



Preparatory (stocktaking) meeting
4-6 December 2017, Puerto Vallarta, Jalisco, Mexico

Concept note

This concept note is complementary to the information found on the website for the meeting:

<http://refugeesmigrants.un.org/stocktaking-phase>

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1. Introduction

Mandated in Annex II of the New York Declaration for Refugees and Migrants, the preparatory process towards the adoption of a Global Compact for Safe, Orderly and Regular Migration (GCM) was launched in April 2017. Throughout phase I, six informal thematic sessions, five regional consultations, seven regional civil society consultations and numerous national consultations have contributed inputs to the process. To date, 254 concrete inputs have been submitted in relation to the six overarching thematic areas. Phase I has been about generating a space for dialogue, building trust, and sharing national realities on all aspects of international migration. Over the course of the discussions, a wide range of views, best practices and innovative proposals aimed at facilitating safe, orderly and regular migration have been shared. It is important to point out that phase I was not about negotiating so much as it was about bridging the gap between perceptions and reality. The participation of non-governmental stakeholders has enriched this discussion and contributed to important reflections at different levels.

The preparatory (stocktaking) meeting, taking place from 4-6 December in Puerto Vallarta, Mexico marks the beginning of phase II of the process. The purpose of the stocktaking phase is to review and distil the wealth of information, data and views expressed as well as to engage in a constructive analysis that will inform the process going forward. In line with the ambition of achieving a 360-degree understanding of migration, the stocktaking meeting will allow delegations to consider the six themes in conjunction with different dimensions of international migration: human, community, local/sub-



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national, national, regional and global. As in phase I, the objective is not to negotiate. The stocktaking meeting provides a platform for delegations and other stakeholders to jointly shape a vision for the Global Compact for Safe, Orderly and Regular Migration. The results of the stocktaking phase will be: i) a Chair's summary of the meeting and ii) a report of the Secretary-General of the United Nations with concrete recommendations for the GCM. These two documents will inform the co-facilitators' zero draft of the GCM, which marks the beginning of phase III. The intergovernmental negotiations will start in February and conclude in July 2018.

2. Attendance and engagement in phase 1 (consultations)

The consultation phase was a dynamic, open and participatory process with excellent contributions and a high number of inputs from Member States, as well as a broad range of stakeholders. Table 1 below presents an overview of the different components of phase I and the participation of Member States and other stakeholders.

Table 1: Consultation phase – Overview

Number of thematic consultations sessions	6
Number of regional consultations sessions	5
Number of side events	25
Total number of written contributions	254
Average number of Member States attending informal thematic sessions	113
Number of panelists and experts for the informal thematic sessions	60
Number of Member State interventions in the informal thematic sessions	740
Number of UN agencies interventions	64
Number of stakeholder interventions in the informal thematic sessions	91
Number of interventions in the informal dialogues between the co-facilitators and stakeholders	91

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Attendance and engagement by Member States and stakeholders was high throughout the consultation phase: figures 1 and 2 below show the level of engagement at the informal thematic sessions. They also demonstrate that the level of engagement increased over time.

