



## **Forced returns of migrants must be suspended in times of COVID-19**

*Statement by the United Nations Network on Migration*

**Geneva, 13 May 2020**

The United Nations Network on Migration is concerned by reports of States in many regions using forced return of migrants as a measure in response to COVID-19. The Network calls on States to suspend forced returns during the pandemic, in order to protect the health of migrants and communities, and uphold the human rights of all migrants, regardless of status. Successfully tackling the pandemic cannot be achieved without upholding human rights.

When temporary border closures and movement restrictions are deemed necessary to prevent the transmission of COVID-19, they must be implemented in a way that is non-discriminatory and proportionate to achieving the public health aim pursued. Such closures should incorporate health protocols and processes to guarantee fundamental rights at all times.

Keeping everyone safe means ensuring that no-one faces the risk of refoulement by being returned to places where their life, safety or human rights are threatened. It means that collective expulsions, such as arbitrary pushbacks of migrants and asylum-seekers at borders, must be halted; that protection needs must be individually assessed; and that the rule of law and due process must be observed. It also means prioritizing protection, including every child's best interests. These are obligations in international law that can never be put on hold and are vital to any successful approach to combatting COVID-19 for the benefit of all.

Forced returns can intensify serious public health risks for everyone – migrants, public officials, health workers, social workers and both host and origin communities. Forced returns place additional strain on countries of return. Many health systems are already stretched and lack capacity to protect returnees and their communities, including through testing upon arrival and quarantine and self-isolation measures that preserve family unity and ensure the best interests of children. Returnees may face additional risks during transfer and upon return, such as lack of access to adequate health care, poor water and sanitation systems, halted ground transportation, additional restrictions on movement and violent discrimination and stigma in communities of return. In some contexts, returned migrants and asylum-seekers may also be at risk of experiencing protracted displacement, trafficking in persons, and extreme financial hardship with increases to already high levels of unemployment due to COVID-19.

The United Nations Network on Migration recalls the commitments made by States in the Global Compact for Safe, Orderly and Regular Migration to uphold the human rights of all migrants, regardless of migratory status, and to improve migration governance, including by cooperating to save lives and to keep migrants out of harm's way. Using this framework for collective action to guide immigration practices during the pandemic, the Network urges States to advance Objective 21 of the Global Compact for Migration by guaranteeing due process and upholding the prohibition of collective expulsion and of returning migrants when there are foreseeable risks to their human rights.



The Network reiterates the Secretary-General's recent call to alleviate situations of vulnerability for individuals living outside their country of origin in the context of COVID-19, including by granting temporary residence to migrants and imposing a moratorium on deportations and other forced returns.

Many governments have set positive examples to ensure that migrants are included as part of their comprehensive response to COVID-19. These include temporarily suspending forced returns and providing visa and work permit extensions, temporary residence or other forms of regular status; as well as releasing people from immigration detention and finding safe, non-custodial alternative accommodations for them in the community rather than seeking their deportation.

The United Nations Network on Migration stands ready to support States in replicating, adapting and expanding these good practices – in line with the commitments set out in the Global Compact for Migration – that will contribute toward the realization of the rights of all migrants, regardless of status, while protecting everyone's health.

*The United Nations Network on Migration was established to ensure effective, timely and coordinated system-wide support to Member States in their implementation, follow up and review of the Global Compact for Safe, Orderly and Regular Migration. While the Network's mandate is focused on migration and provides the context in which this statement has been written, the Network calls on States to also implement these recommendations where they apply to refugees and asylum-seekers and to protect the human rights and health of everyone equally, regardless of migration status.*

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