Session 1
Background note

The first session of the Regional Review for the members of the United Nations Regional Commission for the Economic Commission for Europe (UNECE) will offer space for discussion of progress made in the implementation of objectives 2, 5, 6, 12 and 18 of the Global Compact for Safe, Orderly and Regular Migration (GCM).[1]

This background note provides examples of progress and challenges in regional, sub-regional and intra-regional collaboration towards the implementation of the GCM by the UNECE Member States drawn from inputs from the Regional Network on Migration; voluntary GCM reports submitted to the International Migration Review Forum (IMRF)[2]; the IMRF Progress Declaration[3]; consultations with stakeholders; and information available on the Migration Network Hub.[4]

Introduction

Roughly 101 million of the world's 169 million migrant workers lived in countries covered by the UNECE in 2019.[5] The largest number of migrant workers (24.2 per cent) were in Northern, Southern and Western Europe, where migrant workers made up 18.4 per cent of the labour force.[6] These numbers reflect the broad range of bilateral and multilateral freedom of movement regimes, demographic and labour market dynamics such as population ageing and employers' difficulty filling key roles, and perceived access to opportunities such as decent jobs, educational opportunities in the region.

Migrants come from within the region, and from a wide range of other countries reflecting a mix of geographic proximity; preferential migration regimes; historical, political and economic linkages; and family, diasporic and cultural ties. The majority of migration to the region takes place regularly however, dangerous, irregular movements do occur resulting in loss of life on migration routes and the abuse of migrants' rights in countries of transit and destination.

Member States recognize that migration governance grounded in sustainable development that upholds international human rights and labour standards, protects migrants, benefits communities of origin, transit and destination and accelerates progress towards the Sustainable Development Goals.[7]

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[1] Global Compact for Safe, Orderly and Regular Migration (A/RES/73/195)
[2] Voluntary National Review Reports
[3] IMRF Progress Declaration (A/RES/76/266)
[4] https://migrationnetwork.un.org/migration-network-hub
[5] ILO Global Estimates on International Migrant Workers 2021
[6] ILO Global Estimates on International Migration Workers 2021
[7] GCM Resolution, paragraphs 21 and 22

At the 2022 IMRF, Member States recognized progress in integrating migration into development, concluding bilateral labour migration agreements, simplifying migration procedures, strengthening progress towards fair and ethical recruitment and adherence to international labour standards, facilitating skill recognition addressing climate change impacts on migration.[8] However, Member States identified limitations regarding regular pathways, skill development and recognition, and addressing decent work deficits, which they committed to address.[9]

Overview of progress

Adverse drivers of unsafe, disorderly and irregular migration include lack of decent work in countries of origin, lack of progress towards sustainable development and, increasingly, the impacts of climate change. Ensuring sustainable development and decent work is a means of ensuring that migration is a choice, not a necessity, in addition to being a development and human rights imperative. As such, countries such as Kyrgyzstan[10] and Serbia[11] addressed the migration and development nexus. Albania[12], Kyrgyzstan, and Serbia promoted decent work and supported entrepreneurship. However, many countries emphasized that they faced a lack of data to design, implement, monitor and evaluate these efforts.

Armenia, Kyrgyzstan and Turkmenistan noted that climate change was an adverse driver of migration; Kyrgyzstan and Turkmenistan took action to improve resilience to climate change and disasters.[13] Germany considered tackling climate change as a driver of migration and displacement to be a priority.[14]

Several countries highlighted support to partner countries to build cooperation and capacities in areas such as skill development, addressing adverse drivers, and bridging the humanitarian-development-peace nexus, including through donations to the Migration Multi-Partner Trust Fund (M-MPTF). In this regard, a Joint Programme was included in the M-MPTF pipeline, with the aim to facilitate intra-regional mobility and maximize the benefits of migration through the implementation of evidence-based policies in the Western Balkans[15][OBJ] A second Joint Programme was admitted to the M-MPTF pipeline with a focus on strengthening labour migration data and analysis in Kyrgyzstan, to inform policies and advocate for the rights of migrants and their families related to employment, health, education, and social protection.[16]

It is essential that migrants are able to move along rights-based pathways, and to benefit from fair recruitment and decent work in countries of destination. Subregional freedom of movement regimes in the European Union (for citizens) and the Eurasian Economic Union (for workers), and bilateral schemes mean that many citizens in the region enjoy regular pathways. Erasmus, Erasmus Plus and Erasmus Mundus schemes also enable academic mobility.

