





Regional Review of the Global Compact for Safe, Orderly and Regular Migration Member States of the United Nations Economic Commission for Europe

12-13 November 2020

Summary Report

1. Introduction

The Global Compact for Safe, Orderly and Regular Migration (GCM) was adopted by United Nations Member States on 10 December 2018 and was endorsed by the UN General Assembly (UNGA) on 19 December 2018. It is the first inter-governmentally negotiated agreement to cover all dimensions of international migration in a holistic and comprehensive manner. Resting on the purposes and principles of the UN Charter and rooted in the 2030 Agenda for Sustainable Development and other relevant frameworks, the GCM is a non-legally binding, cooperative framework that builds on the commitments agreed to by Member States in the New York Declaration for Refugees and Migrants, adopted in 2016.⁵

In resolution 73/195 ("GCM"), the General Assembly committed to conducting progress reviews at the local, national, regional and global levels in the framework of the United Nations through a State-



site as they became available. A format for voluntary reports was provided to Member States to guide their preparation. A total of 28 UNECE Member States and 17 stakeholders submitted reports to the Network.

In view of the COVID-19 pandemic, the Network opted to propose a virtual format for the Regional Review meeting. The meeting convened representatives of UNECE Member States; intergovernmental organisations; United Nations bodies, specialized agencies and funds; and relevant stakeholders from the UNECE region.⁶ Interpretation was available throughout the entirety of the Regional Review consultations, enabling participants to follow discussions in English, French and Russian. The virtual format allowed for wide participation from across the region and beyond, with attendees located in over 30 countries, though predominantly within the UNECE region. The consultations were well-attended, with between 133 and 159 individuals participating each day.

The intergovernmental meeting consisted of an opening segment, followed by four thematic roundtables, which provided Member States and stakeholders the opportunity to highlight progress made in implementing the GCM and space for



the opening session of the first day of the inter-governmental meeting on 12 November 2020. The Rapporteur's summary report is available on the Network website.⁹

iv. GCM Regional Review report

The purpose of this report is to synthesis





Global partnerships: Amongst Member States and stakeholders, there was unanimous support for deepened and intensified international partnership, within the region and beyond, in seeking sustainable implementation of the GCM. The message from participants was clear: no state can manage migration in isolation, and the chain is only as strong as its weakest link. New and innovative partnerships are developing, and new actors are being engaged in supporting implementation of the GCM across the globe. Beyond the clear benefits afforded to migrants and their communities, as well as Member States and societies brought about by more cooperative action in pursuing the aims of the GCM, there was a sentiment that the dialogue, collaboration and exchange of learning enabled by the GCM as a platform had the potential to foster and sustain more positive engagement between and among States into the future.

360° approach/ whole-of-route / Humanitarian-development-peace Nexus Approaches: A number of Member States have elaborated on their visions for addressing migration challenges and opportunities across national, regional and international dimensions, and to this end, propose approaches that build upon the GCM's whole-of-government and whole-of-society principles to incorporate a more explicit international and humanitarian orientation. Spain, Sweden and Turkey noted their 360° approaches to migration, which embody the core of the vision, principles and objectives of the GCM and aim at maximising the overall benefits of migration whilst addressing challenges in countries of origin, transit and destination. The United Kingdom's "whole of route approach" seeks to address humanitarian concerns facing migrants across the world as well as harnessing the benefits of regular migration for both host and origin countries. Germany reiterated its commitment to supporting better coherence of humanitarian assistance, stabilisation, development



this end, Member States are encouraged to take measures to ensure occupational safety protections and access to justice for violations of migrant workers' rights, including through upholding migrants' freedom of association and freedom to join and form trade unions.

- In strengthening certainty and predictability in migration procedures for appropriate screening, assessment and referral, Member States are urged to ensure that all migrants are afforded access to individual assessment, and that anyone claiming to be a child is treated as such unless otherwise determined through a multi-disciplinary, independent and child-sensitive age assessment.
- Member States are encouraged to continue to develop cooperation, approaches and mechanisms within and beyond the region to support migrants in matching skills and job opportunities, facilitating access to documentation which can affect recognition of qualifications, creating adequate training and job opportunities and language classes to facilitate integration and administrative procedures, with a particular focus on youth.

