

## **Resolution 2013/1**

### **New trends in migration: demographic aspects<sup>1</sup>**

*The Commission on Population and Development,*

*Recalling* the Programme of Action of the International Conference on Population and Development<sup>2</sup> and the key actions for its further implementation,<sup>3</sup>

*Recalling also* the Universal Declaration of Human Rights<sup>4</sup> and the obligations of States parties to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights,<sup>5</sup> the Convention on the Elimination of All Forms of Discrimination against Women,<sup>6</sup> the Convention on the Rights of the Child,<sup>7</sup> the Convention on the Rights of Persons with Disabilities,<sup>8</sup> the International Convention on the Elimination of All Forms of Racial Discrimination<sup>9</sup> and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,<sup>10</sup>

*Recalling further* the United Nations Convention against Transnational Organized Crime<sup>11</sup> and the supplementing protocols thereto, namely, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,<sup>12</sup> and the Protocol against the Smuggling of Migrants by Land, Sea and Air,<sup>13</sup> and the United Nations Global Plan of Action to Combat Trafficking in Persons,<sup>14</sup>

*Recalling* the United Nations Declaration on the Rights of Indigenous People,<sup>15</sup>

*Recalling also* the 2005 World Summit Outcome,<sup>16</sup> its resolution 60/265 of 30 June 2006 on follow-up to the development outcome of the 2005 World Summit, including the Millennium Development Goals and the other internationally agreed development goals, and recalling further the High-Level Plenary Meeting of the General Assembly on the Millennium Development Goals and its outcome document,<sup>17</sup>

*Acknowledging* that the first High-level Dialogue on International Migration and Development in 2006 provided an opportunity to address constructively the issue of international migration and development and increased awareness of the issue, including the summary by the President of the General Assembly of the Dialogue,<sup>18</sup>

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<sup>1</sup> For the discussion, see chap. II.

<sup>2</sup> *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

<sup>3</sup> See General Assembly resolution S-21/2, annex; *Official Records of the General Assembly, Twenty-first Special Session, Supplement No. 3* (A/S-21/5/Rev.1); and A/S-21/PV.9.

<sup>4</sup> General Assembly resolution 217 A (III).

<sup>5</sup> See General Assembly resolution 2200 A (XXI), annex.

<sup>6</sup> United Nations, Treaty Series, vol. 1249, No. 20378.

<sup>7</sup> *Ibid.*, vol. 1577, No. 27531.

<sup>8</sup> *Ibid.*, vol. 2515, No. 44910.

<sup>9</sup> *Ibid.*, vol. 660, No. 9464.

<sup>10</sup> *Ibid.*, vol. 2220, No. 39481.

<sup>11</sup> *Ibid.*, vol. 2225, No. 39574.

<sup>12</sup> *Ibid.*, vol. 2241, No. 39574.

<sup>13</sup> *Ibid.*, vol. 2237, No. 39574.

<sup>14</sup> General Assembly resolution 64/293.

<sup>15</sup> See General Assembly resolution 61/295, annex.

<sup>16</sup> General Assembly resolution 60/1.

<sup>17</sup> General Assembly resolution 65/1.

*Recognizing* the contribution of the Global Forum on Migration and Development to addressing the multidimensional nature of international migration and promoting coherent and comprehensive approaches,

*Recalling* all General Assembly resolutions relevant to international migration, including those on international migration and development, and on the protection of migrants, in particular Assembly resolutions 63/225 of 19 December 2008, 65/170 of 20 December 2010, 67/172 of 20 December 2012 and 67/219 of 12 December 2012, which are relevant to the second High-level Dialogue on International Migration and Development, which will be held during the sixtyeighth session of the General Assembly and will discuss the overall theme of

“Identifying concrete measures to strengthen coherence and cooperation at all levels, with a view to enhancing the benefits of international migration for migrants and countries alike and its important links to development, while reducing its negative implications”,

*Recalling also* the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, and its outcome document, entitled “The future we want”,<sup>19</sup>

*Reaffirming* the resolve expressed by the Heads of States and Governments to take measures to ensure respect for and protection of the human rights of migrants, migrant workers and members of their families,

