

The Netherlands – input to the UN Network on Migration to review the status of implementation of the GCM at the national level, in preparing for regional review

The Hague, November 9, 2020

The approach of The Netherlands towards implementation of the GCM.

- The Global Compact on Migration provides the first global cooperative framework on migration. It is a result of an inclusive exercise of all UN member states. It respects the sovereignty of States and reaffirms the sovereign right of States to determine their national immigration policy and laws.
- The Global Compact on Migration is a non-legally binding framework. It does not in any way create legal obligations for States nor does it seek to establish international customary law or further interpret existing treaties of national obligations.
- The list of actions under each objective constitute examples that may contribute to the implementation of the Compact. It is up to each State to decide how and whether to draw from these examples. Importantly, the GCM and its objectives can also be used as a diplomatic tool for countries to improve their bi- and multilateral migration cooperation.
- The key areas of the GCM reflect to a great extent the existing migration policies of the government of the Netherlands. Many of the objectives in the GCM are part and parcel of our national comprehensive agenda on migration.¹ Our external migration policy is focussed on effective bilateral and multilateral cooperation between countries of origin, transit and destination to counter irregular migration and the suffering that often comes with it, in line with objectives 7 and 14. To prevent irregular migration together we must tackle root causes, regulate migration and improve the management of the migration process.
- The vast majority of migrants enter the Netherlands in a regular, safe and legal manner. In our comprehensive agenda, countering irregular migration goes hand-in-hand with the promotion of legal migration routes, such as study programs or work permits for migrants who qualify.
- The Netherlands government ensures fair treatment of third country nationals. Social inclusion of legally residing migrants is a priority and many key initiatives have been developed in this area. The aim of Netherlands' integration policy is to provide opportunities for immigrants to participate in the Netherlands workforce and community life.
- In accordance with objective 2 of the GCM, "Minimize the adverse drivers and structural factors that compel people to leave their country of origin", the Netherlands is a major provider of international development assistance and humanitarian aid.
- With regard to objective 10, the prevention, and combatting, of trafficking in persons, the Netherlands developed in 2018 a multi-stakeholder approach in the form of a National Action Plan against trafficking in human beings, involving up to five line-ministries, several operational services and non-governmental organisations. The programme focuses on all forms of exploitation (including sexual, criminal and labour exploitation) and links national and international efforts to combat trafficking by financing capacity building, international (legal) cooperation and innovative approaches. An example is the international secondment of Magistrates, to boost the internal exchange of information used in criminal investigations and court cases. In these programs due

¹ <https://www.government.nl/documents/parliamentary-documents/2018/07/10/comprehensive-agenda-on-migration>

attention is given to the victims of trafficking, for whom, under the Netherlands programs, medical and psychosocial support is arranged and a possibility – on voluntary basis - to be returned to their countries of origin. The Netherlands also targets the financial part of these criminal activities, not only through participation in the Liechtenstein initiative, but also by funding capacity building projects of UNODC for Financial Intelligence Units of several North-African countries to trace and seize the money, earned with trafficking of human beings.

- The Netherlands stands ready to cooperate with countries that undertake efforts to improve their national migration system. Especially in these turbulent times, in which we are facing the common challenge of covid-19, the Netherlands is committed to cooperation to ensure safe, orderly and regular migration.

Next steps

- The Global Compact on Migration clearly recognizes the existing obligation of all States to duly receive and readmit their own nationals, as laid down in objective 21. Nationals who do not or no longer have the right to stay in a country that is not their own, must be readmitted, whether their return is voluntary or forced. This is a cornerstone of a well-functioning international migration system. Since the adoption of the GCM, the Netherlands has not noticed an increased recognition by States of the obligation to readmit their nationals. A lack of cooperation in the return and readmission of migrants who have no right to stay remains a major obstacle to further pursuit of the objectives laid down in the Global Compact.
- The Netherlands would like to emphasise that trafficking- and smuggling in human beings is broadly recognised as a criminal offence and one of the most negative aspects of migratory movements, coming at great human costs. The Netherlands would welcome more international cooperation on the prevention and the fight against smuggling and trafficking, the provision of assistance to victims and the protection of vulnerable groups and victims.