

How to meet the needs of migrants without sacrificing security or sovereignty

Side event during the sixth round of intergovernmental consultations on a Global Compact for Safe, Orderly and Regular Migration

10 July 2018, 6:30-7:45 p.m., Conference Room 11, U.N. Headquarters New York

Introduction

States have a clear duty, under international human rights law and as matter of the common humanity that links peoples together, to ensure that migrants, especially migrants in vulnerable situations, are able to access their economic, social and cultural rights without discrimination, and are not abandoned to extreme privation or other life-threatening risks even when they cross borders irregularly. As affirmed in the New York Declaration of 2016, “[w]e are determined to save lives. Our challenge is above all moral and humanitarian.” However, in a number of countries, significant political pressures have arisen to impose strict controls over the entry and stay of migrants, including the criminalization of migrants or service providers for the provision of basic services such as health, housing, education and justice. Finding a working balance between these duties and interests is one of the dilemmas that the Global Compact on Safe, Regular and Orderly Migration seeks to address.

This side event will explore the barriers that currently stand in the way of migrants receiving access to essential services – as well as humanitarian assistance and protection from neutral and impartial organizations -- and share successful examples of how some authorities have been able to balance access to such services with state interests in border control.

Organizers

The side event is co-organized by the IFRC – International Federation of Red Cross and Red Crescent Societies, PICUM – Platform for International Cooperation on Undocumented Migrants and OHCHR – the Office of the United Nations High Commissioner for Human Rights.

Objectives

- Understand how both **formal and informal barriers** stand in the way of migrants in need of basic humanitarian assistance, how this impacts their lives, health and dignity, and what the knock-on impacts they have on host communities.
- Understand the added value, the mandate, and the space required by impartial and **humanitarian actors** to support the humanitarian needs of migrants in vulnerable situations.
- Shar **successful examples** where barriers have been addressed without the sacrifice of security or other legitimate state interests in accordance with states’ international law obligations.

Format

The event will be carried out in a conversational format with the panel led by the moderator.

Questions

- How do countries address differences in their laws and policies concerning access to services “for all migrants, regardless of their status”?
- What are good practices that cities and regional authorities are practicing in this regard?
- How does separating immigration enforcement from the social services sector, such as health, housing and education, strengthen a whole of government approach?
- How does ensuring that migrants are able to access justice enable local law enforcement to better ensure the safety and security of all members of the community?
- How might policies and practices on data protection and privacy affect how services are being delivered (from the point of view of service delivery) and how services are being accessed (from the point of view of the public)?

Moderator

- Mr. Craig Mokhiber, Director, OHCHR New York Office

Keynote

- Mr. Francesco Rocca, IFRC President

Panel

- Ms. Michele Le Voy, PICUM Director
- Ms. Vicki Mau, National Manager, Migration Support Programmes, Australian Red Cross
- Dr. Yves Jackson, Head of Mobile Outpatient Support to Communities, Hôpitaux Universitaires de Genève

Resources

- IFRC paper, “New Walled Order: How barriers to basic services turn migration into a humanitarian crisis,” (2018)
- PICUM infographic, “Firewalls and safe spaces” and “Firewall and justice.”
- OHCHR briefing note, “Access to services and the protection of economic, social and cultural rights,” (2018)

Speaker bios: Side event on how to meet the needs of migrants without sacrificing security or sovereignty

Mr. Craig Mokhiber, Director, New York Office of the High Commissioner for Human Rights

Mr. Mokhiber Chairs the Task Force on Migration at the U.N. human rights office, and represents OHCHR in the negotiations on the Global Compact on Migration. He is an international lawyer and specialist in human rights law, policy, and methodology with more than thirty-five years in the international human rights movement, including more than twenty-five years at the United Nations. He is currently Director of the New York Office of the High Commissioner for Human Rights, has held senior U.N. positions in Geneva, New York and in the field, and has undertaken human rights missions to dozens of countries across Africa, Asia, the Middle East, Eastern Europe and Latin America. He has served as the U.N.'s Senior Human Rights Advisor in Palestine, and in Afghanistan, led the team of human rights specialists attached to the High Level Mission on Darfur, headed the Rule of Law and Democracy Unit, and served as Chief of the Economic and Social Issues Section, and Chief of the Development and Economic and Social Issues Branch at OHCHR Headquarters. He was for five years the Chairman of the U.N. Task Force for Action Two (a global initiative to advance national human rights protection systems), and later Chaired the U.N. Democracy Fund consultative group, the U.N. Working Group on Leadership, and the HLCP Consultative group on Inequalities. He has also led several initiatives aimed at integrating human rights into the work of the U.N. itself. Mr. Mokhiber has lectured and taught human rights, has authored several publications on human rights themes, and has served on the Secretariats of a number of global conferences and intergovernmental bodies. While on leave from the U.N. in 1999, he led a global study on human rights and rule of law reforms, on behalf of the International Council on Human Rights Policy. Before joining the U.N., he worked as an NGO activist, a human rights advocate, and a lawyer in private practice.

