



THE PRESIDENT  
OF THE  
GENERAL ASSEMBLY

21 April 2016

Excellency,

I am pleased to enclose herewith the letter dated 20 April 2016 received from H.E. Mr. Jan Eliasson, the Deputy Secretary-General and the advance, unedited version of the Secretary-General's Report titled "In Safety and Dignity: Addressing Large Movements of Refugees and Migrants".

I wish to invite you to attend a briefing by Ms. Karen AbuZayd, Special Adviser of the Secretary-General to introduce the Report of the Secretary-General on Tuesday, 3 May 2016, at 3.00 pm in the Trusteeship Council Chamber.

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

A handwritten signature in black ink, appearing to read "Mogens Lykketoft".

Mogens Lykketoft

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



THE DEPUTY SECRETARY-GENERAL

RECEIVED

APR 20 2016

By: \_\_\_\_\_  
Office of the PGA

20 April 2016

Dear Mr. President,

Please find enclosed the advance, unedited version of the Secretary-General's report "In Safety and Dignity: Addressing Large Movements of Refugees and Migrants", which has been submitted to DGACM for translation into the six official languages.

Please accept, Mr. President, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read "Jan Eliasson".

Jan Eliasson

His Excellency  
Mr. Mogens Lykketoft  
President of the General Assembly  
New York



# General Assembly

Distr.: General  
09 May 2016

Original: English

ADVANCE  
UNEDITED  
DRAFT

---

Seventieth session

Agenda item 15, 116

High-level meeting on addressing large movements of refugees and migrants

## **In Safety and Dignity: Addressing Large Movements of Refugees and Migrants**

### **Report of the Secretary-General**

#### **Summary**

This report, which is issued pursuant to General Assembly Decision 70/539, provides background and recommendations in preparation for the High-Level Plenary on Addressing Large Movements of Refugees and Migrants to be held on 19 September 2016. The report is structured in five sections, beginning with a global overview of trends, analysis of the causes of large movements of refugees and migrants and a discussion of their particular needs en route and upon arrival. Following a short review of related recent initiatives, the report calls for new global commitments to address large movements of refugees and migrants, commencing with recommendations to ensure at all times the human rights, safety and dignity of refugees and migrants, among them addressing the causes of such movements, protecting those who are compelled to undertake such journeys, and preventing the discrimination and countering the xenophobia they frequently encounter. The report calls for a more predictable and equitable way of responding to large movements of refugees through adoption of a Global Compact on responsibility-sharing for refugees, and by setting out elements of a comprehensive response plan for refugees. Finally, the report calls for strengthening global governance of migration through development of a Global Compact for safe, regular and orderly migration, in a process to be initiated now and realized in the coming years.

#### **Introduction**

1. Although large movements of refugees and migrants are not a new phenomenon, the images of the past few years have shocked the world's conscience: rickety boats piled high with people seeking safety; women, men and children drowning in their attempts to escape violence and poverty; fences going up on

---

borders where people used to cross freely; thousands of girls and boys going missing, many falling prey to criminal groups. Unable to find safe ways to move, people suffer and die in search of safety while crossing the Sahara Desert, the Andaman Sea, the Mediterranean, and dozens of other dangerous places around the world. Upon arrival, the rights of those who survive these perilous trips are often violated. Many asylum-seekers and migrants are detained and their reception is sometimes far from welcoming. Xenophobic and racist rhetoric seems not only to be on the rise, but also to be becoming more socially and politically acceptable.

2. Away from the daily headlines and stark images, strains are quietly accumulating on refugees and migrants as well as on countries and communities that receive them – sometimes for many years. In some refugee situations, a third generation of children has been born into displacement. Local authorities in all regions struggle to provide basic services, including places in schools, for large numbers of new arrivals. While pledges for humanitarian response have reached all-time highs, funding is insufficient to meet ballooning needs. Even in emergency situations, early planning for development requirements and increased engagement of development actors is sorely needed.

3. Large movements of people will continue or possibly increase as a result of violent conflict, poverty, inequality, climate change, disasters, and environmental degradation. Despite valiant efforts, our responses have too often been inadequate. We have provided life-saving assistance, but have been unable to plan for the eventuality of longer-term displacement or to sufficiently support host communities. If there is one lesson to draw from the past few years, it is that individual countries cannot solve these issues on their own. International cooperation and action to address large movements of refugees and migrants must be strengthened. Our responses must address the reasons people leave their homes, their need for safe passage and protection, and both immediate and the long-term needs of those who cross into other countries. In short, as an international community we can do much better.

4. Yet there were also signs of hope. More resettlement and humanitarian admission places were offered for refugees in recent years than in the past. New efforts have been undertaken to rescue those at sea. Humanitarian funding has increased, though not commensurate with the needs. The generosity of some Member States who continued to welcome new arrivals while already hosting large numbers of refugees year after year has been impressive. We have seen an outpouring of civil society support and, in every region, individuals who spontaneously welcomed new arrivals, often literally opening the doors of their homes to them.

5. We need to build on positive examples. The refugee and migrant crises around the world are serious, but not insurmountable if we act together and share responsibility more equitably. We have the capacity to improve our response to large movements of people and to address their needs and those of communities that support them. We have devised effective multilateral responses to large movements in the past. We can come up with ways to strengthen international cooperation to

---

ensure safety and dignity in today's mass movements. This report lays out ways to do so. With the necessary political will, we will be able to ensure that our responses to large movements of people are grounded in our shared values of responsibility sharing, non-discrimination, and respect for human rights, while also taking full advantage of the opportunity migration provides to stimulate development and economic growth.

6. The 19 September UN High-Level Plenary of the General Assembly on Addressing Large Movements of Refugees and Migrants represents a unique opportunity to strengthen and implement existing frameworks and to develop innovative ways to address large movements of people. We must find ways to govern our national borders effectively, while protecting the human rights of all refugees and migrants. We need to address the causes of displacement and irregular migration. We must develop mechanisms to respond to future large movements of people more effectively and predictably. We must acknowledge and strengthen the contributions that refugees and migrants make to host communities.

7. The risks of inaction are considerable. If we do not seize this opportunity to reinforce respect for international law, put into place new approaches and strengthen our common responses, we are likely to see greater loss of life and heightened tensions among Member States and within communities. More refugees and migrants will perish in transit. Transnational criminal migrant smuggling rings and human trafficking networks will continue to flourish, leading to exploitation of the vulnerable. The rights and dignity of millions of fellow human beings will be further diminished if they languish in camps or on the margins of cities without access to basic needs, livelihoods and income opportunities. With millions of children out of school and millions of adults with no possibilities for earning an income, the promise we made a year ago to 'leave no one behind' risks becoming a meaningless cliché, with far reaching consequences.

8. The 19 September High-Level Plenary will be the culmination of several international initiatives in response to global refugee and migrant crises. I hope that our summit will not only galvanize the pledges made at earlier events, but that we will build on these commitments to address the underlying causes and to strengthen our collective responses to large movements of refugees and migrants. Let us make the most of the moment.

## **Chapter 1: People on the move: Overview and trends**

9. Migration is a fact of life in our globalized world and the world is a better place because of it. People move for many reasons -- to study abroad, join family, seek employment and livelihoods, and to secure a better future for their children. Others leave their countries to escape crime, violence, conflict, persecution, insecurity, discrimination, disasters and environmental degradation, or poverty. Most people move between developing countries, or from developing to developed countries. Migration plays a critical role in economic growth and development, including by meeting labour market shortages at all skill levels. The impact of

---

migration is overwhelmingly positive – both for countries of origin and for receiving countries.<sup>1</sup> As the Declaration of the 2013 High-Level Dialogue on International Migration and Development concluded, “human mobility is a key factor for sustainable development.”<sup>2</sup>

10. The 2030 Agenda for Sustainable Development recognizes the many positive benefits of migration and commits governments to cooperate internationally to facilitate ‘orderly, safe, regular and responsible migration and mobility of people’ (target 10.7). But the focus of this report – and of the High-Level Plenary on 19 September 2016 -- is on large cross-border movements of people that are not regular, safe or orderly, and for whom shared responsibility has been lacking.

