

Statement on behalf of the CoE – 71th ExCom
UNHCR – Geneva, 5-6 October 2020

Excellencies,

Ladies and Gentlemen,

Thanks Mr. Chair for the floor.

Allow me first to express my gratitude to High Commissioner Filippo Grandi for the invitation.

I was actually present in Geneva for the first two days of the session of the Executive Committee, but I had to come back to the Council of Europe headquarters in Strasbourg yesterday evening due to commitments here.

There is ongoing cooperation between UNHCR and the Council of Europe. I would like to recall the visit of the Secretary-General of the Council of Europe Marija Pejcinovic-Buric in Geneva in February this year, including a meeting with the High Commissioner Filippo Grandi. And just yesterday, I

had the pleasure to meet Ms. Gillian Triggs, Assistant Secretary-General, Assistant High Commissioner for Protection.

The Council of Europe is engaged in all efforts which aim at strengthening the protection of Human Rights and ensuring the effective enjoyment of basic rights by the most vulnerable, including of course those faced with nationality and statelessness issues: the prevention and reduction of statelessness remains an important goal to reach.

Bound by the European Convention on Human Rights, it is for the member States of the Council of Europe to guarantee to everyone on their territory the fundamental rights, including migrants and refugees. This shall be secured not only in normal times, but also in times of crisis, or in the situation of pandemics, as Covid-19.

The European Convention on Human Rights, which this year is 70 years old, is a living document, which

has been further developed by the very rich judicature of the European Court of Human Rights. The Council of Europe address the issue of refugees from the human rights perspective, in line with the European Convention on Human Rights, jurisprudence of the Strasbourg Court, relevant recommendations of the Committee of Ministers and of the parliamentary Assembly of the Council Europe, as well as conclusions of a number of monitoring bodies within the Council of Europe system.

Although the non-refoulement principle, which I find an underlying principle of the refugee law, is not explicitly mentioned in the Convention, based on the Court's jurisprudence, it is contained in Article 2 (right to life), article 3 (protection from torture and ill-treatment), article 4 (prohibition of slavery/trafficking) or Article 5 (right to security and liberty).

Article 4 of Protocol 4 to the Convention prohibits collective expulsions.

The Council of Europe participated in the first Global Refugee Forum last December in Geneva, which we

recognize as a milestone event, bringing together all relevant stakeholders in the field of protection of refugees.

The position of the Special Representative of the Secretary-General was established in 2016, as a response to the global migration crisis 2015-2016. What was the crisis then, has become a challenge, exacerbated by the unrepresented Covid-19 crisis.

My work and the work of my Office has focused on the most vulnerable among refugees. The Committee of Ministers of the Council of Europe adopted the Council of Europe Action Plan on Protecting Refugee and Migrant Children for the years 2017-2019. At present, we are in the process of preparing a new action plan, which is to address vulnerable groups, including children, refugee women, pregnant women, victims of trafficking in human beings, victims of violence, including sexual violence, and elderly persons. A new action plan will of course reflect Covid-19 pandemics, which has made the vulnerable even more vulnerable.

Let me emphasise the aggravated situation of refugees caused by the ongoing Covid-19 pandemic. In April 2020, the Secretary General of the Council of Europe issued a toolkit for governments across Europe on respecting human rights, democracy and the rule of law during the COVID-19 crisis. Fundamental human rights standards including freedom of expression, privacy and data protection. Protection of vulnerable groups from discrimination and the right to education are also emphasised therein.

I would also like to highlight the topic of alternatives to immigration detention, where the Council of Europe has done substantive work. In 2018, the Council of Europe Steering Committee for Human Rights published a comprehensive Analysis of the legal and practical aspects of alternatives to detention in the context of migration, which was later followed by the Practical Guide issued in 2019. This year, in commemoration of the World Refugee Day, the Council of Europe in cooperation with UNHCR,

have launched an online course on alternatives to detention.

Before concluding, I would also like to highlight a handbook on Family Reunification, issued and launched by the office of the Special Representative on Migration and Refugees on 2 July this year.

I thank you for your attention.