



Brussels, 21.3.2018  
COM(2018) 167 final

2018/0079 (NLE)

Proposal for a

**COUNCIL DECISION**

**authorising the Commission to approve, on behalf of the Union, the Global Compact for  
Safe, Orderly and Regular Migration in the field of development cooperation**

## **EXPLANATORY MEMORANDUM**

### **Subject matter of the proposal**

This proposal concerns the approval of the Global Compact for Safe, Orderly and Regular Migration (hereafter "the Global Compact on Migration") on behalf of the European Union.

### **The Global Compact for Safe, Orderly and Regular Migration**

On 10 -11 December 2018, the Intergovernmental Conference to be held in Morocco is to adopt a Global Compact on Migration as provided in UN General Assembly Resolution 72/244 of 24 December 2017 on Modalities for the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration<sup>1</sup>.

In a highly interdependent world, migration can only be addressed effectively by the international community as a whole. Migration is a global phenomenon that requires global solutions based on the principles of solidarity and shared responsibility.

In September 2016, the UN General Assembly adopted the New York Declaration for Refugees and Migrants<sup>2</sup>, officially launching the process of elaboration of a Global Compact for Migration. The New York Declaration represents a milestone in developing a global response to migration and forced displacement. It was welcomed by the European Council in its conclusions on migration of 20 October 2016<sup>3</sup>.

Since 2016, the Union has been strongly and continuously engaged in the process of elaboration of the Global Compact for Migration, delivering EU coordinated statements through the EU delegations in the consultative and stocktaking phase. This unified EU approach resulted in a draft of the Global Compact for Migration which largely reflects EU *acquis* and policy, and reflects the Union's objective to promote multilateral solutions to common problems, in particular in the framework of the United Nations.

Over the past years, the Union has built a comprehensive long-term strategy on migration covering all aspects of this phenomenon, from saving lives, offering protection to those in need, addressing the root causes of irregular migration and forced displacement as well as providing support to forcibly displaced populations around the world. This strategy is built on partnership and close cooperation with partner countries and organisations such as the African Union, the United Nations and its Agencies. This comprehensive approach should be promoted globally.

The European Consensus on Development<sup>4</sup>, adopted in 2017, states that the EU and its Member States will actively support the elaboration of the UN Global Compacts on Migration and Refugees, as called for by the 2016 New York Declaration for Refugees and Migrants.

With the publication of the zero draft of the Global Compact for Migration on 5 February 2018 and of the "zero draft plus" on 5 March 2018, the process has entered its final phase of negotiations, leading to the intergovernmental conference to adopt the Global Compact for Migration to be held in December 2018 in Morocco.

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<sup>1</sup> [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/72/244](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/72/244)

<sup>2</sup> <http://www.unhcr.org/new-york-declaration-for-refugees-and-migrants.html>

<sup>3</sup> <http://www.consilium.europa.eu/en/press/press-releases/2016/10/20/european-council-conclusions-migration/pdf>

<sup>4</sup> Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission, 2017/C 210/01 (OJ C 210, 30.6.2017, p. 1).

The envisaged date for approval of the Global Compact on Migration on behalf of the Union is 10 December 2018, on the occasion of the opening plenary meeting of the Intergovernmental Conference.

### Legal basis

Article 16 TEU provides that Council shall exercise policy-making and coordination functions as laid down in the Treaties. The Council shall act by qualified majority except where the Treaties provide otherwise.

In its development cooperation policy under Article 208 TFEU, the Union shall take into account the objectives of development cooperation in the policies that it implements which are likely to affect developing countries. Those objectives have been defined broadly in the Court's consistent case-law, most recently in *Case C-377/12, Commission v Council*<sup>5</sup>, where it noted that migration (including the fight against illegal migration), is integrated into the development policy defined in the European Consensus on Development. The European Consensus on Development states that the EU and its Member States will actively support the elaboration of the UN Global Compacts on Migration and Refugees, as called for by the 2016 New York Declaration for Refugees and Migrants. The 2030 Agenda for Sustainable Development recognised that migration is a multidimensional reality of major relevance for the sustainable development of countries of origin, transit and destination.

According to Article 79(1) TFEU, the Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings.

For these purposes, measures shall be adopted in the areas of the conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification; the definition of the rights of third-country nationals residing legally in a Member State, including the conditions governing freedom of movement and of residence in other Member States; illegal immigration and unauthorised residence, including removal and repatriation of persons residing without authorisation and combating trafficking in persons, in particular women and children.

Moreover, under Article 79(4) TFEU measures may be established to provide incentives and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally in their territories, excluding any harmonisation of the laws and regulations of the Member States.

The Global Compact on Migration sets up a list of shared objectives for safe, orderly and regular migration.

Therefore, the legal bases of the proposed decisions are Article 16 TEU, in conjunction with Articles 79 and 209 TFEU. Since, in accordance with Protocols No 21 and 22 to the TEU and to the TFEU, Ireland, the United Kingdom and Denmark are not taking part in the adoption of the Decision based on Article 16 TEU and Article 79 TFEU, two separate decisions are necessary for the approval of the Global Compact on Migration on behalf of the Union, one based on Article 16 TEU and Article 79 TFEU and the other based on Article 16 TEU and Article 209 TFEU.

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<sup>5</sup> Judgment of the Court of 11 June 2014, case C-377/12, *Commission v Council*, ECLI:EU:C:2014:1903.

## **Other elements**

The Global Compact on Migration does not, nor does it intend to, create any legal obligations under domestic or international law.

In order to ensure that the Council Decisions on approval of the Global Compact on Migration are done at a stage where the policy making function is exercised in substance and that the EU continues to be active and influence its approval to ensure that the final text of Global Compact on Migration is consistent with the EU acquis and policy, a proposal is submitted exceptionally in order to allow the prior approval by the Council of the Global Compact on Migration.

The European Commission shall revert back to the Council should the Global Compact on Migration submitted to the **Intergovernmental Conference** substantially diverge from the text attached to this Decision.

Proposal for a

## COUNCIL DECISION

### **authorising the Commission to approve, on behalf of the Union, the Global Compact for Safe, Orderly and Regular Migration in the field of development cooperation**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 16 thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 209 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 17(1) of the Treaty on European Union lists the powers of the Commission and provides in particular that the Commission is to ensure the Union's external representation, with the exception of the common foreign and security policy and other cases provided for in the Treaties.
- (2) Article 221 (1) of the Treaty on the Functioning of the European Union provides that Union delegations in third countries and at international organisations shall represent the Union.
- (3) Article 16 of the Treaty on European Union provides that Council shall exercise policy-making and coordination functions as laid down in the Treaties. The Council shall act by qualified majority except where the Treaties provide otherwise.
- (4) Article 21 of the Treaty on European Union provides that the Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law. The Union shall seek to develop relations and build partnerships with third countries, and international, regional or global organisations which share the principles referred to in the first subparagraph. It shall promote multilateral solutions to common problems, in particular in the framework of the United Nations.
- (5) In its development cooperation policy under Article 208 TFEU, the Union shall take into account the objectives of development cooperation in the policies that it implements which are likely to affect developing countries. Those objectives have been defined broadly in the Court's consistent case-law, most recently in Case C-377/12, *Commission v Council*<sup>6</sup>, where it noted that migration (including the fight

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<sup>6</sup> Judgment of the Court of 11 June 2014, case C-377/12, *Commission v Council*, ECLI:EU:C:2014:1903.

against illegal migration), is integrated into the development policy defined in the European Consensus on Development<sup>7</sup>.

- (6) The 2030 Agenda for Sustainable Development recognises that migration is a multidimensional reality of major relevance for the sustainable development of countries of origin, transit and destination.
- (7) The European Consensus on Development, adopted in 2017, states that the EU and its Member States will actively support the elaboration of the UN Global Compacts on Migration and Refugees, as called for by the 2016 New York Declaration for Refugees and Migrants.
- (8) In a highly interdependent world, migration can only be addressed effectively by the international community as a whole. Migration is a global phenomenon that requires global solutions based on the principles of solidarity and shared responsibility.
- (9) In September 2016, the UN General Assembly adopted the New York Declaration for Refugees and Migrants<sup>8</sup>, officially launching the process of elaboration of a Global Compact for Safe, Orderly and Regular Migration ('Global Compact for Migration'). The New York Declaration represents a milestone in developing a global response to migration and forced displacement. It was welcomed by the **European Council** in its conclusions on migration of 20 October 2016<sup>9</sup>.
- (10) The Global Compact on Migration does not, nor does it intend to, create any legal obligations under domestic or international law.
- (11) Since 2016, the Union has been strongly and continuously engaged in the process of elaboration of the Global Compact for Migration, delivering EU coordinated statements through the EU delegations in the consultative and stocktaking phase. This unified EU approach resulted in a draft of the Global Compact for Migration which largely reflects EU *acquis* and policy, and reflects the European Union's objective to promote multilateral solutions to common problems, in particular in the framework of the United Nations.
- (12) Over the past years, the Union has built a comprehensive long-term strategy on migration covering all aspects of this phenomenon, from saving lives, offering protection to those in need, addressing the root causes of irregular migration and forced displacement as well as providing support to forcibly displaced populations around the world. This strategy is built on partnership and close cooperation with partner countries and organisations such as the African Union, the United Nations and its Agencies. This comprehensive approach should be promoted globally.
- (13) With the publication of the zero draft of the Global Compact for Migration on 5 February 2018 and the "zero draft plus" on 5 March 2018, the process has entered its final phase of negotiations, leading to an intergovernmental conference to adopt the Global Compact for Migration to be held in December 2018 in Morocco.
- (14) The envisaged date for approval of the Global Compact on Migration on behalf of the Union on the occasion of the opening plenary meeting of the **Intergovernmental Conference** is 10 December 2018.

