

Assessing disability-responsiveness of the Global Compact for Safe, Orderly and Regular Migration (GCM)



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ABSTRACT

The Global Compact for Safe, Orderly, and Regular Migration (GCM) provides pathways for States to respect, protect and fulfil the rights of all migrant workers. However, there remains a pressing question regarding the adequacy of its provisions for addressing the specific needs of persons with disabilities throughout their migration journey. Through a qualitative content analysis, this research investigates the GCM Resolution alongside four other related migration documents, examining the extent to which the GCM has conceptualised and operationalised disability-responsive measures. The analyses reveal that disability issues in migration remain underexplored with insufficient provisions to mitigate disability-related inequalities and discrimination. There is evidence of a minimal symbolic inclusion but no identifiable impact in reality. Despite the GCM having disability-responsive provisions within the document, these provisions appear to lack clarity, and this lack of clarity potentially impacts the lack of disability-responsive implementation. The Convention on the Rights of Persons with Disabilities (CRPD) emphasizes the importance of reasonable accommodation and removal of barriers to participation to ensure that persons with disabilities can fully exercise their rights to participate equally in society. Yet, persons with disabilities are often portrayed as objects of protection rather than empowered rights-holders, leaving migrants with disabilities and migrants with acquired disabilities excluded. The GCM falls short in mitigating the vulnerable situations faced by persons with disabilities. This study highlights these shortcomings and provides targeted recommendations to address critical gaps in disability-specific provisions.

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INTRODUCTION

Migration is an essential component of human life and a source of prosperity for many (United Nations, 2019). Its inclusion in the International Bill of Rights emphasizes its position as a fundamental freedom (United Nations, 1948; United Nations, 1966). Beyond this legal and socio-economic entitlement, it remains a core philosophical foundation, with Nussbaum highlighting it to be one of four defining features of human experience and a pre-condition that makes one human (Nussbaum & Glover, 1995). However, within this current neoliberal migration governance climate (Ellermann, 2020; Joppke, 2024), individuals and families are increasingly seen not as bearers of rights but as carriers of human capital. This perspective values certain types of 'desirable' migrant workers while devaluing and trying to keep out 'undesirable' ones and essentially transforms rights into privileges that must be earned (Ellermann, 2020; van Riemsdijk & Panizzon, 2022). Persons with disabilities are often among the first to be affected by such capital-centred policies, which exacerbate historically restrictive practices against them. Hence, persons with disabilities face increased likelihood of being confined to their country of origin, as the discourse surrounding migration often portrays them as a problem to be prevented, restricting opportunities for prospective migrants with disabilities (DMN, 2024). Moreover, migrants with disabilities and migrants with acquired disabilities face heightened situations of vulnerability due to insufficient support structures (DMN, 2024). Addressing this intersection of migration and disability assumes critical significance, as otherwise persons with disabilities could either be pushed into irregular channels or bottlenecked so they cannot migrate at all, hence excluding them from this potential opportunity of prosperity.

The absence of disability perspectives in the migration discourse is happening in a milieu that widely recognises that large numbers of people are on the move, either to escape their countries due to conflict, persecution, or climate-related displacement, or in the search for better socio-economic opportunities. This global trend led to an awakening of States who acknowledged they cannot handle migration effectively on their own as its governance requires regional and global cooperation to manage both forced and voluntary migration flows more effectively (Gottardo & Cyment, 2019; Pécoud, 2021). In response to this need, the United Nations General Assembly held its first-ever summit that produced the New York Declaration for Refugees and Migrants and initiated the creation of two new Global Compacts: one for refugees and one for safe, orderly, and regular migration.

The Global Compact for Safe, Orderly, and Regular Migration (GCM) is a multilateral pragmatic framework which aims to ensure migrant protection through well-organised governance (United Nations, 2019), prioritising human rights and international cooperation even though the GCM remains tethered to the free-market ideology that facilitates labour mobility (Pécoud, 2021). The GCM, presents a critical paradigm shift in governance and provides a new opportunity for disability rights standards to be fully promoted and upheld in accordance with international instruments as migrant workers are recognised as subjects with equal rights and dignity. Hence,

this research aims to assess the disability-responsiveness of the GCM, by utilising a qualitative content analysis of relevant GCM governance documents and their provisions regarding both its conceptualisation (formulation, values and substance) and operationalisation (implementation). The article draws upon gender-responsive and child-sensitive practices as a comparison, as these are more fleshed out in the scholarship.

LITERATURE REVIEW

In an era of uncertainty, insecurity and injustice, the need for a mechanism to standardize norms and share migration responsibilities was apparent and an agreement was envisioned that could benefit both sending and receiving countries. Led by the United Nations (UN) Network on Migration, with the International Organisation for Migration (IOM) serving as the Secretariat, the UN Network played a pivotal role in its conceptualisation and now guiding the operationalisation of the GCM (UN Network, n.d. b). The GCM¹ emerged in 2018, expanding on the aims outlined in Sustainable Development Goal (SDG) Target 10.7 (United Nations, 2015). The GCM, a non-binding global pragmatic framework, comprises of 10 guiding principles and 23 objectives, each accompanied by suggested actions for governments to consider. The aim of the GCM was to outline a universally accepted vision for the world of regular migration (Ferris & Martin, 2019; Pécoud, 2021).

GCM conceptualisation and operationalisation

Since the inception of the GCM, it has been analysed through numerous thematic lenses with multiple studies outlining the conceptual conflicts it has produced. This includes internal contradictions, the potential for governments to cherry-pick priorities, reproduction of the status quo for the interests of States, disregard of the realities of irregular migration, neglecting to comprehensively address the rights to freedom of association and collective bargaining, as well as offering limited accountability for transnational actors and the minimisation of migrant workers access to services, justice and labour rights² (BWI, 2018; Ferris & Martin, 2019; Gottardo & Cyment, 2019; Schierup et al, 2019; Pécoud, 2021; Maru et al, 2022; Murphy, 2023). There are additional concerns that it has created ambiguity due to uncertainty of its terminology, with it considered to have limitations for the protection of forced migrants (Jubilut & Casagrande, 2019) and risks enabling and legitimising migration policies to produce exclusionary practices that reconfigure national identities, rather than simply managing cross-border movement (Bloom, 2019). Nevertheless, the GCM has still been viewed as progressive because of its ambitious objectives (Murphy, 2023), in certain domains it reflects areas of international law (Majcher, 2019), and it could be used in soft law mechanisms, like that of the SDGs, helping to shape more progressive migration governance by filling in gaps left by binding international law (Hoflinger, 2020).

Five years since the GCM's inception, its impact on migration governance remains uncertain, as limited studies have evaluated its operationalisation. However, those who have assessed its implementation have highlighted issues. For example, Objective 13, which advocates using

¹ For more information on the origin of the GCM and history of global migration governance read Murphy (2023), Pécoud (2021), Ferris and Martin (2019), Likić-Brborić (2018) and for State legal ramifications read Chetail (2020). These articles discuss assumptions, perspectives and ideologies.

² Noted that this can be attributed to the irreconcilable global norms surrounding migration, being put into a single guiding framework.

immigration detention only as a last resort and promoting alternatives, has not improved detention practices in countries like France and Canada (Lefebvre & Cocan, 2024). Instead, the GCM has been leveraged as a geopolitical tool, targeting migrant-sending States' actions through trade agreements and development aid rather than reforming domestic practices (Lefebvre & Cocan, 2024). Similarly, in Mexico, while the country has publicly positioned itself as a defender of migrant rights, it continues to enforce restrictive practices that punish migrants (Micinski & Lefebvre, 2024).

