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Compact for Safe, Orderly and Regular Migration

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Item 2 of the provisional agenda**

**Review of migration policies and programmes and their impact on
facilitating safe, orderly and regular migration and on supporting
all dimensions of sustainable development**

International migration, the 2030 Agenda for Sustainable Development and the global compact for safe, orderly and regular migration

Note by the secretariat

Summary

The 2030 Agenda for Sustainable Development directly and indirectly addresses the issues of migration and migrants, including migrants' contributions to sustainable development and their need for migration in conditions of safety and respect for their fundamental rights. Several of the targets under the Sustainable Development Goals are devoted specifically to migrant issues, while others cannot be achieved without the inclusion of migrants.

The global compact for safe, orderly and regular migration will be drawn from, among other instruments, the 2030 Agenda for Sustainable Development. As such, the present document is intended to serve as a guide for the intergovernmental process in the Asian and Pacific region to develop inputs to the negotiations on the global compact for safe, orderly and regular migration by highlighting issues of relevance and providing recommendations for consideration by participants.

I. Introduction

1. This present document contains a review of the extent of inclusion of international migration issues in the Sustainable Development Goals, adopted by the General Assembly on 25 September 2015,¹ which are designed to guide international and national strategies of development up to 2030. It includes direct references to features of international migration in the targets and indicators of the Sustainable Development Goals and a discussion on ways in which international migrants would be indirectly affected by and contribute to the achievement of the Sustainable Development Goals. The document also provides recommendations that could support implementation of the

* Reissued for technical reasons on 18 October 2017.

** E/ESCAP/GCM/PREP/L.1.

¹ General Assembly resolution 70/1.

migration-related elements of the 2030 Agenda for Sustainable Development, and which could feed into the process of developing and implementing the global compact for safe, orderly and regular migration.

II. The 2030 Agenda for Sustainable Development

A. Preparations for the 2030 Agenda

2. International migration was not a factor in the targets and indicators of the Millennium Development Goals which covered the period 1990-2015. Subsequently, the international community has increasingly recognized the importance of international migration with regard to development in the countries of origin and the countries of destination. Many of the targets associated with the Millennium Development Goals were expressed as aggregate measures; for example, target 4.A was to reduce the under-five mortality rate by two thirds between 1990 and 2015; while target 3.A was to eliminate gender disparity in primary and secondary education by 2005, and in all levels of education not later than 2015. As aggregate measures, these targets could be achieved without necessarily affecting the most marginalized groups, such as small ethnic groups, people living in remote areas and people with disabilities or migrants.

3. Post-2015 development initiatives of the United Nations are being undertaken within the framework of the 2030 Agenda which consists of 17 Sustainable Development Goals and 169 targets and was developed in an extensive process of reflection, consultation and negotiations.

4. Recognizing that a more nuanced approach was required to build on the successes in achieving the Millennium Development Goals, the approach taken for developing the Sustainable Development Goals was to ensure that no one will be left behind. The Sustainable Development Goals are meant to be achieved for all nations and peoples and for all segments of society and the particular vulnerabilities faced by specific groups within societies who face obstacles preventing their integration within mainstream development processes are recognized. Furthermore, and in response to the criticism that the Millennium Development Goals provided little guidance on how the Goals could be achieved, the 2030 Agenda provides means of implementation, including with regard to the specific contributions made by certain groups within society.

5. As part of the process to formulate the 2030 Agenda, the role of migration and migrants, particularly the status of migrants as a group with specific potential to contribute to development and requiring specific support, was considered extensively, both in analytical work and at intergovernmental forums.

6. The interagency United Nations System Task Team on the Post-2015 United Nations Development Agenda made two closely related fundamental recommendations in its inception report² on the post-2015 development agenda, which supported discussions on the shape of the 2030 Agenda. The first was to mainstream migration into development planning and the second was to treat migration as a cross-cutting issue within the post-2015 development agenda.

² United Nations System Task Team on the Post-2015 United Nations Development Agenda, "Migration and human mobility: thematic think piece", May 2012. Available from www.un.org/en/development/desa/policy/untaskteam_undf/thinkpieces/13_migration.pdf.