*Recognizing* that the full implementation of the Programme of Action of the International Conference on Population and Development and the key actions for its further implementation, including those related to sexual and reproductive health and reproductive rights, which would also contribute to the implementation of the Beijing Platform for Action,<sup>20</sup> as well as those on population and development, education and gender equality, are integrally linked to global efforts to eradicate poverty and achieve sustainable development, and that population dynamics are allimportant for development,

*Recognizing also* that all human rights are universal, indivisible, interdependent, interrelated and mutually reinforcing and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and stresses that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States regardless of their political, economic and cultural systems to promote and protect all human rights and fundamental freedoms,

*Recognizing further* the responsibility of States to promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their migration status, especially those of women and children,

*Acknowledging* the important link between migration and development, and recognizing that migration brings both opportunities and challenges to countries of origin, transit and destination to migrants and to the global community,

*Reaffirming* that development is a central goal in itself and that sustainable development in its economic, social and environmental aspects constitutes a key

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<sup>18</sup> A/61/515.

<sup>19</sup> General Assembly resolution 66/288, annex.

<sup>20</sup> Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

element of the overarching framework of United Nations activities,

*Recognizing* the importance of preventing and eliminating trafficking in persons, including migrant workers, while assuring the protection of their human rights,

*Recognizing also* that increased national, bilateral, regional and multilateral cooperation and shared responsibility are important to ensure orderly, regular and safe processes of migration and to reduce undocumented or irregular migration,

*Recognizing further* the importance of having a comprehensive and balanced approach to migration, and bearing in mind that migrants can contribute to the political, economic, social and cultural fabric of countries and the historical, cultural and economic ties that exist among some regions,

*Recognizing* that remittance flows constitute one of the important aspects of international migration and constitute a source of private capital,

*Acknowledging* the importance of sustainable integrated urban development in order to respond effectively to the growth of urban populations, while also recognizing that a significant portion of the world's poor live in rural areas and that rural communities play an important role in the economic development of many countries,

*Aware* that migration has increased in volume, scope, complexity and impact since the adoption of the Programme of Action of the International Conference on Population and Development, and that migration is an intrinsic feature of a globalizing world in which economic, social, cultural, demographic, political and environmental factors all play an important role,

*Acknowledging* the complexity of migratory flows and that international migration movements also occur within the same geographical regions, and in this context calling for a better understanding of migration patterns across and within regions,

*Noting* that greater internal migratory flows have a significant impact on the distribution and concentration of populations in cities and large urban agglomerations, and recognizing the growing numbers of urban poor who often have no other option but to live in slums,

*Recognizing* the need to further consider the role that environmental factors may play in migration,

*Noting* that international migration affects the population size and population distribution of countries as well as their composition by age and sex, and recognizing that migration flows are important considerations for development planning,

*Recognizing* that women and girls account for almost half of all international migrants at the global level, that women are increasingly migrating on their own or as heads of households and that while this situation can create opportunities for economic independence and empowerment, it can also lead to exploitation and vulnerability, and violence and abuse for girls, as well as for migrant women and their families, and therefore requires more attention and greater gender sensitivity in all policies and efforts related to migration,

*Recognizing also* the contributions of adolescents and young migrants to countries of origin, transit and destination, their particular vulnerabilities, circumstances and needs, and their potential to build social, economic and cultural bridges of cooperation and understanding across societies, and in that regard

acknowledging the need to consider the socioeconomic circumstances and specific needs of young migrants, including access to education and health services, in order that they may achieve their full potential and contribute to inclusive social and economic development,

*Recognizing further* that any migrant can be vulnerable depending on the conditions and circumstances of his or her migration, and that these vulnerabilities can be exacerbated depending on a variety of factors such as age, sex, ethnicity and legal status,

*Recognizing* that young people, including young migrants, are particularly vulnerable to HIV infection because of social and economic factors and other inequities, including stigma and discrimination, gender-based and sexual violence, gender inequality and violations, and lack of accurate information on HIV and other sexually transmitted infections, and access to sexual and reproductive health, including HIV-related services,

*Recalling* the resolve expressed to provide protection and assistance to refugees and internally displaced persons, of whom a majority are women and children, in accordance with international law, including international humanitarian law,

*Recognizing* that all migrants have the right to a nationality to prevent statelessness, which can leave migrants particularly vulnerable to arbitrary arrest and detention, exploitation, and other abuses, and that all children, including the children of migrants, should be registered immediately after birth,

