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NOTE

From: Presidency
To: Delegations

Subject: Draft EU Framework Document for the negotiation of a Global Compact for Safe, Orderly and Regular Migration

Delegations will find in Annex a Presidency proposal for a draft EU Framework Document for the negotiation of a Global Compact for Safe, Orderly and Regular Migration with inputs from the EEAS and Commission Services.

Changes compared to document 6192/1/2018 REV 2 are marked in **bold** for new text and ~~strike-through~~ for deleted text.

Throughout the document and for practical reasons, reference is made to the terminology commonly used in Council documents, namely regular/irregular migrants and legal/illegal migration. However, this language may be adapted to fit the UN environment and terminology.

In September 2016, the United Nations General Assembly adopted the New York Declaration for Refugees and Migrants, officially launching the process of elaboration of a Global Compact for Safe, Orderly and Regular Migration (hereafter 'Global Compact for Migration').

The process to develop the Global Compact for Migration started in April 2017 with a consultation phase, followed by a stocktaking phase concluded in December 2017 with the stocktaking meeting held in Puerto Vallarta. Throughout these phases, the EU and its Member States have taken a very active role, by defining in particular a series of EU Guidelines jointly discussed and commonly agreed at the level of HLWG and CONUN Working Parties, which reflect the EU policy and acquis in this area.

With the publication of the zero draft of the Global Compact for Migration on 5 February 2018, the process has entered its final phase of intergovernmental negotiations, leading to an intergovernmental conference on international migration in December 2018 with a view to adopting the Global Compact.

Given the EU's strong commitment to continue speaking with one voice to achieve balanced, responsible and sustainable global solutions to the challenges and opportunities of migration, as well as the comprehensive nature of the text to be negotiated (which covers areas of EU, mixed and Member State competence), the Council expressed a need to prepare a Framework Document outlining the main objectives the EU and its Member States should pursue throughout the negotiation phase, ~~based on the content of the zero draft~~. This Framework Document ~~is a tool for EU and Member State negotiators of the Global Compact for Migration, setting~~ out the main goals the EU should aim to achieve, as well as the main aspects that should be contained **and avoided** in ~~key areas of the~~ **final version of the** text. Whenever possible, the Framework Document ~~also~~ indicates relevant EU acquis/references (legal and political) that **should** ~~may~~ be used **by EU negotiators** for **justifying, where relevant, EU proposals or for** seeking alternative formulations to the current text.

The Framework Document also Furthermore, it mentions in a non-exhaustive manner recent concrete EU initiatives for cooperation with third partners in the migration field, which **should be integrated, as appropriate, in the EU "Lines to Take" to** ~~may be useful to illustrate the EU's engagement in many of the~~ **areas covered by the Global Compact** ~~actions contained in the zero draft.~~

This Framework document is intended to provide a strategic steer and constitute a useful basis for the EU and Member States in view of the negotiations for the Global Compact for Safe, Orderly and Regular Migration. It is not meant to be implemented as a specific mandate, insofar as negotiations require the necessary flexibility, the ultimate goal of the EU and its Member States being that of achieving a Global Compact for Migration as consistent as possible with their policy and approach.

The EU and its Member States aim, in their collective efforts during the negotiation phase of the Global Compact for Migration:

- to secure a balanced text, based on the principles of the New York Declaration for Refugees and Migrants, which recognises both opportunities and challenges of migration as a global phenomenon and articulates clear objectives of international cooperation on migration by drawing in particular on the 2030 Agenda for Sustainable Development and building on the principles and guidelines developed in the framework of the UN High-Level Dialogue on migration and development developed by the EU in 2006 and 2013;
- to ensure that the principle of 'shared responsibility' is properly reflected in the various commitments and actions of the Global Compact for Migration, namely as regards the specific responsibilities, needs and concerns of countries of origin, transit and destination;
- to ensure that the mechanisms for implementation of actions contained in the Global Compact for Migration are clearly defined and do not create binding financial obligations for UN Member States; furthermore, the follow-up and review mechanism should be based on existing UN fora and mechanisms, with a leading role for the IOM.