7. These recommendations reflected the understanding that international migration is an important enabler of development in countries of origin and countries of destination. Furthermore, the impacts of migration are felt not only in the economic dimensions, but also in several other dimensions, including health, education, gender equality, the building of inclusive societies and the response to climate change. At the same time, the large volume of international migration calls for mechanisms to ensure that migrants' rights are protected and that they are not subject to discrimination and abuse.

8. The outcome of the United Nations Conference on Sustainable Development, "The future we want",³ reiterated the importance of protecting the rights of migrants, the need to mainstream migration in planning processes to seize the opportunities it represents, and the need to include migrants in development processes.

9. The High-level Dialogue on International Migration and Development, held at the General Assembly in 2006, formalized within the United Nations machinery much of the discussion on international migration. It was followed by the Second High-level Dialogue on International Migration and Development, in 2013.

10. In preparation for the Second High-level Dialogue, the Secretary-General issued two reports, one on international migration and development and one on promoting the human rights of migrants.

11. In the first report, the impact of migration on countries of origin and destination, focusing primarily on skills transfers and wages in labour markets, was among the issues discussed. The report also included a proposed eight-point agenda for action. In one point, stakeholders were called upon to integrate migration into the development agenda, stating in part that, "the international community should define a common set of targets and indicators to monitor the implementation of measures aimed at enhancing the benefits and addressing the challenges of international migration, for consideration in the framework of the post-2015 development agenda".⁴ In the second report, the components of a human rights-based approach to migrants and migration, including from the perspective of the post-2015 development agenda, were considered.⁵

12. The declaration issued by the High-level Dialogue in 2013 recognized the need to develop a coherent approach to international migration considering its interrelation with the social, economic and environmental dimensions of sustainable development, and to include it in the post-2015 development agenda.⁶ Recognition of the importance of migration was reiterated in the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, which was held in Addis Ababa from 13 to 16 July 2015.

B. Migration in the 2030 Agenda for Sustainable Development

13. These initiatives have led to references being made to international migration in the 2030 Agenda, including in the preamble and in the Sustainable Development Goals. International migration is included in specific targets (such as targets 8.8, 10.7, and 17.18) and is implied in many other targets (such

³ General Assembly resolution 66/288, annex.

⁴ See A/68/190, para. 117.

⁵ A/68/292.

⁶ See General Assembly resolution 68/4.

as targets with universal aims, including 1.3, 2.1, 3.3, 3.7 and 3.8). Migrants can also contribute to the achievement of other Goals. The references to migration in the Sustainable Development Goals focus on the importance of the contributions of migrants and their need to migrate in conditions of safety and respect for their fundamental rights.

14. The Goals and targets can be grouped into three tiers according to how directly they relate to international migration: (a) some of the targets refer directly to migrants and/or migration; (b) some do not refer to migrants, but can only be achieved if migrants are considered; and (c) some do not mention migrants, but would likely have considerable impact on migrants because of their concentration on particular locations or economic sectors. Beyond this classification, it is also important to recognize that international migrants have the potential to make significant contributions to the achievement of many of the Sustainable Development Goals and targets.

15. The Goals and targets that refer to migration or migrants are outlined below. The Secretary-General has reported to the Statistical Commission (2016) on proposed indicators that could be used to measure the achievement of the Sustainable Development Goals and targets.⁷ The indicators for the targets that most directly affect migrants are presented below (see table 1).

Table 1
Sustainable Development Goal targets that directly address migration

<i>Goal</i>	<i>Target or means of implementation</i>	<i>Indicator</i>
<i>Goal 3. Ensure healthy lives and promote well-being for all at all ages.</i>	<i>Means of implementation 3.c. Substantially increase health financing and the recruitment, development, training and retention of the health workforce in developing countries, especially in least developed countries and small island developing States</i>	<i>Indicator 3.c.1. Health worker density and distribution</i>
<i>Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all</i>	<i>Means of implementation 4.b. By 2020, substantially expand globally the number of scholarships available to developing countries, in particular least developed countries, small island developing States and African countries, for enrolment in higher education, including vocational training and information and communications technology, technical, engineering and scientific programmers, in developed countries and other developing countries</i>	<i>Indicator 4.b.1. Volume of official development assistance flows for scholarships by sector and type of study</i>

⁷ See E/CN.3/2016/2/Rev.1.

