cooperation;
- Labour, Regular and Irregular Migration and Inter-State Cooperation;
- Rights, Responsibilities, Integration and Inter-State Cooperation.

16. Presentations were made on the Berne Initiative Policy Series regional expert studies, sponsored by the Swiss Foundation for Population, Migration and Environment and commissioned by IOM. These studies profiled and analysed the current state of inter-state cooperation on migration in each major world region, and prospects for deepening this cooperation.

17. Statements of support for the Berne Initiative were made by representatives of participating international organizations.

## **THE INTERNATIONAL AGENDA FOR MIGRATION MANAGEMENT**

18. The Berne Initiative process has contributed to better understanding of the broad range of migration issues as well as to enhanced and constructive dialogue among States. It has created a climate where migration is seen as being of common interest and an opportunity rather than the subject of division. The regional consultations, in particular, helped develop a comprehensive view of migration, raised awareness of the linkages between

migration and other important policy fields, and highlighted the need for and benefits of inter-state cooperation in managing migration.

19. The most important outcome of the Berne Initiative is the “International Agenda for Migration Management”. Its *Common Understandings* outline fundamental shared assumptions and principles underlying migration management and sum up values and perceptions that Governments bring to migration. They are drawn from the rich experience of States in migration management at the national level and in regional consultation mechanisms on migration, and recognize that all countries are countries of origin, transit and destination in one way or another and therefore greater possibilities exist for identifying commonalities in values and approach.

20. The *Effective Practices* in the “International Agenda for Migration Management” offer balanced approaches to managing each of the many aspects of migration. They set out in a comprehensive manner the major elements of a comprehensive national and international migration policy, with a focus on means to enhance inter-state cooperation in this field. They are drawn from the actual experience and practice of Governments and from the statements they have adopted at migration conferences and fora.

21. The “International Agenda for Migration Management” was developed by States as the principal actors in the field of migration management, with the advice and support of relevant international organizations, non-governmental organizations and migration experts.

22. The value and use of the “International Agenda for Migration Management” were discussed at each of the regional consultations and at Berne II. Participants underscored, among others, its value and use in the following ways:

- As a common reference document mapping out the constituent elements of a comprehensive migration policy strategy;
- As a planning instrument for the development of administrative structures and allocating administrative responsibilities;
- As an instrument to facilitate inter-agency cooperation at the national level;
- As an evaluation tool for States in reviewing and developing their own national migration policies;
- As a training instrument and capacity building tool for governmental migration practitioners; and
- As a basis for inter-state cooperation - at the bilateral, regional and global level.

## THE WAY FORWARD

23. Throughout the Berne Initiative process, participants discussed the steps that should follow after finalization of the “International Agenda for Migration Management”. The following suggestions and recommendations were made:

- The “International Agenda for Migration Management” should be widely disseminated among Governments to assist them in the management of migration.
- The “International Agenda for Migration Management” should be made available to the Global Commission on International Migration and to the United Nations General Assembly for its planned 2006 High Level Debate on migration to inform and support their work and serve as a complement to their activities and approaches.
- International Organizations, in particular IOM, are invited to assist Governments upon their requests to put “The International Agenda for Migration Management” to use at the national, regional and global levels, specifically through the following activities:
  - Organization of capacity building workshops on specific policy themes;
  - Establishment of closer dialogue and cooperation with already existing regional consultative processes on relevant migration issues;
  - Policy research on specific migration topics and preparation of policy research studies for policy makers and migration practitioners.
- Technical assistance and financing for activities contemplated in “The International Agenda for Migration Management” should be explored through bilateral and multilateral cooperation mechanisms. Organizations such as IOM can help mobilize resources and put in place relevant projects, in collaboration with Governments.
- The Berne Initiative has created a spirit of open and constructive dialogue which should be continued through and integrated into existing bilateral, regional and global platforms for dialogue, information sharing and cooperation among Government practitioners on migration management.
- True partnerships in managing migration at the bilateral and multilateral level can and must be formed building on continued exchanges of experience, promotion of mutual understanding and cooperation.

24. In conclusion, the participants of the Berne II Conference thanked the Swiss Government for launching and supporting this groundbreaking initiative and for providing the opportunity to elaborate “The International Agenda for Migration Management.” They expressed their desire to utilize it to best effect at the national, regional and global levels.

25. The Swiss Government expressed its continued commitment to the Berne Initiative and to continue working with the Governments and other stakeholders represented at the Berne II Conference to promote effective management of migration.

Berne, December 2004