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International Cooperation on Migration Policy: Dare to Do More!

The Global Forum on Migration and Development in Berlin Opens Up Opportunities

Steffen Angenendt and Anne Koch

Germany and Morocco are currently joint chair of the Global Forum on Migration and Development (GFMD). This year's meeting will take place in June 2017 in Berlin. The Forum is more important than ever: refugee and migrant numbers are on the increase; the lines between forced and voluntary migration are becoming increasingly blurred; and governments are less and less able to cope with the associated challenges on their own. And yet international cooperation on migration policy is weak, fragmented and mostly ineffective. The Berlin conference can make a contribution to strengthening it. The meeting also offers the German Federal Government an excellent opportunity for extending its role in shaping international cooperation on migration policy.

The GFMD's structure is unique in international migration policy. As an intergovernmental forum, it offers high-ranking government officials from industrialised, emerging and developing countries an informal setting for exchanging ideas on migration-policy subjects. Since its foundation in 2007, the Forum has convened an annual three-day conference of states. Since 2008 this state-led conference has been complemented by Civil Society Days, during which diaspora and migrant associations discuss pressing issues in migration policy. The two elements are connected by a Common Space, which facilitates dialogue between governments and the civil society. Since 2016 a Business Mechanism has also integrated actors from the business sector.

Traditionally the GFMD presidency alternates between a country of origin and a country of destination. The joint German-Moroccan chairmanship for 2017 and 2018 is a novelty that emphasises the importance of cooperation between countries of origin, transit and destination. Berlin and Rabat are thus signalling their willingness to act in concert on migration policy.

Background: Insufficient international cooperation

The GFMD was founded based on a recommendation of the 2006 *High-Level Dialogue on International Migration and Development*. At the time, the lack of cooperation in migration policy was already the subject of criti-

cism. Little has changed since. In sharp contrast to the international refugee regime – firmly established through the Geneva Refugee Convention and the UN High Commissioner for Refugees (UNHCR) – international migration policy remains a patchwork of regional and bilateral agreements and coordination mechanisms. Even though the International Organisation for Migration (IOM) joined the UN in 2016, the current institutional structures in the field of migration lack normative orientation, are unsuited for cooperative partnership between states, and fail to adequately protect the rights of migrants. The refugee architecture is better developed, but it too has deficits: fewer and fewer states meet their obligation to protect refugees, and the refugee regime is therefore threatened by erosion.

Against this background, more cooperation on refugee and migration policy – with binding norms, competences and institutions – would have great advantages. A global order for refugees and migrants should safeguard their rights; set minimum standards for refugee, migration and integration policy; and enable a fair reconciliation of interests between countries of origin, transit and destination. Such cooperation could help to reduce the root causes of forced displacement, convert more irregular migration into regulated forms, and guide local integration, return and reintegration.

Fundamental decisions defining the future course of cooperation on refugee and migration policy, both institutionally and in terms of content, are currently being taken. The UN's *Sustainable Development Goals* (SDGs), adopted in 2015, contain migration-related targets and indicators that are binding on all member states. Moreover, the UN General Assembly decided in September 2016 to draw up two global agreements on migration and refugees: the *Global Compact for Safe, Orderly and Regular Migration* (GCM) and the *Global Compact on Refugees* (GCR). Both agreements will have an impact on the international institutional structure.

One of the aims of the GCR is to improve the allocation of responsibilities in major refugee crises; UNHCR has been in charge of drafting it. What exactly the thematic focus and institutional jurisdiction of the GCM will be is not yet clear. If the finished GCM is ambitious, with clear objectives and commitments for states, more dialogue forums will be needed. The GFMD would then become even more central for states that want to engage in a dialogue on migration-related policies.

The GFMD: Its importance to date

The GFMD was established as a process outside the UN because many governments are particularly concerned about interference in their sovereignty in the field of migration. The non-binding nature of its format is often seen as a weakness, but it is also a strong point. Thematically, it focuses on migration and development because countries of origin and countries of destination have a common interest in the reciprocal relationship of the two spheres: in the impact of migration on development and the impact of development on migration movements.

Whilst GFMD discussions in the first years were limited to uncontroversial topics, such as the development impact of remittances, potentially more contentious issues are now being addressed as well. Thus, the economic debates that have been a part of the GFMD since the start have now been complemented by discussions about migrants' rights and the promotion of legal migration routes. In 2015 the Turkish presidency put the topic of forced displacement on the agenda for the first time, as part of a debate on refugees' access to work and education.

In the past, civil society has repeatedly functioned as an agenda-setter for GFMD meetings, bringing up topics that were subsequently discussed in the *Government Days* as well. Critics nonetheless claim that civil society continues to be insufficiently involved in the GFMD. They welcome the

fact that the business sector has been integrated with the introduction of a *Business Mechanism*. However, they deplore the lack of participation by workers' representatives. There is also disappointment over the fact that GFMD debates, whose contents are often forward-looking, do not lead to corresponding resolutions and that states do not enter into any legal obligations. Many critics believe that no tangible results have yet been achieved because of the informality of the format – and that the GFMD is therefore at risk of losing its *raison d'être*.

