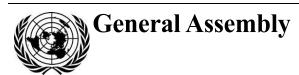
United Nations A/72/643



Distr.: General 12 December 2017

Original: English

#### **Seventy-second session**

Agenda items 14 and 117

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Follow-up to the outcome of the Millennium Summit

# Making migration work for all

#### Report of the Secretary-General

#### Summary

The present report has been prepared pursuant to General Assembly resolution 71/280, in which the Assembly requested the Secretary-General to present a report as an input to the zero draft of the global compact for safe, orderly and regular migration and related intergovernmental negotiations. Written submissions were received from States, intergovernmental organizations and non-governmental organizations in response to a note verbale requesting information, sent on 21 July 2017, on behalf of the Secretary-General, from the office of the Special Representative of the Secretary-General for International Migration.

The report focuses on making migration work for all, emphasizing its links to the 2030 Agenda for Sustainable Development. The report highlights: (a) options for Member States to help migrants fulfil their economic and social potential; (b) steps to promote regular migration; and (c) policies to meet the legitimate security considerations of Member States concerning irregular migration. It also explores the specific challenges arising from large mixed movements of migrants and refugees.

The report offers suggestions for Member States to frame an action-oriented global compact, addressing aspects of migration from the subnational to the global level and a specific strategy for responding to large movements of migrants. The Secretary-General also sets out plans to conduct intensive consultations within the United Nations system to address how the Organization can adapt to provide better support for the global compact and sets out proposals for follow-up to the compact by Member States.





#### I. Introduction

#### A. Migration and the urgency of international cooperation

- 1. Managing migration is one of the most urgent and profound tests of international cooperation in our time. Migration is an engine of economic growth, innovation and sustainable development. It allows millions of people to seek new opportunities each year, creating and strengthening bonds between countries and societies. Yet it is also a source of divisions within and between States and societies, often leaving migrants vulnerable to abuse and exploitation. In recent years, large movements of desperate people, including both migrants and refugees, have cast a shadow over the broader benefits of migration. It is time to reverse those trends, to recommit to protecting lives and rights of all migrants and to make migration work for all.
- 2. The drafting of the global compact on safe, orderly and regular migration, to be adopted in 2018, is an opportunity for Member States to reinforce the benefits of migration, and to bring the challenges it creates under control. Member States have made numerous relevant commitments in an extensive body of international law, including the core human rights instruments and standards, and in multiple recent declarations and agreements. But all too often, policy implementation lags behind the ambitions of Member States. The global compact offers a chance to bridge this divide.
- 3. The time for debating the need for cooperation in this field is past. Migration is an expanding global reality. There are an estimated 258 million international migrants.<sup>2</sup> The majority of these migrants move between countries in a safe, orderly and regular manner. The United Nations calculates that the total number of international migrants has grown by 49 per cent since 2000, surpassing the global population growth rate of 23 per cent.<sup>3</sup> As a result, migrants have gone from 2.8 per cent to 3.4 per cent of the world's population.<sup>3</sup> It is probable that demographic trends, coupled with forces such as the impacts of climate change, will contribute to a further increase in migration in the future.
- 4. Reflecting on the consultation phase of the global compact process, and submissions from Member States, elements of the United Nations system and a wide

See the report of the United Nations High Commissioner for Human Rights to the Human Rights Council on the compendium of principles, good practices and policies on safe, orderly and regular migration in line with international human rights law (A/HRC/36/42): see also the 2013 High-level dialogue on International Migration and Development; the United Nations Framework Convention on Climate Change; the Sendai Framework for Disaster Risk Reduction 2015–2030; the New Urban Agenda; the 2030 Agenda for Sustainable Development; the New York Declaration for Refugees and Migrants; and the Sustainable Development Goals.

<sup>3</sup> United Nations, Department of Economic and Social Affairs, Population Division, *Trends in International Migrant Stock: The 2017 Revision* (POP/DB/MIG/Stock/Rev.2017).

<sup>&</sup>lt;sup>2</sup> Utilizing the definition given by the Department of Economic and Social Affairs of the United Nations Secretariat, which includes 25.9 million refugees and asylum seekers, representing 10.1 per cent of all international migrants. See Department of Economic and Social Affairs, Population Division, *Trends in International Migrant Stock: The 2017 Revision* (POP/DB/MIG/Stock/Rev.2017). There is as yet no agreed definition of the term international migrant. However, in all instances, the data on the number of migrants are incomplete. The United Nations relies on the statistical data provided by the Department of Economic and Social Affairs and, unless otherwise indicated, that is what is referred to in the present report. For examples of the differing definitions see United Nations, Department of Economic and Social Affairs, Statistics Division, *Recommendations on Statistics of International Migration, Revision 1*, Statistical Papers, Series M, No. 58, Rev.1 (United Nations publication, Sales No. E.98.XVII.14), p. 9; International Organization for Migration (IOM), *Key Migration Terms* (https://www.iom.int/key-migration-terms); and International Labour Organization (ILO), *Fair migration agenda* (http://www.ilo.org/global/topics/labour-migration/fair-migration-agenda/lang--en/index.htm).

array of stakeholders, I believe that Member States should keep the following four fundamental considerations in view while preparing for the adoption of the global compact:

- (a) The basic challenge before us is to maximize the benefits of migration rather than obsess about minimizing risks: we have a clear body of evidence revealing that, despite many real problems, migration is beneficial both for migrants and host communities in economic and social terms our overarching task is to broaden the opportunities that migration offers to us all;
- (b) We must strengthen the rule of law at all levels: migrants should respect the need for legal pathways, and move between countries in an orderly fashion, but to make this possible, Governments need to open routes for regular migration that respond to the realities of labour demand and supply and we must always maintain our commitment to international law and human rights;
- (c) Security matters: States and the members of the public have legitimate reasons to demand secure borders and the capacity to determine who enters and stays on in their territory, but counterproductive policies aimed at restricting migration corrode the ability of States to deliver on these priorities, and make migrants more vulnerable. I am concerned that such policies have become too common in recent years. We need to envision security in terms that mutually reinforce the safety of States, the public and migrants;
- (d) Migration should never be an act of desperation: migration works for all when those who travel make an informed and voluntary choice to go abroad through legal means, but we have seen too many migrants on the move in large numbers in response to unsustainable pressures in their home countries in recent years. We should use all the developmental, governance and political tools at our disposal to prevent and mitigate the human and natural forces that drive such large movements of people, but we should also recognize that we have a duty to care for those who migrate out of desperation.
- 5. In the light of these four considerations, Member States must act together to protect the human rights of migrants and expand pathways for safe, orderly and regular migration, while safeguarding their borders, laws and the interests of their societies. National authorities are responsible for defining effective responses to migration, but no State can address the issue alone. Individual Governments can set the terms for access to their territory and the treatment of migrants within their borders subject to international legal obligations but they cannot unilaterally override the economic, demographic, environmental and other factors that shape migration and will continue to do so, including in ways we do not yet fully anticipate. Migration, as noted in the New York Declaration for Refugees and Migrants (see resolution 71/1), demands global approaches and solutions.
- 6. The Sustainable Development Goals, contained in the 2030 Agenda for Sustainable Development (see resolution 70/1), recognize the importance of migration in reducing inequality within and between States. In addition to addressing economic and social disparities, migration is also tied to our commitment to gender equality. It is often assumed that the vast majority of migrants are men. Yet 48 per cent of all migrants are female, exercising agency in their own right. I urge Member States to ensure that the global compact recognizes the contributions of migrant women and addresses their role, needs and vulnerabilities in full.