11. Whether a movement is characterized as ‘large’ depends less on the absolute number of people moving than on its geographical context, the receiving States’ capacities to respond, and the impact caused by its sudden or prolonged nature on the receiving country. Large movements often involve mixed flows of people moving for different reasons and using irregular channels. By default, responsibility for responding to large movements of people lies primarily with the receiving States. This is an area where greater international cooperation and responsibility sharing is needed. It is these large-scale, irregular, and often perilous, movements which this report seeks to address.

### *Trends in Migration*

12. While there is no formal definition, most experts agree that an international migrant is someone who changes his or her country of residence, with a distinction made between short-term or temporary and permanent migration. It is important to bear in mind the significant distinction between migrants, on the one hand, and refugees, on the other.<sup>3</sup> In 2015, the number of international migrants and refugees reached 244 million, an increase of 71 million, or 41 per cent, compared to 2000.<sup>4</sup> International migrants among the global population increased from 2.8 per cent in 2000 to 3.3 per cent in 2015. The majority of international migrants are migrant workers, 150 million, accounting for 72.7 per cent of the 206.6 million working age migrant population (15 years and over).<sup>5</sup> Around half of the world’s international migrants are women and one-third are young, aged between 15 and 34 years. However, the data available on migrants, on their contribution to the economy, on irregular migratory movements and many other aspects is sorely lacking.

13. Most countries today are, to varying degrees, simultaneously countries of origin, transit and destination for international migrants. Consequently, they have

---

<sup>1</sup> <http://hdr.undp.org/en/content/human-development-report-2009> and the outcomes of the annual Global Forum on Migration and Development, <https://www.gfmd.org>

<sup>2</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N13/439/69/PDF/N1343969.pdf?OpenElement>

<sup>3</sup> <http://www.unhcr.org/print/56e95c676.html>

<sup>4</sup> [http://www.un.org/en/development/desa/population/migration/data/estimates2/docs/MigrationStockDocumentation\\_2015.pdf](http://www.un.org/en/development/desa/population/migration/data/estimates2/docs/MigrationStockDocumentation_2015.pdf)

<sup>5</sup> [http://www.ilo.org/global/topics/labour-migration/news-statements/WCMS\\_436140/lang--en/index.htm](http://www.ilo.org/global/topics/labour-migration/news-statements/WCMS_436140/lang--en/index.htm)

---

obligations to protect the rights of their citizens who are abroad as well as for migrants transiting through and arriving in their territories.

14. Traditionally, migration policies at national levels have been ad hoc and fragmented. Many governments lacked migration policies or the capacities to implement them. Often policies focused on only one aspect of migration, such as advocating for the rights of their citizens overseas or return of irregular migrants, to the exclusion of a more comprehensive approach that facilitates safe, regular and orderly migration. In recent years, however, a consensus is emerging that no country can manage migration effectively on its own, and that interstate cooperation, at both regional and global levels, is essential. This recognition is reflected in the emergence of Regional Consultative Processes on Migration (RCPs) in every region, and the increasing integration of migration into the work of Regional Economic Communities and various inter-regional fora. Perhaps most telling is the significant growth in membership, activities and reach of the International Organization for Migration (IOM), which today has 162 Member States, presence in some 150 countries, and more than 8,000 staff working largely in the field.

15. Equally important is the growing range of requests from governments around the world to international agencies, such as IOM and the International Labour Organisation (ILO) to help with the development and implementation of planned and well-managed migration policies and to provide assistance to vulnerable migrants. Yet, migration is not sufficiently integrated into the work of the UN's humanitarian and development mechanisms, which is also reflected in the fact that IOM is not part of the UN system.

#### ***Refugees: Data and Trends***

16. The 1951 Refugee Convention and its 1967 Protocol define a refugee as “a person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear is unwilling to avail himself of the protection of that country.”<sup>6</sup> The 1969 Organization of African Unity (OAU) Convention incorporates those falling within the 1951 definition while extending the refugee definition to persons who flee their country “owing to external aggression, occupation, foreign domination or events seriously disturbing public order.”<sup>7</sup> Similarly, the 1984 Cartagena Declaration expands the definition to a broader set of beneficiaries in Latin America,<sup>8</sup> including people who flee because their “lives, safety or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order.”

---

<sup>6</sup> 1951 United Nations Convention relating to the status of refugees, article 1.

<sup>7</sup> 1969 OAU Convention governing the specific aspects of refugee problems in Africa, article 1.

<sup>8</sup> <http://www.unhcr.org/basics/BASICS/45dc19084.pdf>

---

17. In 2014, as reported by the United Nations High Commissioner for Refugees (UNHCR), there were 14.4 million refugees. An additional 5.2 million Palestine refugees are registered with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Seventy-five per cent of refugees come from just eleven countries, and seven countries host more than fifty per cent of all refugees. Half of the world's refugees are children under the age of 18 and around half of the total are women and girls. In 2014, the majority of refugees – 86 per cent, according to UNHCR estimates – resided in developing countries.<sup>9</sup> With opportunities for voluntary repatriation at the lowest level in decades, durable solutions are becoming more elusive for those who were part of large cross-border movements occurring years – even decades – ago.

18. Despite the gradual expansion of refugee protection there are many people who are compelled to leave their homes for reasons that do not fall within the Convention's refugee definition, including disasters or the erosion of livelihoods due to adverse impacts of climate change and food insecurity. Many use migration channels to seek safety and many countries allow people who have left their countries for these and other reasons to remain under temporary measures.

19. Refugees are clearly of major concern to the international community. Over the past 65 years, Member States have worked together to protect and assist refugees and to resettle a limited number of them in third countries with the support of UNHCR and IOM. However, there have been shortcomings. Most obviously, the international community has not been able to prevent or resolve the causes which force refugees to flee. Needed assistance has not always been provided in a timely and predictable manner, with negative effects on both refugees and the communities in which they live. Long-term solutions for refugees have not always been forthcoming.

### *Internal Displacement*

20. Many more persons are displaced within national borders. According to the Internal Displacement Monitoring Centre, the number of internally displaced persons (IDPs) reached almost 40 million at the end of 2014.<sup>10</sup> The 1998 Guiding Principles on Internal Displacement, which provide a normative framework for protecting and assisting IDPs, define internally displaced persons as those “who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.”<sup>11</sup> The 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa expands this definition by including those displaced by the effects of climate change and development projects.

<sup>9</sup> <http://unhcr.org/54aa91d89.html>

<sup>10</sup> <http://www.internal-displacement.org/assets/library/Media/201505-Global-Overview-2015/20150506-global-overview-2015-en.pdf>

<sup>11</sup> E/CN.4/1998/53/Add.2



---

21. When people cannot find safety or support at home, they may seek protection and assistance in other countries as refugees or migrants. My report for the World Humanitarian Summit (WHS), Agenda for Humanity, spells out a number of actions to address the protection and assistance needs of IDPs<sup>12</sup> and perhaps it is time to review our major IDP operations and implement lessons on how to improve our response

## **Chapter 2: Why people move: Reasons behind large movements of refugees and migrants**

22. Both voluntary migration and forced displacement have been part of the human condition since the dawn of time and it is likely that most people in the world have experience of such movements in their family histories. Given our globalizing, interdependent world, international migration is likely to become even more prevalent in the future. Increasingly integrated labour markets and lower costs of transportation, plus well-established information, communications and social networks all contribute to greater mobility.

23. The world's population is projected to continue to grow for the foreseeable future and is expected to reach 9.7 billion by 2050.<sup>13</sup> If the share of international migrants in the total population remains constant, the global migrant population would reach 321 million by 2050. More than half of global population growth between now and 2050 (2.4 billion people) is predicted to occur in Africa (1.3 billion).<sup>14</sup> Developing countries with declining birth rates and relatively few older people may reap benefits from a demographic dividend by providing quality education and creating employment for their growing workforce. However, should population growth outpace both educational and job opportunities, it is likely that more young people will seek opportunities abroad in large numbers. At the same time, a growing number of countries, especially those without sustained immigration, are facing rapid population ageing, population decline and a shrinking work force.<sup>15</sup>

24. Over the past two decades, the world as a whole has become much wealthier. Gross domestic product has risen in most countries with corresponding increases in education, life expectancy and access to public services. However, growth has been uneven and inequality has increased. Evidence suggests that while poverty acts as a driver of migration, the poorest often lack the resources to migrate. Economic development can thus reduce migration pressures in the long run, but lead to increased migration in the short term.

