

DRAFT OF OUTCOME DOCUMENT FOR 19 SEPTEMBER 2016 HIGH-LEVEL MEETING TO ADDRESS LARGE MOVEMENTS OF REFUGEES AND MIGRANTS

We, the Heads of State and Government and High Representatives, meeting at the United Nations Headquarters in New York on 19 September 2016 to address the question of large movements of refugees and migrants, have adopted the following Declaration.

1. Defining the challenge

- 1.1 Since earliest times, humanity has been on the move. Some people move in search of new opportunities and horizons. Others move to escape conflict, persecution, terrorism or poverty. Still others do so in response to natural disasters, climate change or other environmental factors. Many move, indeed, for a combination of these reasons
- 1.2 We have considered today how best the international community should respond to the growing global phenomenon of large movements of refugees and migrants.
- 1.3 Refugees and migrants are distinct categories of persons whose treatment is governed by separate legal frameworks. They also face many common challenges, including in the context of large movements. The definition of “large movements” depends primarily on the geographical context, on a receiving State’s capacity to respond and on the impact of a movement which is sudden or prolonged; it would not, for example, cover regular flows of migrants from one country to another. “Large movements” may involve mixed flows of people, whether refugees or migrants, who move for different reasons but who use similar routes and irregular channels.
- 1.4 We are witnessing in today’s world an unprecedented level of human mobility. More people than ever before live in a country other than the one where they were born. Migrants are present in all countries in the world. In 2015 their number surpassed 244 million, growing at a rate faster than the world’s population. Most of these move without issue. There are roughly 65 million displaced persons, including 25 million refugees and asylum-seekers and 40 million internally displaced persons.
- 1.5 The benefits and opportunities of safe, orderly, regular and responsible migration are considerable and are often underestimated. Our world is a better place for the contribution made by migrants to development. In adopting a year ago the 2030 Agenda for Sustainable Development, we recognized clearly the role of migrants as agents of change and as enablers for development in countries of origin, transit and destination.
- 1.6 Large movements of refugees and migrants present a range of complex challenges and are at the heart of our deliberations today. Such movements of refugees and migrants have political, economic, social, developmental, humanitarian and human rights ramifications which cross all borders. These are global phenomena which call for global approaches and global solutions. No one State can manage such movements on its own. Neighbouring or transit countries ~~also~~ carry a large proportion of the responsibility for hosting refugees ~~unfair burdens~~. A relatively small number of countries, usually developing countries who are in the immediate vicinity of a conflict zone, have borne the ~~brunt~~ responsibility for too long. ~~Their capacities have been stretched to a breaking point, threatening their own social and economic cohesion as well as their development and security.~~ Recognizing the challenges faced by neighbouring and transit countries, responsibility-sharing amongst all countries can alleviate the pressure on their social and economic cohesion, and their development and security. In addition, protracted refugee crises are now commonplace, with long-term repercussions for those involved and also for their host countries and communities. These ~~burdens~~ responsibilities must be shared with such countries on a more equitable basis.

Comment [C1]: Underline that migration occurs beyond crises, can benefit host and destination countries and the majority of migration doesn’t present a problem (aim is counter anti-migration narrative)

