

Global compact for safe, orderly and regular migration

Sixth informal thematic session on “Irregular migration and regular pathways, including decent work, labour mobility, recognition of skills and qualifications and other relevant measures”

12-13 October 2017, United Nations Office at Geneva

Co-facilitators’ summary

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I. Introduction

The sixth informal thematic session in phase I (consultations) of the preparatory process leading to the adoption of the global compact for safe, orderly and regular migration entitled “*Irregular migration and regular pathways, including decent work, labour mobility, recognition of skills and qualifications and other relevant measures*”, was held at the United Nations Office at Geneva on 12 and 13 October 2017. The session consisted of welcoming remarks by the President of the General Assembly, opening remarks by the co-facilitators and the Secretary-General of the Intergovernmental Conference, three expert panels and a summary panel. In addition, the co-facilitators invited all stakeholders to an informal dialogue on the morning of the second day.

In total, 117 Member States attended the session and made 100 interventions. Additional interventions were made by 11 UN agencies and 20 non-governmental stakeholders. Another 15 non-governmental stakeholders made oral inputs during the informal dialogue with the co-facilitators before the informal thematic session resumed on the morning of the second day.

The purpose of this summary is to highlight the main aspects of the discussion on the basis of interventions delivered in the room and inputs received. It also summarizes the ideas presented and recommendations made for consideration in this and subsequent phases of the preparatory process. The contents of this summary will serve as one of the inputs for discussion at the stocktaking meeting in Puerto Vallarta, Mexico on 4-6 December 2017.

II. Panels

The [inter-agency issue brief](#) prepared by the Secretary-General of the Intergovernmental Conference for the sixth informal thematic session was presented in the opening segment and served as a basis for the panels and the subsequent discussions.

1. Panel on irregular migration and regular pathways

The presentations by the panelists focused on the need to develop new regular migration pathways, analyzing the causes of irregular migration and irregular migratory status. Attention was given to economic asymmetries, such as wage disparities, and precarious conditions faced by migrants, including upon return. From an economic perspective, a panelist noted the need to establish new mechanisms to expand lawful labour mobility in light of the demographic shifts. It was noted that exponential population growth and a corresponding increase of unemployment particularly among youth, in regions such as sub-Saharan Africa, and the contemporaneous decrease of the workforce due to ageing populations, in regions such as Northern and Western Europe, require facilitation of labour mobility. Highly flexible and tailored measures, such as global skills partnerships, could serve to match the skills of migrants with labour demand through training before, during and after migration through bilateral cooperation and in partnership with the private sector in the countries of origin and destination. From a sociological perspective, a panelist outlined variations in defining irregular migration and particularly drew attention to the increasing precariousness of migration status in countries of transit and destination, as well as in countries of origin upon return. The panelist noted that the tendency to provide fewer regular channels, particularly for vulnerable migrants, such as temporary protection or humanitarian visa schemes, needs to be reverted and that irregular migration should be addressed as a global phenomenon. Drawing on the example of migration from Central America to the United States, another aspect highlighted by a panelist was the significant wage disparities between national and foreign workers. To close this gap, additional investment is needed in science and education to boost human capital, and to contribute to the promotion of decent work and wages in countries of origin, including in collaboration with local governments, cities and employers. Similarly, the knowledge brought back by returned migrants should also be utilized to spearhead development in their countries of origin. Regional arrangements were emphasized as effective solutions to the prevalent migratory pressures.

In the discussion, delegations acknowledged that most international migration is regular. They also underscored the sovereignty of States in deciding on entry and stay of migrants, while at the same time

stressing the compatibility of this principle with international law, particularly international human rights law and the principle of non-refoulement. When referring to the causes of irregular migration, most delegations highlighted the pursuit of labour opportunities and severe restrictions for regular migration as the main drivers of irregular mobility. Other participants focused on tackling the challenges posed by irregular migration from a needs and rights-based perspective, through shared responsibility and international cooperation at all levels. A number of delegations noted that the facilitation of regular channels, particularly for low-skilled workers, through the closer alignment of labour migration policies to labour market needs, must be balanced with considerations regarding the longer-term education and skills needs of national workers. Equality of treatment among national and migrant workers and the equal application of labour laws were thus highlighted as crucial measures to prevent social dumping and ensure the smooth functioning of national labour markets. As part of the solutions and policies to address irregular migration, many delegations highlighted the importance of reliable information along with pre-departure, pre-employment and post-arrival orientation mechanisms. The global compact should also foster policy coherence, joint approaches and bilateral agreements between origin and destination countries. Such concrete agreements can serve to address labour needs while taking into account specific national and regional experiences with migration. Some participants highlighted the importance of considering practical and tailored measures related to pre-departure, admission, stay and return in legislation and policies of individuals in an irregular situation at each stage of their movement, with a particular focus on women, children and vulnerable migrants. Among the suggested measures, emphasis was made on avoiding the criminalization of irregular migrants. Delegations recognized that irregular migration is a nuanced phenomenon that varies from region to region, and stated that the global compact could offer innovative ways forward to address irregularity.

