

IMPLEMENTING THE GLOBAL COMPACT FOR MIGRATION: IDEAS FOR CITY ENGAGEMENT

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EXECUTIVE SUMMARY

In December 2018, world leaders will convene in Marrakech, Morocco to adopt the Global Compact for Safe, Orderly, and Regular Migration (GCM), a wide-ranging agreement that aims to strengthen cooperation between states to improve the governance of migration. The extent to which the agreement leads to better migration governance in practice will have far-reaching implications—not just for the more than 250 million people worldwide who are on the move outside of their countries of origin, but also for the communities that host them.

Although migration law and governance are primarily the state's prerogative, local governments are essential interlocutors. Municipalities are the first receivers of migrants. They provide access to essential public services, including healthcare and education, often to all residents, regardless of origin or migration status. They possess important operational capabilities, as well as relevant policy knowledge.

The success of the agreement will depend in no small part on how it is implemented at the local level. Municipal authorities have an essential role in that process. To fulfill it, networks of mayors and city officials working on migration governance might:

- **Identify priority objectives under GCM to which local governments can contribute**, as a means of demonstrating concerted action and galvanizing commitments by other actors in support of local efforts.
- **Consider what commitments municipalities can make toward achieving progress in each of these areas.** Doing so could go a long way toward marshaling support from outside actors, while simultaneously demonstrating the utility of including local governments as a distinct cohort, separate from civil society, in the process of developing multilateral agreements that affect their communities.
- **Identify what forms of support municipalities need, and from whom, to achieve those commitments.** Multi-stakeholder partnerships, including with U.N. agencies and the private sector, will significantly enhance prospects for progress toward successful GCM implementation at the local level.
- **Plan for engagement around modalities for follow-up and review.** Member states have determined that these modalities will be fleshed out in detail in 2019.

- **Advocate for the Mayoral Forum to become permanently and formally linked to the Global Forum on Migration and Development (GFMD)** and consider how to make it a maximally productive channel.
- **Consider ways to engage the Capacity-building Mechanism called for under GCM.** The mechanism aims to allow a broad range of stakeholders, including philanthropies and representatives from the private sector, to contribute technical, financial, and human resources to GCM implementation. Cities can be contributors to, as well as the beneficiaries of, this endeavor.

INTRODUCTION

In September 2018, the Brookings Institution and the City of New York convened a workshop to discuss the implementation of and follow-up to the Global Compact for Safe, Orderly, and Regular Migration, the first global agreement of its kind, which is slated to be adopted in December 2018. The objective of the discussion was to bring together mayors and senior local officials, representatives of relevant U.N. agencies, and migration policy experts to explore opportunities for engaging local authorities in that endeavor.

This paper summarizes insights drawn from the discussion, which took place under the Chatham House rule, meaning that specific speakers cannot be identified. The views expressed here do not necessarily reflect the views of the workshop participants, but rather, those of the author.

WHAT'S AT STAKE

In December 2018, world leaders will convene in Marrakech, Morocco to adopt the Global Compact for Safe, Orderly, and Regular Migration (GCM), a wide-ranging agreement that aims to

improve cooperation between states to improve the governance of migration.¹ It is an historic opportunity to set international standards at a time when record numbers of people are on the move, and attendant politics are fraught.

The agreement is an ambitious one. It reflects the need to balance the human rights of individuals, regardless of their migration status, against the prerogatives of states; to recognize that the priorities and capabilities of governments differ; and to establish universal standards that are flexible enough to account for these differences, where appropriate.²

Importantly, the compact reflects widespread recognition, among even the most skeptical member states, that managing migration effectively is in the common interest.³ Only two countries have declined to participate: the United States and Hungary. The former withdrew from the negotiations in December 2017, claiming that the non-binding agreement would be an infringement on its sovereignty.⁴ The latter pulled out of the pact in July 2018, just days after it was reached, calling the agreement a “threat to the world.”⁵

1 “Global Compact for Safe, Orderly and Regular Migration,” (Marrakech, Morocco: United Nations, 2018), https://refugeesmigrants.un.org/sites/default/files/180711_final_draft_0.pdf.

2 Kathleen Newland, “Global Compact Lays the Groundwork for International Cooperation on Migration,” *Migration Policy Institute*, July 2018, <https://www.migrationpolicy.org/news/global-compact-international-cooperation-migration>.

3 Ibid.

4 Rick Gladstone, “U.S. Quits Migration Pact, Saying It Infringes on Sovereignty,” *The New York Times*, December 3, 2017, <https://www.nytimes.com/2017/12/03/world/americas/united-nations-migration-pact.html>.