Roadmap laid by civil society actors

Despite the absence of Organisations of Persons with Disabilities (OPDs) in the conceptualisation and operationalisation of the GCM, civil society in general played a significant role in shaping its framework. To capture the role civil society had in shaping the GCM, Rother and Steinhilper (2019) explored how migrant organisations effectively influenced policy during consultations, a process referred to as 'governance from below'. They argue that civil society, particularly migrant organisations, significantly impacted both the process and outcomes of the GCM, for example by leveraging the publication 'Now and How: Ten Acts for the Global Compact' (MADE Network, 2017) as an advocacy tool, where it was used to incorporate sensitive issues into the GCM drafts. This document was developed with input from over 50 networks and endorsed by 237 organisations³, (Rother & Steinhilper, 2019; Schierup et al, 2019). Such 'governance from below' broadened the scope of discussions beyond State sovereignty and border control emphasising the rights of domestic workers, women, and children (van Riemsdijk & Panizzon, 2022). Bloom (2019) further supports this, noting that civil society participation helped balance the dialogue, creating a more equitable platform for addressing migration-related issues.

Civil society also used narratives and anecdotes which proved to be effective tools for grounding concrete policy recommendations with impactful stories. For example, van Riemsdijk and Panizzon (2022) highlighted how women advocates successfully shifted the portrayal of women from 'victims' to 'agents of change'. Advocates also reframed the focus from merely 'protecting women' to 'protecting women's rights'. Additionally, stories of children being detained, forced returns that separated children from their communities, and cases like a woman kidnapped while seeking asylum and released only after her family paid a ransom, were used to pivot the discussion. This approach moved from simply protecting 'vulnerable migrants' to mitigating vulnerable situations. However, the GCM framework continues to be criticised for being centred on protection rather than rights, meaning women remain stereotyped as a vulnerable group (Hennebry & Petrozziello, 2019; Pécout, 2021). The importance of including gender voices cannot be overstated, as it significantly influenced the conceptualisation and operationalisation of the gender-responsiveness of the GCM, with twelve mentions of gender-responsiveness in the zero draft and twenty-one in the final draft (Hennebry & Petrozziello, 2019). Further, gender-responsive was positioned as a Guiding Principle, even though the gender impact had been

³ It is not clear if any of these organisations represented the disability community.

watered down in the final version, with critical aspects like sexual and reproductive health removed (Hennebry & Petrozziello, 2019; Rother & Steinhilper, 2019; Holliday, 2020; Gottardo & Rego, 2021). Nevertheless, the GCM attempted to create gender-responsive policies, programs and interventions, which aim to address gender-based inequalities and transform harmful gender roles, norms and relationships (Hennebry & Petrozziello, 2019).

Overall, the GCM process has offered an actionable roadmap, particularly at the national and regional levels. For example, the Philippines has integrated the GCM into policies and laws with the passage of the Republic Act 11641 (DFA, 2022). Furthermore, the use of the guiding principles, such as that pertaining to the 'gender-responsive' (15G) and 'whole-of-society approach' (15J) has meant that the Philippine government conducted national consultations related to the GCM to advance different elements. They have involved UN Women Philippines and other civil society organisations (CSOs)⁴ to advance gender-responsive implementation (Khadria et al, 2019). Conversely, other scholars have argued that the whole-of-society approach has also been utilised as a rhetorical tool as migration management remain state-centric (Micinski & Lefebvre, 2024).

Exclusion of persons with disabilities in migration governance

This paradigm shift in migration governance facilitated by the GCM still does not benefit all equally, particularly for marginalised groups in society such as persons with disabilities. Despite the ratification of Article 18 the 'Liberty of Movement and Nationality' of the Convention on the Rights of Persons with Disabilities (CRPD) (United Nations, 2006), which the GCM rests on and has supplemented with the presence of disability specific objectives. The integration of disability rights within the migration praxis and relevant research and advocacy has lagged behind other intersectional migration issues, leading to inclusion challenges. Firstly, migrants with disabilities often find themselves excluded from the provisions of the CRPD due to issues related to national citizenship (Soldatic, 2013; Burns, 2017), meaning that the GCM resting on the CRPD as a mechanism is not as operationally useful for migrants as it is for citizens. Secondly, marginalisation is an innate feature of free market principles that drive the GCM, as 'labour market theory' suggests that 'supply' and 'demand' imbalances hinder employment opportunities for persons with disabilities which contribute to their lower employment participation rates (WHO & World Bank, 2011), hence, persons with disabilities can find it more difficult to build their human capital, which neo-liberal migration policy tends to select from (Ellermann, 2020). Thirdly, the prohibitive nature of labour migration experienced by persons with disabilities is anchored in the philosophical grounding within the migration discourse itself, with the origins of the discourse outlining that being 'mentally incapacitated' is a justified characteristic for exclusion (McAdam, 2011), leading to a prevalent perception that persons with disabilities are undesirable and represent socio-economic burdens (Richards, 2004; El-Lahib &

⁴ Such as Migrant Forum Asia (MFA ,2023), who wrote 33 circulars about the GCM on their website. This provides historical context and institutional knowledge. The Philippines was also active in the Like-Minded Group (LMG) which focused on fair labour migration and the decent work agenda during the negotiations phase of the GCM (BWI, 2018).

Wehbi, 2012; Joseph, 2022). Even when Nussbaum discusses mobility as an intrinsic element of the human experience, she considers disability as an excluding factor, emphasising that,

“An anthropomorphic being who, without disability, chose never to move from birth to death would be hard to view as human” (Nussbaum & Glover, 1995, p. 77).

Despite the relatively high degree of gender focus in the GCM, it has still been described as only a transitional step, rather than a transformative one (Hennebry & Petrozziello, 2019), whereas elements of disability-responsiveness did not garner the same level of inclusion. Disability is mentioned six times in the GCM, up from zero times in the zero draft, once in the Preamble referencing the CRPD, and in three separate objectives: Objective 7 addressing vulnerabilities in migration, Objective 15 providing access to basic services for migrants, and Objective 20 promoting the faster, safer, and cheaper transfer of remittances. Unfortunately, disability is not mentioned in Objective 1 utilising accurate and disaggregated data, making disability-responsiveness challenging if not impossible to measure and therefore difficult to produce evidence-based interventions. This lack of focus is unsurprising, as disabilities influence in migration governance is considerably less established than for gender, as it does not have an active institutional or civic space. For instance, within the ASEAN migration landscape, persons with disabilities have not had meaningful representation in migration mechanisms (Thatcher, 2023) leading to disability being typically positioned as a medical or charity model narrative (prevention and protection) because persons with disabilities are considered mere objects of entitlements rather than subjects with rights.

Theoretical approach for disability-responsiveness

Disability and migration intersect in two main ways, firstly, persons with disabilities become migrants, and secondly, migrants without disabilities may acquire disabilities during their migration journey (DMN, 2024). These distinct circumstances introduce different risks and necessitate different remedies within the migration landscape. Nonetheless, persons with disabilities typically continue to grapple with a consistent set of challenges when navigating migration. These challenges include issues related to citizenship, social isolation, disempowerment, dependency, marginalisation, limited employment opportunities, discrimination at work, obstacles in accessing legal assistance and reasonable accommodation, communication barriers and the extra costs related to disability (Burns, 2017; Govere et al, 2021; UNICEF, 2022; Thatcher, 2023; DMN, 2024; Jackson et al, 2024). The absence of regular migration pathways exacerbates these difficulties, and key stakeholders involved in migration, including border control, healthcare providers, and social workers, often lack the necessary training to provide the needed services. Furthermore, the high costs associated with obtaining a formal disability diagnosis contribute to limited awareness of disability. This may result in persons with disabilities themselves not being aware of non-apparent disabilities (Jackson et al, 2024) or even migrants with disabilities actively avoiding identification due to fear of stigmatisation or discrimination.