*Recognizing also* that in order to achieve their full potential for economic and social development, migrants need to have access to vital registration services and relevant documentation, education, vocational training, housing, productive employment, and social and health services, including sexual and reproductive health services, with due regard for applicable laws and eligibility requirements,

*Recalling* the various General Assembly resolutions requesting the United Nations system and other relevant international organizations, in particular the International Organization for Migration, to enhance their cooperation to improve the collection, dissemination and analysis of migration data disaggregated, *inter alia*, by age and sex,

*Taking note* of the reports of the Secretary-General on world population monitoring and on the monitoring of population programmes, both focusing on new trends in migration,<sup>21</sup> and taking note also of the report of the Secretary-General on the flow of financial resources for assisting in the implementation of the Programme of Action of the International Conference on Population and Development,<sup>22</sup>

1. *Reaffirms* the Programme of Action of the International Conference on Population and Development; and the key actions for its further implementation;
2. *Also reaffirms* the Beijing Platform for Action and the outcomes of the twenty-third special session of the General Assembly,<sup>23</sup> including in the area of migrant women;
3. *Further reaffirms* the sovereign right of each country to implement the recommendations of the Programme of Action or other proposals in the present resolution, consistent with national laws and development priorities, with full

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<sup>21</sup> E/CN.9/2013/3 and E/CN.9/2013/4.

<sup>22</sup> E/CN.9/2013/5.

<sup>23</sup> General Assembly resolutions S-23/2, annex, and S-23/3, annex.

respect for the various religious and ethical values and cultural backgrounds of its people, and in conformity with universally recognized international human rights;

4. *Calls upon* States to promote and protect effectively the human rights and fundamental freedoms of all migrants regardless of migration status, especially those of women and children, and to address international migration through international, regional or bilateral cooperation and dialogue and a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of origin, transit and destination in promoting and protecting the human rights of all migrants, and avoiding approaches that might aggravate their vulnerability;
5. *Urges* Member States to take effective measures in conformity with international law to protect migrants affected or exploited by terrorism and incitement;
6. *Also urges* Member States to take concerted actions in conformity with international law to remove the obstacles faced by migrants, including those living in situations of armed conflict or under foreign occupation;
7. *Requests* all Member States, in accordance with their relevant international obligations and commitments, to promote cooperation at all levels in addressing the challenge of undocumented or irregular migration, so as to foster orderly, regular and safe processes of migration;
8. *Urges* all Member States to devise, enforce and strengthen effective measures and specific policies to prevent, combat and eliminate all forms of trafficking in persons, to counter the demand for trafficked victims and to protect the victims, in particular women and children subjected to forced labour, sexual exploitation, violence or sexual abuse;
9. *Encourages* Member States that have not already done so to enact national legislation and take other appropriate measures to combat international smuggling of migrants, including legislative, judicial, regulatory and administrative measures, recognizing that migrant smuggling may endanger the lives of migrants or make them vulnerable to trafficking, kidnapping or other crimes and abuse by organized criminal groups, and to strengthen international cooperation to combat such crimes;
10. *Urges* Member States to safeguard and protect migrants and members of their families from illegal or violent acts, including acts of discrimination and crimes perpetrated on any basis, and to respect their physical integrity, dignity, religious beliefs and cultural values;
11. *Encourages* Member States that have not done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,<sup>11</sup> as well as other relevant legal instruments related to labour standards, and requests the Secretary-General to continue his efforts to promote and raise awareness of such instruments;
12. *Calls upon* Member States to promote and protect the human rights and fundamental freedoms of, and promote equal opportunities for, internal migrants, to combat all forms of discrimination against them, to provide them with access to education, health care and social services, and to foster social integration, especially for marginalized migrants;
13. *Reaffirms* that there is a need to address and to promote conditions for cheaper, faster, more transparent and safer transfers of remittances, in a non-discriminatory fashion, in both source and recipient countries, and invites Member States as well as the private sector, international organizations, the banking community and other stakeholders, to work towards the further reduction of transfer

costs of remittances;

14. *Reaffirms also* the need to encourage opportunities for development oriented investments in recipient countries by beneficiaries that are willing and able to undertake such actions;