2. Panel on decent work and labour mobility

The panelists discussed the promotion of labour migration that benefits societies of origin, transit and destination. Interventions also focused on protection of the rights of migrant workers and their families, particularly women, youth and those in precarious employment, and mentioned the linkages of this work to targets 10.7 and 8.8 of the 2030 Agenda for Sustainable Development. One panelist made the point that countries of origin and destination should aim at jointly formulating and implementing labour migration policies, highlighting that such joint approaches would allow addressing common objectives and promoting mutual benefits. Another panelist underscored that despite of half of all migrants being female, labour migration policies tended to be gender-blind and thus limiting for female labour migration. Additionally, occupations tended to be gendered, with severe disadvantages to women migrants in terms of low social protection, limited bargaining rights, wage inequalities, low predictability and barriers in accessing rights due to the fear of losing employment, among others. Consequently, calls were reiterated for sex-disaggregated data collection and analysis for gender-sensitive policy-making. Attention was also drawn to inputs such as UN Women's "Recommendations for addressing women's human rights in the global compact for safe, orderly and regular migration" and additional guidance from the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) recommendations or IOM's International Recruitment Integrity System (IRIS). These can, however, not substitute legal frameworks and international standards. Another panelist focused on practical measures to ensure decent work for labour migrants, such as the adoption of national laws in line with international standards, investments and collaboration regarding pre-departure orientation and training at all stages of migration, strengthened labour inspections, including relating to private recruitment agencies and standardized employment contracts. Guaranteeing freedom of association, the right to join unions, and access to justice and legal redress were further emphasized as essential aspects to ensuring decent work.

In the discussion, international migration was overall considered as positive for the economies of countries of origin and destination, and, migrants were recognised as key actors in economic growth and sustainable development. The protection of human and workers' rights, particularly of migrants in vulnerable situations, along with provisions for gender-sensitive social protection, freedom of association, access to justice, and health care were noted as essential by many delegations. The International Labour Organization (ILO) Conventions applicable to migrant workers were widely recognised as the applicable normative labour migration framework. Some delegations also emphasized the role of the UN Convention on the Rights of Migrant Workers and Their Families (CMW), while lamenting the low rate of ratifications.

Many delegations drew on experiences and best practices based on efforts in the framework of Regional Consultative Processes. Numerous delegations welcomed an enhancement and diversification of regular pathways for labour migration, such as circular, temporary, and permanent migration as well as the strengthening of related measures, such as family reunification, recognition and development of skills and competencies, labour inspection, model contracts, collective bargaining, and firewalls between social services and immigration enforcement. A number of delegations also noted that more flexible migration policy frameworks could be foreseen so as to allow for various migration purposes, including work, study, investment, and entrepreneurship. Bilateral and multilateral agreements were largely recognised as the best solution for “triple win” outcomes of labour mobility for migrants, countries of origin and countries of destination. Such agreements should be based on whole-of-government approaches, include employers’ organisations, and trade unions. Attention was drawn to the extent of South-South migration in a number of regions and the need to promote intraregional labour mobility through mobility facilitation agreements. Finally, social dialogue and awareness-raising campaigns were noted by many delegations as important measures to improve the status and treatment of labour migrants in societies and the workplace.

