

INITIATIVE FOR CHILD RIGHTS IN THE GLOBAL COMPACTS

Key issues at stake for children in the GCM Draft Rev. 3

The Initiative for Child Rights in the Global Compacts would like to express their gratitude to the Co-Facilitators for producing a Draft Rev 3 of the Global Compact for Migration that upholds the rights of children. The language recommendations below address the few remaining areas where child rights must be strengthened in order for the Global Compact to fully adhere to its guiding principles.

	Current Language	Language Suggestions/Edits	Rationale for suggested Revision / keeping language and comments to changes in Rev3
Our Vision and Guiding Principles			
Para 15	<p>Human Rights: The Global Compact is based on international human rights law and upholds the principles of non-regression and non-discrimination. By implementing the Global Compact, we ensure effective respect, protection and fulfilment of the human rights of all migrants, regardless of their migration status, across all stages of the migration cycle. We also reaffirm the commitment to eliminate all forms of discrimination, including racism, xenophobia and intolerance against migrants and their families.</p> <p>Child-sensitive: The Global Compact promotes existing international legal obligations in relation to the rights of the child, and upholds the best interests of the child at all times, as a primary consideration in all situations concerning children in the context of international migration, including unaccompanied and separated children.</p>	<p>Child-sensitive: The Global Compact promotes existing international legal obligations in relation to the rights of the child enshrined in the Convention on the Rights of the Child, and upholds the principle of the best interests of the child at all times, as a primary consideration in all situations concerning children in the context of international migration, including unaccompanied and separated children.</p>	<p>We welcome the inclusion of the non-regression principle as it means that States should not go backwards on the subject of established standards of protection of collective and individual rights.</p> <p>We would still encourage having a clear reference to the Convention on the rights of the Child as a broad, widely acknowledged and well established legal framework to protect the rights of the child, including in the context of migration.</p> <p>We also call for inserting “the principle” in the phrase “best interests of the child at all time” as it creates the legal link to Article 3</p>

			of the Convention on the Rights of the Child (CRC) on best interest of the child, defined by the Committee on the Rights of the Child as the interpretative legal principle which should guide all actions concerning children, and should be read in conjunction with the other rights enshrined in the CRC. Without this link, the best interests of the child risks being detached from the other provisions of the CRC and 'best interests of the child' is open to misuse that would justify actions that in reality violate the rights of the child.
OBJECTIVE 4: Ensure that all migrants have proof of legal identity and adequate documentation			
Chapeau	We commit to fulfil the right of all individuals to a legal identity by providing all our nationals with proof of nationality and relevant documentation, allowing national and local authorities to ascertain a migrant's legal identity upon entry, during stay, and for return, as well as to ensure effective migration procedures, efficient service provision, and improved public safety. We further commit to ensure, through appropriate measures, that migrants are issued adequate documentation and civil registry documents, such as birth, marriage and death certificates, at all stages of migration, as a means to empower migrants to effectively exercise their human rights.	We commit to fulfil the right of all individuals to a legal identity by providing all our nationals with proof of nationality and relevant documentation, <u>including through birth registration to identify name and family relation</u> , allowing national and local authorities to ascertain a migrant's legal identity upon entry, during stay, and for return, as well as to ensure effective migration procedures, efficient service provision, and improved public safety. We further commit to ensure, through appropriate measures, that migrants are issued adequate documentation and civil registry documents, such as birth, marriage and death certificates, at all stages of migration, as a means to empower migrants to effectively exercise their human rights.	Every child has a right to be registered at birth and issued a birth certificate, regardless of migration status. Since birth registration involves 3 processes - declaring birth to civil registrars, official recording of the birth by the registrars and issuance of a birth certificate that is free of charge – it is important that birth registration be explicitly mentioned here when talking about documentation
Para E	Strengthen measures to reduce statelessness, including by registering migrants' births, ensuring that women and men can equally confer their nationality to their children, and providing nationality to children born in another State's territory, especially in situations where a child would otherwise be stateless, fully respecting the	Strengthen measures to reduce statelessness, including by registering migrants' births, ensuring that women and men can equally confer their nationality to their children, and providing nationality to children born in another State's territory, especially in situations where a child would otherwise be stateless, fully respecting the	The change from "allowing women the same right..." to "ensuring that women and men can equally confer their nationality" is acceptable, however the addition of "and in accordance with national legislation" is problematic. Nationality is a universal human right as laid out in the Universal Declaration of Human Rights, the