<i>Goal</i>	<i>Target or means of implementation</i>	<i>Indicator</i>
<i>Goal 5. Achieve gender equality and empower all women and girls</i>	<i>Target 5.1. End all forms of discrimination against all women and girls everywhere</i>	-
	<i>Target 5.2. Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.</i>	-
<i>Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all</i>	<i>Target 8.7. Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms</i>	<i>Indicator 8.7.1. Proportion and number of children aged 5-17 years engaged in child labour, by sex and age</i>
	<i>Target 8.8. Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.</i>	<i>Indicator 8.8.1. Frequency rates of fatal and non-fatal occupational injuries, by sex and migrant status</i> <i>Indicator 8.8.2. Increase in national compliance of labour rights (freedom of association and collective bargaining) based on International Labour Organization (ILO) textual sources and national legislation, by sex and migrant status</i>
<i>Goal 10. Reduce inequality within and among countries</i>	<i>Target 10.7. Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies</i>	<i>Indicator 10.7.1. Recruitment cost borne by employee as a proportion of yearly income earned in country of destination</i> <i>Indicator 10.7.2. Number of countries that have implemented well-managed migration policies.</i>
	<i>Means of implementation 10.c. By 2030, reduce to less than 3 per cent the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5 per cent</i>	<i>Indicator 10.c.1. Remittance costs as a proportion of the amount remitted</i>

<i>Goal</i>	<i>Target or means of implementation</i>	<i>Indicator</i>
<i>Goal 16.</i> Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels	<i>Target 16.2.</i> End abuse, exploitation, trafficking and all forms of violence against and torture of children	<i>Indicator 16.2.2.</i> Number of victims of human trafficking per 100,000 population, by sex, age group and form of exploitation
	<i>Target 16.9.</i> By 2030, provide legal identity for all, including birth registration (while this target does not refer specifically to the children of migrants, they are often at high risk of not having their birth officially registered)	<i>Indicator 16.9.1.</i> Proportion of children under 5 years of age whose births have been registered with a civil authority, by age (this should also be done by migration status)
<i>Goal 17.</i> Strengthen the means of implementation and revitalize the global partnership for sustainable development	<i>Target 17.18.</i> By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status , disability, geographic location and other characteristics relevant in national contexts.	<i>Indicator 17.18.1.</i> Proportion of sustainable development indicators produced at the national level with full disaggregation when relevant to the target, in accordance with the Fundamental Principles of Official Statistics

16. To achieve the following Goals and targets, policies and programmes must explicitly address the situation of international migrants, either because they cannot be achieved without addressing migration or because of the significant benefits migration can contribute towards achieving these goals (see table 2).

Table 2

Sustainable Development Goals that cannot be achieved without addressing migration

<i>Goal</i>	<i>Target</i>	<i>Indicator</i>	<i>Note</i>
<i>Goal 1.</i> End poverty in all its forms everywhere	<i>Target 1.3.</i> Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable		Migrant remittances can contribute towards reducing poverty, especially if migrants move within a safe, orderly and regular system and are accorded social protection at the destination.

<i>Goal</i>	<i>Target</i>	<i>Indicator</i>	<i>Note</i>
	<i>Target 1.5.</i> By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters		
<i>Goal 3.</i> Ensure healthy lives and promote well-being for all at all ages	<i>Target 3.3.</i> By 2030, end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases (because of their working and living situation, migrants may be particularly at risk of contracting many of these diseases)		Because migrants comprise a significant percentage of the population in many countries, ensuring healthy lives for all requires addressing the health situation of migrants. Unaddressed health conditions among migrants may also have broader public health implications. Further migrant health workers contribute to the health of the population in the country of destination.
	<i>Target 3.7.</i> By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes	<i>Indicator 3.7.1.</i> Proportion of women of reproductive age (aged 15-49 years) who have their need for family planning satisfied with modern methods (ideally this indicator would be disaggregated by migration status)	
	<i>Target 3.8.</i> Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all		

