

Global Compact for Migration and ways to improve labour mobility from the Pacific

by Richard Curtain

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Logo of the Global Compact for Migration

The final draft of the UN's Global Compact for Safe, Orderly and Regular Migration was released on 11 July 2018. The agreement is to be adopted by UN Member countries in December. However, the now former Immigration Minister, Peter Dutton, **had stated** that the Australian Government will not sign the agreement in its current form, due to concerns over Objective 13, which is to agree to 'use migration detention only as a measure of last resort and work towards alternatives'.

The compact has another 22 objectives in total, spelt out in some detail over 34 pages covering most elements of the migration process. The UN's extensive consultation process over an 18-month period has resulted in a comprehensive list of issues affecting how migration is managed. One such **consultation** was held in Nadi, Fiji on 2-3 November 2017, for five Pacific and Australian NGOs with an interest in migration issues.

The focus of this blog is to report on those objectives of the compact that are a valuable frame of reference for assessing the governance of Pacific labour mobility. The compact recommendations have important implications for the governance of three aid-funded programs promoting labour mobility: the Seasonal Worker Programme (SWP), Australia Pacific Technical College (APTC) and new Pacific Labour Scheme (PLS).

The first objective of the compact asks governments to commit to strengthen the global evidence base on international migration. The compact proposes that this be done by 'improving and investing in the collection, analysis and dissemination of accurate, reliable, comparable data'. I have **previously highlighted** the need for better data collection and analysis of Pacific labour mobility and suggested specific indicators for doing this.

Objective 3 of the compact calls on governments to provide accurate and timely information at all stages of migration. This refers to the need for accurate, timely, accessible, and transparent information on migration arrangements involving governments, communities and migrants. For SWP workers, for example, the need for better accessible and transparent information applies to their letter of offer of employment. These letters are often complex documents expressed in legal English and are not in ‘a language the person concerned understands’, as the compact recommends.

Under Objective 5: ‘enhance availability and flexibility of pathways for regular migration’, the SWP and PLS would benefit from the recommendation to governments to reduce visa and permit processing timeframes for standard employment authorisations to foster efficient and effective skills-matching. The compact under this objective also proposes ‘offering accelerated and facilitated visa and permit processing for employers with a track record of compliance’. We have **proposed** similar incentives for approved employers in the SWP based on their performance and compliance.

Objective 6 is to facilitate fair and ethical recruitment and safeguard conditions that ensure decent work. Relevant to the SWP and PLS is the compact’s recommendation to ‘improve regulations on public and private recruitment agencies, in order to align them with international guidelines and best practices’. Another relevant recommendation of Objective 6 relevant to the Pacific Labour Scheme is to ‘allow migrants to change employers and modify the conditions or length of their stay with minimal administrative burden...’. The new visa requirements for the SWP **now includes**, from 1 July 2018, a condition that allows the visa holder, under limited circumstances, to change their sponsor.

Objective 14 asks sending governments to commit to enhance consular protection, assistance and cooperation throughout the migration cycle to better safeguard the rights and interests of all migrants at all times. Highly relevant to the Pacific, this objective proposes that sending governments cooperate to build consular capacities by, for example, having joint training for consular officers. In particular, relevant to small states, the compact recommends ‘providing consular services collectively where individual States lack capacity’. This applies especially to Kiribati and Tuvalu in relation to their SWP workers in Australia.

Objective 18 calls for innovative solutions that facilitate mutual recognition of skills, qualifications and competencies of migrant workers at all skill levels. One innovative way proposed is to build global skills partnerships between countries to foster more opportunities for skills development and mutual recognition. It is proposed that these partnerships should strengthen the training capacities of national authorities and

other relevant stakeholders, such as employers and trade unions. The partnerships can also foster the skills development of migrant workers in both the sending and destination countries. The APTC, in its Stage 3 form, is well placed to enter into these partnerships.

Objective 19 of the compact asks governments to create conditions for migrants and diasporas to fully contribute to sustainable development in all countries. Relevant to the SWP, the compact proposes that partnerships be developed between local authorities, local communities, the private sector, diasporas, hometown associations and migrant organisations.

Relevant to the very logic of promoting circular labour mobility, Objective 20 highlights the need for governments to promote faster, safer and cheaper transfer of remittances and foster financial inclusion for migrants. Objective 20 also focuses on how to optimise the transformative impact of remittances on the wellbeing of migrant workers and their families, as well as on sustainable development in the sending countries.

Specific recommendations include reducing the transaction costs of migrant remittances to less than three per cent, and eliminating remittance corridors with costs higher than five per cent by 2030. Also relevant to Australia and New Zealand, governments are asked to ensure that measures to combat illicit financial flows and money laundering do not impede migrant remittances through undue, excessive or discriminatory policies.

Relevant to the SWP and PLS, Objective 22 asks governments to establish mechanisms for the portability of social security entitlements and earned benefits for migrants. Objective 22 proposes that reciprocal social security agreements be negotiated between governments to give portability of earned benefits for migrant workers at all skill levels. Relevant to the **commitment** of the Australian government in September 2017 to 'pilot ways to help seasonal workers access their superannuation once they have left Australia' is the recommendation for governments to integrate provisions on the portability of entitlements and earned benefits into national social security frameworks.

The Global Compact for Migration has much more relevant detail that cannot be presented here due to space limitations. However, as Pacific governments were involved in the consultations related to the drafting of the compact, it is likely that they will use the compact as a reference framework for assessing how effective their own and the destination countries governance arrangements are for managing the available labour mobility options.

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