

## COMMENTS by The African Group

Rev. 1 (12 July 2016)

### 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 economic opportunities and horizons. Others move to escape conflict, persecution, terrorism ~~or~~ poverty, or food insecurity. ~~Violent conflict, or food insecurity~~ 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. 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 (~~-seek more clarification~~) African Groups seeks consistency on using the term responsible throughout the document or keeping it out. are considerable and are often underestimated. Our world is a better place for the contribution made by migrants to development. And economic gain. 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 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 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. 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 must be shared with such countries on an equitable basis.

- 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~~ their destination, embarking on perilous journeys —frequently ~~by~~ of which ~~many they may do~~ not survive. Many fall prey to criminal groups including human traffickers and smugglers. Even if they reach their destination, they face an uncertain reception and a precarious future.
- 1.9 The ~~challenge~~ challenge-to ~~to~~ world leaders is to find a long term and sustainable solutions, while practicing moral and humanitarian values. moral and humanitarian as well as a responsibility to find a long term and sustainable solution.— 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- but differentiated global responsibility to manage large movements of refugees and migrants in a humane, sensitive and compassionate manner and to address the root causes of such movements. 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.
- 1.9 bis -Those involved 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. Countries of origin are also often deprived of economic and social contributions they could have gained from their educated and skilled citizens who migrate. We pledge this support the countries of origin affected by loss of capacity as well as to those affected today and 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~~ (seek clarification on other status). History has taught us, regrettably, many lessons about the destructive legacies of hatred. 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 actions 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.

~~campaign~~

- 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. 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 ~~take note of the welcome the extremely valuable~~ [Secretary-General’s report from the titled 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), [Ministerial Pledging Conference on Somali Refugees in Brussels on 21 October 2015](#).
- 1.16 We favour a new [sustainable](#) 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 [predictable and \(as agreed in the Addis Abeba FFD document\)](#) 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 ~~relevant other~~ actors and between the UN and international financial institutions such as the World Bank.

1.17 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. We also welcome the 2030 Agenda for Sustainable Development

~~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.~~

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1.19 We note ~~valuable contributions of~~ regional initiatives, such as the Bali Process and the Brazil Plan of Action, African Union Migration Policy Framework for Africa, The Khartoum Process, The Rabbat Process, The African Union Horn of Africa Initiative which seek solutions to the challenges posed by large movements of refugees and migrants and we note that countries are only bound by instruments in which they are party to.

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 commit have to adopted two a Global Compact~~s~~ on Responsibility-Sharing for Refugees and migrants.~~

### 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 especially those arriving in large movements, whether refugees or migrants. -
- 2.1 In cases of mixed flows of migrants and refugees, we will make efforts to collect accurate information to enhance our data collection. We will make proper distinction between migrants and refugees, proper identification of their nationalities as well as reasons for movement, in efforts to better meet their needs and to establish proper response.
- 2.2 We recognize, and will address, the special needs of all people persons 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~~ including victims of exploitation and abuse in the context of trafficking and smuggling.
- 2.3 ~~—~~ Recognising that States have rights and responsibilities to manage and control their borders, we will implement border management 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
- 2.3 bis Recognizing the increasing challenges, including sophisticated network of human traffickers and other criminal activities which affect the migrants and refugees in transit, we will strengthen existing bilateral, regional, global boarder management cooperation mechanisms, especially through initiatives conducting technical assistance, training and exchange of information and of best practices.
- 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.
- 2.4 bis We will commit to address the root causes of forced migration and displacement, largely caused by poverty, lack of development and economic opportunities, and work with countries of origin to strengthen their capacities in coordination with collaboration with national governments, Memberstates and UN Organizations and agencies. with national governments and other stakeholders.
- 2.4 ter we commit to address the most vulunerable areas charachterized by instability, forced displacement and irregular migration, through projects which link, relief, rehabilitation and development and providing a targeted respons to poverty, marginalisation, exlusion and destitution.
- 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 their destination. We will intensify international cooperation on the strengthening of search and rescue mechanisms. ~~We will also work to improve the~~ improvement of availability for onf

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. [We will also strengthen international cooperation to support economic development in countries of origin through capacity building and technology transfer.](#)

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.