<i>Goal</i>	<i>Target</i>	<i>Indicator</i>	<i>Note</i>
Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all	Target 4.1. By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes	Indicator 4.1.1. Proportion of children and young people: (a) in grades 2/3; (b) at the end of primary; and (c) at the end of lower secondary achieving at least a minimum proficiency level in (i) reading and (ii) mathematics, by sex. Disaggregations: sex, location, wealth (and others where data are available).	The disaggregations should also include migratory status in line with target 17.18.
	Target 4.2. By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education	Indicator 4.2.1. Proportion of children under 5 years of age who are developmentally on track in health, learning and psychosocial well-being, by sex. Disaggregations: sex, location, wealth (and other categories, where data are available).	The disaggregations should also include migratory status in line with target 17.18.
	Target 4.3. By 2030, ensure equal access for women and men to affordable and quality technical, vocational and tertiary education, including university		
	Target 4.4. By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship		By taking into account the education and training that potential migrants require in order to compete successfully for overseas jobs, countries can promote their own development (through increased remittances but also from a better-trained local labour force) as well as that of the destination country.

17. In the third tier are Sustainable Development Goals that are likely to substantially affect migrants because they often face discrimination and work in sectors at risk of environmental pollution and degradation, such as in construction and industry (see table 3).

Table 3

Sustainable Development Goals that are likely to substantially affect migrants

<i>Goal</i>	<i>Target</i>	<i>Note</i>
<i>Goal 9.</i> Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation		The development of infrastructure promotes connectivity, including through international migration. Furthermore, the building of physical infrastructure and industrial development will rely heavily on the contributions of migrant workers.
<i>Goal 10.</i> Reduce inequality within and among countries	<p><i>Target 10.2.</i> By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status</p> <p><i>Target 10.3.</i> Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard</p>	
<i>Goal 11.</i> Make cities and human settlements inclusive, safe, resilient and sustainable		This Goal can only be fully achieved if migrant settlements are taken into account, especially considering that international migrants are often concentrated in urban areas. Given the importance of local government in the implementation of the 2030 Agenda for Sustainable Development, inclusion of migrants in local sustainable development initiatives will also be essential to ensure their inclusion.

<i>Goal</i>	<i>Target</i>	<i>Note</i>
<i>Goal 13.</i> Take urgent action to combat climate change and its impacts		Migration can be an effective adaptation to both gradual and rapid environmental change.

18. The remaining Sustainable Development Goals could conceivably be achieved without specific reference to the situation of international migrants.

19. Any consideration, analysis, or intervention relating to international migration and the sustainable development agenda must take into account the distinct migration systems within the region and the different types of migration outlined in the other notes by the secretariat for the Regional Preparatory Meeting.⁸ For example, people migrating for work contribute to economic and social development in countries of origin and destination. They are actors for sustainable development, but typically they receive lower wages than local workers and have limited access to social protection, including health care, as a result of the migration systems in many countries of destination. They need to be specifically considered in the effort to achieve Goal 10 and targets related to social protection. Migration for climate change is an issue that needs to be considered regarding Goal 13 as a climate change adaptation strategy. For people migrating to flee from conflict, human rights issues and access to essential social services are crucial. Thus, the migration systems, the types of international migrants, the factors behind decisions to migrate, and gender could be considered overlays of the Sustainable Development Goals and the migration framework, influencing the opportunities for migration to contribute to sustainable development, the challenges faced by migrants, and the nature of the policies required to maximize the positive impacts, while minimizing the negative ones.

20. Even when it comes to one type for migration, for example labour migration, the situation is different depending on varying conditions, requiring diverse interventions. For example, the migration of an Indonesian woman for employment as a domestic worker in the Middle East is a very different phenomenon than that of a university-educated Filipina migrant who migrates to Singapore to work as an accountant. As a result, the possible interventions to support them are likely to be different. Priority issues for the former would include measures to alleviate the vulnerability associated with being a woman and working in a sector in which the application of labour laws is often excluded. In comparison, priorities for the latter would relate to ensuring that she is able to develop her skills and would seek to engage them in development activities in her country of origin. Overall, it is essential to determine whether interventions are meant to address the economic, social, demographic, political or environmental aspects of a migration flow.

21. The 2030 Agenda provides guidance across a wide range of areas that could be considered under the global compact for safe, orderly and regular migration. This guidance is explicit, addressing migration and migrants' situations directly, and implicit, in cases in which (a) goals and targets cannot be met without the inclusion of migrants or (b) migrants may have a particular role to play in supporting positive outcomes.

