

**First Regional Review of the Global Compact for Safe,  
Orderly and Regular Migration in the UNECE region<sup>1</sup>**

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**Intervention by**

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Excellencies, ladies and gentlemen,

It is a pleasure to join you today for the first Regional Review of the Global Compact for Safe, Orderly and Regular Migration.

The High Commissioner for Human Rights has welcomed the Global Compact for Migration as a commitment to improve migration governance by putting the dignity and human rights of migrants at the centre. Indeed, the Global Compact provides a principled roadmap to ensure the effective respect, protection and fulfilment of migrants' human rights, as stipulated in its paragraph 12. By implementing the Global Compact, we have a unique opportunity to advance the Sustainable Development Agenda as well, by fulfilling the commitment to leave no one behind and reaching the furthest behind first. This is an opportunity we cannot miss.

The regional reviews of the Global Compact are coming at a critical time. The COVID-19 crisis has shed light on structural inequalities and exacerbated many pre-existing human rights challenges faced by migrants. At the same time, many migrants have been and continue to be frontline workers in the struggle against the pandemic, often at great risk for their own health.

If the pandemic has taught us one thing, it is how inter-connected we are and how much we depend on each other for our health and well-being. The COVID-19 pandemic demonstrates that only measures that protect the human rights of all people are effective. Similarly, it shows us that no State can address global, cross-border issues on its own, which underscores the need for international and regional cooperation.

The principles that the COVID-19 pandemic is urging us to embrace, namely the people-centred approach, the centrality of human rights to our collective well-being, and the need for international cooperation, are precisely the principles that inspired and guided the Global Compact for Migration.

In times of COVID-19, the Global Compact constitutes a powerful framework to recognize migrants as essential partners in our collective response, and to develop inclusive public health, socioeconomic and protection responses.

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<sup>1</sup> <https://www.unece.org/oes/nutshell/ecemap.html>

We welcome countries that are taking concrete action to reduce risks and vulnerabilities faced by migrants in the context of the pandemic, precisely in the direction that the Global Compact prescribes. We have seen Ireland provide migrants, regardless of status, with access to COVID-related healthcare services.

We have seen Portugal and Italy extending visa and residence permits to avoid migrants falling into an irregular status. We have seen Spain and Belgium deciding to create alternatives to immigration detention. And we have seen Bulgaria, Denmark, Lithuania, Russia, Canada suspend forced returns.

Excellencies, ladies and gentlemen,

Objective 1 of the Global Compact talks about data collection and evidence-based policies. But, from experience around the world, we also know that the most effective policies are those that are implemented in a participatory and inclusive manner. We therefore welcome the creation by the European Commission of an expert group of migrants to collect their views on integration policies.

This Regional Review comes as EU Member States are negotiating a new EU Pact on Migration and Asylum. Even though a number of countries did not adopt the Global Compact, we still hope that the EU institutions and member States will be guided by its content and spirit as they engage in negotiations on the proposed EU Pact. The Global Compact commitments can meaningfully guide deliberations on the identification, screening, referral and assistance to migrants in vulnerable situations; on establishing independent human rights monitoring; on ensuring that returns are safe and dignified, and that reintegration is sustainable.

In Objective 3 of the Global Compact, States committed to providing accurate and timely information at all stages of migration. The proposed EU Pact on Migration and Asylum provides pre-entry screening for all third-country nationals who cross the EU border without prior authorization. The accelerated border procedure will take up to 10 days, during which it is determined if a migrant is relocated or returned immediately. It is unclear if and how access to information, legal aid and medical care will be guaranteed during the pre-entry screening procedure.

The proposed EU Pact also adopts a binary approach between asylum or return, which implies that everyone who is denied asylum should be immediately returned. The spirit of the Global Compact, however, calls for a fair procedure that allows migrants to avail themselves of other procedures for regularisation that may exist in the national legislation of an EU member State. For instance, more than half of EU member states provide a temporary residence permit on medical grounds; at least five countries have legislation granting special permits for undocumented victims of domestic violence; and at least eight countries have regularisation mechanisms for children, young people or families. How will migrants be able to access these procedures?

Let me move to objective 7 of the Global Compact, namely to address and reduce vulnerabilities in migration. It is important to clarify that the term ‘vulnerability’ does not imply an inherent weakness on the part of the person. Vulnerability as well as the risk of violating the principle of non-refoulement need to be assessed through an individualized process.

