



**United Nations Summit for Refugees and Migrants
New York, 19 September 2016**

**Statement by the Global Alliance of National Human Rights Institutions
(GANHRI)**

We, the Global Alliance of National Human Rights Institutions (GANHRI) as the international association of independent national human rights institutions (NHRIs), guided by the United Nations Paris Principles and representing more than 100 NHRIs from the four world regions – Africa, the Americas, Asia-Pacific and Europe –, take this opportunity to collectively welcome the United Nations General Assembly High Level Summit on Migrants and Refugees as a great milestone in addressing the plight of those forced to migrate out of their countries of origin and the root causes to this complex issue.

We welcome the recognition that notwithstanding the circumstances and or causes for migration, that international human rights standards particularly those relating to the fundamental right to dignity apply to all migrants and refugees and that member states commit to according them these rights at origin, transit and final destinations.

We welcome the acknowledgment of the perils and dangers including loss of life that have been associated with migrations and the complex challenges of mass movements to transit and host countries.

We welcome the affirmation and acknowledgment by member states that solutions can only be sought through a rights-based approach, guided by international, regional and national human rights obligations, requiring that migrants and refugees be treated with respect and dignity by states of origin, transit and receiving/host. We further welcome the recognition of vulnerable migrants including women; children (unaccompanied, and or separated from their families); ethnic, religious, social and cultural minorities; indigenous peoples; victims of trafficking; persons with disabilities; and the elderly, and the need for states to put in place mechanisms, policies and structures to eliminate violence and discrimination against migrants and refugees generally, and more specifically against the vulnerable groups.

As independent institutions, guided by the UN Paris Principles, with broad human rights mandate, we work to ensure that international human rights norms and standards are respected, promoted and implemented at national and local levels. We carry out our mandates through: monitoring, investigations and complaints-handling; reporting on national situations; advising the State and engaging with the wider public and communities; and reporting on the human rights situation, including to United Nations and regional human rights mechanisms.

Over the years we have addressed the plight of internally displaced persons, refugees, individual and group migrants, and increasingly have been called upon to monitor and document violations against refugees and (mass) migrants. We have noted the various causes of forced migration of individuals, groups and communities, key ones being conflict, oppression, poverty, discrimination and human rights violations through exclusion. As a result, we have previously adopted The Seoul Declaration (2004) and Santa Cruz Declaration (2006) which set out practical steps for NHRIs to undertake in relation to

upholding human rights during conflict and while countering terrorism; and the human rights of migrants, respectively. More recently, the Kyiv Declaration on the Role of NHRIs in Conflict and Post-Conflict situations, which was adopted in October 2015, outlines the actual and potential role of NHRIs in promoting and protecting human rights in conflict and post-conflict situations, including in relation to monitoring, serving as prevention or early warning mechanism, reporting on violations, and cooperating with and through the global and regional networks of NHRIs.

In this respect we concur with state parties as outlined in the (draft) Outcome of the UN Summit that:

Large movements of refugees and migrants have political, economic, social, developmental, humanitarian and human rights ramifications which cross all borders. These are global phenomena which call for global approaches and global solutions. No one State can manage such movements on its own. Neighbouring or transit countries, mostly developing countries, are disproportionately affected. Their capacities have been severely stretched in many cases, impacting on their own social and economic cohesion and development. In addition, protracted refugee crises are now commonplace, with long-term repercussions for those involved and also for their host countries and communities. Greater international cooperation is needed to assist host countries and communities.

Notwithstanding these challenges we welcome the reiteration of 2030 Agenda for Sustainable Development, in which, states recognized the positive contribution made by migrants for inclusive growth and sustainable development. In particular, we welcome the reaffirmation by member states of the principles of the United Nations Charter and the Universal Declaration of Human Rights and the core International Human rights treaties. Further, their reaffirmation and commitment to apply these to migrants and refugees unreservedly and their pledge to a humane, sensitive, compassionate and people-centered approach to the management of migrants and refugees anchored to international human rights and humanitarian law is indeed commendable. To this end, we call on all member states who have not yet done so to ratify the core international human rights treaties.