Figure 1

Consultation Phase - Level of Engagement From Member States

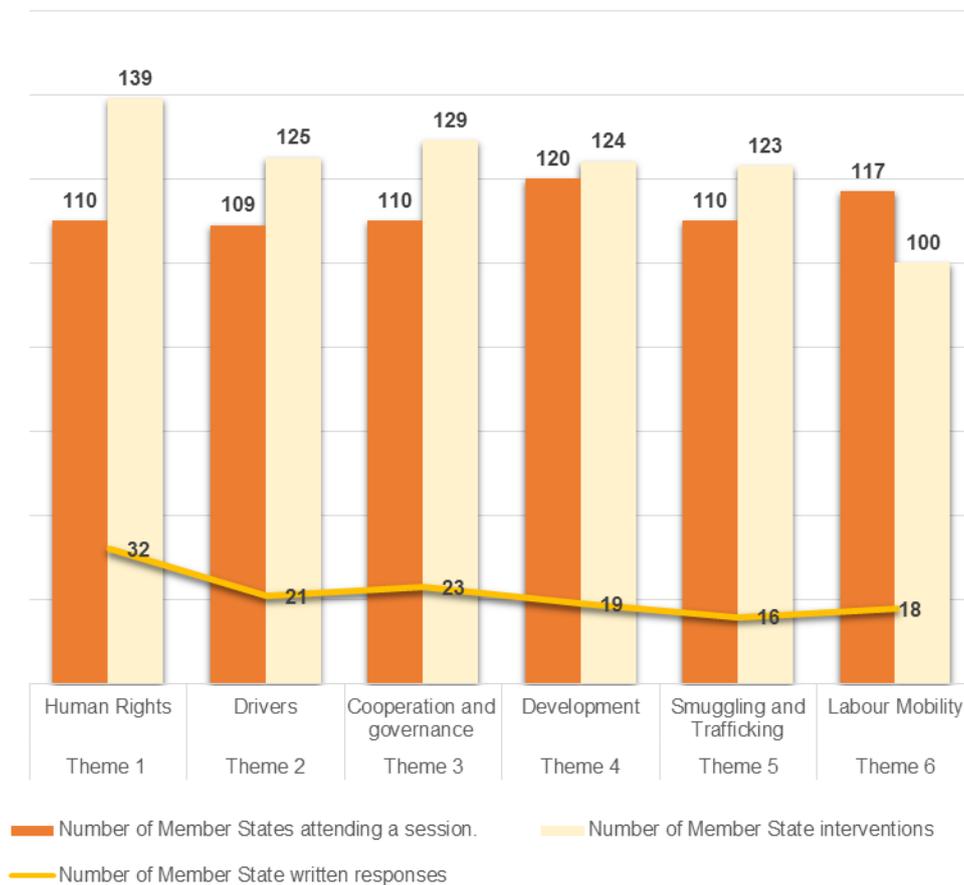
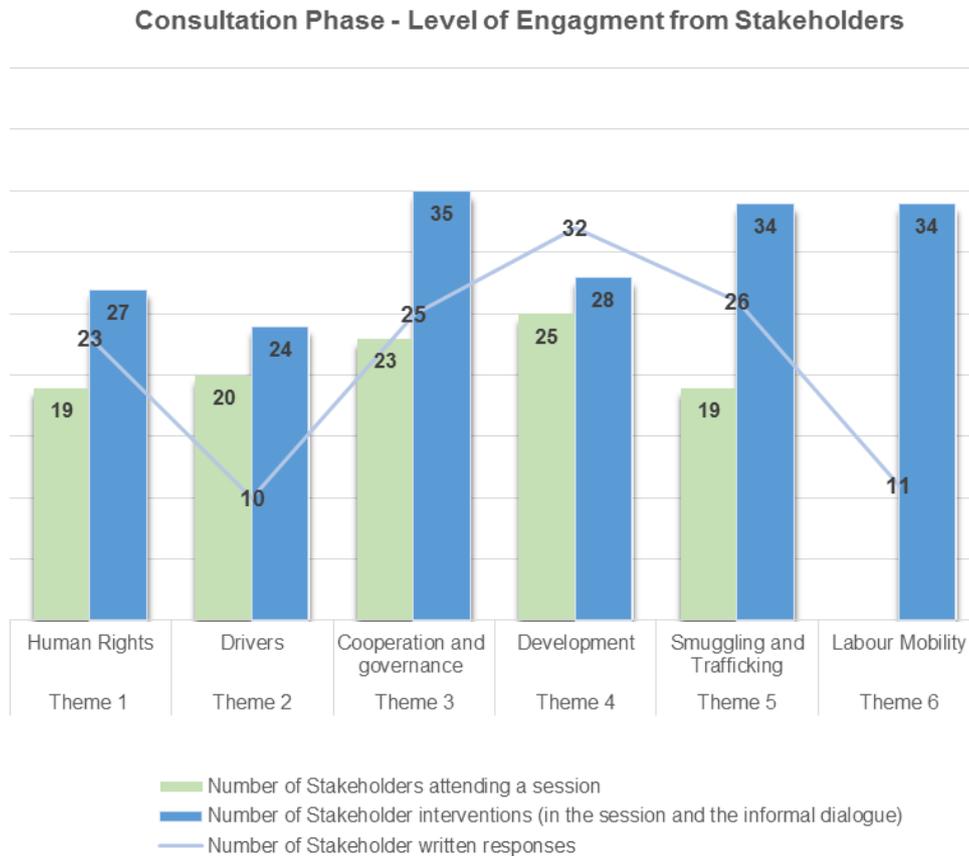


Figure 2



Besides the informal thematic sessions, five well-attended and highly engaging regional consultations organized by the United Nations Regional Economic Commissions took place in Santiago, Beirut, Addis Ababa, Geneva and Bangkok. Furthermore, several Regional Consultative Processes, other regional platforms, and non-governmental stakeholders, including civil society, the private sector, and academia organized numerous consultations, panels and symposia that produced official inputs to the GCM process.

