



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

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families Thirty-eighth session

Summary record of the 551st meeting

Held at the Palais Wilson, Geneva, on Monday, 3 June 2024, at 10 a.m.

Chair: Mr. Corzo Sosa

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The meeting was called to order at 10.15 a.m.

Opening of the session

1. **The Chair** declared open the thirty-eighth session of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Opening statement by the representative of the United Nations High Commissioner for Human Rights

2. **Mr. Ori** (Office of the United Nations High Commissioner for Human Rights) said that he congratulated the seven Committee members who had been elected or re-elected at the eleventh meeting of States parties held in New York on 27 June 2023. He particularly wished to welcome Mr. Prasad Kariyawasam who was rejoining the Committee of which he had previously been a member and Chair. The representation of the Asia region on the Committee was a most welcome development. During its thirty-eighth session, the Committee would consider the initial report of the Congo, the second periodic report of Türkiye and the fourth periodic report of Senegal. It would also adopt lists of issues prior to reporting, under the traditional procedure, for Egypt and Honduras and a list of issues, under the simplified procedure, for Ghana. Lastly, it would adopt a follow-up letter in relation to the priority recommendations contained in its concluding observations on the third periodic report of Azerbaijan.

3. The 2016 New York Declaration for Refugees and Migrants made it clear that the Global Compact for Safe, Orderly and Regular Migration should constitute a framework for comprehensive international cooperation on migrants and human mobility and that it should cover all aspects of international migration, including those related to development and human rights. Access to justice and due process, both of which were human rights, stood out as concrete ways to make human rights safeguards more effective. It was important, moreover, to mitigate situations of vulnerability in migration, to ensure that the return of migrants was conducted in line with respect for human rights and to strive to ensure that migrants were detained only as a last resort. Given that the European Union was a significant destination for migrants, it was unfortunate that none of the 27 member States of the Union had signed or ratified the Convention. Getting them to do so was crucial as ratification by European States would strongly endorse the Convention and encourage wider ratification in other regions around the world.

4. The United Nations High Commissioner for Human Rights attached great importance to joint initiatives by the treaty bodies, including joint general comments and recommendations. In that regard, he welcomed the Committee's decision to collaborate on a joint general comment with the Committee on the Elimination of Racial Discrimination concerning policies to address racial discrimination, xenophobia and related intolerance. The general comment aimed to establish a set of guidelines for the formulation of holistic and inter-institutional public policies to combat and prevent xenophobia. It covered a wide range of issues including, inter alia, access to justice, education, employment, the role of the media and social media, gender and disability. In a world where human mobility was increasingly becoming a structural component, societies were becoming more culturally diverse than ever, and it was likely that xenophobia would persist in most countries and across all regions. Xenophobia – which was intrinsically linked to narratives and representations of migrants and migration – impacted migrants, families and communities in general, and it led to human rights deprivations, inequality, abuse and discrimination.

5. He appreciated the Committee's concern about the impact of environmental degradation and climate change on the human rights of migrants. Those factors had to be addressed as a new source of migration and international displacement. According to information from the World Bank, climate change could force 216 million people across the world to move within their countries by 2050. Migration was a normal human adaptation strategy and often the only alternative for entire communities to withstand climate change. It was therefore vital that States should address climate change, environmental degradation and natural catastrophes as drivers of migration. States should also provide complementary protection and temporary shelter for migrant workers displaced by climate change who could not return to their home countries.

6. The Office of the United Nations High Commissioner for Human Rights (OHCHR) had been advocating for a new General Assembly resolution on the treaty body strengthening process. With the support of the Human Rights Treaties Branch, the Chairs and Vice-Chairs of the treaty bodies had made a call to the same effect at their informal meeting in Madrid in February 2024. During that meeting, they had discussed the mandate and modalities of the treaty body coordinating mechanism as well as the simplification and alignment of working methods across different committees. OHCHR had updated information concerning the treaty body strengthening process on its own website, publishing an “Analytical summary of primary indications of States’ preferences on the options contained in the OHCHR working paper based on the discussions at the informal briefing by the High Commissioner for Human Rights on 1 November 2023 on the treaty body strengthening process”. It had also updated a document entitled “Options and guiding questions for the development of an implementation plan for the conclusions of the human rights treaty body Chairs at their thirty-fourth meeting in June 2022” to reflect the outcomes of the discussions at the informal briefing of November 2023.

7. He shared the Committee’s concerns surrounding the liquidity crisis currently affecting the United Nations and its consequences for the work of the treaty bodies. OHCHR was doing everything in its power to ensure that the human rights committees could continue to hold their sessions, despite the severe impact of the crisis. Thus far, it had been able to secure sufficient resources to hold two sessions for each committee during the course of the year, and to hold the thirty-sixth annual meeting of the Chairs of the human rights treaty bodies in New York. Unfortunately, however, resources were insufficient to cover the pre-sessional working groups for the second of the two sessions. Whether or not certain treaty bodies would be able to hold a third session depended on how the liquidity situation evolved. The liquidity crisis was unpredictable and had to be carefully managed. In that regard, he welcomed the initiative taken by the Chairs and Vice-Chairs at their meeting in Madrid to send a letter to the President of the General Assembly underlining the irreversible harm that might be caused if, for financial reasons, the treaty bodies were forced to suspend operations for the first time in their 60-year history.

8. He called upon all States that had not yet done so to ratify the Convention.

9. **The Chair** said that it was vital to encourage more States to ratify the Convention and other international human rights instruments, so as to ensure universal coverage of human rights. It was important for all parties to act in the face of climate change, which was having a visible impact on migration.

Solemn declaration by the newly elected members of the Committee under rule 11 of the rules of procedure

10. *Mr. Kariyawasam made the solemn declaration provided for in rule 11 of the Committee’s rules of procedure.*

Adoption of the agenda (CMW/C/38/1)

11. *The agenda was adopted.*

The meeting rose at 10.40 a.m.