To assess the disability-responsiveness of the GCM, this research will use the CRPD as a guiding framework. The CRPD provides a comprehensive and holistic understanding of disability rights which policies are expected to align with. Given that the GCM rests on the CRPD and recognises migrant workers as persons with equal rights and dignity, the framework ought to extend to include migrants with disabilities and migrants with acquired disabilities. The CRPD will serve as the lens for analysis, with a focus on specific General Principles outlined in Article 3 (United Nations, 2006), which identifies the eight General Principles that all persons with disabilities should enjoy. Out of the eight General Principles, four were selected as particularly significant for this analysis: non-discrimination (further supported by Article 5), participation and inclusion, equality of opportunity, and accessibility (expanded upon in Article 9). The CRPD emphasizes the need for reasonable accommodation and the removal of barriers to participation to ensure that persons with disabilities can fully exercise their rights and participate equally in society. This framework will guide the analysis to determine the extent to which the GCM addresses the rights and needs of migrants with disabilities and migrants with acquired disabilities.

METHOD

Qualitative content analysis provides a structured approach for examining text to uncover embedded meanings, enabling inferences to be drawn from the material (Holliday, 2020). This method combines subjective interpretation with systematic classification, allowing themes and patterns to emerge through the codification process (Kutor et al, 2022). This paper undertakes a detailed review of the GCM Resolution and related documents to assess their alignment with the CRPD framework, particularly focusing on the General Principles. The research began by collecting publicly available documents pertinent to the GCM's conceptualisation and operationalisation. A qualitative content analysis was then applied to evaluate these texts in-depth, providing insights into how well these documents integrate and promote disability-responsive practices.

Data collection

A total of five open-access documents were selected for the content analysis. Firstly, three key documents were chosen for their role in shaping the GCM's conception: (A) the 'GCM Resolution' itself; (B) selected sections⁵ from the GCM's 'Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations' (OHCHR & GMG, 2018); and (C) the 'Terms of Reference for the United Nations Network on Migration' (UN Network, n.d. a). These documents were chosen to provide insight into the GCM's conceptualisation, through its formulation, guiding values and substance. Secondly, two key documents were selected to evaluate how the 'GCM Resolution' has been operationalised. This includes relevant sections⁶ from the 'Implementing the GCM Guidance for governments and all relevant stakeholders' (UN Network, 2022), and the relevant sections⁷ in the UK's 'Handbook for Legal Practitioners: Using the UN GCM as an Interpretative Tool' (Allinson & Erdunast, 2021). These documents were chosen to highlight best practice projects and programs that have been implemented in alignment with the GCM and to examine how disability-responsiveness has been interpreted and applied within legal frameworks.

⁵ Objective 7(l) of the GCM makes explicit reference to the Principles and Guidelines in this document. This document is considered a source of normative guidance and good practice to improve national responses that address the needs of migrants in situations of vulnerability (OHCHR & GMG, 2018). The analysis excluded sections to how international law informs the principles and notes.

⁶ This document "aims to inform and inspire GCM implementation efforts and provides governments and other stakeholders with a complementary resource to support in developing context-specific, relevant, GCM implementation plans" (UN Network, 2022, p. 3). The analysis excluded parts that restated the GCM and the SDGs verbatim.

⁷ This document "aims to look at the more practical effects of this new global tool and how it can inform the work of practitioners" (Allinson & Erdunast, 2021, p. 8). The analysis excluded the parts that restated the GCM and other Human Rights tools verbatim.

Data analysis

The results are presented in two parts: (1) a count of terms related to disability, gender, and children in the GCM, providing a comparative overview of frequency, and (2) a qualitative content analysis conducted in two phases. The analysis used a hybrid coding approach to evaluate the extent of disability-responsive elements compared to gender-responsive and child-sensitive approaches. First, an in-depth reading of the documents was completed, followed by a deductive coding round that applied pre-assigned categories based on the four General Principles from the CRPD. This was followed by an inductive coding process to identify emerging themes within these categories. Using a descriptive coding method, the analysis generated summaries of key extracts and generalised ideas (Eliyahu-Levi, 2023), resulting in a narrative synthesis. To strengthen inclusivity and validity, three validation sessions were held with an OPD. The OPD's perspectives were integrated into the thematic codes and core themes, final analysis and informing the recommendations. For instance, the prioritising of which GCM Objectives to address.

Limitations

This research has four core limitations, firstly the researcher was not involved in the construction of the GCM, secondly only documentation in English was selected so this article does not capture the entire migration landscape. Thirdly, analysing the conceptualisation of the policy does not lead to an evaluation of the effectiveness of the documents. Finally, despite the researcher having personal lived experience as a person with a disability, it is important to acknowledge that the severity and specific challenges faced by different individuals vary greatly, hence, analysis may not capture the entire spectrum of disability experience.

RESULTS

This section is divided into three parts. Part 1 examines the frequency of key terms related to disability, gender, and children within the GCM to establish a comparative baseline. Part 2.1. focuses on the conceptualisation of the GCM, analysing its foundational principles and objectives. Part 2.2. delves into the operationalisation of the GCM, exploring how its commitments have been implemented in practice.

Part 1: The inclusion of disability, gender and child language

The primary focus of the GCM and the broader documentation pertains directly to migrants, however there are three main intersecting subgroups mentioned within it. These groups have specific requirements and corresponding response frameworks. They encompass gender, with a focus on being gender-responsive; children, approached from a child-sensitive standpoint; and disability, emphasising the need for a disability-responsive approach.

Table 1 provides a snapshot of the relevant content word count related to disability, gender and children in the GCM and associated documents. The findings indicate that within the GCM the term disability-responsive is used less frequently (2 times) in comparison to its counterparts, gender and children, which appear 21 and 13 times respectively. Disability-related references were more frequently located in footnotes and appendices rather than within the main text. Further, disability tended to be combined with other vulnerable characteristics and was rarely conceptualised and operationalised independently. This may have contributed to the lack of visible specific disability related examples in the operationalisation of the GCM.

Most notably, gender and children are positioned as a General Principle within the GCM, while disability is omitted. This exclusion of disability as a General Principle compared to gender and children aligns with the overall lack of disability specific integration, as when it comes to addressing issues of migrants with disabilities and migrants with acquired disabilities the inclusion is more generic and added as an afterthought, instead of being an integral part of any document. However, it is important to note that the counts exhibit some variation across the documents supporting the GCM and simply tallying the mentions of disability falls short as an indicator of its comprehensive integration. Thus, it is more prudent to look at how the term is deployed in the content and mentions of disability within the five documents, which is addressed next in Part 2.1. and Part 2.2.

Table 1: Count of disability, gender and child related words used in documents⁸

| | Disability/ persons with disability | Disability- responsive | Gender (women) | Gender- responsive | Child/ Children | Child- sensitive (age- sensitive) |
|--|--|---------------------------|------------------------|-----------------------|--------------------|--|
| Global Compact for Safe, Orderly and Regular Migration (GCM) | 6 | 2 | 29 (+19) | 21 | 64 | 12 (+1) |
| Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations | 17 ⁹ | 1 ¹⁰ | 41 (+41) ¹¹ | 14 ¹² | 102 ¹³ | 2 (+1) |
| Terms of Reference for the United Nations Network on Migration | 0 | 0 | 2 (1) | 1 | 2 | 1 |
| Implementing the GCM Guidance for governments and all relevant stakeholders | 5 | 0 | 3 (+9) | 0 | 76 | 1 |
| Handbook for Legal Practitioners: Using the UN GCM as an Interpretative Tool | 20 ¹⁴ | 0 | 5 (12) ¹⁵ | 2 ¹⁶ | 169 ¹⁷ | 2 |

⁸ Note, men/ boy/ girl and youth/ adolescents are also used in content but not included in count, references, title pages to context page excluded (such as ‘acronyms and abbreviations’ and ‘contributors’ sections) and endnotes.