It is also important that migration policies do not make vulnerabilities worse. For example, while we welcome that the proposed EU Pact stipulates that the best interests of the child shall be a primary consideration, that increased resources for guardians for unaccompanied children are foreseen, and non-discriminatory access to education granted, we regret that the proposed EU Pact does not uphold the definition of a child as set out in the Convention on the Rights of the Child, as it limits child-specific safeguards only to children under 12 years of age instead of 18 years old.

I would like to refer to the publication *Principles and Guidelines on the Human Rights Protection of Migrants in Vulnerable Situations*, developed under the leadership of our office to assist States with the design, implementation and monitoring of measures to protect the human rights of migrants in vulnerable situations. The tool covers how to reduce vulnerabilities in the context of rescue and immediate assistance, as well as border governance, human rights based return, alternatives to immigration detention and human rights monitoring. As you may know, the Global Compact encourages States to draw on this tool to inform the delivery of a human rights based Global Compact. We believe that it could also usefully inform discussions on the new EU Pact on Migration and Asylum.

Some promising practices are being implemented by States in the UNECE region to address situations of vulnerability. Canada has for instance introduced an ‘open work permit for workers in vulnerable situations’, so that migrants can leave an abusive employment situation without jeopardizing their authorization to work. We have also mapped promising local practices by cities and regions in 8 EU countries to ensure migrants’ access to health. These promising practices include regulations that allow irregular migrants to register with general medical practitioners; municipal medical centres that provide migrants with treatments that they cannot access through the national system; or reimbursement schemes for medical practitioners attending to undocumented migrants. While these practices are motivated by the desire of local authorities to uphold human rights, in particular the non-discrimination principle, they also tend to be driven by the very practical public health consideration that it is in the interest of the community as a whole that everyone is healthy.

In objective 17 of the Global Compact States committed to eliminate all forms of discrimination, xenophobia and intolerance against migrants and asylum-seekers. We still have a lot to do in this area. I would like to take but one example, that of the Roma living outside their country of nationality. Our office has documented forced evictions of Roma migrants, often interrupting the schooling of children in violation of international human rights law.

We hope that the new EU Framework for Roma Inclusion and Participation will lead all countries in Europe to seriously address homelessness and housing segregation of Roma

women, men and children and proactively tackle prejudice and intolerance against the Roma which unfortunately remains widespread across the continent.

Excellencies, colleagues,

Objective 17 also calls for a more realistic, humane and constructive public discourse on migration. Political leaders carry a special responsibility, since they have the power to shape the debate and to shift public opinion, either positively or negatively. Some political leaders relentlessly scapegoat migrants for electoral gain rather than promoting dignity and dialogue. In some countries, hatred has penetrated mainstream politics. If we want to make objective 17 a reality, it is essential that political leaders refrain from hate speech and speak out firmly and promptly against it.

On International Migrants' Day, our office will launch an online toolbox based on [\*Seven key elements on building human rights-based narratives on migrants and migration\*](#). This toolbox offers ideas, actions and inspiration on how to create hope- and values-based narratives on migration.

As part of this project, we have been working with civil society partners in Poland, Spain and Belgium to amplify positive stories of migrants and communities. Short videos on social media highlight how we are all connected and depend on each other no matter where we come from. They lay testimony to our common humanity and that caring for each other and respecting everyone's rights leads to better outcomes for all.

We hope our toolbox will encourage and empower more people to stand up for migrants' human rights and that States and regional organizations that have not yet done so will join in the effort.

Excellencies, colleagues,

For too long, State responses to migration have frequently been uncoordinated and unilateral. For too long, they are failing to see migrants as fellow human beings. For too long, they have failed to uphold the safety, dignity and rights. The Global Compact for Migration provides another path forward – a path of cooperation, solidarity and respect for human rights. It recognizes that migration is a cross-border phenomenon that no State can govern alone. Actions taken by one government will necessarily affect others, both regionally and globally.

Therefore, we cannot hope to address migration in all of its dimensions without stepping up international and regional cooperation. We strongly encourage States and the European Union to draw on the Global Compact in their policies and practices and to maximize synergies with ongoing processes, like the new EU pact on Migration and Asylum, which I already mentioned, but also the EU – Africa Strategy and the renewed EU partnership with the Southern Neighbourhood.

Europe has a solid architecture and the means to live up to the ambitions of the Global Compact, with strong regional organizations – the EU, the Council of Europe and the Organization for Security and Cooperation in Europe –, strong regional human rights protection mechanisms, independent national human rights institutions and equality bodies in many countries, not to mention a vibrant civil society and media. European countries should leverage multi-stakeholder forums, policy tools and funding to translate the objectives of the Global Compact into concrete actions.

The UN Human Rights Office is committed to supporting regional organizations and States in this endeavor. Thank you.