**First informal interactive multi-stakeholder hearing**

**Preparatory process for the global compact for safe, orderly and regular migration and the intergovernmental conference on international migration**

**26 July 2017**

**Trusteeship Council Chamber, UNHQ New York**

**Moderator’s opening remarks (4 minutes)**

Excellencies, dear colleagues,

It is my pleasure to moderate the opening session of the first interactive multi-stakeholder meeting of the global compact on migration. It is fitting that this first session is focused on ‘the human rights of all migrants’, because indeed the human rights of all migrants must form the heart of this global compact. The New York Declaration has definitively moved us beyond the question of whether or not human rights apply to the global discussion on migration – to a discussion of how human rights are to be upheld.

And, as we look at events around the world, we realise the importance of a strong political consensus on this issue.

Messages of xenophobia have increasingly permeated political movements, media and other forms of public discourse in many countries, resulting in a climate of rising violence against migrants as well as minorities associated with migration, fuelled in some cases by government policies and practices. Foreigners are easy scapegoats for deep-seated fears about terrorism and security, crime, unemployment, the viability of welfare systems and other aspects of globalization; the complex structural factors that shape our lives.

But we know that the reality is different; that migrants tend to complement rather than compete with citizens in the labour market, generating greater overall productivity; they tend to commit fewer crimes than native-born populations; and they contribute more in taxes and social contributions than they receive in benefits.

The real promise of the global compact on migration is a chance to develop a new paradigm for migration governance. To ensure that the human rights of migrants and the deeply cherished values on which we build our societies constitute the basis on which to make migration policy, rather than ignorance, fear and hatred.

The movement of people across international borders dates back to the creation of borders themselves, and the need to facilitate, regulate and govern this movement has been a preoccupation ever since. The response of States to international migration is a complex process of cooperation externally, within governments, and within societies. We cannot hope to address the multidimensional issue of migration in a comprehensive and principled way without a whole-of-government, whole-of-society and whole-of-System approach.

While States have the sovereign right to determine their migration policies, it is important to remember that this right is constrained by the obligations that have been assumed by States – voluntarily and in exercise of their sovereignty - under international human rights law.

And international law is very clear that borders are not zones of exclusion or exemption from human rights obligations. To the contrary, States have a heightened duty of care for those migrants in vulnerable situations who will need specific protection interventions at borders.

States have an obligation to ensure that no person is returned to a place where he or she would be at risk of torture or other serious human rights violations, including enforced disappearance, serious forms of discrimination and arbitrary interference with the right to a family and private life.

And they have an interest in ensuring that returns are sustainable. When migrants are sent back to countries in which they face the same conditions that compelled them to leave, they will have nothing to return to, and no reason to stay.

In developing this global compact, we are not starting from scratch. The human rights framework, with the guidance of the human rights mechanisms at its core, has developed a robust set of tools on migration and human rights for States to draw on and incorporate into the global compact. Together with our sister agencies in the Global Migration Group, OHCHR has developed a set of principles and practical guidance on the human rights protection of migrants in vulnerable situations.

For people who are poor and marginalised, who have no other real choice than to embark on perilous movements, because of what the face in their country of origin or what they encounter en route, migration is always risky, and it is often dangerous and discriminatory. Indeed, for such migrants, their migration is often the opposite of what we hope to achieve through this global compact; it is not safe, it is not rights-respecting.

We must guard against any assumption that human rights protection considerations do not belong in the global compact on migration. Indeed both global compacts, on refugees and on migration, must keep human rights at their centre if they are to be true to the promise of the New York Declaration. We must not assume that some people, whatever their legal status, are ‘undeserving’ of rights.

(760 words)

Introduce panellists:

* Ms. Raísa Ortiz Cetra, Member of the International Work Team, Centro de Estudios Legales y Sociales Asociación Civil
* Mr. Marc Schenker, Professor, University of California, Davis
* Mr Dennis Sinyolo, Senior Coordinator, Education International

Interactive discussion from the floor