



The Global Compact on safe, orderly and regular migration: What Africa should demand from the world and from itself

Mehari Taddele Maru

Executive Summary

The movement of people today, whether voluntary or forced, regular or undocumented, or within or beyond borders, constitutes a complex process highlighting some of the most tragic, intricate and contentious issues of governance and diplomatic relations. At the same time, migration remains, as it was for centuries, source of integration, prosperity and propagation of cultures, ideas, and values. The priorities of Africa concerning migration have been identified in many AU normative blueprints, including the 2006 Migration Policy Framework for Africa,¹ and the African Common Position on Migration and Development.² These documents emphasize the need for addressing displacement and fostering mobility. Displacement (forced migration) needs to be reduced as a matter of necessity and, eradicated when possible. Mobility, on the other hand, needs to be facilitated as an engine of integrative opportunity.³ Nevertheless, for mobility to be a positive force for integration and thus prosperity, it has to be legal, safe and orderly.

The Global Compact on Migration presents a unique opportunity for Africa to articulate and promote its common priorities, opportunities and challenges. The continent needs to affirm its collective resolve to play a part in building an effective global and African migration governance system, beginning with ensuring that its concerns and aspirations are accurately reflected in the upcoming international conference in 2018.⁴

What should Africa demand from the international community and the Global Compact? What should the AU demand from global actors such as the UN, EU and other partners? What aspirations and concerns should inform these demands? How can the Global Compact help to reinforce the principles of solidarity and burden sharing? What should the international community and the Global Compact require from Africa? What roles exist for local authorities and local communities, civil society and the private sector in the governance of migration? Can the human rights of migrants serve as anchors for the Global Compact? What should the UN expect from the AU and what should the AU expect from its Member States? Are among the many basic questions that needs to be addressed.

This policy brief attempts to address these fundamental (basic) as the same time strategic (long-term) questions. It begins by identifying the challenges of global migration governance that the global compact needs to address. Finally, the brief advances recommendations that the AU and other entities that support pan-African positions on migration governance need to implement.

Introduction

A CNN video of a 'slave auction' in Libya showing the sale of migrants as merchandise has placed migration under the global spotlight and caused outrage about the practice of slavery in the 21st Century.⁵ With mounting efforts by countries of destination to contain migrants within Africa, the vulnerability of migrants to abuse, exploitation and trafficking is on the rise.⁶ In the absence of a central state government capable of exercising effective control over its jurisdiction, Libya is a 'black hole'; one in which state and non-state actors act freely with impunity and without accountability. But does such global outrage bring any change in the governance of migration at global, continental and national levels?

The ubiquitous and unrestrained strategy of migration containment by countries of destination has equated migrants to criminals; which in practice poses grave danger to the lives and fundamental rights of migrants. Some countries of destination and transit have also privatized the detention of migrants, often leading to severe violations of fundamental human rights. The media also bears responsibility for depicting migration as the cause of all the ills in the Western world.

A year ago, several media outlets declared that "Sweden (would) become a Third World country by 2030, according to the UN (United Nations)".⁷ An exaggeration of a scientific paper that predicted Sweden's decline by 0.043 points (from 0.949 to 0.906) in the UN Human Development Index led to these newspapers concluding that third world migrants were to blame for this decline, stating, for instance: "The logic should be straightforward to understand, yet many have difficulties grasping it: if you import the Third World, it's what you will get".⁸ Similarly, the Telegraph reported that "Sweden, the most open

country in the world, was (being) overwhelmed by migrants".⁹ More bluntly, another pundit stated that "immigration (was) turning Sweden into a Third World nation".¹⁰ On 23 June 2017, the Economist explained how immigration was "changing the Swedish welfare state".¹¹ The Spectator concluded that Sweden was "an example of how not to handle immigration".¹² Migration is portrayed as the reason for declining economic development and since 9/11, migrants have often been depicted, accused or treated as terrorists.

In the face of rising populist nationalism (mainly in the US and Europe), migration has further been depicted as the cause, and at the same time the consequence, of the crisis of multiculturalism in the Western world. This nationalist political discourse has posed grave challenges to the principles of multilateralism, solidarity, burden sharing and even integrative regionalism in Europe and at the global level. Suffice to note that the on-going strain within the European Union (EU) Schengen arrangement, the travel bans by the Trump administration, and the declaration by the US to build a wall on its border with Mexico and expel illegal migrants, are just a few examples of how nationalist politicians have used migration.