Several countries created pathways for migrants from outside the region. Portugal and other members of the Community of Portuguese Speaking Countries signed a mobility agreement.[17] Portugal also signed bilateral labour migration agreements (BLMAs) with India and Morocco.[18] Spain reached sectoral

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[8] IMRF Progress Declaration, paragraph 24
[9] IMRF Progress Declaration, paragraphs 27 and 59
[10] Kyrgyzstan - Voluntary GCM Review.pdf
[11] Serbia - Voluntary GCM Review.pdf
[12] Albania - Voluntary Review Report to IMRF.pdf
[13] Armenia - Voluntary GCM Review.pdf, Kyrgyzstan - Voluntary GCM Review.pdf, Turkmenistan - Voluntary GCM Review.pdf.
[14] Germany intervention to Roundtable 2 at the IMRF.pdf
[15] M-MPTF Pipeline, page 63
[16] M-MPTF Pipeline, page 11
[17] Portugal - Voluntary GCM Review (English).pdf
[18] Portugal - Voluntary GCM Review (English).pdf

agreements with Honduras and Ecuador.[19] Greece enabled seasonal work for third-country nationals in agriculture[20].

At the IMRF, Member States, the private sector and other stakeholders recognized their progress in promoting fair and ethical recruitment and decent work for migrant workers, international labour standards and ensuring respect for and protection and fulfilment of human rights.[21] Among many examples reported, Albania, Armenia, Canada, Kyrgyzstan, the Republic of Moldova, the United States of America and Uzbekistan promoted fair and ethical recruitment through regulating recruitment agencies; adopting, monitoring and evaluating policies and strategies; and amending laws on recruitment, including limiting fees chargeable to migrant workers.[22] Supply chain due diligence laws at national level and proposed laws at regional level will have implications for the protection of migrant workers' fundamental principles and rights at work. A recruitment agency in the United States of America, CIERTO, adopted good practices based on the ILO General Principles and Operational Guidelines on Fair Recruitment.[23]

Germany aligned recruitment of health workers with the WHO Code of Conduct on Ethical Recruitment of Health Workers and SDG 10.7 through bilateral agreements with countries of origin. The United States of America signed bilateral agreements banning recruitment costs with several countries in Central America. Canada, Spain and the United States of America partnered to address recruitment fees for workers from Latin America and the Caribbean.[24] Through the adoption of the GCM, Member States committed to provide easily accessible information and guidance, including through digital platforms.[25] At the IMRF, many countries highlighted their progress in this respect, and specifically in developing streamlined and digitized migration procedures to increase transparency and efficiency of migration procedures. For example, Portugal adopted the "MySEF" system for streamlined decision-making on residence procedures.[26]

Member States recognized the importance to provide migrant workers with decent work.[27] To advance the commitment made through the GCM, the Netherlands introduced longer work permits for migrant workers and set up a task force to address their issues.[28] Germany, Spain and the Republic of Türkiye strengthened labour inspection and actively informed migrant workers about their rights.[29] The United States of America adopted whistleblower protections for migrant workers who raise workplace rights violations.[30]

Other countries highlighted specialized measures to support migrants in vulnerable situations, such as those found in the context of human trafficking in Spain, including collaboration with stakeholders.[31]

Social dialogue was part of labour migration governance in some countries. Domestic workers in Italy updated their collective agreement. Within the European Union, the Labour Migration Platform provides a space for the European Commission and representatives from European Union specializing in migration and employment policy, including representatives of employers' and workers' organizations, to foster close cooperation between the two sectors.[32]

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[19] Spain -Voluntary GCM Review (English).pdf
[20] Greece – Voluntary GCM Review (English).pdf
[21] IMRF Progress Declaration, paragraph 25
[22] Albania - Voluntary Review Report to IMRF.pdf; Armenia - GCM Report for IMRF 2022.pdf (un.org); Annex to GCM regional review - Canada's submission of voluntary written inputs.pdf; Kyrgyzstan - Voluntary GCM Review.pdf; Moldova - GCM_Raport_EN_2022.pdf (un.org), ILO Global Study on Recruitment Fees and Related Costs ILO Fair Recruitment Initiative (upcoming).
[23] https://www.ciertoglobal.org/wp-content/uploads/2020/12/10_Practicas_Esp_digital.pdf
[24] https://www.ciertoglobal.org/wp-content/uploads/2020/12/10_Practicas_Esp_digital.pdf
[25] GCM Resolution, paragraph 19
[26] https://migrationnetwork.un.org/practice/mysef
[27] GCM Resolution, paragraph 21
[28] Netherlands - Voluntary GCM Review (English).pdf
[29] Germany - Voluntary GCM Review (English).pdf
[30] DHS Announces Process Enhancements for Supporting Labor Enforcement Investigations | Homeland Security
[31] Spain – Voluntary GCM Review (English).pdf
[32] Labour Migration Platform - European Commission (europa.eu)

Skill recognition and development is critical to ensuring decent work and promoting migrants' contribution to sustainable development.[33] In line with this, the parties of the Council of Europe and UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region ensure access to qualification procedures. Similarly, European Union Member States are committed to automatic recognition of higher education qualifications from other European Union Member States by 2025, with efforts being made to recognize study abroad and upper secondary education.[34] Furthermore, the European Commission has released recommendations to simplify and speed up the recognition of the skills and qualifications of third country nationals and strengthen intra-European Union learning mobility.[35] In the Eurasian Economic Union, member States mutually recognize higher education certificates.[36] Countries in the Western Balkans are developing a draft agreement on recognition of academic qualifications.

