



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Associazione Comunita Papa Giovanni XXIII, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 May 2023]

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\* Issued as received, in the language of submission only.



## **Regularisation Mechanism and Humanitarian Corridors**

Associazione Comunità Papa Giovanni XXIII (APG23) (1) welcomes the report of the Special Rapporteur on Human Rights of Migrants on “How to expand and diversify regularisation mechanisms and programmes to enhance the protection of the human rights of migrants”.

Especially, Associazione Comunità Papa Giovanni XXIII (APG23) appreciates how the Special Rapporteur emphasises the triple function of regularisation, “as a central mechanism for the protection of the rights of migrants, as a key tool for the effective implementation of a comprehensive migration policy and as a factor that contributes to the fulfilment of the goals of numerous public policies in countries of destination” (2).

As highlighted in the report, regularisation, protection, and inclusion are strictly connected.

Only by providing accessible and clear regularisation procedures and regular and safe pathways, despite restrictive migration policies and prohibitive border governance, migrants’ human rights could be fully realised.

Furthermore, protection and inclusion of all migrants, refugees and asylum seekers, is crucial to prevent people from falling into irregularity, trafficking and smuggling.

Sadly, several Governments carry out restrictive migration policies that violate international human rights laws and the right to seek asylum. Along EU external borders, violations and abuses happen; in the Mediterranean Sea, deadly shipwrecks consistently occur.

In 2022, the Western Balkans Route and the Central Mediterranean Route recorded 75% of all detections of irregular border crossings into the EU. In this complex international contest, in May 2022, the first-ever International Migration Review Forum (IMRF) was held in NY, aimed at assessing progress on the Global Compact for Migration (GCM) and developing further concrete frameworks for its implementation.

The progress declaration, adopted at the end of the Forum, clearly reaffirms the cross-cutting and interdependent guiding principles set out by the Global Compact for Migration, calling Member States to enhance cooperation, minimise risk factors at the origin, transit and destination countries and strengthen their commitments in providing migrants’ human rights.

The GCM and the 2030 Agenda for Sustainable Development draw a comprehensive roadmap focused on cooperation among states oriented toward the well-being of every person, and overcoming the discriminatory narrative that considers migrants a threat.

In this regard, Associazione Comunità Papa Giovanni XXIII (APG23) wants to emphasise how despite the efforts aimed at defining human rights-based migration strategies, structural obstacles to the full and effective protection and inclusion of migrants have yet to be overcome.

We strongly believe that the adverse attitude of several destination countries together with restrictions in the regulation pathways and processes, hamper the enjoyment of human rights of migrants, exposing them to violence and abuse.

According to Associazione Comunità Papa Giovanni XXIII (APG23) experience on the ground, restriction laws together with bureaucratic and linguistic barriers limit migrants’ access to basic rights and service; right to health, housing, work, and education are not guaranteed.

Furthermore, the regularisation procedure is often extremely time-consuming, and months or years should pass between one stage and the next one.

In Greece, according to our source, irregular migrants are increasingly pushed to the outskirts of society; forced to live in various camps far from the city, they are isolated in the countryside to limit any kind of integration and avoid social contact with the local population.

Otherwise, people not locked up in the isolated camps can more easily integrate into the territory, find a job, build relationships and learn the language even if they are still irregular.

Likewise, according to testimonies collected in Lebanon, the Syrian refugees have to struggle with several barriers to get a visa; the possibility of obtaining a regular permit is precarious and often hindered by numerous requirements. The lack of proper regularisation leads to the impossibility of fulfilling several aspects of everyday life. Many Syrian refugees are practically denied their right to adequate housing: they are excluded from standard housing and forced to live in informal camps without any kind of security. Denied regularisation also affects the right to work. Syrians left without permits and denied refugee status are forced to work illegally, without a proper contract.

All these impediments make them extremely invisible and vulnerable. Enhancing mechanisms aimed at regulating, protecting and integrating migrants is crucial to provide the fulfilment of migrants' rights and needs.

Furthermore, irregular migration is often a consequence of limited regular pathways and the lack of safe and legal routes available to people on the move. In this regard, Associazione Comunità Papa Giovanni XXIII (APG23) would like to highlight the good practice of humanitarian corridors.

