



## BRIEFING

### Global Compact for Migration: First Round of Negotiations

<b>Date:</b>	16 February 2018	<b>Priority:</b>	High
<b>Security classification:</b>	Restricted	<b>Tracking number:</b>	2055 17-18

Action sought		
	Action sought	Deadline
Rt Hon Winston Peters <b>Minister of Foreign Affairs</b>	<b>Agree</b> to the negotiating approach and the opening statement for the first round negotiations for the Global Compact for Migration	20 February 2018
Hon Iain Lees-Galloway <b>Minister of Immigration</b>	<b>Agree</b> to the negotiating approach and the opening statement for the first round negotiations for the Global Compact for Migration	20 February 2018

Contact for telephone discussion (if required)				
Name	Position	Telephone		1st contact
Siân Roguski	Manager, Immigration Policy	s 9(2)(a)	s 9(2)(a)	✓
Sam Foley	Principal Policy Advisor,			
Angela Hassan-Sharp	Manager, United Nations, Human Rights and Commonwealth Division			✓
Lauren Keenan	Senior Policy Officer			

The following departments/agencies have been consulted

Minister's office to complete:

Approved

Declined

Noted

Needs change

Seen

Overtaken by Events

See Minister's Notes

Withdrawn

**Comments**

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### Purpose

This note seeks your agreement to the negotiating approach and to New Zealand's opening statement for the first round of negotiations on the Global Compact for Safe, Orderly and Regular Migration (the Migration Compact).

### Recommended action

The Ministry of Business, Innovation and Employment and the Ministry of Foreign Affairs and Trade recommend that you:

- a **Note** that in September 2016 New Zealand, along with all other United Nations Member States, committed to develop the Migration Compact (the United States has subsequently withdrawn from the Migration Compact) *Noted*
- b **Note** that negotiation of the Migration Compact will begin in New York on 20 February 2018 and it is expected to be adopted in Morocco in December 2018 *Noted*
- c **Agree** to the proposed negotiating approach and attached opening statement to be delivered at the first round of negotiations starting on 20 February 2018 *Agree / Disagree*
- d **Note** that officials will seek a more detailed mandate for the negotiations from Ministers prior to the second round of negotiations. *Noted*



Bernadette Cavanagh  
for Secretary of Foreign Affairs and Trade

16 / 02 / 2018



Siân Roguski  
for the Ministry of Business, Innovation  
and Employment

16 / 02 / 2018

Rt Hon Winston Peters  
**Minister of Foreign Affairs**

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Hon Iain Lees-Galloway  
**Minister of Immigration**

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## Background

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1. The New York Declaration on Refugees and Migrants, adopted by all UN Member States in September 2016, outlined a commitment to address issues related to migration and refugees. As part of this commitment, two Global Compacts, one on refugees and one on safe, orderly and regular migration, will be developed for adoption by UN Member States in late 2018. They will both be non-binding.
2. The Migration Compact focusses on developing a State-led global approach to upholding the human rights and wellbeing of migrants and their families, and promoting inclusive economic growth and sustainable development in societies of origin, transit and destination. During 2017, six consultation sessions on the Migration Compact were held in New York, Vienna and Geneva culminating in a final stocktake held in Mexico in December 2017.
3. Switzerland and Mexico have developed a first 'zero' draft of the Migration Compact, which is attached as Annex One. This will be followed by six months of negotiations in New York, scheduled between February and July. The Migration Compact is expected to be adopted in December 2018 in Morocco.
4. In December 2017, the United States (US) withdrew from the Migration Compact process, the only Member State to do so. They stated that a global approach to migration is inconsistent with US objectives in relation to immigration and national sovereignty.

## Content of the Zero Draft

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5. The Zero (initial) Draft of the Migration Compact was released on 5 February 2018. It provides a framework for actionable commitments, implementation, follow-up and review. There are 166 separate actionable commitments which sit under 22 wider objectives which aim to achieve safe, orderly and regular migration.
6. s 9(2)(j) [REDACTED] It seeks to strengthen international cooperation to address irregular migration, while encouraging good practice in relation to regular migration channels. s 9(2)(j)  
s 9(2)(j) [REDACTED]
7. s 9(2)(j) [REDACTED]
8. In addition, there are a number of commitments that address issues which are of less relevance to New Zealand. For example, New Zealand receives few, if any, unaccompanied child irregular migrants at our borders. During negotiations, we will be seeking clarity about expectations on States to implement commitments that are less relevant to their situations.
9. The Zero Draft proposes that a new capacity building mechanism, funded by Member States and other stakeholders, be set up to support the implementation of the Migration Compact. It also proposes both a review of the UN system arrangements regarding migration issues and strengthening the role of the International Organisation for Migration (IOM). There would be a four yearly review of the Migration Compact in the UN General Assembly, starting in 2022.