~~Regarding the zero draft of the Global Compact for Migration,~~ The following aspects should be given particular attention:

1) General/cross-cutting aspects

The text should *maintain*:

- the non-legally binding nature of the document;
- the references to the New York Declaration and the 2030 Agenda at the origin of the process leading to the Global Compact;

- the clear overall structure of the text;
- the need for an integrated and evidence-based approach, including in the analysis and policy shaping of the global, regional and national migration policies;
- the comprehensive scope of the guiding principles, recognising both opportunities and challenges of migration and respecting the human rights of all migrants, as well as ensuring a gender-responsive and child-sensitive approach;
- the principles of shared responsibility and international cooperation as fundamental elements for the implementation of most actions contained in the Global Compact for Migration.

The text should *expand on/clarify*:

- the terminology used throughout the text, especially as regards the different categories of migrants (regular/irregular), as well as the references made to categories that do not fall within the scope of this Compact (asylum applicant/beneficiary of international protection), since this differentiation has important implications for the responsibilities of countries of origin, transit and destination;
- that the Global Compact for Migration must not serve as a legal basis for the adoption and implementation of international law or national legislation and, in that context, should not have legally binding effects;
- the adverse effects of illegal migration, as it endangers lives and safety of persons and can raise major challenges and impact negatively on countries of origin, transit and destination, as well as the importance of orderly migration;

- the reaffirmation of the principle of national sovereignty of States, including to determine whom to admit to their territory and the right to exert sovereign jurisdiction with regard to national migration policy and to secure and manage their borders, subject to relevant international commitments. These principles should be used consistently throughout the text;
- the responsibility of countries of origin, transit and destination for the implementation of actions under each objective, and the cooperation mechanisms that would be involved;
- the fact that the benefits of migration are not automatic and depend notably on it being managed in an orderly manner and, at the same time, that every State has the sovereign right to define their own policies concerning labour markets, responding, *inter alia* to demographic trends;
- synergies with the Global Compact for Refugees, also as regards the follow-up of both compacts, whilst recognising their different nature and scope and ensuring the necessary differentiation between migrants and refugees.

The text should *avoid*:

- the use of language that suggests legal obligations in a non-legally binding text;
- **the introduction of new objectives**
- any imbalance between the objectives related to the individual rights of migrants and those related to the governance of security, migration and border policies, as well as between objectives related to legal and illegal migration;

- disparities in scope between the 22 objectives, some of which are very broad and others too technical. ~~If negotiations evolve towards a revision of the structure of the text, the EU could promote that~~ Such discrepancies could be addressed by grouping some of the more specific objectives could be grouped in wider clusters, thus establishing a clearer hierarchy vision of objectives and contributing to a coherent political message of what the Global Compact for Migration is trying to achieve;
- introducing new categories of migrants, as well as new categories of persons in need of international protection, which are not addressed in this Global Compact and/or new obligations on states to provide assistance;
- any language that might be interpreted as justification or as a pull factor for irregular migration.

EU reference documents

European Agenda on Migration (8961/2015) and Progress Report on the European Agenda on Migration (14473/2017);

Valletta Declaration and Joint Valletta Action Plan (14145/15 and 14146/15);

Malta Declaration of 3 February 2017 and

Implementation Plan (Non paper of 20 February 2018);

EUCO Conclusions from 19 October 2017 (EUCO 14/17) and the Leaders' discussion in the framework of the European Council on 14 December 2017 (Leaders' Agenda of December 2017);

Communication on establishing a new Partnership Framework with third countries under the European Agenda on Migration (1014/16);

Council Conclusions on the implementation of the Global Approach to Migration and Mobility (8443/14).

Relevant EU initiatives/tools

Bilateral and multilateral initiatives to address the situation in Libya and along the Central Mediterranean route (including EU-AU-UN Task Force);

Joint Declarations and Action Plans of the Rabat and Khartoum Processes;

EU Emergency Trust Fund for Africa.