17-22391 3/**20** 

#### B. Structure of the report

- 7. The present report is split into five main sections: in section II, I make some observations about the need to ensure a respectful and realistic debate about migration in the face of many inaccurate narratives about its consequences; section III addresses the main tasks involved in making migration work for all, including helping migrants to fulfil their economic and social potential, promoting regular migration and addressing the legitimate security considerations of Member States concerning irregular migration; and section IV explores the specific policy challenges arising from large mixed movements of migrants and refugees.
- 8. Section V of the report discusses the implementation of the global compact, the types of commitments that Member States could make in the global compact and lays out a potential strategy for responding to large movements of migrants, which Member States could adopt as an integral part of the global compact and as a complement to the global compact on refugees, which is also to be adopted in 2018. In section VI, I put forward plans to launch intensive consultations through 2018 to prepare the United Nations system, including the International Organization for Migration (IOM), to provide effective support to Member States on migration issues, touching on improvements to intergovernmental oversight of migration, and I propose initial suggestions for mechanisms to assist Member States in follow-up after the adoption of the global compact.

# II. The need for a respectful and realistic debate about migration

- 9. Before moving on to a discussion of policy issues, it is necessary to make some basic comments on the importance of respectful and realistic debates around migration. We must sadly acknowledge that xenophobic political narratives about migration are all too widespread today. We must not allow these to distort our agenda. I applaud the New York Declaration adopted by the Member States, and in particular for addressing the issue in positive terms. Progress towards resolving real challenges associated with migration means, in part, dispelling alarmist misrepresentations of its effects. Political leaders must take responsibility for reframing national discourses on the issue, as well as for policy reforms.
- 10. In this context, we need to be realistic about how migration happens and how migration policies work. It is tempting, for example, to make a binary division between regular and irregular migrants. Yet regular migrants range from individuals on short-term work or student visas to permanent residents of foreign countries, and those who acquire a new citizenship. Likewise, there is a spectrum of irregular migration, from overstaying a visa to deliberate efforts to undermine border controls. Possible responses to irregular migrants similarly lie on a spectrum from returns to temporary visa schemes and creating pathways to citizenship. There is no one single answer, just as there is not one singular problem to solve. Member States need to apply this spectrum of options flexibly in dealing with the specific situations they face.
- 11. We should reinforce more realistic policy debates with better data about migration. During the consultation phase of the global compact process, Member States have often noted the need for better data, including information on migrants and their effects on host communities, to assist policy development. The global compact should create an impetus for gathering such data, and I believe that the United Nations system can play a central role in this process.

- 12. Data cannot, however, fully capture what is at stake in current debates on migration. While migration is a universal phenomenon, different States and members of the public have divergent perspectives on its benefits and costs. For some, it is mainly an economic issue. For others, it is a matter of identity and security. Migration management encompasses tasks ranging from engaging with well-established communities of foreign workers to handling large mixed movements of refugees and migrants in vulnerable situations. Member States need to respect and respond to each other's specific priorities and challenges.
- 13. We must also show respect for communities that fear they are "losing out" because of migration. While there is powerful evidence that migrants are of significant benefit to both their host countries and their countries of origin, we cannot be blind to citizens' perceptions and concerns. Communities blighted by inequality and economic deprivation frequently blame migration for their troubles. While it is necessary to explain why such views are mistaken, it is essential to address the underlying vulnerabilities and fears of all citizens so that we can make migration work for all.
- 14. In this context, we should also recognize the wide range of stakeholders that shape migration processes alongside Member States. These include subnational authorities, notably the governments of major cities that host large numbers of migrants, as well as businesses, trade unions and civil society actors. These stakeholders are directly involved in integrating migrants into our economies and societies, and are frequently among the most creative and ambitious sources of new ideas and initiatives for managing migration.
- 15. Migrants themselves must have a voice in this debate. Migrants include leaders in fields ranging from finance to the arts and academia, women and men alike, who can articulate and drive innovative policies. We have an obligation, too, to listen to the needs of even the poorest and most vulnerable migrants with respect. This report, by its very nature, has a focus on options for Member States and the United Nations system, but constructive conversations on migration must include all relevant actors, by definition including migrants.
- 16. More specifically, I am conscious that migration can offer particularly important opportunities for women, although female migrants face significant and specific challenges. I will return to links between migration and gender equality throughout the report, but it is clear that gender equality and the empowerment of women and the protection of their rights should be core principles in all United Nations policies. I urge Member States to ensure that the global compact recognizes the contributions and the leadership of migrant women.
- 17. Child migrants also deserve special attention. A great many migrant children, who experience violence, abuse and exploitation, are held in detention centres and deprived of education. Those who are separated from their families are often let down by weak guardianship systems and a lack of other options to protect them. Authorities can be slow to determine their status or assess their best interests, and sometimes they fail to do so altogether. I urge Member States to address the policies and practices that put migrant children in danger as one priority of the global compact.
- 18. A final way to promote more respectful discussions regarding migration is to avoid dehumanizing language. Pejorative talk of "illegal immigrants" blocks reasoned discussions about the motives and needs of individuals. Even objective analyses fall back on terminology that, while meant to be neutral, lack respect. Statisticians use "stocks" and "flows" to signify the number of migrants in a country and those on the move, for example, and do not intend these terms to have negative connotations. Yet when we use these words in public discourse, we risk reducing humans to mere data points. We should aim to discuss migrants in terms that respect

17-22391 **5/20** 

their dignity and rights, just as we must respect the needs and views of communities affected by migration.

# III. Maximizing the benefits of migration for all

19. In contrast to the negative narratives and stereotypes common to discussions about migration, the global compact should lay out a positive agenda that emphasizes the benefits of migration for all. Echoing the first three of the four fundamental considerations set out above (see paras. 4 (a)–(d)), I believe that such an agenda should focus on helping migrants fulfil their economic and social potential, promoting regular migration and addressing the valid security concerns of States regarding irregular migration.

