



**COUNCIL OF
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from: General Secretariat of the Council
to: Permanent Representatives Committee / Council and the Representatives of the Governments of the Member States

Subject: Conclusions of the Council and of the Representatives of Governments of the Member States meeting within the Council on the 2013 UN High-Level Dialogue on Migration and Development and on broadening the development-migration nexus

1. After the first dialogue, which was conducted in 2006, the General Assembly of the United Nations will hold on 3-4 October 2013 a new High-Level Dialogue on International Migration and Development during its sixty-eighth session.
2. In May 2013 the Commission released the Communication "Maximising the Development Impact of Migration – The EU contribution for the UN High-Level Dialogue and next steps towards broadening the development-migration nexus" as a contribution in the preparation of the approach of the EU and its Member States for the High-Level Dialogue.
3. In June 2013 the Presidency, with the objective of defining the approach of the EU and its Member States for the High-Level Dialogue, submitted draft Conclusions of the Council and of the Representatives of Governments of the Member States meeting within the Council on the 2013 UN High-Level Dialogue on Migration and Development and on broadening the development-migration nexus.

The draft Conclusions were considered by the High-Level Group on Asylum and Migration (HLWG) at its meetings on 3-4 June and 16-17 July 2013, with the participation of delegates of the Working Party on Development Cooperation.

4. At the HLWG meeting on 16-17 July agreement was reached on the text as set out in the Annex to this Note.
5. The Permanent Representatives Committee and the Representatives of the Governments of the Member States meeting within the Council are invited to suggest to the Council to confirm the agreement on the text as set out in the Annex to this Note.

Conclusions of the Council and of the Representatives of Governments of the Member States meeting within the Council on the 2013 UN High-Level Dialogue on Migration and Development and on broadening the development-migration nexus

- CONSIDERING that the United Nations High-Level Dialogue (HLD) on International Migration and Development, to be held on 3-4 October 2013 during the General Assembly in New York, offers a unique opportunity to work towards a global agenda for effective, inclusive migration management, to secure renewed political commitment for the issue of international migration and development, as well as to address new and emerging challenges, and to identify measures that promote the role of migrants as agents of innovation and development;
- HAVING IN MIND the progress made since the first HLD in 2006 as well as the changed global economic and political situation; that the current economic crisis has generated new opportunities and challenges for countries of origin, transit and destination; and that migration is increasingly recognised as a powerful vehicle for boosting development and growth;
- NOTING that well managed migration and mobility is a prerequisite for maximising the benefits and minimising the challenges of migration, is harnessing a positive impact on progress towards sustainable economic, social and environmental development of both low- and middle-income countries of origin and destination;
- NOTING that migration and mobility have contributed to the achievement of many of the Millennium Development Goals; progress towards sustainable development would sensibly benefit from a greater attention to migration in national planning and well-managed migration;
- EMPHASISING the importance of ensuring respect for and protection of the human rights of all migrants to achieve sustainable development in all its dimensions; and that the impact of respecting human rights goes far beyond the individual migrant, as it also benefits both the home society and the society in which migrants live and work;

- EMPHASISING the need to enable the global community to capitalise on opportunities and to tackle the challenges associated with international migration;
- UNDERLINING the necessity to pursue a more coherent, comprehensive and better coordinated approach to the development and migration agenda at global, regional and local levels;
- RECALLING that maximising the positive impact of migration on development is an important policy priority for the EU, as demonstrated by the existing policy framework in this area developed since 2005, the Global Approach to Migration and Mobility, which provides the overarching framework for the EU external migration policy, and the EU Agenda for Change, which outlines the EU development policy framework, as well as Policy Coherence for Development;
- ACKNOWLEDGING that in the highly competitive and globalised economy of today, labour mobility can be a key feature of growth and development;
- BEARING IN MIND that Council conclusions of May 2012 on the Global Approach to Migration and Mobility requested the EU to ensure a more ambitious and forward-looking policy development on the migration and development nexus, and to ensure its effective implementation in line with the EU Agenda for Change;
- REAFFIRMING that in line with existing commitments under the Policy Coherence for Development agenda and the Global Approach to Migration and Mobility, the EU remains committed to maximising the impact of migration to the EU for the development of countries of origin by continuing work on current priority areas including remittances, brain drain and circular migration;

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES MEETING WITHIN THE COUNCIL

A) In relation to the UN High-Level Dialogue on Migration and Development

A strong commitment for an ambitious outcome

1. REAFFIRM that the European Union and its Member States remain strongly committed to playing an active and constructive role in HLD with a view to contributing to a successful outcome;
2. WELCOME in this context the Commission Communication "Maximising the Development Impact of Migration – The EU contribution for the UN High-level Dialogue and next steps towards broadening the development-migration nexus" as a contribution in the preparation of the approach of the EU and its Member States for the HLD;

Effects of international migration on sustainable development and the preparation of the post-2015 agenda

