

**Input from Norway to the UN Secretary General's report on the global compact for safe, orderly and regular migration:**

Norway would like to see the following points included in the report as well as in the zero draft:

The Global Compact on Migration (GCM) should be the product of intergovernmental negotiations and take due account of fundamental national interests relating to migration. The Compact should thus fully acknowledge the sovereign right of governments to decide, within existing international law, which foreign nationals to admit to enter and reside on their territory. The Compact should furthermore reaffirm states' obligation under international law to readmit their own nationals.

The Global Compact should constitute an essential element of the international normative framework for regulating and managing migration. However, the Compact should constitute a political commitment, not a legally binding instrument.

The Compact should refer to existing normative frameworks and build commitments on that. That should include both global and regional frameworks. Possible calls for expanded frameworks should, where appropriate, allow for regional differentiations. Europe, for one, has developed extensive rules for people movements adapted to European conditions. Similar developments could be considered for other regions taking their particularities into account. Although the Compact will be global, it should allow for regional applications.

Furthermore, the GCM must secure and ensure that all migrants can enjoy their fundamental human rights, regardless of their status. The universal rights of the individual follow migrants on their entire journey, at the border crossing, in the origin, transit and destination state.

While all migrants must be ensured fundamental human rights, the GCM should also recognize that host governments may accord preferential rights to migrants who meet their legal requirements for entry and stay.

The GCM should recommend states to promote equality of opportunity and treatment for all migrant workers with legal stay with regard to fundamental principles and rights at work, and coverage under relevant national labour laws and regulations.

In accordance with the 2030 Agenda the GCM must pay attention to the specific needs of migrants in vulnerable situations, particularly victims of trafficking, women and children.

The situation for unaccompanied minor migrants is particularly worrying and challenging and the GCM must address in accordance with the convention of the right of the child their specific needs and the best interest of the child, including prevention of dangerous journeys and reunification with the family in the country of origin.

The GCM must recognize the principle of shared responsibility in managing large mixed movements of migrants and call for close cooperation among countries of origin, transit and destination.

The GCM should underline the need for effective national policies to ensure the integration and inclusion of those who are granted permits to stay, allowing them access to health care, education and the labour market.

The GCM should encourage all states to ensure that their labour migration policies are in line with ILO's *General principles and operational guidelines for fair recruitment*.

The GCM should recognize the need to give special attention migrant workers who have been made particularly vulnerable by crisis, in line with ILO's *Recommendation 205 Employment and Decent Work for Peace and Resilience Recommendation* (2017).

In order to have well-functioning migration and asylum systems there is also a need for well-functioning systems for effective return, whether voluntary or otherwise, of those who do not meet the criteria for legal stay in the host country. This must be reflected in the GCM, including clear commitments to strengthen the effective cooperation on return in compliance with the obligation of all states under international law to readmit without undue delay their own nationals who do not meet these criteria.

The GCM must also make it clear that any type of return, whether voluntary or otherwise, must be in compliance with applicable international law, including the principle of non-refoulement and international human rights law.

The GCM should reflect the existing obligations under international law prohibiting discrimination of any kind on the basis of race, color, sex, language, religion, political or other opinion, national or ethnic origin, property, birth, sexual orientation, gender identity, age, disability or other status.

When addressing the drivers of migration, the primary focus should be to address the factors that push people to move out of necessity or lack of opportunities. Migration should be safe, regular and orderly, for the benefit of the migrant, the recipient country and the country of origin. Migration should be a choice, not a must.

The GCM must welcome initiatives to reduce drivers of irregular migration, through prevention by supporting the Secretary General's agenda for sustaining peace. More focus on early action is needed to address the underlying factors that lead to conflict and displacement.

It would be helpful to highlight best practices, like for instance The Nansen Initiative, initiated by Norway and Switzerland, which provides a tool box for how to deal with disaster and climate-related displacement and how to avoid it.

The GCM must be guided by commitments already undertaken as well as being developed in synergy with core mechanisms for international global cooperation - such as the 2030 agenda, the Sendai framework, the Addis Ababa Action Plan and the Paris Agreement.

The GCM must recognize the importance of the participation of local authorities with their proximity of residents, local knowledge and their work in implementing national migration policies in direct cooperation with the diaspora and the migrants themselves.

The GCM must reflect the fact that the 2030 sustainable development agenda recognizes that regular and orderly migration paves the way for social and economic development.

Sustainable development requires states to set up migration management structures, including agencies to monitor, register and determine the legality of people movements. The existence of dedicated national institutions for migration management is necessary to have a meaningful international co-operation on migration.

The GCM should contribute towards solutions that will reduce the cost of transferring remittances. Better financial inclusion and financial education programmes for recipients, in particular for women should be enhanced.

In the area of smuggling of and trafficking in migrants the GCM should build on existing international instruments, in particular the UN Convention against Transnational Organized Crime and its Protocols on smuggling of migrants and trafficking in persons.

The GCM must show its commitment to the international fight against smuggling of migrants and all forms of trafficking, including contemporary forms of slavery, and must contribute to strengthening multilateral cooperation and partnerships to help putting an end to these deadly businesses. This cooperation should build on the Protocols' articles on criminalization of smuggling and trafficking, protection of victims, prevention and cooperation and the obligation of the country of nationality/permanent residence to facilitate and accept returns.

The GCM should encourage international and national data collection agencies to collaborate and align their data collection systems and methods to ensure consistent and inter-operable data on internal displaced people, refugees, asylum seekers and international migrants, and to allow for more coordinated responses across the entire displacement and migration trajectory.

Finally, it is important for Norway that the IOM will be the key international partner in reviews and any follow-up framework that might be established for the GCM.