Noting these recent developments, on 19 September 2016 the UN General Assembly (UNGA) passed Resolution 71/1 titled, "New York Declaration for Refugees and Migrants", which launched a process of inter-governmental negotiations intended to lead to the adoption of a global compact for safe, orderly and regular migration (Global Compact on Migration).¹³ A few years earlier, such an initiative would have been considered as divisive and too intrusive by many countries of destination, and thus unacceptable. The low number of ratifications of the International Convention on the Rights of All Migrant Workers (ICRMW)¹⁴ by destination countries (particularly developed nations) and the opposition recorded during its adoption

process is a clear indication of this fact.¹⁵ The structural economic drivers and entrenched political forces in destination countries make it challenging to reach multilateral agreements on migrant workers' rights.¹⁶ However, in the current age of migration, even countries of destination are willing to support or are demanding a UN document that will assist in the global governance of migration.¹⁷ The Global Compact is a rare opportunity to engage the world on a social topic of great global importance as it is the first time the international community has committed its financial and human resources, time and energy of its leadership on the migration agenda.

For now, the Global Compact will be mainly a political declaration, but in future, it will have significant legal implications. Despite being termed as 'compacts', 'reports', 'observations', and 'non-binding instruments', UNGA resolutions and reports of the Secretary-General usually set the agenda, shape the deliberations, determine the normative framework, and significantly influence the allocation of required resources. Beginning with soft, non-binding principles, such UN initiatives (compacts) impose moral obligations that 'seep' into global norm-setting and the interpretation of the law. Strategically, such compacts, through time, transform soft norms into binding provisions.

For Africa, this UN initiative provides a unique opportunity to share its priorities, concerns and aspirations about migration issues and to actively participate in the global debate on how to provide a fresh impetus for African and global migration governance. Acting as 55 countries in unison and with the commitment to representing a broad spectrum of stakeholders, Africa's contribution to the Global Compact on Migration will be enhanced if the continent's priorities and demands are conveyed and promoted in a well-defined, articulated, and well-communicated way. The most effective way of transforming the global outrage about slavery and deaths of

migrants into action is through robust international solidarity in the governance of migration. A rare opportunity not to be missed, Africa has to make effective use of the Global Compact to mount international pressure on regions such as the Middle East that are not amenable to reasonable demands from Africa where African migrants face unmaintainable suffering.

More importantly, Africa could make use of the process of consultation to demand that the international community ensure the protection of fundamental human rights of migrants including those from Africa. Similarly, it could further make use of such consultations to build local, national and continental transformative capabilities for fair and effective migration governance within Africa. Crucially, African countries through the African Union (AU) and its Regional Economic Communities (RECs) need to view the Global Compact as a means, not as an end in itself, towards a progressive migration governance agenda both at the global level and continentally in Africa.

Challenges to effective global migration governance

The challenges to global migration governance can be divided into the following broad categories:

Crisis in multilateralism: Erosion of solidarity and burden sharing

Multilateralism, solidarity and burden sharing are now extremely strained due to the migration governance crisis. Given that the number of migrants is on the rise and that this trend is likely to persist in the foreseeable future, the governance of migration has now become one of the critical challenges for countries of origin, transit and destination. For host communities in destination countries, migration is perceived not only as an issue of socioeconomic pressure, but

also as a threat to cultural values and way of life, therefore serving as a social base for the electoral platform of nationalists. Hence, protectionism, populist nationalist politics, and socio-cultural threats, as perceived by local communities in countries of destination, constitute critical challenges in forming a fair compact on global migration governance. One of the fundamental principles of a community that shares values, advantages and burdens is the principle of solidarity.¹⁸ Communities such as the EU, UN (UNHCR concerning refugees) and the international community, in general, are highly dependent on the principles of solidarity and burden sharing.¹⁹ The principles of solidarity and burden sharing, promoted as protective and integrative pillars of humanity in the UN and EU, are facing critical challenges now. In the age of migration, multilateralism and the principles of solidarity and burden sharing are highly vulnerable to attacks from political nationalists.