2.7 bis [We will address the vulnerabilities to HIV and the specific health-care needs experienced by migrant and mobile populations, as well as refugees and crisis-affected populations, and to take steps to reduce stigma, discrimination and violence, as well as to review policies related to restrictions of entry based on HIV status with a view to eliminating such restrictions and the return of people on the basis of their HIV status, and to support their access to HIV prevention, treatment, care and support; \(Source: para 63 \(g\), A/Res/70/266 - Political Declaration on HIV and AIDS: On the Fast Track to Accelerating the Fight against HIV and to Ending the AIDS Epidemic by 2030; the opening words slightly modified to match the editorial style of this draft\)](#)

2.7 ter [Recognizing poverty and conflict as some of the main causes of large movement of migrants and refugees and we commit to enhance our efforts in combatting poverty and lack of development, as well prevention and resolution of conflict , in conformity with United Nations Charter and international humanitarian and human rights law.](#)

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, 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.

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 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 number of refugees and migrants arriving in their territories~~ to prevent large movements of refugees and migrants as well as ~~to~~ for host countries, in where large numbers of refugees and migrants are arriving in their territories.

2.12 bis We will intensify international support to host Governments, where appropriate, through appropriate capacity building activities, including training of relevant officers, providing financial, technical and advisory services to ensure the needs of persons who have been exposed to physical or psychological danger are addressed on their arrival, in particular those Governments that have received large numbers of refugees and asylum seekers

- 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

2.13 bis We commit to implement policies and strategies that promote the social, economic and cultural inclusion of migrants within existing legal frameworks in countries of destination. We commit to ensure migrants' access to adequate health, education and equal employment opportunities, and to combat workplace and recruitment discrimination, by working with migrants and conducting awareness raising interventions for private sector employers.

- 2.14 We will invest in improved data collection by national authorities, 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, in coordination with countries of origin and relevant united nations organization.

### 3. **Commitments for migrants**

- 3.1 We commit to ensure the protection, ~~protecting the~~ safety, dignity, and human rights and fundamental freedoms of all migrants, regardless of status, at all times. We will cooperate closely with each other to facilitate and ensure safe, orderly, regular and responsible migration, including return and readmission.
- 3.2 We acknowledge our responsibility to protect the interests of, and assist, our migrant communities abroad, including through consular cooperation. We underline the right of migrants to return to their country of citizenship. We recall ~~on that all~~ states ~~to must~~ readmit their returning nationals who based

on the law of the country of destination have no right to stay, ~~in other countries~~ and to ensure that they are duly received, ~~and they must ensure the readmission of their nationals without undue delay~~

3.2ter bis-We acknowledge losses in human capital and agricultural labour as a result of migration can negatively impact, food security, sustainable farming, sustainable agriculture as well as rural development in countries of origin and we commit to invest in strategies which can strengthen social protection, increase rural employment opportunities especially for women and youth. (source: FAO )

3.2quat bis We recognize lack of development prevents especially young people from realizing adequate educational, and employment opportunities often serving as a push factor for migration. To address this challenge, we will commit to strengthen the institutional capacities of countries of origin, including their educational institutions, with special focus on higher education, skills and vocational trainings. We also commit to strengthen our network of educational opportunity trainings between developing and developed countries.

3.2 ter gat-We further commit to work with countries of origin on a country specific bases through research and analysis of situations and to cooperate based on specific needs and requests from countries concerned.

