



THE PRESIDENT
OF THE
GENERAL ASSEMBLY

19 January 2017

Excellency,

Please find attached a letter dated 18 January 2017 from His Excellency Jürg Lauber, Permanent Representative of Switzerland, and His Excellency Juan José Gómez Camacho, Permanent Representative of Mexico, as co-facilitators leading open, transparent and inclusive consultations with States with a view to the determination of modalities, a timeline, the possible holding of preparatory conferences and other practicalities relating to the intergovernmental negotiations leading to the adoption of a global compact for safe, orderly and regular migration to be presented at an intergovernmental conference on international migration in 2018, including the integration of the Geneva-based migration expertise.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Peter Thomson'.

Peter Thomson

To All Permanent Representatives and
Permanent Observers to the United Nations
New York



PERMANENT MISSION OF MEXICO
TO THE UNITED NATIONS



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Permanent Mission of Switzerland to the United Nations

New York, 18 January 2017

Excellency,

We are pleased to write to you in our capacity as co-facilitators of the modalities for the process for adoption of the Global Compact for safe, orderly and regular migration.

In this regard, we would like to thank all Member States for their constructive engagement in the discussion of the first draft circulated on 23 December 2016. As a result of the informal consultations held on 16 and 18 January 2017, we are pleased to circulate the pre-final draft of the modalities resolution for the intergovernmental negotiations of the global compact for safe, orderly and regular migration.

As announced during the last informal consultations on 18 January, we herewith would like to confirm that the consultations on the pre-final draft will take place on 20 January from 10:00 to 13:00 in the Trusteeship Council Chamber as well as from 15:00 to 18:00 in Conference Room 1, if need be. We will follow a section by section approach in deliberating on the pre-final draft and invite all Member States to share their reactions with a view to reach consensus within the established timeframe. We look forward to counting on your continued and most appreciated participation.

Please accept, Excellency, the assurances of our highest consideration.

Juan José Gómez Camacho
Ambassador and Permanent Representative
of Mexico to the United Nations

Jürg Lauber
Ambassador and Permanent Representative
of Switzerland to the United Nations

**Permanent Missions
to the United Nations
NEW YORK**

**Modalities for the intergovernmental negotiations of the
global compact for safe, orderly and regular migration**

Pre-final Draft of the Resolution

The General Assembly,

Recalling its resolution 71/1 of 19 September 2016, entitled "New York Declaration for Refugees and Migrants", and the launch of a process of intergovernmental negotiations leading to the adoption of a global compact for safe, orderly and regular migration (global compact) at an intergovernmental conference to be held in 2018,

Recalling also that the global compact would set out a range of principles, commitments and understandings among Member States regarding international migration in all its dimensions; make an important contribution to global governance and enhance coordination on international migration; present a framework for comprehensive international cooperation on migrants and human mobility; deal with all aspects of international migration, including the humanitarian, developmental, human rights-related and other aspects of migration; and be guided by the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, and informed by the Declaration of the High-level Dialogue on International Migration and Development adopted in October 2013,

Acknowledging its decision to work towards the adoption in 2018 of a global compact on refugees, while noting that the two processes are separate, distinct and independent but their outcomes should be complementary,

Welcoming the agreement to bring the International Organization for Migration (IOM), an organization regarded by its Member States as the global lead agency on migration, into closer legal and working relationship with the United Nations as a related organization, and underlining its important role in jointly servicing the negotiations by extending the technical and policy expertise required leading to the adoption of the global compact,

Taking note of the letter of the Secretary-General dated 21 December 2016 in which he communicates his intention to recommend the establishment of a Special Representative of the Secretary-General for International Migration,

1. *Decides* that the intergovernmental conference to adopt a global compact for safe, orderly and regular migration
 - (a) shall be held at the United Nations Headquarters in New York immediately prior to the opening of the general debate of the 73rd session of the General Assembly,
 - (b) shall be held at the highest possible political level, including Heads of State or Government,
 - (c) shall result in an intergovernmentally negotiated and agreed outcome, entitled "global compact for safe, orderly and regular migration" the scope of which is defined in Annex II of its resolution 71/1,
 - (d) shall also result in summaries of the plenary meetings and other deliberations of the conference, to be included in the report of the conference;
2. *Underlines* further that the outcome document to be adopted by the intergovernmental conference may include the following main components: actionable commitments, means of implementation and a framework for follow-up and review of implementation;
3. *Decides* that the intergovernmental conference and its preparatory process shall be open to participation by all States Members of the United Nations or all members of specialized agencies;
4. *Invites* intergovernmental organizations and other entities having received a standing invitation to participate as observers in the work of the General Assembly and organizations and

bodies of the United Nations to participate as observers in the intergovernmental conference and its preparatory process;