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<sup>7</sup> Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission, 2017/C 210/01 (OJ C 210, 30.6.2017, p. 1).

<sup>8</sup> <http://www.unhcr.org/new-york-declaration-for-refugees-and-migrants.html>

<sup>9</sup> <http://www.consilium.europa.eu/en/press/press-releases/2016/10/20/european-council-conclusions-migration/pdf>

- (15) It is in the interest of the Union to contribute to a successful outcome of this process and it is paramount to preserve the unity of the EU position in order to ensure that the final text of Global Compact on Migration is consistent with the EU acquis and policy.
- (16) It is hence appropriate to authorise approval of the Global Compact for Safe, Orderly and Regular Migration in view of the Intergovernmental Conference to be held on 10-11 December 2018,

HAS ADOPTED THIS DECISION:

*Sole Article*

The Commission shall be authorised to approve, on behalf of the Union, in the field of development cooperation, the Global Compact for Safe, Orderly and Regular Migration, the "zero draft plus" as attached to this Decision, at the Intergovernmental Conference in Morocco on 10-11 December 2018.

The European Commission shall revert back to the Council should the Global Compact on Migration submitted to the Intergovernmental Conference in Morocco on 10-11 December 2018 substantially diverge from the text attached to this Decision.

The Commission and the EU Delegation will keep the Member States regularly informed and shall ensure the appropriate close cooperation.

Done at Brussels,

*For the Council*  
*The President*



Brussels, 21.3.2018  
COM(2018) 167 final

ANNEX

**ATTACHMENT**

**to the**

**Proposal for a COUNCIL DECISION**

**Proposal for a Council decision authorising the Commission to approve, on behalf of the Union, the Global Compact for Safe, Orderly and Regular Migration, in the field of development cooperation**



## **ATTACHMENT**

### **GLOBAL COMPACT FOR SAFE, ORDERLY AND REGULAR MIGRATION**

**ZERO DRAFT PLUS**  
5 March 2018

We, the Heads of State and Government and High Representatives, meeting in Morocco on 10-11 December 2018, recalling the New York Declaration for Refugees and Migrants and determined to make an important contribution to enhanced cooperation on international migration in all its dimensions, have adopted this Global Compact for Safe, Orderly and Regular Migration:

#### **PREAMBLE**

1. This Global Compact rests on the principles espoused in the Charter of the United Nations.
2. It also rests on the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, core international human rights treaties, the United Nations Convention against Transnational Organized Crime including the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air, the United Nations Framework Convention on Climate Change, the Paris Agreement, the International Labour Organization conventions on promoting decent work and labour mobility, the 2030 Agenda for Sustainable Development, the Addis Ababa Action Agenda, the Sendai Framework for Disaster Risk Reduction, and the New Urban Agenda.
3. Discussions about international migration at global level are not new. We recall the advances made through the United Nations High-level Dialogues on International Migration and Development in 2006 and 2013. We also recognize the Global Forum on Migration and Development launched in 2007. These platforms paved the way for the New York Declaration for Refugees and Migrants, through which we committed to elaborate a Global Compact for Refugees and to adopt this Global Compact for Safe, Orderly and Regular Migration, in two separate processes.
4. As an input to the preparatory process for this Global Compact, we recognize the report of the Secretary-General, “Making Migration Work for All”.
5. This Global Compact is a milestone in the history of the global migration dialogue. It is guided by the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda, and informed by the Declaration of the High-level Dialogue on International Migration and Development adopted in October 2013.
6. This Global Compact presents a non-legally binding, cooperative framework that builds on the commitments agreed upon by Member States in the New York Declaration for Refugees and Migrants. It upholds the sovereignty of States and fosters international cooperation among all actors on migration, acknowledging that no State can address migration alone.

#### **OUR VISION AND GUIDING PRINCIPLES**

7. This Global Compact expresses our collective commitment to improving cooperation on international migration. Migration has been part of the human experience throughout history, and we recognize that it can be a source of prosperity, innovation

and sustainable development in our globalized world. The majority of migrants around the world today travel, live and work in a safe, orderly and regular manner. But migration undeniably affects our countries in very different and sometimes unpredictable ways.

8. It is crucial that international migration unites us rather than divides us. This Global Compact sets out our common understanding, shared responsibilities and unity of purpose regarding migration.

### **Common Understanding**

9. This Global Compact is the product of an unprecedented review of evidence and data gathered during an open, transparent and inclusive process. We shared our realities and heard diverse voices, enriching and shaping our common understanding of this complex phenomenon. We learned that migration is a defining feature of our globalized world, connecting societies within and across all regions, making us all countries of origin, transit and destination. We recognize that there is a continuous need for international efforts to strengthen our knowledge and analysis of migration. We must gather and share more and better data. We must ensure that current and potential migrants are fully informed about their options, rights and duties, while all our citizens should have access to objective, clear information of the benefits and challenges migration creates rather than misleading narratives.

### **Shared Responsibilities**

10. This Global Compact offers a 360-degree vision of international migration and recognizes that a comprehensive approach is needed to optimize the overall benefits of migration while addressing risks and challenges for individuals and communities associated with it. No country can address the challenges and opportunities of this global phenomenon on its own. We acknowledge our shared responsibilities to one another as Member States of the United Nations to address each other's needs and concerns over migration, and an overarching obligation to respect, protect and promote the human rights of migrants and promote our security and prosperity.
11. In this context, this Global Compact aims to mitigate the adverse drivers and structural factors that hinder people from building and maintaining sustainable livelihoods in their countries of origin, and so compel them to seek a future elsewhere. It intends to reduce the risks and vulnerabilities migrants face at different stages of migration by respecting, protecting and fulfilling their human rights and providing them with care and assistance. It seeks to address legitimate concerns of communities about migration and the demographic, economic, social and environmental changes their societies are undergoing. It strives to create conducive conditions that enable all migrants to enrich our societies through their human, economic and social capacities, and thus facilitate their contributions to sustainable development at the global level.

### **Unity of Purpose**

12. This Global Compact recognizes that safe, orderly and regular migration works for all when it takes place in a well-informed, planned and consensual manner. We must make it possible for people to remain in their own countries in safety and dignity. We must save lives and keep migrants out of harm's way. We must empower migrants to become full members of our societies, highlight their contributions, and promote

inclusion and social cohesion. We must generate greater predictability and certainty for States, communities and migrants alike. To achieve this, we commit to facilitate and ensure safe, orderly and regular migration for the benefit of all.

13. Our success rests on the mutual trust and determination of States to implement the actionable commitments contained in this Global Compact. We unite to address the challenges and opportunities of migration in all its dimensions through shared responsibility and innovative solutions. It is with this sense of common purpose that we take this historic step, fully aware that the Global Compact for Safe, Orderly and Regular Migration is a milestone, but not the end to our efforts. We commit to continue the multilateral dialogue at the United Nations through a robust follow-up and review mechanism, ensuring that the words in this document translate into actions for the benefit of millions of people in every region of the world.

14. In this context, we agree that this Global Compact rests on a set of guiding principles:  
People-centred: The Global Compact carries a strong human dimension to it, inherent to the migration experience itself. As a result, the Global Compact places individuals at its core.

International cooperation: The Global Compact is a non-legally binding cooperative framework that recognizes that no State can effectively address migration on its own due to the inherently transnational nature of the phenomenon. Its authority rests on its consensual nature, credibility, collective ownership, and joint implementation.

National sovereignty: The Global Compact reaffirms the right of States to exert sovereign jurisdiction with regard to national migration policy, in conformity with applicable international law. It strengthens the capacity of States to exercise their prerogatives responsibly as they determine the conditions under which non-nationals may enter, reside and work on their territory, taking into account different national realities and priorities.