---

<sup>12</sup> A/70/709.

<sup>13</sup> <http://esa.un.org/unpd/wpp/>

<sup>14</sup> [http://esa.un.org/unpd/wpp/publications/files/key\\_findings\\_wpp\\_2015.pdf](http://esa.un.org/unpd/wpp/publications/files/key_findings_wpp_2015.pdf)

<sup>15</sup> <http://www.un.org/en/development/desa/population/migration/publications/populationfacts/docs/MigrationPopFacts20154.pdf>

---

25. Migration and development are linked. Migrant remittances contribute to poverty alleviation and provide access to education, healthcare and other benefits. Migrant investments and trade generation stimulate job creation and improve balances of payment.<sup>16</sup> Returning migrants bring new skills to their communities and they and their networks contribute to economic growth. At the same time, large-scale emigration, when it entails the loss of the youngest and economically most dynamic members of the population, imposes costs on developing countries.

26. While economic factors drive most international migration, in the case of refugees and internally displaced persons, conflict, violence, persecution, political repression, and other serious human rights violations are among the key causes of movements. Poor governance structures that institutionally perpetuate rather than counter exclusion, marginalization and discrimination are often structural reasons for large movements.

27. Disasters have always led to displacement and are likely to do so even more in the future given the rising concentration of population in cities and the likelihood that hazards related to climate change and environmental degradation will increase in frequency and intensity. Present estimates indicate that over the past eight years an average of 28 million people have been displaced annually.<sup>17</sup> More droughts are likely to lead many rural inhabitants to move to cities, creating pressures on labour markets and housing. Evidence suggests that people displaced by environmental factors tend to move to areas at even greater environmental risk. Sea level rise and extreme weather events may drive people away from coastal areas and low-lying small island States. While many victims of disasters are able to return to their homes in a relatively short time, in some cases, they require permanent relocation.

### **Chapter 3: Dangerous journeys, uncertain reception, long-term prospects**

#### *Dangerous journeys*

28. In the absence of enough safe, orderly and regular pathways for moving to other countries, both refugees fleeing persecution or conflict and migrants escaping hardship are often compelled to undertake perilous and circuitous sea, land or air journeys. Given the lack of alternatives, they find themselves forced to turn over their savings and put their lives in the hands of criminal networks in order to cross international borders. The rising number of children in these movements is of particular concern.

29. Many have lost their lives in the process. According to one estimate, at least 50,000 persons, including thousands of children, died in the past two decades while

---

<sup>16</sup> See page 156 for instance: <http://www.oecd.org/els/mig/38840502.pdf>

<sup>17</sup> <http://www.internal-displacement.org/assets/library/Media/201507-globalEstimates-2015/20150706-GE-2015Press-release-FINAL-v1.pdf>

---

seeking to cross international borders.<sup>18</sup> Although national coast guard operations have saved thousands of lives, inadequate and deficient search-and-rescue programs, including rescue-at-sea and disembarkation protocols, put both rescuers and rescued at risk.

30. Refugees and migrants also face dangerous conditions and human rights abuses along land routes, whether through the Sahel, Central America or mountain passes in Asia. Risks faced by migrants and refugees in transit are significantly underreported and casualty figures are incomplete due to the irregular nature of these movements.<sup>19</sup> There is no systematic reporting on the number of persons seeking to cross international borders or on the number of victims and casualties among them, although UNHCR has reported on some of these journeys and IOM has also initiated annual reporting on loss of life en route.

31. People smuggling and human trafficking are distinct crimes under the United Nations Convention Against Transnational Crime and its supplementing Protocols<sup>20</sup> against human trafficking and migrant smuggling. While smugglers facilitate the irregular movement of individuals across international borders as an illicit business, traffickers use force, coercion or deception to exploit these individuals in various ways, including for sexual exploitation and forced labour. Although exact figures are difficult to obtain, the risk of trafficking significantly increases in large movements of refugees and migrants. About two-thirds of all Member States have ratified the two protocols to eliminate human trafficking and exploitation by people smugglers.<sup>21</sup> However, Member States continue to face challenges in their implementation. More opportunities for safe, regular and orderly migration are essential in global efforts to eliminate this scourge.

32. Many migrants and refugees undergo traumatic experiences during their journeys, including imprisonment, and physical and mental violence. Children – both those traveling on their own and with their families – are at particular risk during such journeys as are pregnant women, older persons and persons with disabilities. The risk of sexual and gender-based violence is high as illustrated by recent studies on violence experienced by both Central American women traveling to the United States of America and refugee and migrant women en route to Europe.<sup>22</sup> Other challenges, particularly for women and girls in transit, include family separation, psychosocial stress and trauma, health complications, physical harm and injury and risks of exploitation.

### ***Precarious Arrivals and Uncertain Reception***

33. Upon arrival at borders, asylum-seekers, refugees and migrants encounter further risks. They may face problems in accessing fair and efficient individual

<sup>18</sup> <https://missingmigrants.iom.int/>

<sup>19</sup> For instance: [http://www.ohchr.org/Documents/Issues/Migration/StudyMigrants/OHCHR\\_2016\\_Report-migrants-transit\\_EN.pdf](http://www.ohchr.org/Documents/Issues/Migration/StudyMigrants/OHCHR_2016_Report-migrants-transit_EN.pdf)

<sup>20</sup> [https://www.unodc.org/pdf/crime/a\\_res\\_55/res5525e.pdf](https://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf)

<sup>21</sup> <https://www.unodc.org/unodc/en/treaties/CTOC/signatures.html>

<sup>22</sup> For instance: <http://www.unhcr.org/569f8f419.html>

---

refugee status determination procedures. In some countries, they are held in detention, at times for lengthy periods and in substandard conditions, without the means to exercise their rights. Further, they may be at risk of accelerated returns without adequate safeguards or other actions violating non-refoulement obligations of States.

34. Effective screening procedures are essential to manage properly the arrival of large numbers of refugees and migrants. However, in situations of mass inflows, national capacities to identify, register, and document new arrivals and to provide them with necessary assistance are severely stretched. Even Member States with robust screening procedures to safeguard human rights, adjudicate asylum claims and identify particular protection and assistance needs may find their systems temporarily overwhelmed by the sheer number of new arrivals.

35. There are people who may not have a claim to refugee status but are nonetheless vulnerable and in need of protection as a result of conditions in their home countries and/or the manner in which they are compelled to move. While there have been efforts to forge and strengthen more predictable responses to mixed movements, including UNHCR's 10 Point Plan of Action and IOM's Migration Crisis Operational Framework,<sup>23</sup> major challenges remain in both principle and practice.

36. Receiving States are often left to respond to a mass influx of new arrivals on their own. Regional mechanisms to share responsibility have been found wanting. Nor has international cooperation been able to provide sufficient financial and other support to countries and communities impacted by large movements of refugees and migrants. Too often, responsibility for new arrivals lies with the authorities and host communities in the first country of arrival. Despite efforts by some donors, humanitarian funding usually falls short for both refugee operations and for broader mixed migration flows. Nor is humanitarian aid sufficiently linked with development funding and core government systems necessary to support institutions and communities negatively impacted by the influx.

37. I am concerned at the increasing trend of Member States to erect fences and walls in response to large movements of refugees and migrants, and a corresponding tendency of criminalizing irregular migration. Experience has demonstrated that not only are such measures ineffective in countering people smuggling and human trafficking, by diverting movement elsewhere. They are also in and by themselves inimical to the protection of the dignity and safety of migrants and refugees, as they are forced to embark on more dangerous journeys, or stranded in dismal conditions, and, at times, faced with violent enforcement measures at borders. These measures can also reinforce xenophobia and hostility against migrants and refugees in our societies, and be counter-productive to global ambitions of fostering greater inter-state integration and cooperation. As the title of this report makes clear, our

---

<sup>23</sup> <https://www.iom.mcof.int>, <https://www.iom.int/files/live/sites/iom/files/What-We-Do/docs/Migration-Consequences-of-complex-crises-IOM-institutional-and-operational-responses-2012.pdf> and <http://www.unhcr.org/50a4c2b09.pdf>

---

interconnected world needs a dignified approach to human mobility rather than one built on closed borders and criminalization.