3. Overview of phase I (consultations)

3.1 Overarching frameworks and principles

During the consultation phase, Member States discussed and identified overarching frameworks and principles to guide the GCM. The stocktaking meeting is an opportunity to firm up these frameworks and principles as points of departure to identify the actionable commitments for the GCM.

The key frameworks and principles underpinning the GCM include:



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- *Human rights based approach:* human rights are universal and inalienable; indivisible; interdependent and interrelated. Member States have indicated the centrality of these principles for the GCM and the importance of promoting and protecting the human rights of all migrants, irrespective of their status. The protection of migrants in vulnerable situations has also emerged as a priority.
- *State sovereignty and international cooperation:* it is uncontested that States have the right to exert sovereign jurisdiction with regard to national migration policy. Strengthened capacities and sovereign jurisdiction, in effect, translates into better respect for international human rights law and well-managed migration. Sovereignty is thus a central pillar of reinforcing international cooperation and shared responsibility to improve the governance of international migration.
- *Multi-stakeholder approach:* addressing the complexities of migration requires comprehensive responses that involve different levels of collaboration, within and between States, and with a wide range of stakeholders, such as civil society, the private sector, academia, trade unions, parliaments, and NHRIs. Such whole-of-government and whole-of-society approach provides for the integration of migration into different sectoral policies and planning, building on existing platforms for international and regional dialogue and collaboration. This will be key to ensure effective implementation of the GCM, where different actors will need to be involved.
- *People centred:* Member States have indicated that the GCM needs to be people- and specifically migrant-centred. It will strive to put the voices, experiences, potentials and needs of migrants and communities in situations of origin, transit, destination and return at its core, providing a platform to ensure that the specific actions and initiatives put forward by the GCM are based first and foremost on the evidence of what works for all people involved.
- *Gender aware, sensitive and responsive:* women migrate as much as men and yet their voices, needs and realities can be overlooked by migration policies, which are often gender blind. Member States have indicated that the GCM should focus on both, opportunities and challenges for women migrants, with the aim of enhancing the benefits of migration for all as well as protecting women and girls in vulnerable situations, especially when exposed to risk of exploitation and abuse along their migration journeys. Recognizing the agency of women migrants means empowerment throughout the migration cycle.
- *Comprehensive and holistic:* in order for human mobility to fulfil its potential to benefit migrants and communities in countries of origin, transit and destination, all dimensions of migration must be taken into account. This requires a global framework that also considers the specific characteristics and needs of all countries involved. The 2030 Agenda for Sustainable Development provides an overarching framework to guide the translation of this principle into practice, by placing the target to achieve safe, orderly and regular migration through well managed migration policies alongside a number of specific goals and commitments necessary to achieve sustainable development for all.

3.2 Thematic highlights from phase I

The consultation phase was organised around six broad themes. Member States and stakeholders engaged actively in phase I and numerous key issues and proposals towards the GCM were identified. Below is an overview of these highlights drawn from the contributions of Member States and stakeholders during the consultation phase. While the following paragraphs provide a synopsis of



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the rich substance gathered in phase I, they should be read in conjunction with the [co-facilitators' summaries of the informal thematic sessions](#) that include the full scope of recommendations made on the six themes.

Member States agree that human rights are universal and apply to all migrants, irrespective of their status, including undocumented migrants and migrants in vulnerable situations. The fulfilment of international legal obligations, particularly with regards to international human rights law, is itself an exercise of sovereignty, and therefore compatible with States exerting sovereign jurisdiction with regards to national migration policies. The GCM could help develop a shared understanding of the practical aspects of a human rights based approach to the governance of migration, including its application in the areas of border management, return, readmission and reintegration.

Addressing the needs of migrants in vulnerable situations was highlighted as a priority, including those who are compelled to move as a result of violence or following climate-related events or disasters but lack protection, or are victims of human trafficking and abuse. Meeting the protection needs of these migrants is urgent. Many, particularly women and children, are often left unprotected. This is also necessary to manage migratory dynamics, as often vulnerabilities, including unpredictability of status, force migrants to continue their journeys through irregular means, exposing them to ever greater risks and dangers.