⁹ 17 total: 16 times in main text and 1 listed in footnotes.

¹⁰ 1 total: ‘sensitive to disability’ was included.

¹¹ 41 ‘women’ total: 37 in main text and 4 in footnotes.

¹² 14 total: included 1 which was responsive to gender and 2 were gender-sensitive.

¹³ 102 total: 98 times in main text and 4 in footnotes.

¹⁴ 20 in total: 1 time in body of text as mental impairment, 1 listed in footnote as the CRPD and 18 in Appendix 1.

¹⁵ 17 total: 10 times in main text, 5 listed in footnote and 2 in Appendix 1.

¹⁶ 2 total: both were gender-sensitive.

¹⁷ 169 total: 104 times in main text, 1 listed in footnote and 64 in Appendix 1 (4 removed as website link).

Part 2.1: Conceptualisation of disability: diluted or omitted

The analysis in this part examines the three documents used to independently conceptualise the GCM to assess their individual interactions with disability-responsiveness. This approach avoids conflating the documents into a single entity, instead allowing for a nuanced understanding of how each document addresses or integrates disability-responsive elements.

(A) The Global Compact for Safe, Orderly and Regular Migration

The GCM Resolution utilises disability in Objective 7, 15 and 20, thus these three provisions are analysed to understand their disability-responsiveness, then additional examples are provided in provisions where the GCM did not take into account disability. These provisions were prioritised after a consultation with an OPD.

Objective 7 of the GCM, aims to address and reduce vulnerabilities in migration (23), but it appears to exhibit a discrepancy in its approach to different 'vulnerable' groups. While the GCM dedicates specific actions and crosscutting ones to address the concerns and vulnerabilities of children, 'uphold the best interests of the child' (23; a, b, c, e, f and i) and gender, 'in particular in cases related to women' (23; a, b, c and d), disability is only mentioned as a part of a broader action, 'gender- and disability-responsive' and 'older persons, persons with disabilities...' (23; a, b). This lack of specificity regarding disability issues weakens the framework's ability to comprehensively address and reduce vulnerable situations among migrants with disabilities and migrants with acquired disabilities. For example, the GCM outlines clear guidelines for States to produce gender-responsive migration policies (23c), address workplace-related vulnerabilities including for domestic workers (23d) and establish procedures for the protection of migrant children for all migration policies and programmes that impact children (23e). However, the GCM lacks a similar clarity when it comes to disability-responsiveness, potentially allowing States to overlook their duty to be disability-responsive resulting in less effective measures to reduce disability-specific situations of vulnerability and allowing States to not recognize the existence and realities of migrants with disabilities and migrants with acquired disabilities.

Objective 15 of the GCM, concerns the provision of and access to basic services for migrants, (31), with a commitment from States to ensure non-discrimination on various grounds, including sex and disability, 'take measures to ensure that service delivery does not amount to discrimination against...' (31a). The action emphasizes the need for gender-responsive, disability-responsive, and child-sensitive practices which are easily accessible, and which provide safe service points, 'establish and strengthen holistic and easily accessible service points at the local level' (31c). This may necessitate reasonable accommodations or assistive devices to ensure equitable access given the unique requirements of persons with disabilities regarding service access. However, there is no definition of what accessible means and no recognition that the standards for access and accessibility may differ for persons with and without disabilities as it is not explicit about what accessibility entails.

It is important to note that during the GCM's construction process, certain actions were diluted due to State influence, such as the removal of the concept of 'firewalls'¹⁸, and the introduction of differential provision of services based on migration status (31a) (Hennebry & Petrozziello, 2019; Gottardo & Cyment, 2019; Hoflinger, 2020). These changes may discourage irregular migrants from seeking services, disproportionately affecting migrants with disabilities and migrants with acquired disabilities who have additional costs as well as specific needs to participate fully in society. The lack of a clear conceptual definition for disability-responsive measures may add to the challenges that States face in operationalising interventions for persons with disabilities.

Objective 20 of the GCM, refers to the promotion of faster, safer, and cheaper transfer of remittances and the fostering of the financial inclusion of migrants. States are tasked with promoting gender-responsive programs (36) that create gender-responsive distribution channels (36e) and facilitate the access of migrant women to financial literacy training, fostering their active participation in the economy (36h). Conversely, there is an absence of similar specific provisions of empowerment for persons with disabilities. Instead, the action implies that persons with disabilities are primarily seen as recipients of remittances included with 'underserved populations', 'including persons in rural areas, persons with low levels of literacy and persons with disabilities', rather than as participants of financial distribution (36e). This framing minimises the agency of persons with disabilities to contribute and be part of the economy.

The GCM exhibits notable gaps when it comes to addressing the unique challenges faced by migrants with disabilities and migrants with acquired disabilities, particularly related to labour migration. Disability is conceptually absent throughout, with no specific objectives or actions designated for States to incorporate persons with disabilities. These omissions give rise to many missed opportunities, encompassing various aspects of disability-responsive concerns, and inexplicably suggesting that migration actors operate around the assumption that persons with disabilities do not migrate. For instance,

Data collection and availability: The GCM under Objective 1 does include a requirement to enhance data collection and availability, particularly in terms of disaggregation by sex, age, etc. (17). However, disability is absent, rendering it nearly impossible to strengthen the global evidence base for understanding the situation of migrants with disabilities and migrants with acquired disabilities. This omission hinders the development of disability-responsive evidence-based policies and the monitoring and evaluation of implementation (17), the crafting of evidence-based information campaigns (19e) and the incorporation of disability-responsive information about migration into educational curricula (32i).

¹⁸ The "measures to separate immigration enforcement activities from public service provision, labour law enforcement, and criminal justice processes to protect migrants, and ensure that all persons, irrespective of migration status, are not denied their human rights" (Gottardo & Cyment, 2019, p. 76).

Social security: While the GCM under Objective 22 does demonstrate a commitment to addressing the difficulties faced by women and older persons in accessing social protection, ‘facilitate portability requests from migrants, address the difficulties women and older persons can face in accessing social protection’ (38c), there is an oversight regarding disability-specific social protection. Consequently, the GCM falls short of addressing the disability related costs associated with disability in societies that remain largely inaccessible and may even hinder employment opportunities as persons with disabilities become either dependent on their national social security system or lose any safety nets altogether. This may require migrants with disabilities accessing transnational forms of social safety nets, or migrants with acquired disabilities being incorporated into more holistic forms of social protection such as job retraining and rehabilitation. Currently, the GCM with regard to occupational safety and health outlines the International Labour Organisation (ILO) Conventions on International Labour Standards (38a. ILO Recommendation 202 on Social Protection Floors¹⁹). This has not been analysed to see if it is disability-responsive for both migrants with disabilities and migrants with acquired disabilities, but it seems to focus more on the latter.

Labour mobility: Although the GCM outlines the need for gender-responsive labour mobility agreements, ‘develop human rights-based and gender-responsive bilateral, regional and multilateral labour mobility agreements’ (21a), along with the development of flexible, rights-based, and gender-responsive labour mobility schemes for migrants (21d), this specific attention does not extend to persons with disabilities. Historically excluded from national and international labour markets, persons with disabilities face unique challenges in the current process, leaving a substantial gap in addressing disability-specific issues. Feminist scholars voiced concerns (Hennebry & Petrozziello, 2019) about the persistence of traditional labour migration governance mechanisms, such as bilateral agreements and temporary visa requirements as the status quo also fails to address the limited and restrictive regular pathways available, which is very pertinent concern for persons with disabilities. Thus, it is likely that the GCM will not address historic labour laws and norms that restrict access for persons with disabilities, so they will remain perceived as a socio-economic burden through the lens of a medical model rather than becoming agents of change.