*In the longer term*

38. Since refugees and migrants who are permitted to stay frequently remain in a receiving country for a lengthy period, the initial necessary humanitarian approach is not a viable long-term response to large movements of people. Medium- and long-term efforts are imperative to include both refugees and migrants who stay into national and local development plans to ensure their livelihood opportunities while strengthening the resilience of and development opportunities for host communities.<sup>24</sup> These efforts at social inclusion of refugees and migrants usually require an initial investment by receiving governments which may require external support. In the long term, however, such efforts can result in greater social cohesion and an increased contribution to the local economy.

39. Host communities, directly impacted by the arrival of large numbers of refugees and migrants need the support and the expertise of development actors, such as UNDP, FAO, UNICEF, the World Bank and regional development banks, to ensure that their own development priorities can be realized. There is growing recognition of the need to work with host communities. In this context, the international community has increasingly acknowledged the need to strengthen the nexus between humanitarian and development assistance in responding to large movements of refugees and migrants. Humanitarian and development actors must work together toward achieving collective outcomes, over multi-year periods based on comparative advantage, particularly in situations of protracted displacement.

40. I note with grave concern that xenophobic and racist responses to refugees and migrants seem to be reaching new levels of stridency, frequency and public acceptance. The tenor of policy and public discourse on migrants and refugees must be shifted from one of threat to one of international solidarity, protection of dignity and recognition of positive contributions. Such efforts need to take address the fears and concerns of host communities and they must be based on facts rather than assumptions and misinformation. Given the overwhelming evidence that personal contact significantly reduces prejudice, more creative ways of fostering contacts between host communities on the one hand and refugees and migrants, on the other, are urgently needed.

## **Chapter 4: Building on a rich history of interstate cooperation**

*Learning from regional experiences*

---

<sup>24</sup> <http://www.globalmigrationgroup.org/working-group-mainstreaming-migration-national-development-strategies>

---

41. Lessons from past initiatives at the regional level to address large movements of refugees and migrants can underpin our collective efforts to build mechanisms for improved future responses. For instance, the Comprehensive Plan of Action for Indochinese Refugees (CPA, 1988-96) brought together countries of origin, first asylum and resettlement, each making concrete commitments to find solutions for the millions of refugees fleeing countries in South-East Asia and for the orderly departure of hundreds of thousands of migrants. The International Conference on Central American Refugees (CIREFCA, 1987-1994) engaged both development and humanitarian actors to support livelihood opportunities for returning refugees and IDPs as well as host communities. The Conference of Independent States on Refugees and Migrants (1993-2005) brought together twelve Member States from the former Soviet Union to analyse and address a diverse set of involuntary population movements occurring on the territory of the former USSR, including refugees, internally displaced people, returning migrants, formerly deported peoples, irregular migrants, and disaster victims.

42. Key success factors in these regional initiatives included linking solutions to broader peace processes, simultaneously addressing refugee flows and irregular migratory movements, developing region-specific approaches, creating a "deal" in which responsibilities were shared among countries of origin, transit and destination, and involved both humanitarian responses and development solutions. Institutional factors that contributed to their success included the establishment of a preparatory and follow-up process (rather than a one-off pledging conference), strong leadership in key agencies, and a supportive role by the Secretary-General and civil society.

43. More recently, the Syria Refugee and Resilience Plan (3RP)<sup>25</sup> brings together more than 200 partners in a regionally coordinated response to the Syria refugee crisis. The plan combines humanitarian and development resources to support the implementation of nationally-owned response plans for Egypt, Iraq, Jordan, Lebanon and Turkey. The 3RP, co-led by UNDP and UNHCR, includes measures to address both protection and assistance needs of refugees living in camps and resilience-based development focusing on vulnerable communities while strengthening capacities of national and sub-national service delivery systems.

44. Also on the regional level, the Bali process, established in 2002, made a series of proposals to protect people at sea; to prevent smuggling of migrants and trafficking in persons; and to address root causes and improve livelihoods in at-risk communities.<sup>26</sup> Similarly, the African Union-Horn of Africa Initiative on Human Trafficking and Smuggling of Migrants and the Khartoum Process, begun in 2014,<sup>27</sup> has advanced consideration of joint action on these issues.

### *Addressing causes*

<sup>25</sup> <http://www.3rpsyriacrisis.org/>

<sup>26</sup> <http://www.baliprocess.net/>

<sup>27</sup> <https://www.iom.int/eu-horn-africa-migration-route-initiative-khartoum-process>

---

45. Meeting the sustainable development goals and targets of the 2030 Agenda for Sustainable Development would reduce the need for migrants to leave their homes in search of greater opportunities by addressing some of the root causes of involuntary movements of refugees and migrants. It would also provide for well-managed migration policies, lower the costs of migration, and strengthen the contribution of migrants and refugees to countries of origin and destination alike.

46. The crucial role of responding early to human rights violations, is at the heart of my 'Rights up Front' initiative, and the close link between prevention and protection was recognized in paragraph 139 of the 2005 World Humanitarian Summit Outcome, which commits to helping States build capacity to protect populations before crisis and conflicts break out.

47. The Sendai Framework for Disaster Risk Reduction (2015-2030) calls on countries to take measures to mitigate the risks of disasters and the consequent displacement.<sup>28</sup> The 21st Conference of State Parties to the United Nations Framework Convention on Climate Change, meeting in Paris in 2015, agreed to establish a task force to develop integrated approaches to "... avert, minimize and address displacement related to the adverse impacts of climate change."<sup>29</sup>

#### *Migration- and displacement-related initiatives*

48. Other State-led processes are developing concrete tools for responding to large movements of refugees and migrants. The Global Forum on Migration and Development (GFMD), established in 2007, is a voluntary, informal, non-binding government-led process to advance understanding and promote cooperation on the relationship between migration and development and to foster practical and action-oriented outcomes. In 2015, the GFMD took up, for the first time, issues related to forced migrants.

49. Over 100 governments have affirmed their support to better protect people displaced across borders by disasters in the context of climate change as part of the Nansen Initiative (2012-2015), a state-led consultative process<sup>30</sup> which reported that at least 53 countries had received, or refrained from returning, migrants affected by disasters. The state-led Migrants in Countries in Crisis Initiative, launched in 2014 and co-chaired by the Philippines and the United States, supported by IOM as its secretariat, is developing guidelines to protect and assist migrants caught in countries experiencing conflicts or natural disasters.<sup>31</sup> The Solutions Alliance brings together governments and other stakeholders to find solutions and explicitly recognizes that forced displacement is both a humanitarian and a development issue.

---

<sup>28</sup> <http://www.wcdrr.org/>

<sup>29</sup> United Nations Framework Convention on Climate Change, meeting in Paris in 2015, 1/CP.21

<sup>30</sup> <https://www.nanseninitiative.org/>

<sup>31</sup> <https://www.micicinitiative.iom.int.>

---

50. These initiatives are all signs that many actors in different contexts and places are searching for ways to increase international cooperation to respond to large movements of refugees and migrants. There is much to build on.

## **Chapter 5: Addressing Large Movements of Refugees and Migrants: Recommendations to Member States**

51. The 19 September High-Level Plenary will be a unique opportunity for world leaders to agree on a new approach to address large movements of refugees and migrants. The components needed for a comprehensive solution are at hand. We have the required conventions, frameworks, and tools – though some need wider acceptance and all need to be fully implemented. This chapter provides background and my specific recommendations to Member States for strengthening responses to large movements of refugees and migrants, while Chapter 6 focuses on high-level commitments which Member States at the highest level could make on 19 September.

### **Upholding safety and dignity in large movements of both refugees and migrants**

#### *Addressing root causes*

52. Addressing the causes of large movements of refugees and migrants must be the cornerstone of all our efforts. Individuals have a right to remain in their homes and the international community should do everything possible to ensure that people are not forced to abandon their homes or communities in search of safety or survival. Addressing these causes requires adherence to commitments that Member States have made over the years. In most cases, we know what is needed to address the causes which lead to large movements of people across international borders. We do not need new lists of recommendations. What is urgently needed instead is mobilization of the political will and the resources to implement what the international community has already decided in this and other international fora. Rather than ‘preventing’ large movements of refugees and migrants, we must address the causes that force them to abandon their homes and communities.