15. *Invites* Governments to encourage diasporas to contribute to the development of their countries and communities of origin, in accordance with domestic legislation, including by facilitating human capital transfer, direct investment, trade and philanthropy, and by ensuring an environment that is conducive to investments and entrepreneurship with easy access to information, networks and infrastructure;

16. *Invites* Member States to take practical measures to enhance the benefits of international migration for development by, *inter alia*, seeking to ensure the fair treatment of migrants with regard to their working conditions and wages, the portability of pensions and other social protections, as appropriate, and the mutual recognition of diplomas and qualifications, with due regard to eligibility criteria, and in general lowering the costs of migration and promoting circular and return migration;

17. *Calls upon* States to ensure that migration, which affects many areas of development, is integrated into national and sectoral development policies, strategies and programmes;

18. *Reiterates* the need to consider how the migration of highly skilled persons, especially in the health, social and engineering sectors, affects the development efforts of developing countries and endorses the example of good practice set by the World Health Organization Global Code of Practice on the International Recruitment of Health Personnel, whereby the international community is encouraged to support and promote the strengthening of health systems;

19. *Invites* Governments, when developing policies, to take into account the role that environmental factors may play in migration;

20. *Urges* Member States and the international community to give due consideration to the linkages between migration and development in the further implementation of the Programme of Action of the International Conference on Population and Development beyond 2014, and in the elaboration of the post-2015 development agenda;

21. *Urges* Member States, with the support of the international community, to consider population and migration trends and projections in developing, implementing, monitoring and evaluating national, rural and urban development strategies and policies, and to seize the opportunities and address the challenges associated with demographic change, including migration;

22. *Encourages* Member States to promote sustainable and integrated rural and urban development, to strengthen urban-rural linkages and to expand participatory efforts to upgrade slums;

23. *Encourages* Governments to harness the benefits of persons moving to urban areas in pursuit of education, employment or family unity, and to seize the advantages of higher population density, notably higher energy efficiency in transport and housing, as well as cheaper provision of services and infrastructure, while at the same time working to mitigate the adverse impacts of the rapid concentration of populations in cities or metropolitan areas;

24. *Welcomes* programmes that allow migrants to integrate fully into society, facilitate family reunification in accordance with the laws and specific criteria of

each Member State and promote a harmonious, tolerant and respectful environment, and encourages host countries to take appropriate measures aimed at the full integration of long-term, regular migrants staying in the country;

25. *Calls upon* States to protect the human rights of migrant children, especially migrant girls, given their vulnerability, particularly unaccompanied migrant children, ensuring that the best interests of the child are a primary consideration in State policies on integration, return and family reunification, including repatriation mechanisms;

26. *Urges* Member States and relevant international organizations to incorporate a gender perspective into all policies and programmes on international migration in order, *inter alia*, to reinforce the positive effects that migration can have for the empowerment of women and the contributions that migrant women can make to the economic, social and human development of their countries of origin and their host countries, and to strengthen actions to prevent and eliminate all forms of violence, coercion, discrimination, trafficking in persons, and exploitation and abuse of women and girls;

27. *Urges* Governments to take into account the best interests of the child by adopting or strengthening measures to promote and protect the human rights of migrant girls, including unaccompanied girls, regardless of their immigration status, so as to prevent labour and economic exploitation, discrimination, sexual harassment, violence and sexual abuse in the workplace, including in domestic work;

28. *Calls upon* Member States to consider the consequences of humanitarian emergencies for migrants and migration, including for longer-term development, in particular regarding the situation of international migrants affected by acute crises in destination or transit countries, and the impact of return migration, and also specifically considering the role of human mobility in disaster risk reduction strategies, disaster preparedness, national climate change adaptation programmes and sustainable urban planning;

29. *Also calls upon* Member States to increase measures to protect women migrants from violence and harassment, including sexual harassment and bullying, in both public and private spaces, and to address security and safety through awareness-raising policies and programmes;

30. *Recognizes* that migrants and displaced persons in many parts of the world have limited access to health care, including for sexual and reproductive health, and face specific threats to their reproductive health and rights, and calls upon Governments to provide services that are particularly sensitive to the needs of individual women and adolescents and responsive to their often powerless situation, with particular attention to those who are victims of sexual violence;