Migration containment: Address double standards and policy incoherence

Due to the policy of containment, migration governance currently focuses on legalistic endeavours aimed at deterrence. Putting law before policy, the current response to migration is heavily legalistic and primarily determined by laws and regulations.²⁰ The migration agenda, supplied to Africa by powerful and resourceful donors, has led to current legislative-led migration management. Indicative of policy incoherence by donors, the strategy of migration containment through the securitization of border controls could potentially undermine the ongoing efforts towards free movement regimes on the African continent in various ways.

This strategy of migration containment has also led to double standards and policy incoherence in countries of destination. The ratification status of the International Convention on the Rights of All Migrant Workers (ICRMW)²¹ reflects Western double standards and tensions over core values

of liberalism and national interest as articulated by various authorities, including those with mandates on migration. Africa has been accused of dragging its feet when it comes to the ratification of international conventions, and also for giving lip service to implementation. But when it comes to the ICRMW- migration convention, Western Europe and North America, who are usually the harbingers of ratification, have failed to ratify this particular Convention since its adoption almost three decades ago.²² At the same time, African countries of origin whose nationals constitute significant numbers of irregular migrants outside and inside Africa, have never contested this discrepancy. Some African countries of origin have not even ratified the convention themselves, an action that would have helped ensure the protection of their migrant nationals' rights abroad globally. This is indicative of the lack of evidence based policy and supremacy of ideologically driven position by Africans on migration.

Address fundamental economic disparity

The political-economy and societal culture of Africa provide fertile conditions for the large irregular migration and displacement of people. To be more precise, the broad gap between actual and aspired living standards of young people explains the migratory trends within and outside Africa. The distance and routes of migration are functions of the socio-economic status of the migrants and their sponsors and families. The most vulnerable people usually migrate to the nearest destination, while there is an increasingly mobile elite (not from the most impoverished families) travelling to Europe and other more distant destinations. All migrants are vulnerable, but some are more vulnerable than others because migrants with money or particular skills are in demand by developed economies and countries of destination. Highly educated and qualified migrants in this category add to the brain drain from Africa. At the other extreme, the

overwhelming majority of African migrants to Middle Eastern countries are women who are often less educated and serve as domestic workers.

Migration by highly skilled people may cause shortages of trained and skilled human resources required for domestic development in priority sectors. The selective migration approaches adopted by developed countries that deplete African expertise that are particularly necessary for the achievement of the 2030 SDGs and Agenda 2063, and constitute an additional challenge for African economies, especially in health, education and technology.

For this reason, there is an urgent need for a more robust multilateral and global partnership. Migration patterns in Africa have to be seen against the background of conflicts and political instability, and socio-economic and cultural factors, including peer and community pressure and the culture of migration, youth unemployment and landlessness. In this regard, youth employment is thus an overlapping area of interest for all countries of origin, transit and destination. Providing more opportunities and decent living conditions for Africa's youth should constitute a crucial part of global migration governance.

Weak global partnership: Institutionalize collaboration on migration governance

Safe, orderly and regular migration, involving full respect for human rights and the humane treatment of migrants, requires effective international cooperation. Lack of coordination amongst countries and regions exacerbates the challenges mentioned above. Combining efforts could lead to enhanced regular migration and deal more effectively with problems caused by irregular and forced migration. This changing and challenging migration landscape requires a global migration governance architecture that will govern effectively and proactively respond

to dynamic migration trends. Such a global partnership on migration has to build upon national migration governance that is more contextualized and anchored in the protection of the dignity, human rights of migrants, and respect for laws of countries of destination, transit and origin. Partnership and collaboration under the Global Compact on Migration should also reinforce the principles of solidarity and burden sharing with countries and communities hosting refugees and migrants, particularly about developing countries that accept more than their share of migrants, usually without the capability to do so effectively.