Other good practices include the development of new pathways for migrant workers with specific skills. For example, Germany adopted a Skilled Workers Act which facilitated labour migration for those with recognized skills, including vocational qualifications.[37] Others such as Greece and the Netherlands implemented "digital nomad" and start-up visas.[38]

The European Commission has launched Talent Partnerships to enhance cooperation between the European Union, European Union Member States and partner countries to facilitate international mobility for work or training. Likewise, the proposal for the establishment of a European Union Talent Pool aims to facilitate international recruitment in occupations where there are European Union-wide shortages.[39] Initiatives such as the WAFIRA programme in Spain build the entrepreneurial capacities of women migrant workers in the agriculture sector. The Belgian Province of Flanders and Morocco are collaborating to train unemployed Moroccan ICT graduates to help fill skill gaps in both countries.[40]

Support to just transitions to green societies and economies, and targeted use of the loss and damage fund created under the UNFCCC framework could address and respond to adverse drivers.[41] Furthermore, as a just transition to green economies and societies becomes a priority, systemic and rights-based approaches to skill development focused on skills for green jobs will be critical. Skills mobility partnerships designed through social dialogue could play a role in this process, enabling rights-based migration that meets the needs of employers and workers in countries of origin and destination.

Many existing pathways fail to protect migrants' rights including freedom of association and collective bargaining, and the right to family reunification or care for children not moving with their parents.[42] Careful design of migration schemes is necessary to overcome these gaps. Social dialogue based on full freedom of association and collective bargaining rights for all migrant workers should be integrated into labour migration policymaking to empower migrant workers and ensure decent work as a core objective. Use of the United Nations Network-produced "Guidance on BLMAs" can ensure that bilateral labour migration agreements are rights-based and protection sensitive.[43]

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[33] Progress Declaration, paragraph 66
[34] Recognition of skills and qualifications | Europass
[35] Commission proposes new measures on skills and talent (europa.eu)
[36] https://eec.eaeunion.org/en/news/v-ramkakh-eaes-budet-obespecheno-vzaimnoe-priznanie-dokumentov-ob-uchenykh-stepenyakh/
[37] Germany - Voluntary GCM Review.pdf
[38] Netherlands - Voluntary GCM Review.pdf
[39] Commission proposes new measures on skills and talent (europa.eu), Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Region
[40] PALIM - European pilot project linking Moroccan ICT development and labour shortages in Flanders
[41] Operationalization of the new funding arrangements, including a fund, for responding to loss and damage referred to in paragraphs 2–3 of decisions 2/CP.27 and 2/CMA.4. Draft decision -/CP.28 -/CMA.5. Proposal by the President (unfccc.int)
[42] Temporary labour migration (ilo.org)
[43] 220426_BLM_Guidance_CLI.pdf (un.org)

Guiding questions

1. Has your government developed a GCM national implementation plan and/or integrated the GCM and its guiding principles into existing policy frameworks? If so, please elaborate on the process. If not, please indicate whether your government has plans to do so, and the envisaged process.

2. How has or will your government integrate the recommended actions to accelerate the implementation of the GCM as set out in the IMRF 2022 Progress Declaration into their relevant national policies and plans and reflected in their engagements in relevant international fora (e.g. High-Level Political Forum, Regional Forum for Sustainable Development, COP Climate Change Conference, etc.)? Furthermore, please indicate how the whole-of-government and whole-of-society approaches were implemented and/or advanced in this regard.

3. Please list some examples of achievements, promising practices and lessons learned that relate to national, inter- and sub-regional collaboration to the implementation of the GCM.

4. What are the main gaps and challenges in existing inter- and cross-regional collaboration on the implementation of the GCM?

5. Outline areas (GCM objectives and/or guiding principles) where the region would benefit from strengthened cooperation in terms of finance, capacity-building, policy advice, data gathering and analysis, technology, multi-stakeholder partnerships, etc.

Session agenda

Session 1: 10:00 – 11:15 CET	
Introductory remarks *(5 mins)* Member State speaker	**Stefanie Scharf**, Head of Division G20, Policy Issues of Displacement and Migration, Federal Ministry for Economic Cooperation and Development of Germany
Interactive discussion *(70 mins)* moderated by Stakeholder representative.	**Paola Cammilli**, Global Campaigns at Building and Woodworkers International (BWI), affiliated with Council of Global Unions (CGU)