⁸ E/ESCAP/GCM/PREP/1, E/ESCAP/GCM/PREP/3, E/ESCAP/GCM/PREP/4, and E/ESCAP/GCM/PREP/5.

III. United Nations initiatives on global migration governance

22. Members States have increasingly attempted to deal with international migration through dialogue within the United Nations system and through State-led, voluntary processes. Around the time of the first High-level Dialogue on International Migration and Development, greater coordination among stakeholders was achieved by three actions: (a) member States established the Global Forum on Migration and Development as a voluntary, non-binding and informal consultative process that meets annually; (b) a Special Representative of the Secretary-General for International Migration was appointed; and (c) the Secretary-General established the Global Migration Group to improve coordination and coherence among United Nations agencies and the International Organization for Migration (IOM) on international migration.

23. The High-level Dialogue on International Migration and Development, held in 2013, adopted a resolution calling for migration to be incorporated in the 2030 Agenda. In 2014, the General Assembly adopted resolution 69/229, in which it decided to hold the third High-level Dialogue on International Migration and Development by no later than 2019 at United Nations Headquarters in New York. In the resolution, the General Assembly also invited the regional commissions, in collaboration with other relevant entities of the United Nations system and IOM and in accordance with their respective mandates, to continue to examine the regional aspects of international migration and development and to provide inputs to the report of the Secretary-General on international migration and development to be submitted to the General Assembly at its seventy-first session.

24. On 19 September 2016, the General Assembly hosted a high-level plenary meeting in response to large-scale movements of refugees and migrants in recent years. The General Assembly, at its seventy-first session, adopted the New York Declaration for Refugees and Migrants, and decided that an intergovernmental conference should be organized in 2018 and that a global compact for safe, orderly and regular migration should be submitted to the conference for adoption. The global compact will be the result of “a process of intergovernmental negotiations leading to the adoption of a global compact for safe, orderly and regular migration,” and “would set out a range of principles, commitments and understandings among Member States regarding international migration in all its dimensions” to facilitate cooperation and the achievement of the migration-related goals of the 2030 Agenda and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development.

IV. Recommendations for action towards safe, orderly and regular migration

25. The following recommendations highlight areas that Governments may focus on to facilitate safe, orderly and regular migration in support of the 2030 Agenda and the global compact for safe, orderly and regular migration.

A. Develop comprehensive migration policies

26. Often, migration policies focus on only one aspect of migration or only the work of a single ministry. Comprehensive policies by contrast should pertain to all aspects of migration, including in-migration and out-migration, and labour as well as student or marriage migration. They should take gender fully into account. Migration policies should be internally consistent and, most importantly, they should be consistent with other national development strategies.

27. A comprehensive migration policy should comprise an overarching policy document stating the objectives and principles of the policy, the institutional arrangements for government offices and other stakeholders, a legislative framework and the associated regulations. An inclusive approach is needed to develop such a comprehensive policy. Thus, a shared understanding of the objectives pursued by the integration of migration and development is important, as is strong support at the highest political levels. The early involvement of a range of key stakeholders is also required.

28. The principles and objectives of migration policy should be based on those elaborated in the IOM Migration Governance Framework.⁹ A valuable tool for examining national migration policies is the Migration Governance Index¹⁰ developed by The Economist Intelligence Unit and commissioned by IOM, which assesses countries' policy development in terms of institutional capacity, migrant rights, safe and orderly migration, labour migration management and regional and international cooperation.

B. Facilitate safe, orderly, regular and responsible migration

29. This objective is target 10.7 of the 2030 Agenda, and is closely linked to the goals of the global compact for safe, orderly and regular migration. It is especially pertinent in Asia and the Pacific where temporary labour migration, managed by government agencies, constitutes the largest migration flows and where policy interventions are critical.

30. The challenge for many countries in the region, both countries of origin and host countries, is to adapt their migration procedures to ensure that they are fair, low-cost, responsive to labour market demands and efficient, to provide an incentive for potential migrants and employers to use regular rather than irregular channels, and to retain regular status. Bureaucratic procedures could be simplified, costs could be reduced and the migration process could be expedited, bearing in mind the sovereignty and laws of member States. Means of ensuring regulation of private recruitment agencies could be considered along with effective measures to improve employer compliance with labour laws to protect migrants throughout the migration process.