Access and accessibility: The GCM places a strong emphasis on access and accessibility in numerous actions. For instance, States are called upon to establish open and accessible information points to refer migrants to child-sensitive and gender-responsive support and counselling, ‘undertaking a gender-responsive and age-sensitive review in order to prevent increased risk of vulnerabilities throughout the migration cycle’ (19c), develop gender-responsive and child-sensitive cooperation protocols, assist smuggled migrants (9c), and provide comprehensive gender-responsive, child-sensitive accessible information, and legal guidance to newly arrived migrants (19d). States are also expected to establish gender-responsive and child-

¹⁹ Found in basic income security if acquired disability (Sec 5.c.) and benefits may include disability benefits and employment injury benefits as well as any other social benefits in cash or in kind (Sec 9.2.) (ILO, 2012).

sensitive referral mechanisms, including improved screening measures and individual assessments at borders and places of first arrival (12c). Despite these provisions, there are no disability-responsive accessible considerations, thus probably creating barriers for migrants with disabilities and migrants with acquired disabilities who may require tailored support and reasonable accommodations. The concept of accessibility is not defined, and this is a key issue as accessibility for persons with and without disabilities can be very different.

(B) Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations

The Principles and Guidelines document exhibits a significantly more protective and inclusive stance towards persons with disabilities compared to the other four documents. The analysis showcases a departure from the norm by acknowledging disability in multiple circumstances throughout the migration cycle. It emphasizes specific protection for persons with disabilities based on the unique challenges they face during migration, ensuring that the development of the Principles and Guidelines does not compromise their rights. The Principles and Guidelines recognize the intersectionality of vulnerabilities faced by migrants, acknowledging that those with disabilities are particularly at risk due to their physical or psychological conditions, more so when their situation interacts with poverty and poor health (Section 1c; Principle 2-1). During arrival and disembarkation all screening should be safe, and staff should be able to identify medical needs and provide emergency assistance with information being sensitive to disability (Principle 4-4). Moreover, it highlights the importance of avoiding immigration detention for persons with specific needs or who are at risk of exploitation, including persons with disabilities (Principle 8-3). The guidelines ensure the safe and unrestricted movement of migrants, explicitly mentioning the need to protect persons with disabilities from harm inside or outside facilities (Principle 13-5). The document calls for inclusive design in legislation, policy and programming, addressing the specific needs and rights of migrant women and girls, while also consulting with intersectional aspects including persons with disabilities, to prevent intersectional gender-based discrimination, as well as to meet their specific needs and enhancing their human rights (Principle 11-1). The document emphasizes inclusive health services for migrants, covering sexual and reproductive health, HIV testing with informed consent, and strategies to provide continuity of care for migrants who have long-term or chronic health needs (Principle 12-4; 12-5; 12-6). It also stresses accessibility, ensuring facilities accommodate persons with disabilities (Principle 13-1), offer legal assistance, accessible information and interpretation services (Principle 3-2) and clear rights to universal health services as well as other important information provided in a language and format that migrants can understand (Principle 12-3; Principle 16-1). Additionally, it promotes the disaggregation of data, including by disability, and encourages comprehensive quantitative and qualitative research to enhance evidence production throughout various stages of the migration cycle (Principle 19-1; 19-2).

While the document considers disability within an intersectional perspective, it falls short of providing explicit guidelines tailored to address the distinct needs and rights of persons with disabilities, often framing disability through a gendered intersectional lens, 'cross-section of

migrant women of different nationalities, including... women with disabilities', or listed as a vulnerable group among others, 'persons in poor health (including those living with HIV), persons with disabilities, older persons and children...'. There are dedicated Principles for women (Principle 11) and children (Principle 10), however, migrants with disabilities and migrants with acquired disabilities lack specific Principles and Guidelines, nor are they mentioned within cross-cutting themes. For instance, there are Principles to provide specific protection and assistance for unaccompanied or separated children which strengthens gender-responsive guardianship mechanisms (Principle 10-7) but there is a lack of equivalent support for persons with disabilities who may also require tailored support for personal assistance, community integration and reasonable accommodation. Similarly, while the document ensures safe and gender-responsive environments for migrant women and girls during screening and assessment (Principle 11-2), it does not account for the specific health and mobility issues faced by persons with disabilities. Additionally, specialised medical support, reproductive health services, and gender-responsive services are provided for migrant women and girls (Principle 11-4), yet the document fails to include similar provisions for persons with disabilities such as tailored medical support, assistive devices and reasonable accommodation needs.

This omission neglects to adequately address the unique challenges confronted by migrants with disabilities and migrants with acquired disabilities, hindering their migration journey. Further, the document's focus remains on humanitarian and refugee contexts, leaving the underlying vulnerable situations for migrants with disabilities and migrants with acquired disabilities unaddressed, particularly those faced accessing and during regular migration. Thus, failing to address the root cultural and legal barriers that prevent and disrupt disability labour migration.

C) Terms of Reference for the United Nations Network on Migration

The Terms of Reference is a short but concise document, which is aligned with the GCM Working Principles found in the Preamble (15). It does not make any explicit mention of disability concerns, although it alludes to a gender-responsive and child-sensitive approach, 'human rights-based, gender-responsive and child-sensitive approach:' (2). The document outlines that the role of the UN Network on Migration is to support Member States in implementing the GCM at different levels. However, the construction of the Network (in Annex 2) remains unclear as whether there is representation of disability perspectives within its membership (there is UNICEF and UN Women) or if disability voices were included in the consultation process. Having disability specific voices inside the Executive Committee will be vital as the Network provides guidance to State Parties and Working Groups, who are tasked with addressing specific issues and delivering practical advice and resources for the Network as a whole. It is not evident whether these groups consider disability-responsive behaviour matters directly or indirectly and without meaningful participation from persons with disabilities they will remain objects to be managed.

Part 2.2: Operationalisation of disability: an 'able body' perspective

The analysis in this part investigates the final two documents for the operationalisation of the GCM, again focusing on individual documents to understand their disability-responsiveness.

D) Implementing the GCM Guidance for governments and all relevant stakeholders

The examples provided in this document fail to offer any operational cases that illustrate disability-responsive behaviour. Due to the lack of disability-oriented projects, it is clear that participation and inclusion, non-discrimination and equality of opportunity, for migrants with disabilities and migrants with acquired disabilities are not being incorporated into GCM solutions. The only reference (in Objective 7) to disability showcased in the Example Practices was to adhere to the Principles and Guidelines document (Document B). This absence of disability-responsive content within the GCM may have inadvertently impacted its operationalisation, as coordinators focus their efforts on more specific objectives and activities as disability issues tend to be more complex to address. The Example Practices highlights gender-oriented programs (Objectives 2, 7, 14, and 16) as well as child-focused initiatives (Objectives 2, 3, 4, 7, 11, 12, 13, 14, 16, and 21). These initiatives encompass an array of activities, such as the establishment of support centres, facilitating access to education, awareness-raising campaigns, monitoring standards, and the development of consular protection protocols. In addition, the document references best practices, for instance, the International Recruitment Integrity System (IRIS) (Objective 6), designed to uphold ethical recruitment standards. However, it becomes evident that such systems should extend their remit to encompass disability-responsive measures, addressing the prevailing exclusion of persons with disabilities from the workforce and to deal with one of the root causes of labour migration exclusion.

E) Handbook for Legal Practitioners: Using the UN GCM as an Interpretative Tool

This Handbook serves as a key interpretative resource for legal practitioners in the UK, aiding in the practical application of the GCM Commitments to safeguard the rights of migrants. Although the body of the document includes only a singular disability case example, the Appendices contain several disability cases where international law, encompassing 'soft' law and unincorporated international legal instruments, was invoked by courts.