Mismatch in end-state: Regard migration as a national priority

The wished-for end states of countries vary and most often conflict with one another depending on whether a country is a place of destination, transit or origin for migrants. Migration is seen as a crisis in Europe, and mostly as an opportunity in Africa. Migration has not been given the attention it deserves as one of the national priority agenda items, while countries of destination, such as some in the EU, treat migration as a priority on an equal footing with terrorism.²³ The primary concern of countries of destination is related to the threat that migration poses to national security, and socio-cultural (demographic threats and local job market protection) pressure; for countries of origin, the main concerns are the human rights and safety of their nationals and their contributions (mainly remittances) from migrants. Countries of transit share concerns and face challenges similar to countries of destination, but to a very limited degree during the temporary stay of migrants within their jurisdiction. Thus, incompatibilities exist within the migration agenda between the countries of destination, transit, and origin both regarding the urgency gap and their end-state differences. The AU, in aggregating the preference of its Member States, needs to put migration at the top of their national agendas.

This low priority accorded to the migration agenda and low levels of resource allocation devoted to migration, remain formidable challenges for migration governance.²⁴ Reflecting the low urgency accorded to the migration agenda as a state priority, governments rarely allocate direct budgets for migration. In rare cases, governments' overall budgets for migration are mostly included in the labour and social affairs budgets without any specific allocation. Lacking a fully mandated and well-funded agency in charge of migration governance, the institutional responsibility and thus location of accountability for migration governance, is nearly absent.

The meagre resources allocated for migration governance proves that African states are yet to place migration at the top of their national agendas. That is the reason for now migration agenda remains supply driven by partners such as the EU, not only because of the money allocated by donors but also due to lack of answerability of African governments for migration related human rights violations. In this regard, states bear the primary responsibility of protecting their populations and are expected to institute normative, institutional, collaborative and financial frameworks for migration governance. African countries have yet to come up with the degree of political determination and leadership required for effective implementation mechanisms at national and regional levels. There is an urgent need for a nationally-owned politically-led migration governance agenda. Effective migration governance is not achievable without acquiring and building the required capabilities.

Localization of migration governance: Adherence to the principles of subsidiarity and complementarity

Migration remains a local community action and an individual decision with global implications. In migration, the local is closely intertwined with the global, and therefore global migration cannot

be governed well without effective governance of the local migration. A Global Compact will not be able to offer a "one-size-fits-all" strategy on migration governance for all regions. Each region has its peculiarities and has different resources, priorities, challenges and needs. Migration governance could significantly benefit from a decentralized organizational plan. Localization of migration governance enhances community engagement and facilitates consideration of the peculiarities of each locality and community, civil society organization (such as youth and women association) and the private sector (transportation, hospitality etc.) as well as the priorities of migration hotspots and border areas.

What is more proximity and local expertise would help tailor all interventions to local contexts. Furthermore, localization enhances ownership which encourages the initiation of programmes by local entities. Accordingly, localization needs to capacitate local authorities to implement and discharge their responsibilities, as well as to mobilize traditional and modern civil society organizations such as faith-based institutions, community groups and the private sector contribute their share in governing migration more efficiently.

Therefore, there is an urgent need for strict adherence to the principle of subsidiarity to enable states and local authorities to take responsibility for the governance of migration in their respective localities. Thus, all donors, the UN, AU and for that matter, RECs, would become a collective 'backup generator' or 'subsidiary support system' for national systems, which in turn would act as a backup for local governance structures. The role of international actors, therefore, will not replace national systems but capacitate them.

The protection problem: Address the normative and implementation gap in the protection of migrants

Irregular and forced migration is currently taking on severe dimensions of alarming proportions that portend grave dangers to the lives and fundamental rights of migrants. Currently, due to the ubiquitous and unrestrained strategy of migration containment, migration governance is being equated with criminal justice and border control. State and non-state actors threaten the physical and mental safety of migrants. Some countries of destination and transit have also privatized the detention of migrants, which often leads to serious violations of fundamental human rights. Militia groups in Libya and the Sahel have detained migrants in transit: this is particularly worrying where Private Military and Security Companies (PMSCs) and rebels are outsourced to perform such sovereign functions of the state. Therefore, migrants face irregular detention and deprivation of their liberty. As a result, not only administrative but also judicial oversight and periodic reviews of migrants in detention become vital in order to ensure access to justice and judicial oversight on migrants' rights. This remains a cornerstone of the protection system of human rights, including those of migrants.