2) Human rights and protection of migrants

[Objectives 3, 4, 7, 8, 12, 13, 14 and 15]

The text should *maintain*:

- full respect of human rights at the centre of all policies on migration, including with respect to large movements of migrants;
- the observance of relevant international human rights treaties and the obligations of States to protect the human rights of all migrants;
- the strong focus on, and specific objectives aimed at, the protection of migrants in vulnerable situations, including in times of crisis, in line with existing international conventions and on the basis of the New York Declaration;
- the particular emphasis on the promotion of gender equality and the empowerment of women and girls as a horizontal dimension and the tackling of all forms of discrimination, racism and violence against migrant women and girls, men and boys;
- the strong focus on the protection of children and more specifically of non accompanied minors, based on the principle of the best interests of the child;

- the need for providing access to basic social services, regardless of the migration status, without prejudice to the fact that full access to social services can only be granted to regular migrants in accordance with their residence status.

The text should *expand on/clarify*:

- the differences in the rights and benefits of migrants, depending on their status;
- the sequencing/timing of the support and protection granted (what is provided when);
- the effort that should be made in particular in countries of transit to develop their capacity to provide minimum services to irregular migrants that cannot be immediately returned to their country of origin, in full compliance with international human rights law which might also include, where appropriate, the development and implementation of policies of integration and inclusion;
- the fact that responsibility for saving lives is a shared responsibility and therefore States should invest significantly in their search and rescue capacity, as well as reinforce their cooperation in this field in accordance with relevant international conventions and procedures;

The text should *avoid*:

- any action which might have the objective of extending the legal treatment that beneficiaries of international protection may enjoy to migrants who do not qualify for this status;
- introducing commitments and obligations that go further than the EU migration and asylum acquis. In this context, particular attention should be paid to actions pertaining to status determination, documents issuing, family reunification, detention of migrants (including child detention), access to basic public services, access to the labour market and relevant social benefits;

- **Introducing 'firewalls' or some form of non-communication between public services and law enforcement agencies.**
- Without prejudice to voluntary initiatives, introducing mandatory commitments about establishing centralised and publicly available information websites on legal migration options and employment opportunities.

EU reference documents

Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification (OJ L 251, 3.10.2003, p. 12);

Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60);

Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L 337, 20.12.2011, p. 9);

Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ L 180, 29.6.2013, p. 96);

Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (detention aspects) (OJ L 180, 29.6.2013, p. 31);

Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third country nationals (detention aspects) (OJ L 348, 24.12.2008, p. 98);

Council conclusions on the protection of children in migration (9469/17);

Council conclusions of 20 July 2015 on resettling through multilateral and national schemes 20 000 persons in clear need of international protection (11130/15);

Commission Recommendation of 27.9.2017 on enhancing legal pathways for persons in need of international protection (C(2017) 6504);

Communication from the Commission to the European Parliament and the Council: Towards a reform of the common European asylum system and enhancing legal avenues to Europe (7665/16);

Commission recommendation of 15.12.2015 for a voluntary humanitarian admission scheme with Turkey (C(2015) 9490).

Relevant EU initiatives/tools

Information campaigns, including those funded by the EUTF; InfoMigrants project; European Immigration Portal;

JVAP support to international protection capacity in countries of transit in Africa;

EU Facility for Refugees in Turkey/EU-Turkey Statement;

EU Regional Trust Fund in Response to the Syrian Crisis.

3) Root causes of migration

[Objectives 2 and 19]

The text should *maintain*:

- the references to the 2030 Agenda as the privileged framework for international cooperation to comprehensively address all sustainable development goals and targets, and thereby contribute to address the root causes of migration;
- addressing potentially destabilising effects of climate change and disasters on migration and supporting, including through the Platform on Disaster Displacement, operational responses to climate change and disaster induced migration, provided on a voluntary basis by some States;
- the actions related to continuous learning, information and knowledge exchange, as well as data analysis;
- the focus on the supportive role of regular migrants and diaspora in sustainable development, including investment and entrepreneurship, knowledge and skills transfer.