Additionally, we welcome member states' commitment to address the underlying causes of forced migration, such as conflict, poverty and exclusion, and their prevention, by requiring members to agree and cooperate on peace building, conflict resolution, compliance with the rule of law, and protection of human rights; these measures we believe if implemented within the context of all the other existing mechanisms such as Agenda 2030, the Universal Periodic Review, and other human rights monitoring and accountability mechanisms offer the greatest opportunity to achieving orderly, safe and regular and responsible migration and mobility of persons.

We embrace the intention of states to create a framework for a more coordinated and durable global response to situations of mass movements of refugees and migrants and the commitment to a more equal responsibility sharing worldwide. We acclaim the strong human rights based approach the states committed themselves to in the draft declaration. Therefore we call on states to fully realize this approach when negotiating the Global Compact on Refugees and the Global Compact on Migration in the future, and to this end closely cooperate with universal, regional and national human rights mechanisms in the negotiation process. We wish to encourage negotiators to be ambitious when setting up response mechanisms, especially in strengthening resettlement programme and other legal pathways to avoid further losses of life of refugees.

The commitments in the Outcome document resonate with the mandate and responsibilities of GANHRI members as well as with the Seoul, Santa Cruz and Kyiv Declarations to ensure the promotion, protection and respect of the rights of migrants and refugees from the

countries of origin, to transit and host, is achieved in a holistic and inclusive manner.

We welcome the commitment by member states to work with all stakeholders including civil society and the private sector to address the plight of migrants and refugees. We are committed to cooperating with states to fulfil a participatory and inclusive approach. We therefore urge member states to invite us to participate in the design and implementation of the Global Compact Outcome as envisaged in Annex II and ii) UNSG's Global Campaign (see para 1.15). Such participation will enhance the important role in monitoring implementation and follow up to the Summit Outcome that is assigned to NHRIs under para 5 of the draft Outcome.

Based on our mandates at the national, regional and international levels, we as NHRIs from all regions of the world collectively through GANHRI commit to bring to reality these noble commitments as follows;

Countries of origin

Together with national, regional and international actors, to jointly address the causes of forced and massive migrations; to ensure that national governments address conflicts, poverty and matters that lead to discrimination and oppression from a human rights perspective.

To examine legislation, policies, practices and systemic issues requiring realignment with human rights principles and standards and advise and advocate for changes, that will obviate forced migrations.

To use data from investigations and monitoring work, have evidence-based options for states to take appropriate early warning measures on drivers of conflict.

Transit and Host Countries

To monitor and respond to migrants and refugees at risk, to provide and or direct them to appropriate agencies for humanitarian aid; to monitor the situation of all migrants and refugees with a special focus on the vulnerable groups,.

To work with national officials particularly those controlling borders and in charge of national entry points to use measures that respect the dignity of migrants and the non-refoulement principle, and where appropriate jointly develop protocols to ensure compliance with human rights standards in dealing with migrants and refugees at entry points. To work with security sector agencies on policies and measures to prevent and prosecute human trafficking of migrant communities and to respect and guarantee the human rights of trafficked persons..

To work with national actors to develop a coordinated approach towards the handling, processing and settling of migrants and refugees, including the inclusion of complaints handling mechanisms to address violations and abuse of office. To ensure that facilities and mechanisms are designed to address vulnerabilities such as gender, minority status, disability and age amongst others.

To work with national actors to establish and strengthen substantial resettlement programmes and other safe legal pathways for refugees, including in partnership with civil society.

To work with national actors, security agents, local communities, local authorities, migrants and refugees for safer and more cohesive neighbourhoods, including through showcasing emerging best practices in embracing diversity. More specifically, we commit to working with

all actors and communities to combat, discrimination, intolerance and their manifestations through racism and xenophobia.

Policy and Advocacy

To continue working with national parliaments and other oversight agencies to bring to their attention the plight of migrants and refugees and to hold national governments accountable to their human rights obligations.

To continue to bring to the attention of member states at the regional level and international level, progress made by statements in honouring their commitments to the promotion and protection of the rights of migrants and refugees.

To work closely with each other to address cross border migration issues and bring to the attention of authorities, communities and individuals that are at risk

To bring to light the dangerous and perils facing individual, group and communities undergoing migration

We commit to ensure that in addition to stand-alone reports, that issues relating to migration are included in their reports to national, regional and international mechanisms as appropriate and relevant.