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From: Presidency
To: Delegations

Subject: HLWG/CONUN discussion of 15 June 2018 on the negotiations of the
Global Compact on Migration
- Chairs' Summary

Delegations will find in Annex the above-mentioned Chairs' Summary.

HLWG/CONUN discussion of 15 June 2018 on the negotiations of the Global Compact on Migration

Chairs' Summary

The process of negotiation of the Global Compact for Safely, Orderly and Regular Migration (hereafter 'Global Compact for Migration') has been discussed in the Council of the EU, namely at joint meetings of the High Level Working Group on Asylum and Migration and CONUN. As we move forward towards the final stages of negotiation of the text, the two working parties met most recently on 15 June 2018 to take stock of the process and assess the prospects for an agreement at UN level.

Following the debrief by the EU Delegation in New York on the last rounds of negotiations and the progress achieved, followed by the Commission's assessment of the draft Compact, Member States generally agreed that the latest revision of the text (Draft REV2) represents a positive step towards a balanced text that takes on board several important suggestions made by EU Member States throughout the negotiation phase in New York.

In the ensuing discussion, Member States highlighted a number of important issues to be addressed in the final version of the Global Compact on Migration. Among the issues raised at the HLWG/CONUN joint meeting, there was wide convergence among Member States on the need for a final text of the Global Compact on Migration which, in line with the comments already presented by them in New York:

- consistently reflects its non-binding nature, both in the introductory section and throughout the various objectives, based on the principles of the New York Declaration for Refugees and Migrants. This implies in particular using less prescriptive language, making it clear that the proposals contain a range of policy options and best practices for States to consider;

- recognises the complex nature of migration as a global phenomenon and in particular the need for cooperation between countries of origin, transit and destination, acknowledging both the adverse effects of illegal migration and the importance of safe, orderly and regular migration;
- reaffirms the principle of national sovereignty of States, including to determine whom to admit to their territory, to secure and manage their borders and to define their own policies concerning labour markets, subject to relevant international obligations;
- spells out in a more consistent and clear manner in the various objectives the distinction between regular and irregular migrants, especially in connection to access to social benefits and integration policies. Any language that might be interpreted as a justification or pull factor for illegal migration should be avoided, including any commitment to the regularisation of irregular migrants as part of integration policies;
- retains the explicit reference to States' obligation under international law to accept without condition the return and readmission of their nationals who do not have the right to stay in another State's territory and a political commitment to cooperate on readmission. In this context, the text should include both options of forced and voluntary returns carried out in full compliance with the principle of *non-refoulement*;
- clarifies that countries of origin have the primary responsibility for the readmission and reintegration of their nationals, without prejudice to the support that may be provided by returning States;
- encourages all States to carry out their border control responsibilities. In this context, the text should call for stronger references to the need for operational cooperation on border management between countries of origin, transit and destination, including for search and rescue operations;

- preserves the distinction between migrants and refugees while recognizing the need to address specific vulnerabilities resulting from natural disasters and environmental degradation without creating new legal categories. The inclusion of a new objective on climate change should be avoided;
 - avoids over-prescriptive objectives that may contradict or go further than the EU migration and asylum *acquis*, namely in what concerns visa policy, issuance of documents, detention of migrants and access to public services and social benefits.
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