

Current text	Text should read	Observations
<p>2.0 We have agreed today on a set of commitments which apply to both refugees and migrants and refugees and also on sets of commitments for refugees and migrants respectively. 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, Annex I to this Declaration contains a Comprehensive Refugee Response Framework and outlines steps toward the achievement of a Global Compact relating to refugees in 2018 while Annex II sets out a 'roadmap' for the achievement of a Global Compact for Safe, Orderly and Regular Migration in 2018.</p>	<p>RESERVE POSITION. At this point, we would like to concentrate on the political declaration and evaluate the annexes once we have a better understanding of the commitments that will be agreed under the political declaration</p>	<p><b>All paragraphs supported by Argentina, Brazil, Chile, Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, Uruguay</b></p>
<p>2.1 Underlining the importance of a comprehensive approach to the issues involved, we will ensure a humane, sensitive, dignified, gender-responsive and prompt reception for all persons arriving in our countries, and particularly those in large movements, regardless of their migratory status. We will also ensure full respect for their human rights.</p>	<p>2.1 Underlining the importance of a comprehensive approach to the issues involved, we will ensure a <b>human rights centered</b>, <del>humane</del>, sensitive, dignified, gender-responsive and prompt reception for all persons arriving in our countries, and particularly those in large movements, regardless of their migratory status. We will also ensure full respect for their human rights.</p>	<p>“Humane” is a vague term that can easily be misconstrued. Throughout the document, the word “humane” should be substituted for “human rights based” or “human rights centric”.</p> <p>A specific reference to human rights provides the adequate legal guidance necessary for the development of adequate policies.</p>

2.2 We recognize, and will address in accordance with our obligations under international law, the special needs of all people in vulnerable situations who are travelling within large movements of refugees and migrants, including women at risk; children (especially those who are unaccompanied or separated from their families); members of ethnic minorities; victims of violence; older persons; persons with disabilities; persons who are discriminated against on the basis of their sexual orientation or gender identity; indigenous persons; and victims of exploitation and abuse in the context of human trafficking and migrant smuggling.

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Delete “at risk” when referring to women. Indigenous “peoples” instead of “persons”.

<p>2.3 Recognising that States have rights and responsibilities to manage and control their borders, we will implement both on arrival and return border management procedures, including disembarkation procedures and security and identification procedures, which are in conformity with applicable obligations under international law, including international human rights law and international refugee law. We will ensure that public officials and law enforcement officers who work in border areas are trained to uphold the human rights of all persons crossing, or seeking to cross, international borders. We acknowledge that States, while obliged under international law to examine any request for asylum made at their borders, are entitled to take measures to prevent illegal border crossings and to protect against terrorists entering their countries. We will strengthen international border management cooperation, including in relation to training and the exchange of best practices. We will intensify support in this area for host governments and help to build capacity as appropriate.</p>	<p>2.3 Recognising that States have rights and responsibilities to manage and control their borders, we will implement <del>both on arrival and return</del> border management procedures, including disembarkation procedures and security and identification procedures, which are in conformity with applicable obligations under international law, including international human rights law and international refugee law. We will ensure that public officials and law enforcement officers who work in border areas are trained to uphold the human rights of all persons crossing, or seeking to cross, international borders. <del>We acknowledge that States, while obliged under international law to examine any request for asylum made at their borders, are entitled to take measures to prevent illegal border crossings and to protect against terrorists entering their countries.</del> We will strengthen international border management cooperation, including in relation to training and the exchange of best practices. We will intensify support in this area <del>for host governments</del> and help to build capacity as appropriate.</p>	<p>We believe that border management is an important part of migration governance and international cooperation. we are particularly concerned about the third sentence in the paragraph. We do acknowledge that states must examine any request for asylum. However, we fail to see the link between this obligation and the implicit link between undocumented border crossings and terrorism.</p> <p>We are especially concerned with the reference to “terrorists entering their countries”, as this phrase negates the contemporary reality of the scourge of international terrorism, much of which does not involve cross-border movements at all. We should be cautious of unfounded stigmatization of foreigners as “terrorists” in the context of this discussion.</p>
<p>2.4 In large movements of refugees and migrants, we will make efforts to collect accurate information. We will distinguish correctly between refugees and migrants, and identify correctly their nationalities, as well as their reasons for movement.</p>	<p><b>DELETE – IT IS COVERED BY 2.17</b></p>	<p>Asks for deletion.</p>

