



**PACIFIC IMMIGRATION DIRECTORS' CONFERENCE
SECRETARIAT**

The Pacific Immigration Directors' Conference (PIDC) welcomes the opportunity to provide comments to the Asia-Pacific Regional Preparatory Meeting (Regional Preparatory Meeting) for the Global Compact for Safe, Orderly and Regular Migration (Global Compact). PIDC thanks the Economic and Social Commission for Asia and the Pacific (ESCAP) for organising the Regional Preparatory Meeting and inviting PIDC to contribute to discussions.

Background

2. PIDC notes that the 2016 UN General Assembly *New York Declaration for Refugees and Migrants* began a process of intergovernmental negotiations aimed at supporting the adoption of a global compact for safe, orderly and regular migration in 2018. It is envisaged that the Global Compact would set out a **range of principles, commitments and understandings among Member States** regarding international migration in all its dimensions. The Global Compact would seek to enhance global coordination on international migration and provide a common framework for international cooperation on priority aspects of migration.

3. PIDC notes that the Global Compact would add value to existing international multi-lateral arrangements linked to migration including the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development and be informed by the Declaration of the High-level Dialogue on International Migration and Development adopted in October 2013.

4. PIDC understands that the Regional Preparatory Meeting has been organised to provide a forum to identify key migration issues, challenges and priorities for the Asia-Pacific region and identify existing national, bilateral, sub-regional and regional arrangements in place to ensure safe, orderly and regular migration. It is envisaged that the conclusions drawn from the Regional Preparatory Meeting, will be provided as regional input into the global stocktaking meeting scheduled in Mexico in December 2017.

The Pacific Immigration Directors' Conference

5. PIDC is an established regional organisation made up of 19 Members including Australia, New Zealand and 17 Pacific Islands Countries and Territories (PICTs). PIDC

provides a shared mechanism for Pacific immigration agencies to communicate, collaborate and cooperate internally on migration issues and with other regional and international bodies. Established in 1996, the PIDC assists Pacific Island countries to secure national borders and facilitate the movement of people throughout the region to contribute to improved social and economic well-being and security in the Pacific. The PIDC Secretariat is currently based in Apia, Samoa.

6. As an organisation for official Pacific Immigration Agencies of the Pacific region, the specific purpose of the PIDC is to:

- a) encourage greater co-operation, communication and liaison between participating agencies, including the development and maintenance of communications between annual conferences;
- b) foster a co-ordinated approach to the implementation of any policies of PIDC members having a regional focus;
- c) co-ordinate the exchange of technical assistance by and between participating member agencies;
- d) act as a focal point for collaboration with other regional and international bodies and organisations such as the Pacific Island Forum Secretariat (PIFS), Oceania Customs Organisation (OCO), the Pacific Islands Chiefs of Police Conference (PICP), Pacific Islands Law Officers Network (PILON), Interpol, PACRIM, IATA, the International Organisation for Migration (IOM) and relevant United Nations agencies; and
- e) coordinate and deliver specialist services to members as required from time to time by members and approved by a PIDC regular annual meeting or special general meeting.

7. Given the regional mandate provided by its Members, PIDC is strategically positioned to address PICT immigration limitations through collective regional approaches, shared experiences and best practices with an emphasis on standards and cooperation at all levels of immigration and border control operations.

Regional Issues

8. The majority of PIDC Members are PICTs and Small Island Developing States (SIDS) and face a number of common challenges. Surrounded by the vast Pacific Ocean, most PICTs:

- a) are economically and geographically remote from the larger and more financially secure markets resulting in relatively high transport and production costs;
- b) face uneven economic and social development issues due to resource constraints and ongoing preferential tariff erosion, limited access to

- technological and software advances, increasing pressures from urbanisation, the population youth bulge and a reliance on remittances; and
- c) are particularly vulnerable to natural disasters due to low-lying islands, limited natural resources, and growing populations.

9. To manage these challenges and maximise available resources, PICTs at the regional level have established various regional mechanisms and undertaken bilateral arrangements to allow for the sharing of technical and financial resources through activities undertaken by bodies such as the Pacific Islands Forum, Secretariat of the Pacific Community, Forum Fisheries Agency, University of the South Pacific and PIDC.