Overall, Member States are of the view that migration should be a choice and not a necessity. To achieve this, actions need to be taken to better understand the different drivers of migration, their interrelatedness and the ways in which they shape different forms and experiences of migration. The consultation highlighted that the drivers of migration are multiple and interlinked. Economic factors, lack of opportunities, demographic shifts and other variables can be drivers of migration. However, migration choices can also be motivated by social and cultural aspirations, or induced by climate-related factors, including the need to move as an adaptation strategy or displacement caused by sudden onset natural disasters.

Effective global governance is key to achieve safe, orderly and regular migration. This will require cooperation and dialogue at global, regional, national and local levels. Member States have indicated that such cooperation must be founded on effective national systems of governance, where migration needs to be considered and integrated across different policy areas. Whole-of-government approach and whole-of-society approaches are needed to ensure there is coherence across all migration-related policies in a country. This entails a multi-sectoral approach, by using inter-ministerial coordination mechanisms and proactively integrating migration into sectoral policies. Furthermore, it means being aware of how migration policies interact across local and national levels of governance. Structured and predictable cooperation between countries of origin, transit, destination and return, as well as coherence in their policies is indispensable to achieve safe, orderly and regular migration.

The consultations also highlighted that human mobility is an essential component of economic and social development everywhere and that migration can be a factor to achieve the Sustainable Development Goals (SDGs), from poverty reduction, to health, education, gender equality, climate change and citizenship. The SDGs cannot be achieved through international aid or public financial support alone – investing in sustainable development should harness the potential of diaspora, migrant entrepreneurs as well as private sector and civil society. By contributing to development, migration benefits migrants and the communities in both origin and destination countries. The integration and inclusion of migrants in all aspects of economic, social and cultural life is a prerequisite to take full advantage of their contributions to sustainable development. Similarly, an



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environment of non-discrimination, as well as targeted measures to countering xenophobia, racism and intolerance are essential to overcome misperceptions in the public discourse and to ensure that migrants can develop their full potential.

Diaspora communities are essential to bring human experience and knowledge to the centre of the migration process. Diasporas play a key role as innovators, as knowledge transferors, as investors, as consumers of nostalgic trade goods and as engines of integration with social networks and human capital. Migrants' remittances are private capital and key investment that can contribute to development outcomes, both financial and social. Good practices exist for reducing costs of financial transactions and enhancing financial inclusion, including building on the potential of mobile technologies. However, on their own, remittances do not, and cannot, achieve development, which requires investment from a range of public and private sources.

Several Member States have emphasised that countering human trafficking and contemporary forms of slavery, including forced labour, should be one of the key components of the GCM, given the nature of these crimes and their direct impact on the freedom and dignity of those affected. This requires enhanced international cooperation and better data and analysis to understand the dynamics and differences between smuggling and trafficking, the phenomenon of mixed migration and the extensive use of social media and other networks used by organized crime. Civil society, the private sector and other non-governmental stakeholders can play a key role to shed light on these highly informal practices, often rooted at community and local level.

There was wide recognition that diversifying regular pathways will contribute to safe, orderly and regular migration, as jobs and other economic opportunities are clearly the main drivers of migration and key for the successful integration of migrants in countries of destination. Member States have emphasised that migrant human and labour rights need to be enhanced and protected, using core international instruments and legal frameworks. It was also highlighted that all countries could cooperate better on issues of fair and ethical recruitment and on skills and qualification recognition. Member States may consider expanding the provision of sector-wide and temporary work permits or visa schemes as well as the enhancement of skills matching. Such measures could help to increase labour mobility and flexible employment. Furthermore, equipping migrants with better skills, qualifications and competences could also favourably support circular migration, sustainable return and reintegration.

4. Dimensions of migration, levels of cooperation and roles of different stakeholders

The discussions in phase I of the process have made clear that no one State can effectively manage the complex realities of international migration on its own. Cooperation between States and partnerships with different stakeholders at different levels will be key for the success of the Global Compact for Safe, Orderly and Regular Migration and its implementation. The ambition of the GCM is to set out a range of principles, commitments and understandings among Member States regarding international migration in all its dimensions. It would make an important contribution to global governance and enhance coordination on international migration. It would present a framework for comprehensive international cooperation and action. Hence, it will require the continued contributions and commitments of Member States and other key stakeholders at global, regional, national and local levels.