The text should *expand on/clarify*:

- the financial sources for the implementation of actions requiring the setting-up of evaluation and analysis capacity, ensuring that it will not imply new financial commitments;
- the understanding of the primary role, ownership and responsibility of individual States in dealing with issues such as the rule of law, good governance and in the fight against corruption, while recognising the importance of international cooperation in addressing root causes of migration;

- the need to consider demographic developments as part of the discussion on root causes of migration, including the issue of sexual and reproductive health **and** rights in line with the International Conference on Population and Development and the Beijing Declaration and Platform for Action.

The text should *avoid*:

- any reference to human-made crisis as drivers for migration, as such cases should be addressed, where appropriate in the Global Compact for Refugees;
- the establishment of 'tailored migration schemes' as adaptations to slow-onset environmental degradation.

EU reference documents

Declaration of the AU-EU Summit, 29-30 November 2017, Abidjan (15554/17).

Relevant EU initiatives/tools

Partnership Framework on migration with third countries (10014/16 + ADD1-4);

Joint Valletta Action Plan - Pillar 'Development benefits of migration and addressing root causes of irregular migration and forced displacement';

Projects under the regional dialogues (Rabat, Khartoum, etc.);

EU Emergency Trust Fund for Africa (EUTF);

European External Investment Plan.

4) Pathways for legal migration and inclusion policies

[Objectives 5, 6, 16, 17, 18, 20 and 22]

The text should *maintain*:

- the recognition of the need for increased cooperation between origin, transit and destination countries on addressing global labour market realities and trends, taking into account specific needs of national labour markets, addressing also the issues of brain drain and brain gain, subject to States' competencies in this regard;
- references to the implementation of recognised labour standards on the basis of relevant international instruments, including on decent work for regular migrants, including the particular needs of migrant women, the freedom of association, as well as to the prohibition of forced labour and exploitation;
- the strong focus on the importance of the social, economic and cultural inclusion of regular migrants, recognising that the cost of their non-inclusion exceeds the cost of inclusion;
- The references on lowering the costs of remittances, including by establishing conducive policy frameworks.

The text should *expand on/clarify*:

- the sovereign jurisdiction of States for matters pertaining to legal migration and inclusion policies, including access to the labour market and social security for legally staying migrants, without prejudice to relevant international commitments;

- the requirement that access to employment and associated benefits (including equal pay) should be granted to regular migrants with a legal right to enter the labour market;
- the role of countries of origin and transit in enhancing labour market access and integration and reintegration policies, including with a view to facilitating the return of irregular migrants;
- the obligation for all members of society, including migrants, to fully observe the fundamental values of respect for human dignity, freedom, democracy, equality and the rule of law, as well as respect for - rights and the laws and regulations of their host countries;
- the important role of diaspora through their capacity to mobilise human talent and remittances through their networks;
- the primary responsibility of national authorities in the definition of migration and inclusion policies, while acknowledging the fundamental role of local communities in the reception, inclusion and integration of migrants.

The text should *avoid*:

- any confusion between regular and irregular migrants when it comes to labour market access and integration policies;
- the inclusion of 'regularisation options' as part of migrant integration policies and as an effective tool to fight and reduce illegal migration, as well as the inclusion of family reunification as an effective integration tool for irregular migrants;
- language on commitments that is not appropriate for a non-legally binding text;
- over-prescriptive and over-specific objectives that would require a change in national laws;

- commitments that would go beyond the existing legal framework for migration, namely the EU migration acquis, in particular legal migration, so that emphasis is put on the recognition only of the need for further consideration as regards visa liberalisation, the recognition of skills and the portability of social security entitlements and earned benefits.

EU reference documents

Council conclusions on the establishment of Common Basic Principles for immigrant integration policy in the European Union (14776/04);

Council conclusions on the integration of third-country nationals legally residing in the EU (15312/16);

Action Plan on the integration of third country nationals COM (2016) 377 (10022/16).

Relevant EU initiatives/tools

Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents ('LTR Directive') (OJ L 16, 23.1.2004, p. 44);

Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment ('EU Blue Card Directive') (OJ L 155, 18.6.2009, p. 17);

Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State ('Single Permit Directive') (OJ L 343, 23.12.2011, p. 1);

Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers ('Seasonal Workers' Directive') (OJ L 94, 28.3.2014, p. 375);

Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer ('ICT Directive') (OJ L 157, 27.5.2014, p. 1);

Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing ('Students and Researchers Directive') (OJ L 132, 21.5.2016, p. 21);

EU pilot projects on legal migration, concept note (ST 6020/18);

European Integration Portal - EWSI (European Web-site on Integration).