Pacific Islands Migration and Displacement

10. The main drivers of migration and displacement in the Pacific Islands continue to be linked to: (a) the search for improved socio-economic opportunities such as improved lifestyles and better access to education and employment; and (b) environmental disasters with limited recorded movement accredited to the impacts of climate change.

PIDC links to the Global Compact

11. The general approach and goals of the Global Compact are for the most part aligned with the objectives of PIDC stated in paragraphs 5 and 6 and also with the organisation's values which include:

- **openness** through sharing of information and experiences;
- **trust and respect** with all PIDC business conducted in a context of trust and mutual respect engendering complete confidence in members sense of unity and dignity;
- **integrity with commitment** to honesty, transparency and ethical behaviour;
- **innovation and flexibility** for exploring new ideas and improvements and encouraging the broadening of knowledge and skills;
- **good governance** with Members committing to enhancing and maintaining the rule of law in an environment of transparency and accountable decision-making; and
- **Rule of Law** to ensure the highest standards in border management and security, thus ensuring the legitimate rule of law.

Objectives of the Global Compact

12. PIDC supports the goal of the Global Compact to facilitate safe, orderly and regular migration. This goal is aligned with the objectives and purposes for which the PIDC was established in service of its Members. As such the PIDC notes the development of a comprehensive multilateral framework provides a valuable opportunity for the international community to develop agreed approaches and positions on key migration areas that impact countries across the world.

PIDC comments on the Global Compact

13. The PIDC input is provided in two parts being first, a series of general comments on the Global Compact, followed by specific statements made on the four thematic areas to be discussed under Agenda Item 4 of the Regional Preparatory Meeting. These four thematic areas include:

- a) legal and orderly labour migration as a contribution towards all dimensions of sustainable development, including decent work, labour mobility, recognition of skills and qualifications and other relevant measures;
- b) addressing the drivers of migration, including adverse effects of climate change, natural disasters and human-made crises, through protection and assistance, sustainable development, poverty eradication, and conflict prevention and resolution;
- c) smuggling of migrants, trafficking in persons and contemporary forms of slavery, and issues of appropriate identification and protection and assistance to migrants and trafficking victims;
- d) regional cooperation and governance with regard to migration in all its dimensions, including at borders and during transit, entry, return, readmission, integration and reintegration.

General Comments

14. PIDC notes that the Global Compact seeks to develop non-binding guiding principles and voluntary guidelines, consistent with international law, on the treatment of migrants in vulnerable situations.

15. In echoing calls by Pacific Islands Forum Leaders to maximise use of scarce resources and avoid duplication, PIDC supports the alignment of the Global Compact with existing international multi-lateral arrangements including the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, and be informed by the Declaration of the High-level Dialogue on International Migration and Development adopted in October 2013.

16. PIDC notes that a significant number of its membership is made up of small island states with special vulnerabilities and challenges related to geographical isolation such as significant distance to markets, high cost of transport, limited land masses and limited natural resources. As such, while PIDC would envisage the Global Compact providing strong and innovative direction for safe, orderly and regular migration, PIDC would also seek to ensure that Global Compact measures are appropriate and do not introduce obligations, in terms of commitments and reporting, and that are too onerous for small island states.

17. Where commitments are introduced that require significant resources and investment, PIDC would like to see flexibility provided to the more vulnerable states for the implementation of the Global Compact with a transition period appropriate to national circumstances and available resources provided and a support mechanism established to assist small island states in developing the necessary processes and structures to meet any new obligations. Where support mechanisms are established, PIDC would seek assurances that processes for accessing resources are simplified, consistent and relevant to the circumstances of PICTs.

18. PIDC notes that once the Global Compact has been endorsed, it envisages given its regional mandate that one of its major priorities will be providing and facilitating the provision of assistance, through development partners and partner organisations such as the Bali Process, UNODC, IOM and UNHCR, to support Members in meeting their Global Compact commitments. As such, PIDC will explore seeking adequate recognition as a potential implementing agency of Global Compact measures.

19. PIDC supports the development of comprehensive immigration policies. PIDC for several years has provided support to its Members seeking to modernise and streamline national immigration policies, legislative frameworks and standard operating procedures. PIDC also notes that IOM and the EU-ACP Migration Action Plan has also undertaken similar work in the region. PIDC would welcome technical assistance and resource support being made available to support current efforts for the development of migration policies for small island states.