3. Panel on recognition of skills and qualifications and relevant measures

Panelists stressed that recent demographic changes have resulted in shrinking domestic labour pools in many developed countries, meaning that some industries are struggling to find the workers they need. In some developing countries, however, the private sector struggles to create sufficient jobs for a growing and dynamic workforce. A lot will thus hinge on the recognition and development of skills and qualifications of migrant workers. One panelist presented different existing mechanisms for the recognition of skills and qualifications acquired abroad, noting that the recognition of formal credentials is much less challenging than recognizing informally acquired competencies. There is a growing number of bilateral and multilateral agreements aimed at countering de-skilling and brain waste through harmonizing or providing equivalence in national regulatory systems, such as automatic or managed mutual recognition mechanisms. Further, industry-led instruments are increasingly being developed. Another panelist addressed the need to include employers in policy development relating to skills mobility and skills recognition based on the industry’s knowledge of labour market dynamics. There is a need to improve adaptability, predictability, efficiency and the use of technology in labour migration policies and procedures in order to build a practical regulatory framework. Another panelist emphasized the importance of skills recognition for fair and equal treatment of migrants. On the one hand, skills recognition is essential to facilitate new labour migration in relation to labour market demands, while protecting the local workforce and ensuring fair and ethical recruitment. On the other hand, skills recognition is an important measure to address the widespread phenomenon of de skilling relating to the labour market integration of refugee and migrant populations. Ultimately, the understanding prevailed that recognition of skills and qualifications is critical to take full advantage of the economic and social potential of migration.

In the discussion, the recognition of skills and qualifications was acknowledged as an essential element of a well-managed migration system, as it can improve labour mobility, economic and social integration and individual earning potential. Many delegations acknowledged that a failure to recognise skills and qualifications can have detrimental impacts, as de-skilling compounds brain drain in countries of origin and brain waste in countries of destination. Participants criticized that migrants find themselves stuck in low-skilled, under-qualified and underpaid jobs or even in exploitative and abusive circumstances harming their health and jeopardizing their human security. Many noted that women and girls are often disproportionately affected and children face severe barriers to accessing education. Migrants in service industries were also cited as being particularly vulnerable. Delegations referred to a number of existing models and best practices. These ranged from existing codes of practice both at the global and national levels (e.g. World Health Organisation (WHO) code of practice for health workers, ILO guidelines and principles fair recruitment); measures to cooperate bilaterally between States on skills recognition (e.g. mutual recognition agreements); and specific initiatives and projects (e.g. the global skills partnership, skills passports, IOM’s International Recruitment Integrity System, the Business Mechanism under the Global Forum for Migration and Development). There was a general call for greater international cooperation on skills identification and validation to ensure better skills matching between countries of origin and countries of destination. Greater cooperation will require a whole-of-society approach that

considers the role of trade unions, employers' associations, the private sector and civil society. Additionally, alternative measures for upskilling could be strengthened, including mentoring programmes, internships, apprenticeships, pre-migration training, and language courses. Finally, better forecasting of potential jobs and skills gaps arising in the future in collaboration with the private sector was emphasized as an important measure by a number of delegations.

4. Summary panel

The summary panel, consisting of the five moderators and the thematic expert, summarized the substantive discussions held during the two-day informal thematic session. On that basis, the thematic expert identified common themes and areas for further discussion drawing from the statements made. In the ensuing discussion, delegations and stakeholders reiterated issues of priority and recommendations, and provided views on the forthcoming second phase of the process and on the potential format of the global compact.

III. Areas of discussion

a. Overarching frameworks and principles

There was broad recognition that the existing framework of applicable ILO Conventions, such as Conventions No. 97, 143 and 189, in conjunction with international human rights standards, including the 1990 Convention on the Rights of Migrants Workers and their Families (CMW), provide a comprehensive legal basis to ensure the protection of migrant workers and promote equality of treatment and opportunities in order to avoid social dumping and unfair treatment. A broad range of complementary guidelines and recommendations, including those developed by ILO (Fair Migration Agenda), IOM (IRIS), UN Women and WHO, among others, were cited as useful instruments to take into consideration for the elaboration of the global compact. Numerous facets of equal treatment were stressed as essential, such as gender equality and sensitivity, equal pay for equal work, non-discrimination between foreign and local workers, freedom of association, and equivalence of skills and qualifications. Delegations further stressed the principles of sovereignty in admitting non-nationals to their territories, the obligation to duly receive returning nationals, shared responsibility between countries of origin, transit and destination, as well as whole-of-government and whole-of-society approaches in addressing the issues under discussion. Migrant-centric and human rights-based approaches should be front and center in well-managed migration policies and are the basis for decriminalizing irregular migration.