#### A. Enabling migrants to achieve their potential

- 20. The global compact will be key to achieving the call contained in Sustainable Development Goal 10, to facilitate orderly, safe, regular and responsible migration and mobility of people, including through "planned and well-managed migration policies", as part of a wider push to reduce inequality within and between States. Migrants make positive contributions to both their host and home countries. Financially, migrants, including irregular migrants, contribute by paying taxes and injecting around 85 per cent of their earnings into the economies of host societies. The remaining 15 per cent is sent back to communities of origin through remittances. In 2017, an estimated \$596 billion was transferred in remittances globally, with \$450 billion going to developing countries. Remittances add up to three times the total of official development assistance. Empirical studies have established that migrants often take jobs that people in local labour forces do not wish to fill, and thus boost economic activity, creating more jobs. Migrants, who are more likely to be of working age than the general population, generally contribute more in taxes than the cost of the services that they receive in return from host States.
- 21. Migrants offer expertise and entrepreneurship that benefit their host societies, and migration is linked to improvements in skills and education in countries of origin. Migrants and returnees share ideas and inspire others to raise their economic

<sup>&</sup>lt;sup>4</sup> Goal 10 of the 2030 Agenda for Sustainable Development calls for reducing inequality within and among countries, including by facilitating "orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies".

International Fund for Agricultural Development (IFAD), Sending Money Home: Contributing to the SDGs, One Family at a Time, June 2017.

World Bank, Global Knowledge Partnership on Migration and Development, "Migration and Remittances: Recent Developments and Outlook", Migration and Development Brief 28, October 2017, World Bank, Washington, D.C. (http://www.knomad.org/sites/default/files/2017-12/Migration%20and%20Development%20Report%2012-14-17%20web.pdf).

<sup>&</sup>lt;sup>7</sup> Constant, A. F., "Do migrants take the jobs of native workers?", IZA World of Labor, May 2014.

United Nations, Department of Economic and Social Affairs, Population Division, "Trends in international migration", December 2015, No. 2015/4 (http://www.un.org/en/development/desa/population/migration/publications/populationfacts/docs/MigrationPopFacts20154.pdf).

Organization for Economic Cooperation and Development, 2013, International Migration Outlook 2013 (http://www.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2013\_migr\_outlook-2013-en).

ambitions.<sup>10</sup> Diaspora communities can be bridge-builders between States through philanthropy, investments and innovation in their countries of origin.

- 22. The benefits of migration are not necessarily consistent. Contrary to many assertions, the presence of migrants does not have a long-term negative effect on the wages of other workers in their host countries. But where large numbers of migrants rapidly enter a labour market, they may have a short-term destabilizing impact on jobs and wages. <sup>11</sup> National migration policies should be attentive to the needs of local communities and labour forces.
- 23. The main obstacles to migrants making their maximum possible economic and social contributions are restrictive or ineffectual labour policies, laws and employment customs. Where labour migration is poorly governed, migrants can struggle to find decent work. Low-wage migrants often face dangerous working conditions, exploitative contracts and violations of their labour and other rights.
- 24. In some cases, migrants are trapped in sponsorship-based employment schemes dependent on a single employer, or have to bear exorbitant recruitment costs, including the fees paid to a recruiter or agent, transport costs and visa and passport fees, which can result in bonded labour and situations akin to modern slavery.
- 25. Where immigration and labour laws limit their options for decent, regular work, there is a high risk that migrants will choose to live and work in an irregular manner, entering into the informal economy. This increases their exposure to exploitation and rights violations, and they have little or no chance of redress. Latest estimates suggest that 23 per cent of the 24.9 million people in forced labour worldwide are international migrants while they constitute only an estimated 3.4 per cent of the world's population.<sup>12</sup>
- 26. Migrant workers of all types are often excluded from even basic coverage by social protection instruments and schemes. Many migrants contribute to social security programmes but do not receive any corresponding benefits owing to national restrictions, and sometimes they cannot access their benefits once they return home. Financial and practical barriers also make sending remittances home unconscionably costly, especially for poorer migrants. Migrant workers thus lose vast sums of money that could otherwise have gone to their families and communities.
- 27. In the meantime, countries from which large numbers of skilled workers emigrate may struggle to fill the resulting gaps in their own labour markets, although some academic studies have concluded that the overall damage of "brain drain" is less than is often assumed. Remittances, the transfers of skills and ideas, the building of networks and the opening of export markets tend to outweigh the temporary loss of workers. Nonetheless, Member States should explore ways to maximize this "brain gain". One promising idea is the creation of skills partnerships, by which Governments or employers in one country could fund the training of individuals in another to fill their specific labour markets gaps (for example in the field of nursing). This would not only equip migrants for success but also have

17-22391 7/20

-

Novanga L. Kone, Çağlar Özden, "Brain Drain, Gain, and Circulation", Global Knowledge Partnership on Migration and Development, Working Paper 19, March 2017 (https://www.knomad.org/sites/default/files/2017-04/KNOMAD%20WP19\_Brain%20 Drain%20gain%20and%20circulation.pdf).

McKinsey Global Institute, "People on the move: Global migration's impact and opportunity", December 2016.

<sup>&</sup>lt;sup>12</sup> International Labour Organization (ILO), Global Estimates of Modern Slavery: Forced Labour and Forced Marriage, International Labour Office, Geneva, 2017.

Michael A. Clemens, "Global Skill Partnerships: a proposal for technical training in a mobile world", *IZA Journal of Labor Policy*, January 2015 (https://link.springer.com/article/10.1186%2Fs40173-014-0028-z).

benefits for their countries of origin financially and in terms of skills. It would also create a framework for "brain circulation," with those who receive training eventually returning home to share their expertise.

- 28. Women migrants make significant contributions to both countries of origin and destination. The labour force participation of female migrants is 67 per cent, (far above the global average of 51 per cent for women) even though women migrants often face more limited employment options than men. <sup>14</sup> Female migrants tend to remit home a higher percentage of their earnings than men. <sup>15</sup> Nonetheless, some societies place significant obstacles to women travelling abroad in search of opportunities, and female migrants often face discrimination once abroad. This ranges from technical obstacles, such as work visa regimes that do not allow time off for maternity leave, to sexual and gender-based violence.
- 29. Migration is often associated with rapid urbanization, as growing cities demand more workers. Just as most people worldwide now live in cities, the majority of migrants are also based in urban areas. <sup>16</sup> Many urban authorities and communities have been pioneers in integrating migrants. Nevertheless where urbanization is uncontrolled, overloading services and fuelling social tensions, migrants fall through the gaps along with people in other insecure sectors of the population.
- 30. If the economic and social benefits of migration are clear, so are the recurrent challenges to achieving them. It is essential to recognize that national and subnational authorities have the power to resolve or mitigate these challenges through their policy choices. Where Member States take "whole-of-government" approaches to migration, including clearly identifying specific labour market needs for foreign workers, reducing recruitment costs and legal and administrative policies to integrate migrants, both host communities and migrants benefit. Such approaches need to be undertaken in consultation with the private sector, trade unions and other social partners to maximize their economic impact and public support. If Governments cooperate more effectively on meeting labour requirements and reducing the costs of remittances, they can share the benefits across borders. The global compact is a chance for Member States to set out practical approaches to maximizing the positive potential of migration, and, where necessary, to ask for, and offer, the technical assistance, resources and partnerships required to implement them.
- 31. While affirming the link between migration and development, it is necessary to challenge the idea that high-income States can reduce migration from low-income States simply by increasing development assistance. This assumes that as States grow wealthier, fewer citizens will feel the need to look for opportunities abroad. Recent studies suggest that the relationship between aid flows and migration is not so straightforward or linear. <sup>17</sup> International development is a good in its own right, and migration is an integral part of sustainable development globally.

