

The Global Compact for Safe, Orderly and Regular Migration **and the Facilitation of Mobility: Contemporary Issues**

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SPECIAL DOSSIER

THE GLOBAL COMPACT FOR SAFE, ORDERLY AND REGULAR MIGRATION AND THE FACILITATION OF MOBILITY: CONTEMPORARY ISSUES

*Directed by Olivier Delas**

The first International Migration Review Forum was held between the 17th and the 20th of May 2023. Four years after the adoption of the *Global Compact for Safe, Orderly and Regular Migration (GCM)*¹, it offered the first global assessment on its implementation. While efforts have been made, it also appeared clearly that the *GCM* was far from a complete implementation and that many efforts remained to be made. As a matter of fact, the *GCM* appeared underused in many respects. While the *GCM*'s potential is wide, it does not have yet received the attention and the mobilization it deserves.

On that occasion, it seemed essential to present a first thematic dossier on the potential of mobilization of the *GCM* to deal with contemporary migratory issues. While a soft law agreement, the *GCM* constitutes an interesting instrument for the advancement of a cooperative and human-centered management of international migration. It establishes a first global cooperation framework on migration, centered on the protection of the human rights of migrants and the facilitation of human mobility. Balanced, it offers an interesting tool to overcome the reluctance of states to accept international rules on the management of migration and the protection of migrants' rights. Focusing on three different and interrelated issues, this thematic dossier illustrates the promises of the *GCM* as soft law for states and international organizations to approach global challenges through orderly and safe migration. Hence, this dossier demonstrates the benefits of strengthening the implementation of the *GCM* to improve the global management of international migration, and the necessity to build on the impetus created by its adoption.

In the first paper, Olivier Delas and Baptiste Jouzier examine the reaction to the COVID-19 crisis and the border closures it generated. They examine the potential of the *GCM* to overcome forty years of security and closure discourse towards international migration, and of "crisis" management in the field, a visibly counterproductive approach. The paper researches if, in a way, the COVID-19 crisis, through the paroxysm of border closure it has brought and the needs towards labour migration it has thus underlined, could not constitute a momentum for the

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¹ *Global Compact for Safe, Orderly and Regular Migration*, GA Res 73/195, UNGAOR, 73th sess, UN Doc A/RES/73/195 (2019).

implementation of a new approach to international migration, as advocated by the *GCM*.

In the second paper, Karine Galy assesses the Bahamas' implementation of the *GCM* adopted in 2018, particularly in light of its human rights provisions generally and migrants specifically. While a security approach toward migration is dominant in the Caribbean region, the commitment toward the implementation of the *GCM* could provide a pathway toward a more protective and cooperative approach. The article demonstrates both the potential of the *GCM* to overcome the security approach and the difficulties to accomplish this overcoming and to implement a genuine public policy on migration at the international level.

In the third paper, Mulry Mondélice examines the contribution of Canada, the United States of America, and the European Union—three major humanitarian assistance donors—to humanitarian diplomacy, and a necessary articulation between migration policy and humanitarian policy in the action of those three actors to facilitate mobility. He explores how and to what extent Canada, the United States of America and the European Union as major humanitarian donors could better promote humanitarian action in coherence with their migration policy and make humanitarian migration a means to protect the rights of individuals affected by complex humanitarian crisis. For this purpose, the article examines the potential of the *GCM* to facilitate mobility through migration as humanitarian protection.

This thematic dossier fosters knowledge on the *GCM* and its implementation. However, first and foremost, it aims at stressing the *GCM*'s potential to enhance the global, regional and local management of international migration, by anchoring migration within the framework of international law and mobility facilitation.