5) Addressing illegal migration

[Objectives: 9, 10 and 21]

The text should *maintain*:

- the call for the adoption, full implementation and appropriate follow-up to existing international legal instruments in the field of the fight against trafficking in human beings and smuggling of migrants;
- the call for the promotion of the operationalisation of the Global Plan of Action to Combat Trafficking in Persons and the use of relevant UNODC tools in the field of trafficking in human beings;
- the call to strengthen legislation and procedures to enhance prosecution of traffickers, avoid criminalisation of migrants that are victims of trafficking in persons, and ensure the necessary assistance and protection to victims;

- the call for the monitoring of, and where appropriate, sharing of information and intelligence on trafficking and smuggling networks;
- the development of cooperation frameworks for the operationalisation of return/readmission operations;
- cooperation for safe, human-rights-based and dignified return and readmission and promotion of assisted voluntary returns and reintegration programmes, the latter however not being an obligation of the country from which the return takes place;
- The focus on information of migrants in countries of origin, transit and destination through information/counselling centres.

The text should *expand on/clarify*:

- the fact that smuggling of migrants and trafficking in human beings are two distinct forms of crime, covered by separate legal frameworks at EU and international level. By the same token, the protection granted to victims of trafficking and the treatment to be granted to persons who have been the subjects of smuggling must also be differentiated;
- the fact that fighting migrant smuggling and trafficking in human beings requires a 'whole-of-government' approach;
- the need for stronger, systematic cooperation between law enforcement and prosecution authorities of countries of destination, transit and origin to dismantle migrant smuggling networks and criminal networks involved in trafficking in human beings, including through multidisciplinary joint investigations;

- the need for countries of origin and transit to develop not just legal but also operational capacity to gather, analyse and share information on migrant smuggling and trafficking in human beings;
- the need for specific training for criminal investigators and judicial authorities, including for financial investigations;
- the need for preventive measures, including addressing the demand for trafficking and all forms of exploitation and awareness-raising campaigns (including in countries of origin and transit) on the risks of illegal migration;
- the obligation of all States, as enshrined in international law, to accept without condition the return and readmission of their nationals who do not have the right to stay on other States' territory;
- the need for countries of origin to effectively cooperate on identification of citizens and swift issuance of travel documents for return and readmission in case of persons who have not the right to stay on another's State territory;
- the importance of enhancing support to the development of civil registration systems and consular services in countries of origin and transit;
- the importance of voluntary return as the preferred solution, both for countries of origin, transit and destination and the migrants themselves, while not excluding, wherever necessary, forced return, to be implemented in the full respect of human rights and dignity of the relevant persons and whenever possible in the framework of readmission agreements;

- the need for countries of transit and destination to develop programmes of Assisted Voluntary Return and Reintegration programmes, including with support from relevant UN agencies.
- the primary responsibility of countries of origin for the readmission and integration of their nationals, without prejudice to the support that may be provided by other States.

The text should *avoid*:

- the use of the term 'deportation' instead of 'forced return';
- Setting up systems that lead to responsibility of returning States to monitor returnees after readmission in the country of origin.

EU reference documents

Directive 2011/36 EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims and replacing Council Framework Decision 2002/629/JHA;

Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities;

Communication from the Commission to the European Parliament and to the Council – Reporting on the follow-up to the EU strategy towards the Eradication of Trafficking in human beings and identifying further concrete actions of December 2017;

Seahorse Network;

Commission Action Plan for the Central Mediterranean route and support to Italy;

Regulation (EU) 2016/1953 of the European Parliament and of the Council of 26 October 2016 on the establishment of a European travel document for the return of illegally staying third country nationals and repealing the Council Recommendation of 30 November 1994.

