

HUMAN RIGHTS PROTECTION IN THE CONTEXT OF LARGE MOVEMENTS OF MIGRANTS AND REFUGEES

Side-event on the margins of the United Nations Summit for Refugees and Migrants

20 September 2016 | 10:00-13:00 | Room 12 | UN HQ New York

Concept Note

Background

In recognition of the growing global phenomenon of large-scale and precarious movements of women, men and children, in August 2016 the United Nations Member States agreed by consensus on a set of robust commitments to address large movements of refugees and migrants, and steps towards the achievement of a Global Compact on Refugees and a Global Compact for Safe, Orderly and Regular Migration.

The New York Declaration for Refugees and Migrants to be adopted on 19 September includes principled commitments to fully protect the human rights of all refugees and migrants as rights-holders, regardless of their status, and to devise comprehensive responses to large-movements that will demonstrate full respect for international human rights law and relevant standards.

Recognizing that the drivers for today's large-scale and precarious movements are multiple and intertwined and that refugees and migrants face many common challenges and have similar vulnerabilities, the political declaration includes a commitment to address the special needs of people in vulnerable situations in the context of large movements in accordance with obligations under international law.

The Secretary-General has also stressed that with the necessary political will, the international community will be able to ensure responses to large movements of people that are grounded in shared values of responsibility-sharing, non-discrimination, and respect for human rights.¹

Every woman, man and child in today's large-scale, irregular and precarious movements is a rights-holder, entitled to specific protection of their human rights, whether due to inherent characteristics (children, women at risk, persons with disabilities or older persons) or due to circumstances that they encounter in countries or origin, in transit, and at destination.

Yet, knowledge of the standards of human rights protection to which migrants in vulnerable situations moving in large numbers are entitled, and how States can operationalize these standards in practice, has been revealed as a significant gap.

On the margins of the 19 September General Summit for Refugees and Migrants, the Office of the High Commissioner for Human Rights (OHCHR), the Platform for International Cooperation for Undocumented Migrants (PICUM) and the Centre for Trust, Peace and Social Relations (CTPSR) are organizing a side-event on ***Human Rights Protection in the context of large movements of migrants and refugees.***

The event is organized in collaboration with the Special Rapporteur on the Human Rights of Migrants and co-sponsored by the Government of El Salvador and Argentina.

Scope of the meeting

¹ Secretary-General report *In Safety and Dignity: Addressing Large Movements of Refugees and Migrants*, A/70/59, April 2016

The side-event aims to engage in a multi-stakeholder discussion on a range of issues related to the human rights protection of migrants and refugees in the context of large movements. The discussion will be informed by the conclusions of three multi-stakeholder meetings on the same topic organized in New York and Geneva by OHCHR and PICUM, in collaboration with the Special Rapporteur on the Human Rights of Migrants, in preparation for the 19 September United Nations Summit for Refugees and Migrants.

Participants will be informed about the development of set of *Principles and practical guidance on the human rights protection of migrants in vulnerable situations and within large movements* led by the Global Migration Group (GMG) Working Group on Human Rights and Gender Equality.²

The side-event will also present recent findings of the Mediterranean Migration Research Programme (MEDMIG) research project which is led by the Centre for Trust, Peace and Social Relations (CTPSR) and explores the dynamics underpinning the recent migration across, and loss of life in, the Mediterranean.³

The main objectives of the discussion are to:

- Build common understanding around the protection of the human rights of migrants and refugees within large movements in order to promote and enhance the primacy of human rights during the United Nations Summit for Refugees and Migrants, as well as the negotiations for adopting Global Compacts on Refugees and Migrants.
- Explore the human rights protection gaps faced by people in vulnerable situations in the context of large movements, and the human rights-based responses needed to ensure their protection.
- Present the development of a draft set of *Principles and practical guidance on the human rights protection of migrants in vulnerable situations and within large movements*, and explore how this tool can better assist States and other stakeholders in regard to the development, strengthening, implementation and monitoring of measures to improve protection for migrants in vulnerable situations.
- Shed light on the dynamics (determinants, drivers and infrastructures) underpinning the recent migration across, and loss of life in, the Mediterranean, including the needs, fear and aspirations of refugees and migrants themselves.
- Identify possible ways forward, including in relation to the Global Compacts on Refugees and on Safe, Orderly and Regular Migration.

Event details

Date: 20 September 2016

Venue: Room 12, United Nations HQ New York

² The draft New York Declaration for migrants and refugees takes note of the work done by the Global Migration Group (GMG) to develop principles and practical guidance on the protection of the human rights of migrants in vulnerable situations, and commits to consider developing non-binding guiding principles and voluntary guidelines, consistent with international law, on the treatment of migrants in vulnerable situations (especially unaccompanied and separated children) who do not qualify for international protection as refugees and who may need assistance. These guiding principles and guidelines will be developed using a State-led process with the involvement of all relevant stakeholders and with input from the Special Representative of the Secretary General on International Migration, IOM, OHCHR, UNHCR and other relevant UN entities (paras. 3.11-3.12). In addition, the Secretary-General report A/70/59 calls on States to build on the Principles and practical guidance developed by the GMG to improve protection and assistance for migrants in vulnerable situations, and to consider using them in the development of the Global Compact on Migration, and (paras. 91 and 118). Furthermore, in Resolution A/HRC/32/14 the Human Rights Council asked the High Commissioner for Human Rights, as co-chair of the GMG Working Group on Human Rights and Gender Equality, to continue to develop these Principles and practical guidance and to report thereon to the Council's 34th session (para. 14a).

³ MEDMIG is an ESRC-DfID funded research project undertaken led by the Centre for Trust, Peace and Social Relations at Coventry University, in collaboration with the University of Birmingham (UK), the University of Oxford (UK), ELIAMEP (Greece), FIERI (Italy), People for Change Foundation (Malta) and Yasar University (Turkey). More information about the project can be found at www.medmig.info

Time: 10:00 – 13:00

Participants

Moderator

- Mr. Craig Mokhiber, OHCHR

Opening remarks

- H.E. Ambassador Ruben I. Zamora, Permanent Representative of El Salvador to the United Nations
- H.E. Ambassador Martín García Moritán, Permanent Representative of Argentina to the United Nations (tbc)

Panelists

- Mr. Zeid Ra'ad Al Hussein, High Commissioner for Human Rights (tbc)
- Ms. Lakshmi Puri, Assistant Secretary-General and Deputy Executive Director UN Women and co-chair of the Global Migration Group Working Group on Human Rights (tbc)
- Mr. François Crépeau, UN Special Rapporteur on the Human Rights of Migrants (tbc)
- Mr. Anastasia Crickley, Chair, UN Committee on the Elimination of Racial Discrimination (CERD) (tbc)
- Professor Heaven Crawley, Principal Investigator, Mediterranean Migration Research Programme (MEDMIG)
- Mr. Jason Cone, Executive Director, Médecins Sans Frontières/Doctors Without Borders (tbc) or Ms. Catherine Tactaquin, National Network for Immigrant and Refugee Rights (NNIRR) and Women in Migration Network (tbc) (other options ACLU or IFRC)

Closing remarks

- Ms. Michele Levoy, Director, Platform for International Cooperation on Undocumented Migrants, PICUM