



High-Level Dialogue on Responding to large movements of refugees and migrants: Human rights protection, Labour market options and a Global Compact for migration

20 July 2016 | 13:00 – 15:00 | PDR 1-3 Delegates Dining Room
United Nations HQ New York

Opening remarks

**Permanent Representative of Switzerland to the United Nations
Ambassador Jürg Lauber**

Excellencies,

Ladies and gentlemen,

I would like to join the Foreign Secretary of Bangladesh in giving you all a warm welcome to this meeting. The main aim of today's meeting is to assemble a number of relevant aspects that should be incorporated in the outcome of the *UN High Level Meeting on large movements of refugees and migrants* on September 19th. I would like to focus my brief intervention on raising the profile of the human rights of migrants in vulnerable situations.

Migration has always been a strategy for individuals and their families to overcome poverty, escape conflicts, react to economic and environmental shocks and strive for a more prosperous future. It is an integral part of human history and a force that has shaped societies around the world. Almost 250 million people are currently international migrants – many more have migrated within national borders. In the 2030 Agenda we have acknowledged the important contribution of migrants to inclusive growth and sustainable development – we have committed to facilitate safe, regular and orderly migration involving full respect for the human rights and the humane treatment of migrants, regardless of their status, of refugees and of displaced persons. The reality on the ground in all regions of the world is however a stark reminder that we are far from achieving this goal and that “business as usual” will not bring us any closer.

The protection and promotion of the human rights of people on the move has to be at the center of our national and international efforts. For many migrants the journey towards their intended destination is increasingly dangerous. Protection needs are omnipresent at all stages of the

journey and may also change in the course of it. In these precarious situations, movement is rarely 'voluntary' in the true sense of that term. Refugees fleeing persecution and conflict find themselves together with migrants fleeing poverty, discrimination and despair on the same migratory routes. In our view, it is clear: There are not two different kinds of people – those 'deserving' and those 'undeserving'. They are all human beings, endowed with fundamental rights, including the right to be protected.

In fact, the majority of the people on the move today fall outside the well-established protection regime because they are not recognized as refugees in accordance with the refugee law provisions. As a consequence, the protection of these people, particularly those in vulnerable situations, remains one of the most significant gaps in global migration governance.

Over the last years, we have reached a strong consensus that human rights of all migrants, regardless of their migration status, must be respected, protected and fulfilled. The question, however, still remains on how to better implement these rights. Many migrants in vulnerable situations are in dire need of specific intervention to uphold these human rights. There is a clear need for more guidance on how these norms and standards can be operationalized in practice.

Against this background, we are here today to discuss the initiative of the GMG Working Group on Human Rights and Gender Equality, on developing the so-called "*Principles and Practical Guidance on migrants in vulnerable situations within large and/or mixed movements*". The document here presented is the result of fruitful discussions at a multi-stakeholder meeting held in Geneva on June 1st, and I am delighted that we gather here today in New York to take forward the discussions on the human rights of migrants while enabling a successful exchange between these two important UN Headquarters.

Switzerland values this initiative as an important contribution in view of the *UN High Level Meeting* as well as with regard to the process and discussions that will follow after September 19th.

Already a few years ago, Switzerland and like-minded stakeholders started to engage in various initiatives focusing on the specific vulnerabilities of migrants, including, for example, the Nansen Initiative and its successor, the Platform on Disaster Displacement. Additionally, Switzerland is also part of the Migrants in Countries in Crisis (MICIC) Initiative as a member of the Group of Friends. Building on the model of Nansen and MICIC and inspired by the work done by OHCHR and its partners such as PICUM and the Special Rapporteur on the Human Rights of Migrants, we do have the elements to respond to the call by the UN Secretary General to initiate a state-led, consultative process to improve protection and assistance for migrants in vulnerable situations.

Ladies and gentlemen,

Recalling the words of the former High Commissioner for Refugees, Antonio Guterres, at the last GFMD in Turkey – and I quote – "*Only in a world where migration can be legal and can take place in a human rights framework, only in a world like that can refugee protection truly be possible*" – end of quote. Protecting the human rights of migrants in vulnerable situations is also a way of ensuring the protection space for refugees. The realities of migration and forced

displacement are intertwined and yet distinct with regard to the legal framework. It is therefore essential that the Political Declaration of the UN Summit reiterates the centrality of the 1951 Geneva Convention and its 1967 Protocol, thereby upholding the principle of non-refoulement and the right to seek asylum. But it should also acknowledge the need to better protect migrants in vulnerable situations that do not fall under the protection regime of the Geneva Convention. It is in our hands to ensure that the UN Summit will bring us closer to the aspiration of leaving no one behind; will allow us building multi-stakeholder alliances to implement the commitments we will take; and will lay the groundwork for a rights-based, well-coordinated and comprehensive approach to address migration and forced displacement globally.

Ladies and gentlemen,

I would like to thank you all for your participation in today's meeting and your openness to dialogue. I wish you an inspiring meeting and look forward to continuing our mutual cooperation.

Thank you.