Global migration: in need of a global response

Sergio Marchi

In 2009 the International Catholic Migration Commission (ICMC) launched the first phase of its ‘Conversations’ process with meetings with several heads of key agencies interested in aspects of migration (IOM, UNHCR, ILO, UNITAR, UNDP). Much of this article is based on these discussions.

Despite its global nature, national responses to migration continue to take precedence over globally shared ones, although many nations still do not even have a comprehensive domestic programme to deal with migration issues. The exception is the refugee regime which has generated an international system. However this is not well integrated with other forms of migration, and any global response to migration needs to connect with the challenges and particularities presented by forced migration as a sub-category. There are, for example, profound issues of identity and typologies of migrants.

On migration policy we generally persevere with largely national strategies. Numerous initiatives in the past made a convincing case for a more cooperative and collaborative global approach to the management of international migration but, in the end, all have fallen by the wayside. How can countries help one another to find mutually reinforcing and processes, which currently provide ‘soft’ governance in global migration: bilateral, regional, and global dialogues; supranational structures and cooperation (e.g. the EU); multilateral agencies; and international legal frameworks.

A formal permanent international forum – where migration policy would be regularly discussed and where appropriate collective action could be decided on – would help countries establish coherent and comprehensive migration policies at the national level, including better integrating migration issues into countries’ foreign and development policies. It should sponsor regular international meetings of ministers responsible for migration where they could engage with their peers on legislation, regulation, practice and experience relating to migration policy. It should also create opportunities for parliamentarians to discuss migration-related issues, in an effort to formulate better strategies for engaging their respective citizens.

An essential step would be articulating and documenting the specific advantages that would benefit countries adopting an international framework to migration policymaking. This in turn would require a constructive public advocacy campaign to promote the importance of global governance for migration to political leaders, policymakers, the media and the public.

There is also room to improve current processes, such as the Global Migration Group and the Global Forum on Migration and Development, relationships between the leading migration agencies and partnerships with civil society and the private sector. And it is necessary to ensure that the UN High-Level Dialogue on Migration and Development planned for 2013 is an interactive, results-oriented dialogue, and not just a series of independent statements.

There is a darker, more dispiriting side to migration. Some people who do migrate find it a disappointing experience. Others use the migration process for untoward purposes, while all too many profit unscrupulously from the desperation that leads so many to wish to migrate or be forced to migrate.

That said, migration remains largely an opportunity – for both migrants and nations. Migrants are dreamers and entrepreneurs. They often risk everything – including their lives – for a different and better future. And in turn, the richness of their ideas, experiences and energies helps to renew, re-energise and rebuild societies. But the subject of migration is also very emotive, causing fears and dangerous perceptions that create anxieties for citizens of all backgrounds, in all lands.

For all these reasons and contradictions, governments need to avoid the pitfalls of a go-it-alone migration strategy and they need to be candid and courageous where realities and pressures demand that they re-think policy. To help nations to maximise the opportunities that migration offers, while better addressing the challenges that
accompany it, political leaders must guide our governments and institutions by providing the international vision and leadership that global migration demands.

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What’s in a label?

Jackie Pollock

The profiling of people who move is being increasingly institutionalised. They may be labelled the ‘migrant worker’, the ‘refugee’ or the ‘trafficked person’ but people’s life experiences resist being so neatly categorised.

Demarcations between a trafficked person, a smuggled person, a refugee, a documented migrant and an undocumented migrant are spelled out ever more painstakingly in international conventions and in domestic laws and policies but the reality of people’s lives is far more complex than one label can encompass.

A migrant worker from Burma in Thailand will nearly always explain the cause of their migration as economic but probe a little deeper and the repressive nature of the military dictatorship quickly emerges as the root cause of poverty and migration. They could return home but they would find it difficult to survive if they did.

These economic migrants use brokers to reach the Thai-Burma border in order to avoid the landmines and the check-points, and then they use brokers in Thailand to find employment, because without documents they cannot travel within the country. They are found jobs working for 10 hours a day in garment factories, as domestic workers, and in other manual jobs, paid US$2-4 a day (the legal minimum wage is $5-7 a day), and threatened with deportation if they make any demands for their rights. Have these migrants committed the crime of being smuggled and are thus deserving of punishment and deportation or are they victims of trafficking and therefore deserving of protection and compensation? Or should they be respected as people taking responsibility for their own survival and for the survival of their communities?

International law will never be able to respond effectively to the infinite combinations of experiences of migrants when the root causes are not addressed and when some of the responses themselves create new categories of people. Those who arrive on rickety boats in unsafe waters do so because they have been excluded from the normal routes and legal means to travel.

Resisting categorisation

Because of the different legal protection regimes for refugees and trafficked persons and the general lack of one for migrants, the three groups are also treated as if they keep themselves apart. There are indeed situations and policies which do separate them. In Thailand, the 140,000 recognised refugees from Burma housed in camps along the Thai-Burma border are not allowed to leave the camps and so have no interaction with either migrant workers from Burma or the local Thai population. The estimated two million migrant workers from Burma currently living and working in Thailand are encouraged to live on their work sites. Factory workers live in dormitories where hundreds of workers claim a space the size of a mat, and where the gates are firmly shut with a security guard keeping a watchful check that no outsiders enter the compound. Construction workers live in shacks in the shadow of the mansions they are building. Trafficked persons are confined in isolated private houses cleaning, cooking and on call 24 hours a day for abusive employers, or in atrocious conditions on fishing boats. The different categories of migrants are both isolated from each other and segregated from the local population.

However, despite these segregations, migrant workers, refugees, trafficked and smuggled persons do sometimes move together and they do sometimes work together. A raid by anti-trafficking officials of a seafood processing factory in Thailand exposed sleeping quarters in the roof rafters for trafficked persons while other workers in the factory lived in another area. Brothels may have sex workers who come to work and leave to go home and a group who are kept there permanently even if they want to leave. Migrant workers know if there are trafficked victims among them; if migrants were given protection and assurances that they themselves will not lose their own legal status or be deported, migrant workers could be the key players in addressing trafficking.1 ‘To cite a recent example, on 24 January 2011, the Bangkok Post carried a story of how Burmese migrant workers had reported the fate of a Ukrainian man who, it appears, had been detained in a state of servitude in a factory in Bangkok for 14 years. The migrant workers who were also working in the factory looked after him; when they left the factory they wrote to his family and later led embassy officials to the factory to free the man. Eliminating the culture of tolerance of exploitation of all migrant workers would help ensure that working conditions for all workers were