Concrete issues and recommendations presented for consideration included:

- Ratify all relevant international human rights instruments, including the UN Convention on the Rights of Migrant Workers and their Families, to ensure adequate protection and promotion of migrants' rights and to preserve their dignity, regardless of their migratory status
- Strengthen the normative labour migration framework, including by implementing ILO Conventions 97 (on Migration for Employment), 143 (on Migrant Workers), and 189 (on Decent Work for Domestic Workers)
- Foster a whole-of-government and whole-of-society approach at all levels and strengthen cooperation among all relevant actors, including the private sector, trade unions, workers' associations, employer federations, local authorities, civil society, and host communities
- Consider the ILO's Fair Migration Agenda as well as the International Labour Conference 2017 Conclusions and Resolution on Labour Migration
- Promote broader use of the International Recruitment Integrity System (IRIS) of IOM
- Ensure implementation of provisions specific to migrant women, including ILO Convention 189, offering unbridled access to healthcare for all
- Take into consideration UN Women's "Recommendations for addressing women's human rights in the global compact for safe, orderly and regular migration" as a useful tool guiding Member States' migration policies on the promotion of gender equality and women migrant workers' empowerment

b. Addressing irregular migration and facilitating regular pathways

Besides a range of drivers, many delegations acknowledged the interrelation between rising incidences of irregular migration movements from countries of origin facing population growth and youth unemployment in consequence; as well as decreasing avenues for regular labour migration to countries with ageing populations and skills gaps on the labour market. A closer alignment of labour migration policies to labour market needs was stressed by numerous delegations as essential starting point to close the existing gaps. There was recognition that effectively addressing irregular migration requires the facilitation of existing and, where appropriate, new and more diversified regular pathways. At the same time, strengthening governance and the enhancement of border management capacities and systems, in compliance with international law, is crucial to tackle human trafficking and migrant smuggling. Return and readmission procedures should favour voluntary return. Although deportation is a State prerogative, readmission agreements go hand in hand with ensuring safe, orderly and regular return of migrants. In addressing irregular migration, many delegations emphasized the need to provide special attention for migrants in vulnerable situations, including women at risk and children.

Concrete issues and recommendations presented for consideration included:

- Promote policy coherence across governments in managing irregular migration and build comprehensive migration systems
- Foster international cooperation to enable information exchange on migratory movements, to tackle smuggling of migrants and trafficking in persons, and to harmonize regulations across countries, including border control measures
- Increase regular pathways and frameworks for all skills levels, including high-, semi-, low- and unskilled workers to address labour shortages and reduce irregular movements
- Address economic asymmetries and disparities and improve access to markets and technologies to reduce socio-economic drivers of migration and promote market adaptation
- Develop different types of labour mobility programmes, including permanent, circular and seasonal permits to cater for various skills levels, while ensuring equal treatment for the protection of national and migrant workers alike
- Establish regular migration frameworks for, inter alia, students, entrepreneurs, family reunification, people in vulnerable situations, and victims of trafficking
- Promote temporary and circular migration schemes, including temporary residence cards, while ensuring decent work opportunities, access to justice and options to change employer in the country of destination
- Foster international cooperation, including South-South cooperation, by developing bilateral or regional agreements to regularize migration movements across borders, including through the reduction or abolition of visa restrictions and promotion of free movement of people
- Encourage voluntary funding for capacity-building to foster migration and employment policies in countries of origin and to promote economic growth and opportunities
- Increase capacities for consular protection and assistance along migration routes, including through labour attachés in embassies and consulates

c. Enhancing predictability of migration status to reduce vulnerabilities

There was recognition that irregular migration does not only arise from irregular movements in light of decreasing regular channels but that irregularity is often linked to precariousness of status in countries of transit and destination. In addressing the widespread phenomenon of “falling in and out of status”, delegations both acknowledged the importance of building predictable migration systems with a range of statuses in line with migration realities as well as of investing in orientation programs and information campaigns at all stages of migration, with particular relevance of pre-migration orientation. It was stated that as migration policies become more coherent, cooperative and predictable, the levels of irregularity can be expected to be reduced as a result.