31. Related to target 10.7 of the Sustainable Development Goals, means of implementation 10.c aims to reduce the transaction costs of sending remittances to 3 per cent and to eliminate remittance corridors with costs higher than 5 per cent. Countries of origin and of destination could work together to establish banking systems and financial services that permit the sending of remittances easily and for a low fee.

32. One mechanism for promoting safe and regular migration would be through establishing a memorandum of understanding between the country of origin and the country of destination using the International Labour Organization (ILO) Model Agreement on Temporary and Permanent Migration for Employment, including Migration of Refugees and Displaced Persons annexed to ILO Recommendation 86 concerning Migration for

⁹ IOM, document C/106/40. Available from <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>.

¹⁰ The Economist Intelligence Unit, "Measuring well-governed migration: the 2016 migration governance index" (London, 2016). Available from www.iom.int/sites/default/files/our_work/EIU-Migration-Governance-Index-20160429.pdf.

Employment (revised 1949).¹¹ For example, in its employment permit system, the Republic of Korea makes extensive use of memoranda of understanding with countries of origin to ensure regular and orderly recruitment of migrants. In these memoranda of understanding, it is detailed that recruitment to the Republic of Korea must be done by government agencies in the countries of origin and should not be given to the private sector. They also detail recruitment fees and rights and duties of the migrants. This formalized approach may be considered by other countries. Memoranda of understanding should be made public so that migrants, the private sector and civil society are aware of their provisions.

C. Enhance the protection of the rights of migrants

33. If the rights of migrants are not ensured by regular migration channels, they will not be safe and many will opt to use irregular channels.

34. Paramount in ensuring the rights of migrants is adherence to global human rights and labour standards, especially as contained in the core human rights and ILO conventions, at all stages of the migration process. In this regard, key principles of the universality, inalienability, indivisibility, interdependency and equal importance of human rights should be observed and the human rights of migrants should be respected, protected and fulfilled.¹²

35. Steps taken towards achieving this goal could include action to incorporate into national labour legislation sectors, such as domestic work, agricultural work and fishing, that are not fully covered so that migrant workers in those sectors have all the protections that formal sector workers enjoy.

36. All migrant workers should have enforceable employment contracts in a language that they understand and based on the labour laws of the country of destination. States could consider strengthening complaints mechanisms for migrant workers and mechanisms for providing migrants with comprehensive, and accurate information prior to their departure, upon arrival in the host country and on their return to their country of origin, as relevant. Migrants should have the right to travel home and return during a period of leave.

37. It is essential that mechanisms devised to protect the rights of migrants be gender responsive, as women and men migrants often work in very different environments and face differing infringements of their rights.

38. Such measures should incorporate irregular migrants. There is a strong consensus in international human rights law that migrant workers in an irregular status must retain their fundamental rights.¹³

¹¹ Available from www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_INSTRUMENT_ID:312424.

¹² Office of the United Nations High Commissioner for Human Rights, “Migration and human rights: improving human rights-based governance of international migration” (Geneva, 2013). Available from www.ohchr.org/Documents/Issues/Migration/MigrationHR_improvingHR_Report.pdf.

¹³ *The Economic, Social and Cultural Rights of Migrants in an Irregular Situation* (United Nations publication, Sales No. E.14.XIV.4). Available from www.ohchr.org/Documents/Publications/HR-PUB-14-1_en.pdf.

D. Provide adequate social protection for migrants

39. The ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) includes:

- (a) Ensuring the well-being of children;
- (b) Unemployment protection;
- (c) Employment injury protection;
- (d) Disability benefits;
- (e) Maternity protection;
- (f) Sickness benefits;
- (g) Old-age pension;
- (h) Survivor pension;
- (i) Universal health coverage.¹⁴

40. Not every element of social protection may be applicable for temporary labour migrants who are not permitted to bring dependents with them; however international labour law requires that some form of most protections should be made available to migrant workers. An obstacle to providing the full range of social protection to migrant workers is that often many national workers are not covered by these social protection systems, especially workers in the informal sector. As migrant workers usually invest considerable capital in obtaining work abroad and are in particularly vulnerable situations, their work should be formalized and an adequate package of social protection should be provided to them.

41. Sustainable Development Goal 3, on healthy lives, and Goal 4, on inclusive and equitable quality education, can only be achieved if migrants and their children are specifically taken into account.