Roundtable 3: Objectives 4, 8, 9, 10, 11, 13, 21

- In implementing policies and procedures at borders, Member States are encouraged to build on achievements in developing integrated border management strategies and increase investment in training of relevant authorities to support regular facilitation of cross-border movement of persons and goods. Such trainings might encompass legal frameworks, identification of victims and co-operation between relevant actors.
- Member States are urged to ensure that screening procedures at borders adequately account for the needs, rights and specific circumstances of individuals that may be in a vulnerable situation, including stateless persons and children, based on human rights or humanitarian grounds, including protection of family and life and unity, the best interest of the child and the principle of non







In order to facilitate issuance of documentation and ensure more can obtain a regular status, Portugal has launched an initiative to offer immigration services to individuals in rural areas, with a specific focus on reaching vulnerable individuals



liberalisation for certain sectors and simplified admission documentation procedures for those who want to work or invest in the country. Belgium introduced new policies in 2019 to enable third-country nationals (outside EU/EEA and Switzerland) wishing to stay in Belgium for more than 90 days to apply for a 'single permit' which contains both an authorisation to reside and an authorisation to work across the whole country. This single permit procedure was opened to highly skilled labour, seasonal workers and several medium-skilled professionals for which there is a structural shortage and need. With support from the EU, the Italian cities of Milan and Turin reported sustained efforts in promoting regular migration paths through co-development projects in cooperation with cities in Tunisia, which will improve the effectiveness of transnational trainings, labour exchanges and employment opportunities for young people. As evidenced by a study in the United Kingdom, Portugal and Germany undertaken by the United Nations Major Group on Children and Youth, migrant youth were highlighted as a demographic of particular importance when considering the development of skills matching, training and job placement initiatives.

Several Member States and stakeholders pointed to continuing challenges in facilitating regular labour migration pathways for low-skilled workers. Whilst new regional-level initiatives were acknowledged to include important provisions focusing on more systematic matching of labour market needs with dedicated training programmes, a number of stakeholders suggested there was an imbalance towards security approaches and a focus on return whereby labour migration opportunities were offered as an incentive for countries that cooperate on return and readmission.

Family reunification was a prominent theme for several Member States and stakeholders. Administrative barriers such as complicated and costly procedures to prove a family relation (e.g. required DNA testing), as well as high income requirements and short deadlines. For low-skilled migrants with temporary residence, significant barriers were noted in some UNECE Member States which required migrants guarantee financial resources to cover living costs and even sometimes language skills. It was noted that restrictions on family reunification for migrants of different skill levels undermined integration efforts, and that policies needed to be considered more broadly.

The COVID-19 pandemic has prompted a number of UNECE Member States to consider regularisation as a policy measure. Italy, the Republic of Moldova and Portugal reported having instituted regularisation in response to the pandemic, whilst



In responding to the pandemic, municipalities again demonstrated the importance of their engagement in affording access to relevant services and support for migrants, including by granting migrants access to medical treatment that they would be unable to obtain at the national level. This highlights a theme echoed throughout the consultations, namely, that effective



The European Commission Services and the European External Action Service (EEAS) are building partnerships to support partner countries in strengthening their capacities in the area of migration, including on the issue of migrant smuggling. The partnership with African countries is being further strengthened, building on the implementation of actions under the five pillars of the Joint Valletta Action Plan (2015), co-operation within the Khartoum and Rabat processes, and in the context of the cooperation with the African Union on migration. New projects such as the UNODC-led regional programmes in North Africa, Asia and the Middle East that tackle migrant smuggling and trafficking in human beings have started. New information and awareness campaigns highlight the risks of irregular migration and migrant smuggling in countries of origin and transit. With partner countries along the Silk Route, comprehensive engagement was carried forward, including within the B



telephone line and email service within the National Police and Civil Guard for public access to fight human trafficking, whilst Turkey confirms initiation of a number of dedicated projects in cooperation with international partners, including IOM, UNHCR and GRETA, which carried out its first monitoring mission to the country in 2018.

Whilst there is clear benefit within national contexts derived from regional approaches within the UNECE region for preventing, combatting and eradicating trafficking in persons and in enhancing the identification and protection of, and assistance to, migrants who have become trafficked, new regional plans have been criticised. Concerns have been raised that proposed pre-entry screening procedures lack adequate safeguards for trafficked persons and that they fail to make thorough screening compulsory, rather only as considered relevant by authorities, which may create opportunities for inconsistency and critical omissions. Potential trafficking victims' lack of access to legal advice and automatic detention for periods up to 10 days have prompted concern that safeguards will not be put in place and will be inadequate, as has the lack of a clear obligation upon authorities to act on vulnerabilities identified and to refer people into National Referral Mechanisms.

