



QUNO

Quaker United Nations Office

Migration Justice: Delivering on the promise of the Global Compact for Migration



Paper 5: Dismantling systemic racism in migration governance

Introduction



The Global Compact for Migration (GCM or the Compact) is a global cooperative framework to improve migration governance. The GCM contains a promise of people-centred and human rights based migration governance. The 2022 International Migration Review Forum (IMRF) will review the implementation of the GCM and will be the first time all States can reflect together on their progress on this promise and on continuing and new challenges. The GCM's guiding principle on a human rights based approach emphasizes non-discrimination, meaning that in addition to actions on Objective 7 (*Address and reduce vulnerabilities in migration*), Objective 16 (*to increase the empowerment of migrants and societies to realize full inclusion and social cohesion*) and Objective 17 (*Eliminate all forms of discrimination and promote evidence-based public discourse*) non-discrimination is key to the delivery of the GCM as a whole. Delivering on racial justice is part of delivering on the promise of the GCM and migration justice.



Racism, discrimination and xenophobia are deeply entrenched in migration governance, leading to human rights violations. For instance, choices about who is granted access into a country are connected to ideas of belonging and "othering" on the basis of prejudice about group identities, particularly race. The IMRF, provides an opportunity to bring a racial justice lens to multilateral discussions on migration governance. This racial justice analysis should also be part of national programmes, policies, and procedures to implement the GCM.



As Quakers we are committed to building a world without violence, where dignity and rights are upheld regardless of citizenship status or perceived deservedness. This paper highlights anti-Black racism in migration governance and provides recommendations to States at the national level. We recognize that migration systems discriminate and are unjust to people at the intersection of multiple identities. However, we think it is important as part of our racial justice analysis to centre the paper on racism against Black migrants. Some United Nations' documents and reports referenced in this paper are specifically focused on people of African descent, however, our focus covers all Black migrants.



Examples of how racism manifests in migration governance include:

- **Closure of borders and/or travel restrictions affecting predominantly Black majority African countries.** This has intensified under the COVID-19 pandemic. The World Health Organization (WHO) denounced countries around the world imposing travel bans against Southern African nations in regards to the ongoing pandemic.¹ The United Nations Network on Migration (UNNM) has also called for any temporary border closure and movement restriction to be implemented in a way that is non-discriminatory and to incorporate protocols to guarantee fundamental rights at all times.²

¹ See statement from the World Health Organization here: [WHO stands with African nations and calls for borders to remain open | WHO | Regional Office for Africa](#)

² [UN Network on Migration Official Statement: Forced Returns of Migrants Must be Suspended in Times of COVID-19 | United Nations Network on Migration](#)





- **Removals without due process affecting mostly Black migrants:** The COVID-19 pandemic has resulted in removals of migrants without due process under the guise of public health protection. In some regions, the most affected have been migrants coming from African nations and the Caribbean.
- **Toxic narratives that fuel hatred, xenophobia and violence against migrants:** Racist and xenophobic speech and violence against racial and other minorities, and against refugees and migrants in particular have risen in the past years.³
- **Prison to deportation pipeline:** Disproportionate impact on Black people of immigration enforcement collaborating with law enforcement leading to incarceration followed by deportation, resulting from systemic racism.⁴
- **Longer detention lengths and harsher treatment for Black migrants:** Similarly as Black people are more targeted by the police and more likely to be incarcerated than their non-Black counterparts, Black migrants are more likely to be targeted by punitive migration enforcement.⁵
- **Racial profiling for immigration enforcement purposes:** Prejudiced perceptions of threat result in people from particular racial and ethnic groups being disproportionately stopped and questioned or searched in immigration and police checks. In the 2019 report on *Preventing and Countering Racial Profiling of People of African Descent Good Practices and Challenges*, the Office of the High Commissioner for Human Rights notes the link between racial profiling and migration governance and calls it “incompatible with the protection of human rights”.⁶



The UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, E. Tendayi Achime, notes that resurgent xenophobic and racist rhetoric and policies rooted in ethno-nationalism do not only harm migrants of any given nation.⁷ They also make citizens who are ethnic, racial or religious minorities vulnerable to discrimination and intolerance.