Each region would also convene four yearly Regional Migration Review Forums commencing in 2020.

## Proposed negotiation approach

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10. Negotiations will be led by officials at the New Zealand Mission to the UN in New York with support from Wellington based officials as required. During consultations in 2017, New Zealand highlighted the need for a balanced Migration Compact that seeks to better manage mass migration movements, including by increasing global efforts to prevent people smuggling and trafficking in persons, but also outlined the positive aspects of migration and legal pathways towards safe, orderly and regular migration.
11. s 9(2)(j) Our proposed statement for the first round of negotiations commencing on 20 February (attached as Annex Two) advocates for a balanced, non-binding Migration Compact that does not replace existing international agreements and standards, but rather, sits alongside and upholds existing mechanisms such as the Sustainable Development Goals. s 9(2)(j)  
s 9(2)(j)

## Next steps

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12. The Zero Draft of the Migration Compact is wide reaching and contains commitments that have implications for various government agencies and Ministerial portfolios. Additional elements will be proposed by Member States throughout the process. As a result, consultation across government agencies will be needed to fully assess the alignment of the commitments in the Zero Draft (and subsequent drafts) with New Zealand's current policy settings. Following this consultation, we will seek a more detailed mandate for the negotiations, including any specific red line issues, from relevant Ministers prior to the second round of negotiations commencing on 12 March.

## Annexes

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Annex One: Global Compact for Migration: Zero Draft

Annex Two: New Zealand statement for delivery at the opening session of the Global Compact for Migration negotiations 20 February 2018

## **Annex One: Global Compact for Migration: Zero Draft**

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## **Annex Two: New Zealand statement for delivery at the opening session of the Global Compact for Migration negotiations 20 February 2018**

Chair, Member States.

Tēnā koutou, tēnā koutou, tēnā koutou katoa.

Migration is a global issue that requires a global response. New Zealand welcomes this opportunity to work together with Member States and other relevant stakeholders to find solutions.

We welcome the Zero Draft of the Global Compact for Safe, Orderly and Regular Migration. I thank the co-chairs Mexico and Switzerland for the leadership role they have played in the drafting of this document. It is a helpful starting point for negotiations over the coming months.

New Zealand supports a State-led approach that upholds the human rights and wellbeing of migrants and their families and that promotes inclusive economic growth and sustainable development.

We would like to see a balanced, non-binding Compact that does not replace existing international agreements and standards, but rather, sits alongside and complements other processes such as the 2030 Agenda for Sustainable Development. For New Zealand, a balanced document is one that strengthens international cooperation to address irregular migration, while encouraging good practice in relation to regular migration channels.

We would like to see a Compact that acknowledges the unique and special circumstances of Small Island Developing States. Implementation, monitoring and reporting mechanisms must not be burdensome for small states that have limited resources and capacity. It must be an accessible Compact that allows States to implement commitments in a manner that is proportionate to their national contexts.

Migration has economic and social benefits, both inward through filling skills shortages and creating diversity, and outward through developing a skilled diaspora. We were pleased to see these and other benefits reflected in the Zero Draft. We are also mindful of the more negative aspects of migration, such as the risk of increased transnational crime, including human trafficking and people smuggling.

The international community also needs to do much more to address the negative drivers of migration, such as conflict, poverty, inequality and lack of development and opportunity.

New Zealand notes with interest Objective Two, titled: “Minimize the adverse drivers and structural factors that compel people to leave their country of origin, with particular reference to adverse environmental effects being one such driver”. New Zealand is located in and considers itself part of the Pacific Islands region. We are very conscious that Pacific Island countries are acutely

vulnerable to the impacts of climate change. The peoples of the Pacific have expressed their desire to remain in their own countries for as long as possible (Niue Declaration on Climate Change, 2008). Through New Zealand's development cooperation partnerships, we are supporting them to realise this desire. However, we also acknowledge the need to prepare for potential movement of people associated with the impacts of climate change. We welcome the Zero Draft's proposal to strengthen joint analysis to better map, predict and understand migration relating to climate change and other environmental factors. We have identified that there is a significant gap in this area.

We look forward to working with you all on negotiating this important Compact.

Tēnā koutou, tēnā koutou, tēnā koutou katoa.