The main example falls under GCM Objective 21, which focuses on facilitating safe and dignified return, readmission, and sustainable reintegration. In this case, a migrant with a 'mental impairment' was found to 'lack capacity' as they regularly took medication, although it appeared that nobody was monitoring the effects of not taking their medication. They were removed from the UK without adequate safeguards and without ascertaining reception conditions in their country of origin. They have since returned to the UK and the Government is trying to remove them again. The document refers readers to the Paposhvili case²⁰, to question whether this case's procedural element could apply here.

²⁰ The judgment in this case may have changed the rule on when Article 3 European Convention on Human Rights (ECHR) which applies to people facing deportation from 'death must be imminent' to 'real risk of rapid irreversible

The cases in the Appendix illuminate various situations around the CRPD and the Convention on the Rights of the Child (CRC), all with a common focus on disability discrimination. A case referenced the CRPD General Comment 6 (equality and non-discrimination) but did not significantly enhance national jurisprudence in the specific case (§ 35–36). The CRC case highlights issues related to suspending Disability Living Allowance payments to children with disabilities who have been hospitalised for a specific duration. The lack of evaluation in these cases was considered a breach of the procedural rule related to the best interests of children (§ 38–43), whereas multiple cases showcased how the CRPD can protect migrants with disabilities and migrants with acquired disabilities from discrimination by providing corresponding obligations on State Parties (§ 19–22; § 14–18; § 15–16). However, one case involving the CRPD was not considered a direct source of interpretation in English law, suggesting further development is needed for its full integration into the legal framework (§ 98–108).

Although not explicitly focused on disability, this Handbook encompasses two key concepts, namely non-regression and non-discrimination. Non-regression prohibits State Parties from regressing on their commitments to specific objectives, preventing them from taking retrogressive actions, which might include increasing fees for migrants to access healthcare or family reunification services. However, the National Health Service (Amendment) Regulations 2017, requires English hospitals to verify overseas visitors' eligibility for free NHS care and request upfront payment from ineligible individuals, and this has led to restricted access to basic services and even deaths. This kind of eligibility restriction could entail more difficulties for migrants with disabilities and migrants with acquired disabilities who are more likely to have underlying health requirements. Conversely, non-discrimination, while not necessarily applied to migrants in the context of border control and immigration governance, asserts that State bodies cannot differentiate based on nationality, by making distinctions, exclusions, restrictions, or preferences related to race, colour, descent, or national or ethnic origin. However, when it comes to services and access, migrants with disabilities and migrants with acquired disabilities may necessitate differentiation due to their unique needs and the related costs associated with disabilities. Despite these concepts protecting migrants from discrimination, they do not include disability-responsive measures to address the additional requirements of persons with disabilities to participate, hindering their ability to attain the same standards of living as persons without disabilities. These issues could be exacerbated if immigration advice is not disability-responsive and if there are not clear pathways to regular migration as migrants with disabilities and migrants with acquired disabilities are likely to be considered economic burdens, thus failing to mitigate the vulnerable situations for persons with disabilities.

decline resulting in intense suffering or significant reduction in life expectancy', which is more generous to people facing deportation. The interpretation is that the procedural element is that the deporting State has to consider the effect of deportation on the individual's health and - if they have serious doubts - get individual and sufficient assurances (Mills, 2018).

The Handbook emphasizes multiple gender (primarily women) and child-related cases, explicitly recognizing their heightened vulnerability in migration processes. It emphasizes the essential nature of full access to information and support to navigate social service and immigration systems, maintaining the best interests of the child principle and adopting a gender-based approach to address these vulnerabilities. The tool even proposed actions to support these situations from critically reviewing existing laws, policies and practices to improving access to legal services. The absence of disability-responsive actions and the lack of integration of disability issues overall in the GCM may have conversely continued to marginalize persons with disabilities. Further, this tool could be interpreted to assume that vulnerability is primarily addressed from the 'able body' perspective, as the majority of legal resolutions orient from this assumption. Hence, there remains huge discrepancies in the operationalisation of disability-responsiveness.

CONCLUSION & RECOMMENDATIONS

While the GCM aspires to establish pathways for States to respect, protect, and fulfil the rights of all migrant workers through organised governance, the analysis of the five documents reveals significant shortcomings in relation to non-discrimination, participation and inclusion, equality of opportunity and accessibility. The GCM Resolution falls short at providing adequate provisions for addressing the specific needs of migrants with disabilities and migrants with acquired disabilities throughout their migration journey as it fails to remove specific barriers that prevent them from fully participating in society and ensuring their rights to equal participation. This deficiency stems from the inconsistent, somewhat ambiguous and often absent inclusion of disability-responsive language and interventions in both the GCM's conceptualisation and operationalisation. For instance, despite relative thematic consistency across the analysed documents, there was a lack of harmony regarding disability issues. For example, while the 'Principles and Guidelines' emphasize the importance of disability-disaggregated data, the GCM Resolution omits this aspect along with several other disability-related provisions. This absence of a clear conceptualisation of disability-responsiveness within the GCM Resolution, combined with the lack of explicit actions for governments and the ability of States to cherry-pick priorities, has likely contributed to a deficiency in practical examples of disability-responsive implementation. Consequently, much like the disregard of irregular migrant realities, the GCM fails to acknowledge the existence and lived experiences of migrants with disabilities and migrants with acquired disabilities. These gaps hinder efforts to address disability-related inequalities, leaving the GCM inadequate as a disability-responsive framework in the following areas; non-discrimination, participation and inclusion, equality of opportunity and, accessibility.

Non-discrimination: In the GCM documents, gender-responsive (15G/ Principle 11) and child-sensitive (15H/ Principle 10) approaches are positioned as General Principles, reflecting their integration into the core framework. However, no equivalent principle addressing disability-responsiveness has been included. This omission hinders the systematic incorporation of disability-related issues and non-discrimination throughout the entire migration governance process. Establishing disability-responsiveness as a General Principle could ensure that the rights and needs of persons with disabilities are not treated as peripheral considerations but are instead embedded across all aspects of migration governance. The documents analysed in this study highlight targeted measures for women and children, such as gender-responsive financial literacy training to promote economic participation (36h), gender-responsive labour mobility agreements (21a) and labour mobility schemes (21d), and child-sensitive access to education for migrant children (15F). These initiatives demonstrate an effort to address possible areas of discrimination. In contrast, similar provisions for persons with disabilities are notably absent. This exclusion fails to empower persons with disabilities, neglects to address harmful perceptions of them as socio-economic burdens and fails to incorporate the disability related costs and specific needs required to enable full participation in society. Moreover, the absence of disability-responsive measures fails to address the limited and regular restrictive pathways available to

persons with disabilities throughout the migration cycle. It exacerbates the disproportionate impact of migration policies on migrants with disabilities and migrants with acquired disabilities, who face unique challenges that can intensify situations of vulnerability.

Disability is frequently conceptualised as a secondary characteristic within an intersectional framework, often anchored to women or children or broadly categorised under the label of a vulnerable group. This positioning marginalises disability-specific concerns, failing to address the unique and systemic issues faced by persons with disabilities. Consequently, disability-related matters in implementation are often tethered to other legal and policy frameworks. For instance, issues such as the Disability Living Allowance payments to children with disabilities have been addressed through procedural rules tied to the best interests of the child under the CRC, rather than through a disability-specific lens. While there have been some successes in applying the CRPD to cases involving migrants with disabilities and migrants with acquired disabilities in the UK, its direct use as a source of legal interpretation remains inconsistent. This limited application may, in part, stem from the Reservations countries have placed in Article 18 of the CRPD, which addresses 'Liberty of Movement and Nationality'. These Reservations often relate to concerns about national citizenship, reflecting a reluctance to fully integrate disability rights into migration and national policies. As a result, the potential for the CRPD, which the GCM rests on to act as a transformative framework for addressing disability-related concerns in migration remains underutilised.