3.2 sis ter We commit to enhance employment opportunities and revenue-generating activities especially for young people in countries of origin through strengthened economic cooperation including, professional skills training, access to digital technologies, support to micro, small-and medium-sized enterprises in formal and informal sectors. to created job opportunities, especially for young women and young men

3.3 We ~~commit to address~~ ~~will address~~ the conditions that create, or exacerbate, large movements of migrants. We will analyse, and respond to, the factors which lead to, or contribute to, these movements. We will respect and safeguard, in the first instance, the right of people to remain in safety in their homes. We will take measures, inter alia, to implement the 2030 Agenda for Sustainable Development, whose objectives include eradicating extreme poverty and inequality, promoting peaceful and inclusive societies, creating conditions for balanced economic growth and employment, combatting environmental degradation and ensuring effective responses to natural disasters and climate change. In the latter respect, we will support efforts by Member States at risk to mitigate, and adapt to, the effects of climate change.

3.4 We recall the emphasis in the 2030 Agenda on the positive contribution made by migrants to inclusive growth and sustainable development. We reiterate that emphasis today. Migrants make a profound contribution to economic and social development in their host societies and to global wealth creation. They help to respond to demographic trends, labour shortages and other challenges in host societies and they add fresh skills and dynamism to the latter's economies. We would like this contribution to be more widely recognized and, indeed, strengthened in the context of implementation of the 2030 Agenda.

3.4 bis we recognize the development benefits of migration, including through the involvement of diaspora's engagement in the development, reconstruction and economic contribution to to their countries of origin and we commit to contribute to enhance those initiatives, including by promoting faster and

cheaper transfer of remittances and facilitation of relations between the diaspora and their countries of origin. ~~productive investments.~~

- 3.5 We will ensure that migration and reintegration after return are mainstreamed in global, regional and national sustainable development plans and humanitarian policies and programmes.
- 3.6 We ~~welcome~~ take note of the work done by the Global Migration Group to develop principles and practical guidance on the protection of the human rights of migrants in vulnerable situations within large and/or mixed movements.
- 3.7 Reaffirming the importance of a strong normative framework to support migrants, we call upon States that have not done so to consider ratifying, or acceding to, the 1990 Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. We call also on States that have not done so to consider acceding to relevant International Labour Organization conventions, as appropriate. We note, in addition, that migrants enjoy rights and protection under various branches of international law.
- 3.8 We wish to strengthen global governance for migration. We therefore warmly support and welcome the [agreement] to bring the International Organization for Migration, ~~an~~ the organization with a global leading role in the field of migration, into a closer legal and working relationship with the United Nations. We look forward to the implementation of the (agreement) which will assist migrants, help memberstates to address migration issues and promote better coherence between migration and related policy domains. -
- 3.9 We will assist migrants in countries which are experiencing conflicts or natural disasters. We take note of ~~welcome~~ in this regard the “Migrants in Countries in Crisis” initiative, whose valuable contribution has included the recent publication of detailed guidelines to protect migrants in this predicament. We take note of ~~welcome~~ also the Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change emanating from the Nansen Initiative.
- 3.10 We will develop guidelines, in accordance with the existing rules of international law, on the treatment of migrants in vulnerable situations who are not in need of international protection as refugees and who may need assistance. These could be developed using a State-led process with the involvement of all relevant stakeholders.
- 3.11 We welcome the initiatives taken by some Member States in providing certain migrants who are not refugees with temporary protection against return (The African Group seeks clarification on who these people are)
- 3.12 We will build on existing bilateral, regional and global cooperation mechanisms for facilitating safe, regular and orderly migration. We will strengthen cooperation to this end among countries of origin, transit and destination, international organizations, regional economic organizations. We will also strengthen cooperation with, local government authorities, as well as relevant private sector recruiters and employers, labour unions, civil society and migrant and diaspora groups. We recognize that

support is particularly important for local government authorities who are the first receivers of migrants.