5 “Hungary to quit U.N. migration pact shunned by Washington,” *Reuters*, July 18, 2018, <https://www.reuters.com/article/us-europe-migrants-hungary-un/hungary-to-quit-un-migration-pact-shunned-by-washington-idUSKBN1K81BS>.

A GLOBAL AGREEMENT WITH LOCAL STAKEHOLDERS

Migration law and governance are primarily the state's prerogative. National governments determine border and visa policies, and have a sovereign right to determine whom they will admit to their territories, subject to international obligations. National governments negotiated the compact and will adopt it.

Yet local governments are essential interlocutors. They are the first receivers of migrants. They provide access to essential public services, including healthcare and education, often to all residents, regardless of origin or migration status. They are uniquely positioned to report on developments within their communities, providing important insights that can be used by national governments, U.N. agencies, civil society, and the private sector to calibrate their respective responses. As a result, municipalities have enormous operational capabilities, as well as relevant policy knowledge. That is why the New York Declaration for Refugees and Migrants, which recognized the need for a comprehensive approach to human mobility and launched the compact development process, identifies local governments as key stakeholders.⁶

Mayors and senior city officials from municipalities around the world have pressed for a seat at the table. In late 2017, a group of mayors and senior city officials sent a letter to the GCM co-facilitators, committing to contribute to the process.⁷ In May 2018, they made a written submission offering recommendations on the draft text. They have sought to participate in the compact process because it is an opportunity to attract necessary resources, both material and political, in support of their efforts; to counter toxic xenophobic narratives that antagonize their immigrant constituents; to

bring the voices and concerns of their immigrant constituents to the fore; and to demonstrate leadership in international affairs.

Because their participation can contribute to developing a smarter, more cohesive global framework for human movement, local governments should be welcomed to participate in migration governance mechanisms. Yet they have encountered resistance from many national governments. This resistance likely reflects broader discomfort with local action on global issues, as well as a concern that municipalities might be willing to go farther than their national governments on certain matters. There is a palpable tension between states, which are often squarely in the political crossfire on migration issues, and cities, which deal with the practical impacts of migration, but are frequently left out of national debates. Needed now, across a broad range of issues, is effective partnership between all levels of government—partnership that as Brookings's Amy Liu has argued, “builds explicitly from bottom-up initiative and know-how.”⁸

With that in mind, local authorities need not wait for permission to participate, nor should they view formal participation as an end in itself. Indeed, local authorities have already demonstrated how much they can accomplish from the sidelines. There is yet more that they can contribute—especially now that attention is beginning to shift from negotiating the agreement to implementing it.

MOVING FORWARD: WHAT ROLE FOR LOCAL GOVERNMENTS?

The recommendations below identify steps that can be taken by the numerous existing networks of mayors and city officials working on migration governance. However, other actors, including the

6 U.N. General Assembly, Resolution 71/1, New York Declaration for Refugees and Migrants, A/RES/71/1 (October 6, 2016), http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1.

7 Bethany Allen-Ebrahimian, “U.S. Cities Want to Join U.N. Migration Talks That Trump Boycotted,” *Foreign Policy*, December 5, 2017, <https://foreignpolicy.com/2017/12/05/u-s-cities-want-to-join-u-n-migration-talks-that-trump-boycotted/>.

8 Amy Liu, “The limits of city power in the age of Trump,” *Brookings Institution*, September 21, 2018, <https://www.brookings.edu/blog/the-avenue/2018/09/21/the-limits-of-city-power-in-the-age-of-trump/>.

International Organization for Migration (IOM), the U.N. Office of the Special Representative of the Secretary General for International Migration, member states, multilateral financial institutions, and the global business community may also find these ideas relevant.

Identify three priority objectives under GCM to which local governments can contribute.

Municipal authorities are relevant to nearly all of the 23 objectives laid out in the GCM. Some objectives are particularly relevant to the remit of local governments. Among them are:

- OBJECTIVE 3: Provide accurate and timely information at all stages of migration.
- OBJECTIVE 4: Ensure that all migrants have proof of legal identity and adequate documentation.
- OBJECTIVE 7: Address and reduce vulnerabilities in migration.
- OBJECTIVE 15: Provide access to basic services for migrants.
- OBJECTIVE 16: Empower migrants and societies to realize full inclusion and social cohesion.
- OBJECTIVE 17: Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration.
- OBJECTIVE 23: Strengthen international cooperation and global partnerships for safe, orderly, and regular migration.

