

THE HIGH-LEVEL DIALOGUE ON INTERNATIONAL MIGRATION AND DEVELOPMENT AND BEYOND

A. THE WAY TO THE HIGH-LEVEL DIALOGUE

The High-Level Dialogue has been the culmination of years of debate in the General Assembly about how to address international migration and its interrelations with development. The Second Committee of the General Assembly began consideration of this issue in 1994, in reaction to difficulties arising during the negotiations on international migration and development at the International Conference on Population and Development.

The first resolution on the topic (49/127) requested the Secretary-General to prepare “a report on international migration and development, including aspects related to the objectives and modalities of the convening of a United Nations conference on international migration and development” (para. 2). The report prepared in response to this request showed that there was not sufficient support among Member States for convening an international conference on the topic and that there was considerable opposition to it (E/1995/69).

After 1995, the Second Committee would request four more reports relating to the possibility of holding a conference, all of which reiterated the general findings of the first. The 2001 report (A/56/167) presented the most comprehensive set of views on whether to convene a conference: 47 Governments were generally in favour of convening a conference on international migration and development, 26 expressed reservations about doing so, five expressed only partial support and 110 did not express a view. The subsequent report (A/58/98) showed a drop in the number of Governments expressing a favourable view about convening a conference.

In view of these results, in 2003 the Second Committee decided that the General Assembly would, in 2006, devote a High-level Dialogue to the task of identifying appropriate ways and means to maximize the development benefits of migration and minimize its negative impacts (resolution 58/209 of 23 December 2003). The output of the Dialogue would be a Chairman’s summary and the Second Committee would consider international migration and development as one of its agenda items also in 2006.

In 2003, the Governments of Sweden and Switzerland took the initiative to launch the Global Commission on International Migration (GCIM). The Commission, composed of 19 expert commissioners serving in their personal capacity was supported by over 30 Governments and operated as an independent group from January 2004 to the end of 2005. It produced a report containing a series of principles and recommendations to strengthen the national, regional and global governance of international migration. The

report was presented to the Secretary-General of the United Nations in October 2005. Recommendation 33 of the report was directed to the Secretary-General and it called for the immediate establishment of a high-level inter-institutional group to define the functions and modalities of, and pave the way for, an Inter-agency Global Migration Facility which would ensure a more coherent and effective institutional response to the opportunities and challenges presented by international migration.

In response to this recommendation, the Secretary-General held consultations with the heads of the major United Nations entities involved in international migration and with the Director General of the International Organization for Migration (IOM) at a meeting held on 27 October 2005. As a result of these consultations, it was decided to expand the Geneva Migration Group¹ to create a new mechanism for coordination and cooperation among key United Nations entities and the IOM. The High Commissioner for Human Rights, Ms. Louise Arbour, in her capacity as Chair of the Geneva Migration Group at the time, was requested to prepare, in consultation with other members, the terms of reference for the expanded group. Mrs. Arbour transmitted the terms of reference to the Secretary-General in February 2006.

The Secretary-General approved the terms of reference and proceeded to establish the Global Migration Group (GMG) with the following members: ILO, IOM, OHCHR, UNCTAD, UNDESA, UNDP, UNFPA, UNHCR, UNODC and the World Bank. Since its establishment, the GMG has held three meetings at the level of executive heads. The members of GMG commented on the draft of the Secretary-General's report for the High-level Dialogue and provided input for its revision. They were key actors in the preparatory activities for the Dialogue and participated in the round tables organized during the Dialogue itself.

In January 2006, the Secretary-General, in order to promote participation of Member States in the High-level Dialogue at the highest possible level and to consult Member States regarding the way forward, appointed Mr. Peter Sutherland as his Special Representative on International Migration and Development.

The report of the Secretary-General for the high-level dialogue presented, as requested by Member States, “a comprehensive overview of studies and analyses on the multidimensional aspects of migration and development”. It also provided recommendations for further action and proposed the establishment of a consultative Forum—led by and open to all the 191 Member States of the United Nations—that would

¹ The Geneva Migration Group had been started in April 2003 as a periodic meeting of the heads of ILO, IOM, OHCHR, UNCTAD, UNHCR and UNODC.

offer Governments a venue to discuss issues related to international migration and development in a systematic, comprehensive way. The proposed Forum would not produce negotiated outcomes. It would provide Governments timely exposure to promising policy ideas, as analyzed by the most relevant, qualified bodies from both inside and outside the United Nations system. The Forum would complement, and add value to, the activities of the regional consultative processes.