Rule of law and due process: The Global Compact recognizes that respect for the rule of law and due process is fundamental to all aspects of migration governance. This means that public and private institutions and entities, the State, and persons themselves are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international law and standards.

Sustainable development: The Global Compact is guided by the 2030 Agenda for Sustainable Development, in line with its recognition that migration is a multidimensional reality of major relevance for the sustainable development of countries of origin, transit and destination.

Human rights: The Global Compact is guided by international human rights law. By implementing the actionable commitments herein, we ensure effective respect, protection and fulfilment of the human rights of all migrants, regardless of their migration status, across all stages of the migration cycle.

Gender-responsive: The Global Compact ensures that the human rights of women, men, girls and boys are respected at all stages of migration and that they are empowered as agents of change. It mainstreams a gender perspective, promotes gender equality and the empowerment of all women and girls, recognizing their leadership in order to move away from addressing female migrants primarily through a lens of victimhood.

Child-sensitive: The Global Compact upholds the best interests of the child, at all times, as the primary consideration in situations concerning girls and boys in the context of international migration, including unaccompanied and separated children.

Whole-of-government approach: The Global Compact considers that migration is a multidimensional reality that cannot be addressed by one government policy sector

alone. To develop and implement effective migration policies and practices, a whole-of-government approach is needed to ensure horizontal and vertical policy coherence across all sectors of government.

Whole-of-society approach: The Global Compact promotes broad multi-stakeholder partnerships to address migration in all its dimensions by including migrants, diasporas, local communities, civil society organizations, academia, the private sector, parliamentarians, trade unions, National Human Rights Institutions, the media and other relevant actors in migration governance.

## **OUR COOPERATIVE FRAMEWORK AND OBJECTIVES**

15. With the New York Declaration for Refugees and Migrants we adopted a political declaration and a set of commitments. Recalling these commitments in their entirety, we build on them by laying out the following cooperative framework comprising of actionable commitments, implementation, and follow-up and review. Our actionable commitments will fulfil 22 broader objectives for the achievement of safe, orderly and regular migration along the migration cycle.

### **OBJECTIVES FOR SAFE, ORDERLY AND REGULAR MIGRATION**

- (1) Collect and utilize accurate and disaggregated data as a basis for evidence-based policies
- (2) Minimize the adverse drivers and structural factors that compel people to leave their country of origin
- (3) Provide adequate and timely information at all stages of migration
- (4) Provide all migrants with proof of legal identity, proper identification and documentation
- (5) Enhance availability and flexibility of pathways for regular migration
- (6) Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work
- (7) Address and reduce vulnerabilities in migration
- (8) Save lives and establish coordinated international efforts on missing migrants
- (9) Strengthen the transnational response to smuggling of migrants
- (10) Prevent and combat trafficking in persons in the context of international migration
- (11) Manage borders in an integrated, secure and coordinated manner
- (12) Strengthen procedures and mechanisms for status determination
- (13) Use migration detention only as a last resort and work towards alternatives
- (14) Enhance consular protection, assistance and cooperation throughout the migration cycle
- (15) Provide access to basic social services for migrants
- (16) Empower migrants and societies to realize full inclusion and social cohesion
- (17) Eliminate all forms of discrimination and promote fact-based public discourse to shape perceptions of migration

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|------|--|
| (18) | Invest in skills development and facilitate recognition of skills, qualifications and competences            |
| (19) | Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries |
| (20) | Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants         |
| (21) | Cooperate in facilitating dignified and sustainable return, readmission and reintegration                    |
| (22) | Establish mechanisms for the portability of social security entitlements and earned benefits                 |

## **ACTIONABLE COMMITMENTS**

### **OBJECTIVE 1: Collect and utilize accurate and disaggregated data as a basis for evidence-based policies**

16. We commit to strengthen the global evidence base on international migration by improving and investing in the collection, analysis and dissemination of accurate, reliable, comparable data, disaggregated by sex, age and migration status. We further commit to ensure this evidence fosters research, guides well-informed and coherent policy-making and public discourse, and allows for effective monitoring and evaluation of the implementation of commitments over time.

In this regard, the following actions are instrumental:

- (a) Harmonize methodologies on collection, analysis and dissemination of migration-related data and indicators to achieve international compatibility between national data systems, including by agreeing on a baseline statistical definition of an international migrant, by developing a set of standards to measure migrant flows and stocks, as well as to document essential characteristics of migrants, migration status, drivers, patterns and trends, and by including all major stakeholders and sources of data in the elaboration of a comprehensive data strategy on migration
- (b) Develop a global programme to build national capacities in data collection, analysis and dissemination to share data, address data gaps and assess key migration trends, that encourages collaboration between relevant actors at all levels, provides dedicated training for government officials, financial support and technical assistance, leverages new data sources, including big data, and is reviewed by the United Nations Statistical Commission on a regular basis
- (c) Provide support, evidence and updated inputs to the Global Migration Data Portal, with a view to systematically consolidate all relevant data in a transparent, comparable and standardized manner
- (d) Establish and strengthen regional migration observatories to collect and analyse data in line with United Nations data standards, including on best practices, the contributions of migrants, the overall economic, social and political benefits and challenges of migration in countries of origin, transit and destination, as well as drivers of migration, with a view to establishing shared strategies and maximizing the value of migration data

- (e) Improve national data collection, analysis and dissemination by integrating migration- relevant questions in national censuses, starting in the census of the 2020 round, including on country of birth, country of citizenship, country of residence five years prior to the census, most recent arrival date and reason for migrating, to ensure timely analysis and dissemination of results with internationally recommended disaggregation and cross- tabulation
- (f) Conduct household, labour force and other post-census surveys to collect information on the social and economic integration of migrants or add standard migration modules to existing household surveys to improve national, regional and international comparability, and disseminate collected data through public-use of microdata files
- (g) Use administrative records, such as border records, visa, resident permits and other sources, to produce migration-related statistics, while upholding the right to privacy and the protection of personal data
- (h) Develop and use country-specific migration profiles, which include data on all migration- relevant aspects in a national context, including on labour market needs, demand and availability of skills, the economic and social impacts of migration, remittance transfer costs, health, education, living and working conditions, wages, and the needs of migrants and receiving communities, in order to foster evidence-based policy development

**OBJECTIVE 2: Minimize the adverse drivers and structural factors that compel people to leave their country of origin**

17. We commit to create conducive political, economic, social and environmental conditions for people to lead peaceful, productive and sustainable lives in their own country and ensure that desperation and deteriorating environments do not compel them to seek a livelihood elsewhere.

In this regard, the following actions are instrumental:

- (a) Promote the operationalization of the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals and the Addis Ababa Action Agenda, and the commitment to reach first those who are furthest behind, as well as the Paris Agreement and the Sendai Framework for Disaster Risk Reduction 2015-2030
- (b) Promote the operationalization of the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change, including by supporting the Platform on Disaster Displacement
- (c) Promote the operationalization of the Guidelines to Protect Migrants in Countries Experiencing Conflict or Natural Disaster (MICIC Guidelines)
- (d) Invest in programmes that accelerate fulfilment of the Sustainable Development Goals to minimize the adverse drivers and structural factors that compel people to leave their country of origin, including poverty alleviation, disaster risk reduction, climate change adaptation and mitigation, conflict prevention and resolution, as well as creating and maintaining peaceful

and inclusive societies with effective, incorrupt and accountable institutions that provide access to justice and human rights protection for all

- (e) Establish or strengthen crisis centres to monitor and anticipate the development of risks and threats that might trigger or affect internal and onward cross-border movements, strengthen early warning systems, develop emergency procedures and toolkits, launch emergency operations, and support post-crisis recovery, in close cooperation with other States, relevant national and local authorities, National Human Rights Institutions where they exist, and civil society
- (f) Strengthen joint analysis and sharing of information to better map, understand, predict and address migration movements and trajectories of persons affected by sudden-onset natural hazards, slow-onset environmental degradation, including the adverse effects of climate change, and life-endangering situations
- (g) Invest in sustainable development in all regions allowing people to improve their lives and meet their aspirations, by combining development efforts with economic links, such as private and foreign direct investment and trade preferences, to boost economic activity in ways that support inclusive growth, opportunities, prosperity, decent work, and job creation for local populations
- (h) Promote entrepreneurship, vocational training and skills development programmes, in line with labour market needs and in cooperation with the private sector, with a view to reducing youth unemployment and compensating brain drain in countries of origin
- (i) Strengthen collaboration between humanitarian and development actors, including by promoting joint analysis, multi-donor approaches and multi-year funding cycles, in order to develop long-term responses that increase protection, resilience and coping capacities of populations, as well as economic and social self-reliance, and by ensuring these efforts include migration considerations
- (j) Develop tailored migration schemes of various duration, including planned temporary and permanent relocation, to facilitate migration as an adaptation strategy to slow-onset environmental degradation related to the adverse effects of climate change, such as desertification and sea level rise
- (k) Integrate displacement considerations into disaster preparedness strategies and establish protocols with neighbouring countries to prepare for early warning, contingency planning, stockpiling, coordination mechanisms, evacuation planning, reception and assistance arrangements, and public information
- (l) Enhance humanitarian protection measures for cross-border disaster displaced persons, including on admission, stay and situations where return is not possible, and expand mechanisms for resilience and lasting solutions by harmonizing approaches at sub regional and regional levels

### **OBJECTIVE 3: Provide adequate and timely information at all stages of migration**

18. We commit to strengthen our efforts to provide, make available and disseminate adequate, timely, accessible, and transparent information on migration-related aspects for and between States, communities and migrants by taking into account all stages of migration. We further commit to use this information to develop migration

policies that provide a high degree of predictability and certainty for all actors involved.