Objective 11: Manage borders in an integrated, secure and coordinated manner

Some stakeholders noted that there were shortcomings in the implementation of the GCM's Objective 11 and related provisions of international and human rights law that underpin it. Some participants recalled the legal obligation and moral imperative of ensuring a human-rights based approach to border protection and a collective responsibility to save lives. The United Nations Special Rapporteur on the Human Rights of Migrants expressed unreserved concern for the numerous complaints of human rights violations towards migrants his office has received and acknowledged that violations of international norms and standards such as mass/collective expulsions, collective pushbacks, the lack of individual assessment, incidents of refoulement and the suspension of action on admission procedures, including asylum. . He specifically called for a suspension of forced returns during the pandemic, reduced immigration detention and prohibition of immigration detention of children.

The Special Rapporteur's call on Member States to continue to uphold human rights obligations towards migrants whilst embracing the GCM's principles of multilateral cooperation in strengthening migration policies for the mutual benefit of countries and migrants across the region was echoed by several participants and reflected in the voluntary submissions of a number of stakeholders.



Policy Development (ICMPD) on the modernisation of border crossing points on the southern border of the Armenia with Iran.

In March 2020, the Special Representative of the Secretary General on Migration and Refugees of the Council of Europe, together with the EU Agency for Fundamental Rights, published a note on the main fundamental rights safeguards applicable at their Member States' external borders. The note aims to support EU and Council of Europe Member States in their duties when taking protective measures, including to contain the spread of the COVID-19 virus, and addressing questions related to public order, public health, or national security challenges. The note focuses on, inter alia, how to respect the principle of non-refoulement, and what can be done to help the most vulnerable, in particular unaccompanied children.

Objective 12: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral

As highlighted in discussions, response to the COVID-19 pandemic has underlined the need for improved transparency and predictability regarding immigration procedures, both within and beyond the borders of UNECE Member States. To this end, Member States and stakeholders continue to undertake measures to strengthen certainty and predictability of migration procedures for appropriate screening, assessment and referral, though inconsistencies and challenges have been pointed out – both as regards measures taken to counteract the spread of COVID-19, as well as under otherwise normal conditions.

There is evidence of continued and deepened cooperation with international partners and subregional approaches to enhancing effective integrated border management, including development of specialized trainings for border authorities. Albania, Canada and North Macedonia cited continued training and capacity building of Border and Migration Police with the support of IOM. Within the context of its "Global Strategy: Beyond Detention", UNHCR has continued to conduct research, develop tools and training material to relevant to improving integrated border management, including addressing the growing use of immigration detention, particularly of children. The Special Representative of the Secretary General on Migration and Refugees of the Council of Europe highlighted the launch of its new "Handbook for frontline professionals on how to convey child-friendly information to children in migration", which was developed in collaboration with UNHCR, the European Youth Information and Counselling Agency (ERYICA), the European Union Fundamental Rights Agency (FRA) and Frontex, as well as a compilation of promising practices on migration-related child-friendly procedures: "Promoting child-friendly approaches in the area of migration: standards, guidance and current practices", which provides an overview of procedures concerning entrance and identification, child-friendly asylum and migration processes, special protection measures, and durable solutions. Research underpinning this compilation confirmed a gap between the standards set by the various instruments and their implementation. Indeed, a number of stakeholders noted a sustained focus on security aspects of border management, particularly in the context of mixed migration movements, that in some cases hindered effective implementation of appropriate screening, assessment and referral. A number of Member States including Ireland, Malta and Belgium, offered reflection on the good practices adopted in screening and referral of migrant children, including unaccompanied migrant children, and the procedures and institutional competencies devised for ensuring the best interest of the child is upheld.

Despite such good practices, a number of Member States highlighted continuing challenges in definitively determining the age of minors, and inconsistent and incomplete application of procedures. Pushbacks of entire groups of migrants arriving at borders and the summary expulsion of migrants identified within national territories were highlighted as violations of international law, effectively denying access to asylum, application on principle of non-refoulement and other procedures for vulnerable individuals, including children. The existence and extent of such occurrences and practices was contested.

New proposals for regional approaches for external screening at borders were criticized for lacking provisions enabling adequate access to information for migrants and gaps in availability of legal aid, including through measures to exclude NGOs from supporting information provision during pre-entry screening procedures. In this regard, concern was expressed that NGOs and volunteers were increasingly being criminalized for providing life-saving information at external borders. A number of Member States and stakeholders supported a clear call for strengthened capacities for more efficient, transparent and uniform approaches to protection-sensitive and human rights-compliant border procedures, especially in the case of migrant children.





as a positive opportunity and existing entry point for engagement in several contexts. Indeed, recognition for the role of cities within the UNECE region in promoting inclusion and social cohesion has prompted important initiatives which promise positive outcomes. In collaboration with other United Kingdom cities, Bristol is establishing a cross-city "Taskforce on Migrant Inclusion", comprising key stakeholders from across



