

Information Note III

A Global Consultative Process for Inter-state Cooperation on Migration Management

I. Introduction

Migration – an unavoidable reality

Migration can be a constructive economic and social force, resulting in a dynamic labour force, economy and community, and rich cultural diversity. But there is more to it than that. The demands of an increasingly globalized and integrated world economy as well as demographic forecasts indicate that migration is an unavoidable reality. Indeed, migration could be one of the answers to the problem of ageing populations in much of the developed world while providing opportunities for training and employment for growing populations in the developing world. Among governments, international and regional organizations, non-governmental organizations, the civil society, the private sector and other stakeholders in migration, there is a growing recognition that migration is an essential and potentially beneficial component of the economic and social life of every state and every region, regardless of its migration perspective.

Migration management

It must, of course, be acknowledged that international migration has both positive and negative effects. If properly managed, it can be a beneficial phenomenon with potential advantages for all states and their societies. However, if left unmanaged, it can lead to the exploitation of individual migrants particularly through human trafficking and migrant smuggling, and be a source of social tension and insecurity.

For this reason, more and more states are searching for strategies for migration management. In fact, migration management is required to achieve and maintain the orderly movement of people in a global society that is increasingly affected by mobility. It contributes to establishing orderly and safe migration opportunities as well as to ensuring respect for the integrity of national, sovereign borders. In practice, the development of a migration management strategy may result in the implementation of policies, laws and administration that balance the rights and obligations of migrants with social and economic interests and government responsibilities. Finally, migration management can contribute to achieving the overall aim of maximising positive effects of migration and minimising potentially negative results.

II. The Berne Initiative

The Berne Initiative, launched in 2001 by the Swiss Federal Office for Refugees, focuses on obtaining better management of migration at the regional and global levels through enhanced cooperation among states. It is based on a spirit of partnership, trust, transparency, good neighbourly relations, and the respect of the sovereignty and interests of all states. Convinced that mutual benefits can derive from enhanced inter-state cooperation in the field of migration, the most important outcome of the Berne Initiative is projected to be a policy framework facilitating cooperation between states in managing the movement of people in a humane and orderly way.

The Berne Initiative is a states-owned process that is consultative, co-operative, comprehensive, and balanced, but non-binding and non-prescriptive.

➤ **a consultative process**

An exchange of opinion, experience and information is a pre-requisite for achieving effective cooperation among states and other stakeholders in the field of migration. In recognition of that, the Berne Initiative provides a platform for consultation and dialogue on migration issues among countries of migration and other interested stakeholders. The Berne Initiative seeks the active involvement and participation of states in all regions of the world and aims at contributing to confidence building among them on migration.

➤ **a co-operative process**

The Berne Initiative engages governments and other stakeholders in an open and co-operative dialogue on migration. Persuaded that international cooperation is needed to effectively manage migration, the Berne Initiative aims at elaborating a framework for migration management that facilitates cooperation among states.

➤ **a comprehensive process**

Due to the complexity and diversification of migration, and its linkages to policy in the economic, social, labour and security domains, among others, it is essential that a migration management strategy addresses, to be effective, migration in a comprehensive manner. In recognition of that, the Berne Initiative aims at promoting an integrated approach to migration management that addresses such diverse aspects as the human rights of migrants, trafficking of persons and migrant smuggling, labour migration, migration and development, migration and health, integration and return.

➤ **a balanced process**

The Berne Initiative does not give special preference to one specific issue to the exclusion or detriment of others; it addresses migration issues and national interests in a balanced way.

To obtain solutions which are sustainable and suitable for all countries involved in migration, regardless of their migration perspective, differing national migration needs and priorities need to be reflected in a managed migration system. The Berne Initiative seeks to balance these differing needs and priorities in a framework for inter-state cooperation. At the national level, it encourages states to find balanced policy solutions for specific challenges in the field of migration, for example, solutions that give equitable regard to the need to facilitate migration and the need to control it.

➤ **a non-binding and non-prescriptive process**

The Berne Initiative does not focus on the development of new international law, nor does it tell states how they should or must manage migration. Rather, it focuses on developing flexible options for policy development in the field of migration based on good practices.