Commission Communication on an EU action plan against migrant smuggling (2015 - 2020) (9345/15);

Council conclusions on migrant smuggling (6995/16);

Council conclusions on the future of the return policy (12856/15);

Commission Communication on a more effective return policy in the EU - a renewed Action Plan (6943/17 + ADD 1);

Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals;

Commission Recommendation of 7.3.2017 on making returns more effective (C(2017) 1600);

Commission Recommendation of 27.9.2017 establishing a common "Return Handbook" to be used by Member States' competent authorities when carrying out return related tasks (C(2017) 6505).

Relevant EU initiatives/tools

Partnership Framework;

Agadez Migrant Transit Centre;

European Migrant Smuggling Centre (EMSC) at Europol;

Analysis Project Phoenix, at Europol;

European Migration Liaison Officers;

G5 Sahel Joint Force;

EU agencies cooperation with third partners;

Joint Way Forward Afghanistan.

6) Governance issues, including border management

[Objectives 1 and 11]

The text should *maintain*:

- the references to the strengthening and harmonisation of methods for the collection, analysis and dissemination of migration-related data;
- the commitment to border management cooperation, as well as to more effective border management and control;
- the acknowledgement of States' sovereign rights and responsibilities to manage and control their borders;

- the requirement that border management should be carried out in accordance with applicable obligations under international law, in compliance with human rights, notably with the principle of *non-refoulement* and the prohibition of collective expulsion.

The text should *expand on/clarify*:

- the important role of the international community in supporting States to successfully carry out their border control responsibilities;
- that illegal border crossing is for some States a serious criminal offense;
- the responsibility, including financial responsibility, for capacity-building in migration-related data collection and analysis, ensuring that it will not imply new financial commitments;
- the need for a collective effort to invest in border management capacity-building, including training and equipment;
- the importance of developing solidarity among States including at regional level in the area of border management, including through the setting-up of regional fora and cross-border joint border management teams.

EU reference documents

Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) ('Schengen Borders Code') (OJ L 77, 23.3.2016, p. 1);

Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1);

Regulation (EU) 2017/2225 of the European Parliament and of the Council of 30 November 2017 amending Regulation (EU) 2016/399 as regards the use of the Entry/Exit System (OJ L 327, 9.12.2017, p. 1);

Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data (OJ L 261, 6.8.2004, p. 24);

Regulation (EU) No 1052/2013 of the European Parliament and of the Council of 22 October 2013 establishing the European Border Surveillance System ('Eurosur') (OJ L 295, 6.11.2013, p. 11);

Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention (OJ L 405, 30.12.2006, p. 1);

Commission Staff Working Document - Best practices on the implementation of the hotspot approach - accompanying the report from the Commission to the European Parliament, the European Council and the Council - Progress report on the European Agenda on Migration (14473/2017).

Relevant EU initiatives/tools

EUBAM + Operation Sophia in Libya (training aspects);

Seahorse Programme;

IISG in the Western Balkans;

EU Emergency Trust Fund for Africa.

7) Implementation and follow-up

The text should *maintain*:

- the reference to existing mechanisms, namely the High-level Political Forum on Sustainable Development (HLPF) or the UNGA High-level Dialogue on International Migration and Development, for follow-up and review purposes;
- the call for aligning the Global Compact for Migration implementation process with relevant ongoing UN reform initiatives.

The text should *expand on/clarify*:

- the functioning and financing of the proposed capacity-building mechanism;
- the leading and coordinating role of IOM in the implementation and the follow-up and review process of the Global Compact for Migration in particular in coordination with all relevant UN agencies and bodies;
- need for ensuring coherence and synergies between the monitoring systems of the Global Compact for Migration and the Global Compact on Refugees, while recognising their different nature and scope;

- the role of the Global Forum on Migration and Development (GFMD) in providing substantial input to the follow-up UN High-Level Dialogue on International Migration and Development, thus also providing a contribution to the implementation and review of the Global Compact on Safe, Orderly and Regular Migration;
- the role and suitability of the UN Regional Economic Commissions in the review process.

The text should *avoid*:

- introducing follow-up and review measures that would lead to the creation of a new structure.
-