- 3.13 We recognise the progress made on international migration and development issues within the United Nations system, including the High-Level Dialogues on International Migration and Development. We will support enhanced global and regional dialogue and deepened collaboration on migration, particularly through exchanges of best practice and mutual learning and the development of national or regional initiatives. We note in this regard the valuable contribution of the Global Forum on Migration and Development.
- 3.14 We will foster more opportunities for safe, orderly and regular migration, including employment creation, labour mobility at all skill levels, circular migration, family reunification and education-related opportunities. We will be sensitive to the needs of fragile states and countries and areas which are in crisis. We will pay particular attention to issues such as the ethical recruitment of migrants, the reduction of recruitment and other migration-related costs, the facilitation and productive use of remittance flows, enhanced transfers of skills and knowledge and the creation of employment opportunities for young people.
- 3.15 We strongly encourage cooperation between, on the one hand, countries of origin or nationality and, on the other, countries of destination and other relevant countries in ensuring that migrants who do not meet the criteria for staying(what are the criteria's) in the latter can return to their country of origin or nationality in a safe, orderly and dignified manner. Any type of return, whether voluntary or otherwise, must be consistent with international human rights standards. It must also respect the rules of international law and must in addition be in keeping with the best interests of children and with due process. We support enhanced reception and reintegration assistance for those who are returned.
- 3.16 ~~We commit to launch a process of intergovernmental negotiations leading to the adoption of a Global Compact for Safe, Regular and Orderly Migration. This Global Compact will set out a range of principles and understandings among UN Member States regarding international migration in all its dimensions. It will make an important contribution to global governance on this set of issues, will deal with the humanitarian, developmental, human rights-related and other aspects of migration and will be rooted in the 2030 Agenda. It will build on the commitments we are making today and will take account also of other proposals and recommendations, including from civil society, the private sector and other relevant stakeholders.~~
- (The African Group asks for the deletion of paragraphs 3.16 – 3.19 in line with our position to have a global compact on migration)
- 3.17 ~~The negotiation process, which will begin in the coming months, will culminate in an intergovernmental conference in 2018 at which the Global Compact will be adopted. This will be developed and negotiated with close reference to the Global Compact on Responsibility-Sharing for Refugees, which we are adopting today. Both Global Compacts have equal status and will be complementary to each other and also to this Declaration.~~
- ~~3.18 We invite the President of the General Assembly to make arrangements for determination of the modalities, timeline and other practicalities relating to the negotiation process. We note in this~~

~~respect that the Third High-Level Dialogue on International Migration and Development is to be held at UN HQ in New York “by no later than 2019” and that a role could be envisaged for the HLD within the process. We expect that the International Organization for Migration would provide support for the negotiations. The Global Forum for Migration and Development and the Global Migration Group might also make contributions; and in addition we encourage regional consultations in support of the negotiations.~~

3.19 ~~We note that the Special Representative of the Secretary General on International Migration will be providing a report on the issues within his remit before the end of the year.~~

#### 4. **Commitments for refugees**

4.1 Recognizing that conflict and instability are among the factors which give rise to large refugee movements, we will work to prevent or resolve conflict. We will tackle the root causes of conflict situations. Early response to human rights violations and abuses is critical, ~~and we note in this respect the Secretary General’s valuable “Human Rights Up Front” initiative.~~ We will also promote good governance and rule of law as well as eliminate economic marginalization and deprivation and at the rule of law at the international, regional and national levels as tools for conflict prevention. Recognizing that violations of international humanitarian law are a further contributory factor, we renew our commitment to uphold ~~h~~humanitarian principles and international humanitarian law. ~~—~~We confirm also our respect for the norms which safeguard civilians in conflict situations.

4.2 We reaffirm the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto as complimented by the Organization of African Unity Convention of 1969, as the foundation of the international refugee protection regime. We recognize the importance of their full and effective application by States parties and the values they embody. We note with satisfaction that 148 States are now parties to one or both instruments. We encourage States not parties to consider acceding to those instruments and States parties with reservations to give consideration to withdrawing them. We recognize also that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees.

4.3 We reaffirm respect for the institution of asylum and for the right to seek asylum. We reaffirm also respect for the fundamental principle of non-refoulement.

4.4 We underline the centrality of common but differentiated responsibility-sharing and burden-sharing within international refugee protection. Echoed in the emphasis on international cooperation in the preamble to the 1951 Convention, this has been reaffirmed in successive General Assembly resolutions. We commit to an equitable sharing of responsibility for hosting and supporting the world’s refugees, while taking account of the differing capacities and resources among Member States for shouldering the burdens involved. We also underline the importance of responsibility sharing in addressing poverty and inequality which exists in countries of origin. We will consider ways in which an equitable sharing can be determined, either formally or informally, (what do we mean by formally or informally?) in specific situations of large-scale movement, ~~and~~ protracted refugee situations as well as in developing countries of origin.

