

## Budapest Process

### 25<sup>th</sup> Meeting of the Senior Officials of the Budapest Process

Istanbul, 27-28 November 2017

#### Draft summary

1. The Senior Officials meeting gathered **76 participants from 38 countries** – Afghanistan, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Bosnia and Herzegovina, Bulgaria, Czech Republic, Croatia, Finland, Georgia, Germany, Greece, Hungary, Iraq, Italy, the former Yugoslav Republic of Macedonia, Malta, Montenegro, Moldova, Montenegro, the Netherlands, Norway, Pakistan, Poland, Portugal, the Russian Federation, Serbia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Ukraine and the United Kingdom – as well as BSEC, the European Commission, the European External Action Service (EEAS), Frontex – the European Border and Coast Guard Agency, the International Centre for Migration Policy Development (ICMPD), the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR).
2. Following the official opening of the meeting, with welcoming remarks from Turkey as the Chair, Hungary as the Co-chair, ICMPD as the Secretariat as well as the European Commission – Turkey presented the zero-draft of the proposed Ministerial Declaration “A Call for Action on large flows of refugees and migrants” and the roadmap to 2018.
3. UNHCR and IOM updated the participants on the processes towards to the global compact for refugees and the global compact for safe, orderly and regular migration respectively.

#### General comments and comments on the structure

4. There were several comments relating to the structure and nature of the Call for Action document.
5. Generally, several delegations proposed to divide the document in two: A Ministerial Declaration (at most 2 pages of political commitments) and one more operational part, containing actions. In this regard, it was proposed to use the title Call for Action for the second part and choose something more political for the first part. A number of delegations called for a more balanced text.
6. The section of the text on commitments should be moved to the beginning of the document – after the preamble. Parts of the commitments could also be made part of the preamble.
7. The preamble must in itself be made stronger:
  - i. Several elements should be added. One example was to have a reference to the positive contribution to societies of well-managed migration.
  - ii. Furthermore, the preamble should recognise the valuable contribution of Turkey to finding a solution to the 2015/16 migration crisis.
  - iii. It would also be important to outline the major changes that occurred since 2013 and recognise the achievements and impact of the past five years of the BP and the Silk Routes Partnership for Migration for the migration management and cooperation with and within the Silk Routes Region. The networks that have been built up are incomparable.

- iv. In addition, there should be a more comprehensive reference to the activities on the global level and the role the BP could play here. Several delegations mentioned that the potential role for BP for implementation of the global compacts on the regional level. The reference to the New York Declaration on Refugees and Migrants as well as the global compacts should be strengthened. There should also be a reference to the sustainable development goals (SDGs) and especially SDG 10.7 relating to migration. Moreover, reference to World Humanitarian Summit (2016) should be added to the preamble.
8. As a general comment, it should be noted that there are references in the text to the legislative framework in many sections (legal migration, irregular migration and trafficking in persons). This should be done in a streamlined and comprehensive fashion, covering all the aspects.
9. The general parts of the declaration need to contain a reference to a monitoring - follow-up system.
10. For terminology - we should refer to the 2013 declaration when relevant and use the same wording.

**Comments - Part 1 - Priority goals furthering pathways for legal migration and improving the conditions in countries of origin**

11. The scope and the content of this section should be more comprehensive. It should include all efforts/activities taking place before migration happens and in this case, also cover prevention of irregular migration. In addition, root causes/drivers of migration should be included here, also as part of the heading.
12. It should be noted that especially in the Silk Routes region, one root cause is related to the security situation. Wars and terrorism drive people to leave and make the return difficult. This element must be noted in the declaration.
13. Several delegations proposed another terminology than “Furthering pathways for legal migration” as it is not precise. It was in addition suggested that it is equally important to further knowledge on existing legal pathways.
14. The focus areas mentioned under “strengthen synergies between migration and development in countries of origin and destination” need to be revised in order to include general remarks. The following specific comments were made:
  - i. Diaspora engagement should be mentioned in this section.
  - ii. Also “how to maximise the development benefits of migration” should be mentioned.
  - iii. Moreover, the regional dimension is missing. The regional dimension is important when discussing legal migration flows, labour migration and also skills development.
  - iv. There should be a reference to micro-financing – this would be important to increase job opportunities in countries of origin
  - v. The indent on increasing humanitarian aid is too wide and unclear – more like an objective than an activity. This is maybe more relevant as preamble or it should be made more specific.

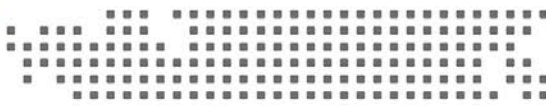
**Comments – Part 2 – Priority goals managing ongoing migratory movements**

15. A general paragraph/objective could be added on strengthening cooperation among countries in the region and beyond with a view to lower irregular migration flows including disruption of smuggling networks and the opportunities of further legal routes.

