Agenda

OHCHR-GAATW Expert Consultation on
Human Rights at International Borders: Exploring Gaps in Policy and Practice

22-23 March 2012
Room RS-181, Salon des Dames, Palais Wilson
Geneva, Switzerland

DAY 1 22 MARCH

09.30-10.0 Welcome and Introduction

- Mr Craig Mokhiber, Chief, Development and Economic and Social Issues Branch, Office of the High Commissioner for Human Rights (OHCHR)

10.00-10.45 Session 1: Tour de table and setting the scene

- Eleanor Taylor-Nicholson, Global Alliance Against Traffic in Women (GAATW)

This session will introduce the participants and discuss meeting expectations, the key concepts contained in the background paper and the methodology of the meeting (Chatham House rules).

10.45-11.0 Break

11.00-13.00 Session 2: Reception and detention

- Victoria Nwogu, GAATW Board Member
- Jyothi Kanics, UNICEF
- Prof Francois Crepeau, UN Special Rapporteur on the Human Rights of Migrants
- Grant Mitchell, International Detention Coalition
- Discussant: Eleanor Acer, Human Rights First

This session will begin an analysis of the various human rights issues that arise at international borders. It will focus on issues related to reception of migrants, including discrimination and violence, as well as the various human rights concerns raised by detention at borders. The following questions could guide the discussion:
What are concerns surrounding the identification of migrants in need of human rights protection, including in relation to vulnerable groups?

How can migrants be protected from discrimination and violence at international borders?

What is the situation in regard to sharing of personal data by border security agencies of governments and regional organizations?

What is the situation in regard to detention in airports or other ‘transit-zones’?

What are alternatives to administrative detention at borders?

13.00-14.00  Lunch

14.00-16.00  Session 3: Interception and deportation

- Guy Goodwin-Gill, University of Oxford
- Duco van Heel, FRONTEX
- Jamil Dakwar, American Civil Liberties Union
- Elspeth Guild, University of Nijmegen

- Discussant: Laurie Berg, University of Technology, Sydney

This session will continue on to look at issues related to interception and deportation of migrants at international borders, including the issue of non-refoulement and extraterritorial responsibility, identification and status determination procedures, and protections against collective expulsion. The following questions could guide the discussion:

What are human rights obligations in the context of interception at sea, land and air borders?

What are specific responsibilities in relation to rescue at sea? What are human rights concerns in the context of push-backs at land borders?

What has been the role of the anti-smuggling framework in defining roles and responsibilities in relation to interception and deportation? What are some human rights concerns in this regard?

16.00-16.15  Coffee break

16.15-18.00  Session 4: Migrants in humanitarian distress

- John Bingham, International Catholic Migration Commission
- Kristina Touzenis/Paola Pace, International Organisation for Migration

- Discussant: Prof. Niels Frenzen, University of Southern California

This session will explore the humanitarian situation of migrants at international borders. The following questions could guide the discussion:
What is a definition of humanitarian distress and what are specific obligations in respect to the rights of migrants in distress either on land or at sea?

When is medical care obligatory and under what conditions? What about rights to food and water? Does the right to health include a right to medical care, water or food to migrants in distress? What are the obligations in respect of vulnerable groups of migrants, including children?

DAY 2 23 MARCH

09.00-10.30 Session 5: Identifying gaps

- Adriano Silvestri, EU Fundamental Rights Agency
- Mark Neville, Parliamentary Assembly of the Council of Europe
- Tanya Norton, Association for the Prevention of Torture

- Discussant: Jakob Schneider, Secretariat of the Committee on Migrant Workers

This session will present some recent research and analysis, as well as meetings and multilateral discussions on issues related to human rights at borders, in an effort to identify gaps in the normative framework as well as gaps in the implementation of this framework at international borders.

10.30-10.45 Coffee break

10.45-13.00 Session 6: Ways forward

- Mike Dottridge, independent consultant
- Guillermo Reyes, Permanent Mission of Mexico to the UN, Geneva
- Anja Klug, United Nations High Commissioner for Refugees
- Pia Oberoi, Migration Advisor, OHCHR

- Discussant: Massimo Frigo, International Commission of Jurists

This session will explore ways to take this issue forward, including in the context of the Human Rights Council, the Global Forum for Migration and Development, and other fora at the regional and international levels. OHCHR and GAATW would welcome concrete suggestions for ways forward in this session, which will also be guided by the background paper.

13.15 Lunch (optional)