	human right to a nationality and in accordance with national legislation	human right to a nationality and in accordance with national legislation	Convention on the Rights of the Child and other core and regional human rights instruments. As such, “in accordance with national legislation” is not necessary here.
Para F	Review and revise requirements to prove nationality at service delivery centers to ensure that migrants without proof of nationality or legal identity are not precluded from accessing basic services nor denied their human rights		We welcome the inclusion of “are not precluded from accessing basic services” and strongly encourage it remaining in the text.
Para G	Build upon existing practices at the local level that facilitate participation in community life, such as interaction with authorities and access to relevant services, through the issuance of registration cards to all persons living in a municipality, including migrants, that contain basic personal information, while not constituting entitlements to citizenship or residency	Build upon existing practices at the local level that facilitate participation in community life <u>while upholding the right to privacy and protecting personal data</u> , such as interaction with authorities and <u>safe</u> access to relevant services, through the issuance of registration cards to all persons living in a municipality, including <u>regular and irregular</u> migrants, that contain basic personal information, while not constituting entitlements to citizenship or residency	We are concerned that the reformulation of this text does not take into account the fears faced by irregular migrants that their personal data could be shared with immigration authorities and used against them. Without assurances that their personal data and information is secure, irregular migrants have less incentive to participate in such practices
OBJECTIVE 5: Enhance availability and flexibility of pathways for regular migration			
Chapeau	We commit to adapt options and pathways for regular migration in a manner that facilitates labor mobility and decent work reflecting demographic and labor market realities, optimizes education opportunities, upholds the right to family life, and responds to the needs of migrants in a situation of vulnerability, with a view to expanding and diversifying availability of pathways for safe, orderly and regular migration.		We welcome the reference to upholding the right to family life and strongly encourage it remaining in the text.
Para G	Develop or build on existing national and regional practices for admission and stay of appropriate duration based on compassionate, humanitarian or other considerations for migrants compelled to leave their countries of origin, due to sudden-onset natural disasters and other precarious situations, such as by providing	Develop or build on existing national and regional practices for admission and stay of appropriate duration based on compassionate, humanitarian or other considerations for migrants compelled to leave their countries of origin, due to sudden-onset natural disasters and other precarious situations, such as by providing	Providing services that protect children from abuse or neglect in situations of displacement due to sudden-onset natural disasters and other precarious situations is essential. Needs can become exacerbated in such situations’

