

UN Summit for Refugees and Migrants

Round Table on Addressing Vulnerabilities of Refugees and Migrants on their Journeys from Countries of Origin to Countries of Arrival

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There are a few essential truths that must frame any meaningful analysis of migrant vulnerabilities within these large or mixed flows.

First, everyone on the journey is vulnerable.

Everyone of them is a human being, with human rights.

Each, regardless of their status, is entitled to protection as a matter of international law.

And human rights attach to the person, and move with them, wherever they go.

When a crowded boat begins the perilous journey across the Mediterranean, or approaches the shores of Australia, or when a convoy of desperate human beings crosses the deserts of North America, the moral and legal challenge that this presents cannot be solved by seeking to divide human beings into groups of refugee and non-refugee, Christian and Muslim, black and white, rich and poor, deserving and undeserving.

Because as a matter of law—international refugee law, yes, but also international human rights law and international humanitarian law—the analysis of vulnerability, of rights, of obligations, does not stop at the 1951 Refugee Convention.

Regardless of the motives that each has for seeking to cross international borders, how they do so, or where they come from, they are entitled to protection.

And all states have binding legal obligations toward all migrants at all stages of their migration—at origin, transit, borders, and destination.

But just as human rights attach to the person, so too do certain vulnerabilities, which may have compelled them to leave home in the first place.

Some apply to whole populations, as a result of war, climate change, disasters, or shattered economies.

Others are particular, adding additional layers of vulnerability that flow from the status of the individual as a member of a minority, as a child, a woman or girl, a person with disabilities, an older person, an LGBTI person, a victim of sexual violence or trafficking, or as a persecuted human rights defender.

Still other vulnerabilities are created by the ill-conceived migration and border policies of countries themselves.

Ladies and gentlemen, human mobility is a natural and necessary human phenomenon and, while it ebbs and flows, it is eternal and as old as humanity itself.

And it should by now be self-evident that you will not succeed in staying the flow with walls and navies and border guards and barbed wire.

The evidence is clear: adopting ever-more restrictive immigration and border policies will not stop people from moving. It will only expose them to higher risks, feed the smuggling industry, and consume vital resources that would be better spent on meeting the needs and rights of these vulnerable people and the communities that host them.

The hard truth is that the only way to slow these large flows is to stop the persecution and discrimination, stop the bombs, stop the guns, stop the unfair trade deals, stop the burning of fossil fuels, implement the SDGS, and respect your international human rights obligations.

Because until you do, people will continue to move in their thousands—in their millions. And they will be right to do so.

Mothers will continue to put their children in leaky boats, fathers will continue to cross scorching deserts, people will continue to be exploited by smugglers, and to fall victim to traffickers.

Faced with hunger or persecution on one shore, rational human beings will take extraordinary risks to seek safety and dignity on another. I would too. So would you.

Delegates, ladies and gentlemen, let us also recognize today that people moving in pursuit of their human rights are not “economic migrants.”

When people are deprived of their human rights, whether civil, political, economic, social or cultural, they will seek to move to where these rights might be realized.

And let us be clear: no one can hope to realize her human rights in a refugee or migrant camp. Onward movement must therefore be expected, and accommodated.

There is another way. An approach based on evidence, rather than fear. On human rights rather than single-minded prohibition.

Indeed, working through the Global Migration Group, we have already shared with this Summit a draft set of principle and guidelines on protection of the human rights of migrants in vulnerable situations within large or mixed flows. We urge delegations to put them, and the international legal standards from which they are derived, at the centre of follow-up efforts in the wake of this Summit.

I thank you.