<sup>14</sup> ILO, Global estimates on migrant workers: results and methodology, International Labour Office, Geneva, 2015.

<sup>&</sup>lt;sup>15</sup> See Anjali Fleury, "Understanding Women and Migration: A Literature Review", Global Knowledge Partnership on Migration and Development, Working Paper 8 (http://atina.org.rs/sites/default/files/KNOMAD%20Understaning%20Women%20and%20Migration.pdf).

<sup>&</sup>lt;sup>16</sup> See, for example, International Organization for Migration (IOM), World Migration Report 2015: Migrants and Cities, New Partnerships to Manage Mobility (http://publications.iom.int/system/files/wmr2015\_en.pdf) and the report of the International Dialogue on Migration: Conference on Migrants and Cities, Geneva, October 2015 (http://www.iom.int/sites/default/files/our\_work/ICP/IDM/RB-25-CMC-Report\_web-final.pdf).

<sup>&</sup>lt;sup>17</sup> See, for example, Michael A. Clemens, "Does Development Reduce Migration?", IZA Discussion Paper No. 8592 (http://ftp.iza.org/dp8592.pdf).

#### B. Promoting regular migration

- 32. Tens of millions of migrants in the world today have either entered a foreign country in an unauthorized manner or, having entered legally, stay or work without the necessary authorization or documents required under immigration or labour regulations. Some of their infringements (such as briefly overstaying a visa) are relatively minor. But other irregular migrants challenge the laws and authorities of States by, for instance, using falsified documents or otherwise circumventing legal entry requirements. This hurts States and migrants alike. States have a responsibility to control access to their territory. As a result of their status, irregular migrants face hardships that they are ill-equipped to address.
- 33. These issues have generated international tensions, as some countries of origin of irregular migrants have refused to cooperate with the efforts of destination countries to repatriate them. These disputes over returns can leave some migrants effectively at risk of statelessness, and the loss of trust between Member States is an obstacle to efforts to find global solutions to the challenges of migration.
- 34. Maximizing the benefits of migration will be hard to achieve without a constructive approach to irregular migration. The incidence of irregular migration is increased in countries where there is demand for labour that domestic workers cannot satisfy, but insufficient legal pathways for foreign workers to meet the demand. Poverty or lack of work at home also drive people to risk irregular migration even if, as I have noted, they may have to work in substandard conditions in informal economies.
- 35. In recent years, irregular migration has become a more acute problem due to large movements of people in different parts of the world. I return to this phenomenon in section IV below, as it raises distinct policy challenges. Nonetheless, Member States also need to respond to the broader challenge of irregular migration.
- 36. At a strategic and long-term level, Member States should make a collective effort to expand and strengthen pathways for regular migration to match the realities of labour market needs, including anticipating future demographic trends and future demands for labour. More immediately and locally, Member States and subnational authorities should take pragmatic actions, including regularization initiatives, to address the presence of irregular migrants within their societies.
- 37. The broad case for boosting regular migration is straightforward. If Member States open more diverse and accessible pathways for regular migration at all skills levels, meeting the demands of properly managed labour markets, combined with inter-State cooperation on matching the supply and demand for foreign workers, there would be fewer irregular border crossings, fewer migrants working outside the law and fewer abuses of irregular migrants. This process would allow migrants to fulfil their potential, help Member States to bring informal economic activities involving migrants under control and allow Governments to ensure public faith in their capacity to manage borders. At the inter-State level, cooperation will be enhanced if: (a) destination countries for migrants adjust legal entry requirements; and (b) countries of origin reciprocally facilitate returns.
- 38. In addition to linking regular migration to labour market needs, Member States should also assess the need for legal pathways for family formation and reunification. Family reunification accounts for a large share of regular migration in many countries and it is a positive means of upholding the right to family life and promoting social

<sup>18</sup> Joseph Chamie, "Understanding Unauthorized Migration", *Inter Press Service*, New York, 15 November 2016.

17-22391 **9/20** 

\_

integration. Efforts to restrict this result in more irregular migration, with detrimental consequences for all family members.

- 39. While I believe that Member States should work on expanding legal pathways as a matter both of sound policy and principle, national and subnational authorities need to consider pragmatic and rights-based options for managing irregular migrants within their borders. While voluntary return or even forced return are options, they will often not be desirable or even feasible. I am concerned that, in a period in which many countries are implementing increasingly restrictive border management measures and may see returns as a deterrent to irregular migration, authorities risk breaching their basic human rights obligations. Return efforts are expensive, difficult to effectively implement and problematic to carry out at scale in accordance with human rights law. It is not clear that returns have their supposed deterrent effect. The limited data on the effectiveness of return programmes suggest that if they are not coupled with robust reintegration programmes, and where root causes for irregular migration persist, migrants, including those previously returned, will still undertake perilous journeys. 19
- 40. Particularly when irregular migrants have been long established in a country, and follow the law other than with regard to their status, alternative avenues to return are vastly preferable. There is no one-size-fits-all approach. As I have noted, there is a spectrum of options for addressing irregular migrants, and Member States must decide which are best suited to their circumstances. This spectrum includes, but is not limited to: (a) facilitating access to health, education, housing and other services on a non-discriminatory basis, regardless of nationality; (b) issuing temporary stay permits for work, study or humanitarian purposes; (c) offering permanent residency; or (d) creating pathways to citizenship.
- 41. Such policies are sometimes controversial, but they are grounded in sound public policy regarding public health and education, among other issues, and ultimately foster social inclusion and the advancement of the rule of law. Member States must calibrate their policy choices in the light of national legal traditions, labour market issues and local considerations. Nonetheless, some degree of regularization is virtually always preferable to a situation in which irregular migrants are marginalized and authorities cannot account for them.