<p>2.5 We will continue to protect 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 abuse while in transit are addressed on their arrival, without discrimination and without regard to legal or migratory status or means of transportation.</p>		<p>Support paragraph</p>
<p>2.6 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.</p>	<p>2.6 We are determined to address <del>irregular or unsafe</del> <b>large</b> movement, without prejudice to the right to seek asylum, and to combat the exploitation, abuse and discrimination suffered by many refugees and migrants.</p>	<p>Delete “irregular or unsafe movements” and substitute for “large movements”</p>
<p>2.7 We express our profound concern at the large number of people who have lost their lives in transit. We commit to intensifying 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. We will draw attention to the risks involved in the use of such routes in the first instance.</p>		<p>Support paragraph</p>

<p>2.8 We recognize, and will take steps to address, 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 exploitation, as well as to sexual, physical and psychological abuse, violence, human trafficking and modern-day slavery.</p>		<p>Support paragraph</p>
<p>2.9 We will address the vulnerabilities to HIV and the specific healthcare needs experienced by migrants and mobile populations, as well as by refugees and crisis-affected populations. We will 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.</p>	<p>2.9 We will address the vulnerabilities to HIV and the specific healthcare needs experienced by migrants and mobile populations, as well as by refugees and crisis-affected populations. We will 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.</p>	<p>We thank the African Group for presenting this paragraph. We support a paragraph regarding HIV, but request that it should be placed after paragraph 2.10 which is general paragraph on health. We further seek clarification on term “mobile population”.</p>

<p>2.10 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 gender-based violence in every way possible. We will provide access to sexual and reproductive healthcare. We will tackle the multiple and intersecting forms of discrimination to which refugee and migrant women and girls are subject. And at the same time, recognizing the significant contribution and leadership of women in refugee and migrant communities, we will work to ensure their full and meaningful participation in the development of local solutions and opportunities. We will take into consideration the different needs, vulnerabilities and capacities of women, girls, boys, and men.</p>	<p>2.10 We will ensure that our responses to large movements of refugees and migrants promote gender equality and the empowerment of <b>all</b> women and girls and fully respect their human <del>rights of women and girls</del>. We will combat <b>sexual and</b> gender-based violence in every way possible. We will provide access to sexual and reproductive healthcare. We will tackle the multiple and intersecting forms of discrimination to which refugee and migrant women and girls are subject. And at the same time, recognizing the significant contribution and leadership of women in refugee and migrant communities, we will work to ensure their full and meaningful participation in the development of local solutions and opportunities. We will take into consideration the different needs, vulnerabilities and capacities of <del>all women, girls, boys, and men</del>.</p>	<p>We feel it is important to address both sexual and gender based violence, which affects both men and women in the context of migratory movements.</p>
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<p>2.11 We will protect the human rights and fundamental freedoms of refugee and migrant children, regardless of their status, and in accordance with the best interests of the child. This will apply particularly to unaccompanied children and those separated from their families; we will refer their care to the relevant national child protection authorities as a matter of course. We will comply with our obligations under the Convention on the Rights of the Child. We will provide for health, education, and psychosocial development and for their birth registration. We are determined to ensure that all children are in education within a few months of arrival, and we will prioritize budgetary provision to facilitate this. We will strive to provide refugee and migrant children with a nurturing environment for the full realization of their rights and capabilities.</p>	<p>2.11 We will protect the human rights and fundamental freedoms of <b>ALL</b> refugee and migrant children, regardless of their status, and in accordance with the best interests of the child. This will apply particularly to unaccompanied children and those separated from their families; <u>we will refer their care to the relevant national child protection authorities where appropriate as a matter of course.</u> We will comply with our obligations under the Convention on the Rights of the Child. We will provide for health, education, and psychosocial development and for their birth registration. We are determined to ensure that all children are in education within a few months of arrival, and we will <u>prioritize budgetary provision</u> to facilitate this. We will strive to provide refugee and migrant children with a nurturing environment for the full realization of their rights and capabilities.</p>	<p>The referral to national child protection authorities may not always be in the best interest of the child. We would support a caveat of “where appropriate”.</p> <p>Greater clarity would be appreciated with regards to “prioritize budget provision”.</p>
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<p>2.12 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. We will review policies that criminalize cross-border movements. Furthermore, recognizing that detention is never in the interests of children, we commit to working toward the earliest possible ending of this practice.</p>	<p>2.12 Reaffirming that all individuals seeking to cross international borders are entitled to due process in the assessment of their legal status, entry and stay, <del>we will consider alternatives to detention while these assessments are underway.</del> We will <b>move away from <i>review policies that criminalize</i> cross-border movements <b>and from practices of detention for the assessment of their legal status.</b></b> Furthermore, <b>we commit to never detain children for this purpose..</b></p>	<p>Delete “we will consider alternatives to detention while these assessments are under way” for “<b>we will move away from policies that criminalize cross-border movements and from practices of detention for the assessment of their legal status.</b></p> <p><b>We insist in retaining the commitment to “never detain children for this purpose”</b></p>
<p>2.13 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.</p>		<p>OK</p>