Participation and inclusion: The analysis highlights the lack of meaningful participation and inclusion of persons with disabilities and OPDs in migration governance. This should be addressed from both a top-down and a bottom-up approach to deliver a holistic and 'whole of society' perspective. From a top-down, participation should go beyond tokenism and be integrated into all levels of the UN Network on Migration's working groups. This would involve building capacity, allocating resources, and creating dedicated structures to support and monitor disability-responsiveness in the operationalisation of the GCM. The UN Network on Migration, tasked with supporting Member States in implementing the GCM, must prioritise disability-specific voices within its Executive Committee. This inclusion is essential for ensuring that the guidance provided to State Parties and Working Groups reflects the rights and needs of persons with disabilities. Simultaneously, a bottom-up approach requires advancing OPD mobilisation to translate national implementation into tangible outcomes for persons with disabilities. Integrating OPDs into civil society efforts can influence 'governance from below', building on the success of migrant organisations that have effectively shaped policy during the GCM consultations by emphasising the rights of domestic workers, women, and children. The disability community could use these advocacy cases as a precedent to learn from and emulate in their progress towards disability-responsive migration. Including disability voices in such processes is vital for protecting the rights of migrants with disabilities and migrants with acquired disabilities and to mitigate situations of vulnerability.

Achieving these objectives necessitates significant investment in collecting and analysing multidimensional data to inform disability-responsive labour migration governance and interventions. This data collection should adopt a dual approach, combining both top-down and bottom-up initiatives. For instance, strengthening the role of OPDs within civil society is essential, particularly in monitoring and reporting on the implementation of the GCM and relevant international legal frameworks. This process can support a more holistic evidence base for disability-responsive governance by enabling evidence generation throughout all stages of the migration cycle.

Equality of opportunity: The lack of a clear conceptual definition for disability-responsive measures adds to the challenges that States face in operationalising interventions for persons with disabilities and to provide them with equal opportunities throughout the migration cycle. This lack of a clear definition of disability-responsiveness highlights the contemporary failures of the discourse. As without this many barriers faced by persons with disabilities, such as accessing the migration processes, broadening economic opportunities, accessing basic services and portability of safety nets remain unaddressed. The failure to recognize typical disability-responsive behaviours, including reasonable accommodations, access to assistive devices, and personal assistance, creates a gap in ensuring equal opportunities from a disability lens, and changing this is essential if society is to cater for the disability related costs and specific needs of persons with disabilities to create equitable and full participation.

Accessibility: accessibility remains an undefined concept within the GCM, presenting a critical issue as the standards for accessibility differ significantly for persons with and without disabilities. This lack of clarity is evident in objectives such as the call to 'establish and strengthen holistic and easily accessible service points at the local level' (31c) or to 'establish open and accessible information points to refer migrants to child-sensitive and gender-responsive services' (19c). Without a clear definition of what accessibility entails or explicit recognition of the differing needs of persons with disabilities, disability-responsive standards are left ambiguous. As a result, the mainstreaming of disability-responsiveness will continue to face significant challenges in both the conceptualisation and operationalisation stages.

To realise 'safe' and 'regular' migration for all will require both migration and disability actors to place more emphasis on disability-responsive practices which will demand that existing frameworks be reevaluated to better encompass the unique needs and challenges faced by migrants with disabilities and migrants with acquired disabilities. This shift is essential for moving effectively toward a disability-responsive trajectory and addressing the current failure of governance structures to integrate disability-responsive migration laws, policies and programs.

Building on the CRPD Principles, this article proposes several recommendations to enhance the inclusion of persons with disabilities in migration governance. Firstly, it is crucial to engage with OPDs and persons with disabilities to define and integrate disability-responsive practices effectively in the conceptualisation and operationalisation of migration policies. This process could lead to the development of toolkits or guidance documents to support stakeholders,

helping to align their daily practices with the principles of the GCM for the benefit of migrants with disabilities and migrants with acquired disabilities²¹. A more inclusive ‘whole of society’ approach is needed, ensuring that persons with disabilities and OPDs are empowered to engage meaningfully in all facets of migration governance. Drawing lessons from gender-responsive and child-sensitive initiatives, disability related stakeholders should be positioned as both watchdogs and partners in implementing the GCM efforts, which must also focus on building awareness among persons with disabilities, their families, and OPDs regarding migrant rights, including rights related to work, wages, and access to services. Simultaneously, governments must enhance their disability support systems, providing legal and practical assistance, including assistive devices and community-based options, while training frontline staff—such as border control officers, healthcare providers, and social workers—on disability-inclusive practices. Reasonable accommodation should be ensured throughout the migration cycle, particularly in addressing physical and communication barriers. Improved data collection is also essential; leveraging tools such as the Washington Group Short Set on Functioning or developing a disability-specific migration module could significantly enhance the identification and understanding of disability within migration. Institutionally, appointing a disability working group or focal point within the UN Network on Migration and relevant task forces is essential for sustained focus on disability-responsiveness. Additionally, a dedicated monitoring mechanism could track the application of disability-responsive measures, identifying and addressing discriminatory policies. Finally, redefining concepts of access and accessibility from a disability perspective is imperative to ensure meaningful inclusion of persons with disabilities in migration governance and policy frameworks. These steps collectively aim to address the persistent barriers faced by persons with disabilities in the migration process and foster a more inclusive and equitable system.

²¹ Could take inspiration from ‘A guide - children & the Global Compacts on refugees & migration: Understanding what’s in the Compacts and how to engage with them’ (Destination Unknown, 2021).

REFERENCES

Allinson K, Erdunast P, 2021. Handbook for Legal Practitioners Using the UN Global Compact for Safe, Orderly and Regular Migration as an Interpretative Tool. London: ILPA.

Bloom T, 2019. When Migration Policy Isn't about Migration: Considerations for Implementation of the Global Compact for Migration. *Ethics & International Affairs*. 33(4): 481-497.

Burns N, 2017. The human right to health: exploring disability, migration and health. *Disability & Society*. 32(10): 1463-1484.

BWI, 2018. Press Release: The United Nations Agrees on a Global Compact for Safe, Orderly and Regular Migration. Building and Wood Workers' International. Available at: <https://www.bwint.org/cms/news-72/press-release-the-united-nations-agrees-on-a-global-compact-for-safe-orderly-and-regular-migration-1121>.

Chetail V, 2020. The Global Compact for Safe, Orderly and Regular Migration: a kaleidoscope of international law. *International Journal of Law in Context*. 16(3): 253–268.

Destination Unknown, 2021. A guide - children & the Global Compacts on refugees & migration: Understanding what's in the Compacts and how to engage with them. Destination Unknown. Available at: <https://destination-unknown.org/assets/uploads/8868d7d220/destination-unknown-child-rights-and-global-compacts-guide-160421.pdf>.

DFA, 2022. Ph Shares Concrete Actions to Institutionalize Global Migration Compact. Department of Foreign Affairs. Available at: <https://dfa.gov.ph/dfa-news/news-from-our-foreign-service-postsupdate/30567-ph-shares-concrete-actions-to-institutionalize-global-migration-compact?fbclid=iwar1uxzdghipyq5nobzdf6-cefdqthxys2jtd3lakjc8rbxmxyijrh6sireq>.

DMN, 2024. Labor Migration: from the optics of Filipinos with disabilities. Manila: Disability Migration Network.

Eliyahu-Levi D D, 2023. Kindergarten teachers promote the participation experience of African Asylum-Seeker families. *International Migration*. 61: 237–253.

El-Lahib Y, Wehbi S, 2012. Immigration and Disability: Ableism in the Policies of the Canadian State. *International Social Work*. 55(1): 95-108.

Ellermann A, 2020. Human-capital citizenship and the changing logic of immigrant admissions. *Journal of Ethnic and Migration Studies*. 2515-2532.