In this regard, the following actions are instrumental:

- (a) Launch and publicize a centralized and publicly available national website to share information on regular migration options and employment opportunities for prospective and returning migrants, including on country-specific immigration laws and policies, visa requirements and application formalities, professional qualification requirements, training and study opportunities, job vacancies, and living costs and conditions, in order to inform the decisions of migrants
- (b) Enhance systematic bilateral, regional and international cooperation between States to exchange information and intelligence on migration-related trends, including irregular migration, mixed movements, smuggling of migrants and trafficking in persons, through joint databases, online platforms, international training centres and liaison networks
- (c) Establish information centres along migration routes that provide child-sensitive and gender-responsive support and counselling, offer opportunities to communicate with consular representatives of the country of origin, and make available relevant information, including on fundamental human rights, international protection, asylum procedures, options and pathways for regular migration, and possibilities for voluntary return, in a language the person concerned understands
- (d) Provide newly arrived migrants and returnees, respectively, with targeted, accessible and comprehensive information on their rights and obligations, including on compliance with national and local laws, obtaining of work and resident permits, status adjustments, registration with authorities, access to justice to file complaints about rights violations and access to basic services, by establishing in-person and online counselling centres
- (e) Consolidate a digital database, in compliance with the right to privacy and the protection of personal data, to register migrants abroad, in close cooperation with migrant organizations, consulates and local authorities, to provide information, services and assistance to migrants in emergency situations on an equal footing with nationals and ensure migrants' accessibility to relevant and timely information, including by establishing helplines
- (f) Promote multi-lingual information campaigns and organize awareness-raising events and pre-departure orientation trainings in countries of origin, in cooperation with local authorities, consular and diplomatic missions, the private sector, academia, migrant and diaspora organizations and civil society, to inform potential migrants about the challenges and opportunities of migration, including on the risks and dangers involved in irregular migration carried out through traffickers and smugglers

**OBJECTIVE 4: Provide all migrants with proof of legal identity, proper identification and documentation**

19. We commit to equip migrants with proof of legal identity and other relevant documentation, including birth, marriage and death certificates, at all stages of



migration in order to end statelessness and avoid other vulnerabilities. We further commit to ensure this documentation allows all migrants to have access to services and exercise their human rights, and States can identify a person's nationality upon entry and for return.

In this regard, the following actions are instrumental:

- (a) Provide identity documents to all migrants, by registering migrant births and reaching undocumented populations, improving registration of citizens and sharing biometric registration, including as a measure to avoid statelessness in accordance with the fundamental human right to a nationality
- (b) Strengthen measures to facilitate citizenship to children born in another State's territory in situations where a child would otherwise be stateless, including by allowing women to confer their nationality to their children
- (c) Harmonize travel documents in line with the International Civil Aviation Organization standards, through mechanisms for sharing biometric data while respecting the right to privacy, and by aligning visa application requirements
- (d) Ensure adequate, timely, reliable and accessible consular documentation to all migrants, including identification and travel documents, and make use of information and communications technology, as well as community outreach, particularly in remote areas
- (e) Determine status autonomously, independently and individually, and provide access to individual documentation for female migrants and children, including by ensuring that citizenship or access to a passport or visa is not tied to the spouse or parent
- (f) Abolish requirements to prove citizenship or nationality at service delivery centres to ensure that stateless migrants are not precluded from accessing basic services nor denied other basic human rights
- (g) Institute an identification card for all persons residing in a particular country or city, regardless of their nationality, ethnicity, migration status or any other characteristic, to access services, conduct business and participate in community life

#### **OBJECTIVE 5: Enhance availability and flexibility of pathways for regular migration**

20. We commit to adapt options and pathways for regular migration in a manner that reflects demographic and global labour market realities, optimizes education opportunities, reunites families, and facilitates access to protection in emergency situations.

In this regard, the following actions are instrumental:

- (a) Develop a human rights-based and gender-responsive labour mobility model agreement with sector-specific standard terms of employment in cooperation with relevant stakeholders on the basis of global guidelines and principles and in compliance with international law
- (b) Develop and enhance mechanisms that facilitate regional and cross-regional labour mobility, such as free movement regimes, visa liberalization or multiple-country visas, and labour mobility cooperation frameworks, in accordance with

local market needs and skills supply, through international and bilateral cooperation

- (c) Review and revise existing options and pathways for regular migration, with a view to address labour market imbalances, demographic realities and development challenges and opportunities, in accordance with local labour market demands and skills supply
- (d) Develop flexible rights-based and gender-responsive labour mobility schemes for migrants at all skills levels, including temporary, seasonal, circular, and fast-track programmes in areas of labour shortages, in accordance with local labour market needs and skills supply, by establishing flexible and non-discriminatory visa regimes, such as permanent and temporary work visa, multiple-entry visa, student visa, business visitors' visa and visas for investors and entrepreneurs, and by allowing flexible visa status conversions
- (e) Foster efficient and effective skills-matching programmes by reducing visa processing timeframes for standard employment authorizations, and by offering accelerated and facilitated visa processing for employers with a track record of compliance
- (f) Provide temporary or permanent protection and reception schemes for migrants compelled to leave their countries of origin temporarily or permanently in cases when return is not possible, due to sudden-onset natural disasters, slow-onset environmental degradation, emergency situations, and other life-endangering circumstances, including by providing humanitarian visas, private sponsorships, access to education for children, and temporary work permits
- (g) Facilitate family reunification for migrants at all skills levels by integrating provisions in migration laws and policies that remove barriers to the realization of the right to family unity and family life, including income requirements, language pre-tests, length of stay, and type of status, as well as provide work authorization and access to social security and services
- (h) Involve local authorities and other relevant stakeholders, particularly the private sector and trade unions, in effective skills-matching in the national economy, monitoring the local labour market, identifying skills gaps, and defining required skills profiles

**OBJECTIVE 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work**

21. We commit to review existing recruitment mechanisms to guarantee that they are fair and ethical, and to protect all migrant workers against all forms of exploitation and abuse in order to guarantee decent work and maximize the socioeconomic impact of migrants in both their countries of origin and destination.

In this regard, the following actions are instrumental:

- (a) Sign, ratify or accede to, and implement all relevant international instruments related to international labour mobility
- (b) Promote the operationalization of the ILO General Principles and Operational Guidelines for Fair Recruitment, the United Nations Guiding Principles on

Business and Human Rights, and the IOM International Recruitment Integrity System (IRIS)