	humanitarian visas, private sponsorships, access to education for children, and temporary work permits, while adaptation in or return to their country of origin is not possible	humanitarian visas, private sponsorships, access to education <u>and child protection services</u> for children, and temporary work permits, while adaptation in or return to their country of origin is not possible	
Para I	Facilitate access to procedures for family reunification for migrants at all skills levels through appropriate measures that promote the realization of the right to family life and the best interests of the child, including by reviewing and revising applicable requirements, such as on income, language proficiency, length of stay, work authorization, and access to social security and services	Facilitate access to procedures for family reunification for migrants at all <u>income and</u> skills levels through appropriate measures that promote the realization of the right to family life and the best interests of the child, including by reviewing and revising applicable requirements, such as on income, <u>definitions of the family that do not acknowledge de facto caretaking links</u> , language proficiency, length of stay, work authorization, and access to social security and services	<p>We welcome the inclusion of the best interests of the child.</p> <p>The addition of “access to” is problematic. Family reunification can be a complex process and simply facilitating access to reunification procedures does not sufficiently address this. Moreover, a reference to income should be added here to correspond with income as an applicable requirement found below.</p> <p>Furthermore, narrow definitions of the family constitute a major barrier to family reunification and do not take into account the ways in which different cultures recognize familial ties through caretaking and dependency links.</p>
OBJECTIVE 7: Address and reduce vulnerabilities in migration			
Chapeau	We commit to respond to the needs of migrants who face situations of vulnerability, which may arise from the circumstances in which they travel or the conditions they face in countries of origin, transit and destination, by assisting them and protecting their human rights, in accordance with our obligations under international law. We further commit to uphold the best interests of the child at all times, as a primary consideration in situations where children are concerned, and to apply a gender-responsive approach in addressing vulnerabilities, including in responses to mixed movements.	We commit to respond to the needs of migrants who face situations of vulnerability, which may arise from the circumstances in which they travel or the conditions they face in countries of origin, transit and destination, by assisting them and protecting their human rights, in accordance with our obligations under international law. We further commit to uphold <u>the principle of</u> the best interests of the child at all times, as a primary consideration in situations where children are concerned <u>and in line with the Convention on the Rights of the Child</u> , and to apply a gender-responsive approach in addressing vulnerabilities, including in responses to mixed movements.	<p>We welcome the inclusion of “at all times” following the best interests of the child.</p> <p>However, we are concerned by the deletion of the term “principle” under objective 7 in the chapeau and para e. We call for the reinsertion of the term as it creates the legal link to Article 3 of the Convention on the Rights of the Child (CRC) on best interest of the child, defined by the Committee on the Rights of the Child as the interpretative legal principle which should guide all actions concerning children, and should be read in conjunction with the other rights enshrined in the CRC. Without this link, the best interests of the child risks being detached from the other provisions of the CRC and</p>

			<p>'best interests of the child' is open to misuse that would justify actions that in reality violate the rights of the child.</p> <p>We would strongly encourage adding a reference to the Convention on the Rights of the Child, providing comprehensive guidance on how to approach the situation of migrant children. The CRC is pending only one ratification, and is the most widely ratified human rights treaty.</p>
Para E	Account for migrant children in national child protection systems by establishing robust procedures for the protection of migrant children in relevant legislative, administrative and judicial proceedings and decisions, as well as in all migration policies and programs that impact children, including consular protection policies and services, as well as cross-border cooperation frameworks, in order to ensure the best interests of the child are appropriately integrated, consistently interpreted and applied in coordination and cooperation with child protection authorities	Account for migrant children in national child protection systems by establishing robust procedures for the protection of migrant children in relevant legislative, administrative and judicial proceedings and decisions, as well as in all migration policies and programs that impact children, including consular protection policies and services, as well as cross-border cooperation frameworks, in order to ensure the principle of the best interests of the child is are appropriately integrated, consistently interpreted and applied in coordination and cooperation with child protection authorities developed in a child-sensitive manner and together with children	We welcome the additions to this paragraph. However, as mentioned above, we call for the reinsertion of the term "principle".
Para F	Protect unaccompanied and separated children at all stages of migration through the establishment of specialized procedures for their identification, referral, care and family reunification, and provide access to health care services, including mental health, education, legal assistance and the right to be heard in administrative and judicial proceedings, including by swiftly appointing a competent and impartial legal guardian, as essential means to address their particular vulnerabilities and	Protect unaccompanied and separated children at all stages of migration through the establishment of specialized procedures for their identification, referral, care and family reunification, and provide access to health care services, including mental health, child protection , education, legal assistance and the right to be heard in administrative and judicial proceedings, including by swiftly appointing a competent and impartial legal guardian, as essential means to address their particular	'Child protection services' should be added to the list of services as many of these children are fleeing from violent environment (community, home, etc.) are exposed to multiple forms of violence, abuse and exploitation or neglect while they are on the move. It is crucial that their child protection needs are assessed on an individual basis and the needed support is made available for their protection and recovery.

