



Institutionalizing Regional Approaches to Migration Management in South Asia

Concept Note

Introduction

As an economic activity, migration can be identified as an export of manpower and with its human and social dimensions which do not contain in exporting commodities; it requires special attention of policy makers to link it with development agendas by reducing the negative impact. Thus, investigating migration policy framework and their implications for governance of migration, and protection of migrant workers would be helpful in maximizing the development benefits.

Background

The development nexus of migration has taken centre stage in the research and policy agenda of developing countries in recent years. To maximize the impact of migration on development, migration management is important. Castles and Delgado Wise (2008), highlights that policy makers want to introduce 'migration management' to control movements and maximize benefits of migration for the receiving countries. However, successful migration management cannot take place without the cooperation of the governments of countries of origin and transit. On the other hand, effective migration management needs to be consistent with principles of good governance, including transparency, predictability, participation, responsiveness, and accountability.

Efforts to seek viable mechanisms of cooperation for the better management of international migration are not new. There are different means of managing international migration. They are migration policies, bilateral agreements, regional economic integration agreements, and regional consultative processes. Bilateral agreements have been a traditional means to manage the international flows joining countries. At the regional level, regional economic integration agreements have as yet made little progress towards ensuring the free movement of persons or workers, with the exception of agreements reached by the European Union (EU); but regional consultative processes have emerged in virtually all regional agreements, and have become viable mechanisms of cooperation through which to enhance the management of migration (World Economic and Social Survey, 2004). On the other hand, specific events such as changes in migration flows, political events (e.g., 9/11 attack) and migration policies are the trigger for establishment of Regional Consultative Processes (RCPs).

Regional consultative processes on migration allow different groups such as government representatives, international organizations, and non-governmental organizations (NGOs) to come together for informal and non-binding dialogue and information exchange on migration-related issues. This mechanism plays a significant role in facilitating effective migration management and in helping to develop capacity to manage migration in an effective manner that is consistent with principles of good governance.

Contributions of Regional Consultative Processes for Effective Migration Management

Most of the regions have recognized that migration can no longer be effectively managed exclusively through unilateral or bilateral action – rather, it requires cooperative, multilateral approaches. The contribution of RCPs to effective migration management is twofold: the value of RCPs as processes and networks and other impact of RCPs.

a. The value of RCPs as processes and networks

RCPs are a platform for regular meetings between stakeholders who normally otherwise would not interact, or would interact only on an *ad hoc* basis. In this discussion where all States are given a voice, participants can express their policy perspectives in a unique forum. RCPs bring not only representatives of different States together, but also representatives from different Ministries of the same State. Thus, RCPs can facilitate better cooperation, coordination and coherence on a national basis. In addition to the government stakeholders, RCPs bring together representatives of international organizations and NGOs. The participation of such a wide range of stakeholders is essential towards a comprehensive approach to migration management.

The networks that are created through participation in RCPs create an environment favourable to bilateral and regional cooperation. The types of dialogues that RCPs facilitate, together with the repeated interactions that characterize RCPs, stimulate trust and confidence building among participants and different stakeholders. In addition, RCPs facilitate collection and sharing of databases on regional migration trends, stocks and flows.

b. The Impact of RCPs

Despite the difficulty of measuring the extent to which an RCP has impact on migration management, there is evidence of the impact of RCPs on migration policy. Participation in RCPs can influence the setting and steering of national agendas. In other words, national-level actions are informed and affected by the RCPs. For example, participating countries can influence the focus of migration issues already prevailing in their agendas. Many countries have reviewed, created and/or amended national legislations, accordingly. For example, the Governments of Panama and Fiji both undertook extensive reviews of their domestic migration laws and subsequently reformed some of these laws as a result of their participation in RCPs (Michele Klein Solomon, 2005).

Participation of both origin and destination countries in RCPs leads to achieve inter-state policy coherence and the effective management of international migration through understanding the common interests and perspectives on the subject. Moreover, RCPs help participants in capacity building for migration management.

Since it is well recognized that international migration management is easier at regional level, a number of regional and sub-regional consultative processes have emerged during the last decade. With regard to the Asian region, a number of regional consultation processes have been established such as Asia-Pacific Consultations (1996), the Manila Process which was developed consequent to a Conference held

in 1996, and Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, held in 2002. More importantly, in 2003, Ministerial-level consultations among major labour sending countries in Asia took place in Colombo. This forum shared experiences and identified challenges of labour migration management.

Colombo Process and the Abu Dhabi Dialogue

In 2003 the International Organization for Migration (IOM) together with the government of Sri Lanka organized a Ministerial consultation of countries of origin in Asia. Representatives from ten Asian countries, viz., Bangladesh, China, India, Indonesia, Nepal, Pakistan, the Philippines, Sri Lanka, Thailand, and Vietnam- participated in this forum. On the basis of their agreement for follow-up meetings, a second forum was held in 2004 in Manila and this Ministerial consultations became known as the "Colombo Process". The objective of the Colombo Process was to provide a forum for dialogue among countries of labour origin and is set to evolve and contribute to strengthening the management of temporary contractual labour mobility in the Asian region. This consultative forum has three themes: viz., (1) protection of and provision of services to temporary overseas contractual workers, (2) optimizing benefits of organized labour mobility, and (3) capacity building and data collection.

As a result of the expansion of the regional consultative process to the destination regions, the United Arab Emirates (UAE) took the groundbreaking step of hosting the inaugural Ministerial Consultation between Asian destination countries and Colombo Process countries in Abu Dhabi on 21 and 22 January 2008, which is named 'Abu Dhabi Dialogue'. The major purpose of the first meeting of the Abu Dhabi Dialogue was to provide a forum for the discussion of new ideas and concrete activities towards the development of a comprehensive and practical framework for the management of temporary contractual labour mobility in Asia. Particular focus of this dialogue was to promote the welfare and well-being of migrant workers.

Objective of the Conference

The objective of the Conference is to examine the role of the South Asia Migration Commission in this consultation process. In other words, the conference is organized to discuss the role of existing regional consultative forums in managing migration in South Asia and in defining the role of the SAMC in this context for harnessing the gains of migration in the region

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