

# Safe, Orderly and Regular Migration

Consejo General de la Abogacía Española,  
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# The UN Resolution

- The New York Declaration for Refugees and Migrants – adopted by General Assembly 19 September 2016
- Two Global Compacts: safe orderly and regular migration and refugees;

# The role of human rights

- Over 30 references to human rights in the NY Declaration para 5:
- “We reaffirm the purposes and principles of the Charter of the United Nations. We reaffirm also the Universal Declaration of Human Rights and recall the core international human rights treaties.”

# Whose human rights?

- “We reaffirm and will fully protect the human rights of all refugees and migrants regardless of status: all are rights holders.”
- NY Declaration para 5.

# Safe v Unsafe Migration

What is safe migration?

UN World Tourism Organisation: 2017: 1.2 billion tourists (cross border movement)

IOM Missing Migrants: 2018 so far: 1,008 persons lost – 606 in the Mediterranean

# What is safe migration?

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# What is unsafe migration?



# Orderly v Disorderly Migration

Where do people arrive?

Airports,

land border cross points,

sea borders;

What makes migration orderly?

What makes migration disorderly?

# What is orderly migration?



# Orderly for whom?



# Regular v Irregular Migration

- What is regular migration? Relationship with what law and which rules?
- What is irregular migration? What laws or rules make migration irregular?
- Where does irregular migration take place?

# Regular for whom?



# Changing the paradigm: UN Special Rapporteur on the human rights of migrants

## 8 Human Mobility Goals:

- Safe, accessible and affordable mobility solutions for all migrants;
- Protect labour and human rights of migrants;
- Human rights at border controls;
- End use of detention;
- Effective access to justice for migrants;

# UN Special Rapporteur on the human rights of migrants: 8 Goals

- Easy access to basic services;
- Protection from discrimination and violence;
- Better data.

Targets, indicators and a deadline: 2035.

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