

STATEMENT

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**“Enhanced interactive dialogue on the human rights of migrants
in the context of large movements”**

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INTRODUCTION

This Enhanced Interactive Dialogue on the Human Rights of Migrants in the Context of Large Movements is crucial, at a time when the international community is concerned at the large and growing number of migrants in dire, terrible situations -- where their human dignity is simply denied. Children, women and men, elderly, people, migrants who are human beings, not underdogs or under-humans.

Yet, in today's world, most migrants travel, live and work in unsafe, unequal, discriminatory, inhumane conditions -- in short, unacceptable with regard to human dignity.

Irregular migration routes around the globe are incredibly risky and dangerous. Migrants go through deserts, seas and mountains, many of them losing their lives or disappearing en route (almost 20,000 migrants are known to have died since 2014, however many more are not even accounted for), many of them victims of abject crimes such as kidnapping and extortion, physical violence, sexual abuse, forced labour and trafficking. Equally, discrimination, exploitation, racism and xenophobia continue to be realities in countries of destination.

In this context, allow me to highlight three main points:

1. **Human rights apply to all:** the benefits of migration for host societies, States, migrants and humanity, can only be achieved if migrants' rights are protected – because migrants represent a large proportion of our humanity; currently at least 1 out of 7 persons is a migrant.
2. **The legal framework already exists. It is vast, detailed and relevant. No need to devise a new framework.**
 - a. *The rights of migrants are set out in legally binding treaties* which have been subject to extensive negotiations before adoption and which all establish a framework which legally protects all individuals from having their rights violated and legally creates a space in which the individual and societies can prosper and be safe.

- b. The rights of migrants are also protected in *transnational criminal law* (includes provisions to address criminal actions related to migration, particularly the United Nations Convention against Transnational Organized Crime and its Protocol against Smuggling of Migrants by Land, Sea and Air, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.) and *international labour law*, etc.) but also the *law of the sea*, *international humanitarian law*, *standards on consular protection*, etc.
3. What is needed is the **effective protection of the human rights and fundamental freedoms of all human beings, including migrants, regardless of their migratory status** [*as stated in item (i) of Annex II of the New York Declaration*].
 - a. This means ensuring that existing human rights frameworks are adequately implemented across the board.
 - b. With the New York Declaration, and then the Global Compact, States are demonstrating a willingness to better implement that legal framework and to address issues linked to migration, with a rights-based approach that IOM encourages and applauds.
 - c. For its part, IOM is supporting this cause by adopting, promoting and implementing the Migration Governance Framework, to support States in articulating what it means to promote the rights of migrants in concrete terms. IOM's MiGOF recognizes that all migration governance must be firmly anchored in existing international and regional law and standards.

CONCLUSION

Rights are not opposed to security, on the contrary: respect for and enforcements of rights -- for everyone -- is at times portrayed as opposed to security and opposed to law enforcement. The reality of the matter is that law enforcement is supposed to protect everyone's rights, and the rule of law is reaffirmed when rights are respected. If rights are not respected and enforced, the rule of law is failed and loses its purpose. **The protection of rights of all, including migrants, ultimately safeguards the rule of law, and the security of all.**