



Check against delivery

20 June 2017

**Global Compact on Migration
Thematic Session 3 (19 – 20 June 2017)**

Informal meeting with the Co-facilitators

Oral Statement, Association for the Prevention of Torture

Distinguished Co-facilitators, Ladies and Gentlemen,

The Association for the Prevention of Torture welcomes the opportunity to contribute to the Third Thematic session of the Global Compact on Safe, Regularly and Orderly Migration. We would like to use this intervention to stress that the Global Compact should strengthen the protection of human rights during procedures of return.

When a removal order is issued, States should give priority to voluntary returns as they present fewer risks of human rights violations. However, many States have introduced expedited or simplified procedures of expulsion that risk violating the principle of *non-refoulement* that protects migrants present on States' territory but also at the border. Such procedures reduce migrants' opportunities to challenge the removal order, but also disregard in some cases essential factors of vulnerability that would advise against expulsion, thus exposing migrants to collective or repetitive expulsions as well as to indirect *refoulement* prohibited under human rights law.

The execution of forced returns further heightens the risks for migrants to be subject to torture or other ill-treatment. The main infringements on migrants' rights include excessive use of force, non-proportionate and humiliating use of restraints, or forced sedation during the removal process. Before executing forced returns, migrants should be able to challenge the expulsion order in accordance with the right to an effective remedy with an automatic suspensive effect of the execution of the removal order.

When removal orders are final, States should always seek to avoid such risks by appealing to the cooperation of migrants. In this sense, migrants should receive adequate information about the return arrangements and have opportunities to prepare for the return, including by communicating with relatives in the host country or country of destination, retrieving personal belongings, and undergoing prior medical examinations. States should also pay attention to maintain the safety of migrants as well as of that accompanying personnel and crew members during the return.

To conclude, we would like to thank the Co-facilitators for the opportunity to intervene in the process and submit our concerns for your consideration.