3. EMPHASISE that the increased regional and global mobility of persons require efforts to ensure that migration is fully integrated into development thinking and action; that promoting effective migration management is essential to maximise the positive and minimise the negative impacts of migration on development; that well managed migration and mobility should be recognised as ‘enabling factors’ for development;
4. ACKNOWLEDGE that migration should be taken into account in the context of post-2015 preparations as an enabler of inclusive and sustainable growth and a key element of global population dynamics;

5. ACKNOWLEDGE that remittances and diaspora investments can constitute innovative sources of private financing for development beyond 2015; that work on lowering the cost of remittances should be continued;
6. CONSIDER that it is necessary to broaden the migration and development agenda in order to comprehensively address the full range of positive and negative impacts that migration can have on sustainable economic, social and environmental development in countries of origin, transit and destination, for migrants and their families;
7. UNDERLINE the growing importance of migration and mobility within and between developing countries, and that their links with economic and social development should be addressed in national and regional development policies; that fast-growing urban centres in the global South whose growth is fuelled by mobility could make significant contributions to economic growth as development hubs and nodes of economic, social and cultural exchange;
8. ACKNOWLEDGE that refugees and other persons in need of protection, especially in protracted situations, present significant challenges for host countries and host communities, that should be addressed through long-term development planning, targeted initiatives and enjoyment of their rights; refugees can through empowerment also make contributions to host communities and local and national economies;
9. RECOGNISE the importance of promoting regional protection and development measures securing the highest possible level of protection of refugees as close as possible to their country of origin, and securing development initiatives targeting refugee communities, as well as host countries and host communities;
10. ACKNOWLEDGE that climate and environmental degradation are already exerting an increasing influence on migration and mobility and therefore considers that the linkages between climate change, environmental degradation and migration should be further explored and addressed as appropriate, in particular in the context of development cooperation, Foreign policy and humanitarian assistance;

Human rights of migrants

11. REITERATE the need to ensure the protection of the human rights of migrants as a cross-cutting policy priority, and to uphold and ensure the implementation of the relevant international human rights instruments;
12. UNDERLINE that all states should respect the dignity and uphold the human rights of migrants, regardless of their immigration status; and that particular attention should be given to provide adequate protection to asylum-seekers, with due respect of the principle of non-refoulement, as well as vulnerable migrants, such as unaccompanied minors, children and victims of trafficking;
13. CONSIDER that the insufficient distinction in the 1990 UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families between the economic and social rights of regular and irregular migrant workers is not in line with national and EU policies; and that the already existing EU instruments provide far-reaching protection for both regular and irregular migrants, and safeguards that are often broader than those provided by the Convention;

Smuggling of migrants and trafficking in human beings

14. EMPHASISE that trafficking in human beings is a serious crime and a gross violation of human rights – a modern form of slavery – which should be prevented and combated;
15. STRESS the need for the HLD to call on all states to ratify and implement the international instruments on preventing and fighting smuggling and trafficking in human beings, including the UN Convention on Transnational Organised Crime and its Protocols, to establish or upgrade national and regional anti-human trafficking policies, and to reinforce cooperation on prevention, prosecution of traffickers and the protection of victims of trafficking;

Orderly, regular and safe migration

16. RECOMMEND to all states that national policies for the integration of legal migrants should include a focus on the effective prevention and counteraction of racism, xenophobia and discrimination;
17. EMPHASISE the need to take firm action against all forms of exploitative employment of migrants, including by implementing effective sanctions against employers of irregular foreign workers;
18. EMPHASISE the importance of providing potential migrants, also with a view to reducing their vulnerability, with accurate information about immigration procedures, entitlements and obligations, through tools such as the EU immigration Portal;
19. UNDERSCORE that effective return and readmission policies are a prerequisite for well-managed migration; that all countries should respect their obligation, under international customary law, to readmit their own nationals and take all the appropriate measures in this respect; and that all returns should be undertaken in a manner that is safe, dignified and humane, with full respect of human rights;
20. CONSIDER that attention should be given to the assistance and protection needs of migrants caught up in dire humanitarian and life-threatening situations and distress, whether en route or during their stay in host countries;

Strengthening partnerships and cooperation on international migration

21. STRESS the need for all states to engage in international dialogue and cooperation with relevant partners to identify shared priorities and strengthen bilateral and regional migration management; that in the spirit of partnership, the EU and its Member States have developed an external migration policy that is balanced and comprehensive; that the EU and its Member States are already engaged in regional and bilateral dialogues on migration and mobility with a broad range of non-EU countries and regions; and that the EU stands ready to share its experience in this regard;
22. EMPHASISE the need for effective involvement of the private sector, employers' and workers' organisations, academia and civil society, as well as migrants' and human rights organisations in global, regional, national and local planning of migration and development, not least since these stakeholders often act as an implementing partner of migration and development policy;