The management of migration is a sovereign right that may require flexibility of action in order to adapt to future trends and national policies and priorities. The Berne Initiative promotes the development of effective and flexible national migration policies as well as enhanced inter-national cooperation.

III. The “International Agenda for Migration Management”

The Berne Initiative process was established to assess the feasibility of elaborating a framework of guiding principles that could in the future serve to facilitate cooperation among states in managing international migration.

The Berne Initiative Consultations, 2-3 July 2003

The “Berne Initiative Consultations”¹ which took place on 2-3 July in Berne, Switzerland, were an important step towards the development of this framework. Participants were government migration experts from all regions of the world. In addition, there were a number of participants from international, regional and non-governmental organizations and academia.

The participants explored the development of an inter-governmental framework in the form of an “International Agenda for Migration Management” that maps out, firstly, a set of common understandings on migration and, secondly, identifies a number of effective practices for a planned and coherent approach to migration management.

The concept of the “International Agenda for Migration Management”

The “International Agenda for Migration Management” is designed to assist government migration practitioners in developing effective mechanisms for inter-state cooperation on migration, fully respecting their sovereignty in the field of migration. It does not elaborate new legally binding norms, yet gives due regard to applicable international and regional legal instruments to which some states are bound through national ratification procedures.

The “International Agenda for Migration Management” will address major aspects of migration including human rights of migrants, labour migration, integration, irregular migration, human trafficking and migrant smuggling, return as well as migration and development.

Although different national migration policies have evolved autonomously, it has increasingly been noticed that states, regardless of their migration perspective, share many common migration interests. As a result, understandings of migration that are shared by states are beginning to evolve. In the absence of an international framework on migration comparable to the 1951 Geneva Convention on Refugees, these common understandings may be seen as the basis for the development of a common approach to migration management aiming, particularly, at facilitating international cooperation in the field of migration.

In this context, the first part of the “International Agenda for Migration Management” will contain a set of common understandings on migration that have been identified by states and other stakeholders in migration. These common understandings will serve as a basis for the second part of the “International Agenda for Migration Management” – a compilation of effective practices for a planned and coherent approach to migration management. The further development of the “International Agenda for Migration Management” requires broad and comprehensive consultations especially for the development of these effective practices.

The Berne Initiative Consultations in July 2003 enabled an open and fruitful exchange of views on migration issues among all participants and paved the way for further development of an “International Agenda for Migration Management”.

¹ The report of the Berne Initiative Consultations is available at www.iom.int/berneinitiative/ in English, French and Spanish.

IV. Next steps of the Berne Initiative

The “International Agenda for Migration Management” is meant to represent views of governments from all regions of the world in a balanced manner. To achieve this aim, the “International Agenda for Migration Management” will be further developed in several regional consultations that are planned to take place in 2004. Similar to the July Consultations, participants will mainly be government migration experts, but also experts from international, regional and non-governmental organizations as well as academia. They will elaborate the substantive elements of the “International Agenda for Migration Management” – common understandings and effective practices for a planned and coherent approach to migration management.

The Berne Initiative, as a states-owned process, invites all interested governments to take an active role in the further development of the “International Agenda for Migration Management”. The aim is to engage states from all regions of the world as well as other interested stakeholders in broad and regular consultations with a view to producing consensus on the basic components of an International Agenda for Migration Management by the end of 2004. The Second International Symposium on Migration (“Berne II”), which is projected to take place at the end of 2004, will consider endorsement of the International Agenda for Migration Management.

As a consultative process, the Berne Initiative will continue to stimulate an exchange of views and promote mutual understanding of different migration realities and interests on the international level. In that regard, the Berne Initiative will fully coordinate its activities with regional and other international fora, such as IOM’s International Dialogue on Migration. To be most effective, the outcomes of these fora will, where appropriate, be fed into the Berne Initiative process and vice versa. The Berne Initiative thus seeks to broaden the discussion on migration issues in order to assist states in fully realizing the positive contributions that migrants and migration can make to their societies.

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IOM's Migration Policy and Research Programme (MPRP) serves as secretariat for the Berne Initiative. To contact MPRP, please refer to MPRP2@iom.int. Information and documentation on the Berne Initiative are available in English, French and Spanish at the IOM website www.iom.int.