20. PIDC supports a rights based approach noting that this approach is aligned with its objectives and values. PIDC notes that national context should be considered noting that migrants should enjoy the same fundamental rights and treatment as domestic citizens and as provided by the law.

21. PIDC supports efforts to eliminate Trafficking in Human Beings (THB). One of the key PIDC priorities is supporting national and regional efforts to combat transnational crime. PIDC currently maintains the only regional Pacific Islands Immigration Information and Intelligence Network that allows PICTs to share Alerts on travelling persons of interest in addition to a monthly intelligence bulletin on case studies, trends and persons of interest provided by Members to the PIDC Secretariat.

21. Information and data collection in the Pacific Islands can be challenging due to resource constraints and in some instances the absence of electronic border management systems. As such enhancing Members' information and data collection processes for both enforcement and statistical purposes is a significant work priority for PIDC. The organisation has an established research programme to increase the

available knowledge base on PICTs with regular surveys and analysis undertaken of immigration issues such as information collection and sharing practices, irregular migration and capacity development needs. Research for 2017/2018 is being undertaken on: (a) immigration links to labour mobility; (b) cost benefit analysis of shifting the primary line from immigration agencies to Customs in small island states; and (c) suitable electronic Border Management Systems that can be utilised by small island states.

22. PIDC is also seeking to build the capacity of Members to collect, store, analyse and share data. In 2016 PIDC established a Working Group to strengthen regional information sharing and is scheduled to develop for Members' endorsement in 2018 a regional Memorandum of Understanding to form the legal basis for information sharing amongst its Membership. To support Members' national efforts to collect data, PIDC has scheduled a regional workshop in 2018 to develop agreed immigration standardised data sets for regional analysis and also to develop simple pragmatic database solutions to support collection and analysis of data in specific priority immigration areas.

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Thematic Comments

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1. Legal and orderly labour migration as a contribution towards all dimensions of sustainable development, including decent work, labour mobility, recognition of skills and qualifications and other relevant measures

23. The PIDC seeks to support Members in meeting their international obligations and advancing regionally endorsed immigration activities that are aligned to decisions of the Pacific Islands Forum Leaders. While the initial focus of PIDC when first established was to support Members maintain secure borders, this mandate has now been widened to also support economic growth-related aspects of migration such as labour mobility. With the adoption of the 2030 Agenda for Sustainable Development, PIDC is now looking to explore providing support to Members seeking to implement activities that support SDG commitments linked to international migration and the protection of migrants.

24. PIDC notes that the PICTs stand to benefit significantly from labour migration not only as sending countries of unskilled and skilled labour but also as receiving countries for skilled labour in the tourism and education sectors. PIDC in October 2017 hosted a regional workshop with the Pacific Islands Forum Secretariat to explore the links between immigration agencies and labour mobility in the region and as a result will shortly complete the development of immigration agency best practices for the management and facilitation of incoming migrant workers. It is planned that these best practices will be adapted by Members at the national level according to domestic circumstances with the support of the PIDC Secretariat.

25. PIDC supports the Global Compact promoting bilateral and multi-lateral labour migration agreements and programmes which in the PIDC experience provide significant benefits to both sending and receiving countries. Seasonal labour mobility programmes such as those provided by the Australian Seasonal Workers Program and the New Zealand Recognised Seasonal Workers Scheme have brought significant benefits to all parties involved especially for PIDC Members. PIDC supports the recognition of these schemes as worthwhile models and looks to support where possible discussions for the possible expansion of these programmes both in terms of numbers of workers and type of skilled labour required.

26. PIDC supports enhanced bilateral engagement between sending and receiving countries to ensure the expectations and the rights of the migrant workers as well as the needs of receiving industry and immigration stakeholders are met. A primary consideration for this engagement will be ensuring that international labour obligations are adhered to ensure adequate protection of migrant workers and their dependents according to international standards and in line with domestic circumstances.

II. Addressing the drivers of migration, including adverse effects of climate change, natural disasters and human-made crises, through protection and assistance, sustainable development, poverty eradication, and conflict prevention and resolution

27. Climate change and natural disasters are a significant issue for all PIDC Members with low lying small island states particularly vulnerable with: (a) geographical constraints providing limited opportunities for internal migration as a climate change and sea level rise mitigation option; and (b) regular natural disasters occurring in the region such as tropical cyclones and isolated volcanic eruptions.