Local authorities, and the many networks in which they participate, should consider the utility of selecting a subset of these objectives to prioritize immediately, as a means of demonstrating concerted action and galvanizing commitments by other actors in support of local efforts. In determining which domains to prioritize, local authorities should consider the likelihood that doing so will result in tangible benefits for migrants and host communities—either because

local authorities are already well positioned to make constructive contributions, because it promises to attract forms of support they need and are not currently receiving, or both.

Consider what commitments cities can make toward achieving progress in each of these areas.

Doing so could go a long way toward marshaling support from outside actors, while simultaneously demonstrating the utility of including local governments as a distinct cohort, separate from civil society, in the process of developing multilateral agreements that affect their communities.

Here, the Mechelen Declaration, a bank of commitments proposed by mayors and leaders of local and regional governments, could be a useful guide.⁹ For example, municipalities could make some or all of the following pledges, which appeared in that document.

TOWARD OBJECTIVE 7: REDUCING VULNERABILITIES

- *Urban planning is crucial in creating, enforcing and updating zoning to reduce natural disaster risks, improve security, reduce health risks, ensure access to services (including health, drinking water and sanitation education and child protection), ensure access to affordable and safe housing, reduce costs associated with commuting and congestion;*
- *We commit to providing needs-based assistance to victims of trafficking and to smuggled migrants;*

TOWARD OBJECTIVE 15: BASIC SERVICES

- *We commit to working with States at the local and regional level in providing inclusive and equitable quality education to migrants, especially migrant youth, and to provide access to life-long learning that help them acquire the knowledge and skills needed to exploit opportunities and to participate fully in society.*

9 “Mechelen Declaration on Cities and Migration,” (Geneva: International Organization for Migration, 2017), https://www.iom.int/sites/default/files/press_release/file/Mechelen-Declaration-final.pdf.

- *We stand ready to work with states, as appropriate, to fulfill their commitments to respect, protect and promote non-discriminatory treatment of migrants, including in their access to health services and education;*
- *We note the paramount role of local and regional governments in facilitating migrant integration, particularly by offering language training, skills and entrepreneurship training, skills certification;*
- *We commit to providing access to health, education, and justice regardless of a migrants' documentation status, by creating firewalls between data collection and service providers.*

TOWARD OBJECTIVE 16: ADVANCING SOCIAL COHESION

- *We commit to fulfill our key role in strengthening the interface with migrants, offering opportunities for dialogue with the host community and effective participation and collaboration with migrant associations;*
- *We recognize that, in order to provide a local environment where life in diversity can succeed, other partners at the local level (social associations, schools, youth clubs, sports clubs) need to support this message. These partners constitute the social tissue of society at a local level. We commit to investing in structured bilateral consultations with these partners and engage with them on a shared local platform.¹⁰*

This list is not exhaustive. Mayors and senior city officials will convene at various relevant fora over the next several months, which provide an opportunity to advance this conversation. These include the Global Parliament of Mayors and Urban 20 gatherings in October 2018; the United Cities and Local Governments World Council meeting, Eurocities conference on Integrating Cities, and

Africities Summit in November 2018; and the Mayoral Forum on Human Mobility, Migration and Development (“Mayoral Forum”) in December 2018, among others.

In undertaking this exercise, it would be worth thinking ahead to 2022, when member states will convene for the first International Migration Review Forum (IMRF). The final draft text of the compact envisions the IMRF as the primary forum for assessing progress toward GCM implementation, explicitly including at the local and regional levels. City leaders might consider laying out a set of ideas around what they want to have achieved by that milestone. The IMRF should proactively encourage them to do so.

Identify what forms of support municipalities need, and from whom, to achieve those commitments.

Multi-stakeholder partnerships, including with U.N. agencies and the private sector, will significantly enhance prospects for progress toward successful GCM implementation at the local level. That is to the benefit of both migrant populations and host communities.

UNICEF, for instance, is in the process of developing an initiative that would support local government efforts to deliver on the compact for migrant and displaced children. A core goal of the endeavor is to nurture a peer-to-peer dialogue that would support mutual learning on specific child migration-related challenges. It is a promising example of collaboration between a U.N. agency and local governments.

Local authorities, and the many networks in which they participate, might also consider developing a coordinated, strategic approach to the global business leaders that endorsed the GCM at Bloomberg’s Global Business Forum in September 2018.¹¹ Those leaders have the collective capacity to support city commitments under their priority policy areas.

¹⁰ Ibid.

