



International Organization for Migration (IOM)
The UN Migration Agency



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Global Migration Governance: Existing Architecture and Recent Developments

The governance of migration at the global level has undergone substantial change in recent years. Most notable are the adoption of the *2016 New York Declaration on Refugees and Migrants* at the UN General Assembly and ongoing efforts to advance two global compacts. This chapter examines how such developments can contribute to more effective global governance of international migration. It begins with a discussion of the benefits of governing migration at the global level and barriers that inhibit greater progress. An overview of the fundamental normative and institutional landscape provides further context. The rest of the chapter is devoted to an examination of

(1) key dialogues and initiatives instrumental to building momentum and confidence towards greater action at the global level; (2) specific initiatives to build normative frameworks to enhance protection of migrants; and (3) the integration of international migration into global-level responses on other issues. While acknowledging the fragmentation in the system and key challenges to address, the conclusion nonetheless takes stock of the remarkable progress made in recent years through step-by-step processes of consultation, cooperation and confidence-building.

KEY POINTS

- In the face of global cooperation and coordination problems, a more effective system of global migration governance has the potential to improve collective responses and create opportunities for mutual benefits. A challenge for proponents of international cooperation is to identify the issues and thematic areas most amenable to global, rather than national or regional, responses and to show how global-level cooperation and coordination can create mutual benefits.
- The normative architecture involves a detailed but fragmented set of laws, norms and rules that regulate the behaviour of States and others; however, implementation gaps exist and some areas require development. Underpinning each of these areas is the international human rights regime, which

imposes duties on States to respect, protect, and fulfil the human rights of all persons, including migrants. Beyond gaps in implementation there are also calls for norm development on issues such as the protection of vulnerable migrants. Ultimately, the benefits stemming from the global governance of migration should also be judged by the extent to which such a system enhances the realization of rights and the well-being of migrants.

- Mini-multilateralism – evidenced most recently in the form of the MICIC Initiative and the Nansen-Initiative – provides a pragmatic solution to filling normative gaps at the international level that are unlikely to be addressed through binding global-level international law. The ad hoc nature of mini-multilateralism processes allows them to address emerging issues and concerns more effectively than more formal mechanisms that are often tied to specific mandates.
- The incorporation of migrants and human mobility into global governance of other transnational issues is significant, and reflects the salience and cross-cutting relevance of migration. These issues include sustainable development, climate change, disaster risk reduction and the new urban agenda.
- The last two decades have seen an increase in efforts to improve the global governance through global-level dialogues and initiatives that have built confidence and consensus among States. At present, there is an accelerating process of change, in which States are exhibiting greater willingness to engage in multilateral action, and establishing mechanisms for enhancing international cooperation in diverse aspects of migration.
- The challenge ahead is to move from what are now largely consultation and ad hoc efforts to greater joint action that ultimately mitigates the level of fragmentation in the system. Notwithstanding the progress to date, there is no assurance that States will forge a more coherent system that enables them to make and implement mutually beneficial arrangements on the movement of people across international borders. The global compacts on migration and on refugees provide the opportunity to move ahead in realising a more coherent approach to international migration.
- Effective institutional coordination among the institutions with mandates, programmes and interest in migration is critical to improving the global governance of migration, including implementing the outcomes of the global compacts. The Global Migration Group, established in recognition of the complexity of the institutional landscape, potentially can serve an important role. With its entry into the UN, IOM should be better positioned to bring more attention, coherence and effective responses to migration issues within the UN and among States, although it also must grapple with obstacles due to its projectized funding model and the non-normative basis for its activities.
- The progress attained to date in improving global migration governance is remarkable; nonetheless, it still requires a more effective system of global governance. In an era of increasing nationalism, States have been willing to negotiate UN resolutions, declarations and global compacts, and shepherd IOM into the UN. Nevertheless, barriers to global migration governance abound and will grow if States turn inward and xenophobia is not addressed. The step-by-step process of consultation, cooperation and confidence-building that has taken place to date has shown that progress can occur, albeit in incremental ways. It remains the most promising path towards global migration governance.

To read the report, please go to <https://www.iom.int/world-migration-report-2018>