5. *Requests* the President of the General Assembly to appoint two co-facilitators to lead the intergovernmental consultations on issues related to the global compact, the intergovernmental conference as well as their preparatory process, in regular coordination and consultation with all Member States and regional groups, and underlines that the consultations must be open, transparent and inclusive in order to promote and strengthen Member States' ownership;

6. *Reiterates* the importance of the effective participation of all relevant stakeholders, including civil society, the private sector, academic institutions, parliaments, diaspora communities, and migrant organizations in the intergovernmental conference and its preparatory process, and:

- (a) *Invites* non-governmental organizations that are in consultative status with the Economic and Social Council to register with the Secretariat in order to participate in the intergovernmental conference and its preparatory process;
- (b) *Requests* the President of the General Assembly to draw up a list of other relevant representatives of relevant non-governmental organizations, civil society organizations, academic institutions, the private sector, diaspora communities and migrant organizations who may attend and participate in the preparatory process, taking into account the principles of transparency and of equitable geographical representation, and with due regard to the meaningful participation of women and to submit the list to Member States for their consideration on a non-objection basis no later than April 2017¹;
- (c) *Requests* the President of the General Assembly to draw up a further list of other relevant representatives of relevant non-governmental organizations, civil society organizations, academic institutions, the private sector, diaspora communities and migrant organizations who may attend and participate in the intergovernmental conference, taking into account the principles of transparency and of equitable geographical representation, and with due regard to the meaningful participation of women and to submit the list to Member States for their consideration on a non-objection basis no later than April 2018²;

7. *Emphasizes* the importance of contributions that take into account different realities, and therefore encourages effective contributions from and the active participation of all relevant stakeholders, at all stages of the preparatory process and at the conference itself, including by the sharing of best practices and concrete policies, for example, through the convening of national multi-stakeholder consultations and participation in global, regional and sub-regional platforms;

8. *Underlines* that relevant stakeholders, including civil society, scientific and knowledge-based institutions, parliaments, local authorities, the private sector and migrants themselves will be able to contribute views, in particular through informal dialogues to which they will be invited by the co-facilitators; the intergovernmental nature of the negotiations, however, will be fully respected;

9. *Invites* National Human Rights Institutions (NHRIs) compliant with the Paris Principles to register with the Secretariat in order to participate in the intergovernmental conference and its preparatory process, including the informal interactive multi-stakeholder hearings described in paragraph 30, and invites these NHRIs, as well as the Global Alliance of NHRIs and regional NHRI networks to organize global and regional consultations and contribute views to the preparatory process;

10. *Requests* the Secretary-General to appoint a Secretary-General of the Conference to act as focal point on behalf of the United Nations system for providing support to the preparatory process and to the organization of the conference;

^{1, 2} The list of proposed as well as final names will be brought to the attention of the General Assembly, Where a name is objected to, the objecting Member State will, on a voluntary basis, make known to the Office of the President of the General Assembly the general basis of its objections and the office will share any information received with any Member State upon its request.

11. *Reaffirms* that the Secretariat of the United Nations and the International Organization for Migration would jointly service the negotiations, the former providing capacity and support and the latter extending the technical and policy expertise required;

12. *Requests* the Secretary-General to ensure that the expertise of the United Nations system as a whole, including specialized agencies, funds, programmes, related organizations, all relevant Special Procedure mandate holders and treaty bodies, as well as regional economic commissions, giving due regard to Geneva-based expertise, is coordinated to support the State-led preparatory process of the global compact and the intergovernmental conference;

13. *Requests* further the Secretary-General to prepare a note on the organization of work of the intergovernmental conference that will serve as the basis for the precise modalities of the intergovernmental conference to be decided by Member States between November 2017 and January 2018;

14. *Decides* that the preparatory process leading to the adoption of the global compact shall be structured as follows:

- a. Phase I (consultations): April 2017 to November 2017
- b. Phase II (stocktaking): November 2017 to January 2018
- c. Phase III (intergovernmental negotiations): February 2018 to July 2018

Phase I – Consultations

15. *Requests* the President of the General Assembly, with the support of the Secretary-General and by drawing upon the expertise of the Global Migration Group (GMG), in particular IOM, and other relevant entities, to organize a series of informal thematic sessions on facilitating safe, orderly and regular migration that shall address, but not be limited to, the elements outlined in paragraph 8 of Annex II of its resolution 71/1 to be discussed under one or more of the following themes and be co-chaired by the co-facilitators, between April 2017 and November 2017, as follows:

- A) at the United Nations Office at Geneva:
 - a. Human rights of migrants, social inclusion, cohesion, and non-discrimination (Month),
 - b. Decent work, labor mobility, remittances and expanding regular pathways for migration (Month),
 - c. International cooperation and governance of migration on admission, readmission, return and reintegration (Month),
- B) at the United Nations Headquarters in New York:
 - d. Contributions of migration to all dimensions of sustainable development (Month),
 - e. Prevention, protection and assistance before, during and after human-made and natural crisis situations affecting migrants, including the adverse effects of climate change (Month),
 - f. Irregular migration, smuggling of migrants, trafficking in persons and contemporary forms of slavery (Month);