- (c) Build upon the work of existing regional platforms that have overcome obstacles and identified best practices in labour mobility, by facilitating cross-regional dialogue to share this knowledge, and to promote the full respect for the human and labour rights of migrant workers at all skills levels, including migrant domestic workers
- (d) Review and revise regulations on public and private recruitment agencies, in order to align them with international guidelines and best practices, and prohibit recruiters from charging fees or related costs to the migrant worker in order to avoid debt bondage, exploitation and forced labour, including by establishing mandatory, enforceable mechanisms for effective regulation and monitoring of the recruitment industry
- (e) Establish partnerships with all relevant stakeholders, including employers and trade unions, to ensure that migrant workers are provided written contracts in a language they understand and are aware of the regulations relating to international labour recruitment, their rights and obligations in this regard, as well as the access to complaint and redress mechanisms
- (f) Hold employers, recruiters, their subcontractors and suppliers accountable when they are involved in human and labour rights violations, by ensuring that the roles and responsibilities of all, both within the recruitment and employment processes, are clearly outlined, thereby enhancing supply chain transparency with regard to decent work conditions for migrants
- (g) Strengthen the enforcement of ethical recruitment and decent work norms and policies by enhancing the abilities of labour inspectors and other authorities to better monitor recruiters, employers and service providers in order to ensure that fair and ethical recruitment, as well as decent work conditions apply in all sectors, in conformity with international standards
- (h) Ensure recruitment processes that result in work visas that are portable, allowing migrants to change employers, and modifiable, allowing migrants to change conditions or lengths of stay, with minimal administrative processes in order to prevent violations of human and labour rights and promote greater opportunities for decent work
- (i) Prohibit, through national legislation, non-State entities from confiscating or retaining travel or identity documents, as well as work contracts from a migrant in order to prevent abuse and exploitation, and allow migrants to fully exercise their human rights
- (j) Provide all migrant workers engaged in remunerated labour with the same rights and protections extended to all workers, particularly by ensuring that migrants can exercise their rights to just and favourable conditions of work, to be free from slavery, servitude, or forced or compulsory labour, to freedom of peaceful assembly and association and to have the highest attainable standard of physical and mental health, including by allowing membership in trade unions, wage protection mechanisms, and establishing firewalls with labour inspections in cases of exploitation
- (k) Review national labour laws, employment policies and programmes to ensure that they include considerations of the specific needs and contributions of

female migrant workers, including in domestic work, and adopt specific measures to prevent and address female and male exploitation as a basis to promote gender-responsive labour mobility policies

#### **OBJECTIVE 7: Address and reduce vulnerabilities in migration**

22. We commit to provide specialized protection and assistance to migrants, at all stages of migration, who often face particular, multiple and intersecting forms of vulnerability, by ensuring that human rights are at the centre of our efforts. We further commit to uphold the principle of the best interests of the child as the primary consideration in issues where children are concerned, and to apply a gender-responsive approach in addressing vulnerabilities, including in responses to mixed movements.

In this regard, the following actions are instrumental:

- (a) Promote the operationalization of the Global Migration Group Principles and Guidelines, Supported by Practical Guidance, on the Human Rights Protection of Migrants in Vulnerable Situations
- (b) Undertake a human rights-based review of policies and practices that may create, exacerbate or unintentionally increase vulnerabilities of migrants
- (c) Establish comprehensive policies on migrants in vulnerable situations, including to identify individual, group-based or prima facie vulnerabilities, deliver timely and effective referral, provide protection and specialized assistance, as well as to determine status, ensuring all migrants are able to access appropriate protection of their human rights and that the situation of each person is individually assessed
- (d) Establish robust procedures in all legislative, administrative and judicial proceedings and decisions, as well as in all migration policies and programmes that are relevant to and have an impact on children, including consular protection policies and services, to ensure that the principle of the best interests of the child is appropriately integrated, consistently interpreted and applied
- (e) Protect unaccompanied and separated children at all stages of migration through the establishment of specialized procedures for their identification, referral, care and family reunification, and provide access to their rights to health, education, legal assistance and to be heard in administrative and judicial proceedings, including by appointing a legal guardian, as essential means to address their particular vulnerability and protect them from violence
- (f) Ensure migrant's access to independent legal assistance and representation in legal proceedings that affect them, including during any related judicial or administrative hearing, in order to safeguard that all migrants, everywhere, are recognized as persons before the law and that the delivery of justice is impartial and non-discriminatory
- (g) Develop predictable migration policies that prevent migrants from falling into an irregular status due to legal and practical impediments in the country of destination, in order to reduce precariousness of status and related vulnerabilities, including by establishing firewalls between immigration enforcement and public services

- (h) Involve local authorities and stakeholders in the identification, referral and assistance of migrants in a situation of vulnerability, including through agreements with national protection bodies, legal aid and service providers, as well as the engagement of mobile response teams

**OBJECTIVE 8: Save lives and establish coordinated international efforts on missing migrants**

23. We commit to save lives and prevent migrant deaths and injuries through joint search and rescue operations, standardized collection and exchange of information. We further commit to identify those who have died or gone missing, and to facilitate communication with affected families.

In this regard, the following actions are instrumental:

- (a) Develop procedures and agreements on search and rescue with the primary objective to protect migrants' right to life that refrain from pushbacks at land and sea borders and enhance reception and assistance capacities, while ensuring that the provision of humanitarian assistance for migrants is never criminalized
- (b) Review the impacts of migration-related policies and laws to ensure that these do not raise or create the risk of migrants going missing, including in the context of large movements of persons who may use unsafe or irregular pathways, by working with other States and relevant international organizations to identify contextual risks, gaps and actionable solutions for preventing and responding to such situations
- (c) Enable migrants to inform their families without delay that they are alive by facilitating access to means of communication along routes and at their destination, including in places of detention, as well as access to consular missions, local authorities and organizations that can provide assistance with family contacts, especially in cases of unaccompanied or separated migrant children and adolescents
- (d) Establish transnational coordination channels and designate contact points for families looking for missing migrants, through which families can be kept informed on the status of the search, while respecting international data protection standards
- (e) Collect, centralize and systematize data regarding corpses and ensure traceability after burial, in accordance with internationally accepted forensic standards, and establish coordination channels at transnational level to facilitate immediate or future identification and the provision of information to families

**OBJECTIVE 9: Strengthen the transnational response to smuggling of migrants**

24. We commit to intensify joint efforts to prevent and counter smuggling of migrants, ensure that smuggled migrants are not criminalized, and that they have access to protection and assistance, with particular concern for victims of smuggling under aggravating circumstances. We further commit to end the impunity of smuggling networks.

In this regard, the following actions are instrumental:

- (a) Sign, ratify or accede to, and implement the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime (UNTOC)
- (b) Institutionalise transnational mechanisms to share information and intelligence on smuggling routes, modus operandi and financial transactions of smuggling networks, vulnerabilities faced by smuggled migrants, and other relevant data to dismantle the smuggling networks and enhance joint responses
- (c) Develop protocols along migration routes, consistent with international law, that outline step-by-step measures to identify smuggled migrants and victims of smuggling under aggravating circumstances, provide access to protection and assistance for those in situations of vulnerability, as well as facilitate cross-border law enforcement and intelligence cooperation to prevent smuggling of migrants, increase conviction rates and end impunity for smugglers
- (d) Ensure that national legislation reflects irregular entry as an administrative, not a criminal offence, penalizes smugglers where they have a financial or material benefit, and enhances penalties for smuggling of migrants under aggravating circumstances, in accordance with international law
- (e) Design, review or amend migration policies and procedures to distinguish between the crimes of smuggling of migrants and trafficking in persons by using the correct definitions and applying distinct responses to these separate crimes

**OBJECTIVE 10: Prevent and combat trafficking in persons in the context of international migration**

25. We commit to reduce legal and practical barriers to preventing and combating trafficking in persons in the context of international migration by strengthening international cooperation and ending impunity of trafficking networks. We further commit to enhance the identification and protection of, and assistance to migrants who have become victims of trafficking.

In this regard, the following actions are instrumental:

- (a) Sign, ratify or accede to, and implement the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (UNTOC)
- (b) Promote the operationalization of the Global Plan of Action to Combat Trafficking in Persons and incorporate the Toolkit to Combat Trafficking in Persons when developing and implementing national measures relating to trafficking in persons
- (c) Monitor irregular migration routes which may be exploited by human trafficking networks to victimize smuggled or irregular migrants, and harmonize protocols at the regional and cross-regional levels on prosecution of perpetrators, as well as on identification of, and protection and assistance to victims
- (d) Share information and intelligence, including on the modus operandi, economic models and conditions driving trafficking networks, and enhance

judicial cooperation and enforcement in order to increase conviction rates, ensure accountability and end impunity

- (e) Apply measures that specifically address the particular vulnerabilities of women, men, girls and boys, regardless of their migration status, that have become or are at risk of becoming victims of trafficking in persons and modern slavery by focusing on prevention, identification, protection and assistance
- (f) Ensure that definitions of trafficking in persons used in legislation, migration policy planning and in judicial prosecutions are harmonized with relevant standards of international law, in order to distinguish between the crimes of trafficking in persons and smuggling of migrants
- (g) Strengthen legislation and procedures to enhance prosecution of traffickers, avoid criminalization of migrants for being victims of trafficking in persons, and ensure that protection and assistance to victims are not conditional upon cooperation with the authorities against suspected criminals
- (h) Provide migrants that have become victims of trafficking in persons with protection and assistance in the context of relevant judicial proceedings, such as temporary or permanent residency and work permits, to allow the person access to justice, including redress and compensation

#### **OBJECTIVE 11: Manage borders in an integrated, secure and coordinated manner**

26. We commit to manage our national borders in a coordinated manner that ensures security and facilitates regular cross-border movements of people, in accordance with national sovereignty, based on the rule of law and in full respect of the human rights of all migrants, regardless of their migration status.