- 1.7 We declare our profound solidarity with, and support for, the millions of people in different parts of the world who, for reasons beyond their control, are forced to uproot themselves and their families from their homes and to seek refuge and safety elsewhere.
- 1.8 Refugees and migrants in large movements often face a desperate ordeal. Many take great risks to reach safety, embarking on perilous journeys – frequently by sea – which they may not survive. Many fall prey to criminal groups. Even if they reach their destination, they face an uncertain reception and a precarious future.
- 1.9 The challenge to world leaders is moral and humanitarian. We are determined, first and foremost, to save lives. We will combat with all the means at our disposal the abuses and exploitation suffered by countless refugees and migrants in vulnerable situations. We acknowledge a shared global responsibility to manage large movements of refugees and migrants in a humane, sensitive and compassionate manner. A particular onus and burden fall on countries of origin or nationality, transit and destination; cooperation between all such countries has never been more important. [Those involved](#) [Refugees and migrants](#) in large movements must have the comprehensive policy support, practical assistance and legal protection which they need and to which they are entitled under international law; their human rights and fundamental freedoms must be fully respected; and they must be able to live their lives in safety and in dignity. We pledge this support to those affected today as well as to those who will be part of future large movements.
- 1.10 All human beings are born free and equal in dignity and rights. International law prohibits discrimination of any kind on the basis of race, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. History has taught us, regrettably, many lessons about the destructive legacies of hatred. [We have also witnessed how instrumental inclusion and respect for diversity is in contributing to social cohesion.](#) Yet in many parts of the world we are witnessing increasingly xenophobic and racist responses to refugees and migrants.
- 1.11 We strongly condemn such responses. Diversity enriches and strengthens every society. Demonising refugees or migrants offends profoundly against the values of dignity and equality for every human being to which we have committed ourselves. Gathered today at the United Nations, the birthplace and custodian of these universal values, we declare all manifestations of xenophobia, racial discrimination and intolerance directed at refugees or migrants to be utterly unacceptable. We will take a range of steps to counter such attitudes and behaviour, in particular hate speech and racial violence. We support, and will help to implement, the Secretary General’s proposal for a UN-led global campaign to counter xenophobia, with Member State, private sector and civil society engagement. This campaign will emphasize direct personal contact between host communities and refugees and migrants and will highlight the positive contributions made by the latter as well as our common humanity.
- 1.12 We reaffirm the principles and values of the United Nations Charter. We reaffirm also the Universal Declaration of Human Rights and the core international human rights treaties, [as well as the 1951 Convention Relating to the Status of Refugees.](#) We reaffirm, and will fully protect, the human rights of all those who leave their countries, regardless of status. We recognize that all refugees and migrants, regardless of status, are rights holders. Our response is grounded in full respect for international human rights law and, as applicable, international refugee law and international humanitarian law.
- 1.13 In the 2030 Agenda for Sustainable Development, we pledged that “no one will be left behind”. We declared that we wished to see the new goals and targets met for all nations and peoples and for all segments of society. We said also that we will endeavour to reach the furthest behind first. And we made a number of commitments which relate to the specific needs of migrants or refugees. The Agenda makes clear, inter alia, that we will “facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies”. The needs of refugees, internally displaced persons and migrants are explicitly recognized. Its targets deal with issues of specific

concern such as education, labour standards, human trafficking, exploitation of children, access to justice and the building of self-reliance and resilience.

- 1.14 Implementation of all relevant provisions of the Agenda will enable the contribution which migrants are making to sustainable development to be reinforced. At the same time, it will address many of the root causes of forced displacement, helping to create more favourable conditions in countries of origin. Meeting today a year after our adoption of the 2030 Agenda, and in direct follow-up to it, we pledge to realize the full potential of that Agenda for refugees and migrants.
- 1.15 We welcome the extremely valuable report from the Secretary-General, entitled “In Safety and Dignity: Addressing Large Movements of Refugees and Migrants”, which was published in May 2016 (pursuant to GA Decision A/70/L.34) in preparation for this High Level Meeting. We recall also the contributions made by the London Conference on Supporting Syria and the Region (February 2016), the High Level Meeting on Global Responsibility Sharing through Pathways for Admission of Syrian Refugees (March 2016) and the World Humanitarian Summit (May 2016).
- 1.16 We favour a new approach to addressing forced displacement and protracted crises which would not only deal with immediate humanitarian needs but would also reduce vulnerability and improve self-reliance and resilience by strengthening the nexus between humanitarian assistance and development cooperation. There is a need to address gaps in humanitarian resources and to ensure that host countries and communities receive adequate multi-annual financing as well as support for capacity-building and strengthening resilience. We look forward to close cooperation in this regard among Member States, UN agencies and other actors and between the UN and international financial institutions such as the World Bank.
- 1.17 We welcome the Sendai Framework for Disaster Risk Reduction and will implement the measures to mitigate risks associated with disasters which are outlined in that Framework. We welcome also the Paris Agreement on Climate Change and will take the steps needed to implement that Agreement in full.
- 1.18 We welcome the Addis Ababa Action Agenda, including the support of various kinds which it extends to refugees and migrants and its provisions relating to migrants’ remittances.
- 1.19 We note valuable regional initiatives, such as the Bali Process and the Brazil Plan of Action, which seek solutions to the challenges posed by large movements of refugees and migrants.
- 1.20 We recognize the very large number of people who are displaced within national borders, and the potential for such persons to seek protection and assistance in other countries as refugees or migrants. Noting the need for effective strategies to ensure adequate protection and assistance for internally displaced persons, we believe that a review of the support currently available, building on the existing work done within the UN system on this subject and on the proposals in the Secretary General’s Report Agenda for Humanity, would be useful and timely. We note that the 1998 Guiding Principles on Internal Displacement provide a useful normative framework in this regard; we note also the value of the Kampala Convention as an important regional instrument.

2. Commitments

We have agreed today on a set of commitments covering migrants and refugees jointly and also on commitments for refugees and migrants as distinct categories. ~~Some commitments, while mainly relevant to one category, may also be applicable to the other. Furthermore, while they are all framed in the context of the large movements we are considering today, many may be applicable also to regular migration.~~ In addition, we have ~~agreed to launch processes to develop~~ adopted a Global Compact on Responsibility-Sharing for Refugees ~~and a Global Compact for Safe, Orderly and Regular Migration~~.