#### C. Cooperative security arrangements for well managed migration

- 42. While emphasizing migration's benefits, we must recognize that it is inextricably tied to the legitimate concern of States over: (a) control of access to their territory; and (b) regulating behaviour within their borders. Travellers of all types accept the need to submit to border checks and visa regimes regarding their identity and the purpose of their travel. While most of this procedure is administratively routine, part of it engages the State security apparatus more directly. Properly understood, security involves three interrelated dimensions: State security, public safety, and human security. With regard to migration, all three dimensions are engaged.
- 43. It is profoundly misguided, however, to treat migration itself as a threat. I am concerned that we have seen an increase in short-term and reactive security approaches to migration, such as setting up systems to detain migrants in transit

World Bank Group, Global Partnership on Migration and Development, "Migration and Remittances: Recent Developments and Outlook: Special Topic: Return Migration", Migration and Development Brief 28, October 2017, chap. 3, p. 15 (http://www.knomad.org/publication/migration-and-development-brief-28).

countries, that are: (a) ill-advised and unsustainable; (b) put the safety of migrants in peril; and (c) risk being counter-productive on their own terms.

- 44. Another symptom of this disturbing trend has been increased recourse to administrative detention of migrants as a measure with deterrent intent. <sup>20</sup> This is often undertaken without adequate guarantees and at the expense of less coercive measures, resulting in migrants, including children, being exposed to arbitrary and punitive measures. Migrants in detention can be exposed to overcrowding, poor sanitary facilities and violence. They frequently lack access to medical care, information or legal aid. I naturally share the expression of concern contained in the New York Declaration for Refugees and Migrants about the detention of children. <sup>21</sup> Even if this is only for short periods of time, it has grave and lasting effects on a child's mental health and development, and always contravenes the principle of the best interest of the child. <sup>22</sup> For adults, while detention for a brief period in the course of proceedings for the control of immigration may sometimes be justified, it should only be undertaken when necessary and proportionate in the light of individual circumstances.
- 45. State and public security considerations have not, in fact, featured prominently in the wide-ranging consultation process in the preparation phase of the global compact. Instead, there has been an emphasis on the need to assist "migrants in vulnerable situations", for example, those who have faced sexual and gender-based violence, abuse and exploitation, hunger and a lack of personal security during the migratory process.<sup>23</sup> Thousands of migrants disappear while in transit every year. Appropriately, consultations on human trafficking and smuggling have highlighted the human security aspect of the issues in particular, encouraging States to focus on the plight of victims, as well as increasing their cooperative law enforcement arrangements.
- 46. The global compact should reinforce international cooperation on security aspects of migration such as compatible border control mechanisms, including the standardization of identification documents, shared intelligence and related policies. Second, security will be enhanced by policies that foster inclusion, respect for human rights and the rule of law. Recourse to repressive policies that validate unfounded suspicions of foreigners, such as racial, religious or ethnic profiling, do nothing to promote the objective of safe and orderly migration. Rather, they increase the vulnerabilities of all migrants and poison public opinion against the beneficial aspects of migration, rendering its management unnecessarily difficult.

# IV. The challenge of large movements of people

47. Even though most migrants travel in a safe and orderly fashion, a series of large movements of people in different parts of the world, involving both refugees and

<sup>20</sup> See A/HRC/35/25, report of the Special Rapporteur of the Human Rights Council on the human rights of migrants on a 2035 agenda for facilitating human mobility.

17-22391 11/20

20

<sup>&</sup>lt;sup>21</sup> Resolution 71/1, para. 33, in which Member States "recognizing that detention for the purposes of determining migration status is seldom, if ever, in the best interest of the child", stated that they would "use it only as a measure of last resort, in the least restrictive setting, for the shortest possible period of time, under conditions that respect their human rights and in a manner that takes into account, as a primary consideration, the best interest of the child", and that they would "work towards the ending of this practice".

<sup>&</sup>lt;sup>22</sup> Committee on the Rights of the Child, report of the 2012 Day of General Discussion: "The rights of all children in the context of international migration" (http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2012/DGD2012ReportAndRecommendations.pdf), para. 78.

<sup>&</sup>lt;sup>23</sup> See Human Rights Council resolution 35/17 on the protection of the human rights of migrants: the global compact for safe, orderly and regular migration.

migrants in vulnerable situations, have severely tested our collective response capacities. We have seen migrants in desperate situations, who are ineligible for international refugee protection, yet who are particularly at risk. As of 4 December 2017, 5,136 migrants have died in the course of the year. Since 2014, 22,432 migrants have died worldwide. <sup>24</sup> Female migrants in these situations face high risks of exploitation and gender-based violence. Children, notably those travelling alone, are particularly at risk. Today, many migrants are trapped in transit countries that lack the capacity to care for them, forced to either subsist in detention centres and camps or to look for illicit means to move elsewhere. While in transit, including when detained, migrants are exposed to a range of human rights violations and abuses, including physical and sexual violence, exploitation, abduction and extortion. This situation is intolerable, and it can contribute to instability in the areas where they are trapped.

- 48. These large, unsafe and disorderly movements of migrants present Member States, and the United Nations system, with a set of policy problems distinct from those associated with most regular and irregular migration. Many of the elements of the immediate operational response to large movements of migrants are similar to those applied in responding to refugee movements: and precisely because recent large movements of people have included both refugees and migrants, this has been the reality on the ground. However, whereas there is consensus on our obligations to refugees, a corresponding framework does not exist for migrants in these desperate situations.
- 49. I applaud the call in the New York Declaration for Refugees and Migrants for "non-binding principles and voluntary guidelines, consistent with international law, on the treatment of migrants in vulnerable situations", and endorse its praise for those countries that offer migrants who do not qualify for refugee status temporary protection from return owing to conditions in their home countries. <sup>25</sup> I also welcome efforts, such as the Nansen Initiative on disaster-induced cross-border displacement to lay down guidelines for assisting those forced to flee natural disasters, and the Migrants in Countries in Crisis initiative to develop voluntary and non-binding principles, guidelines and practices for assisting migrants in countries enduring conflict or natural disaster. <sup>26</sup> The United Nations Global Migration Group has also done valuable work on these issues at the request of the Human Rights Council, <sup>27</sup> but we have much more to do to address this issue.
- 50. Without seeking to create new legal categories or to expand on the unique forms of international protection provided in the refugee framework, we must design an adequate response to the needs of migrants in large movements one that will involve not only principles and guidelines but also concrete actions to support them.

<sup>24</sup> See Missing Migrants Project (http://missingmigrants.iom.int/).

<sup>25</sup> See resolution 71/1, para. 52, in which Member States committed to "consider developing non-binding guiding principles and voluntary guidelines, consistent with international law, on the treatment of migrants in vulnerable situations, especially unaccompanied and separated children who do not qualify for international protection as refugees and who may need assistance", and para. 53, in which Member States welcomed "the willingness of some States to provide temporary protection against return to migrants who do not qualify for refugee status and who are unable to return home owing to conditions in their countries".