Multilateral coherence in migration management

23. EMPHASISE that improved coordination and coherence between all relevant UN agencies and other international and regional organisations that deal with migration and development is essential to minimise overlapping competencies and waste of scarce resources and to develop a more coherent global policy on migration and development; that the EU and its Member States would not support the creation of any new UN institutions but calls for making better use of existing UN institutions and processes;
24. EMPHASISE that IOM, as the leading international organisation active in this field and as member of the Global Migration Group (GMG), should take a proactive role to further enhance coordination with the UN system;
25. RECOGNISE the significant contribution made by the Special Representative of the Secretary General on international migration and development to promoting migration and development issues;

26. STRESS the need to improve the efficiency and the effectiveness of the GMG, and thereby enhance its role as the inter-agency coordination body on migration;
27. ACKNOWLEDGE that the Global Forum on Migration and Development (GFMD) has proved to be a valuable forum for frank and open discussions; that the GFMD has established trust among participating stakeholders thanks to the exchange of experiences and good practices, and the informal state-led character of the process; that further consideration should be given to improving the voluntary follow-up to GFMD recommendations; and that further efforts should be made to strengthen the development focus of the GFMD and strengthen participation of development actors;

Integrating migration into development policies

28. BELIEVE that integrating migration aspects into development strategies is a first step to maximising the development potential of migration and mobility; that progress remains inadequate, in particular at the level of partner country strategies, such as Poverty Reduction Strategy Papers;
29. REAFFIRM that effective policy coherence should be pursued at and between all levels, including by taking full account of development concerns in migration policy;
30. CALL ON all development actors to integrate migration and mobility issues into their development policies and instruments where this is relevant to achieving development outcomes and consistent with aid effectiveness commitments;
31. CONSIDER that more systematic and comparable work is needed to provide a sufficient knowledge base on how migration can drive or hinder progress towards achieving development goals, especially in sectors most influenced by demographics and labour issues;
32. UNDERSCORE that effective coordination in the area of data collection and research at regional and global level should be promoted;

33. BELIEVE that internal mobility, in particular between rural and urban areas, can produce opportunities and challenges similar to international migration;
34. EMPHASISE that cities have the potential to act as catalysts of social change; that the role of city administrations is pivotal, as increasing migration and urbanisation are linked issues which have a significant impact on societies worldwide; and that the exchange of knowledge and experience between cities should be promoted;

Labour mobility and its impact on development

35. RECOGNISE the need for the states to consider reviewing possible barriers to mobility in order to facilitate economic relations and regional integration, taking into account the importance of well managed migration, the situation of the respective labour markets and security concerns;
36. UNDERSCORE that regional organisations are particularly well-placed to facilitate regional mobility; that processes and regional organisations involved in promoting orderly, regular and safe intra-regional migration and mobility between developing countries should be supported; that the development potential of circular migration should be considered; and that adequate protection and decent working standards for migrant workers should be ensured;
37. SUGGEST the creation of training partnerships which could increase the supply of trained personnel for both countries of origin and destination in sectors experiencing labour shortages;

38. STRESS that economic growth can be further underpinned by policies on global and intra-regional labour mobility that ensure improved portability of skills through mechanisms to match demand and supply, skills development programmes and skills certification and recognition schemes, especially in sectors where there is a shortage of trained personnel and which could benefit from migrant workers;
39. NOTE that access to social security and pension rights for legal migrants is an issue that should be considered by all host countries; the issue of portability could also be explored;

Final considerations

40. REAFFIRM that in order for the global community to capitalise on opportunities and to tackle the challenges associated with international migration, as well as to give renewed impetus to the migration and development agenda, it is necessary that the outcomes of the HLD address our global challenges and ensure tangible, effective and forward-looking results which can improve the life of migrants and benefit both countries of origin and destination;
41. BELIEVE that the HLD should not be an end in itself, but rather a part of continuing process, and that the issue of the follow-up to the HLD will be crucial.
- B) In relation to broadening the development- migration nexus
42. RECOGNISE the importance of translating the broader and more ambitious approach to the migration development nexus of the EU and its Member States into their policies and practices; in this respect, WELCOME the contribution of the Commission with the Communication on "Maximising the Development Impact of Migration";

43. **UNDERLINE** that the EU and its Member States stand ready to assist partner countries with the effective integration of migration issues into development strategies and sectorial policies where relevant, including through the use of Extended Migration Profiles as tools to build evidence on the links between migration and development as a basis for targeted policy actions; that the EU will continue support for strengthening migration management in and between partner countries in all relevant areas, in line with Communications and Council Conclusions on the Global Approach to Migration and Mobility, the EU Agenda for Change, aid effectiveness commitments and priorities identified by partner countries;
44. **EMPHASISES** that the EU and its Member States should urgently take steps to deepen knowledge and further develop policy on a number of challenges which deserve further attention, including addressing the links between climate change, environmental degradation and migration, integrating protracted refugee situations into development planning, and strengthening the impact of migration on the development of both countries of destination and origin;
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