In this regard, the following actions are instrumental:

- (a) Promote the operationalization of the OHCHR Recommended Principles and Guidelines on Human Rights at International Borders, including through cross-border collaboration between neighbouring States
- (b) Enhance regional and cross-regional border management cooperation on proper identification, timely and efficient referral, protection and assistance for migrants in situations of vulnerability at or near international borders, in compliance with international human rights law, by adopting whole-of-government approaches and implementing joint cross-border training
- (c) Establish appropriate structures and mechanisms for effective integrated border management ensuring well-functioning border crossing procedures, including pre-screening of arriving persons, pre-reporting by carriers of passengers who will be arriving, and use of modern technology
- (d) Promote full compliance with international standards related to the issuance, information contained in, and security control of travel documents, incorporating safeguards against forgery
- (e) Strengthen oversight of procedures and due process at international borders, including individualized assessments, to safeguard that authorities comply with international human rights law, including through National Human Rights Institutions where they exist

- (f) Develop technical cooperation agreements that enable States to request and offer assets, equipment and other technical assistance to strengthen border management, particularly in the area of search and rescue, and other emergency situations
- (g) Ensure that child protection authorities are able to commence procedures for the determination of the best interests of the child once a child crosses an international border, particularly in the case of unaccompanied or separated children, in a timely manner and in accordance with international law

## **OBJECTIVE 12: Strengthen procedures and mechanisms for status determination**

27. We commit to develop and strengthen effective, human rights-based and protection-sensitive mechanisms and procedures for the identification and status determination of all migrants, in order to ensure adequate and timely referral, and assistance at all stages of the migration cycle, as well as to distinguish clearly between migrants and refugees.

In this regard, the following actions are instrumental:

- (a) Support global efforts in situations of broader international protection challenges of mixed movements, such as the UNHCR asylum capacity support group, to promote effective and swift status determination, protection and referral of asylum seekers, refugees and migrants, including those displaced in the context of disasters and crisis
- (b) Develop and conduct intra- and cross-regional specialized human rights-based trainings for first responders and government officials, including law enforcement, to facilitate and standardize identification and referral of, as well as appropriate assistance and counselling to victims of trafficking in persons, migrants at risk, including children, in particular those unaccompanied or separated, and persons affected by any form of exploitation and abuse related to smuggling of migrants under aggravating circumstances
- (c) Establish status determination and gender-responsive referral mechanisms, including improved screening measures at borders and places of first arrival, by applying standardized operating procedures developed in coordination with local authorities, National Human Rights Institutions where they exist, international organizations and civil society
- (d) Ensure that migrant children are promptly identified at places of first arrival and that anyone claiming to be a child is treated as such, are swiftly referred to child protection authorities and other relevant services, and appointed a legal guardian if unaccompanied or separated
- (e) Ensure that information on the right to seek asylum or other forms of international protection are appropriately and effectively communicated, and accessible to all migrants, regardless of their migration status, in the context of mixed movements



**OBJECTIVE 13: Use migration detention only as a last resort and work towards alternatives**

28. We commit to ensure that any detention in the context of international migration is lawful, non-arbitrary, based on necessity, proportionality and individual assessments, and carried out by competent officials, irrespective of whether detention occurs at the moment of entry, in transit, or proceedings of return. We further commit to take a human rights-based approach to any detention of migrants, using detention as a last resort only and working to create alternatives.

In this regard, the following actions are instrumental:

- (a) Use existing international and national human rights mechanisms to improve monitoring of migrant detention, ensuring that it is a measure of last resort, that human rights violations do not occur, and that States implement and expand alternatives to detention, including non-custodial measures
- (b) Consolidate a comprehensive database that showcases alternatives to detention in the context of international migration, including by facilitating regular exchanges on successful practices among and between States and relevant stakeholders
- (c) Review legislation and policies as they relate to migrant detention by ensuring that decisions to detain have a lawful and legitimate purpose, are taken on an individual basis, in full compliance with due process and procedural safeguards, and do not use administrative detention as a deterrent or punishment to migrants
- (d) Ensure that detained foreign nationals are informed about their right to communicate with consular and diplomatic missions, legal representatives and family members, in accordance with international law, and facilitate the exercise of such right
- (e) Reduce the negative and potentially lasting effects of detention on migrants' well-being and mental health by guaranteeing that it is for the shortest period of time, non-punitive, separate from criminals, and that, as a minimum, access to food, healthcare and adequate accommodation is granted
- (f) Ensure that all governmental authorities and private actors duly charged with administering immigration detention are trained in non-discrimination, the prevention of arbitrary arrest and detention in the context of international migration, and are held accountable for violations or abuses of human rights
- (g) Uphold the protection and respect for the rights and best interests of the child at all times, regardless of their migration status, by ending the practice of child detention in the context of international migration, and providing alternatives to detention that include access to education, healthcare and allow children to remain with their family members or legal guardians in non-custodial contexts, including community-based arrangements

**OBJECTIVE 14: Enhance consular protection, assistance and cooperation throughout the migration cycle**

29. We commit to strengthen consular protection of and assistance to our nationals abroad as well as consular cooperation between States in order to better safeguard

the rights and interests of all migrants at all times, and to build upon the functions of consular missions to enhance interactions between migrants and State authorities.

In this regard, the following actions are instrumental:

- (a) Establish a technical assistance programme, in coordination with the State-led Global Consular Forum, to help States build their consular capacities, train consular officers, promote arrangements for providing consular services collectively where individual States lack capacity, and to develop model bilateral or regional agreements on various aspects of consular cooperation
- (b) Involve consular personnel in existing global and regional fora on migration in order to exchange information about issues of mutual concern that pertain to citizens abroad and contribute to comprehensive migration policy development
- (c) Conclude agreements on consular assistance and representation to address gaps in places where States do not have a diplomatic or consular presence
- (d) Strengthen consular capacities in order to identify and assist migrants who have become victims of crime, victims of smuggling under aggravating circumstances and victims of trafficking in persons
- (e) Provide consular support to facilitate the financial inclusion of migrants in countries of transit and destination, such as by issuing consular identification documents that enable the opening of a bank account

#### **OBJECTIVE 15: Provide access to basic social services for migrants**

30. We commit to develop non-discriminatory policies in order to provide migrants, regardless of their migration status, access to and ensure delivery of basic social services, including health care, education, housing and social protection.

In this regard, the following actions are instrumental:

- (a) Promote the operationalization of the WHO Framework of Priorities and Guiding Principles to Promote the Health of Refugees and Migrants
- (b) Enact laws that explicitly prohibit discrimination on all grounds, including race, colour, descent, or national or ethnic origin, to access services, and remove legal and practical barriers which prevent migrants from fully exercising their human rights
- (c) Develop, reinforce and maintain necessary capacities and resources to deliver basic social services to all migrants, regardless of their migration status, and ensure safe access to these services, including by setting up firewalls between service providers and immigration enforcement agencies
- (d) Establish one-stop-shops to offer information on and facilitate access to a range of gender- responsive and child-sensitive services to migrants, including early language learning, health care, educational opportunities, skills training and financial services
- (e) Establish or mandate independent institutions, such as National Human Rights Institutions where they exist, to receive, investigate and monitor complaints about situations in which access to basic social services is systematically denied to migrants, and work towards a change in practice

- (f) Provide information to all migrants, regardless of their migration status, on the right to health and how to access basic services, and train health care providers on delivering gender-responsive and child-sensitive services, in a language that they understand
- (g) Grant equal access for all migrant children and youth to quality education and ensure that they can regularly attend, including by facilitating formal schooling, non-formal education programmes for children for whom the formal system is inaccessible, on-the-job and vocational training, technical education, language training as well as lifelong learning opportunities, and foster partnerships with all stakeholders that can support this endeavour

**OBJECTIVE 16: Empower migrants and societies to realize full inclusion and social cohesion**

31. We commit to foster inclusive and cohesive societies by empowering migrants to become active members of society and promoting the reciprocal engagement of receiving communities and migrants in the exercise of their rights and obligations towards each other. We further commit to strengthen the welfare of all members of societies, by minimizing disparities, avoiding polarization and increasing public confidence in policies and institutions related to migration, in line with the acknowledgment that fully integrated migrants are better positioned to contribute to prosperity.

