**Special Rapporteur on the Human Rights of Migrants**

**Call for inputs**

**After one and half year: the impact of COVID-19 on the human rights of migrants**

Pursuant to Human Rights Council Resolution 43/6, the Special Rapporteur on the Human Rights of Migrants is mandated “To examine ways and means to overcome the obstacles existing to the full and effective protection of the human rights of migrants, recognizing the particular vulnerability of women, children and those undocumented or in an irregular situation” and to “formulate appropriate recommendations to prevent and remedy violations of the human rights of migrants, wherever they may occur ». (*paragraph 1 (a) (c),* [A/HRC/RES/43/6](https://undocs.org/A/HRC/RES/43/6)).

In carrying out his mandate, the Special Rapporteur has decided to dedicate his forthcoming report to the 76th Session of the UN General Assembly to the impact of COVID-19 on the human rights of migrants.

The COVID-19 pandemic has impacted the health, social and economic fabric of societies. The COVID-19 crisis has also unveiled systemic inequalities and exposed the gaps in social and economic apparatus and national protection systems. Migrants and their families continue to be disproportionally affected by restrictive measures taken to counter the pandemic. Migrants in an irregular situation remain at the edge of our societies and pay the highest toll. Migrant workers, including female migrant workers, play a critical role in key economic and social sectors enabling countries to continue operating during the crisis and providing essential services for communities. However, migrants continue to lack protection and experience racial discrimination, xenophobia and other serious human rights violations. Female migrants continue being at risk of exploitation, abuse, and sexual or gender- based violence. Many migrants also risk being exposed to precarious and unhealthy living or working conditions exacerbated by the COVID contagion. Many others are forcibly returned against international standards and without any health, social and financial support. It is key for legislations, policies and measures to comply with human rights instruments otherwise the COVID-19 pandemic risks to become a pretext for arbitrary treatment rather than the seed for a greater protective environment.

One and a half years since the beginning of the COVID-19 pandemic, uncertainty remains as to the future. The evolution of the virus and its variants are of great concern as well as the lack of sufficient and adequate means to fight it, including vaccines. Member States have adopted different strategies based on their contexts, capacities as well as political imperatives. Important achievements are observed but challenges remain. The Special Rapporteur has called on States to “**ensure that measures taken in the context of the COVID-19 pandemic meet international human rights standards and that migrants are included in all aspects of national responses**”. Cooperation and solidarity remain key to enable all countries to recover and put in place effective health responses, including inclusive vaccination programmes. It is incumbent on States to address the human rights of migrants in their recovery plans and to strengthen mechanisms for migrants’ meaningful participation. Migrants and their families should be considered positive assets and fully integrated in national plans to build back better.

**Questions**

The Special Rapporteur would like to request inputs from Member States, regional and inter-governmental entities, civil society organizations, national human rights institutions and other relevant stakeholders, to contribute to the preparation of the report.

The Special Rapporteur is particularly interested in receiving inputs on any or all of the following issues, including case studies and specific examples of emerging practices and challenges.

1. Please provide information on the healthcare responses taken by your Government to counter the pandemic providing migrants and their families’ access to adequate health care on the same basis as nationals. These include equitable access to treatment, testing, vaccines, reproductive health, gender responsive health protocols, protective equipment and other health and basic services such as water, sanitation, and information. Please also indicate if adequate firewall protections and professional capacities are available to ensure that migrants who fear seeking medical support can access health services without risking immigration enforcement measures; as well as personal data protection measures.
2. Please indicate what solidarity measures and initiatives have been put in place or are planned by the Government, the civil society and other relevant stakeholders to support migrants in the context of the pandemic.
3. In the context of immigration detention, please indicate if measures have been considered to minimize health risks associated with the COVID-19 transmission by reducing migrants’ detention and opting for alternatives to detention and, if not, kindly elaborate on challenges preventing such options. Please indicate if immigration detention of children has been practiced during the pandemic.
4. Please provide information on actions taken to prevent and address racial discrimination, hate speech, xenophobia and related intolerance faced by migrants, particularly in the COVID-19 context.
5. Please provide information on any emergency measures or declarations or any special legislation activating extraordinary powers based on the COVID-19 pandemic taken by your Government at national or local level, and whether such measures have been temporary and proportional and tailored to migrants’ human rights and fundamental freedoms.
6. Please provide information on any relevant legislation or policy adopted during the pandemic in relation to the regularization of migrants, including those in an irregular situation, through the adoption of for example regularization processes and pathways, extensions of work visas, and other appropriate measures for improving decent work and dignified living conditions, strengthening migrants’ contributions and fostering cooperation. Please indicate if the regularization programs are devised as long-term solutions.
7. Please indicate if your country has adopted or is planning to adopt a COVID-19 socio-economic response and recovery plan, and if a human rights-based approach and human rights and gender-sensitive indicators are considered to ensure that no one will be left behind. Please indicate which are the available mechanisms enabling different parts of the Government as well as civil society actors and other key stakeholders to participate at all stages of the response and recovery plans and to monitor them.
8. Has the Government experienced specific challenges in protecting and fulfilling the human rights of migrants in the COVID-19 context - including their right to health, housing, education, information, social protection, basic services, safe and dignified return and sustainable reintegration and others? Kindly provide information on emerging practices and opportunities for strengthening the protection of migrants in the context of the COVID-19 pandemic.

**Submission of inputs**

Submissions can be sent to migrant@ohchr.org by **14 June 2021** in English, French or Spanish. Kindly indicate in the subject of your email **“Submission COVID-19 & migrants report”** and please limit your inputs to five pages. Submissions will be published on the Special Rapporteur’s webpage on the OHCHR website, unless requested otherwise. If you submit original texts of relevant legislation, policy and other relevant documents, please accompany it by an English translation, if it is in a language other than English, French or Spanish.