

CHECK AGAINST DELIVERY



**“International cooperation and governance  
of migration in all its dimensions including  
at borders, on transit, entry, return,  
readmission, integration and reintegration”**

**by Mr. François Crépeau,  
Special Rapporteur on  
the human rights of migrants**

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Distinguished delegates,

As mentioned by Greg Maniatis yesterday, what is most often absent from our migration debates is long-term vision and strategic policy planning. In my last report to the Human Rights Council, I recommend that the Global Compact be the stepping stone towards a 15-year agenda on facilitating human mobility, aiming to progressively implement targets 10.7 and 8.8 of the Sustainable Development Goals. In it, I suggest policy orientations, and bring now to your attention those related to the return of migrants.

The increasing securitisation of borders leads to unnecessary suffering and serious violations of human rights and humanitarian law.

To avoid this, the return of migrants must be conducted with respect for safety, dignity and human rights, on the basis of: (a) the primacy of voluntary returns; (b) cooperation between States of origin and destination, as well as civil society; and (c) enhanced reception and reintegration assistance for returnees.

Children, whether accompanied or not, should only be returned when it has been determined to be in their best interest, through an appropriate procedure, before a competent institution, with proper representation of the child, and without separation of the family.

Returns should be decided following a strict procedure in which the migrant has access to legal assistance, interpretation and appeal mechanisms. Migrants should have the opportunity to claim that return puts them at risk of persecution, torture or cruel, inhuman and degrading treatment.

Readmission agreements for migrants are an area of particular concern. Despite legislative prohibitions, pushbacks and refoulement to countries with weak rule of law and poor asylum and human rights systems are being improperly conducted under bilateral agreements. It is imperative that no one be returned without effective oversight by a pre-return individual protection needs assessment and by a post-return human rights monitoring mechanism.

So far the Global Compact discussions have often focused on the need for efficient return mechanisms in order to politically justify or validate regular migration channels, with the underlying idea that opening up more regular migration channels will only come after States have recovered “control over their borders”. I would advise that waiting for “efficient return mechanisms” before developing regular migration channels is a sure way of attaining neither.

It is developing regular migration channels that will allow States to simultaneously find legitimacy and efficiency in properly designed return procedures, inter alia by reducing the undocumented migration pressure, by decreasing the necessity for harsh penalties for small violations, and thus by reducing public fears of lawlessness in migration movements.

Regional Consultative Processes could apply their cooperation skills to the objective of progressively facilitating human mobility in their region.

It is my hope that the Global Compact will cover the full breadth of what is envisioned in

the New York Declaration and focus on setting up the basis for a long-term comprehensive and cooperative human mobility strategy.

I thank you for your attention.