

04 December 2018

MAKING THE CASE FOR REGIONAL COOPERATION ON MIGRATION AND MOBILITY

by Malin Frankenhaeuser, Daria Huss and Justyna Segeš Frelak

State cooperation on migration and mobility has intensified significantly in the last decade, not least at the regional level where it can take the shape of fully-fledged formal mobility frameworks, such as free movement within the European Union, or economic cooperation frameworks that only facilitate specific aspects of mobility, or informal migration dialogues, such as Rabat Process or Budapest Process.

It would seem only natural to attempt to regulate a predominantly regional phenomenon like migration and mobility through intensified regional cooperation. Harmonisation of migration policies within a region contributes to facilitating movements that would often take place anyways, either in a regular or an irregular manner and having a mobile workforce supports the economy. Making strides at the regional level should also be easier than finding global agreement on migration and mobility – the lack of unity on the [Global Compact for Safe, Orderly and Regular Migration](#) (GCM) is a case in point. The GCM itself highlights regional, cross-regional and sub-regional organisations, processes and mechanisms throughout the text, particularly with regard to the implementation, follow-up and review of commitments. These three issues are precisely what many regional cooperation frameworks still struggle with. Not only is it difficult to agree on the scope of regional cooperation on migration and mobility, but agreements in place often stumble on weak capacities to implement and monitor, and weak enforcement mechanisms.

Regional cooperation frameworks, compared to cooperation at a supra-regional level, often have the advantage of shared migration and mobility patterns, common history, language and cultural proximity as well as similar levels of socio-economic development that facilitate the reaching of consensus on mobility schemes (if not all of these factors apply, at least some most likely do). In some cases, however, bilateral cooperation can be more relevant and efficient, especially in the case of areas that are either extremely sensitive or rely mostly on national competence. It should also be noted that the relationship between emerging regional cooperation and migration is complex and intensified free movement cooperation may not necessarily lead to major increases in migration flows. For example, within the Gulf Cooperation Council, despite favourable economic, political conditions and removal of

barriers to free movement, intra-regional migration remains relatively low. This might be related to the similar structure of national labour markets, lower significance of the private sector in employment and favourable treatment of citizens. At the same time, intra-regional mobility rates may be high despite implementation challenges.

What does it look like?

The primary aim of regional cooperation frameworks is usually economic cooperation. While economic and trade integration have often been key drivers for regional cooperation, with mobility policies following relatively recently. The various forms of mobility governance range from highly formalised to informal regional cooperation: with a mature free movement regime at one end; trade related agreements including mobility components, regional migration dialogues or consultative processes in between; and, ad-hoc regional programmes and projects at the other end.

Full regional mobility requires harmonisation of national laws and regulations with the regionally agreed policies and instruments, which requires a progressive cession of certain national sovereign prerogatives to regional institutions. Results might be remarkable like in the European Union, where all EU citizens enjoy freedom of movement and related rights such as, access to the labour market, education and social assistance. To illustrate this, in 2017 there were 16.9 million EU citizens living in another EU Member State. Also the East African Community and the Economic Community of West African States are implementing comprehensive free movement regimes, despite a number of implementation challenges they face in practice.

Some regional blocs opt for looser forms of cooperation on specific aspects of mobility, often favouring the movement of skilled workers. Examples include the Association of Southeast Asian Nations region, where free movement initiatives focused on the movement of service providers, as well as the NAFTA region, where temporary entry is granted to certain categories of highly skilled migrants. For example, within ASEAN the aim is to “facilitate movement of business persons, skilled labour, and talents” including specific professions: doctors, dentists, nurses, engineers, architects, accountants, and tourism professionals.

Informal, non-binding regional migration dialogues and consultative processes, such as the Budapest Process, the Almaty Process, the Khartoum Process or the Colombo Process, also play an important role in building consensus and shaping a common understanding of migration issues, in facilitating networks and partnerships.