	discrimination, protect them from all forms of violence, and provide access to sustainable solutions that are in their best interests	vulnerabilities and discrimination, protect them from all forms of violence, and provide access to sustainable solutions that are in their best interests	
OBJECTIVE 8: Save lives and establish coordinated international efforts on missing migrants			
Para A	Develop procedures and agreements on search and rescue of migrants, with the primary objective to protect migrants' right to life that uphold the prohibition of collective expulsion, guarantee due process and individual assessments, enhance reception and assistance capacities, and ensure that the provision of assistance of an exclusively humanitarian nature for migrants in distress is not considered unlawful		By using phrases like “acts exclusively of humanitarian nature” and “migrants in distress” the paragraph suggests that some acts of humanitarian assistance might be unlawful. We recognize that this particular wording applies to assistance in the search and rescue context but nevertheless it includes a strong negative connotation towards the integrity of humanitarian actors and the important work that they carry out.
OBJECTIVE 11: Manage borders in an integrated, secure and coordinated manner			
Para E	Ensure that child protection authorities are promptly informed and assigned to participate in procedures for the determination of the best interests of the child once an unaccompanied or separated child crosses an international border, in accordance with international law, including by training border officials in the rights of the child and child sensitive procedures, such as those that prevent family separation and reunite families when family separation occurs	Ensure that child protection authorities are promptly informed and assigned to participate in procedures for the determination of the best interests of the child once an unaccompanied or separated a child crosses an international border, in accordance with international law, including by training border officials in the rights of the child and child sensitive procedures, such as those that prevent family separation and reunite families when family separation occurs	We welcome much of the new language in the paragraph, however, the inclusion of the “unaccompanied or separated” caveat presents a problem. It creates a distinction between unaccompanied and separated children and children with families , contrary to the non-discrimination principle. This caveat should be deleted since all children are entitled to the same safeguards and protection
Para F	Review and revise relevant laws and regulations to ensure that where any sanctions are applied to migrants for their irregular entry and stay, they are, proportionate, equitable, and fully consistent with due process and other obligations under international law	Review and revise relevant laws and regulations to ensure that <u>the irregular entry and stay is considered as an administrative offence and that</u> where any sanctions are applied to migrants for their irregular entry and stay, they are proportionate, equitable, and fully consistent with due process and other obligations under international law	We welcome language that aims to ensure that sanctions for irregular stay and entry are proportionate, equitable and in line with international law. However, the current wording might suggest that criminal sanctions for irregular entry and stay are in line with international human rights guidance. It is therefore important to underline that irregular entry and stay should be considered only as administrative offences. This is particularly relevant when it comes to child immigration detention.

OBJECTIVE 12: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral			
Chapeau	We commit to increase legal certainty and predictability of migration procedures by developing and strengthening effective and human rights-based mechanisms for the adequate and timely screening and individual assessment of all migrants for the purpose of identifying and facilitating access to the appropriate referral procedures, in accordance with international law.	We commit to increase legal certainty and predictability of migration procedures by developing and strengthening effective and human rights-based mechanisms for the adequate and timely screening and individual assessment of all migrants for the purpose of identifying and facilitating access to the appropriate <u>determination and referral procedures, in particular where return would exacerbate risks and vulnerabilities</u> , in accordance with international law.	Including this language from the previous draft is crucial for covering the prohibition on returning migrants where there is a real risk of death, torture, ill-treatment or other irreparable harms, as well as other reasons that may weigh against return.
Para D	Ensure that migrant children are promptly identified at places of first arrival in countries of transit and destination, and, if unaccompanied or separated, are swiftly referred to child protection authorities and other relevant services as well as appointed a competent and impartial legal guardian, that family unity is protected, and that anyone legitimately claiming to be a child is treated as such unless otherwise determined through a multi-disciplinary, independent and child-sensitive age assessment	Ensure that migrant children are promptly identified at places of first arrival in countries of transit and destination, and, if unaccompanied or separated, are swiftly referred to child protection authorities and other relevant services as well as appointed a competent and impartial legal guardian, that family unity is protected, and that anyone legitimately claiming to be a child is treated as such unless otherwise determined through a multi-disciplinary, independent and child-sensitive age assessment	We welcome the reordering of language in this paragraph, with a strong emphasis on swift referrals to child protection authorities and appointment of a legal guardians. However child protection authorities and other relevant services should be involved in situations pertaining to all children and not only for unaccompanied or separated children
Para E	Ensure that, in the context of mixed movements, relevant information on rights and obligations under national laws and procedures, including on entry and stay requirements, available forms of protection, as well as options for return and reintegration, is appropriately, timely and effectively communicated, and accessible	Ensure that, in the context of mixed movements, relevant information on rights and obligations under national laws and procedures, including <u>on access to the right to seek asylum</u> , on entry and stay requirements, available forms of protection, as well as options for return and reintegration, is appropriately, timely and effectively communicated, and accessible	The right to seek asylum is a key element of international human rights law, as laid out in article 14 of the Universal Declaration of Human Rights, as well as other international and regional human rights instruments. Information on how to access this right, especially in the context of mixed movements is critical to strengthening certainty in screening, assessment and referral.
OBJECTIVE 13: Use immigration detention only as a measure of last resort and work towards alternatives			
Chapeau	We commit to ensure that any detention in the context of international migration follows due process, is non-arbitrary, based	We commit to ensure that any detention in the context of international migration follows due process, is non-arbitrary, based	We very much appreciate the strong language on ending child detention throughout Objective 13 and the stronger