Importance of Intersectionality:

Racism must be understood as a systemic issue and seen through the lens of intersectionality. Migrants face discrimination on the basis of their nationality and migration status combined with other social and political categories, including race, gender, ethnicity, religion and class.



Recommendations and Steps Forward

GCM implementation and review of implementation at the IMRF, should include actions that align with the High Commissioner for Human Rights’ agenda for transformative change for racial justice:



STEP UP:

Stop denying and start dismantling



LISTEN UP:

People of African descent [all Black people] must be heard



PURSUE JUSTICE:

End impunity and build trust



REDRESS:

Confront past legacies, take special measures and deliver reparatory justice.




³ Violence against racial and other minorities has increased in most regions of the world. Examples of reports covering different regions include: [“There is a Target on Us” – The Impact of Anti-Black Racism on African Migrants at Mexico’s Southern Border](#), [Global Tweets, COVID-19, and Anti-Black Racism in China](#), and [UAE: Mass Arbitrary Detention and Deportation of Africans](#)

⁴ See here for an analysis of the collaboration between the criminal system and migration enforcement: <https://journals.sagepub.com/doi/pdf/10.1177/0964663917747341>


⁵ An example is included in the Report of the Independent Fact-Finding Mission on Libya, A/HRC/48/83 of 6 October 2021, paragraph 67 Available at : https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session48/Documents/A_HRC_48_83_AdvanceUneditedVersion.docx.

⁶ Report available here: [PREVENTING and COUNTERING RACIAL PROFILING of PEOPLE of AFRICAN DESCENT](#)

⁷ See here: Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, A/HRC/38/52 of 25 April 2018, paragraph 44. Available at: <https://undocs.org/en/A/HRC/38/52>



Whilst transformation is the aim, some processes may require stepwise evolution towards that aim. The IMRF alone is not enough to address the complex and nuanced issue of racism within migration governance. Nonetheless, it remains relevant as it can be used to move the conversation forward and leverage action. To begin a transformative process, States and the United Nations system must first acknowledge the manifestations of racism within migration policies and systems. [The UN General Secretary's second report on Implementation of the Global Compact for Migration](#) centres the rights and dignity of all migrants regardless of status. Despite its attention to non-discrimination it lacks explicit recognition of the interlinkages between racism and human rights violations faced by migrants.



Recommendations to deliver on the promise of non-discrimination on grounds of race in the GCM



- **Make a Pledge in the lead up to the IMRF**



Who: States, and other relevant actors including UN system and civil society:

Create mechanisms, including through convening of experts with lived experience, to undertake intersectional, racial justice analysis of migration policies. Identify, analyze and report racial discrimination resulting from those policies and take action to end it.



- **Recommendations for States at the national level:**

These recommendations can be drawn on for more detailed pledges, ideally including timelines for action.

- Review and assess migration policies and identify and report on racial discrimination informing or resulting from these policies. **(STEP UP)**
 - Prioritize the voices of Black migrants and foster their participation in policy processes that result in a meaningful role in decision making. **(LISTEN UP; PURSUE JUSTICE)**
 - Consider transitional justice processes: fully investigate all incidents of racial and related violence against migrants; provide compensation and reparations to victims; and take active measures for accountability. **(PURSUE JUSTICE; REDRESS)**
 - Develop action plans to address racial discrimination identified through intersectional racial justice analysis, including prevention and remedy. **(PURSUE JUSTICE)** Priorities will be specific to the context in each country, but actions could include:
 - › Measures to address policies and perceptions that lead to racial profiling.
 - › Campaigns that combat racist, xenophobic and discriminatory narratives to transform public perception to welcome migrants and recognize their human dignity.
 - › Ensuring border closures and travel bans on grounds of pandemic control are based on public health analysis.
 - › Decriminalize irregular migration as part of dismantling interlinked, discriminatory perceptions of migration status, race and criminality and to avoid feeding narratives of migrants and migration as a threat.
 - › Expand regular pathways and regularization as means of addressing increased risk arising from intersections between racial discrimination and other situations of vulnerability.
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