Concrete issues and recommendations presented for consideration included:

- Promote regularization of undocumented migrants, including through legislative reforms and by developing criteria for regularization programmes (e.g. duration of stay, family and community ties, etc.)
- Establish special visa programmes for vulnerable migrants, especially girls and boys, to ensure access to health, education and social services
- End criminalization of irregular entry and stay to avoid exacerbation of vulnerabilities
- Facilitate the conversion of different types of visas to avoid situations of irregularity
- Prevent regular migrants from falling into an irregular status due to factors beyond their control, through strengthening the understanding of immigration policies, or changes to those, as well as ensuring access to legal aid
- Provide all newcomers with reliable information sources, inter alia, by closely working with local civil society organizations
- Establish working groups between relevant ministries to develop integration plans for migrant workers with regards to social inclusion and access to the labour market
- Develop programmes to integrate unaccompanied migrants on the way to adulthood by providing vocational education opportunities
- Support diaspora and migrants abroad, including through consular assistance, “one stop shops”, ombudsman representatives overseas, access to health care and financial advisory support services to reduce vulnerability of migrants, especially those in an irregular status

d. Labour mobility

In light of exacerbating skills gaps in some regions and challenges in absorbing the workforce in others due to demographic trends, numerous delegations stressed the importance of promoting “triple win” solutions for migrants, countries of origin and countries of destination alike. As such, the diversification of regular pathways goes beyond physical routes and includes more predictable and regulated modalities for migration at all stages of the migration cycle. Such diversification should be considered by facilitating circular, temporary and permanent migration mechanisms for different purposes, including student mobility, family reunification, humanitarian visas, regularization, and transitions from temporary to permanent status. Such labour migration policies would contribute to addressing skills mismatches of economies on the one hand and to reducing brain waste and brain drain of migrants on the other hand. Many delegations recognized that taking full advantage of labour mobility requires effective integration beyond the labour market and into society as a whole. For such mutually beneficial solutions to be effective, the importance of comprehensive policies that take all stages of the migration cycle into consideration was frequently highlighted.

Concrete issues and recommendations presented for consideration included:

- Promote global skills partnerships to match the capacities of migrants with labour demands through education and pre-departure training
- Improve other efforts to match skills and qualifications of migrants with available jobs and employers’ demands, including by fostering direct cooperation with employers, trade unions and the private sector as a whole
- Ensure comprehensive orientation of migrants, including migrant workers, at all stages of migration to empower them to take informed decisions, reduce vulnerability, and facilitate integration
- Promote pre-departure, pre-employment and post-arrival orientation along the migration cycle to ensure that migrant workers understand their rights and responsibilities
- Take into account specific needs of women migrant workers in orientation programmes
- Include social security provisions in labour mobility arrangements and ensure access to national social security and health care systems
- Support research to identify demands for labour in the short-, medium- and long-term
- Promote additional investment in science and education to boost human capital and to contribute to the promotion of decent work and wages in countries of origin

- Utilize the knowledge brought back by returned migrants to spearhead development in their countries of origin and promote job creation to make use of acquired skills of returnees
- Promote joint formulation and implementation of labour migration policies between countries of origin and destination
- Provide multi-agency support to facilitate bilateral and multilateral agreements on issues related to labour mobility

e. Decent work, and fair and ethical recruitment

There was widespread acknowledgement that governments, through their labour market institutions (public employment services, vocational training institutions, wage-setting mechanisms, labour inspection services and labour market observatories, etc.) and in close partnership with the private sector, local authorities and civil society, have the obligation to ensure fair and equal treatment of migrant workers at all skills-levels and at all stages of migration in line with international standards and human rights obligations. As such, several participants stated that labour migrants should be entitled to fair wages, social protections, and workers' rights equal to nationals. A comprehensive regulatory framework and effective enforcement, particularly through labour inspections, were considered essential starting points by many delegations. Similarly, fair and ethical recruitment, through the regulation of private agencies, the abolition of recruitment fees, adequate pre-migration information and consular protection, all constitute common priorities for considerations of sending and receiving countries. There was also a call for gender-sensitive policies and measures that protect and assist migrants in vulnerable situations prone to abuse and debt bondage, such as workers in informal economies or domestic workers. It was further emphasized that policies that establish a compulsory link between the migrant's regular status and a single employer may give rise to multiple vulnerabilities, including exploitation and human trafficking.