In general, migration increases special vulnerabilities and specific needs for migrants (both forced and voluntary).²⁵ Both human rights laws and international humanitarian laws fail to address the distinct problems of migrants. International humanitarian law is too general; it applies to all human beings and fails to specifically address the special vulnerabilities and protection and assistance needs of migrants for their physical safety, shelter, food and hygiene. In the same vein, International humanitarian law treats migrants in the same manner as other civilians in armed conflicts, which is not always the case for migrants. This severe shortcoming in international law constitutes a grave normative protection gap.

Therefore, there is an urgent need to fill this gap through the Global Compact.

Conclusions and policy recommendations

The number of migrants and the gravity of the human rights violations they are facing are increasing. Response to migration in general, and the volume of refugee and irregular migrants in particular, have posed nationalist and populist reactions in many countries, and have put the principles of solidarity and burden sharing under grave stress. At the same time, for the international community, these principles have become more important than ever. Countries of destination and transit for migrants and refugees are left alone to shoulder the burden of protecting migrants and refugees. Moreover, all countries, but particularly developing nations, are facing severe gaps in their capability to establish effective migration governance: this is in addition to the lack of clear policy directions at the national level.

What should Africa demand from the Global Compact?

Primacy of Political Commitment

In this regard, the primacy of political commitment in building an effective and inclusive global migration governance architecture should be the starting point for all participating in the negotiations. This commitment includes the budget allocation, and the focus of political leaders on migration.

The Principles of Subsidiarity and Complementarity

Efficiency, effectiveness and legitimacy of interventions to stem out irregular migration and address displacement, could be enhanced through decentralized migration governance. Strict application of the principles of subsidiarity and complementarity become instrumental for localization of decision making, resource

allocation and burden sharing. Adherence to these principles would also ensure mutually beneficial partnerships that promote mutual accountability, ownership, coherence and alignment of international support with local, national and regional priorities. Furthermore, with these principles, the focus of the current migration agenda on the containment of migrants will move to the development of countries of origin that could offer an alternative to irregular migration and narrow the gap between actual and aspired living standards.

End Containment and Focus on Development

Taking into account the megatrends of migration, and the sheer size and gravity of the predicament of migrants, the problems of migration cannot be addressed through recourse only to short-term containment strategies at the borders of countries of origin, transit and destination. Africa should be held responsible for and helped to ensure stability and the provision of decent living standards for citizens. The resulting stability would make it possible to effectively address the causes, triggers and accelerators of irregular migration and displacement. Hence, migration governance must go beyond a response to irregular migration and displacement. It must be linked to the development agenda of Africa at national, local and international levels.

Balancing the Twin Purposes of Global Migration Governance

For global migration governance to succeed, it is essential to be able to balance the twofold responsibilities of facilitating legal, orderly and safe migration in the form of mobility on the one hand and addressing displacement and irregular migration on the other. Striking this balance requires that the state be capable of identifying, distinguishing between, and acting on displacement and mobility, and even more so, distinguishing between bad mobility (irregular

migration, smuggling) and good mobility (with the necessary travel documents and permits).

What should Africa's peculiar priorities and contributions to the Global Compact be?

Whether Africa is prepared or not, migration and its positive or negative impact will eventually increase. If states are prepared, migration's developmental contribution could be harnessed, while its harm could be decreased and mitigated. If not well governed, the plight of migrants, beset by xenophobic attacks and massive deportations as well as quarrels between countries of destination, transit and origin, will increase.

Indicative of where the priority lies for Africa in migration governance, the current migration response and management procedure lack a national and regional governance system. AU Member States need a strategic vision for a national migration policy that places migration at the top of their national agendas. Such a national migration policy would need to overhaul the institutional, and collaborative framework, as well as increase the financing of migration governance in each affected country. As a priority, the AU and its Member States, assisted by the international community, need to establish a national migration governance system based on the following four Pillars, namely:

Pillar 1: Clear Migration Governance Norms (Norms)

Pillar 2: Capable and Well-Resourced Migration Governance Institutions (Institutions)

Pillar 3: Effective and Efficient Collaboration (Collaboration); and

Pillar 4: Sustainable Sources of Funding and Resources Mobilization (Resources).