16. Emphasis is also needed referring to the need of continued technical assistance/ capacity building in the Silk Routes countries in order to contain irregular migration.
17. The section has to be revised in order to streamline and avoid repetition. Return is now mentioned both in this and in the next section. A reference to prevention in the previous section should also be included.
18. Stronger and/or clearer language should be used in some instances for example preventing irregular migration.
19. Although already mentioned in the preamble, it would be good to mention the principle of non-refoulement and respect of human rights also in relation to management of irregular migration.
20. There should be a reference to the achievements which have already been made especially within the framework of the pilots RELEC and the information campaigns and establishment of Migration Resource Centres (MRCs).
21. The following items are proposed to be added to this section:
  - i. To increase the knowledge base in relation to trends, routes and flows
  - ii. To carry out a mapping exercise in the Silk Routes Region regarding organised crime
  - iii. To address irregular migration and related crimes also through bilateral agreements among states
  - iv. Identification of victims of THB
  - v. Cooperation on document security
22. The term border management should be used, not border control (as border control is encompassed under the term border management). Intelligence sharing should be added under border management paragraph.

**Comments – Part 3 – Priority goals dealing with the aftermath and consequences of large movements**

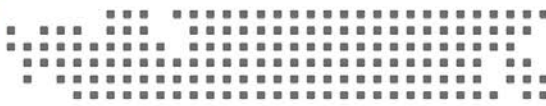
23. As a general comment under this section, it was mentioned that the three topics; “International protection”, “Return and reintegration”, “Integration and counteracting the phenomena of discrimination, racism and xenophobia” should not necessarily be grouped together.
24. In addition, these topics should not be limited to the aftermath of large movements of migrants.
25. For “International protection” the following issues were raised:
  - i. The regional dimension of protection cooperation needs to be added.
  - ii. We could consider using a term including both refugees and IDPs – such as “displaced people”.
  - iii. We should not only discuss durable/long-term solutions – we should also include temporary protection measures.
  - iv. The sentence “recognising that migration is a global phenomenon” should be deleted from the 3rd paragraph under “international protection”.
  - v. When we talk about a “Common understanding” of the concept of international protection we should make sure to refer to the internationally recognised legal framework for international protection.
26. For “return and readmission” the following issues were raised:



- i. In all instances we should refer to return, readmission **and reintegration**
  - ii. We need to refer also to the regional dimension of return
  - iii. Capacity building on return and reintegration should include not only communities but also **national authorities**
  - iv. We should talk about “sustainable” reintegration rather than “effective” reintegration
  - v. The text should use stronger language on reaffirming the obligations of each state to readmit its nationals.
  - vi. Regarding cooperation on travel documents stronger language should be used; rather “establish cooperation” than “consider establishing cooperation”
  - vii. Voluntary return is the priority. It was suggested by some representatives to include a reference also to non-voluntary return, for persons not in need of international protection as a possibility when all other avenues have been exhausted.
27. For “Integration and counteracting the phenomena of discrimination, racism and xenophobia” the following issues were raised:
- i. In the heading, “refugees” should be added along-side “migrants”.
  - ii. We have to be clear when using these concepts as they have different application. A right to anti-discrimination applies to all persons present on a territory. However, a right to integration applies only to recognised refugee and legal migrants.

#### **Comments – Overarching commitments**

28. In general it was noted regarding the commitments that all or some of them could be taken up in the preamble. The action points underneath could be raised in the action plan attached to the document. Presently the actions mentioned under the commitments consist of principles, objectives and actions. These should be streamlined.
29. A commitment to promote safe, orderly and regular migration could be considered.
30. For “a commitment to protect” the following was raised:
- i. It was clarified that the commitments refer to all migration management and not only to irregular migration.
  - ii. In several instances the text refers to “all persons” or “all people”. This is too wide and should be changed to migrants and refugees.
  - iii. The principle of non-refoulement should be mentioned also in relation to this commitment.
31. For “a commitment to support and responsibility-sharing” the following was raised:
- i. In the second indent; on information and experience-exchange creates duplication with the knowledge section.
  - ii. Also in the second indent, the term “responsibility-sharing” should be used rather than “burden-sharing”.
  - iii. Also in this section, a reference to “resettlement” should be made.
32. For “a commitment to knowledge” the following was raised:



- i. A working group on these issues was generally welcomed, however it should be considered to use already established structures (i.e. the Silk Routes Region Working Group) also for research in order to avoid overlaps
  - ii. Several elements under the commitment to knowledge are actions which should be transferred to the “Call for action”. We should ensure that only political principles stay in the Ministerial Declaration.
  - iii. We need a step-by-step approach for how to reach the objective “a commitment to knowledge”.
  - iv. The area of research should be broadened to include “drivers of migration” in general, instead of specifying certain particular causes (such as environmental).
  - v. A reference should be made to the Agenda 2030 and the SDGs.
  - vi. We need to look also at existing research, also in order to ensure the independence of research.
33. For “a commitment to migration governance” the following was raised:
- i. We should make sure to use terms such as “continue capacity building” in order to illustrate that a lot has already been done.
  - ii. Also here; several elements under the commitment to migration governance” are actions which should be transferred to the “Call for action”.
  - iii. In relation to work with schools etc. it should be important to add work against intolerance and racism.
34. The Chair entrusted the Secretariat with the task to summarise the discussions and distribute the summary for comments as soon as possible.
35. Countries were given the possibility to submit written additional comments on the Call for Action until 22 December 2017.
36. The next draft of the ministerial declaration will be shared with participating countries in mid-January 2018, in advance of the next preparatory meeting in March 2018.
37. The exact dates will be set after the dates for the negotiations of the global compacts have been issued. The Chair will communicate the dates for next year as soon as possible.
38. The Turkish Chair thanked all participants for their engaged discussions and valuable comments, the Co-chair for its support and the Secretariat for the preparations and organisation.