Concrete issues and recommendations presented for consideration included:

- Empower migrant workers to exercise their human and labour rights by promoting access to grievance mechanisms
- Promote access for migrant workers to social protection mechanisms by drawing on and implementing relevant ILO conventions
- Establish partnerships with all relevant stakeholders, including employers and social partners, to ensure safe and decent labour conditions
- Develop labour inspection mechanisms and apply sanctions to unethical employers
- Ensure monitoring of fair and ethical recruitment based on international benchmarks
- Adopt and implement fair and effective labour migration governance frameworks, including labour migration policies through social dialogue with workers' and employers' organisations
- Consider the ILO Fair Recruitment Initiative and the ILO General Principles and Operational Guidelines for Fair Recruitment, as well as IOM's International Recruitment Integrity System (IRIS), as useful guidance to ensure that private employment agencies are monitored, and employer due diligence and other main recruitment-related challenges (e.g. high recruitment costs leading to debt bondage) are addressed
- Make better use of technology to reduce recruitment costs
- Establish social protection systems, including social protection floors for migrant workers, through the adoption and effective implementation of bilateral and multilateral agreements, permitting migrant workers to enjoy social security coverage and portability of social security entitlements and benefits (i.e. pensions, health coverage, employment injury and other benefits)
- Promote the transition from the informal to the formal economy to reduce the risk of migrant workers' exploitation, boost tax revenue for the State, and facilitate identification of foreign nationals within a State's jurisdiction
- Allow migrant workers to transition between jobs as a way to facilitate responsiveness to labour needs, stimulate continuing learning and prevent abuse and exploitation of migrants
- Promote decent working conditions, including by ensuring that migrant workers are given a written contract in a language they understand, specifying fair wages respecting minimum wage national laws, and enforcing labour inspection systems

f. Recognition and development of qualifications, skills and competences

Delegations acknowledged that the recognition and development of professional qualifications, skills and competencies will gain in importance in an ever-globalizing labour market and in light of dramatic demographic population shifts. Although a number of good examples at bilateral and regional levels exist, challenges and barriers to efficient skills-matching through skills upgrading and recognition between countries of origin and destination still abound. The discrimination of migrant workers and their families can limit their ability to access opportunities to improve their skills and qualifications. Harmonizing legal frameworks and agreeing on global standards are considered important measures for effective skills recognition and development. Existing models and best practices delegations referred to range from existing codes of practice both at the global and national levels (e.g. WHO code of practice for health workers, ILO guidelines and principles fair recruitment), measures to cooperate bilaterally between States on skills recognition (e.g. mutual recognition agreements), and specific initiatives and projects. Some delegations highlighted the role of technology as a tool for enhanced skills matching and skills upgrading. The role of the private sector in understanding existing skills gaps and requirements was further stressed.

Concrete issues and recommendations presented for consideration included:

- Enhance skills development in countries of origin that are needed in countries of destination, including through youth apprenticeships and targeted training, to balance supply and demand, reduce brain drain and foster circulation of knowledge
- Consider developing institutional exchange programmes, trainee- and apprenticeships at different skills levels
- Foster mutual recognition of skills and qualifications, including upskilling, through bilateral or multilateral agreements, and ensure full applicability throughout each State's jurisdiction
- Develop and promote "skills passports" to give workers and employers a transparent, coherent and documented overview of skills and qualifications and ensure the passport's recognition in multiple jurisdictions
- Create skills profiling tools and national registries for skills sets
- Increase skills levels to promote employability, foster upskilling of low-skilled migrants, and promote language and training courses as well as access to higher education
- Develop clear criteria and speedy procedures to process migrants' credentials
- Involve the private sector in training, as well as in skills and demand assessment
- Promote effective public employment services at national level and strengthen international partnerships between such services
- Establish fast track systems for areas where skills shortages have been identified
- Provide timely and complementary education to job seekers for their credentials to be fully recognized
- Benefit from new technologies and digitalization to evaluate skills and experiences more comprehensively and provide certificates of proficiency for the validation of newly acquired experiences
- Incorporate soft skills in the process of skilling migrants
- Include foreign certificate recognition and labour mobility in trade agreements

g. Data

Once again, reliable and accurate disaggregated data was recognized as essential precondition to holistically address the interrelations between irregular migration and labour migration in evidence-based policies. Data collection and analysis are particularly relevant in anticipating population movements in relation with demographic trends and economic developments. Data on irregular migration remains imperfect and the lack of such information has important consequences for policy-making and public perceptions. Migrants who become irregular, either by choice or as a consequence of a policy change, run a higher risk of not being considered in policy planning. Therefore, better data on migration and enhancing regular pathways would appear to go hand in hand.