42. Pension coverage is difficult to coordinate between countries of origin and countries of destination. Eligibility rules, contributions and benefits differ greatly among national pension systems. Countries of origin can implement measures to ensure that their migrant workers are able to retain enrolment in a pension system and make contributions to it while abroad, as is the case for the Philippines. Social protection packages developed by host countries could contain a provision for pension coverage such that when a worker has completed a contract, some pension benefit would revert to the worker.

43. Regional intergovernmental organizations, such as the Association of Southeast Asian Nations (ASEAN) and the South Asian Association for Regional Cooperation, could make a valuable contribution to the welfare of migrant workers by working with their member States to develop regional pension systems available to all workers, including migrants. The Eurasian Economic Union is developing pension rules to cover workers from one of its countries employed in another of its member States.

¹⁴ ILO, *World Social Protection Report 2014/15: Building Economic Recovery, Inclusive Development and Social Justice* (Geneva, 2014). Available from www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_245201.pdf.

E. Improve training of potential migrants and recognition of their skills

44. Countries of origin benefit from deploying more highly skilled migrant workers. Such workers are much less likely to be in vulnerable occupations, and will earn and remit more. Countries of destination benefit from workers who are more skilled and productive. Despite this synergy, challenges remain in the harmonization of their vocational and technical training and the mutual recognition of certification of knowledge and skills gained.

45. While ASEAN has developed mutual recognition agreements, they cover only eight, mostly professional, occupations. The treaty of the Eurasian Economic Union states that education certificates issued by educational institutions in its member States shall be recognized in the state of employment, although workers need to undergo additional procedures for recognition of educational certificates to work in the educational, legal, medical and pharmaceutical spheres.¹⁵

46. Countries that rely on large numbers of migrant workers could develop joint vocational training programmes with countries of origin to provide prospective migrant workers with the skills required in the host country. Host countries could open their vocational training institutes to persons from other countries who would like to acquire the skills necessary for employment in the host country. Host countries could also offer additional training for current migrant workers, on a part-time basis, for example.

F. Tackle irregular migration

47. There are three broad approaches to reducing the level of irregular migration: (a) simplify the procedures for regular migration; (b) regularize migrants who are in an irregular situation; and (c) strictly enforce laws and regulations on migration and employment. Many countries with large numbers of migrants in an irregular situation have applied all three strategies to some degree. Efforts to address irregular migration include the consideration of the role of institutions responsible for recruiting and exploiting irregular migrant workers, as well as facilitating their migration.

48. All responses to irregular migration must be based on upholding the fundamental human rights of irregular migrants.

G. Eliminate human trafficking

49. Sustainable Development Goal target 5.2 calls for eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking. Target 8.7 calls for countries to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour. Target 16.2 commits States to end abuse, exploitation, trafficking and all forms of violence against and torture of children.

50. Addressing these will require significant efforts through measures in criminal, migration and labour law that are grounded in human rights, including dealing with the drivers of unsafe and irregular migration; providing

¹⁵ Samat Aliev, "Labour migration and social security of migrant workers in the Eurasian Economic Union", presentation at the Advocacy Forum on Facilitating Migration Management in North and Central Asia, Almaty, Kazakhstan, June 2016.

legal channels for labour migration at all skill levels; adopting laws to punish those who traffic or exploit migrant workers; and ensuring the protection of victims of trafficking.

H. Promote the integration of migrants in host societies and improve public perceptions of migrants

51. To assist in the achievement of target 10.7 on orderly and safe migration, Governments can promote the integration of migrants in housing, markets, social activities and religious practice and permit migrants to establish their own social and/or welfare clubs.

52. The general public are often unaware of the significant contribution that migrants make to the economy of the host society. Governments, in cooperation with employers, trade unions and civil society organizations, can do more to inform the public about the benefits of labour migration, including through supporting the regional implementation of the global United Nations “Together” initiative and the IOM “I am a Migrant” campaign.

I. Improve data collection and availability on international migration

53. Monitoring progress on the achievement of the 17 Sustainable Development Goals and 169 targets, many of which are not easily quantifiable, is presenting a challenge to national statisticians and those in the international community. Thus, target 17.18 addresses data, monitoring and accountability (see table 1).