#### *Protecting people in large movements of refugees and migrants*

53. As a fundamental tenet, the human rights of all those who leave their countries, whatever their migratory status, must be respected. Migration governance and responses to refugee movements must occur with full respect of international human rights, refugee, humanitarian and labour law.

54. People in transit – whether refugees, asylum-seekers or migrants – are entitled to protection. International law requires that assistance is rendered to ‘any person



---

found at sea in danger of being lost'.<sup>32</sup> Member States also have an obligation to disrupt smuggling and trafficking networks and to apprehend and prosecute criminals that profit from these crimes. Border and maritime policies, including disembarkation protocols, should conform with human rights standards and with the humanitarian imperative to 'rescue first and ask questions later.' I call on Member States to review their national legislation and criminal justice provisions to ensure that they are in line with international standards on smuggling, trafficking, maritime safety, and border management.

55. Member States have a responsibility to ensure that their border procedures protect human rights and are consistent with international refugee law as well as being sensitive to the particular needs of women, children and others who may be at particular risk. The immediate needs of all persons who have been exposed to physical or psychological danger during their journey, whether by land or by sea, and regardless of their migration status, must be met and persons with specific needs referred for appropriate services. In the case of children, their best interest should at all times constitute the primary consideration. I call on Member States in this regard to review their border management policies in light of the Recommended Principles and Guidelines for Human Rights at International Borders as developed by the Office of the High Commissioner for Human Rights (OHCHR),<sup>33</sup> IOM's Migration Crisis Operational Framework,<sup>34</sup> and UNHCR's Refugee Protection and Mixed Migration: A 10-Point Plan of Action.<sup>35</sup> I further call on Member States to move away from the increasing trend of securitization and closures of borders, and move towards creating more opportunities for safe, regular and orderly migration.

56. I am concerned about the growing trend to criminalize irregular movements. International refugee law is clear that the fact that asylum-seekers use irregular means of entry should not be held against them. All refugees and migrants, regardless of status, are entitled to due process of law in determination of their legal status, entry and right to remain, and in no cases are collective expulsions permissible. I therefore call on States to consider alternatives to detention for purposes of immigration control, and to adopt a commitment never to detain children for this purpose.

57. While human rights apply to all, screening and referral processes are necessary to determine those who need protection under international refugee law. Those in need of protection as refugees must be referred to the appropriate authorities as detailed below. Those who do not otherwise meet the definition of a refugee may need other forms of protection: for example, unaccompanied children, victims of trafficking, or victims of gender-based violence should receive the protection and assistance they need. I have therefore asked Member States to commit to the development of additional guidance on protecting migrants with particular vulnerabilities, as further detailed in Chapter 6.

---

<sup>32</sup> [http://www.un.org/Depts/los/convention\\_agreements/convention\\_overview\\_convention.htm](http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm).

<http://www.imo.org/en/About/Conventions/ListOfConventions/Pages?Default.aspx>

<sup>33</sup> [http://www.ohchr.org/Documents/Issues/Migration/OHCHR\\_Recommended\\_Principles\\_Guidelines.pdf](http://www.ohchr.org/Documents/Issues/Migration/OHCHR_Recommended_Principles_Guidelines.pdf)

<sup>34</sup> <http://www.iom.int/cof>

<sup>35</sup> <http://www.unhcr.org/4742a30b4.html>

---

58. Specifically, I call on all Member States to develop gender- and age-sensitive policies and capacities to ensure the rights and address the particular needs of children, to protect family unity, and to prevent and respond to cases of gender-based violence. Similarly, I call on all Member States to address the rights and needs of all those arriving with particular vulnerabilities, including older persons and persons with disabilities, regardless of migratory status.

59. Member States faced with the arrival of large numbers of refugees and migrants deserve the broad support of the international community, including increased humanitarian assistance to meet immediate needs. Additional human resources may also be needed to support rescue, screening and reception of new arrivals. I call on Member States to lend mutual support in cases of large influxes of refugees and migrants, on the basis of bilateral, regional and international cooperation, as well as through a comprehensive refugee response, as detailed in paragraphs 76-90 below.

*Non-discrimination and inclusion*

60. Discrimination and marginalization characterize the experience of many refugees and migrants around the world. This must be urgently addressed.

61. 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. This prohibition is well-known, and history has taught us many lessons about the destructive legacies of hatred. Nevertheless, we are going through another time in which a toxic xenophobic and often racist narrative is taking hold in many parts of the world. This climate incites discrimination against refugees and migrants in various spheres of life, such as education, employment, health and housing. It violates the human dignity of refugees and migrants. To address this, I have decided to initiate a UN-led global campaign to counter xenophobia, emphasizing direct, personal contact between host communities and refugees and migrants.

62. I hope that this campaign will highlight our common humanity and stress the positive contributions made by refugees and migrants. I also hope this campaign will enjoy broad support from Member States and a wide array of civil society actors in all countries.<sup>36</sup>

63. Many refugees and migrants are confined to the margins of the societies in which they live. This situation denies the human potential of refugees and migrants; it results in economic strain and social tension. The better approach is inclusion of refugees and migrants in all spheres of social, cultural and economic life. This helps refugees and migrants achieve their human potential and make a

---

<sup>36</sup> See for example, campaigns by IOM (<http://iamamigrant.org/>), UNHCR (#withrefugees) and UNICEF (#ActofHumanity)

---

positive contribution to the economy and society of the receiving countries. It promotes social cohesion. Inclusion is in the interests of all concerned— refugees and migrants themselves, host societies, and countries of origin.

64. Inclusion has a basis in international law. The 1951 Refugee Convention contains provisions on the social and economic rights of refugees. International human rights law -- based on the Universal Declaration of Human Rights and elaborated in the two Covenants on economic, social, cultural and civil and political rights, respectively -- entitles everyone to fundamental human rights, with very few restrictions on non-nationals. These rights apply to both refugees and migrants.

65. Policies of inclusion seek to bring refugees and migrants into the receiving society. This means that refugees and migrants should be supported in learning the language of the country at an early stage; cultural orientation is also important. Best practice shows that inclusion works best when it begins immediately following arrival. Inclusion means emphasis on securing access to all types and levels of education, access to health, and employment at all skills levels. I therefore call on all Member States to develop national policies of inclusion for refugees and migrants.

66. Inclusion is not accomplished by States working in isolation. There should be broad engagement of a wide range of actors to include refugees and migrants. Local civil society organizations, faith communities, the private sector, the media, national human rights institutions, and refugees' and migrants' associations, should be encouraged to play more active roles, and Member States should build partnerships with them. Given the importance of employment and livelihoods in inclusion policies, I call on Member States to stand ready to support governments, employers' and workers' organisations and other world-of-work actors in addressing the significant impact of large influxes of refugees and migrants on labour markets.

67. National policies of inclusion should also ensure that migrants and refugees are incorporated in national development strategies and national adaptation plans of action, as well as UN development assistance frameworks. Policy coherence should be ensured between migration and other policy areas, for example, as they relate to recruitment and remittances, skills upgrading and recognition, environmental degradation and climate change, agricultural and rural development and youth employment. Enhanced cooperation is needed between international development and humanitarian actors, to ensure that States, including local authorities, receive the comprehensive support they need. I am committed to ensuring such synergies within the UN system.

#### **Comprehensive responses and enhanced Responsibility-Sharing for Refugees**

68. The world is facing unprecedented numbers of refugees as a result of emerging and unresolved conflicts. Greater sharing of responsibilities for refugees is urgently needed so that the rights of refugees are safeguarded and the impact of their flight is not disproportionately borne by some countries and regions based on proximity to

---

countries of origin alone. This is a global priority. In chapter 6, I set out a set of commitments for Member States to take at the highest level in the form of a Global Compact on Responsibility-Sharing for Refugees, to safeguard the rights of refugees, while also effectively and predictably supporting Member States affected by such movements.

69. From the earliest days of the international protection regime, in the early twentieth century, cooperation among Member States and responsibility-sharing has been at its core. The Preamble to the 1951 Refugee Convention recognizes that ‘...the grant of asylum may place unduly heavy burdens on certain countries, and ... a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot therefore be achieved without international co-operation.’