28. PIDC supports the future treatment of climate change displaced persons to be founded on a human-rights based approach and allowing for migration with dignity. PIDC supports that the Global Compact consider providing specific protections to climate change caused displacement and should consider alternatives where once people are on the move, effective protection practices should be adopted by all Governments, such as those identified by the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change.

29. Given the vulnerability of its Members to climate change and natural disasters, PIDC supports calls to consider prioritizing the existing multi-lateral agreements and instruments to combat climate change.

30. At the PIDC Regular Annual Meeting in 2017, climate change and migration were discussed as an agenda item. The PIDC forum will continue to prioritise this matter and ensure it is regularly discussed on an annual basis. PIDC will look to ensure

that migration due to climate change and natural disasters are considered when implementing its annual work programme especially when looking at areas of research, labour mobility, development of policies and best practices as well as in strengthening PIDC Member capacity to collect immigration data.



iii. Smuggling of migrants, trafficking in persons and contemporary forms of slavery, and issues of appropriate identification and protection and assistance, sustainable development, poverty eradication and conflict prevention and resolution

31. The Pacific experiences challenges in the availability of reliable data and information on human trafficking and migrant smuggling due to the varying number of stakeholders involved in the trafficking/smuggling space at the national level. For this reason, PIDC supports:

- a) measures to strengthen research and analysis partnerships between states and regional forums like the PIDC, Bali Process, UNODC and IOM. States should consider sharing data with national or regional partners such as PIDC in the Pacific or the Bali Process within the Asia/Pacific region;
- b) the establishment of targeted capacity development programmes recognizing that more needs to be done to strengthen data collection and research capacity, most particularly in regions and countries where patterns and flows are not yet well understood. PIDC is currently working toward strengthening data collection amongst its membership complementing the UNODC's efforts through its Voluntary Reporting System of migrant smuggling in the Asia/Pacific region but significant levels of work remains to be undertaken;
- c) the provision of capacity building support to strengthen national capacity to investigate and prosecute people smuggling and human trafficking activities;
- d) the provision of specialist training to enable states to respond to sudden movements of mixed migration flows. Training must be allocated for specialists in trafficking/smuggling, passport/registration/passenger checking procedures;
- e) operational cooperation between affected states for the development of effective responses, especially between agencies such as immigration and police. States should support establishing and supporting bilateral and multilateral mechanisms among law enforcement agencies, border control agencies and other relevant actors to share information. PIDC is working towards the establishment of a regional Memorandum of Understanding that requires its membership to share information related to transnational crime issues within the region and national jurisdictions; and
- f) strengthening of information sharing mechanisms of people smuggling and human trafficking information through law enforcement agencies such as the PIDC information and intelligence sharing network.

iv. Regional cooperation and governance with regard to migration in all its dimensions, including at borders and during transit, entry, return, readmission, integration and reintegration.

32. PIDC supports efforts for PICTs to build on the dialogue, exchange and cooperation promoted by recognized regional consultative processes. It is important that States respond and work together to achieve a collective desired outcome. Existing regional consultative mechanisms should be supported as these regional platforms enhance collaboration to ensure that duplication of activities, systems and processes are avoided;

33. The Pacific region has existing consultative processes that support and facilitate the safe, orderly and regular migration of human beings and also the combating of negative aspects of migration. PIDC is a Pacific based forum that works with immigration officials and is an established regional forum that has membership across 19 immigration agencies in the Pacific. PIDC's work complements the Bali Process, IOM, UNHCR and UNODC activities on migration in the Pacific. At the Leaders level, the Pacific Islands Forum is a regionally and internationally recognized forum for Pacific leaders that is ideally placed to support recommendations from the Global Compact to promote its implementation in the Pacific region.

34. PIDC supports approaches that ensure governments and relevant non-state actors work together to establish an inclusive and integrated approach that fosters cooperation within and among countries of origin, transit and destination. PIDC undertakes joint regional initiatives with other regional and national law enforcement agencies in the Pacific. PIDC promotes and supports joint law enforcement initiatives in capacity building programmes and in recent years has collaborated with UNHCR, UNODC, PIFS, OCO and PICP as well as Australia and New Zealand to develop regional positions on immigration issues, regional resources (standards, best practices and guides) and provide training activities to PICTs (document examination, intelligence courses, leadership and management courses, vessel search, people smuggling/human trafficking)