By treating the migration agenda as a national priority that ensures a migration policy and building effective governance architecture within their jurisdictions and regions, the AU and its Member States could contribute significantly to an effective global migration governance architecture. In this regard, the international community should demand such a strategic approach, and the determination on the side of Africa to place the national migration governance architecture at the centre of their obligation in the Global Compact. Such determination and approach would constitute Africa's far-reaching contribution to the global governance of migration. The international community will find it productive to work with a structured and highly committed government with clear policy direction.

In the same vein, the demand from Africa to the international community should be to financially, diplomatically and politically support Africa's effort to build national, regional and continental migration governance based on the pillars mentioned above. Hence, the Global Compact should ensure the reinforcement of the principles of solidarity, burden sharing and mutual accountability as the foundation of partnership. What is more, the Global Compact needs to be anchored in the bedrock of human rights that are already recognized under international law.

The single most important recommendation for the AU, and RECs is that Africa needs to prepare a common African position informed by the above major challenges, concerns and proposed solutions to forge Africa's unified priorities, interest and voice. Such a position could also guide AU and its Member States to present a

unified presentation at the international conference where a Global Compact on Migration is to be debated and negotiated.

About the Author

With more than 17 or so years of management and professional working experience in the African Union (AU), Addis Ababa University and other think tanks on peace and security, governance and management, humanitarian and migration issues, Dr Mehari Taddele Maru is currently the Lead Migration Expert and Chief Strategy Consultant in IGAD and member of the AU High Level Advisory Group on Humanitarian Affairs and Adjunct Assistant Professor at Addis Ababa University, visiting lecturer at the NATO Defense College (NDC), Nigerian Armed Forces Command and Staff College, Ethiopian Peace Support Training Center, the UN Institute for Economic Development and Planning (Senegal), and the African Center for Strategic Studies (USA).

Dr Mehari was Programme Coordinator and Legal Expert at the African Union Commission. Both at AU and IGAD, he drafted AU and IGAD blue print policy documents on migration, peace and security, governance, and humanitarian effectiveness. Published by the globally respected legal and academic publisher, his book entitled *The Kampala Convention and Its Contributions to International Law*, examines the African Union Convention on the Protection and Assistance of Internally Displaced Persons (known as the Kampala Convention). Read details at <http://www.meharitamdele.info>

End Notes

¹ AU 'Decision on the Draft Migration Policy Framework for Africa' (AU Banjul Summit, 2006), Doc. EX.CL/276 (IX). Policy currently under revision.

² Others include African the Kampala Convention for the Protection and Assistance of Internally Displaced Persons, and the OAU Refugee Convention governing specific aspects of Refugees. AU has various policy and legal blueprints that govern aspects of migration.

³ See also Everett Lee, *A Theory of Migration*, (University of Pennsylvania, 1996), available from <http://www.jstor.org/pss/2060063> (accessed 18 July 2017). See also Mehari Taddele Maru, *The Kampala Convention and its contributions to international law*, Eleven International Publishing, The Hague, Netherlands.

⁴ UNECA, Global compact consultative meeting agrees Africa needs to drive and won migration narrative, October 31, 2017, available from

<https://www.uneca.org/stories/global-compact-consultative-meeting-agrees-africa-needs-drive-and-own-migration-narrative> (accessed 2 November 2017).

⁵ Nima Elbagri, *People for sale, exposing migrant slave auctions in Libya*, CNN, 14 November 2017, available from <http://edition.cnn.com/specials/africa/libya-slave-auctions> (accessed 2 January 2018).

⁶ UN Support Mission in Libya, Office of the United Nations High Commissioner for Human Rights, available from <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22039> (accessed 2 January 2018); and see also Ishaan Tharoor, *The Washington Post*, 29 November 2017 available from https://www.washingtonpost.com/news/worldviews/wp/2017/11/29/a-slave-auction-puts-the-global-spotlight-back-on-libya/?utm_term=.78a3ca4b2773 (accessed 2 January 2018).