70. This principle of responsibility-sharing remains vital, given that refugee challenges are inherently transnational and cannot be addressed by one Member State alone. It is a principle reaffirmed in successive General Assembly resolutions.<sup>37</sup> The Global Compact I propose will reassert this principle through the application of standards that reflect the 1951 Convention and 1967 Protocol, regional refugee instruments, as well as international human rights and humanitarian law. Specifically, a Global Compact will commit Member States to support a comprehensive refugee response whenever a large-scale and potentially prolonged refugee movement occurs. It will promote an equitable sharing of responsibility, foreseeing differentiated contributions by Member States and international and national partners based on international law and proven good practices.

71. To assist Member States to meet the commitments of a Global Compact on Responsibility Sharing for refugees and consistent with its mandate of “providing international protection.....and of seeking permanent solutions for the problem of refugees”<sup>38</sup>, I have asked the High Commissioner for Refugees to initiate and coordinate a comprehensive refugee response plan, based on international law and best practices and in coordination with all relevant actors, including broader humanitarian operations where they exist, in specific situations involving large movements of refugees. The response plan will be built on the following core elements.

#### *Core elements of a comprehensive refugee response*

72. People seeking asylum require access to territory and processes to determine their international protection needs in fair and efficient group-based or individual procedures. Those recognized as being in need of international protection should be granted an appropriate status and associated rights, including not only protection

---

<sup>37</sup> Most recently December 2015: GA Res 70/135

<sup>38</sup> Paragraph 1 of the UNHCR Statute, as revised by GA Res 58/153. See also UNHCR, Note on the Mandate of the High Commissioner for Refugees and his Office, October 2013, available at: <http://www.refworld.org/docid/5268c9474.html>

---

from refoulement and adequate treatment, but also rights as defined in international refugee law and human rights instruments.

73. Receiving states must be able to count on international support for establishing adequate reception procedures through cooperative arrangements that provide them with assistance and expertise when needed, including biometric technology. It is incumbent upon receiving States to ensure documentation is issued in regard to registration, status within the country and for other major life events (e.g., birth, marriage, divorce, death). This prevents statelessness, enables individuals to access essential services, and facilitates access to solutions, including the right to return home in safety and dignity when conditions allow.

74. Assistance will be distributed effectively and efficiently, and strengthen the coping capacities of refugees and hosting communities. As far as possible, the delivery should be carried out through appropriate national service providers (e.g., health, education, water and sanitation, housing, energy and social services).

75. Cash-based delivery mechanisms and innovative means for the efficient provision of humanitarian and development assistance should be explored in order to meet the basic needs, build resilience of affected populations and lay the foundation for stabilization and recovery.

76. Receiving States cannot meet the essential needs of refugees alone. Other Member States should share this responsibility. At the outset of an emergency phase, through to the attainment of durable solutions, investments must be made in the capacities of refugees, local authorities, and community-based systems and networks, in particular, for the protection of women and children. Local and civil society partners and NGOs must be supported by donors and international organizations to play a greater role in humanitarian responses.

77. First responders to refugee emergencies are usually the receiving communities themselves. The majority of refugees reside outside of camps. Ensuring that their hosts are adequately supported is essential to ensuring social cohesion, which helps to uphold respect for asylum.

78. It is imperative that humanitarian and development actors work together with receiving States and identify common outcomes that both can support, including the reduction of dependency on international humanitarian aid over time in favour of more sustainable solutions. International humanitarian action has to be rapid, agile and effective. At the same time, given the average long length of displacement, the response will be more sustainable if it builds on national and local systems and incorporates a development approach, even in the early stages of an emergency.

79. Non-receiving States, multilateral donors and private sector partners must ensure predictable, consistent and sufficient humanitarian financing to meet the emergency needs that are most acute, as well as the longer-term needs of refugees and host communities. New and innovative forms of financing should be identified

---

as I have noted in my report for the World Humanitarian Summit. The economic and social costs of hosting large numbers of refugees must be factored into financial lending schemes, including to middle-income countries, as well as opening development funding opportunities and stimulating private sector investment for countries hosting significant numbers of refugees. The increasing engagement of the World Bank and multilateral development banks in supporting States and communities impacted by refugees and IDPs is a positive development.

80. Refugees have the will and potential to become self-reliant in their places of refuge. This is in their own interests and in those of the communities in which they live. Supporting viable and sustainable livelihoods for both refugees and host communities enables refugees to secure the basic necessities of life, such as food, water, shelter and clothing, and to contribute to the development of local economies.

81. Self-reliance of refugees should be facilitated by Member States recognition of refugees' rights to reside, and a commitment to expand access to legal employment wherever possible. Refugees, including women and youth, must be part of such plans to ensure their skills and capacities contribute to their own and their communities' protection.

82. No refugee child should be left behind. Access to education is fundamentally protective for children and youth in displacement contexts. Primary education should be compulsory and available to all refugee children; educational opportunities at all levels, including secondary and beyond, should be expanded. Education contributes to solutions – providing children and youth with portable knowledge and skills to rebuild their lives and their communities.

83. Responsibility sharing by Member States also extends to relieving some of the pressures on host countries by expanding means of admission in other countries for refugees sufficient to meet the annual resettlement needs identified by UNHCR, or at least 10 per cent of the total refugee population. This can be achieved through enhanced resettlement; medical evacuation and humanitarian admission programmes; temporary evacuation programmes; and opportunities for skilled migration, labour mobility, education, and family reunion. These alternative pathways provide viable alternatives to irregular and often dangerous journeys.

84. Most refugees wish to return home. When conditions in the country of origin are conducive to return, a comprehensive refugee response will entail means for their return within an appropriate framework of physical, legal and material safety, in accordance with international standards and as required for their reintegration. Countries of origin must also create necessary conditions for sustainable return, incorporating the inclusion of reintegration needs in national development planning, as well as through amnesties, human rights guarantees, and measures to enable the restitution of property.

85. Return plans engage relevant Member States, United Nations organizations, and other partners to support voluntary repatriation, reintegration and reconciliation,

---

including through promoting equity among returnees, displaced persons and local residents in access to essential services and participation in public life. Comprehensive support to countries of origin must be put in place, also through reconstruction and development funding.

86. For situations where conditions for return are not conducive, refugees require a status in receiving states to allow them to re-establish their lives and plan for their future. Receiving States should provide a legal status and examine where, when and how to afford the opportunity to refugees to become naturalized citizens.

### **Ensuring Safe, Regular and Orderly Migration**

87. Most migration occurs today through safe and regular means. The majority of the nearly 250 million international migrants leave from, transit through and move to countries of destination without incident. However, this is not the case for all migrants such as migrants in the often dangerous large movements that are the focus of this report. I call on all Member States to redouble their efforts to facilitate safe, regular and orderly migration with a view toward developing a Global Compact for Safe, Regular and Orderly Migration.

88. The basis for this Compact is that all migrants are entitled to the respect, protection and full enjoyment of their human rights under the core international human rights treaties, regardless of their migration status. In addition to the basic human rights instruments referenced under Pillar 1, several international legal instruments grant specific protections to migrant workers, such as the 1990 Convention on the Rights of All Migrant Workers and Members of their Families, and relevant ILO Conventions including Convention 97 on Migration for Employment, Convention 143 on Migrant Workers and the recently-adopted Convention on Domestic Workers. Moreover, migrants also enjoy rights and protection under different branches of international law, including refugee, labour, humanitarian, maritime, law of the sea, transnational criminal, nationality and consular law.<sup>39</sup> I call on all Member States to ratify and effectively implement the existing normative frameworks. This would ensure respect for the human rights of migrants; facilitate safe, fair, regular and orderly migration; reduce the incidence of exploitation and abuse associated with migration; and enhance international cooperation on migration.

89. Many migrants, though not refugees, nonetheless are vulnerable – in their countries of origin, along their migratory routes, upon arrival at their destinations, and/or through the process of or upon return to their country of origin. Specific needs and vulnerabilities must be identified. Migrants caught in crisis situations are doubly vulnerable, as they are often invisible as non-nationals and face difficulties accessing humanitarian assistance. They are largely unaccounted for in the current humanitarian architecture.

---

<sup>39</sup> [www.iom.int/international](http://www.iom.int/international)

---

90. Member States have the duty to protect their nationals abroad. Important work has been done by the Migrants in Countries in Crisis Initiative to identify the roles and responsibilities of countries of origin in protecting and assisting their nationals abroad, and identifying promising practices in doing so, such as enhanced consular capacity, and bilateral and regional consular cooperation, particularly in emergencies.