B. T

Participants stressed that migration's benefits were most likely to accrue when it occurred in a safe, legal and fair manner. Migrants, by satisfying unmet labour demand at destination, made the economy of receiving countries more productive. Their remittances provided stable incomes for their families and could be leveraged to produce other beneficial development outcomes. Migration could change attitudes, empower people, contribute to the transfer of skills and know-how.

There was widespread support for addressing international migration as part of the international development agenda and to integrate international migration issues into national development plans, including poverty reduction strategies. It was suggested that, supported by the right policies, international migration could contribute to the achievement of some of the internationally agreed development goals, including the Millennium Development Goals. In particular, remittances could contribute to the reduction of poverty.

Participants recognized that international migration could also have detrimental effects. Furthermore, they warned that international migration by itself was not a long-term development strategy. They agreed that international cooperation based on a spirit of solidarity could make a major contribution in addressing the issues raised by international migration. They thought desirable to adopt a realistic and pragmatic approach.

impact of remittances and migrants' savings by collaborating with the private sector in extending access to financial products and services to migrants and their families. Developing creative synergies between banks and microfinance institutions was also recommended, especially in contexts where it was necessary to develop the financial literacy of the population. Of particular relevance was the provision of credit for the establishment of small and medium-sized enterprises and the availability of attractive investment options for migrants, so that those investments could have development impacts on the broader community. To reap the full benefits of these measures, countries of origin should endeavour to create an environment conducive to asset building, entrepreneurship and investment.

There was agreement that remittances were private funds and that they should not be viewed as a substitute for official development assistance, foreign direct investment or debt relief. Several donor countries expressed their commitment to working with countries of origin and the private sector in reducing the transfer costs of remittances and supporting their productive use. Examples of good practices included the creation of tax exempt "savings for development" accounts in host countries where migrants could save funds to invest eventually in the country of origin.

Some participants warned about the potentially negative consequences of remittances, including the culture of dependency that they might foster both at the household and at the national levels. It was also noted that the remittances expected from skilled workers often did not compensate for the loss of needed skilled personnel. Participants remarked that much remained to be understood about the effect of remittances on development, and that it was important to improve the measurement of remittances. They also noted the important work carried out in this regard by the multilateral development banks and bilateral development agencies and invited them to exchange best practices.

Participants focused on strategies to realize the benefits of migration by strengthening ties between migrant communities abroad and the communities of origin. It was recognized that in many contexts international migrants had contributed to the development of their countries of origin. They had helped in expanding trade, tourism and telecommunications between countries of origin and those of destination. They had assisted in the transfer of knowledge, technology and skills. Migrants also engaged in entrepreneurship both at destination and at origin, particularly if they returned. They had thus spawned businesses, generating wealth and jobs.

It was suggested that countries of origin and countries of destination could increase support for migrant-led transnational enterprises, thereby creating jobs at both origin and destination through co-development projects. A number of donor countries were actively engaging the migrant communities in their midst in the formulation and implementation of development projects in countries of origin under co-development strategies.

Participants noted that the engagement of migrant communities with countries of origin could be facilitated by the recognition of dual citizenship or by granting voting rights to citizens abroad. Several participants reported that their laws had been changed recently to allow dual citizenship or an “overseas citizenship”. Mention was also made of the creation of special government units working to promote closer ties with migrant communities abroad. Through those units, Governments were providing support for the creation or consolidation of migrant associations and promoting their active engagement with the society of origin. Those units were also designing and implementing policies promoting the attachment of citizens abroad to the country of origin. In one country, biennial conferences were being held to maintain the engagement of citizens abroad. The importance of involving not only the migrants themselves but also the second and third generations was underscored.

Participants also noted the importance of providing consular services and consular protection to their citizens abroad. Some countries had carried out censuses of citizens abroad through their consular facilities and others were focusing on identifying highly skilled emigrants to engage them in development projects at home. Some participants called for the participation of established migrant communities in the political life of host countries. Others expressed concern about the engagement of migrant communities abroad in activities that could destabilize the societies of origin.

Participants considered that migrants who returned to their home countries could be agents of development, provided that policies in countries of origin facilitated the transfer of funds, access to loans and the establishment of small or medium-sized businesses. Governments were urged to cooperate with the private sector in establishing reintegration programmes, including job placement, for returning migrants. A number of participants reported that their countries had programmes to facilitate the return and reintegration of migrants by, for instance, providing training and financing for the establishment of small businesses or by promoting the return of persons with needed skills, particularly nurses and medical doctors. Some countries were trying to attract back citizens who could invest in specific sectors of the economy, particularly in agriculture. Incentives offered included access to land and credit. Participants noted that return was more likely when stable institutions supporting the involvement of migrants in the development of countries of origin existed.