Humanitarian Corridors are a protected, safe and legal transfer programme and a model of social inclusion based on the participation of solidarity networks spread over all the national territories involved. Even if they are not the solution to the phenomenon of migratory flows, they represent an effective response to inclusion which respects the rights of all.

Associazione Comunità Papa Giovanni XXIII (APG23), together with the Community of Sant' Egidio, has taken part in the European project HUMCORE, which is studying the humanitarian corridors model to understand its strengths and weaknesses, with the aim that the program becomes standard European practice. In Europe, this practice has been defined by European Directive 2013/33 of 26 June 2013 and is addressed to people potentially entitled to international protection and living in vulnerable conditions.

Humanitarian Corridors are created through a memorandum of understanding signed with the competent public authorities by the proposing civil society organisations.

The main objectives of the project are to avoid the death of migrants who try to reach Europe by sea; to enable people in vulnerable situations (single women, children, sick/disabled people, elderly people, etc.) to access the international protection system through safe and legal entry into Europe; to fight the exploitation by traffickers and trafficking in human beings; to test a good practice which can then be replicated in other European contexts, as it is based on European legislation, namely Article 78 of the Lisbon Treaty on the Functioning of the European Union; to offer a significant trial regarding the possibility of introducing the Sponsorship instrument in the legislative-operational contexts of the Member States, also on the basis of those already in place since a long time in various countries of other continents (such as Canada and the United States of America).

Moreover, the cooperation between the State and civil society, introduced by the Humanitarian Corridors, is characterised, among other things, by the latter's funding of the direct costs of reception, making this model more easily admissible by governments than other instruments.

Humanitarian Corridors are potentially replicable in many contexts, based on the availability of civil society, as they do not entail significant economic or political costs for the hosting State. The reception of refugees, in fact, is completely borne by the sponsoring associations, just as the responsibility and organisation of the entry of refugees admitted to the countries of destination fall on said organisations, on the basis of specific protocols signed with the competent authorities. Once they have arrived safely in Europe, the refugees are accompanied along a pathway of integration by the associations sponsoring the corridors. They, therefore, receive hospitality, financial support, guidance to find work, and education and legal assistance, everything being financed with funds from the same associations. Refugees are assisted until they achieve full autonomy. Thanks to this support net, the inclusion and integration path has been fulfilled several times. In this widespread reception formula, civil society can play a primary role. Citizens, associations, non-profit organisations, and parishes can intervene in the migration phenomenon as key players.

Humanitarian Corridors were implemented for the first time from Lebanon to Italy in favour of Syrian refugees who escaped the civil war, which broke out in the Syrian Arab Republic in 2011. Their first implementation was possible thanks to the signing of a Memorandum of Understanding called “Opening of Humanitarian Corridors” dated 15 December 2015, between the Ministry of Foreign Affairs and International Cooperation - Directorate General for Italians Abroad and Migration Policies, the Ministry of the Interior - Department for Civil Liberties and Immigration, the Community of Sant’Egidio, the Federation of Italian Evangelical Churches, the Waldensian Church.

The first Protocol allowed the safe arrival of 1,011 Syrian refugees from Lebanon, who were received in Italy - in 80 different cities in 18 regions - thanks to the collaboration of a dense network of associations and of informal groups of private citizens who supported the integration of refugees in different local realities, according to the widespread reception model.

Humanitarian Corridors were also established in 2020 from Greece to Italy thanks to a Memorandum of Understanding signed by both the Italian and Greek Governments, proposed by the Community of Sant’ Egidio. This agreement allowed the arrival of three hundred migrants from refugee camps in Greece, starting 1st March 2021. Associazione Comunità Papa Giovanni XXIII (APG23) has taken part together with the Community of Sant’ Egidio in pre-departure activities, such as identification and selection of beneficiaries; moreover, the association has carried out the interviews of refugees who were then welcomed in the Associazione Comunità Papa Giovanni XXIII (APG23) facilities and family-homes in Italy.

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(1) <https://www.apg23.org/en/>

(2) <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/075/40/PDF/G2307540.pdf?OpenElement>