54. There are many gaps in statistics on international migration in Asia and the Pacific. For both departures and arrivals, the statistics are rarely disaggregated by gender, age and geographical location, for example. International comparisons are often based on the database on migrant stocks, compiled and maintained by the United Nations Population Division, but in Asia and the Pacific the major form of migration is temporary labour migration so “flow” data are essential for understanding that movement. The countries that compile accurate data on the number of migrant workers deployed abroad have yet to put in place effective means of enumerating returning migrants. Some countries do not use the international classifications of occupation or industry, with the result that their data on international labour migration cannot be compared with those from other countries or, often, from other data sources within their own country.

55. A factor complicating the compilation of comprehensive data on international migration is that several key sources are required: censuses; surveys and administrative records that come from the national statistical office; the ministries of labour and health, and the banking system, at a minimum. Censuses can provide an accurate count of all migrants in a country by country of origin, sex, age and other individual characteristics but are normally conducted only once in a decade. Regular household surveys, such as labour force surveys or income and expenditure surveys, can also obtain valuable information about migrants, even those who are absent, if the appropriate questions are included. National surveys on specific topics, such as irregular migration, the situation of migrant children or the health of migrants, are also possible but are costly to conduct. For those topics, a better approach may be to conduct the survey only in one or a few locations known to contain large numbers of migrants.

56. Immigration departments usually publish statistics on the number of persons entering a country by the type of visa obtained. The ministry of labour reports on the number of migrant workers deployed or the number of work permits issued. The ministry of health compiles statistics on the results of medical examinations and also enrolment in and use of health insurance schemes. For all of these sources of information to be useful for policy formulation and policy analysis, they must also be made easily available (such as on a government website) and translated into an international language. Achieving safe, orderly and regular migration will imply action to address these gaps.

V. Conclusion

57. The goal of facilitating safe, orderly and regular migration is strongly embedded in efforts to achieve the Goals laid out in the 2030 Agenda. In the present document, an attempt has been made to show how the 2030 Agenda is linked to the global compact for safe, orderly and regular migration, and areas of focus for reform and capacity-building to meet their shared goals have been provided.

58. The Economic and Social Commission for Asia and the Pacific (ESCAP), as a regional commission of the United Nations, has a distinct role in United Nations actions with regards to the forthcoming global compact for safe, orderly and regular migration and the 2030 Agenda in the region. As a multilateral platform with cross-sectoral technical expertise and analytical capacity, ESCAP is well positioned to deal with the issues related to international migration and the 2030 Agenda. Through its analytical work, ESCAP can identify and highlight emerging trends on international migration that are relevant to implementing the 2030 Agenda and provide recommendations on how to address these trends. Drawing on its long-standing normative and analytical work, ESCAP convenes intergovernmental meetings, which contribute to regional dialogue on migration. In addition to this, ESCAP provides capacity-building support and technical assistance to its member States in developing comprehensive migration policies, and supports their development of policies through the dissemination of cross-sectoral analytical and technical knowledge products.

59. Through its convening role in the Asia-Pacific Regional Coordination Mechanism, which brings together agencies of the United Nations system through thematic working groups, ESCAP can play a key role in helping to promote comprehensive and coordinated responses to international migration as part of the 2030 Agenda, which could also be utilized in the implementation and review of and follow-up to the global compact for safe, orderly and regular migration.

60. The Thematic Working Group on Sustainable Societies, which is a part of the Asia-Pacific Regional Coordination Mechanism, can play a significant role in supporting States in the achievement of the Sustainable Development Goals pertaining to international migration in Asia and the Pacific. It brings together several United Nations agencies and bodies with different but complementary expertise on international migration, including those engaged in operational programming and those focused more on broader policy issues. The working group can initiate and lead activities that are supplementary to their regular programme of work. As part of the United Nations coordination mechanism, it is well-placed to carry out activities related to convening of regional meetings, establishing regional standards and norms related to migration, and supporting research and dissemination of information on migration. As a co-chair of this working group, along with IOM and the United

Nations Population Fund, ESCAP is well placed to support these activities, including by sharing its convening power with other member agencies with technical expertise in supporting member States to address the goals of the forthcoming global compact for safe, orderly and regular migration and the 2030 Agenda.