Mr. Francesco Rocca, President, International Federation of Red Cross and Red Crescent Societies

Mr. Francesco Rocca has enjoyed a long and distinguished career with the Italian Red Cross, first as its Head of Emergency Operations in 2008 and its Extraordinary Commissioner (2009-2013) before being appointed National President (2013-2017) and later National President of the Italian Red Cross Association. His service with the International Federation of Red Cross and Red Crescent Societies (IFRC) has been equally distinguished. He has served as Vice-President (Europe) from 2013 to 2017, and was the Italian Red Cross representative on the IFRC Governing Board from 2009-2013. He also organised the successful 9th European Conference of the Red Cross and Red Crescent in Florence, Italy in 2014, and the High-Level Movement Cooperation Meeting on the Humanitarian Situation in the Mediterranean in Rome in 2011. A lawyer by profession, Mr. Rocca spent the 1990s fighting organised crime in Italy before moving into the health sector in 2003 as General Director of Sant'Andrea Hospital in Rome. He holds a degree in Law from La Sapienza University and a professional qualification in Health Management from Italy's Public Administration Superior School.

Ms. Michele Le Voy, Director of PICUM – Platform for International Cooperation on Undocumented Migrants

Ms. LeVoy joined PICUM in 2002 and became Director in 2006. She leads PICUM's strategic work towards a wide range of external actors, represents PICUM at European and global levels, manages PICUM's Secretariat and works with board to ensure good governance. She serves on several boards and advisory committees, including Social Platform; Global Coalition of Migration; Civil Society Days of the Global Forum on Migration and Development; and the Women in Migration Network. She holds a

Bachelor degree in French and Justice and Peace Studies and a Master in Applied Sciences (Housing and Development Program).

Dr. Yves Jackson, Head of Mobile Outpatient Support to Communities, Geneva University Hospital

Dr. Jackson graduated as a medical doctor from the University of Geneva, Switzerland. He specialized as an internist and subsequently achieved a diploma in tropical diseases and international health (DTMH) from Mahidol University, Bangkok, a master of public health (MPH) from the University of New South Wales in Sydney and a PhD in medical sciences from the University of Antwerp. He currently works as a senior physician and lecturer at the Geneva University Hospital and school of medicine and heads a pluridisciplinary health centre affiliated to the University Hospital that provides access to care to vulnerable groups of population including homeless and undocumented immigrants. His current research and teaching activities encompass immigrants health, neglected tropical diseases and the social determinants of health.

Ms. Vicki Mau, National Manager, Migration Support Programs, Australian Red Cross.

As National Manager, Migration Support Programs of the Australian Red Cross, Ms. Mau supports people in need of safety, including: people seeking asylum; in immigration detention; facing destitution; who are vulnerable to exploitation; victims of trafficking; or who have been separated by war, disaster or migration. The Australian Red Cross runs a wide range of social cohesion, community education and community development programs around Australia. Ms. Mau is also co-Chair of the Red Cross Asia Pacific Migration Network of Red Cross Red Crescent National Societies in the region, that seeks to build awareness and coordination in addressing the vulnerabilities of migrants in countries of origin, transit and destination. Prior to working with Australian Red Cross, Ms. Mau spent the last 20 years in a range of roles with Australian and international agencies working mainly with refugee communities across the Middle East, as well as managing technical expertise programs in sub-Saharan Africa, working in cross cultural education and advocacy in Australia, and undertaking post graduate research in the Middle East and Australia on human rights frameworks in the Arab and Muslim world.

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Side-event on how to meet the needs of migrants without sacrificing security or sovereignty

Organizers: International Federation of Red Cross and Red Crescent Societies (IFRC), Platform for International Cooperation and Undocumented Migrants (PICUM) and OHCHR

How do **formal and informal barriers** stand in the way of migrants in need of **basic humanitarian assistance**, impact on migrants' **lives, health and dignity**, and what are the knock-on impacts on **host communities**?

What is the added value, mandate, and space required **by impartial and humanitarian actors** to support the humanitarian needs of migrants in vulnerable situations?

Are there **successful examples** where barriers have been addressed without the **sacrifice of security** or other **legitimate state interests** in accordance with states' international law obligations?

Keynote speech

Mr. Francesco Rocca, President
International Federation of Red Cross and Red Crescent Societies (IFRC)

Moderator

Mr. Craig Mokhiber, Director, OHCHR New York Office

Ms. Michele Le Voy, Director, Platform for International Cooperation and Undocumented Migrants (PICUM)

Ms. Vicki Mau, Migration Support Programmes, Australian Red Cross
Dr. Yves Jackson, Head of Mobile Outpatient Support to Communities, Hôpitaux Universitaires de Genève

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