<sup>&</sup>lt;sup>26</sup> See the Nansen Initiative, "Agenda for the protection of cross-border displaced persons in the context of disasters and climate change", vol. I (https://nanseninitiative.org/wp-content/uploads/2015/02/PROTECTION-AGENDA-VOLUME-1.pdf); see also Migrants in Countries in Crisis Initiative (https://micicinitiative.iom.int).

<sup>27</sup> See Human Rights Council resolution 35/17 on protection of the human rights of migrants: the global compact for safe, orderly and regular migration; see also Global Migration Group Working Group on Human Rights and Gender Equality, "Principles and guidelines on human rights protection of migrants in vulnerable situations within large and/or mixed movements" (http://www.ohchr.org/EN/Issues/Migration/Pages/Draftsforcomments.aspx).

- 51. This is made even more imperative by the likely effects of climate change on population movements. A forward-looking compact on migration, as well as a compact on refugees, must respond to the reality that climate change is likely to exacerbate economic, environmental and social pressures to migrate over the next few decades. It is also possible to foresee that other factors may increase the numbers of migrants in vulnerable situations in the years ahead. Individuals or whole populations may find themselves confronted with extreme deprivation, food scarcity, the onset of epidemics or the reality or threat of instability, forcing them to move, often without sufficient resources, knowledge or plans for the future.
- 52. Bolstering resilience in the face of climate risks, the ability to withstand disruptions that pose barriers to human safety and health, livelihoods and food security, is a key step towards ensuring that migration remains a matter of choice rather than of necessity. We must also reinforce our common commitment to preventive action to address and avert those factors that may lead to forced migration in future. But while building our preventive capacities, we must agree on a robust cooperative framework for protecting and assisting migrants in vulnerable situations now.
- 53. In time, an expansion of legal protections to deal with the many aspects of forced migration may become feasible. In the short to medium-term, however, I believe that Member States can fulfil their duty of care to migrants in vulnerable situations through a multilayered strategy involving both humanitarian tools and options for stay or alternatives in other countries. As I argue in the next section of the report, such a strategy could be one centrepiece of the global compact for safe, orderly and regular migration, carefully designed to complement the global compact on refugees.

# V. The era of implementation

- 54. The global compact will be judged on whether it succeeds in catalysing concrete actions by Member States, subnational authorities, non-State actors and the United Nations system. Rapid, substantive and coordinated efforts to reinforce safe, orderly and regular migration will reassure members of the public in all Member States that together we can shape the issue, not just react to events. Real steps to make migration work for all will reaffirm our commitments to human rights and dignity, countering tendencies towards xenophobia, while strengthening State, public and human security. Coordinated action by Member States on specific challenges will build trust and spur on the development of further cooperation to manage migration.
- 55. Early implementation of specific commitments with clearly defined road maps is, therefore, essential to demonstrate steadfastness to the spirit of the New York Declaration for Refugees and Migrants. On the eve of the negotiations on the global compact, I wish to make a general set of suggestions to Member States on how to frame the global compact, and more specific suggestions for a strategy to address large movements of people.

### A. Framing the global compact

56. Previous United Nations declarations and agreements on migration have often been framed around general and thematic commitments. <sup>28</sup> I believe that the global compact can best complement that approach through being structured around actions

17-22391 13/20

\_

The 2013 High-level dialogue on International Migration and Development; the United Nations Framework Convention on Climate Change; the Sendai Framework for Disaster Risk Reduction 2015–2030; the New Urban Agenda; the 2030 Agenda for Sustainable Development; the New York Declaration for Refugees and Migrants; and, above all, the Sustainable Development Goals.

- at the subnational, national, regional and global levels to implement existing commitments and principles.
- 57. The following paragraphs offer illustrative and far from exhaustive examples of these types of action. In addition to these categories of action, Member States should make a standalone commitment to promote gender equality and the empowerment of women and girls as a central element of the global compact, in line with Sustainable Development Goal 5. It is crucial that policymakers dealing with migration at all levels consistently prioritize the need to work in a gender-responsive manner, and that they set aside sufficient resources to address gender issues.
- 58. The global compact should emphasize the importance of subnational policies in addressing migrants. Local authorities have responsibility for day-to-day service provision to migrants and their host communities. Businesses and trade unions shape the economic conditions for migrant workers to contribute their labour. Cities, communities and non-governmental actors are doing excellent work with and for migrants in schools, workplaces and in the course of their daily lives. Community engagement is the best method to prevent xenophobia and false narratives about the impact of migrants. The global compact should encourage and support subnational efforts of this type, and also address strategies and resources that cities and communities undergoing rapid urbanization may require to offer support migrants and their communities.
- 59. At the national level, I call upon Member States to prepare detailed national action plans to advance a whole-of-government approach that seek to address the development, security and human rights dimensions of migration. They should also consider including migration in existing national and subnational strategies on development, health, education, housing, employment, social inclusion and social protection and as part of their response to the adoption of the Sustainable Development Goals. Where appropriate, plans should identify capacity-building and technical assistance needs. Member States should also focus on alternatives to detention for migrants and, in particular, ending the detention of child migrants. Given that the global compact is an agreement among Member States, its credibility will rest on well-defined national commitments.
- 60. I also urge Member States to consider policies to regulate cross-border recruitment practices to ensure that migrants do not bear unsustainable costs in their search for work. The International Labour Organization (ILO) has already stated that private employment agencies should not charge recruitment fees and costs to workers, including migrants.<sup>29</sup> National policies to regulate recruitment should be linked to bilateral migration agreements and efforts to harmonize regulatory frameworks in order to ensure that migrants are not burdened with disastrous debts.
- 61. At the regional/subregional level, States should continue building cooperation through regional frameworks for managing migration. The regional commissions of the United Nations, regional consultative processes and regional economic organizations or groupings, which may inadvertently duplicate each other's activities, should develop coordinated plans for dealing with migration issues with priorities and regular reviews to measure progress. Priorities could include developing multi-State agreements on legal pathways for migration, including free movement agreements, where appropriate, fair and dignified return and readmission agreements, portability of social security entitlements and benefits, effective skills and qualification recognition and improved skills matching.

<sup>29</sup> ILO, General principles and operational guidelines for fair recruitment, International Labour Office, Geneva, 2016.