91. Guidance has been developed recently by international organizations and entities – such as ILO’s Fair Migration Agenda<sup>40</sup> and Multilateral Framework on Labour Migration<sup>41</sup>; IOM’s Migration Governance Framework<sup>42</sup>, Migration Crisis Operational Framework<sup>43</sup>, and International Recruitment Integrity System<sup>44</sup> – that provide important contributions to both buttress the international normative framework and address practical needs. In addition, OHCHR is presently leading an effort through the Global Migration Group’s Working Group on Human Rights and Gender to develop principles and practical guidance on the human rights protection of migrants in vulnerable situations and in large movements.<sup>45</sup> I call on Member states to consider using this guidance in the development of the Compact on Safe, Orderly and Regular Migration.

92. As a corollary to the sovereign discretion to determine which non-nationals may enter and stay in a State’s territory, Member States have the right to remove non-nationals who are not authorized to stay. Return is an important component of ensuring the integrity of asylum and migration systems and all governments are required to accept the return of their nationals. I call on Member States to promote voluntary return over forced return or deportation to better protect the dignity of migrants and to reduce legal or administrative costs. Voluntary return is most effectively accompanied by robust reintegration assistance to facilitate the rebuilding of migrant lives and livelihoods at home. Reintegration assistance should be provided to individuals when they return alone as well as to communities when there are large-scale returns. Any type of return, including deportation, must be consistent with international standards, respecting the fundamental principle of non-refoulement, the best interest of children, and due process of law.

93. I welcome initiatives taken by some Member States to recognize that certain vulnerable migrants who are not refugees should be afforded, at a minimum, temporary protection against return. More than twenty Member States have developed national legislation and policies to grant temporary or other protection to migrants in instances where their countries of origin are experiencing natural

---

<sup>40</sup> <http://ilo.org/global/topics/labour-migration/fair-migration-agenda/lang--en/index.htm>

<sup>41</sup> [http://ilo.org/global/topics/labour-migration/publications/WCMS\\_178672/lang--en/index.htm](http://ilo.org/global/topics/labour-migration/publications/WCMS_178672/lang--en/index.htm)

<sup>42</sup> <https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf>

<sup>43</sup> <http://www.iom.int/mcof>

<sup>44</sup> <http://iris.iom.int/about-iris>

<sup>45</sup> See also the work of the Global Migration Group on Mainstreaming Migration into Development Planning and to its two recent stocktaking exercises on crisis-related migration <https://www.iom.int/stocktaking-exercise-crisis-related-migration> and on Protection at Seat. <http://www.refworld.org/docid/570799034.html>.



---

disasters, or serious disturbances of public order.<sup>46</sup> The safety and well-being of migrants, as well as the capacity of their countries of origin to accept large numbers of returnees given the impact on social services, labour markets, social cohesion and stability, are important considerations in this regard.

94. In addition, several Member States have adopted measures to provide temporary or permanent protection to victims of trafficking or other serious forms of exploitation, although this should not be conditional on the victims' agreement to cooperate with law enforcement. I encourage others to develop such measures. National and regional protection frameworks could be developed, including through regional economic communities, such as the Economic Community of West African States (ECOWAS), the RCPs, and inter-regional fora, to create more predictability and safety for migrants in need. Moreover, some Member States have adopted programmes to regularize the status of migrants, particularly where they are well-integrated in the social and economic life of their host states and communities.

95. Support is particularly needed for local authorities who are the first receivers of migrants, both on a temporary or long-term basis. They often have limited capacities to handle the reception and integration of newcomers or returning migrants. As they have a direct stake in building cohesive communities, they need to be part of national planning processes.<sup>47</sup>

96. To maximize the positive impact of migration, we must analyze trends based on a solid evidence base. I call on all Member States to invest in data collection, including sex and age disaggregated data, as well as information on both regular and irregular flows, the vulnerability of migrants, and the economic impact of migration. The data should be analyzed to plan for future migration and to promote migrants' inclusion.

97. While human rights and other legal standards regulate the treatment of migrants, frameworks for inter-state cooperation at regional and global levels remain limited or nascent. With the increased recognition of the inherently international nature of migration issues, strengthened mechanisms for inter-state cooperation are essential, to facilitate safe, regular and orderly migration and to reduce the incidence and impacts of irregular, unsafe and disorderly migration. This is why I am calling for the development of a new Global Compact on Safe, Regular, and Orderly Migration.

98. To enhance the capacity of the United Nations to assist migrants and help governments in addressing migration issues, as well as to promote better coherence between migration and related policy domains, it is time to strengthen the legal

---

<sup>46</sup> <http://www.nanseninitiative.org>

<sup>47</sup> Promising practices are emerging through various local official dialogues, such as the IOM Migration and Cities Ministerial Conference in 2015 <http://www.iom.int/idmcmc>; the Global Mayoral Forum on Migration and Development and related community of practice. <http://www.migration4development.org/en/resources/spotlight> and the Cities of Migration network, <http://citiesofmigration.ca/>

---

relationship between the United Nations and the International Organization for Migration.

## **Chapter 6: Global Commitments to Addressing Large Movements of Refugees and Migrants**

99. I urge Member States at the highest levels participating in this High Level Plenary to make full use of the opportunity offered by the 19 September High Level Plenary Meeting to adopt new Global Commitments to addressing large movements of refugees and migrants to include the following three pillars:

### **Pillar 1: Upholding safety and dignity in large movements of both refugees and migrants**

100. I urge Member States to:

- (a) Ensure the protection, dignity and human rights of refugees and migrants in accordance with their legal obligations under the nine core human rights treaties,<sup>48</sup> all relevant provisions of international humanitarian law, international refugee law and labour law;
- (b) Fully implement the 2030 Agenda for Sustainable Development, including measures to alleviate poverty;
- (c) Implement, as a matter of urgency, measures to mitigate the risks associated with disasters, as outlined in the Sendai Framework for Disaster Risk Reduction of March 2015;
- (d) Take the necessary steps to implement fully the Paris Agreement on Climate Change, adopted in December 2015.<sup>49</sup>
- (e) Place their collective resources behind efforts to prevent armed conflict and to ensure the early and durable resolution of armed conflicts, taking into consideration the pertinent recommendations of the three independent 2015 reviews related to peace and security<sup>50</sup> as well as additional measures spelled out in my report for the World Humanitarian Summit.
- (f) Take all measures possible to first ratify, but more important to fully implement the United Nations Convention Against Transnational Organized Crime and its supplementing Protocols on Smuggling of Migrants and

---

<sup>48</sup> The nine core international human rights treaties: International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Economic, Social and Cultural Rights; International Covenant on Civil and Political Rights; Convention on the Elimination of All Forms of Discrimination against Women; Convention on the Rights of the Child; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; Convention on the Rights of Persons with Disabilities; and International Convention for the Protection of All Persons from Enforced Disappearance.

<sup>49</sup> <https://unfccc.int/resource/docs/2015/cop21/eng/l09r01.pdf>

<sup>50</sup> [http://www.un.org/sg/pdf/HIPPO\\_Report\\_1\\_June\\_2015.pdf](http://www.un.org/sg/pdf/HIPPO_Report_1_June_2015.pdf) and

<http://wps.unwomen.org/~media/files/un%20women/wps/highlights/unw-global-study-1325-2015.pdf>

<http://www.un.org/en/peacebuilding/pdf/150630%20Report%20of%20the%20AGE%20on%20the%202015%20Peacebuilding%20Review%20FINAL.pdf>

---

Trafficking in Persons Protocol against the Smuggling of Migrants by Land, Sea and Air, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and the search-and-rescue instruments.<sup>51</sup>

- (g) Recognize that non-discrimination is a fundamental component of international human rights law, and that policies to promote inclusion of refugees and those migrants who are permitted to remain in a country are beneficial to all concerned.

101. I also call on Member States to commit:

*To address the causes of large movements of refugees and migrants*

102. Fully implement the legal obligations and previous collective decisions, as spelled out in para 100 above, to address the causes of large movements of refugees and migrants.

103. Incorporate the Guiding Principles on Internal Displacement into national laws and policies and fully implement those policies to protect those who have been forced from their homes but remain within national borders.