4.5 We believe that a comprehensive response should be developed, initiated and coordinated by UNHCR and involving memberstates and other relevant UN agencies, for all situations involving large movements of refugees. This should involve a whole-of-society approach spanning the United Nations, other international organizations, national and local authorities, civil society partners, including faith-based organisations and academia, the private sector and the media. ~~Elements for such a comprehensive response are included in the Global Compact on Responsibility-Sharing for Refugees which we are adopting today (annexed to this Declaration).~~

4.6 We will not implement restrictive refugee admission policies or arrangements which may curtail rights and commit where appropriate, to assist States that are unable to conduct early and effective registration and documentation of refugees in their territory. ~~This will ease~~ We wish also to see administrative barriers ~~eased~~ with a view to accelerating refugee admission procedures to the extent possible.

4.7 We ~~committee to adopt encourage the adoption of~~ measures which would facilitate access to civil registration and documentation for refugees and we recognize in this regard the importance of early registration and effective registration and censuses as a tool protection and as a means to the qualification and assessment of needs for the provision and distribution of humanitarian assistance.

4.8 We recognize that statelessness is a root cause of forced displacement; in turn, forced displacement can lead to statelessness. We ~~welcome take note of~~ UNHCR's campaign to end statelessness ~~within a decade and we encourage States to consider actions they could take to reduce the incidence of statelessness. We encourage those States who have not yet acceded to the two conventions for the prevention and reduction of statelessness to consider doing so.~~

4.8 bis We acknowledge a myriad range of challenges encountered by recipient countries including security issues , environmental degradation, porching and stress on social facilities. In this regard, we call on the international community to provide the most needed resources to host countries to address these challenges.

4.9 We recognise that refugee camps should be the exception and, to the extent possible, a temporary measure in response to an emergency. ~~Further,~~ we will actively promote durable solutions, particularly in protracted refugee situations, with a focus on sustainable and timely return where possible. ~~—~~ We underline the civilian and humanitarian character of refugee camps and settlements and we commit to ensure that these camps and settlements are not under the control of armed groups.

#### 4.9 bis

We reaffirm that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, and recognize that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urge the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations. (A/RES/70/134 op 22)

#### ADD 4.9 ter

We reaffirm that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, and commit to take all measures necessary to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character. (GA/RES/70/134, op16 .Assistance to refugees, returnees and displaced persons in Africa)

4.9 ter We encourage the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes, including those related to social services, environment and security, that benefit both refugees and host communities in agreement with host countries and consistent with humanitarian objectives;

- 4.10 Welcoming the extraordinarily generous contribution made to date by countries which host large refugee populations, and the global public good which this constitutes, we will work to increase the support needed for these countries and call for pledges made at recent relevant conferences to be disbursed promptly. We commit to sharing in an equitable manner the enormous burden these countries have been carrying.
- 4.11 We will expand the number and range of legal pathways available for refugees to be admitted to, or to be relocated or resettled in, third countries. In addition to easing the plight of refugees, this has benefits for countries already hosting large refugee populations and it also assists receiving countries to meet, for example, labour market needs.
- 4.12 We encourage Member States who have not yet established resettlement programmes to undertake ~~consider doing so~~ at the earliest opportunity; those who have already done so are encouraged to consider increases in the size of their programmes. We are setting as a target the provision of resettlement places and other legal pathways for admission on a scale which would enable the annual resettlement needs identified by UNHCR, or at least 10% of the total refugee population, to be met.
- 4.13 We will pursue this target through measures such as the expansion of existing humanitarian admission programmes; possible temporary evacuation programmes (including evacuation for medical reasons); flexible arrangements to assist family reunification; private sponsorship for individual refugees; and opportunities for refugees with particular skill sets, for labour mobility (including through private-sector involvement) and for education (e.g. scholarships and student visas). We will increase substantially the opportunities for skills training and vocational education for refugees.
- 4.14 We commit to providing humanitarian assistance to refugees so as to ensure essential support in key life-saving sectors, e.g. food, water and sanitation, shelter.
- 4.15 We commit to providing quality primary and secondary education for all refugee children and to do so within a few months of the initial displacement, through long term and predictable funding to support Education in Emergencies .—We recognize that access to education gives fundamental protection to children and youth in displacement contexts, particularly in situations of conflict and crisis.