Ferris E E, Martin S F, 2019. The Global Compacts on Refugees and for Safe, Orderly and Regular Migration Introduction to the Special Issue. *International Migration*. 57(6): 5-18.

Gottardo C, Cyment P, 2019. The Global Compact for Migration: what could it mean for women and gender relations?. *Gender & Development*. 27(1): 67-83.

Gottardo C, Rego N, 2021. The Global Compact for Migration (GCM), International Solidarity and Civil Society Participation: a Stakeholder's Perspective. *Human Rights Review*. 22(4): 425–456.

Govere E, Vearey J, Walker R, 2021. "They are Too Quiet about Migration": A Scoping Exercise Exploring Migration. Geneva: International Organization for Migration.

Hennebry J L, & Petrozziello A J, 2019. Closing the Gap Gender and the Global Compacts for Migration and Refugees. *International Migration*. 57(6): 115-138.

Hoflinger T, 2020. Non-binding and therefore irrelevant? The Global Compact for Migration. *International Journal*. 75(4): 662–673.

Holliday J, 2020. Incongruous objectives? Endeavouring to realise women migrant workers' rights through the global development agenda. *International Journal of Law in Context*. 16(3): 269-286.

ILO, 2012. R202 - Social Protection Floors Recommendation, 2012 (No. 202). International Labour Organization. Available at:

https://www.ilo.org/dyn/normlex/en/f?p=normlexpub:12100:0::no::p12100_instrument_id:3065524.

Jackson E, Manlapaz A, Saidah C, Sivathorn A, 2024. Exploring the intersection between disability and trafficking in persons in Indonesia, the Philippines and Thailand. At La Trobe University: ASEAN Act.

Joppke C, 2024. Neoliberal nationalism and immigration policy. *Journal of Ethnic and Migration Studies*. 1657-1676.

Joseph A, 2022. Migration has always been a disability justice issue. Briarpatch. Available at: <https://briarpatchmagazine.com/articles/view/migration-has-always-been-a-disability-justice-issue>.

Jubilut L L, Casagrande M M, 2019. Shortcomings and/or Missed Opportunities of the Global Compacts for the Protection of Forced Migrants. *International Migration*. 57(6): 139-157.

Khadria B, Thakur N, Nicolas I, Lee T, Yang J, Jang Y, 2019. The UN Global Compact for Safe, Orderly and Regular Migration Its Impact on Asia. *International Migration*. 57(6): 286-302.

Kutor S K, Annan-Aggrey E, Poku A A, Kyeremeh E, Arku G, 2022. Assessing how rural-urban migration is incorporated in Ghana's national urban policy: a qualitative content analysis. *Local Environment*. 27(12): 1499–1513.

Likić-Brborać B, 2018. Global migration governance, civil society and the paradoxes of sustainability. *Globalizations*. 15(6): 762–778.

Lefebvre C, Cocan S, 2024. National Policies on Immigration Detention and the Global Compacts: A Comparative Analysis of Canada and France. *Geopolitics*. 29(1): 90-117.

MADE Network, 2017. Ten Acts for the Global Compact: A civil society vision for a transformative agenda for human mobility, migration and development. MADE Network. Available at:
https://www.un.org/development/desa/pd/sites/www.un.org.development.desa.pd/files/2018_02_unpd_cm16_now_how_ten_acts_for_the_global_compact_final_rev_3_nov_2017.pdf.

Majcher I, 2019. Immigration Detention under the Global Compacts in the Light of Refugee and Human Rights Law Standards. *International Migration*. 57(6): 91-114.

Maru N, Nori M, Scoones I, Semplici G, Triandafyllidou A, 2022. Embracing uncertainty: rethinking migration policy through pastoralists' experiences. *Comparative Migration Studies*. 10(5): 1-18.

McAdam J, 2011. An intellectual history of freedom of movement in international law: the right to leave as a personal liberty. *Melbourne Journal of International Law*. 12: 1-30.

MFA, 2023. All Global Compact Circulars. Migrant Forum in Asia. Available at:
http://mfasia.org/mfa_programs/advocacy/global-compact-for-migration/all-global-compact-circulars/.

Micinski N R, Lefebvre C, 2023. The Geopolitics in the Global Compacts: Sovereignty, Emerging Norms, and Hypocrisy in Global Migration Governance. *Geopolitics*. 29(1): 1–12.

Mills A, 2018. Medical Claims after Paposhvili. Landmark Chambers. Available at:
<https://www.landmarkchambers.co.uk/wp-content/uploads/2018/10/medical-claims-after-paposhvili-am.pdf>.

Murphy S P, 2023. Hard borders and soft agreements: evaluating governance within the Global Compact for Migration. *Third World Quarterly*. 44(3): 460–477.

Nussbaum M C, Glover J, 1995. *Women, Culture, and Development: A Study of Human Capabilities*. Chicago: The University of Chicago.

OHCHR & GMG, 2018. Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations. Migration Network. Available at:
<https://migrationnetwork.un.org/resources/principles-and-guidelines-supported-practical-guidance-human-rights-protection-migrants>.

Pécoud A, 2021. Narrating an ideal migration world an analysis of the Global Compact for Safe, Orderly and Regular Migration. *Third World Quarterly*. 42(1): 16-33.

Rother S, Steinhilper E, 2019. Governance? The Role of Affected Communities and Civil Society in the Global Compacts on Migration and Refugees. *International Migration*. 57(6): 243-257.

Richards P L, 2004. Points of Entry: Disability and the Historical Geography of Immigration. *Disability Studies Quarterly*. 24 (3).

Schierup C U, Wise, R D; Rother S, Ålund A, 2019. Migration, Civil Society and Global Governance. In Schierup C, Schierup U (Ed.), *Postscript: The Global Compact for Migration: what road from Marrakech?* (pp. 156–164). London: Routledge.

Soldatic K, 2013. The transnational sphere of justice: disability praxis and the politics of impairment. *Disability & Society*. 28(6): 744–755.

Thatcher B, 2023. Analysis of Civil Society Organisations (CSOs) thematic representation at the ASEAN Forum on Migrant Labour (AMFL): a disability lens. *Migration and Diversity*. 2(1): 49–64.

UN Network, 2022. Implementing the Global Compact for Safe, Orderly and Regular Migration Guidance for governments and all relevant stakeholders. Geneva: UN Network on Migration.

UN Network, n.d. a. Terms of Reference for the United Nations Network on Migration. UN Network. Available at: https://www.un.org/en/conf/migration/assets/pdf/un-network-on-migration_tor.pdf.

UN Network, n.d. b. About Us. UN Network. Available at: <https://migrationnetwork.un.org/about>.

UNICEF, 2022. Cost of Raising Children with Disabilities in the Philippines. Manila: UNICEF.

United Nations, 1948. Universal Declaration of Human Rights. United Nations. Available at: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

United Nations, 1966. International Covenant on Civil and Political Rights. United Nations. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

United Nations, 2006. Convention on the Rights of Persons with Disabilities. United Nations. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>.

United Nations, 2015. Transforming our world: the 2030 Agenda for Sustainable Development. United Nations. Available at: <https://documents-dds-ny.un.org/doc/undoc/gen/n15/291/89/pdf/n1529189.pdf?openelement>.

United Nations, 2019. Global Compact for Safe, Orderly and Regular Migration. United Nations. Available at: <https://www.iom.int/resources/global-compact-safe-orderly-and-regular-migration/res/73/195>.

van Riemsdijk M, Panizzon M, 2022. A collective commitment to improving cooperation on migration: analysis of a thematic consultation session for the Global Compact for Migration. *Third World Quarterly*. 43(9): 2169-2187.

WHO, World Bank, 2011. *World Report on Disability*. Geneva: World Health Organisation and World Bank.

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