16. *Decides* that these informal thematic sessions shall be organized for a maximum duration of 12 working days in total, and shall each consist of 2 or 3 expert panels, as well as an interactive exchange;

17. *Further decides* that the expert panels shall be moderated by a Member State, and that their composition shall ensure equitable regional representation and take into account situations in countries of origin, transit and destination;

18. *Invites* the Secretary-General, drawing upon the expertise of the GMG, in particular IOM, and other relevant entities, to submit inter-agency issue briefs in advance of each informal thematic session;

19. *Calls upon* Member States to contribute to the preparatory process by providing concrete recommendations and other substantive inputs for the global compact in the informal thematic sessions;

20. *Further calls upon* Member States to give due regard to human rights, gender, and situations involving children and youth throughout the preparatory process, particularly in the informal thematic sessions, in order to promote a comprehensive understanding of migration in all its dimensions;

21. *Requests* the two co-facilitators to prepare summaries of the informal thematic sessions to serve as inputs in the preparation of the global compact, taking into account the views expressed by Member States and other stakeholders;

22. *Calls upon* the Secretary-General, in close consultation with IOM, to develop a work plan for Member States by March 2017 in order to make use of relevant processes, mechanisms and initiatives in the field of migration, and in this regard:

- (a) *Requests* the regional commissions and their sub-regional offices, in collaboration with other relevant entities of the United Nations system, to organize discussions among Member States and other relevant stakeholders to examine regional aspects of international migration and to provide inputs, in accordance with their respective mandates, to the preparatory process of the global compact;
- (b) *Invites* Member States, through appropriate regional and sub-regional consultative processes and, as appropriate, within global processes, mechanisms and initiatives, including the Global Forum on Migration and Development, relevant sessions of UN entities which address migration related issues and the IOM International Dialogue on Migration, to contribute to the preparatory process of the global compact;
- (c) *Invites* Member States to provide summaries and concrete recommendations derived from the processes, mechanisms and initiatives mentioned in this paragraph at the informal thematic sessions and in phase II, as appropriate;

Phase II – Stocktaking

23. *Decides* that a preparatory meeting co-chaired by the co-facilitators will be held in Mexico in late November 2017 for the duration of three days and that it shall take stock of the inputs received as outlined in paragraphs 15 and 22, and in this regard invites participants to:

- (a) present inputs from relevant processes outlined in paragraph 22 that have not been presented in the informal thematic sessions,
- (b) engage in discussions and analyze the inputs received as they relate to facilitating safe, orderly and regular migration,
- (c) discuss potential means of implementation, as well as follow up and review mechanisms for a global compact;

24. *Expresses* its appreciation to the Government of Mexico for its offer to host and cover the costs of the preparatory meeting;

25. *Requests* the co-facilitators as co-chairs of the preparatory meeting to prepare a chair's summary of the meeting, which will inform the basis of the zero draft of the global compact;

26. *Further requests* the Secretary-General, as an input to the intergovernmental negotiations, to present a report that includes facts and figures, as well as challenges and opportunities based on the full range of inputs then available and to provide Member States with recommendations before the beginning of phase III;

Phase III – Intergovernmental negotiations

27. *Decides* that the initial draft of the global compact shall be prepared by the co-facilitators on the basis of the views, summaries and recommendations provided by Member States

and by taking into account relevant inputs and substantive discussions in phases I and II, and shall be presented to Member States by the beginning of February 2018 for intergovernmental negotiations;

28. *Also decides* that intergovernmental negotiations on the global compact shall be held at the United Nations Headquarters in New York as follows: in February 2018 for three days, in March 2018 for four days, in April 2018 for four days, in May 2018 for five days, in June 2018 for five days and in July 2018 for five days;

29. *Stresses* the need for flexibility in convening the informal meetings of the intergovernmental negotiations and the possibility of convening additional consultations, as required, with interpretation services on an as-available basis;

30. *Requests* the President of the General Assembly, as part of the preparatory process for the intergovernmental conference, to organize and to preside over at least four days of informal interactive multi-stakeholder hearings, between April 2017 and June 2018, with representatives of non-governmental organizations, civil society organizations, academic institutions, parliaments, diaspora communities, migrants, migrant organizations and the private sector, and requests the President of the General Assembly to prepare a summary of the hearings, to be made available as an input for the intergovernmental negotiations;

31. *Decides* to establish a voluntary trust fund for the intergovernmental conference and its preparatory process primarily to support the travel and participation of representatives from developing countries, in particular the least developed countries;

32. *Decides further* that the voluntary trust fund may also be used to supplement the regular budget expenditures related to the activities of the preparatory process and the intergovernmental conference, to the extent that contributions remain available;

33. *Urges* all Member States and other potential donors to consider contributing generously to the trust fund for the intergovernmental conference and its preparatory process.