Comment [C2]: Both compacts should be referenced here together.

Commitments for migrants and refugees jointly

- 2.1 Underlining the importance of a comprehensive approach to the issues involved, we will spare no effort to ensure a humane, sensitive and dignified reception for all persons arriving in large movements, whether refugees or migrants.
- 2.2 We recognize, and will address, the special needs of people in vulnerable situations who are travelling within large movements of refugees and migrants, including women and children at risk; older persons; persons with disabilities; LGBTI persons; and victims of exploitation and abuse in the context of [human trafficking](#) and [migrant smuggling](#).
- 2.3 Recognising that States have rights and responsibilities to manage and control their borders, we will implement border [management control](#) procedures, including disembarkation procedures, which are in conformity with international human rights standards and, as applicable, international refugee law. We will ensure that public officials and law enforcement officers who work in border areas are trained to behave with respect towards all persons crossing, or seeking to cross, international borders.
- 2.4 We will take measures to prevent violations of the human rights of all persons in transit and after arrival. We will ensure that the immediate needs of persons who have been exposed to physical or psychological danger while in transit are addressed on their arrival, without discrimination and without regard to legal status or means of arrival.
- 2.5 We are determined to address irregular or unsafe movement, without prejudice to the right to seek asylum, and to combat the exploitation, abuse and discrimination suffered by many refugees and migrants.
- 2.6 We express our profound concern at the large number of people who have lost their lives at sea trying to reach safety. We will intensify international cooperation on the strengthening of search and rescue mechanisms. We will also work to improve the availability of accurate data on the whereabouts of people and vessels who are stranded at sea. And we will strengthen support for rescue efforts over land along dangerous or isolated routes.
- 2.7 We recognize the particular vulnerabilities of women and children during the journey from country of origin to country of arrival. This includes their potential exposure to discrimination and sexual and physical abuse, violence and exploitation.
- 2.8 We will ensure that our responses to large movements of refugees and migrants promote gender equality and the empowerment of women and girls and fully respect the human rights of women and girls. We will combat sexual and gender-based violence in every way possible. We will tackle the multiple and intersecting forms of discrimination to which migrant and refugee women and girls are subject. And at the same time, recognizing the significant leadership role being played by women in refugee and migrant communities, we will work to ensure their full and equal participation in the development of local solutions and opportunities.
- 2.9 We will protect the human rights of migrant and refugee children, [in accordance with the best interest of the child](#), particularly unaccompanied children and those separated from their families; and we will provide for their health, education, psychosocial development and birth registration.
- 2.10 Reaffirming that all individuals seeking to cross international borders are entitled to due process in the assessment of their legal status, entry and stay, we will consider alternatives to detention while these assessments are underway. Furthermore, we commit [never to detain children for this purpose to working](#)

Comment [C3]: Provides consistency with para 2.11 and makes clear who/which situations are being referred to

[towards the end of detention for children. We welcome UNHCR's Global Detention Strategy and working with UNHCR towards achieving this goal.](#)

- 2.11 We will, with full respect for the rules of international law, vigorously combat human trafficking and migrant smuggling, including through targeted measures to identify victims of trafficking within large movements of refugees and migrants and to provide temporary and longer-term protection to [these](#) victims ~~of such crimes~~. With a view to disrupting the criminal networks involved, we will review our national legislation and criminal justice provisions to ensure conformity with international standards on migrant smuggling, human trafficking, maritime safety and border management. We will establish or upgrade, as appropriate, national and regional anti-human trafficking policies. We note initiatives such as the African Union Horn of Africa Initiative on Human Trafficking and Smuggling of Migrants. Reaffirming the importance of the UN Convention against Transnational Organized Crime and the two relevant Protocols thereto, we encourage ratification of, accession to and implementation of relevant international instruments on preventing and combatting trafficking in persons and the smuggling of migrants.
- 2.12 We will ensure, on the basis of bilateral, regional and international cooperation, that adequate, sustainable and predictable financing is made available to enable countries to respond to the immediate humanitarian and developmental needs of the large numbers of refugees and migrants arriving in their territories.
- 2.13 We will take steps to combat discrimination in our societies against refugees and migrants and to strengthen their inclusion in all spheres of life. National policies will be developed to this end in conjunction with civil society, the private sector, employers' and workers' organizations and other stakeholders. We also note the obligation on refugees and migrants to observe the laws of their host countries.
- 2.14 We will invest in improved data collection, including sex and age-disaggregated data as well as information on regular and irregular flows, the economic impacts of migration and refugee movements, and other issues.