⁷ Jana Asher, and Beth Osborne Daponte, "A Hypothetical Cohort Model of Human Development", *UNDP Human Development Report*, Research paper 2010/40, September 2010, P. 31, and P. 41.

⁸ Speisa, 20 October 2015, Sweden to Become a Third World Country by 20130 according the UN; available from <http://speisa.com/modules/articles/index.php/item.454/sweden-to-become-a-third-world-country-by-2030-according-to-un.html> (accessed 1 January 2018).

⁹ The Telegraph, "how Sweden, the most open country in the world, was overwhelmed by migrants", 12 November 2015.

¹⁰ The Brunswick News, "Immigration turning Sweden into Third World nation", 1 January 2016.

¹¹ The Economist, "How immigration is changing the Swedish welfare state", 23 June 2017.

¹² The Spectator, "How Sweden became an example of how not to handle immigration", 3 September 2016.

¹³ UN General Assembly 71st Session, Resolution adopted by the General Assembly on 19 September 2016, 3 October 2016, A/RES/71/1.

¹⁴ ILO, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), available from

<https://www.humanrights.ch/en/standards/un-treaties/migrant-workers/> (accessed 28 October 2017).

¹⁵ Krisina Touzenis, and Alice Sironi, Study on Current Challenges in the Implementation of the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, Directorate General for External Policies of the Union, 2013, available from

[http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433715/EXPO-DROI_ET\(2013\)433715_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/433715/EXPO-DROI_ET(2013)433715_EN.pdf) (accessed 28 October 2017).

¹⁶ Antoine Pecoud, 2015, Politics of the UN Convention on Migrant Workers' Rights, Groningen Journal of International Law, Vol 5(1): Migration and International Law, available from https://grojil.files.wordpress.com/2017/09/grojil_vol5-ed1_pecoud.pdf (accessed 1 January 2018).

¹⁷ Ronaldo Munck, *Globalization and migration: new issues, new politics*. Routledge, 2013, Pp 32-26.

¹⁸ For more read, Eiko Thielemann, 2006, Burden Sharing: The International Politics of Refugee Protection, The Center for Comparative Immigration Studies, Working Paper 134, 2006.

¹⁹ See Paragraph 4 of the UN 1951 Convention on Refugees, Article II (4) of the 1969 OAU Convention Refugees, UNHCR ExCom Conclusion 22 (XXXII), UNHCR 1981.

²⁰ Mehari Taddele Maru, 2016, Migration Governance in the IGAD Region, IGAD Regional Consultative Process, Khartoum, 18-19 May 2016.

²¹ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), available from

<https://www.humanrights.ch/en/standards/un-treaties/migrant-workers/> (accessed 28 October 2017).

²² 51 countries, 20 of them from Africa have ratified the Convention. And none of the developed countries have ratified the convention. For ratification see UN Treaty Collection, available from

https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-13&chapter=4&clang=_enn (accessed 28 October 2017).

²³ Thomas Nail, 'A Tale of Two Crises: Migration and Terrorism after the Paris Attacks', Study of Ethnicity and Nationalism, Vol. 16, No. 1, 2016, Association of Study of Ethnicity and Nationalism, University of Denver; Jennifer Oriel, 'Terror and migration: Truth Europe will not admit', The Australian, 27 August 2017; UN, the impact of counter-terrorism measures on the human rights of migrants and refugees, Report of the Special Rapporteur on the Promotion and protection of human rights and fundamental freedoms while countering terrorism, A/71/384, 13 September 2016.

²⁴ Mehari Taddele Maru, 'The Valletta Dilemma, Why migration governance in Africa should take centre stage', *Global Governance Spotlight*, 8/2015, available from http://www.sef-bonn.org/fileadmin/Die_SEF/Publikationen/GG-Spotlight/ggs_2015-08_en.pdf (accessed 28 October 2017).

²⁵ Rajendra Pachauri and Andy Reisinger (eds.), *IPCC Climate Change 2007: Synthesis Report, Summary for Policymakers, Contribution of Working Groups I, II and III to the Fourth Assessment*, (IPCC Geneva 2007), 104, Pp 515-519, available from <http://www.ipcc.ch/ipccreports/tar/wg2/pdf/wg2TARchap10.pdf> (accessed 2 November 2017).