- 62. Where existing regional frameworks are insufficient, or migration issues extend between different regions, I encourage States to come together in smaller groups around specific initiatives to advance immediate progress on discrete issues of mutual interest, as well as to leave space open for the development of more ambitious goals in the future. A number of interregional bodies already exist as models for others to learn from. I encourage Member States to call on all United Nations entities for assistance in their cooperative efforts, as needed.<sup>30</sup> I will also ensure that the role of the Organization on migration at the regional level is fully integrated into the repositioning of the United Nations development system.
- 63. At the global level, the global compact should provide a framework for Member States to commit to an overall policy of increasing fair and accessible legal access by migrants at all skills levels to meet labour market needs everywhere, while recognizing other reasons for migration such as family reunification and education. It should also endorse concrete practices to guarantee decent work for migrant workers and encourage regularization initiatives for migrants in irregular situations. It should also bolster cooperation on return and reintegration and call on the United Nations to assist in implementing those efforts. The global compact can further address large-scale initiatives, such as the universal standardization of identification documents and mechanisms for sharing biometric data. I call on Member States to consider options for creating skills partnerships (as described at para. 27 above) as an innovative new mechanism for sharing the benefits of migration. Global discussions on achieving the Sustainable Development Goals, upholding human rights and international law and preventing crises must guide our more specific approaches.
- 64. One area where there is a clear interest in early action on the part of Member States is improving the quantity and quality of data on migration. The General Assembly has frequently called for reliable, disaggregated data by sex, age and migratory status and for internationally comparable indicators to support evidence-based policymaking, a call repeated in the 2030 Agenda for Sustainable Development.<sup>31</sup> This will require investment in collection and analysis by Member States, in line with existing global guidelines on migration statistics, which the United Nations can support. Countries should include migration-relevant questions in population censuses, including not only questions of country of birth or citizenship but also dates or years of arrival and motivation to move. This would allow for an estimation of recent movements and the drivers of migration.
- 65. Implementing the global compact will have financial consequences for Member States. The funds available for dealing with migration-related issues have sometimes been limited, and donors should look favourably on requests from other Member States and relevant stakeholders for concrete support to fulfil the global compact. I stand ready to support Member States in this regard.<sup>32</sup>
- 66. At all levels, different stakeholders, including civil society, the private sector, academia, the media and others, must be brought together to identify innovative ways to respond to the global compact and to collaborate on its implementation.

30 These include the IOM Regional Consultative Processes on Migration, the IOM Inter-Regional Forums on Migration and the International Labour Conference.

17-22391 15/20

<sup>&</sup>lt;sup>31</sup> See, for example, the Declaration of the High-level Dialogue on International Migration and Development (resolution 68/4); the 2030 Agenda for Sustainable Development (resolution 70/1); and the most recent resolution on international migration and development (resolution 71/237).

<sup>&</sup>lt;sup>32</sup> See A/71/728, the report of the Special Representative of the Secretary-General for International Migration.

#### B. A strategy for large movements of migrants

- 67. In addition to the range of commitments outlined above, I believe that there is an urgent need for Member States to lay out a strategy for dealing with large movements of migrants. There are obvious overlaps between this challenge and the issues for the global compact on refugees, which we must address with care. I believe that Member States should outline, and make specific commitments to support, a strategy on migrants in vulnerable situations, with three main elements:
- (a) A humanitarian and human rights-based approach to assisting large movements of migrants, building on and reinforcing existing humanitarian mechanisms, in order to reduce the immediate suffering of those in precarious situations simply put, saving lives must at all times be a non-negotiable priority;
- (b) Mechanisms and resources to ensure that, after an immediate humanitarian response, the status of migrants in vulnerable situations can be determined individually, fairly and reliably without infringing on proper processes, in compliance with international human rights law and the refugee legal framework, including the principle of non-refoulement;
- (c) More credible pathways for migrants who do not qualify for international refugee protection but face insurmountable obstacles to return. This is the only option for those individuals who cannot simply be left to linger in transit countries indefinitely. Instead, Member States should work together to offer to these persons temporary or long-term options for entry and stay. I believe that this must be a global effort, as Member States ready to accommodate migrants in vulnerable situations will often be in different regions.
- 68. This three-part strategy would: (a) reduce immediate suffering and deaths; (b) reduce uncertainties about the status of migrants in vulnerable situations; (c) reassure the members of the public in Member States that their Governments have decisive responses to these events; and (d) prevent these migrants from becoming permanently stranded. It should not be viewed as an encouragement to irregular migrants to undertake perilous journeys in the expectations of ultimately positive outcomes. Large movements of migrants are triggered by environmental, social and other pressures that make people take desperate measures not by the nature of the global response.

# VI. The global compact and the United Nations

69. The global compact is an opportunity not only for Member States but also for the United Nations system to adopt a more ambitious approach to managing migration. In this section I set out my intention to hold intensive consultations on the approach of the United Nations system to migration through 2018, and discuss oversight of the Organization's activities in this field by the Member States. I also make suggestions concerning follow-up mechanisms for the global compact to ensure its implementation.

#### A. Preparing the United Nations for a new approach to migration

70. In contrast to refugees, there is still no centralized capacity in the United Nations to deal with migration. The Organization's approach to the issue, unlike its approach to the treatment of refugees, is fragmented. My predecessors, supported by the pioneering work of former Special Representative for International Migration, Peter Sutherland, made concerted efforts to improve this situation.<sup>30</sup> It is now time to draw

together all parts of the United Nations system, including IOM, to support the efforts of Member States to address migration. I want to see the United Nations, in line with my existing reform proposals in other fields, act as a source of ideas and policy guidance, as well as a convener, for the implementation of the New York Declaration for Refugees and Migrants and the global compact to be adopted in 2018.

- 71. For the past 11 years, the Global Migration Group has grown into include 22 United Nations entities, with varying degrees of engagement on migration issues, but all committed to furthering the Organization's support in addressing the challenges raised by this phenomenon. In my report on the follow-up to and review of the commitments of the New York Declaration (A/71/978), I outlined the types and breadth of migration-related activities that the United Nations system was engaged with. This is an impressive body of work, but it is legitimate to ask whether the Global Migration Group, as currently set up, is best equipped to develop the type of coherent, ground-up approach that I believe the Member States will want in supporting their efforts to deliver on the global compact.
- 72. In the New York Declaration, adopted at the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, held in September 2016, Member States welcomed the agreement to bring IOM into the United Nations system as a "related organization", acknowledging its role as the global lead agency in the field of migration.<sup>33</sup> There is now an opportunity to develop this relationship further and to better integrate the competences of IOM into the broader United Nations system so as to support the efforts of Member States on migration-related issues.
- 73. While Member States work on defining the global compact, I will work to strengthen the way we work on the migration issue. This could include designating IOM as the agency with responsibility for coordinating and leading the Organization's overall engagement on the issue. In my view, this will be best achieved if, in time, IOM is brought more fully into the United Nations system as a specialized agency, properly equipped for that role. Although this change would be subject to a decision by the Member States, I believe it deserves their serious consideration.
- 74. More immediately, regardless of discussions on the future status of IOM, I will initiate internal consultations on how best to configure the United Nations system, including IOM, to coordinate the actions of the Organization on migration. I am determined to ensure that the system is fully positioned to respond promptly and effectively in supporting implementation of the global compact, once it is adopted. In conducting these consultations within the system, I will place a premium on drawing on existing expertise, ensuring operational deliverables in response to the needs of the Member States and ensuring efficiency. I will also consider how migration is addressed by the recently renewed United Nations Development Group. The outcomes from these consultations will have to be fully consistent with my development and management reform initiatives and be aligned with our work on the Sustainable Development Goals.
- 75. In line with my proposals for reform of the United Nations development system, I will insist that we make facilitating delivery on the ground the litmus test of our efforts.<sup>34</sup> In the development context, migration is already fully integrated into the Sustainable Development Goals. My colleagues and I at the United Nations will need to explore how members of the United Nations family can jointly offer tailored

33 See resolution 71/1, para. 49.

17-22391 17/20

<sup>&</sup>lt;sup>34</sup> See A/72/124-E/2018/3, report of the Secretary-General on repositioning the United Nations development system to deliver on the 2030 Agenda: ensuring a better future for all.

assistance to all Member States on migration issues, including through the United Nations country teams.

