

OHCHR Launch Event at the United Nations
Recommended Principles and Guidelines for Human Rights at International Borders
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Thank you, Mr. Chair. My greetings to the members of this esteemed panel. We are grateful for the opportunity to contribute to this welcoming event for the Recommended Principles and Guidelines for Human Rights at International Borders.

We do look forward to the days, months, no doubt years of advocacy and engagement with states and other stakeholders to gain support for the human rights affirmed in this document. We would also like to thank the Office of the High Commissioner for Human Rights for its commitment and leadership and for its invitation to many of us in civil society, including others who are here today, to participate in the process of developing this document, and in making it the best possible effort.

We need only to reflect on recent days to identify specific situations in which the human rights of migrants have been undermined as they attempted to cross international borders, where they suffered bodily harm due to punitive enforcement policies, or where they have tragically perished at sea, crossing deserts, or met other violence that is all too common in these precarious situations.

A couple of years ago, under the auspices of Migrants Rights International, advocates from Asia, Africa, Europe, South America and the US-Mexico border region met in Geneva to share and compare experiences on border conditions and issues. We were at times surprised by the variety of environments, histories, sources of conflict along the different migration corridors.

We were not surprised by the strong and similar threads of border stories at a grassroots level, but we were alarmed by the persistent increase of borders in militarized environments; by a lack of transparency and accountability of border enforcement programs; and we were hugely disappointed by what seemed to be a very cloudy future in addressing what had already clearly emerged as a human rights crisis at borders. We collectively agreed that a greater emphasis on human rights protections was imperative, and we needed greater institutional leadership at the international level to help strengthen our advocacy at regional and national levels in all of their complexities.

I am proud to include human rights defenders working on the frontlines among the leaders and members of my organization, who were among those consulted then and in the course of the development of this document. Reflecting on the release of this document, Christian Ramirez, Director of the Southern Borders Community Coalition and based in San Diego, California, commented, "As nation states continue to criminalize migration and militarize

international borders, it is imperative for the international community to ensure that nation states uphold their obligations to uphold human rights and human dignity. Tragically, the rights and dignity of border residents have been trampled upon by policies and strategies that militarize communities, disrupt daily life and endanger the lives of border residents and migrants. The tens of millions of people who call the boundary between Mexico and the U.S. home are heartened by the OHCHR's concerns over the state of human rights in our region.”

Isabel Garcia, a longtime attorney and public defender in Tucson, Arizona, and a spokesperson for the Coalicion de Derechos Humanos, the Human Rights Coalition, also commented, “As borders across the world become highly militarized and policed, basic human rights, **including the right to life itself**, are being trampled in an unprecedented and alarming fashion. From the wholesale unnecessary death of thousands of border crossers to the painful separation of families, communities along the Arizona/Sonora border, live direct consequences of US policies, economic restructuring, and the indifference, ignorance and fear of the US body politic.” She added, “It thus becomes imperative that governments and the international community focus primary attention on the human rights crisis occurring at the crossroads of our intersecting/conflicting interests played out on these fragile and battered regions. It is here where this document can be most useful, allowing affected peoples to raise human rights principles to bring justice and dramatic changes in the management of borders.”

Eduardo Canales, Coordinator of the South Texas Human Rights Center, who often spends many hours each week helping to put up water stations in the vast Texas borderlands, including the private lands of ranchers—very much a “needs first” approach—commented that these principles and guidelines can help to challenge the “cloak of secrecy on detaining and processing migrants by the Border Patrol, practices that are decidedly punitive and discretionary.”

Clearly, the initiative to create this document has been more than welcome and encouraging, for policy advocates and those working everyday in border environments to ensure the safety and wellbeing of all migrants. The principles locate human rights and non-discrimination at the center of border governance. Now that we are here, where we have a document which we believe is a strong one, we need to commit to bringing its “recommended” principles and guidelines, to life. We will not be satisfied with these 25 some pages simply being a nice document drafted in 2014 but which remains largely invisible and will not play a role in shifting the narrative on the necessity of human rights at international borders.

In developing the document, there was some care and attention to ensuring that it included perspectives throughout, pertaining to the particular migration of women, that it recognized that border policies should also reflect the best interests of the child, that we understood the particular situations at land borders, and migrants at sea. Additionally, we have stressed that the right to due process shall be afforded to all, regardless of status. We certainly look forward to a time when children are not forced to migrate, and when they

will not be placed in detention centers and deported—when they are only seeking safety and reunification with their families.

We believe the recommended guidelines provide a solid avenues for states to consider in reviewing and considering their various policies and practices; for civil society, these are extremely useful tools, many drawn from specific and proposed practices, that can not only ensure rights and protections, but which can contribute to safe and humane border crossings, and which can help us to save lives.

But for all that we are heartened by the release of these principles and guidelines, reaffirming core human rights, we are mindful that we are facing, in the moment, both complex political and economic dynamics within and among bordering countries as well as many desperate, life and death situations displacing and driving migrants, including children of all ages, across international borders –or to at least attempt to do so. These immediate, trying situations tear at our hearts and often occupy most of our time.

Surely, what has continued to be uppermost in our minds these past months has been the continuing stories of the loss of lives at sea in the Mediterranean, the heartrending news of tens of thousands of Central American children crossing the US-Mexico border as they flee untold levels of violence in their home countries. And the less public news about the many children who have perished attempting to cross borders to safety.

We hope this document contributes to the growing discourse and body of proposals on how to describe and address what is broadly termed as “migrants in crisis,” or “migrants in distress.” In our view, migrants at borders presently occupy a significant portion of this arena, and we hope that what is articulated here will help to guide governmental responses as called for, for example, during the UN High Level Dialogue on International Migration and Development a year ago. Some of you may recall at the time, that global civil society brought forward a “5 year, 8 point” agenda, which included attention to the trauma of migrants in transit and at borders. We believe this reaffirmation of rights and protections is a critical anchor to the diligent work that must be undertaken to address both immediate and longterm situations.

We do understand that in most cases, change does not take place overnight. Next year, we will celebrate the 25th anniversary of the Migrant Workers Convention. We are still seeking ratifications and vigorous adherence.

We do not want these Principles and Guidelines to simply collect dust on a shelf, or become an unopened file on our computers. We urge diligent attention and allocation of resources to give these Principles and Guidelines much-needed momentum. We must challenge ourselves to actively promote these recommended principles and guidelines, to commit to their vision and intention, to work towards a better world in which international borders are places of safety, that respect rights and recognize justice, that embrace the reunification of families, and that facilitate brighter futures for all.

Thank you.