

OHCHR INTERVENTION: FIRST INFORMAL THEMATIC SESSION OF THE GLOBAL COMPACT ON SAFE, ORDERLY AND REGULAR MIGRATION

Excellencies, ladies and gentlemen,

We are delighted that the discussions of the global compact on safe, regular and orderly migration are beginning with a conversation on the human rights of all migrants. This is as it should be.

Because, if we are to be true to the terms of the New York Declaration, then the Universal Declaration of Human Rights, the nine core international human rights treaties, and all associated norms and standards, must provide the foundation upon which the global compact is built.

Simply put, all migrants are entitled to the full range of human rights guaranteed under these universal instruments. And this essential fact must not be lost sight of in our discussions over the next two years.

To be clear, these legal standards are not mere abstract principles. Rather, they provide authoritative benchmarks for the development of meaningful and practical commitments for action.

Indeed, the OHCHR-led Global Migration Group *principles and guidelines*, which have been mentioned by a number of our panellists today, demonstrate precisely how states and other stakeholders can operationalise existing human rights commitments in order to make migration safer and more rights-respecting, particularly for migrants in vulnerable situations.

They were developed precisely to advance our collective work toward a migration compact that is both principled and practical.

But this is not about including nice words in preambles. We will have failed if at the end of these two years a compact is developed that makes only a rhetorical show of support for human rights norms and standards, while at the same time permitting, enabling – or even encouraging - measures that will jeopardise this framework in practice.

Respecting, protecting and fulfilling human rights in the context of migration is the right thing to do. But it is also the only way to do things right.

Concrete measures such as replacing immigration detention by community-based alternatives to detention, implementing firewalls to protect the access of all migrants to health, education and housing services, countering bigotry in all its forms, and sanctioning those who commit violence and incite hatred against migrants will ultimately be of benefit to host societies as well as migrants.

And *how* we develop this compact is as important as what we deliver at the end of the process. This means integrating human rights across all parts of the compact.

The next two days must not be the end of the conversation on human rights in the global compact. Instead, an explicit human rights thread should run through the entire process.

What's more, the compact process should continue to ensure a participatory and multi-stakeholder approach throughout, in keeping with the promise of the New York Declaration.

First and foremost, we must hear from migrants themselves; their voices, their stories, fears, and aspirations, and their ideas must be front-and-centre throughout the compact process.

And a truly participatory and inclusive process must ensure that the considerable expertise of the human rights system, including that of the independent human rights mechanisms, is meaningfully included in the consultation phase and beyond.

A whole-of-system approach will recognize the complexity of modern migration, and enlist the capacities of entities across the international system- including the protection agencies.

And a truly law-based approach will reject the ubiquitous "wall" of knee-jerk securitization, and will instead situate the solutions of the compact within the authoritative parameters of international human rights, refugee, labour, and humanitarian law.

Excellencies, ladies and gentlemen, it is right that the migration challenge has come home to the United Nations, the Organization founded to generate norm-based solutions to global challenges.

The Organization that recognizes that "all human beings are born free and equal in dignity and rights"—regardless of their immigration status.

I thank you.