4.16 We highlight also the role of tertiary education; we recognize that, in crisis situations, higher education protects a critical group of young men and women, helps to build resilience, fosters inclusion and non-discrimination and provides a foundation for the rebuilding of war-torn societies.

4.17 We ~~will~~ will strive to ensure that the health needs of refugee communities are met taking in to consideration national capacities. We will also develop national strategies for the protection of refugees within the framework of national social safety nets. Welcoming the positive steps taken by individual Member States, we encourage host governments to open their labour markets to refugees. We will work to strengthen host communities' self-reliance and resilience, assisting them, for example, with employment creation and income generation schemes.

4.18 We will develop improved data collection systems including through international cooperation to identify and monitor the needs of refugees and host communities.

4.19 To meet the challenge posed by large movements of refugees, close coordination will be required between a range of humanitarian and development actors. Host Governments and communities will require support from relevant UN agencies, local authorities, international financial institutions, regional development banks, bilateral donors, the private sector and civil society. We strongly encourage joined-up responses involving all such players which would strengthen the nexus between the humanitarian and development dimensions, facilitate cooperation across institutional mandates and, by helping to build self-reliance and resilience, lay a basis for sustainable solutions. In addition to meeting direct humanitarian and development needs, ~~support will be needed to assist with environmental and infrastructural rehabilitation in areas affected by large movements of refugees.~~ we commit to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in host countries.

4.20 We note with concern a significant gap between the needs of refugees and the available resources. We encourage support from a broader range of donors, and with flexible multi-year funding, in order to close this gap. UN agencies such as UNHCR and UNRWA must have sufficient funding to be able to carry out their mandates effectively and in a predictable manner. We welcome the increasing engagement of the World Bank and multilateral development banks and improvements in access to concessional development financing for affected communities. It is clear, furthermore, that private sector investment in support of refugee communities and host countries will be of critical importance over the coming years. Civil society will also be a key partner in every region of the world in responding to the needs of refugees.

4.21 Welcoming the high-level meeting on refugees which the United States will host on 20 September 2016, we look forward to the pledges of support which individual Member States are expected to make there.

~~4.22 We have agreed a Global Compact on Responsibility Sharing for Refugees, the text of which is attached to this Declaration.~~

## 5 Follow-up and review of our commitments

- 5.1 We agree that arrangements are needed to ensure systematic follow-up and review of the range of commitments we are making today. Furthermore, these arrangements should be closely aligned with the wider reviews of progress on implementation of the 2030 Agenda, to which today's commitments are linked. Accordingly, we request the Secretary General to ensure, with input from the UN Secretariat, UNHCR, IOM, other relevant agencies and ~~others,~~ that the progress made by Member States and the UN in implementing the commitments made at today's High Level Meeting will be the subject of an annual assessment provided to the High Level Political Forum, and accordingly to Member States, as part of the Secretary General's wider reporting to the HLPF on implementation of the 2030 Agenda. (The group will consult back on this issue)
- 5.2 In addition, a role in monitoring and reviewing relevant aspects might be envisaged for the periodic High Level Dialogues on International Migration and Development, for the annual ECOSOC Humanitarian Affairs Segment and for the annual report of the UN High Commissioner for Refugees to the General Assembly. (The group will consult back on this issue)
- 5.3 A further High-Level Meeting within the next few years to assess progress on today's commitments may also be useful and will be considered in due course. (The group will consult on this issue)