



association pour la prévention de la torture  
asociación para la prevención de la tortura  
association for the prevention of torture

**International  
Detention Coalition**

Human rights for detained refugees,  
asylum seekers and migrants

**Check against delivery**

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**United Nations Human Rights Council**

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**Item 3 - Enhanced interactive dialogue on the human rights of migrants in the context of large movements**

**Oral Statement, Association for the Prevention of Torture and International Detention Coalition**

Mr. President,

The Association for the Prevention of Torture and the International Detention Coalition welcome this enhanced interactive dialogue. We intervene today to stress that the Global Compact on Migration must be a human rights compliant process, both in its content and in its impact on migrants themselves. This should include the voices of migrants, civil society, and the particular expertise of the Office of the High Commissioner for Human Rights (OHCHR), the relevant treaty bodies, special procedures, as well as National Human Rights Institutions (NHRIs) and National Preventive Mechanisms (NPMs).

We are deeply concerned about the current climate of xenophobia and the rising criminalization and detention of migrants. The closing of borders and the criminalization of irregular movement greatly increase the risk of arbitrary detention, torture, ill-treatment and other abuses against migrants. Current State practices threaten our most fundamental human values, including the absolute prohibition of torture, arbitrary detention and non-refoulement.

We express our deep concern over the disproportionate and arbitrary recourse to detention, including at borders, during transit, and for the purposes of return. We agree with the High Commissioner for Human Rights, that detention for the purposes of immigration control is a practice that should generally be abolished, and that immigration detention is never an appropriate measure for children, families and other persons in situations of vulnerability.

Detention must be an exceptional measure of last resort, and States should invest in human rights-compliant alternatives to detention that preserve the dignity, humanity, and human rights of migrants. If detention is used in exceptional circumstances only, the conditions and treatment of migrants must be closely and regularly monitored by independent bodies.

We welcome the commitments in the *New York Declaration* to uphold the fundamental rights of all migrants irrespective of their status, and we call on the Council to play an active role to ensure the Global Compact upholds these commitments.

Thank you.