Some participants reported that their countries had benefited from the temporary return of expatriates with needed skills that was being supported by international programmes such as TOKTEN run by UNDP or the MIDA programme (Migration for Development in Africa) of IOM. Often, those returning temporarily would train or teach others in the home country, thus contributing to the transfer of skills and knowledge even if their return was not permanent.

Some participants noted that those returning for good were often elderly migrants who could not find jobs easily. They called for the collaboration of countries of destination to

organizations, trade unions and employers, was thought useful in developing strategies to promote social cohesion.

Participants noted with concern the rise of irregular migration, both in countries of destination and in countries of transit. It was thought that a holistic approach was needed to address irregular migration. To the extent

Participants agreed that it was urgent to take strong and concerted action in preventing and combating trafficking in persons and prosecuting those who perpetrated this crime. They concurred that victims deserved support and protection. Most participants described the specific measures that their respective Governments had taken to prevent or combat trafficking and to protect or assist its victims, particularly women and children. Several participants reported that their Governments were parties to the relevant international instruments² and urged those who were not yet parties, to sign, ratify and implement them.

A number of participants remarked that trafficking in persons would not be eradicated as long as there was demand for the services its victims provided. It was therefore important to combat all types of bonded labour. Participants also noted that poverty, social alienation and exclusion, entrenched discrimination against women and children, and lack of equal opportunities were important underlying causes of trafficking. The growth of transnational criminal networks benefiting from such activities was a major concern.

Participants stressed that a coordinated and consensual approach was necessary to combat trafficking in persons and smuggling of migrants. Mention was made of consultative processes in different parts of the world that were promoting intra-regional coordination and the sharing of information to trace and apprehend traffickers. Important advances had been made in criminalizing the exploitation of migrants through trafficking or smuggling in the domestic law of many countries.

Noting that migrants were at the core of the migration debate, participants emphasized the human dimension of international migration. The obligation of all States to respect the fundamental rights and freedoms of all migrants, regardless of legal status, was considered an essential prerequisite to realize the full benefits of international migration. Countries of destination and countries of origin had a shared resrties, full ben8.8(e)2(i)-1.n, adom

system to manage migration. Neither the facilitation of international migration nor the enforcement of migration laws should compromise the rights and dignity of migrants. The economic, social and cultural rights of migrants were recognized as crucial for the benefits of international migration to accrue. In particular, some participants indicated that migrants should have access to basic services, including health care and education.

The need to combat racism, xenophobia, discrimination and the social exclusion of international migrants was emphasized. Intolerance in all its forms should be eradicated. Any exploitative, inhuman or degrading treatment of international migrants should not be tolerated. Some participants suggested that, by emphasizing the need to ensure human security, the focus of debates on irregular migration might shift from national security, that is, the protection of a State's territory, to the protection of all people in that territory, regardless of gender, race, religion, ethnicity or citizenship. Some participants argued that legal migrants should be granted the same rights and enjoined to have the same obligations as citizens

There was widespread recognition that irregular migration posed a challenge for the effective protection of international migrants given that migrants in an irregular situation, because of the fear of being deported, were particularly vulnerable to abuse and exploitation. Participants also cautioned that measures to curb irregular migration might prevent people in need of protection to seek it. It was important, therefore, to uphold the right to seek asylum and to allow refugees to integrate into host societies.

Participants noted that migration trends could change quickly and that countries should review their migration laws and regulations to ensure that they were adequate to manage existing flows. A number of participants reported that their Governments had adopted new legislation in recent years and that some were establishing new national machinery to formulate, implement and evaluate policies on international migration.

Participants recognized that governing migration fairly and efficiently while maximizing its benefits for all stakeholders posed a challenge

Some participants considered that temporary and circular migration could produce beneficial synergies for migrants, countries of origin and countries of destination. To be beneficial, temporary migration should be safe and legal, and occur as a result of informed choice. Participants stressed the need to provide migrants with clear and unbiased information about the procedures involved in being admitted legally and

international migration and development. Some participants suggested that Governments cooperate with the private sector in developing reintegration programmes and promoting employment and investment opportunities for returning migrants. In some countries, the private sector had played a key role in encouraging highly-skilled migrants to return. Both civil society and the private sector could cooperate in facilitating the transfer of remittances and promoting access to and the use of financial institutions.

Participants welcomed the creation of the Global Migration Group, stressing that it was important to strengthen coordination and collaboration both among the entities of the

The proliferation of regional consultative processes proved that cooperation was particularly effective at the regional level. Most participants reported that their countries were active in at least one and often in several consultative processes. Regional integration processes were also mentioned. The issues considered by regional processes ranged from the promotion of free movement between Member States of regional integration groups to combating human trafficking. Some regional initiatives had promoted the sharing of data, information and best practices in migration policy and management. In the run up to the High-level Dialogue, a number of international meetings, some of a regional or inter-regional nature, had been convened to prepare positions for the Dialogue (see Annex). The declarations or conclusions from these meetings were mentioned by speakers as relevant documents complementing the Dialogue's discussion.