It was acknowledged that recognition of prior learning, including vocational qualifications obtained abroad continued to present obstacles to migrants' effective integration in local labour markets and broader society. Migrants are often witnessed to work for extended periods of time in jobs that do not correspond to their qualifications. In some countries, there are also protectionist tendencies that do not assess foreign training as adequate and give preference to employees who have undergone vocational training in countries of destination. In this regard, stakeholders pointed to the good example of Sweden's "fast track" programme, which aims to achieve complete individual adaptation to the labour market as quickly as possible, enabling participants to resume practice of a trade or profession that has already been learned through close cooperation with labour market-relevant actors. Legal barriers that prevent migrants with informally acquired skills or unrecognised training from entering some sectors, such as industry and manual trades, might be eased through similar upskilling, adaptation approaches and on-the-job training.

European youth mobilised by stakeholders within the scope of the consultation preparation formulated clear concerns and recommendations as regards a perceived need for Member States' continued investment in skills development and recognition of qualifications and competences. Migrant youth emphasised a need for greater assistance in matching skills and job opportunities, facilitating access to documentation which can affect recognition of qualifications, ensuring adequate opportunities for training, as well as language instruction to facilitate integration and in navigating administrative procedures.

Both in the interest of migrants and national economies, UNECE Member States and stakeholders are urging administrati



countries through the online platform "WIDU.africa" and funds "Geldtransfair.de", where users can compare costs and conditions for transferring money to over 35 countries. Through its "Harnessing Innovation for Financial Inclusion" programme, the United Kingdom is supporting efforts to increase the availability of digital payment systems.

At the international level, Sweden has confirmed its support for a new collaboration with the International Fund for Agricultural Development (IFAD) to utilize and increase the development effects of remittances in support of SDG and GCM implementation. Sweden's global support to the "Consultative Group to Assist the Poor" (CGAP) is reported to have contributed to the development of knowledge materials on cash support and financial inclusion in humanitarian situations, and migrants have been a target population in work on access to financial services.

Objective 21: Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration

Within the UNECE region, the independent actions of Member States and the cooperation amongst them in facilitating the safe and dignified return, readmission and sustainable reintegration of irregular migrants to countries of origin has historically been a contentious issue. Actions undertaken relevant to this Objective have served to create both polarisation and cooperation at the national, sub-regional and international levels. The COVID-19 pandemic has added further urgency to global and regional debate around the issues of return, readmission and reintegration in governing migration across the world, and while some states have suspended returns due to unsafe conditions, others have made efforts to ensure that those returning or who have been deported have access to support upon return, including health checks, adequate reception and accommodation for those self-isolating and in quarantine, and broader reintegration support. Practice has been mixed across the UNECE region, where stakeholders suggest there is evidence of forced returns without due process, including of unaccompanied and separated children, as well as numerous instances of violence, stigma and discrimination against returnees.

Within their contributions to the Regional Review, some stakeholders from across the UNECE region have focused primarily on Objective 21's provisions explicit to return, highlighting their concern for increasing use of summary collective expulsion of migrants and asylum seekers and pushbacks at borders. Human Rights Watch has documented the use of force and violence by border officials. Whilst some countries have suggested that investigations into allegations of abuse and violent pushbacks will be undertaken, some stakeholders suggested that efforts to address the issue should be more systematic. They note increasing challenges in undertaking independent monitoring at borders where it is alleged that authorities have actively sought to inhibit the legitimate activities of independent human rights monitors. Collective expulsion, including pushbacks, and violation of the principle of non-refoulement are claimed to be carried out at both land and maritime borders, including in contexts of mixed movements, thus denying individuals individual assessment and the right to seek asylum. Overt intimidation, physical violence and even torture are alleged by human rights organisations to be widespread.

In some instances, the actions of some border authorities were criticized by some stakeholders as failure in protecting and upholding the human rights of children, claiming that, instead of being referred to protection services and/or appointed a guardian in line with practices prescribed within national procedural protections of Member States and in accordance with the UN Convention on the Rights of the Child, are instead summarily denied entry or are otherwise detained and subsequently returned without due process. Some stakeholders suggested that some authorities failed to carry out the best interests of the child assessment as determination is not limited to children arriving at some UNECE Member States' borders, but also children already within the territory. It was suggested that within the national context of some UNECE Member States, child friendly information is still too often absent, asylum and return decisions are made with little to no involvement of social services or child welfare agencies and proper reintegration plans are often lacking. Stakeholders noted that clearer language within national and regional policies stating that no child should be returned unless this has been determined to be a sustainable solution in his or her best interest, would ensure that said safeguards are not omitted by Member States.

Within their voluntary

