



Second Standing Committee
Sustainable Development,
Finance and Trade

C-II/113/DR-am.1
23 September 2005

MIGRATION AND DEVELOPMENT

First batch of amendments to the revised preliminary draft resolution submitted by the delegations of China and India

PREAMBLE

Preambular paragraph 5

Amend to read as follows:

(5) ~~Reaffirming the obligation of all States to promote and protect basic human rights and fundamental freedoms for all migrants and their families regardless of their migratory condition,~~ *Reaffirming also* the principles contained in the Universal Declaration of Human Rights, and *recalling* the International Convention on the Elimination of all Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination off All Forms of Discrimination against Women and the Convention on the Rights of the Child, as well as the Migration for Employment Convention (no.97) and the Migrant Workers Convention (no.143) of the International Labour Organization.

(India)

Preambular paragraph 7

Delete the paragraph.

(India)

Preambular paragraph 8

Amend to read as follows:

(8) ~~Also~~ *Reaffirming* the need, on the one hand, to strengthen the international protection regime providing protection and durable solutions for refugees and other persons of concern, including asylum-seekers, returnees and stateless people of concern to the Office of the United Nations High Commissioner for Refugees (UNHCR), and on the other hand, to reinforce the protection capacity of refugee-receiving countries,

(India)

New preambular paragraph 9bis

Add a new paragraph after the ninth preambular paragraph to read as follows:

(9bis) Also recognizing that irregular migration in particular is often caused by severe lack of economic opportunity, absence of the rule of law, democracy and violations of the principle of non-discrimination,

(India)

Preambular paragraph 12

Amend to read as follows:

(12) *Recognizing* the need for countries of origin, transit and destination to ensure that migrants, ~~including documented and undocumented migrant workers,~~ are not subjected to any kind of exploitation or discrimination and that the basic human rights and dignity of all migrants and their families, in particular of women migrant workers and migrant children, are respected and protected,

(India)

New preambular paragraph 13bis

Add a new paragraph after the thirteenth preambular paragraph to read as follows:

(13bis) Recognizing that the liberalization of the movement of natural persons as service suppliers holds promise of substantial welfare gains for both countries of origin and destination and is directly linked to the needs and implications of an increasingly global labour market,

(India)

Preambular paragraph 17

Amend to read as follows:

(17) ~~Welcoming the establishment~~ **Taking note of the report** of the Global Commission on International Migration; ~~and taking note of its report~~ to the United Nations Secretary-General, as well as of the Secretary-General's own report on international migration and development (A/59/325), and ~~welcoming~~ **welcoming** ~~of the intention~~ **decision** of the United Nations **General Assembly** to hold a High-Level Dialogue on Migration and Development in 2006,

(India)

Preambular paragraph 18

Amend to read as follows:

(18) *Also welcoming* the initiatives of States to create regional and multilateral frameworks of cooperation in the field of migration, such as the Puebla Process and the Berne Initiative **and APC Process (Asia-Pacific Consultations on Refugees Displaced persons and Migrants)**, which serve as platforms for non-binding inter-state consultative processes on migration issues,

(China)

Amend to read as follows:

(18) ~~Also welcomes~~ *Welcoming* the initiatives of States to create regional and multilateral frameworks of cooperation in the field of migration, such as the Puebla Process and the Berne Initiative, which **could** serve as platforms for non-binding inter-state consultative processes on migration issues,

(India)

OPERATIVE PART

Operative paragraph 1

Amend to read as follows:

1. ~~Invites~~ **Urges** governments, in cooperation with the international community, to reinvigorate their efforts aimed at achieving the Millennium Development Goals, thus contributing to the elimination of conditions that force people to migrate, such as poverty;

(India)

Operative paragraph 2

Amend to read as follows:

2. ~~Further invites~~ *Invites* governments, with the assistance of the international community, to address the issue of the migration of skilled workers from developing countries (the brain drain) in view of its impact on prospects for achieving the Millennium Development Goals, especially those relating to health and education;

(India)

Operative paragraph 3

Amend to read as follows:

3. ~~Also invites~~ **Calls upon** governments, in keeping with the increasing openness and liberalization of the world economy, to ~~explore possibilities to~~ open up their labour markets by increasing legitimate channels of access to them for migrants, for instance by ~~considering~~ **establishing** temporary and circular migration schemes, **policies and programmes on a transparent, legal and durable basis, when appropriate with the**

~~involvement of supervised employment agencies;~~ and *encourages* governments to **consider** ~~provide~~ **providing** amnesties for irregular migrants, in accordance with national law, and to facilitate and assist returning migrants;

(India)

New operative paragraph 3bis

Add a new paragraph after paragraph 3 to read as follows:

3bis. Reaffirms that more systematic and comprehensive migration policies are needed to prevent or stem irregular migration movements and that governments should establish credible and transparent measures to defer irregular movement;

(India)

Operative paragraph 4

Amend to read as follows:

4. *Reaffirms at the same time* that governments must ensure that any measure taken to combat terrorism complies with ~~their~~ obligations **undertaken by them** under international law, in particular with regard to international instruments relating to ~~human rights, migration, refugee and international humanitarian law;~~

(India)

Operative paragraph 5

Amend to read as follows:

5. *Also reaffirms* that governments must guarantee the respect of basic human rights for all migrants and their families, ~~regardless of their migratory condition;~~

(India)

Operative paragraph 9

Amend to read as follows:

9. *Calls upon* governments to increase the coherence of their policies and step up cooperation on migration issues, including by holding meetings and conferences on migration and development, with an emphasis on **bilateral, regional and** global ~~and regional~~ cooperation, **particularly in the context of irregular migration;**

(India)