

Concept Note

Technical Roundtable: Ensuring Human Rights Protection in the Global Compact for safe, orderly and regular migration

14 May, 1:15 – 2:45
UNHQ, Conf. Room A

Background

An estimated 258 million migrants currently live outside their country of origin, many of whose migration is characterised by varying degrees of compulsion. Notwithstanding that migration can be a positive and empowering experience for many, an increasing number of migrants are compelled to leave their homes for a complex combination of reasons, including poverty, lack of access to healthcare, education, water, food, housing, and the consequences of environmental degradation and climate change, as well as the more ‘traditional’ drivers of forced displacement such as persecution and conflict.

International Human Rights Law (IHRL) provides an important protection framework applying equally to all migrants and protects all civil, political, economic, social and cultural rights under the [International Bill of Human Rights](#),¹ including a number of universally binding and non-derogable norms such as the principle of *non-refoulement*. IHRL also provides legal protection to particular groups according to specific treaty instruments that help to make up the [9 core international human rights instruments](#). IHRL therefore establishes obligations which States are bound to respect, protect and fulfil including, in some cases, protection from return.

Yet, due to a lack of operationalization of these standards, it is increasingly clear that there are significant human rights protection gaps at the global, regional and national levels. Many migrants find themselves in vulnerable situations—at heightened risk of human rights violations—due to the reasons for leaving their country of origin, the situations they face in transit or destination, or as a result of personal circumstances or characteristics.²

Migrants in irregular situations, in particular, tend to be disproportionately vulnerable to discrimination, exploitation and marginalization, often living and working in the shadows, afraid to report on violations, and unable to claim their human rights and fundamental freedoms.³ Meanwhile, millions of migrants continue to face insufficient protection from return, including: the growing number of migrants affected by climate change, including the adverse impacts of slow onset events; migrants impacted by food insecurity; the millions of migrants currently fleeing acute economic crises, or lacking access to fundamental rights such as health, education or family; migrants facing abuse, violence and exploitation as they move and stay; and migrants seeking protection from other serious human rights violations.

¹ Including the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

² Global Migration Group (GMG), *Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations*, 2018.

³ OHCHR, *The Economic, Social and Cultural Rights of Migrants in an Irregular Situation*, 2014.

Objectives

In this context, the Office of the United Nations High Commissioner for Human Rights (OHCHR) is hosting a technical roundtable discussion on the importance of including human rights protection for all migrants, regardless of status, in the Global Compact for safe, orderly and regular migration, focusing particularly on addressing the circumstances of those most at risk of human rights violations. A human rights-based approach to the Global Compact should place the migrant at the centre of the negotiations, and seek to ensure that migrants' human rights are respected, protected and fulfilled at all stages of migration, including when making the difficult decision to leave their home country, when crossing international borders, in transit, in host or destination countries, and in the context of return.

This event aims to explore the guidance offered by the international human rights law framework on how to address human rights protection within the context of international migration. The lunchtime event will hear from States, UN agencies, international legal experts, and civil society practitioners regarding critical human rights protection gaps for migrants at the local and national levels, and how the Global Compact for safe, orderly and regular migration can help to address them.

Participants

Participants will include representatives of Member States, International Organisations and Civil Society. To register your participation in this event, please contact Ben Lewis, blewis@ohchr.org