



“Towards a global compact on refugees”

Formal consultation three:

Agenda item 1: Reception and admission

10 April 2018

Room XVI, Palais des Nations

**Oral Statement, Office of the United Nations High Commissioner for Human Rights
(OHCHR)**

The Office of the High Commissioner for Human Rights (OHCHR) welcomes the opportunity to intervene during this third formal consultation on the Zero Draft of the Global Compact on refugees, and reiterate our support for this important process to reaffirm and strengthen the protection of refugees. We would like to make the following contributions to Agenda item 1 on “Reception and admission”:

- First, we call attention to the fact that reception and admission are areas for which Member States have already agreed to pursue complementary approaches across both the Global Compact on refugees and the Global Compact for safe, orderly and regular migration. In the New York Declaration, all 193 Member States of the United Nations stated:

Underlining the importance of a comprehensive approach to the issues involved, we will ensure a people-centred, sensitive, humane, dignified, gender-responsive and prompt reception for all persons arriving in our countries, and particularly those in large movements, whether refugees or migrants. We will also ensure full respect and protection for their human rights and fundamental freedoms. (NYD, para. 22)

- In this respect, we encourage greater collaboration, and complementarity, between the two Global Compact processes to ensure that no person falls through unintended protection gaps or is left behind.
- More specifically, on section *1.2 Immediate reception arrangements*, we welcome recognition that initial reception should be provided for all people who arrive to host countries and communities, and the specific recognition that States must identify specific needs and protection risks. Here, we would recommend better complementary language on the identification of protection needs beyond refugee women and unaccompanied children, to account for the identification and protection of all migrants who are in vulnerable situations, including persons who will not be entitled to refugee protection but will still be entitled to protection under the international human rights law framework.
- We also welcome the inclusion of language on community-based reception accommodation, and recommend that the language in this section be further clarified to reflect that all persons arriving to the territory, regardless of their migration or asylum status, have a right to liberty, that States should not resort to detention in the context of initial reception, including that States must take immediate steps to end the detention of children and families.
- On section *1.3 Safety and security*, we note that security in the context of international migration must include human security, which includes both the physical integrity and protection of the human rights of all persons regardless of their migration status. This section should be strengthened to note that human security and state security are not in tension with one another, but rather, that protecting human rights is a central component of ensuring state security.

- On section *1.4 Registration and documentation*, we encourage stronger references to the individual right to privacy and ensuring that, for example, documentation and biometrics, the establishment of digital systems for individual registration, and the establishment of protocols for sharing personal and biometric data, are at all times conducted in full respect of the human right to privacy, and when they concern children that they are conducted only for the purposes of child protection and when in the best interests of the child.
- Finally, on section *1.5 Addressing specific needs, including children at risk*, and section *1.6 Identifying international protection needs*, we again recommend further efforts to ensure complementarity between the two Global Compacts particularly in mixed migration contexts and we specifically encourage reference to the Global Migration Group's *Principals and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations*, which seeks to address this very issue.

Thank you.