



**Ms. Christine Matthews, Senior Policy Advisor
on behalf of the
Special Representative of the Secretary-General for
International Migration**

Remarks at International Dialogue on Migration

19 July 2017

Deputy Director Thompson, Excellencies, Distinguished Panelists, Ladies and Gentlemen.

Thank you for inviting me to speak today at the International Dialogue on Migration. I am honored to deliver the following remarks on behalf of the Special Representative of the Secretary-General, Ms. Louise Arbour.

Ms. Arbour spoke at the IDM in April of this year noting that, “Our task is formidable, and timelines are tight. But we are on the eve of harnessing the positives forces of human mobility and setting a new course for governance of international migration. Our efforts will be transformative for the lives of millions, our fellow human beings, our neighbours.”

We have moved forward quickly towards this end; towards better governance of international migration. Three of the six thematic sessions of the preparatory phase for the Global Compact on Migration have taken place. These included sessions on the human rights of migrants, drivers of migration, and governance. These discussions to date have highlighted many key areas of convergence which – together with the sessions to come, I am sure - will lay the ground work for the stock taking meeting in December, the zero draft of the Global Compact and the subsequent inter-governmental negotiations.

A key area of convergence, most relevant for today's discussion, continues to be the recognition that as human rights are universal and apply to all migrants, there is an interest of Member States “to ensuring the concrete implementation of human rights in practical terms, including respect, protection and fulfilment of fundamental human rights of undocumented migrants as well as of migrants in vulnerable situations”.¹ While the international legal framework does not provide for detailed protection measures applicable to all migrants, such as those provided for in the 1951 Refugee Convention, it nonetheless requires that appropriate measures be put in place to ensure, at a minimum, the right to life, liberty and security of migrants in need of protection. The New York Declaration, which 193 Heads of State and Government adopted last September, committed Member States to recognize and address, in accordance with their obligations under international law, the special needs of all

¹ Global compact for safe, orderly and regular migration First informal thematic session on “Human rights of all migrants, social inclusion, cohesion, and all forms of discrimination, including racism, xenophobia and intolerance”; 8-9 May 2017, United Nations Office at Geneva Co-facilitators' summary, page 9

people in vulnerable situations who are travelling within large movements of refugees and migrants.

While we continue to seek to define terminology around vulnerable migrants the heart of the matter is clear: whether we are speaking of vulnerable migrants such as unaccompanied children or victims of trafficking or we are speaking of migrants in vulnerable situations such as those abused by smugglers or abandoned on unseaworthy ships, all have specific needs that must be met in accordance with international law, particularly international human rights law.

We should avoid becoming bogged down in debates around definitions and terminology. While recognizing the legal distinction between refugees and migrants, it is evident that specific vulnerabilities requiring specific humanitarian and assistance responses, affect individuals in both groups irrespective of their legal status and of the reasons that propelled or compelled them to move.

It is equally evident that the existing legal frameworks, both national and international, provide sufficient basis for the protection of migrants who are vulnerable due to individual characteristics or due to circumstance. For migrants, while the basis for protection is clear, there are gaps in both the specificity of measures to be taken as well as in implementation. For refugees, the specific protection needs are addressed through the body of international refugee law and its domestic implementation. It is important to recognize that incomplete or inconsistent application of the relevant legal frameworks which results in gaps require more robust implementation, not new legislation.

In facilitating safe, orderly and regular migration the end goal - improved migration governance - will make significant progress toward preventing migrants from becoming vulnerable in the first instance and meeting the specific needs of those with existing vulnerabilities.

Only with improved migration governance can we ensure the integrity and effectiveness of the asylum regime, combat smuggling and trafficking, and tackle the exploitation and abuse of migrants. International cooperation aimed at increasing regular pathways for migration will, in turn, reduce the vulnerability of migrants. Better governance and international cooperation can reduce the drivers of irregular migration, provide alternatives to the resorting to risky journeys, mitigate the risk of exploitation of migrants and increase the ability of States and stakeholders to identify those most at risk, providing them with appropriate protection and assistance.

The Global Compact on Migration is an opportunity for States to develop a comprehensive framework for international cooperation on international migration, a framework that reconciles individual states' own responsibilities and interests with those of the international community more broadly. The success of the Global Compact on Migration will depend on effective international cooperation and political leadership.

The Compact provides a unique opportunity to address some of the gaps and shortcomings in the way states cooperate with one another on migration governance. In order to be effective in advancing cooperation and promoting good

governance, it will be important for the Global Compact to rest on agreed international commitments, including reflecting the people-centered spirit of the SDGs. The Global Compact should provide a practical road map on how to achieve the SDG target 10.7, “facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well managed migration policies”.

It should deal with all aspects of international migration, including development linkages, human rights protection, humanitarian needs and the institutional framework on migration more broadly. This framework will include cooperation between states but will also need the expertise and participation of non-governmental organizations, civil society organizations, academic institutions, parliaments, diaspora communities, the private sector, national human rights institutions, migrant organizations and migrants themselves. All have important roles to play.

In conclusion, we need collectively to strengthen the narrative – one which has the virtue of truth – that recognizes human mobility and diversity as a contribution to evolving societies and strong economies and devise a Global Compact in that spirit.

Thank you.