Concrete issues and recommendations presented for consideration included:

- Ensure accurate, disaggregated and more reliable data to manage migration, including irregular migration, and reduce data variations between countries
- Enhance data collection and analysis to allow for the development of evidence-based decisions and policies
- Create user-friendly regional and global platforms for sharing data on labour market needs
- Collaborate with the private sector for better forecasts on labour market developments and addressing skills gaps

IV. Conclusions

The sixth informal thematic session in phase I (consultations) of the preparatory process leading to the adoption of the global compact for safe, orderly and regular migration was a valuable opportunity to address the complex interrelationship between irregular migration and regular pathways, particularly in the area of labour mobility. The discussion yielded that most migration is in fact regular and is sought for labour migration purposes with a view to improving individual or family livelihoods. While every specific migration can be said to be multi-causal, irregular migration is often a consequence of an absence of regular pathways, policy incoherence, or an inadequacy of existing regulatory frameworks.

The session contributed to a comprehensive understanding of the phenomenon of irregular migration. On the one hand, movements of people can be irregular due to a number of circumstances. On the other hand, irregularity is often caused by the precariousness of migration status. Improved predictability of status was recognized as an important means to reduce the vulnerability of migrants. A number of practical solutions based on best practices were offered to effectively remedy volatile status, such as by offering humanitarian visa, flexible status transfers, and regularization procedures. As such, the discussion made clear that addressing irregular migration requires a holistic approach that goes well beyond border management as an important element of well-managed migration policies and comprises measures to enhance the stability and predictability of migration status.

While the sovereign right of States to decide on the entry and stay of migrants and the obligation to duly receive nationals upon return were not questioned, there was widespread acknowledgement that regular migration can be facilitated to the mutual benefit of all through well-managed policies. Significant demographic shifts in all parts of the world – be it an ageing population or a growing youth bulge – as well as changing patterns of the labour market and the nature of work lead to an increased need for skills mobility with the objective of appropriate matching of labour supply and demand. Stronger coherence and adaptability between labour market and migration policies will thus be key for appropriately addressing the developments in the future world of work. As such, the role of the private sector, employers' organisations as well as trade unions and worker associations was emphasized as critical in determining appropriate labour migration policies with mutual benefits for all involved.

There appeared to be a general understanding that good models of facilitated labour migration, particularly at regional levels, exist that can be replicated or built on. Particularly the promotion of circular migration schemes in addition to enhancing temporary and permanent status seemed to garner considerable interest and would merit further discussion on possible models and success criteria. A frequently cited mechanism is the concept of global skills partnership that seeks to build tailor-made bilateral cooperation in partnership with the private sector and with the aim of effective skills development, matching and transfer between two countries. In terms of fostering labour migration schemes, there was a strong call for increased cooperation at bilateral and regional levels between sending and destination countries.

As was stipulated in the discussion, the question of appropriate skills matching to labour market requirements is not merely a matter of linking countries of origin to countries of destination. Rather, the critical link lies in the migrants themselves, whose assets are at the center of successful skills mobility at all levels. The recognition and development of qualifications, skills and competencies of migrants was considered key in avoiding brain drain in countries of origin and brain waste in countries of destination. The development impact of labour migration is biggest for all involved, if the benefit is felt strongest by the migrants themselves. A number of promising cooperation models and global initiatives exist that the global compact may draw from, such as bilateral recognition agreements or skills passports.

With a globalizing and increasingly mobile workforce, the harmonization and standardization of safeguards to protect migrant workers against unscrupulous abuse should be promoted at global level in order to ensure decent work standards, social protection, the guarantee of workers' rights, fair and ethical recruitment, and appropriate information and empowerment of migrants at all stages of migration. Besides the importance of national laws and bilateral agreements, a number of global initiatives on decent work issues have emerged in recent years that aim at translating legal obligations, such as ILO Conventions and human rights obligations, into practical measures that are ultimately transformed into effective change on the ground.