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Phase I of the preparatory process (consultations) framed discussions around six core, non-exhaustive thematic areas of international migration, summarised above. In the stocktaking phase, the aim is to analyse those and other inputs in order to identify the potential features of the GCM. To accomplish a holistic understanding of international migration, Member States are invited to discuss a series of dimensions of migration at the stocktaking meeting, from the individual level up to the global level. The thematic discussions, coupled with the action groups, move the discussion towards concrete and actionable commitments that will help Member States identify means of implementation and levels of cooperation. This should lay the basis to negotiate, implement, monitor and ultimately ensure delivery of the GCM.

4.1 Global dimension of migration

At the global level, the GCM presents an opportunity to concretize the centrality of international cooperation between Member States and other stakeholders to facilitate safe, orderly and regular migration. The GCM will need to be anchored in existing frameworks and agreements, such as human rights instruments and the 2030 Agenda for Sustainable Development. The GCM will also offer the opportunity to agree a new framework for action at the global level, based on existing best practices. This is an area where international cooperation is essential, but often challenging due to differences in understandings, perceptions, capacities and specific national realities. In addition, the consultation process in phase I has highlighted the potential to establish and strengthen dynamic channels of exchange and cross-fertilisation between Member States and other stakeholders on specific migration initiatives, policies and cooperation mechanisms. Furthermore, there is an opportunity to strengthen collaboration and coherence between global institutions, particularly within the UN system, as well as regional organizations and processes and other global institutions, such as international development banks.

4.2 Regional dimension of migration

One global reality that became evident in phase I of the preparatory process is that most international migration is intra-regional. Well-managed migration policies are central to effective regional mobility and should be seen in conjunction with other policies such as trade, tourism and others. During the consultation phase it has become clear that regional institutions and agreements can play a transformative role for facilitating safe, orderly and regular migration. Regional Consultative Processes as well as other regional platforms and mechanisms have played a leading role in promoting effective triple-win cooperation on migration within and between regions. The GCM offers an opportunity for greater involvement of regional platforms in the formulation and implementation of global migration policy frameworks and initiatives, as they constitute the crucial link between global standards and their implementation at regional, national and local levels.

4.3 National dimension of migration

It is impossible to understand international migration without recognizing the central role of sovereign States. Based on the State's prerogative on jurisdiction and policy relating to migration, comprehensive and effective national migration policy frameworks are crucial for facilitating safe, orderly and regular migration based on a whole-of-government and a whole-of-society approach. States' leadership is thus key for the formulation and implementation of the GCM. The governments of Member States have much to gain from a practical and implementable GCM. It follows that the GCM presents an unprecedented opportunity for Member States to lead the way in identifying



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effective, concrete and innovative ways to enhance safe, orderly and regular migration, based on reviews of existing principles and frameworks as well as national policies and international practices. Contemporary realities point to virtually all countries experiencing, to different degrees, situations of origin, transit, destination and return. Thus, it would be limiting to consider only one aspect of the migratory cycle. In practice, international cooperation between Member States at bilateral, regional and global levels will be vital to ensure the successful implementation of the GCM in partnership with other stakeholders.

4.4 Local/sub-national dimension of migration

Member States are most often made up of subnational units, and migrants, as most people, have the most direct everyday interaction with local or subnational authorities. The local or sub-national dimension of migration emerged as a key layer of governance in the consultation phase. Sub-national and local institutions are key actors in addressing daily needs of migrants and local communities and have driven innovative and pragmatic solutions. City Mayors and local policy makers are increasingly playing innovative roles to develop, test and implement inclusive approaches to economic and social integration. Local economic development is also key, where there is potential to better match the specific needs and skills gaps of local markets with the skills and capacities provided by migrants. At the local level is also where the role of the private sector becomes apparent, with business leaders increasingly involved in supporting initiatives to enhance safe, orderly and regular migration.

4.5 Community dimension of migration

The consultation phase yielded the importance of acknowledging the role of communities relating to migration, particularly with respect to questions of integration and inclusion. At the community level, policies need to recognize the needs of migrants and the local community alike in order to ensure social cohesion. With regard to migrant communities specifically, diasporas and other groups play a crucial role in informing migration choices and promoting the opportunities of migration to migrants, their communities and societies at large. Cultural and social networks are fundamental pillars of migrant communities all over the world. This is essential to ensuring effective integration of migrants and that the contributions of migration are recognised by and benefit the local communities and stakeholders in countries of origin, transit and destination.

