

Madam/Mr. President,

I have the honour to deliver the following statement on behalf of Denmark, Lithuania, the Kingdom of the Netherlands, Norway, Malta, the United Kingdom and my own country Greece.

We would like to thank the co-facilitators Ambassador H.E. Ms Rabab Fatima of Bangladesh and Ambassador H.E. Mr Olivier Maes of Luxembourg and their teams for their tireless work throughout this process. We also wish to thank member states for their constructive engagement.

Migration is a global and ever changing phenomenon presenting both challenges and opportunities to the international community. Since the adoption of the Global Compact for Safe, Orderly and Regular Migration, the world has been disrupted by the COVID-19 pandemic, which hit migrants particularly hard. We have seen the continued impact of climate change and natural disasters. We have seen, and still see, the degrading instrumentalization of migrants on international borders. We see how political crises and wars, including the unprovoked and unjustifiable Russian aggression in Ukraine, cause harm to countries, societies and migrants and undermine our common aim of safe, orderly and regular migration. Multilateral cooperation and international solidarity is vital in uncertain times like these. The Global Compact and the Progress Declaration are important pillars of this cooperation.

We welcome the following positive characteristics of the Progress Declaration, which are in line with the aims and principles of the Global Compact for Migration:

- The Progress Declaration is a non-legally binding framework. The Declaration is in no way an adaptation of, or change to, the original commitments made by the signatories of the GCM at its conception. 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 Declaration reflects some of the aspects, opportunities of regular migration and the challenges of irregular migration. It reflects the importance of collecting and using research and data to establish effective and evidence-based policies on migration and strengthen the linkage to the 2030 Agenda for Sustainable Development. It recognizes the positive contributions migration can have to sustainable development on a global, regional national and local level, including through facilitating social and economic remittances. It also underscores the need to minimize adverse drivers of irregular migration by creating conducive political, economic, social and environmental conditions for people.
- The Declaration recognizes the obligation to respect, protect and fulfil the fundamental human rights by countries of origin, transit and destination of all migrants, regardless of migration status. It emphasizes the necessity of child-sensitive and gender-responsive policy in the context of migration.
- The Declaration reaffirms the existing obligation of all States to duly receive and readmit their own nationals who no longer have the right to remain elsewhere, whether voluntarily or otherwise, in full respect for the human right to return to one's own country, and the importance of sustainable reintegration, which are essential elements of a well-functioning global migration system.
- The Declaration recognizes the necessity of cooperation to foster well-managed borders while respecting international law, for the security of States, societies and migrants. At the same time, the Declaration underlines the need for combatting irregular migration,

smuggling and trafficking in human beings, including through international cooperation and effective protection of victims.

In addition, we would like to clarify our position on a number of points:

- First, States have the sole authority to distinguish between regular and irregular migratory status within their sovereign jurisdiction. That distinction could have been more clearly mainstreamed throughout the declaration, for instance when addressing migrant workers. Distinguishing between irregular and regular migrants is crucial, particularly in the context of unemployment benefits and social protection.
- Second, we welcome the focus on promoting safe, orderly and regular migration and preventing irregular migration. All decisions regarding legal pathways are at the sole discretion of the States concerned.
- Third, we remain committed to always upholding human rights, including respecting and promoting the best interest of the child. Although in some cases detention of children may be required for the purpose of determining migration status and preventing trafficking in children or prior to return, we reiterate that children should not be subject to arbitrary arrest or arbitrary detention based solely on their migration status, and that the deprivation of the liberty of migrant children should be a measure of last resort, for the shortest possible period of time, under conditions that respect the human rights of each child and in a manner that takes into account, as a primary consideration, the best interests of the child. Our domestic legislation sets out clear safeguards in this regard.
- Fourth, the Declaration in no way restricts or curtails already well-established human rights, including the right to freedom of expression. We underline how important we consider the fact that media in our countries enjoy extensive freedom to debate all issues of importance, including migration in all its aspects.
- Fifth, States may maintain the right to apply criminal law for those that have committed an offence of human smuggling, including structurally contributing to the modus operandi of human smugglers, regardless of the nature of an organization, when these latter actions constitute the offence of assistance in human smuggling.
- Sixth, the Progress Declaration reaffirms that managing migration is a shared responsibility. We therefore expect all countries to take responsibility and demonstrate commitment. In this regard, it is crucial that migration is managed using a whole-of-migratory-route approach, considering gaps and challenges in countries of origin, transit and destination..

Mr. President, in closing we regard the Global Compact for Migration and the Progress Declaration as an important diplomatic instrument to strengthen international cooperation on the governance of international migration. We call upon all states to enhance the implementation of the Global Compact for Migration and the Progress Declaration.