ANNEX – Programme of work

Day 1: Thursday 12 October 2017

Time	Concept	
10.00-10.15	<p>OPENING SEGMENT</p> <p>Welcoming remarks by H.E. Mr. Miroslav Lajčák, President of the United Nations General Assembly</p> <p>Opening remarks by the co-facilitators</p> <ul style="list-style-type: none"> ▪ H.E. Mr. Jürg Lauber, Permanent Representative of Switzerland to the United Nations ▪ H.E. Mr. Juan José Gómez Camacho, Permanent Representative of Mexico to the United Nations <p>Remarks by Ms. Louise Arbour, Secretary-General of the intergovernmental conference</p>	
10.15-13.00	<p>PANEL 1: Irregular migration and regular pathways</p> <p>This panel will examine ways of reducing the incidence of irregular migration, including through the promotion and expansion of safe, orderly and regular migration pathways. The panel will also share ways of analyzing consequences and effects of migration laws and policies, as well as innovative practices relating to family reunification, regularization, transition from informal to the formal economy, and labour market needs testing. The impacts of irregular migration in countries of origin, transit and destination will also be explored, as well as ways of addressing the consequences. The panel will highlight different human mobility arrangements implemented as part of planned and well-managed migration policies.</p> <ul style="list-style-type: none"> ▪ Mr. Michael Clemens, Senior Fellow at Center for Global Development Economics ▪ Mr. Nando Sigona, Senior Birmingham Fellow & Senior Lecturer Institute for Research into Superdiversity ▪ Ms. Amalia Dolores García Medina, Secretary of labour and employment promotion at Mexico City Government <p><u>Moderators:</u> H.E. Ms. Antje Leendertse, Permanent Representative of Germany to the United Nations in Geneva and H.E. Mr. Walid Doudech, Permanent Representative of Tunisia to the United Nations in Geneva</p>	
13.00-15.00	Lunch	Space for side-events
15.00-18.00	<p>PANEL 2: Decent work and labour mobility</p> <p>This panel will discuss the promotion of labour migration that benefits societies of origin, transit and destination, and protects the rights of migrant workers and their families, particularly women, youth and those in precarious employment. The panel will examine ways to promote and facilitate regular labour mobility, including circular, temporary and permanent migration, including through bilateral and regional arrangements. It will further explore ways to safeguard and realize decent work for migrant workers to enhance the development outcomes for them and their families, as well as for countries of origin, transit and destination. The panel will focus on reducing the costs of labour migration, fair and ethical recruitment, comprehensive national labour migration policies aligned with international standards, and social protection.</p> <ul style="list-style-type: none"> ▪ Mr. Ibrahim Awad, Professor, Director, Center for Migration and Refugee 	

	<p>Studies, The American University in Cairo</p> <ul style="list-style-type: none"> ▪ Ms. Jenna Hennebry, Director of the International Migration Research Centre (IMRC) at Wilfrid Laurier University ▪ Ms. Vicky Kanyoka, Africa Regional Coordinator at International Domestic Workers' Federation <p><u>Moderator:</u> H.E. Mr. Ravinatha Pandukabhaya Arjasinha, Permanent Representative of Sri Lanka to the United Nations in Geneva</p>
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Day 2: Friday, 13 October 2017

Time	Concept	
10.00-13.00	<p>PANEL 3: Recognition of skills and qualifications and relevant measures</p> <p>This panel will discuss ways to address labour market needs and skills shortages at all skill levels in both countries of destination and origin, through regular pathways for migration. The panel will explore good practices for facilitating the interjurisdictional recognition and validation of qualifications, skills and competencies, as well as prior learning of migrant workers to ensure optimal mobility and matching of these skills to available jobs. This panel will further examine how public employment services, employers and the private sector, public-private partnerships, trade unions and other civil society actors can support skills mobility.</p> <ul style="list-style-type: none"> ▪ Ms. Elisa Fornalé, World Trade Institute - University of Bern ▪ Ms. Lynn Shotwell, Executive Director for the Council for Global Immigration ▪ Ms. Shannon Lederer, Director of Immigration Policy, AFL-CIO <p><u>Moderators:</u> H.E. Mr. Michel Lastschenko, Special Envoy for Migration and Asylum of Belgium and H.E. Ms. Marta Maurás, Permanent Representative of Chile to the United Nations in Geneva</p>	
13.00-15.00	Lunch	Space for side-events
15.00-17.50	<p>SUMMARY PANEL: Synopsis of the main conclusions and outcomes</p> <ul style="list-style-type: none"> ▪ Moderators present the key recommendations resulting from their panels ▪ Mr. Pablo Ceriani, Professor of Law and Coordinator of the Migration & Human Rights Program at the National University of Lanús and Vice-chair of the UN Committee on the Rights of Migrant Workers, thematic expert provides a short overview of the main discussions and the interlinkages between the panels ▪ Interactive exchange between the moderators, the thematic expert and Member States on the outcomes of the session 	
17.50-18.00	Closing remarks by the co-facilitators	