	<p>on law, necessity, proportionality and individual assessments, is carried out by authorized officials, and for the shortest possible period of time, irrespective of whether detention occurs at the moment of entry, in transit, or proceedings of return, and regardless of the type of place where the detention occurs. We further commit to prioritize noncustodial alternatives to detention that are in line with international law, and to take a human rights-based approach to any detention of migrants, using detention as a measure of last resort only.</p>	<p>on law, necessity, proportionality and individual assessments, is carried out by authorized officials, and for the shortest possible period of time, irrespective of whether detention occurs at the moment of entry, in transit, or proceedings of return, and regardless of the type of place where the detention occurs. We further commit to prioritize noncustodial alternatives to detention that are in line with international law <u>and informed by the UN Guidelines for the Alternative Care of Children</u>, and to take a human rights-based approach to any detention of migrants, using detention as a measure of last resort only <u>and working to end the practice of child detention</u>.</p>	<p>focus on ensuring availability and accessibility of a viable range of alternatives to detention by i.e. “developing initiatives based on successful practices” in paragraph B.</p> <p>In order to draw the distinction between the different goals laid out in regard to detention of children and detention of adults, and to link the chapeau to paragraphs A and especially H, it is necessary to include a reference to working to end the practice of child detention in the chapeau. Notwithstanding the fact that this inclusion will improve the coherency of the chapeau by laying down the two main components of a “human-rights based approach to any detention of migrants” – last resort for adults and no detention for children –.</p>
Para G	<p>Reduce the negative and potentially lasting effects of detention on migrants by guaranteeing due process and proportionality, that it is for the shortest period of time, safeguards physical and mental integrity, and that, as a minimum, access to food, basic healthcare, legal orientation and assistance, information and communication, as well as adequate accommodation is granted, in accordance with international human rights law</p>	<p>Reduce the negative and potentially lasting effects of detention on migrants by guaranteeing due process and proportionality, that it is for the shortest period of time, safeguards physical and mental integrity, <u>is separate from criminal justice offenders</u> and that, as a minimum, access to food, basic healthcare, legal orientation and assistance, information and communication, as well as adequate accommodation is granted, in accordance with international human rights law</p>	<p>While we welcome the inclusion of proportionality as a safeguard, we are deeply concerned by the removal of the reference to administrative detention of migrants being separated from criminal justice offenders. While we stress that detention is never in the best interests of the child and thus should not occur, the possibility of child migrants and their families being detained with criminal justice offenders is especially worrying and poses grave child rights concerns.</p>
Para H	<p>Protect and respect the rights and best interests of the child at all times, regardless of their migration status, by ensuring availability and accessibility of a viable range of alternatives to detention in non-custodial contexts, favoring community-based care arrangements, that ensure access to</p>		<p>We strongly urge States to retain the current wording of paragraph H in full.</p> <p>Not only does this wording uphold child rights and the best interests principle, it also sets the ground to use the very nature of the GCM to progressively work in a collaborative</p>

