



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Meeting of the States Parties to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families Eleventh Meeting

Summary record of the 11th meeting

Held at Headquarters, New York, on Tuesday, 27 June 2023, at 10 a.m.

Temporary Chair: Mr. Valencia (Representative of the Secretary-General)

Chair: Mr. Tarakinikini (Fiji)

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Closure of the Meeting

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The meeting was called to order at 10 a.m.

Opening of the Meeting by the representative of the Secretary-General

1. **The Temporary Chair**, speaking on behalf of the Secretary-General, said that he was grateful to States parties for their commitment to implementing the provisions of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and commended States parties that had taken significant measures to implement the Global Compact for Safe, Orderly and Regular Migration.

2. Contemporary migration was a complex phenomenon that was high on the agenda of the international community. Migrants, in particular those in an irregular situation, were disproportionately vulnerable to human rights abuses and violations and they frequently had no access to guarantees of due process or remedies. Border controls had become stricter and regular pathways to entry and stay had narrowed, making migrant journeys longer, more fragmented and more dangerous. However, migration was usually discussed in terms of economic development or security and border control, while the human rights dimensions of migration remained widely neglected. Inflammatory and xenophobic rhetoric against migrants helped politicians to win votes, and migrants made convenient scapegoats to blame for social and economic difficulties in times of crisis.

3. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families considered that regularization was the most effective measure to address the situations of vulnerability faced by migrants, in conformity its general comment No. 2 and article 69 of the Convention, by which States parties were required to take appropriate measures to resolve the irregular status of migrant workers and members of their families. Regular migration remained a central mechanism for protecting the rights of migrants and their families, especially those in particularly vulnerable situations, and was a crucial tool for the implementation of a comprehensive migration policy.

4. The ratification of the Convention by Malawi on 23 September 2022 was a welcome development. However, it was regrettable that as many as 24 States parties had not submitted their initial and periodic reports under article 73 of the Convention. The limited number of States parties to the Convention, and inter-State and individual communications procedures not yet operational remained the most significant challenges in ensuring the protection of the rights of all

migrant workers and members of their families globally. States parties that had not yet ratified the Convention or accepted both communications procedures were called on to do so.

5. During its thirty-fifth session, the Committee had held a general discussion on its draft general comment No. 6 on the convergence of the Convention and the Global Compact for Migration, during which panellists had stressed that the Global Compact explicitly reinforced the importance of human rights and international law. On 28 September 2022, the Committee on Migrant Workers and the Committee on the Rights of the Child had commemorated the fifth anniversary of their joint general comments on the human rights of migrant children, demonstrating the relevance of the work of the Committee on Migrant Workers to non-State parties. During the same session, the Committee had reviewed the reports of the Bolivarian Republic of Venezuela, the Plurinational State of Bolivia and the Syrian Arab Republic, and had adopted the list of issues prior to reporting for Senegal and Türkiye, in relation to their third and second periodic reports respectively. It had also assessed the follow-up reports concerning Bosnia and Herzegovina, Mexico and Tajikistan and had adopted evaluation follow-up letters in that regard. During its thirty-sixth session, the Committee had reviewed the reports of Morocco, Nigeria, the Philippines and El Salvador; adopted the list of issues prior to reporting for Seychelles and the Niger, regarding their second periodic reports; and assessed the follow-up reports concerning Argentina, Colombia and Guatemala, adopting evaluation follow-up letters in that regard.

6. The Committee welcomed the initiative of the United Nations High Commissioner for Human Rights to commemorate the seventy-fifth anniversary of the Universal Declaration of Human Rights. It was pleased that the commemoration had a ratification component, which could further encourage the ratification of the nine core treaties and their optional protocols, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the least ratified convention with only 58 States parties. He called on signatories and non-States parties to the Convention, including countries of destination, to review their positions and ratify the Convention.

Election of the Chair

7. **The Temporary Chair** said that he had been informed that Mr. Tarakinikini (Fiji) had been nominated for the office of Chair of the Meeting.

8. *Mr. Tarakinikini (Fiji) was elected Chair by acclamation.*

9. *Mr. Tarakinikini (Fiji) took the Chair.*

Adoption of the agenda (CMW/SP/22)

10. *The agenda was adopted.*

11. **The Chair**, drawing attention to rules 2 and 3 of the rules of procedure (CMW/SP/3), said that the Secretary-General had invited States parties to submit their credentials by 26 June 2023, but had not yet received them from some of the States parties represented at the Meeting. He proposed that, in accordance with rule 3, the representatives of those States parties should be entitled provisionally to participate in the Meeting and urged their delegations to see to it that their credentials were submitted to the Secretary-General as soon as possible.

12. *It was so decided.*

Election of other officers of the Meeting

13. **The Chair** said that, in accordance with rule 4 of the rules of procedure, the Meeting would elect one to four Vice-Chairs. He had been informed that Mr. Ugarelli (Peru), Mr. Aydil (Türkiye) and Mr. Karbou (Togo) had been nominated.

14. *Mr. Ugarelli (Peru), Mr. Aydil (Türkiye) and Mr. Karbou (Togo) were elected Vice-Chairs by acclamation.*

Election, in accordance with article 72 (1–5) of the Convention, of seven members of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families to replace those whose terms of office are due to expire on 31 December 2023 (CMW/SP/23)

15. **The Chair**, drawing attention to paragraphs 2 and 4 of article 72 of the Convention and rules 14 and 15 of the rules of procedure of the Meeting, said that only States parties to the Convention were eligible to participate in the voting. Pursuant to article 72, paragraph 3, of the Convention, the Secretary-General had invited States parties, in a note verbale of 16 December 2022, to submit nominations within two months to fill seven posts. He also drew attention to the list of 10 candidates nominated by States parties in document CMW/SP/23. He took it that the Meeting wished to accept the nominations received.

16. *It was so decided.*

17. **The Chair** invited the Meeting to elect, by secret ballot, 7 candidates from the list of 10 candidates to

replace members of the Committee for a four-year term beginning on 1 January 2024 and ending on 31 December 2027.

18. *At the invitation of the Chair, Mr. Milanović (Bosnia and Herzegovina) and Ms. Cruz Morataya (Guatemala) acted as tellers.*

19. *A vote was taken by secret ballot.*

<i>Number of ballot papers:</i>	57
<i>Number of valid ballots:</i>	57
<i>Number of members voting:</i>	57
<i>Required majority:</i>	29
<i>Number of votes obtained:</i>	
Mr. Charef (Morocco)	47
Ms. Gahar (Algeria)	44
Mr. Kariyawasam (Sri Lanka)	44
Mr. Babacar (Mauritania)	43
Mr. Ünver (Türkiye)	38
Mr. Corzo Sosa (Mexico)	34
Ms. Poussi (Burkina Faso)	33
Ms. Maimuna (the Gambia)	31
Mr. Razaranaina (Madagascar)	30
Mr. Carrión Mena (Ecuador)	29

20. *Having obtained the required majority, Mr. Charef (Morocco), Ms. Gahar (Algeria), Mr. Kariyawasam (Sri Lanka), Mr. Babacar (Mauritania), Mr. Ünver (Türkiye), Mr. Corzo Sosa (Mexico) and Ms. Poussi (Burkina Faso) were elected members of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families for a four-year term beginning on 1 January 2024 and ending on 31 December 2027.*

Closure of the Meeting

21. **The Chair** declared closed the Eleventh Meeting of the States Parties to the Convention.

The meeting rose at 11.05 a.m.