31. *Calls upon* Member States to intensify efforts to provide migrants with access to health and social services, including sexual and reproductive health services, information and education, and access to services for the prevention and treatment of HIV and AIDS and other communicable or non-communicable diseases, and for the care and support of persons living with these conditions; as well as to implement measures to prevent violence, including sexual violence, and to address the consequences by providing, *inter alia*, emergency contraception and safe abortion in circumstances where such services are permitted by national law;

32. *Urges* States that have not yet done so to adopt and implement legislation and policies that protect all women migrant domestic workers and to include therein and improve, where necessary, relevant monitoring and inspection measures in line with applicable International Labour Organization conventions and other instruments to ensure compliance with international obligations, and to grant women migrant workers in domestic service access to gender sensitive, transparent

mechanisms for bringing complaints against employers, while stressing that such instruments should not punish women migrant domestic workers, and calls upon States to promptly investigate and punish all violations of their rights;

33. *Encourages* Member States to consider identifying and reviewing any remaining HIV-related restrictions on the entry, stay and residence of migrants in order to eliminate the restrictions;

34. *Urges* Member States, with the support of the international community and within their national strategies for the development of statistics, to prioritize the collection and publication of timely and comparable migration data, based on existing standards and guidelines, including data disaggregated by age and sex, and to build national capacity for this work;

35. *Requests* the Secretary-General to examine best practices and make recommendations for strengthening national capacities to collect, process and disseminate migration data, and for using such data for decision-making and informed public debate and dialogue, as part of his report to the 2013 High-level Dialogue on International Migration and Development;

36. *Encourages* Member States to take advantage of advances in methodologies and technologies for data collection and analysis and to collaborate regularly in the collection, processing, exchange and analysis of migration and other relevant data compiled through various data collection systems;

37. *Also encourages* Member States to make migration data available at the highest level of spatial disaggregation possible, in all cases respecting the privacy of individuals and taking into account legal and ethical standards, in order to improve the quality, timeliness and accessibility of data for the purpose of policy and programme development, implementation, monitoring and evaluation;

38. *Encourages* efforts by Member States and the international community to promote a balanced and comprehensive approach to migration and development, in particular by building partnerships among all relevant stakeholders and by ensuring coordinated action to develop national capacities, including for data collection and for the management of migration in ways that respect and protect human rights;

39. *Stresses* the need to take concrete actions to strengthen bilateral, regional and international cooperation and dialogue in the area of international migration and development and, where appropriate, to develop and implement national and regional policies and cooperative strategies with the meaningful participation of migrants to ensure that migration contributes to the development of both countries of origin and countries of destination;

40. *Reaffirms* the right of Governments to enforce their migration laws consistent with their international obligations;

41. *Calls upon* Governments of both developed and developing countries to make every effort to mobilize the required resources to ensure that the migration, development and human rights-related objectives of the Programme of Action of the International Conference on Population and Development are met, and urges Governments and development partners to cooperate closely to ensure that resources are used in a manner that ensures maximum effectiveness and is in full alignment with the needs and priorities of developing countries;

42. *Calls upon* all relevant bodies, agencies, funds and programmes of the United Nations system, and other relevant intergovernmental, regional and subregional organizations, including the Global Migration Group, within their respective mandates, to strengthen their collaboration and cooperation in the area of

international migration, to adopt coherent, comprehensive and coordinated approaches and to include migration issues in their contributions to the preparation of the post-2015 development agenda;

43. *Requests* the Secretary-General to continue his substantive work on migration and development and, in collaboration with the United Nations system and relevant organizations, including the International Organization for Migration, to continue assessing the progress made in achieving the goals and objectives on migration and development set out in the outcomes of the major United Nations conferences and summits;

44. *Looks forward* to the second High-level Dialogue on International Migration and Development, with the aim of identifying concrete measures to harness the benefits of migration and to minimize its negative impacts, which is to be held during the sixty-eighth session of the General Assembly, reiterates the invitation to Member States and observers to participate at the highest possible level, and calls on Member States to contribute through appropriate regional consultative processes to the High-level Dialogue;

45. *Recommends* in this regard that the Economic and Social Council transmit the report of the Commission on its forty-sixth session to the second Highlevel Dialogue on International Migration and Development.