2.14 We recognize that refugees and migrants in large movements are at greater risk of being trafficked and of being subjected to forced labour. 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. We will provide protection and support for the victims of human trafficking, and will ensure that they are not penalised for crimes committed as a direct result of human trafficking. With a view to disrupting the criminal networks involved, we will review our national legislation to ensure conformity with our obligations under international law on migrant smuggling, human trafficking, maritime safety as well as with international standards for border management. We will implement the United Nations Global Plan of Action to Combat Trafficking In Persons. 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, the ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children, and the Work Plans against Trafficking in Persons in the Western Hemisphere. We welcome reinforced technical cooperation, on a regional and bilateral basis, between countries of origin, transit and destination on the prevention of trafficking and smuggling of human beings.

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<p>2.15 We favour an approach to addressing forced displacement and protracted crises which would reduce vulnerability, improve self-reliance and resilience (such as in the education sphere and labour markets), facilitate a transition from relief to development and improve coordination with peacebuilding efforts. We will ensure, on the basis of bilateral, regional and international cooperation, that adequate, sustainable and predictable multi-annual financing is made available to enable host countries and communities to respond both to the immediate humanitarian needs and to the longer-term development needs of refugees, migrants and host communities. There is a need to address gaps in humanitarian funding, considering additional resources as appropriate. 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. We envisage innovative financing responses, risk financing for affected communities, and a reduction of duplication and management costs and implementation of other efficiencies so as to ensure a more efficient and effective use of existing resources.</p>		OK
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<p>2.16 We commit to combatting discrimination in our societies against refugees and migrants and will undertake efforts aimed at their integration and inclusion. Relevant national policies will be developed to these ends in conjunction with civil society (including faith-based organizations), the private sector, employers' and workers' organizations and other stakeholders. We also note the obligation on refugees and migrants to observe the laws and regulations of their host countries.</p>	<p>2.16 We commit to combatting <b>xenophobia, racism, discrimination and intolerance</b> in our societies against refugees and migrants and will undertake efforts aimed at their integration and inclusion. Relevant national policies will be developed to these ends in conjunction with civil society (including faith-based organizations), the private sector, employers' and workers' organizations and other stakeholders. We also note the obligation <del>on</del> of refugees and migrants to observe the laws and regulations of their host countries.</p>	<p>Include "xenophobia, racism and intolerance"</p>
	<p>2.16 bis The imposition of restricted admission policies has played a role in the rise of xenophobic, racist and discriminatory rhetoric. We commit on opening legal pathways and channels of admission both for refugees and migrants.</p>	<p>OK</p>
<p>2.17 We recognize the importance of improved data collection and will enhance international cooperation to this end. Such data should be disaggregated by sex and age and include information on regular and irregular flows, the economic impacts of migration and refugee movements, the needs of refugees, migrants and host communities and other issues. We fully respect international data protection norms, national legislation on data protection, if applicable, and privacy standards.</p>		