104. Support efforts by Member States at risk from the adverse impacts of climate change to mitigate those effects, and, where necessary, to plan for migration, including planned relocation, as a means of preventing and minimizing forced displacement.

*To protect people en route and at borders*

105. Work together with other Member States, regional bodies and international agencies, including the United Nations Office of Drugs and Crime, to intensify efforts to prosecute criminal smugglers and traffickers and to ensure protection and assistance to smuggled migrants and refugees and victims of trafficking.

106. Review border management and detention policies to ensure that the human rights of all those who arrive are upheld in line with international standards, consider alternatives to detention of refugees and migrants and ensure that children, as a matter of principle, are never detained for purposes of immigration control.

*To prevent discrimination and promote inclusion*

107. Reject political rhetoric that stigmatizes refugees and migrants, pledge to do everything possible to combat xenophobia and in particular to set an example by not

---

<sup>51</sup> [http://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-on-Maritime-Search-and-Rescue-\(SAR\).aspx](http://www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-on-Maritime-Search-and-Rescue-(SAR).aspx)

---

using xenophobic language in their public discourse, and support of the Secretary-General's global campaign against xenophobia.

108. Develop comprehensive national plans for the inclusion of refugees and those migrants permitted to remain in their countries in order to encourage their full contributions to societies.

**Pillar 2. A Global Compact on Responsibility-Sharing for Refugees**

*I call on Member States to adopt a Global Compact on Responsibility-Sharing for Refugees, as set out below, stressing the need to:*

109. Recognize that large movements of refugees as a result of emerging and unresolved conflicts are profoundly affecting individuals and Member States, sometimes for protracted periods of time and that full implementation is needed of the principles and standards of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, as well as regional refugee instruments, and for the lifting of reservations and for the securing of accessions and guaranteeing the principle of non-refoulement and the prohibition of collective expulsion.

110. Commit to sharing responsibility for hosting refugees more fairly, recognizing that responsibility sharing stands at the core of the international protection regime, reflected in the Preamble to the 1951 Refugee Convention and reaffirmed in successive General Assembly resolutions, regional refugee instruments, and supported in international human rights and international humanitarian law.

111. Recognize that countries of origin have clear responsibilities and obligations towards their nationals, inherent in sovereignty and rooted in international human rights and humanitarian law, for which they remain accountable.

112. Take immediate steps to ensure greater sharing of responsibilities for refugees in order to safeguard the rights of refugees and to ensure that the impact of their flight is not disproportionately borne by countries and regions based on proximity to countries of origin alone.

113. Acknowledge the extraordinarily generous contributions made by countries and communities hosting refugee populations and the need to provide greater support where needed to host communities, which are the first to absorb the impact of any major influx of refugees. Moreover, Member States recognize that support to host communities requires well-coordinated humanitarian and development responses so that development resources are directed toward meeting the needs of both refugees and host communities.

---

*And to therefore commit to the following:*

114. Fully and promptly support the United Nations High Commissioner for Refugees when it calls for a comprehensive refugee response plan for refugees in situations involving large movements of refugees, by committing to undertake the following:

- (a) Contribute to the comprehensive refugee response in collaboration with all relevant actors based on a whole of society approach including the United Nations, international Organisations, national and local authorities, civil society partners, academia, private sector and the media.
- (b) Define their contributions to the comprehensive refugee response in a timely manner. Contributions may take various forms, including, but not limited to, financial and in-kind support, technical assistance, legal or policy measures, personnel, and resettlement places or other pathways for admission of refugees. Endeavour to make contributions proportionate to the global needs of refugees and to each one's diverse capacities.
- (c) Mobilize financial resources to cover the humanitarian needs identified within the comprehensive refugee response, and the broader humanitarian strategy where such exists, and expand development funding from the outset of displacement to address refugee needs and reinforce the national institutions, services and communities that support them.
- (d) Find solutions for refugees, including by the following:
  - i. Investing in reconciliation and reconstruction to make it possible for refugees to return home voluntarily in safety and dignity;
  - ii. Providing resettlement spaces or other legal pathways for admission to at least 10 per cent of the global refugee population annually;
  - iii. Providing meaningful opportunities for local solutions.
- (e) Provide access to basic services, in particular health, education, and support for livelihood opportunities for both refugees and members of host communities.

115. Request the United Nations High Commissioner for Refugees to include in his reports to the General Assembly a review on the implementation of the Global Compact on Responsibility-Sharing for Refugees, including an assessment of how best to ensure a predictable and equitable responsibility-sharing approach in particular refugee situations.

**Pillar 3: Global Compact for Safe, Regular and Orderly Migration**

116. I call on Heads of State to take the following actions with a view toward the development of a Global Compact for Safe, Regular and Orderly Migration:

117. Undertake a state-led process to elaborate a comprehensive international cooperation framework on migrants and human mobility, in the form of a Global Compact for Safe, Regular and Orderly Migration, including the elements below, and hold an inter-governmental conference on international migration in 2018 to adopt this Global Compact.

- 
- (a) Ensure that the Global Compact for Safe, Regular and Orderly Migration is based on the recognition that all migrants, regardless of their status, must receive the protection, respect and fulfilment of their human rights as provided in the nine core international human rights instruments and related standards, including all relevant ILO Conventions, and to consider the ratification and effective implementation of these instruments.
  - (b) Ensure that in developing the Global Compact for Safe, Regular and Orderly Migration, the process builds on existing bilateral, regional and global cooperation mechanisms for facilitating safe, regular and orderly migration, and takes into account the roles and responsibilities of countries of origin, transit and destination of migrants, international Organisations, local authorities, private sector recruiters and employers, labour unions, civil society and migrant and diaspora groups. Such a process should include support for fostering enhanced regional and global dialogue and deepened collaboration on migration, building on best practices and collaboration in the regional economic cooperation commissions, RCPs, and multilateral fora, including especially the Global Forum on Migration and Development.
  - (c) Emphasize the intention to develop more opportunities for safe, orderly and regular migration, in line with target 10.7 of the 2030 Agenda for Sustainable Development, including labour mobility at all skills levels that is responsive to labour market needs, as well as family reunification and education-related migration opportunities.
  - (d) Ensure that migration opportunities entail the ethical recruitment of migrants, reduction in the costs of migration, facilitation of the flow of remittances and increasing their productive use, enhancing transfer of skills and knowledge, as well as mutual recognition of skills and portability of acquired benefits as addressed in the Addis Ababa Action Agenda (2014). They should counter exploitative practices and the demand for services derived from the exploitation of others, in line with human rights and labour standards and relevant policy frameworks. In developing such opportunities, special attention should be paid to fragile states and countries and areas experiencing crises, including as a result of disasters or environmental degradation.
  - (e) Ensure, in the Global Compact, the inclusion of migrants and their specific vulnerabilities and needs in coordinated humanitarian response and development frameworks, at all levels, ensuring their rights are upheld, the necessary financial and human resources to support these efforts, and the expansion of development funding for measures to support the positive contribution of migrants to the societies in which they reside.
  - (f) Underscore, in the Global Compact, the responsibility of States to protect and assist their citizens abroad, including ensuring proper documentation for their protection and their right to re-entry, as contemplated in the Vienna Convention on Consular Relations, and establishing bilateral and regional consular cooperation arrangements, where needed.
  - (g) Stress, in the Global Compact, that returns of those migrants who do not meet required international or national legal standards to remain in their host country must be conducted in safety, dignity, and respect for human rights based on a) the primacy of voluntary returns, b) cooperation between States of origin and reception, and c) enhanced reception and reintegration assistance to those who are returned.

---

*In addition, I urge Heads of States to commit to the following:*

118. Initiate a State-led, consultative process to improve protection and assistance for migrants in vulnerable situations, with the participation of experts and civil society, building on the 'Principles and practical guidance on the protection of migrants in large movements' currently being developed by the Global Migration Group.

119. Give favourable consideration to incorporating the insights into national policies and practices, of the State-led Migrants in Countries in Crisis Initiative to protect and assist migrants caught in countries experiencing conflicts or natural disasters and by the Nansen Initiative in its Agenda for Protection of persons crossing international borders as a result of natural disasters and climate change.

120. Forge a closer relationship between the UN and the International Organization for Migration, including through a strengthened legal relationship.

\*\*\*