76. We should also assess the performance of the United Nations in engaging in regional migration policies, and aim to minimize duplications between the work of the regional commissions and other entities. We should encourage cooperation between the United Nations and regional and subregional organizations or groups of States and look for ways to strengthen those relationships.

#### B. Member State oversight

- 77. Any effort to rethink how the United Nations delivers on the ground will also raise questions about potential reforms to intergovernmental mechanisms for overseeing our collective work on migration related issues. The current intergovernmental architecture for discussing migration is fragmented; the global compact offers an opportunity for Member States to address global governance issues.
- 78. There are a number of forums in which Member States already address migration, both inside and outside the United Nations. Principal among these are: the High-level Dialogue on International Migration and Development; the Second and Third Committees of the General Assembly; the Economic and Social Council and, under it, the Commission on Population and Development and other relevant commissions; the high-level political forum on sustainable development; and the Human Rights Council. In addition, there are the migration-relevant discussions of the governing bodies of many United Nations agencies, funds and programmes, alongside the governing body of IOM.
- 79. Finally, there is the Global Forum on Migration and Development, a widely recognized gathering of States and other stakeholders independent of, but closely aligned with, the United Nations. The Global Forum was launched at the 2006 Highlevel Dialogue on Migration and Development to create an intergovernmental platform for constructive dialogue. The Forum has created a better common understanding of contested aspects of migration that are at the centre of our debates, built trust between participating Member States and developed ideas and data that the global compact can now build upon.
- 80. However, no single forum exists through which Member States can guide the direction of the work of the United Nations on migration and oversee the commitments made in the global compact. I call on Member States to consider how best they can configure themselves to support the rollout of the global compact and ensure its effective implementation, with the support of the United Nations system. Specifically, I urge that consideration be given to exploring the possibility of rationalizing some of the current oversight mechanisms, with a view to maximizing clarity over both governance and policy guidance on this issue.

#### C. Follow-up to the global compact

- 81. I endorse the call, in the New York Declaration, for systematic follow-up and review of the commitments of Member States on migration. As emphasized in this report, the landscape of global migration is likely to evolve considerably over time. We cannot assume that the best mechanisms we put in place in 2018 will necessarily remain optimal 5, 10 or 20 years from now.
- 82. Migrants and other stakeholders should be associated with the implementation, follow-up and review of the global compact and encouraged to make pledges to act towards its fulfilment, in cooperation with States or working with one another. To

encourage such action, the follow-up and review mechanisms should allow the participation and contribution of migrants and other stakeholders in the development of policies, norms and practice.

- 83. In this context, I propose that Member States should review progress on the global compact through two tiers of activity:
- (a) A periodic high-level review conference after the convening of the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration in Morocco in December 2018, to focus on new strategic requirements and directions for managing evolving dynamics in migration, as well as thematic discussions on opportunities and obstacles to maximizing the benefits of migration for all. The High-level Dialogue on International Migration and Development could possibly be repurposed to that end on a five-yearly basis, and expanded beyond its developmental scope to consider all elements of migration as articulated in the global compact and the New York Declaration;
- (b) Member States should also consider other existing annual forums at which they can exchange of best practices on migration policies and should include regular voluntary reports on the implementation of their commitments relating to the global compact. Wherever possible, Member States should aim to link such processes to the follow-up mechanisms for the 2030 Agenda in order to emphasize the positive links between development and migration. I stand ready to assist Member States in developing more specific proposals in this regard.

#### VII. Conclusion

- 84. I wish to express my gratitude to all Member States, entities of the United Nations system and other stakeholders that have contributed to the consultation phase of the global compact process. I would like to extend particular thanks to IOM for the close support it has extended to these efforts, and pay tribute to the work of the co-facilitators appointed to lead the global compact process. I also wish to thank my Special Representative for International Migration for her leadership and strong contribution to the process thus far. I welcome the decision of the General Assembly that the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration will take place in Morocco in December 2018.
- 85. Negotiations on the global compact will doubtless involve many technical discussions and difficult debates, but we must not lose sight of the reality that migration is both a positive dynamic, and one that has always been with us and one that is here to stay. It is our responsibility to ensure that popular perception of migration is better aligned with that positive reality. To do this, we must rededicate ourselves to our common commitment to make migration work for all. This is a political necessity, an economic imperative and a matter of universal human rights.
- 86. At the political level, as emphasized in this report, Member States need to renew a sense of mutual trust regarding the management of migration, and convince the members of the public that Governments can handle this issue responsibly and effectively and that migration presents more of an opportunity than a challenge for all. The alternative is more distrust and discrimination towards migrants, more xenophobia and more failures to handle large mixed movements of migrants and refugees. This is an unacceptable scenario and one that we must strive to prevent.

17-22391 19/20

\_

<sup>35</sup> The text of most of the submissions received are available at http://refugeesmigrants.un.org/ SGReport.

- 87. At the economic and social level, we must constantly return to the Sustainable Development Goals and remind ourselves of the links between migration and our broader fight against inequality. Well-managed migration can help us reverse both inequality within States, by fuelling overall economic growth, and narrow inequalities between States, through remittances and promoting skills and ideas. We will not achieve our overall commitment to leaving no one behind if we do not address persistent economic disparities between Member States. Migration offers a positive, mutually beneficial means to do just that, as long as we implement policies to maximize its benefits.
- 88. Yet this is not solely a matter of States, but of peoples. The Universal Declaration of Human Rights reminds us that "all human beings are born free and equal in dignity and rights". Today, one of the single most fundamental determinants of the capacity of individuals to realize their full potential and rights is their place of birth. Some are born into opportunity and others into deprivation. Migration, properly managed, is a route for individuals to make the most of their lives, and achieve the dignity that our predecessors enshrined in the Universal Declaration. Their quest for equality is a legitimate one. The global compact should ensure that they can pursue it in a safe, orderly and regular manner.