Stumbling blocks to full-fledged regional migration governance

There are several stumbling blocks to full implementation of mobility cooperation agreements. Challenges include the difficulty to find agreement on the scope of cooperation, which could be connected to concerns about public spending, public opinion and security or complicated interactions between certain (member) states as well as reluctance to transfer certain aspects of national sovereignty to regional institutions.

Reservations about intensified mobility cooperation may also be related to imbalanced or slow regional integration with continued socio-economic disparities within regions. Concerns about potentially uneven mobility patterns and the concentration of migrants in a small number of destination countries reflect the general asymmetry of interests and benefits between countries of origin and destination. For example, in case of Southern African Development Community (SADC), asymmetry of interests linked to the socio-economic disparities were major arguments expressed by South Africa in relation to more comprehensive cooperation. A similar situation might be observed in case of Australia as a part of Pacific Islands Forum.

Slow or partial ratification processes may also impede cooperation. In the case of MERCOSUR several agreements have been signed but not ratified. The recently adopted African Union Free Movement Protocol has to date been signed by 32 countries and ratified by one.

Other challenges are linked to ineffective implementation resulting from inadequate time and resources allocated to the harmonisation of policies, including developing capacities and new institutions, and changing laws and regulations. In the absence of proper coordination and monitoring mechanisms it is also difficult to assess how commitments have translated into practice. Furthermore, when enforcement mechanisms are weak or missing, little can be done to counter slow progress or even non-compliance.

In this context, incoherent migration policies and interdependent non-migration policies may put the entire existence of regional mobility cooperation in question. As an example, successfully implemented mobility commitments without adequate integration, antidiscrimination, education, healthcare and migrant workers' protection policies – whether by flaws in their design or implementation – make regional cooperation frail to political tensions and disagreements. In this context, skills mismatches should be highlighted as they often results from incoherent educational and vocational standards in countries of origin and destination.

The intended results (legal provisions) and actual effects (implementation) of these different forms of regional cooperation may also vary significantly. It is particularly difficult to assess the effects of cooperation as there are often no mechanisms to monitor and evaluate the actual enforcement. Additionally, migration data collection is associated with a number of interrelated challenges, namely gaps in the availability of data, scarcity of human and material resources, and lack of facilities and equipment to ensure timely, accurate, and comprehensive filing of the data.

Future of regional migration governance

To move forward on the path of regional cooperation and to ensure that migration yields positive effects for the migrants themselves as well as their countries of origins and destination, and to avoid unwanted side-effects, there is a need to further harmonise national laws and regulations both within the field of migration – including labour migration, integration, diaspora engagement and border control – and in policy areas outside of but connected to migration, such as education, employment, economic and public security policies.

At the same time, stronger cooperation between regions would be relevant to avoid incoherence between bordering regional blocs, notably in the case of overlapping memberships, and to promote functioning cross-border sub-regions.

There is also a continued need for monitoring and evaluation of existing free movement regimes and other forms of regional cooperation frameworks in view of improving development outcomes of this cooperation. Although efforts to monitor and report on political and operational commitments have been intensified recently in some regions, there is still a need to ensure better coherence among the involved actors.

This article is based on the background paper “[Regional mobility and policy coherence to support development](#)” (also available in [FR](#), [SP](#)) that ICMPD drafted for Roundtable 2.2 of the [Eleventh GFMD Summit 5-7 December 2018](#), where a central proposal for discussion was how existing forms of cooperation could be further strengthened in the context of regionalisation of migration flows.

Contact Information

For more information please contact:

Policy Unit

International Centre for Migration Policy Development (ICMPD)
Gonzagagasse 1, 5th floor
1010 Vienna, Austria

Email: Policy_Unit@icmpd.org

ICMPD 2021. All rights reserved. Short sections, not to exceed two paragraphs, may be quoted in the original language without explicit permission provided that the source is acknowledged. Opinions expressed in this publication are those of the author(s) alone.