4.6 Human dimension of migration

The consultation phase has highlighted the importance of taking a people-centered approach to migration. The drivers that lead to an individual decision to migrate are often multiple, complex and inter-related, and individual outcomes of migration can easily be underestimated. Thus a recognition of the role that migrants themselves play in shaping migration decisions is essential to develop policies that facilitate safe, orderly and regular migration. For example, policies may determine whether a migrant can effectively exercise his or her skills and qualifications, most often resulting in a net economic and social loss for the country of origin and destination as well as the migrant. Considering the human dimension of migration in the GCM is therefore key to understanding the specific motivations, skills, experiences, capacities, opportunities, needs and vulnerabilities of migrants and identifying effective measures to facilitate beneficial outcomes of migration for the individual migrants, their dependants and the communities of origin and destination.



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5. Guidance and final reflections from the co-facilitators on the preparatory (stocktaking) meeting

Participants will find that the programme of work for the preparatory (stocktaking) meeting seeks to build upon the learning that has been accomplished in phase I of the process. In this spirit, day 1 is dedicated to gaining an overview of the different tracks of the process at all levels and the wide scope of contributions produced for the process. In Puerto Vallarta, we seek to deepen our understanding of all dimensions of international migration collectively based on the breadth of the substance and evidence gathered throughout phase I. This requires all Member States to engage in active listening to each other's experiences and interests. It equally requires that national delegations come forward and share their perspectives frankly, building upon the trust that has been created thus far and which will be necessary as we enter into the negotiation phase. In this regard, the action groups on day 2 will constitute the core of the preparatory (stocktaking) meeting, as the objective of these groups will be to deliberate on the full scope of phase I from different angles (six dimensions). In considering the findings from phase I, including the informal thematic sessions, the regional consultations, and further processes and inputs, delegations are invited to share their views on the following guiding questions in the six action groups:

1. *What are your national priorities under this dimension?*
2. *What actionable commitments would you like to see included in the Global Compact relating to this dimension?*
3. *What means of implementation do you foresee for above actionable commitments?*
4. *What partnerships will be necessary for the implementation?*

Delegations are encouraged to share their answers to the guiding questions by focusing on concrete recommendations for actionable commitments in conjunction with respective means of implementation and partnerships. Member States are encouraged not to rely on prepared statements, but rather, to contribute forward-looking ideas towards shaping concrete commitments on safe, orderly and regular migration. Speaking time will be limited to two minutes. Delegations will also be invited to share recommendations on actionable commitments, means of implementation and partnerships under each of the six dimensions with the co-facilitators in writing by utilizing the cards that will be provided to delegations in Puerto Vallarta. A template of the index card along with the guidance note for moderators and rapporteurs and the reporting template of the action groups can be found as annexes to this note. The rapporteurs will present a summary of their respective action group, with a particular focus on the concrete recommendations conveyed by delegations at the beginning of day 3.

Furthermore, the preparatory (stocktaking) meeting will also provide an important first opportunity to consider questions relating to effective implementation, partnerships and follow-up of the Global Compact for Safe, Orderly and Regular Migration. On day 3, delegations are invited to share their views on relevant elements of an effective framework for the follow-up and review of the GCM.

After the Secretary-General of the Intergovernmental Conference provides an outlook on the report of the Secretary-General and the two experts share their observations on the discussions and main outcomes of the preparatory (stocktaking) meeting at the concluding session, delegations are invited to convey their own overarching perspectives based on the deliberations of the three days in Puerto Vallarta.



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As delegations collectively consider actionable commitments, potential means of implementation and partnerships, as well as provide inputs on follow-up and review on the occasion of the preparatory (stocktaking) meeting, the future Global Compact for Safe, Orderly and Regular Migration acquires the potential to make a real impact in support of Member States, the UN system, migrants and their communities. The level of understanding that we jointly achieve at the stocktaking meeting will guide the remaining preparatory process. It is imperative that all delegations understand that phase II is not a negotiation phase. The outcomes of phase II (chairs' summary and Secretary-General's report) do not represent an agreement or consensus. Because negotiations begin with the zero draft of the GCM, the collective interest is that phases I and II truly feed into the negotiations. Hence, the co-facilitators reiterate the call for evidence, data and analysis that takes into account all aspects of international migration that the GCM is expected to address.