Many participants reported on the bilateral migration agreements that their countries had concluded. Bilateral agreements covered a wide range of issues, including labour migration, readmission of nationals, the fight against trafficking in persons and smuggling of migrants, pension portability, or cooperation programmes.

Participants considered that bilateral and regional cooperation had to be complemented by initiatives at the global level, noting that the United Nations was a natural venue for such initiatives, as the High-level Dialogue showed. Participants also mentioned the work of the Global Commission on International Migration whose report provided useful guidance; the Agenda for International Management produced by the Berne Initiative, and the annual dialogue on migration policy sponsored by IOM.

Nearly all Member States expressed an interest in continuing the multilateral dialogue on international migration and development which had started with the High-level Dialogue. There was widespread support for the proposal of the Secretary-General to create a Global Forum as a venue to discuss issues related to international migration and development in a systematic and comprehensive way. Participants felt that a Forum could be a useful arrangement in achieving greater coherence and in promoting coordination among the various United Nations entities working on international migration, the IOM, other international organizations and regional initiatives.

Participants stressed that, if established, the Forum should foster practical, evidence-based measures to enhance the benefits of international migration and minimize its negative impacts. The Forum should be informal, voluntary, and led by Member States operating in a transparent and open manner. It would not produce negotiated outcomes or normative decisions, but it would promote closer cooperation among Governments.

The Government of Belgium offered to host the first meeting of the Forum in 2007.

C. DEVELOPMENTS SINCE THE HIGH-LEVEL DIALOGUE

On 19 October 2006, the Second Committee of the General Assembly considered item 55(b) of its agenda, which focused on international migration and development. The Chair's summary of the High-level Dialogue had been issued prior to that meeting. On the whole, speakers at the meetings of the Second Committee reiterated the usefulness of the Dialogue and called for focusing attention on the way forward.

On 25 October 2006, a draft resolution on international migration and development was presented for consideration of the Second Committee (A/C.2/61/L.12). According to the draft resolution, the General Assembly took note of the offer of the Government of Belgium to convene a global consultative forum and decided to consider in 2008 (at the sixty-third session) possible options for an appropriate follow-up to the Dialogue within the United Nations. At the time of writing, the draft resolution was being discussed through the normal intergovernmental process.

ANNEX

Date: 9-10 February 2006

Venue: Cotonou, Benin

Organizers: the United Nations Office for the High Representative for the Least Developed Countries, Developing Landlocked Countries and Small Island Developing States; International Organization for Migration (IOM); Government of Benin

Letter dated 31 March 2006 from the Permanent Representative of Benin to the United Nations addressed to the Secretary-General (A/61/230)

Date: 15-16 March 2006

Venue: Brussels, Belgium

Organizers: Government of Belgium; International Organization for Migration; European Commission; World Bank

Letter dated 13 April 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Belgium to the United Nations addressed to the Secretary-General (A/61/73)

Date: 4 - 5 May 2006

Venue: Asunción, Paraguay

Organizers: Government of Paraguay

Letter dated 18 May 2006 from the Permanent Representative of Paraguay to the United Nations addressed to the Secretary-General (A/61/86)

Date: 15-16 May 2006

Venue: Lima, Peru

Organizers: Government of Peru; International Organization for Migration (IOM)

Letter dated 7 June 2006 from the Permanent Representative of Peru to the United Nations addressed to the President of the General Assembly (A/61/91)

Date: 10-11 July 2006

Venue: Rabat, Morocco

Organizers: Governments of Morocco, Spain and France; European Commission

Letter dated 19 July 2006 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General (A/61/170)

Date: 12 July 2006

Venue: New York, United States of America

Organizers: President of the General Assembly

Note dated 27 July 2006 by the President of the sixtieth session of the General Assembly (A/61/187)

Date: 18-19 July 2006

Venue: Madrid, Spain

Organizers: Iberoamerican Secretariat; International Organization for Migration (IOM); Latin American Demographics Study Centre (CELADE); Carolina Foundation of Spain

Date: 25-26 July 2006

Venue: Mexico City, Mexico

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Date: 27-28 July 2006

Venue: Santo Domingo, Dominican Republic

Organizers: United Nations Development Programme (UNDP); Government of the Dominican Republic; the Global Foundation for Democracy and Development; the Special Unit for South-South Cooperation

Letter dated 30 August 2006 from the Permanent Representative of the Dominican Republic to the United Nations addressed to the President of the General Assembly (A/61/343)