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Migration policies should protect rather than infringe human rights – Ban



South African soldier apprehends illegal migrants from Zimbabwe

16 December 2011 –

Migrants are a strong force of progress in their host countries and policies should protect, not infringe their human rights, [Secretary-General](#) Ban Ki-moon says, calling for States to ensure their inalienable rights are not violated.

“Migrants make vast contributions to host countries. As workers, they bring skills. As entrepreneurs, they create jobs. As investors, they bring capital,” Mr. Ban said in his [message](#) marking International Migrants Day, which is observed on 18 December each year.

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In advanced and emerging economies, they play an indispensable role in agriculture, tourism and domestic work.

In spite of their contributions, Mr. Ban stressed that there are still many false assumptions surrounding migration that have led to the adoption of dangerous immigration policies.

“People view irregular migration as a crime. Many think migrants who lack proper documents are a danger to society and should be detained, or that all women who migrate to take up low-skilled jobs have been trafficked,” he said.

Mr. Ban emphasized that while States have the right to manage their borders, they also have the duty to abide by international human rights law, which establishes that “all persons, without discrimination and regardless of nationality or legal status, are entitled to enjoy fundamental rights.

“No migrant should be sent back to a place where he or she will be tortured. Every migrant woman should have access to health care, including reproductive health care. Every migrant child should be able to go to school.”

When migrants’ rights are violated and when they are marginalized, they are unable to contribute economically and socially to societies, Mr. Ban said, but when supported by the right policies, they can be a force of good for their countries of origin, transit and destination.

There are currently some 214 million international migrants worldwide, yet only 45 countries have ratified the International Convention on the Rights of all Migrant Workers and Members of their Families.

The Convention, adopted by the General Assembly in 1990, provides a framework for regulating international migration based on human rights.

“I call on all others to join this important treaty as a concrete affirmation of their commitment to protect and promote the human rights of all migrants on their territories,” Mr. Ban said, adding that “human rights are not a matter of charity, nor are they a reward for obeying immigration rules.”

Two independent UN human rights experts – Francois Crépeau, Special Rapporteur on the human rights of migrants, and Abdelhamid El Jamri, Chairperson of the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families – echoed Mr. Ban’s remarks, and voiced grave concern about the tendency of States to criminalize irregular migration.

“The trend to criminalize irregular migrants or persons assisting migrants in an irregular situation not only runs contrary to humankind’s historical need and wish to seek and learn from new

opportunities, but puts at risk fundamental human rights of people in search for a better life,” the experts said in a statement marking the Day.

“Dignity has no nationality. Human rights are everyone’s rights. As we celebrate International Migrants Day today, we call upon States to fully protect and promote the human rights of migrants, and to unblock the political will to ratify and effectively implement the Convention.”

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