	education and healthcare, and respect their right to family life and family unity, and by working to end the practice of child detention in the context of international migration		manner to fulfil this in practice by placing the focus on alternatives to detention.
OBJECTIVE 15: Provide access to basic services for migrants			
Para B	Ensure that cooperation between service providers and immigration authorities does not exacerbate vulnerabilities of irregular migrants by compromising their safe access to basic services or unlawfully infringing upon the human rights to privacy, liberty and security of person at places of basic service delivery	Ensure that cooperation between service providers and immigration authorities does not exacerbate vulnerabilities of irregular migrants by compromising their safe access to basic services, unlawfully infringing <u>infringe</u> upon the human rights to privacy, liberty and security of person <u>or result in apprehension</u> at places of basic service delivery	Migrant children have the same needs and human rights as national children. Migrant children should be able to safely access services in practice without discrimination and fear of being apprehended by migration authorities. Children are also negatively impacted by restrictions addressed at their parents. Ensuring migrant child and their families safe access to services irrespective of their migration status will also guarantee public interests goals: respect of human rights, enhancement of the effectiveness of health systems, trust in police and in the justice systems, combating xenophobia and discrimination and build inclusive societies.
Para F	Provide inclusive and equitable quality education to migrant children and youth, as well as facilitate access to lifelong learning opportunities , including by strengthening the capacities of education systems and by facilitating non-discriminatory access to early childhood development, formal schooling, non-formal education programs for children for whom the formal system is inaccessible, on-the-job and vocational training, technical education, and language training, as well as by fostering partnerships with all stakeholders that can support this endeavor	Provide inclusive and equitable quality education to migrant children and youth, as well as facilitate access to lifelong learning opportunities , including by strengthening the capacities of education systems and by facilitating non-discriminatory access to early childhood development, formal schooling <u>in national education systems</u> , non-formal education programs <u>to prepare</u> for children for whom <u>to access</u> the formal system is inaccessible, on-the-job and vocational training, technical education, and language training, as well as by fostering partnerships with all stakeholders that can support this endeavor	It is key that non-formal education is not thought of as an alternative for migrant children, but as a temporary measure aimed at preparing them to access the national education system, including in terms of language skills
OBJECTIVE 21: Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration			
Chapeau	We commit to facilitate and cooperate for safe and dignified return by guaranteeing due process, individual assessment and	We commit to facilitate and cooperate for <u>safe and dignified return while avoiding forced returns</u> , by guaranteeing due process,	We regret the deletion of the preference to voluntary return. Voluntariness is key to safe, dignified and sustainable returns.

	<p>effective remedy, by upholding the prohibition of collective expulsion, and by refraining from returning migrants when there is a real and foreseeable risk of death, torture, or other irreparable harm, in accordance with our obligations under international human rights law. We further commit to ensure that our nationals are duly received and readmitted, in full respect for the human right to return to one’s own country and the obligation of States to readmit their own nationals. We also commit to create conducive conditions for personal safety, economic empowerment, inclusion and social cohesion in communities, in order to ensure that reintegration of migrants upon return to their countries of origin is sustainable.</p>	<p>individual assessment and effective remedy <u>to protect the human rights of migrants</u>, by upholding the prohibition of collective expulsion <u>and the principle of the best interests of the child at all times</u>, and by <u>prohibiting the</u> returning <u>of</u> migrants when there is a real and foreseeable risk of death, torture, or other irreparable harm, in accordance with our obligations under international human rights law. We further commit to ensure that our nationals are duly received and readmitted, in full respect for the human right to return to one’s own country and the obligation of States to readmit their own nationals. We also commit to create conducive conditions for personal safety, economic empowerment, inclusion and social cohesion in communities, in order to ensure that reintegration of migrants upon return to their countries of origin is sustainable.</p>	<p>We regret the deletion of the principle of non-refoulement but we appreciate the efforts to maintain the substance of the principle in the text. However, the word refrain does not fully capture the full scope of the principle. The word “refrain” implies it is a person or thing stopping itself from doing something, where the principle of non-refoulement is a non-derogable principle of international law. States are bound to oblige it, rather than make the choice themselves to oblige it.</p> <p>It is imperative that the GCM makes clear reference to the best interests of the child principle in the chapeau of this paragraph, as this is an overarching principle which should guide all decisions concerning children, including decisions on returns, in line with article 3 of CRC and GCM guiding principle. The best interest of the child is not a policy instrument or a best practice but an obligation under the Convention on the Rights of the Child, almost universally ratified.</p>
<p>Para B</p>	<p>Promote gender-responsive and child-sensitive return and reintegration programs, that may include legal, social and financial support, guaranteeing that all returns in the context of such voluntary programs effectively take place on the basis of the migrant’s free, prior and informed consent, and that returning migrants are assisted in their reintegration process through effective partnerships, including to avoid they become displaced in the country of origin upon return</p>	<p>Promote gender-responsive and child-sensitive <u>voluntary</u> return and reintegration programmes, that may include legal, social and financial support, guaranteeing that all returns in the context of such voluntary programmes effectively take place on the basis of the migrant’s free, prior and informed consent, and that returning migrants are assisted in their reintegration process through effective partnerships, including to avoid they become displaced in the country of origin upon return</p>	<p>We welcome the reference to child-sensitive return and reintegration programs. We would encourage the promotion of ‘voluntary’ returns only but emphasize that gender-responsive and child-sensitive return and reintegration programs should be made available on a voluntary basis despite the nature of the return.</p> <p>It is unclear which voluntary programs the paragraph is referring to, as there is no other mention of voluntary programs in the document</p>