However, in the past two years in particular, the Forum has decisively influenced the international agenda on migration policy. A prime example is the global Sustainable Development Goal 10.7 – calling on governments to support secure and regular migration – which grew out of an initiative first discussed in the GFMD context. Furthermore, the New York Declaration on large movements of refugees and migrants of September 2016 invited the GFMD to contribute to drawing up the GCM. The *Ad Hoc Working Group on the 2030 Agenda and the GCM*, established at the GFMD states conference in December 2016, is currently examining the insights gained during the GFMD's first ten years. And the final report of the UN Special Representative for International Migration, Peter Sutherland, who left office in spring 2017, recommends that the GFMD be institutionally enhanced so that it can function as an agency that accompanies and monitors the relevant international processes, in particular the implementation of the migration-related SDGs and the GCM.

Thematic priorities of the Berlin Summit

This year's GFMD takes place at the German Foreign Ministry in collaboration with the German Federal Ministry for Economic Cooperation and Development. The Federal Government thus underlines what it sees as the growing importance of migrants and refugees. Traditionally the GFMD pro-

gramme encompasses three thematic focal points (*roundtables*), each divided into two subsidiary topics. The motto of the Berlin summit is "Towards a Global Social Contract on Migration and Development". With this overarching theme as their starting-point, the respective roundtables are oriented towards specific political actors and levels. The first tackles national strategies, the second bilateral and multilateral partnerships, and the third the inclusion of non-state actors.

The German presidency has set new accents. On the one hand, it draws on the recent experience of civil society involvement in receiving refugees in Germany; on the other, it stresses the role of the business sector in training partnerships. The thematic focal points of "Fostering the development impact of returning migrants" and "Creating development solutions to the mutual benefit of host and origin communities and displaced persons" are also politically crucial. The former presents an opportunity to emphasise the importance of extensive and carefully conceived re-integration programmes in a sustained refugee return policy. The latter reflects a looming paradigm shift in dealing with refugee situations: moving away from the focus on humanitarian aid in refugee camps towards the creation of longer-term perspectives for the people concerned.

Beyond these thematic priorities, the GFMD meeting in Berlin aims to also make a contribution to the ongoing international processes. Thus, one roundtable will be devoted to the implementation of migration-related SDGs, and a team of rapporteurs will identify contributions that might be relevant for the GCM.

Make better use of the GFMD potential!

During the ten years of its existence, the GFMD has become more open in two ways. First, its thematic range has been extended; second, non-state and business actors have been integrated into the debates. Both

developments are testament to the governments' increasing trust and their interest in more cooperation in the areas of migration and development.

There is no doubt that the GFMD, as a protected space for debates on sensitive topics, has an important role in international cooperation. So far, however, the annual states' conference has not always met the ambition of facilitating an informal and open exchange of ideas. The roundtable meetings have frequently been limited to a series of pre-formulated country statements. By contrast, for the Berlin meeting the German Federal Government has chosen the approach of making states' official positions available beforehand so as to create more room for discussions. This approach should be made permanent.

A further deficit is that the knowledge resources offered by the GFMD are only partly used by the states. An example is the Platform for Partnerships, which contains information on especially successful programmes and projects. These experiences need to be used more systematically in future. The potential of the German-Moroccan joint presidency has not yet been fully realised either. Whilst the two states have coordinated the agendas of the GFMD conferences taking place in Rabat and Berlin, each could do more to engage with the situation of the other country. Specific joint projects would create an example of cooperation on migration policy as equals.

Internally, it would also be desirable to have even closer interdepartmental cooperation with a view to improving international cooperation on migration policy. Previous GFMD presidencies, such as Sweden's and Switzerland's, have shown that interdepartmental coordination, which is necessary in the run-up to the annual meeting, can lay the foundation for a longer-term, strategic and coherent national migration policy. Better use should be made of this potential in Germany as well.

Civil society actors continue to call for GFMD decisions to be made binding. How-

ever, formalising the Forum would change its nature as a place of discussion, which would be neither desirable nor realistic. But the GFMD could certainly be enhanced in other ways. In the context of the SGD process and the GCM, it could serve as a future peer-review body. States could then use it on a voluntary basis to obtain information on any progress made, for example, in reducing recruitment costs or support each other with concrete suggestions.

Finally, it does not do justice to the GFMD's potential to think only from summit to summit. Rather, the Forum should be seen as a process, in which interested states can discuss the upcoming reform of international cooperation on refugee and migration policy. This reform above all includes giving the IOM a normative mandate and a viable financing structure, which would make it more independent from the aims of individual states.

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