

**Danish positions and input
for the process towards the adoption of a
“Global Compact for Safe, Orderly and Regular Migration”**

Denmark welcomes the GCM-process and would like to submit the following Danish parameters and positions:

- Denmark recognizes that international mobility is an inherent part of human nature and that **safe, orderly and regular migration** plays an important role in dealing with irregular migration challenges. Moreover, Denmark recognizes that regular migration is often a catalyst for growth, welfare and stability nationally, regionally as well as globally, whereas irregular migration often has negative political and economic consequences for both countries of transit and destination and may have so for countries of origin. Denmark sees a clear link between a strengthened global migration management and a reinforced effort to **effectively prevent and limit irregular migration**.
- Denmark considers **human rights to be a precondition for and an integrated part of international law**. Denmark reconfirms respect for human rights regardless of migratory status and fully supports the principle of non-discrimination of refugees and migrants as well as the fundamental rights of these groups such as rule of law, protection and security. Denmark similarly supports that all human rights and international law must be respected when it comes to migrants arriving in Denmark. Denmark attaches particular attention to gender equality, including women’s and girls’ sexual and reproductive health and rights.
- It is crucial to **maintain a strict distinction between asylum seekers, refugees and (particularly irregular) migrants** in order to avoid a dilution of the existing protection regime for refugees and existing international law in this area.¹ It is also essential to clearly distinguish between the rights of different categories (such as persons without legal stay, persons with procedural stay, refugees, people with temporary protection, victims of human trafficking, persons with humanitarian stay, workers, EU citizens, students, etc.)
- Denmark supports initiatives which, **within the framework of existing international obligations**, can contribute to ensuring a well-managed migration system and international cooperation on mobility, fully respecting the sovereign right of all states to determine who has access to its territory. Denmark has fair immigration laws, allowing anyone who fulfills certain criteria for residence to enter the country in order to work, study etc.
- Denmark does **not see a need for developing new legally binding rules regarding refugees or migrants**. Denmark can reconfirm all our existing commitments under international law. Thus, the GCM should first and foremost focus on strengthened international cooperation on such existing commitments and strengthened understanding of the correlation and coordination as well as identification of concrete initiatives for the implementation of such commitments

¹ Denmark maintains that the term ‘refugee’ is universally defined and that refugees are protected under international law. The term refugee relates to persons, who are protected pursuant to the UN Convention on refugees, as well as persons, who individually risk being subject to torture or cruel, inhuman or degrading treatment or punishment (as set out in the Convention against Torture art. 3 and ICCPR, art. 7). There is, however, no universally accepted legal definition of a ‘migrant’, but the term generally refers to persons, who crosses international borders and can be qualified depending on context (as regular, irregular, voluntary or forced due to poor living conditions, war, crisis, natural disaster, climate change etc.)

- It is essential that orderly and well-functioning international cooperation on migration is based on commonly accepted obligations, **namely globally supported existing international conventions and standards**, including by the EU member states, such as the UN's Universal Declaration of Human Rights, the UN's Convention on Refugees and other relevant human rights conventions related to e.g. torture, children, women and race.
- Denmark attaches significant importance to the **obligation of all states to readmit and facilitate readmission of own nationals** without legal stay in another country. Effective compliance with the obligation to readmit own nationals is a prerequisite for safe, orderly and regular migration. Failure to comply with this obligation is unacceptable and can be a hindrance to further development of people to people contact.
- Denmark wishes to **strengthen focus on the root causes of refugee and migrant flows**, including through:
 - A focused effort to promote the 2030 Agenda for Sustainable Development and the 17 Sustainable Development Goals, especially Goal 1 concerning poverty reduction, Goal 8 concerning economic growth and employment and Goal 16 concerning peace, justice and institutions, all of which are central to the long-term management of migration. For Denmark, a particular focus on **youth and women**, as well as on **the principle of "leaving no one behind"** is essential.
 - Intensifying work on preventing and solving conflicts, for example by contributing to strengthening the ability of the Security Council to carry out the tasks relating to international peace and security, with which the Council has been charged under the UN Charter.
 - Recognition of the fact that climate change can be a cause of migration – both regular and irregular – by virtue of increased vulnerability, insecurity and a lack of resources in afflicted areas. Work should be done globally to mitigate deteriorated living conditions and negative effects on the environment by building resilience and alternative production bases in communities particularly affected by climate change.
 - A proactive focus on **strengthening the nexus between humanitarian aid and development initiatives**, including in countries neighboring conflict, with a view to promoting stability and ensuring that refugees and internally displaced persons may to the greatest extent possible live secure and dignified lives in their host communities, including in neighboring countries or regions with a view to addressing secondary, irregular movements. In doing so, focus should i.a. be on education, health and the possibility for self-realization through better access to employment and – when possible – return to the country of origin in an orderly manner. This includes increased political recognition of those host countries and host societies, who bear the largest burden in the neighboring countries and recognition of the fact that these countries and their populations need financial support to carry out this task (as a global public good). Denmark will continue to be at the forefront of this engagement. With our new development strategy, Denmark will ensure that this agenda will be implemented broadly across the Danish development engagement.
 - Continually living up to - and encouraging other developed countries to live up to – **the UN objective to contribute 0.7 pct. of GNI as development aid**. Denmark will also work towards all countries – including but not limited to countries of origin, transit or destination (but also countries who at present are neither donors nor recipient countries) –

assuming responsibility and complying with international agreements, standards and obligations. Denmark will contribute to **ensure adequate – and thus increased – humanitarian aid in crisis situations.**

- Denmark wishes to **increase efforts against human smuggling and trafficking** the latter of which constitutes a gross violation of human rights as well as a serious and often organized crime. Human smuggling and trafficking represent a serious risk to the individual – not least to women and children. At the same time "the industry" is damaging to countries of origin, transit and destination. Mechanisms to fight human smuggling and trafficking will therefore be supported by Denmark. In this regard, capacity building of local authorities and governments on border management and prosecution should be a priority together with efforts to enhance the protection of women.
- Denmark supports **an active engagement of the private sector and civil society** in handling the migration agenda in order to establish partnerships and better access to financing.
- Employment constitutes a fundamental contribution to both successful integration and to rebuilding the communities affected by crisis. Thus, Denmark will work towards an active involvement of relevant labor market actors, including labor unions. Social dialogue is key to ensuring sustainable solutions and supporting governments in their efforts.
- The international **migration challenges are most effectively and pragmatically handled through strengthened cooperation in existing international organizations and fora.** As a fundamental element herein, Denmark supports continually evaluating the efficiency of mandates and cooperation mechanisms within existing institutional frameworks.