In this regard, the following actions are instrumental:

- (a) Promote participation of interested States in the Migrant Integration Policy Index as a means to identify challenges and best practices
- (b) Exchange best practices on integration policies, on ways to recognize, retain and promote migrants' national, social and cultural identities, as well as on means for communities of destination to share local customs, cultures and traditions with migrants, promoting sensitivity to the value of diversity and thus facilitating social cohesion
- (c) Establish holistic pre-departure and post-arrival programmes that include basic language training, as well as orientation about social norms and customs, rights and obligations in the country of destination
- (d) Develop short, medium and long term targets to accelerate inclusion of migrants in societies, including on labour market integration, family reunification, education, non-discrimination and health, by fostering partnerships with relevant stakeholders
- (e) Work towards inclusive labour markets and full participation of migrant workers in the formal economy, by facilitating access to jobs for which they are most qualified, in accordance with local labour market demands and skills supply
- (f) Eliminate discriminatory restrictions on employment, the right to associate and access to services for female migrants, as measures to guarantee their full and equal participation in society
- (g) Facilitate access to regularization options as a means to promote migrants' integration into society and fully harness their contributions to sustainable

development, as well as to reduce the stigmas that may be associated with irregular status

- (h) Establish community centres or programmes at the local level to facilitate migrant participation in the receiving society by involving migrants, community members, diaspora organizations and local authorities in intercultural dialogue, sharing of stories, mentorship and sponsorship programmes, and development of business ties that improve integration outcomes
- (i) Capitalize on the skills, cultural and language proficiency of migrants and receiving communities by developing and promoting peer-to-peer training exchanges, gender- responsive, vocational and civic integration courses and workshops
- (j) Support multicultural activities through sports, music, arts, culinary festivals and other social events that will facilitate better understanding and appreciation of the migrant cultures and those of destination communities
- (k) Promote school environments that are welcoming and support the aspirations of migrant children by enhancing relationships within the school community, dedicating targeted resources to schools with a high concentration of migrant children for integration activities, and incorporating evidence-based information about migration in education curricula

**OBJECTIVE 17: Eliminate all forms of discrimination and promote fact-based public discourse to shape perceptions of migration**

32. We commit to condemn and counter expressions, acts and manifestations of racism, racial discrimination, xenophobia and related intolerance against all migrants, including those based on race, religion or belief, in conformity with international human rights law. We further commit to promote an open and fact-based public discourse on migration in partnership with all parts of society, that generates a more realistic and constructive perception of migration.

In this regard, the following actions are instrumental:

- (a) Enact and implement legislation that penalizes hate crimes and aggravated hate crimes targeting migrants and train law enforcement and other public officials to identify, prevent and respond to such crimes
- (b) Punish the incitement of violence generated by hate speech directed towards migrants by holding perpetrators accountable in accordance with national legislation
- (c) Promote independent, objective and quality reporting of media outlets, including by sensitizing media professionals on migration-related issues and terminology, investing in ethical advertising, restricting public funding or material support to media outlets that systematically promote intolerance, xenophobia, racism and other forms of discrimination towards migrants
- (d) Establish mechanisms to prevent, detect and respond to racial, religious and ethnic profiling, as well as systematic instances of intolerance, xenophobia, racism and discrimination in partnership with National Human Rights

- Institutions where they exist, including by tracking and publishing trend analyses, and ensuring migrant access to complaint mechanisms
- (e) Reduce legal and practical barriers for migrants to access national and regional redress mechanisms with a view to promoting accountability and addressing governmental actions related to discriminatory acts and manifestations carried out against migrants and their families
  - (f) Empower migrants, religious and community leaders, as well as educators and service providers at the local level to detect and prevent incidences of intolerance, racism, xenophobia, and other forms of discrimination against migrants and diasporas to promote mutual respect

**OBJECTIVE 18: Invest in skills development and facilitate recognition of skills, qualifications and competences**

33. We commit to invest in solutions that facilitate recognition of skills, qualifications and competences of migrant workers at all skills levels, and promote skills development for the full employability of workers in labour markets in countries of origin and destination.

In this regard, the following actions are instrumental:

- (a) Develop standards for the recognition of foreign qualifications and non-formally acquired skills in different sectors in collaboration with the respective industries with a view to ensuring worldwide harmonization based on existing models and best practices
- (b) Promote compatibility of National Qualifications Frameworks by agreeing on standard criteria, indicators and assessment parameters, and create skills profiling tools and national registries for different skills sets for effective and efficient recognition procedures
- (c) Conclude bilateral, regional or multilateral mutual recognition agreements or include recognition provisions in broader labour mobility or trade agreements in order to provide equivalence in national systems, such as automatic or managed mutual recognition mechanisms
- (d) Use technology and digitalization to evaluate and recognize skills more comprehensively based on formal credentials as well as non-formally acquired competences and professional experience
- (e) Build global skills partnerships amongst countries that strengthen training capacities and foster skills development of workers in countries of origin and destination with a view to preparing trainees for the labour markets of all participating countries
- (f) Engage in bilateral partnerships and programmes that promote skills development and skills circulation, such as student exchange programmes, scholarships, professional exchange programmes and trainee- or apprenticeships in cooperation with relevant stakeholders that provide beneficiaries after successful completion of these programmes the opportunity to seek temporal or permanent employment

- (g) Make available easily accessible and gender-responsive remote or online skills development and matching programmes to migrants at all skills levels, including early and occupation-specific language training, on-the-job training and access to advanced training programmes, to enhance their employability in sectors with demand for labour based on the industry's knowledge of labour market dynamics
- (h) Develop alternative ways to assess skills, including through timely and complementary training to job seekers, mentoring, and internship programmes in order to fully recognize existing credentials and provide certificates of proficiency for the validation of newly acquired skills
- (i) Establish screening mechanisms of credentials and offer information to migrants on how to get their skills and qualifications assessed and recognized prior to departure or at an early stage after arrival to improve employability
- (j) Develop and promote standardized credentials to provide workers and employers with a transparent and comparable overview of skills and qualifications, and ensure the documents' recognition in multiple jurisdictions

**OBJECTIVE 19: Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries**

34. We commit to empower all migrants and diasporas to catalyse their development contributions, and to harness the benefits of migration as a source of sustainable development in our countries.

In this regard, the following actions are instrumental:

- (a) Promote the operationalization of the 2030 Agenda for Sustainable Development by fostering and facilitating the positive effects of migration for the realization of all Sustainable Development Goals
- (b) Promote the operationalization of existing policy guidelines and handbooks on effectively integrating migration into development planning and sectoral policies at regional, national and local levels
- (c) Invest in research on the impact of non-financial contributions of migrants and diasporas to sustainable development in countries of origin and destination, such as knowledge and skills transfer, political participation and cultural exchange, with a view to developing global indicators, and strengthening global policy discussions
- (d) Establish government structures or mechanisms at all levels that facilitate the engagement of migrants and diasporas in their countries of origin, such as dedicated diaspora offices or focal points, diaspora policy advisory boards for governments to account for the potential of migrants and diasporas in migration and development policy-making, and dedicated diaspora focal points in diplomatic or consular missions
- (e) Develop targeted support programmes and financial products that facilitate migrant and diaspora investments and entrepreneurship, including by providing administrative and legal support in business creation, granting seed capital-matching, establish diaspora bonds and diaspora development funds, and organize dedicated trade fairs

- (f) Provide easily accessible information and guidance as well as tailored mechanisms for the coordinated and effective financial, voluntary or philanthropic engagement of migrants and diasporas in humanitarian emergencies in their countries of origin, including by involving consular missions
- (g) Enable political participation and engagement of migrants in their countries of origin, including in peace and reconciliation processes, in elections and political reforms, by establishing voting registries for citizens abroad, and by parliamentary representation
- (h) Facilitate knowledge and skills transfer of migrants and diasporas in their countries of origin by establishing flexible entry and exit modalities, including through granting dual or multiple citizenship or multi-entry visas, and building partnerships between local authorities, local communities and their diasporas, and hometown associations

**OBJECTIVE 20: Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants**

35. We commit to promote faster, safer and cheaper remittances by establishing conducive policy and regulatory environments that enable competition, regulation and innovation on the remittance market and by providing gender-responsive programmes and instruments that enhance the financial inclusion of migrants and their families.