<p>Para G</p>	<p>Ensure that return and readmission processes involving children are carried out only after a determination of the best interests of the child, take into account the right to family life, and that a parent, legal guardian or specialized official accompanies the child throughout the return process, ensuring that appropriate reception, care and reintegration arrangements for children are in place in the country of origin upon return</p>	<p>Ensure that return and readmission processes involving children are carried out only after <u>the return has been determined to be in the child's best interests</u> a determination of the best interests of the child, take into account the right to family life, and that a parent, legal guardian or specialized official accompanies the child throughout the return process, ensuring that appropriate reception, care and reintegration arrangements for children are in place in the country of origin upon return</p>	<p>We appreciate the strengthened language in the current draft. However, the best interest determination is not simply a procedural safeguard, it is also critical to ensure the substantive right - meaning the outcome of the procedure - also applies and influences the decision on returns and readmissions.</p>
<p>Implementation</p>			
<p>Para 44</p>	<p>We will implement the Global Compact in cooperation and partnership with migrants, civil society, migrant and diaspora organizations, faith-based organizations, local authorities and communities, the private sector, trade unions, parliamentarians, National Human Rights Institutions, the International Red Cross and Red Crescent Movement, academia, the media and other relevant stakeholders.</p>	<p>We will implement the Global Compact in cooperation and partnership with migrants, civil society, migrant and diaspora organizations, faith-based organizations, local authorities and communities, <u>children and youth</u>, the private sector, trade unions, parliamentarians, National Human Rights Institutions, the International Red Cross and Red Crescent Movement, academia, the media and other relevant stakeholders.</p>	<p>Children and young people are agents of change and key stakeholders that should be empowered to contribute to the GCM implementation.</p>
<p>Follow-Up and Review</p>			
<p>Para 53</p>	<p>We encourage all Member States to develop as soon as practicable ambitious national responses for the implementation of the Global Compact, and to conduct regular and inclusive reviews of progress at the national level. Such reviews should draw on contributions from all relevant stakeholders, as well as parliaments and local authorities, and serve to effectively inform the participation of Member States in the International Migration Review Forum and other relevant fora.</p>	<p>We encourage all Member States to develop as soon as practicable ambitious national responses for the implementation of the Global Compact, and to conduct regular and inclusive reviews of progress at the national level. Such reviews should draw on contributions from all relevant stakeholders, <u>including children and youth</u>, as well as parliaments and local authorities, and serve to effectively inform the participation of Member States in the International Migration Review Forum and other relevant fora.</p>	<p>We welcome the addition of practicable, ambitious national responses for the Global Compact for Migration.</p> <p>Crucial for keeping track of progress will be empowering children and young people to keep governments accountable and to actively and meaningfully participate in any actions that may impact them.</p>