



STATEMENT FOR THE INFORMAL DIALOGUE WITH THE CO-FACILITATORS DURING THE THIRD THEMATIC CONSULTATION ON THE GLOBAL COMPACT ON MIGRATION

“International cooperation and governance of migration in all its dimensions, including at borders, on transit, entry, return, readmission, integration and reintegration”

Tuesday 20 June, 2017

Thank you, Co-Facilitators.

I am making this statement on behalf of the Congregation of Our Lady of Charity of the Good Shepherd and the Sisters of Mercy, Mercy International Association.

International cooperation and well-managed migration policies are vital to maximizing the positive benefits of migration and reducing vulnerabilities for people on the move. It is essential that these policies are human rights-based, and therefore universal, and applicable to all migrants, regardless of status. National security policies must never violate the security of the person, and should be designed to assist and protect migrants.

We commend the call in the Issues Brief for human rights instruments to be mainstreamed in policy-making at all levels; however, the Brief also notes that existing instruments have not always been effectively implemented. In an international framework for cooperation, border management policies must be human rights-based and gender and age-sensitive. Authorities, including border agents, police, military and other security forces, must be held accountable for human rights violations, including exploitation and corruption. All migrants, regardless of status, have the right to due process, including the right to an individual examination. Incorporated in this process, legal and language assistance should be available so that each migrant can make informed decisions. Authorities should not presume that women and girls are vulnerable or lack agency, while also giving adequate attention to specific needs relating to their situation.

Measures must be taken to provide all migrant women workers with safe, orderly and regular channels for migration that guarantee human rights, full labor rights and social protection for them and their families, including those in the informal sector. Channels must also be open to women migrating for other reasons, including education, family reunification, climate displacement, and fleeing from violence, including gender-based violence. Those who have experienced violence and trauma should be identified and their needs addressed in a way that ensures no re-traumatization.

Families should never be separated by policy enforcement, and children, including unaccompanied and separated children, should never be placed into detention or criminalized for their migratory status or that of their parents, in accordance with the best interest of the child. Disproportionate border measures, including the criminalisation of migration, the use of arbitrary detention and restrictions on freedom of movement, and forced returns negatively impact family unity; these measures are inconsistent with international law and lead to frequent violations of migrant rights. States must take steps to ensure that rights-based alternatives to detention—based on an ethic of care, not enforcement—are both enshrined in legislation and are implemented in practice.

Any policy concerning deportation and repatriation must ensure that the right to family life is affirmed. Return processes must be carried out in accordance with the principle of non-refoulement. Given the current global context of mass displacement, the human right to freedom of movement, including the right to leave any country must be foundational to any international migration policy.

Thank you.