In this regard, the following actions are instrumental:

- (a) Develop a roadmap to reduce the transaction costs of migrant remittances to less than 3 per cent and eliminate remittance corridors with costs higher than 5 per cent by 2030 in line with existing commitments
- (b) Promote and support IFAD's International Day of Family Remittances and the Global Forum on Remittances, Investment and Development as the platform to build and strengthen partnerships for innovative solutions on cheaper, faster and safer transfer of remittances with all relevant stakeholders
- (c) Harmonize remittance market regulations and increase the interoperability of remittance infrastructure along corridors by ensuring that measures to combat illicit financial flows and money laundering do not impede migrant remittances
- (d) Establish conducive policy and regulatory frameworks that promote a competitive and innovative remittance market, remove obstacles to non-bank remittance service providers in accessing payment system infrastructure, provide tax exemptions or incentives for remittance transfers, eliminate exclusivity contracts, incentivize the private sector to expand remittance services, and enhance the security and predictability of low-value transactions by revising de-risking policies and developing a methodology to distinguish remittances from illicit flows, in consultation with remittance service providers and financial regulators
- (e) Develop innovative technological solutions for remittance transfer, such as mobile payments, digital tools or e-banking, to reduce costs, improve speed, enhance security, increase transfer through regular channels and open up distribution channels to underserved populations, including in rural areas

- (f) Provide accessible information on remittance transfer costs by provider and channel, such as comparison websites, in order to increase the transparency and competition on the remittance transfer market and promote financial literacy and inclusion of migrants and their families
- (g) Develop programmes and instruments to promote investments from remittance senders in local development and entrepreneurship in countries of origin, such as through matching- grant mechanisms, municipal bonds and partnerships with hometown associations, in order to enhance the transformative potential of remittances beyond the individual households
- (h) Provide access to and develop banking solutions and financial instruments for migrants, including low-income households, such as bank accounts that permit direct deposits by employers, savings accounts, loans and credits in cooperation with the banking sector

**OBJECTIVE 21: Cooperate in facilitating dignified and sustainable return, readmission and reintegration**

36. We commit to cooperate for safe, human rights-based and dignified return and readmission, ensuring that our returning nationals are duly received, as well as upholding the prohibition of collective expulsion and the preference of voluntary return over forced deportation. We further commit to create conducive conditions for personal safety, economic empowerment, inclusion and social cohesion in communities, in order to ensure that reintegration of migrants upon return to their countries of origin is sustainable.

In this regard, the following actions are instrumental:

- (a) Develop bilateral, regional and multilateral cooperation frameworks ensuring that return and readmission of migrants to their own country is fair, dignified and in full compliance with international human rights law, and that they also include provisions that facilitate sustainable reintegration
- (b) Enhance cooperation on identification of nationals and issuance of travel documents for return and readmission in cases of persons that do not have the legal right to stay on another State's territory, by establishing reliable and efficient means of identification of own nationals through the addition of biometric identifiers in population registries, and by digitalizing civil registry systems, with full respect to the right to privacy and protection of personal data
- (c) Foster institutional contacts between consular authorities and border officials from countries of origin and destination, and guarantee consular attention to returnees by facilitating access to documentation, travel documents, pre-return assistance, and other services, in order to ensure predictability, safety and dignity in return and readmission
- (d) Promote assisted voluntary return and reintegration programmes, in preference to forced returns, guaranteeing that all voluntary returning migrants are fully informed of their return and reintegration process
- (e) Ensure that return decisions are carried out by competent authorities and removal orders follow an individualized assessment of the circumstances that may weigh against the expulsion, such as risks of torture or other irreparable harm, in compliance with due process guarantees



- (f) Establish or strengthen monitoring and oversight mechanisms on return, readmission and reintegration in partnership with relevant stakeholders in order to provide recommendations on ways and means to enhance safety, dignity and sustainability
- (g) Ensure that a parent or legal guardian accompanies children, who should only be returned after a best interests of the child determination, throughout the return process, and that there is clarity about reception and care arrangements of children in countries to which they are being returned
- (h) Provide information, as well as gender-responsive legal, social and financial support to returnees both at the departure and arrival point, and ensure sustainable reintegration in order to avoid they become displaced internally upon return
- (i) Facilitate the reintegration of returning migrants into community life by providing them equal access to social protection and services, psycho-social assistance, vocational training, employment opportunities, recognition of skills acquired abroad, and financial services, in order to fully build upon their entrepreneurship, skills and human capital as active members of society
- (j) Identify and address the needs of the communities to which migrants return by including respective provisions in national and local development strategies, infrastructure planning, budget allocations and other relevant policy decisions

**OBJECTIVE 22: Establish mechanisms for the portability of social security entitlements and earned benefits**

37. We commit to assist migrant workers at all skills levels to have access to social protection in countries of destination and profit from the portability of social security entitlements and earned benefits in their countries of origin or when they decide to take up work in another country.

In this regard, the following actions are instrumental:

- (a) Establish or maintain non-discriminatory national social protection systems, including social protection floors for nationals and migrants, in line with the ILO Recommendation 202 on Social Protection Floors
- (b) Develop bilateral, regional or multilateral agreements on the portability of earned benefits for migrant workers at all skills levels, which specify the social protection floor, relevant social security entitlements and provisions, such as pensions and healthcare, and measures to address the difficulties women face in accessing social protection
- (c) Conclude bilateral or multilateral social security agreements to ensure the portability of social security entitlements and benefits, including pensions, medical and life insurance, or integrate such provisions into trade agreements, as well as agreements on long-term and temporary labour migration
- (d) Integrate provisions on the portability of entitlements and earned benefits into national social security frameworks, designate focal points in countries of origin, transit and destination that facilitate portability requests from migrants, and establish dedicated instruments, such as migrant welfare funds in countries of origin that support migrant workers and their families

## IMPLEMENTATION

38. For the effective implementation of the Global Compact, we require concerted efforts at global, regional, national and subnational levels, including a coherent United Nations system.
39. We commit to take the necessary steps to bring our national actions and cooperation frameworks at all levels in line with the objectives and actionable commitments herein, taking into account our countries' specific migration realities and priorities.
40. We decide to establish a capacity-building mechanism that allows Member States, the United Nations and other stakeholders, including the private sector and philanthropic foundations, to contribute technical, financial and human resources in order to strengthen capacities of national and subnational authorities on migration.
41. We also commit to implement the Global Compact in cooperation and partnership with civil society, migrant and diaspora organizations, cities and local communities, the private sector, trade unions, parliamentarians, National Human Rights Institutions, academia, and the media.
42. We appreciate consultations of the Secretary-General to ensure that the United Nations system is fully positioned to respond promptly and effectively in supporting the implementation of the Global Compact, drawing on existing expertise and ensuring operational deliverables in response to the needs of Member States. In this regard, we request the Secretary General to:
  - (a) Align and review the set-up of the United Nations system on migration with the ongoing management and development system reform initiatives in order to ensure system-wide coherence
  - (b) Build on the technical expertise and experience of relevant agencies within the United Nations system to support the efforts of Member States in the implementation of the objectives and actionable commitments of the Global Compact
  - (c) Strengthen the role of the International Organization for Migration in the United Nations system for the full and effective implementation of the Global Compact
  - (d) Employ the technical expertise of the Regional Economic Commissions and the United Nations Country Teams to support the implementation efforts of Member States at regional and national levels respectively
43. Further recognizing the important role of State-led processes and platforms at global and regional levels in advancing the international dialogue on migration, we invite the Global Forum on Migration and Development, Regional Consultative Processes and other global, regional and sub regional fora to provide platforms to exchange experiences on the implementation of the Global Compact, share good practices on policies and cooperation, promote innovative approaches, and foster multi-stakeholder partnerships around specific policy issues.

## FOLLOW-UP AND REVIEW

44. We commit to track and monitor the progress made in implementing the Global Compact in the framework of the United Nations. For follow-up and review, we agree on intergovernmental measures that will assist us in fulfilling our actionable commitments.
45. Considering that international migration requires a forum at global level through which Member States can review the implementation progress and guide the direction of the United Nations' work, we decide that:
  - (a) The High-level Dialogue on International Migration and Development, currently scheduled to take place every fourth session of the General Assembly, shall be repurposed and renamed "International Migration Review Forum"
  - (b) The International Migration Review Forum shall serve as the primary global platform for Member States to discuss and share progress on the implementation of the Global Compact
  - (c) The International Migration Review Forum shall take place in 2022, 2026 and 2030
  - (d) We will determine, in 2026, which specific measures will further strengthen the global governance of international migration, including whether to hold a review conference of the Global Compact in 2030
  - (e) Each edition of the International Migration Review Forum will result in a Progress Declaration
46. Considering that most international migration takes place within regions, we also decide that:
  - (a) Each region will convene a Regional Migration Review Forum, to take place in 2020, 2024 and 2028
  - (b) The Regional Migration Review Forum shall serve as the primary regional platform for Member States from each of the corresponding regions to discuss and share progress on the implementation of the Global Compact at the regional level
  - (c) Each of the United Nations Regional Economic Commissions shall organize the respective Regional Migration Review Forum, in close consultation with relevant regional organizations
47. Recognizing the important contributions of State-led initiatives on international migration, we invite fora, such as the Global Forum on Migration and Development, Regional Consultative Processes, and others to contribute to the International Migration Review Forum as well as the Regional Migration Review Fora by providing data, evidence, best practices, innovative approaches and recommendations as they relate to the implementation of the Global Compact for Safe, Orderly and Regular Migration.