¹¹ “Renowned Business Leaders Welcome Landmark Agreement on International Migration,” *Bloomberg*, September 26, 2018, <https://gbf.bloomberg.org/news/renowned-business-leaders-welcome-landmark-agreement-international-migration/>.

Plan for engagement around modalities for follow-up and review. Member states have determined that these modalities will be fleshed out in detail in 2019. Local leaders may wish to seek out those national governments that were advocates for city engagement during the compact negotiation process, and offer a set of ideas for how local authorities can be integrated into the forthcoming resolution. The compact suggests that implementation should be multi-stakeholder in nature and that “all relevant stakeholders” should participate in the IMRF, the primary platform for follow-up and review.

As the GCM implementation process unfolds, it is worth exploring whether there are lessons local leaders might learn from city efforts in other multilateral fora. Earlier this year, for example, New York City submitted a Voluntary Local Review to the U.N. High-level Political Forum on Sustainable Development (HLPF) on progress toward the Sustainable Development Goals (SDGs). Local governments might consider whether that is a useful model.

At the tactical level, GCM co-facilitators, Juan José Gómez Camacho, permanent representative of Mexico to the U.N., and Jürg Lauber, permanent representative of Switzerland to the U.N., might consider arranging an introductory meeting between senior city leaders and co-facilitators for the IMRF modalities resolution, to open a channel of dialogue.

Here, the soon-to-be-launched Mayors Migration Council, a new initiative that aspires to provide cities with technical diplomatic assistance, may prove useful.

Advocate for the Mayoral Forum to become permanently and formally linked to the Global Forum on Migration and Development (GFMD) and consider how to make it a maximally productive channel. GFMD is a voluntary, informal process open to member states and civil society observers, designed to advance cooperation on topics at the nexus of migration and development.

The Mayoral Forum is an annual city-led dialogue on these topics, supported by IOM and the World Bank, among others. The present GFMD co-chairs, Germany and Morocco, expressed interest in a proposal, now before them, to formalize the relationship between the Mayoral Forum and GFMD through the establishment of a “Mayors Mechanism.” The proposal will be discussed at the upcoming GFMD in Marrakech in December 2018. It is expected to be formally endorsed and fleshed out in 2019.

Meanwhile, municipalities should consider using existing fora to identify thematic clusters to structure the conversation at the 2019 Mayoral Forum. Conceivably, these could be framed around the GCM objectives prioritized by municipal leaders. Setting this framework in advance seems likely to contribute to strategic coherence, both among cities and between cities and collaborating institutions.

Consider ways to engage the Capacity-building Mechanism called for under GCM. The mechanism aims to allow a broad range of stakeholders, including philanthropies and representatives from the private sector, to contribute technical, financial, and human resources to GCM implementation. As envisioned, it will include a connection hub that would assess and process member state requests for tailored solutions to migration-related challenges; a start-up fund for initial financing to realize those solutions; and a global knowledge platform, which would serve as an online open data source and repository for existing evidence.

Municipal leaders should be specific about the forms of capacity-building support that would be useful to their efforts. Local authorities should also be prepared to offer ideas and evidence that could be useful to other actors, in part based on examples of good practices from their own jurisdictions. Cities can be contributors to, as well as the beneficiaries of, this endeavor.

More broadly, local leaders should not allow the GCM process to become a sinkhole for their efforts. There is simply too little time and too much to accomplish. Municipal leaders should use the GCM implementation and follow-up process to their benefit, in particular as:

- A means to amplify their messages to national governments;
- A forum to share experiences and examples of good practices with one another, to accelerate the process of adapting and adopting what works;
- An opportunity to form coalitions and find champions for initiatives that suit their goals, including with friendly national governments, global business leaders, and U.N. agencies.

For local leaders in the global north, the Compact can also be used as a mechanism to empower municipalities in the global south that tend to face greater pressures with fewer resources and often find themselves even more marginalized from global migration governance discussions.

CONCLUSION

The Global Compact for Migration is a consequential global agreement on a subject that is both significant and sensitive. The extent to which it leads to better migration governance in practice will have far-reaching implications—not just for the more than 250 million people worldwide who are on the move outside of their countries of origin, but also for the communities that host them.¹² Success will depend in no small part on how the agreement is implemented at the local level. Municipal authorities have an essential role in that process. Fortunately, it appears they intend to claim it.

12 “International migrant stock: The 2017 revision,” United Nations Department of Economic and Social Affairs, <http://www.un.org/en/development/desa/population/migration/data/estimates2/estimates17.shtml>.

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