

The first section of the paper provides an overview of the intellectual antecedents of the Global Commission's work. The open-borders migration regime of the pre-World War I era, depicted, for example, in rather unqualifiedly glowing terms in J. M. Keynes's *The Economic Consequences of Peace*, was replaced, beginning with the early 1920s, by strict restrictions on immigration in the main receiving country, the United States, and also commonly in most other countries. Thus, the interwar period marked a low point of international migratory movements. In part as a response to the effective closing of national borders, legal and political thinkers as well as intergovernmental institutions and national governments sought to elaborate the ideal ground rules that ought to govern international migration. The 1920s were especially marked by important statements in this regard, although, implicitly, the theoretical constructs were worked out as valid for cross-border migration within the countries of Europe, on the one hand, and between Europe and its overseas offshoots, rather than as applicable globally. Signal work in this regard originated from the then most prominent French theoretician on international law, Paul Fauchille, who argued that individuals have a right to move freely and that states have an obligation not only to permit people to emigrate but also to permit immigration, subject only to restrictions that would be permissible to adopt under extreme conditions. The First International Emigration and Immigration Conference, convened in Rome in May 1924 and attended by delegates from 57 countries and the League of Nations, adopted an „Emigrants Charter” that reflected a similarly liberal interpretation of the right to emigrate and immigrate. The International Labour Office, the then most prominent specialized agency of the League of Nations, also took a strong interest in international migration. In a signal article, presented at the First International Population Conference, held in Geneva in 1927, ILO's first Director General, the former French socialist politician Albert Thomas, introduced a then wholly novel argument. Time has come, Thomas in effect claimed, to repeal the notion that countries have a sovereign right to regulate immigration and to create, instead, a supranational regime that would have the power to regulate international migratory movement in a just and rational basis. Not surprisingly, governments of countries that considered themselves as potential receivers of immigrants found no appeal in such propositions. And, after World War II, one of the most significant contributions to international law by the newly created global intergovernmental organization, the United Nations, was the adoption of the Universal Declaration of Human Rights (1948) which declared (in Article 16) that everyone has the right to leave any country, including his own, without any reference to any symmetrical right that would have granted a right to immigrate. This in effect strongly confirmed the principle of national sovereignty in setting immigration policy, circumscribed only by the states' obligation to admit bona fide refugees. But even on that score states could exercise discretion with wide latitude. A variety of human rights instruments adopted in the decades after 1948 left the principle of national sovereignty in matters of immigration policy essentially intact. Most recently, however, voices emanating from the academic community and, more significantly, from major migrant-sending countries increasingly sought to define the proper frame for policy decisions on international migration as bilateral or multilateral, involving not only governments of the receiving countries and the polity they represent but also the governments of countries from which migrants originate. Globalization created international institutions handling matters of economic relations relating to trade and capital movements. There should be, it was increasingly suggested, an international institution analogous to the World Trade Organization that would regulate the movement of persons across international borders. The independent Global Commission on International Migration was widely expected to come up with recommendations representing a significant step in that direction.

The second part of the paper analyzes the substantive outcome of the Commission's deliberations as manifest in the 33 recommendations the Commission has adopted. The Commission does not recommend a new specialized international agency on migration but simply urges better coordination of activities between United Nations agencies concerned with migration-related matters and more interaction between migrant-receiving and migrant-sending governments. Implicitly it endorses national sovereignty in setting immigration policies. Its main thrust is human rights oriented, seeking to protect and improve the status and treatment that receiving countries extend to migrants, whether formally admitted or irregular, that is, to migrants that have crossed national borders with intent to establish long-term residence without legal permission. Without doubt, heeding the Commission's recommendations would improve the conditions, material and legal, of international migrants. But the Commission, at least by the evidence of its report, has conspicuously neglected a systematic examination of the economic and demographic underpinnings of international migratory movements. A comparative assessment of those underpinnings would suggest that realistic assumptions concerning the scale of international migration from the economically less advanced countries to the economically more advanced countries (for example migration on the scale incorporated in the population projections of the United Nations) would be insufficient for an adequate solution of the economic and demographic problems of the sending countries. Conversely, migration at a substantially higher volume, which, plausibly, might result from the improved treatment of migrants advocated by the Commission, could drastically change the ethnic composition and the economic and political situation in the receiving countries. It is doubtful, for example, that large-scale immigration could be compatible with the maintenance of the most prominent features of the modern welfare state. A second failing of the Commission report, the paper argues, is its neglect of the fairly well-articulated arguments that pose alternative solutions for tackling the problems of aging populations through mass immigration. The paper enumerates and discusses such alternatives in juxtaposition with liberal immigration policies. It argues, inter alia, that ready acceptance of international migrant inflows to cope with the economic problems of population aging divert attention from, and adoption of vigorous policies that would seek to reestablish a demographic regime that assures either the domestic reproduction of the population or at least assures the avoidance of a precipitous rate of population decline in the absence of mass immigration.