



**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

Second session

SUMMARY RECORD OF THE 14th MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 27 April 2005, at 10 a.m.

Chairperson: Mr. KARIYAWASAM

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The meeting was called to order at 10.10 a.m.

STATEMENT BY THE UNITED NATIONS HIGH COMMISSIONER FOR
HUMAN RIGHTS

1. The CHAIRPERSON, introducing the United Nations High Commissioner for Human Rights, said the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was an integral part of the international treaty regime to promote and protect human rights, and the Committee earnestly requested the High Commissioner's assistance in increasing accession to the Convention and thus augmenting its effectiveness. While he was aware of the resource constraints affecting her Office, he hoped she would consider strengthening the secretariat, for example by establishing a special unit for the Convention.
2. Ms. ARBOUR (United Nations High Commissioner for Human Rights) said she was concerned that the Convention had not been ratified by as many countries as had at first been hoped, and she agreed that efforts should be made to expand and broaden the basis of participation from all regions of the world in order to make the Convention an effective instrument for the promotion of the human rights of migrant workers. She undertook to do everything possible to promote its ratification and would raise the question during her first official visit to the European Union, which was scheduled for the coming days.
3. The magnitude of the migration phenomenon and the increasing attention being paid to it and to related issues made a rights-based approach essential. She therefore welcomed the decision taken by the International Labour Conference in June 2004 to develop a non-binding multilateral framework for such an approach, and was looking forward to the report of the Global Commission on International Migration, which she trusted would be a powerful tool to enhance the human rights protection of migrants.
4. Her Office had recently established an in-house task force on migration to develop an office-wide understanding of migration-related issues from a human rights perspective, and to prepare position papers on specific questions. She also expected that her participation in inter-agency meetings would help develop the expertise within the Office.
5. Turning to the Committee's own work, she said it was important to her and her Office for the position of the Convention within the United Nations human rights treaty system to be strengthened. It was imperative for States parties to fulfil their reporting obligations so that the Committee could start exercising its primary task of considering their reports. Her Office would encourage, advise and support States parties in that regard. She had also been following with interest the proposals for harmonizing reporting among the treaty bodies, including the development of an expanded core document and treaty-specific targeted reports.
6. The CHAIRPERSON invited Committee members to comment.
7. Ms. CUBIAS MEDINA said 2006 promised to be a key year for migration-related issues, which were due to be discussed at a series of major international meetings. Such forums were a good opportunity to promote ratification of the Convention, which was particularly important in

view of the current widespread tendency to seek merely to manage migration, without paying sufficient attention to the human rights perspective. In her view the Committee should therefore be represented at such meetings.

8. Mr. ALBA said that, as a member of the Global Commission on International Migration, he found it gratifying to hear that the High Commissioner attached such importance to the position to be adopted by the Global Commission in its forthcoming report. That position had yet to be finalized but he was sure that the Global Commission would emphasize the importance of all States protecting the human rights of migrant workers, regardless of whether they had ratified the Convention.

9. Mr. EL JAMRI expressed appreciation for the efficiency and attentiveness displayed by the secretariat in its support for the Committee's work to date. He would nevertheless appreciate some reassurance that, over and above the High Commissioner's own efforts, the United Nations envisaged a proper plan of action to promote ratification in order to secure the Convention's rightful place at the international level and ensure greater respect for migrant workers' rights. The Committee would also need help in establishing links at the international level to help it perform its substantive tasks.

10. Mr. CARRIÓN-MENA said he wished to draw attention to the fact that the Committee's rights-based approach to migration was entirely new; the issue had previously been addressed from security, economics or labour perspectives. Moreover, the historical context had changed since the Convention had been drafted. Developed countries' initial interest in the Convention had been a product of their need for labour, and they had wished to see an economic emphasis in the text. They had now lost interest and no developed receiving country had signed the Convention, a situation that presented a major obstacle to its effectiveness. It was important for the Office of the High Commissioner for Human Rights to encourage ratification by such countries through action at the regional level to create an appropriate climate and promote awareness of the content - and even, in some cases, the very existence - of the Convention.

11. Ms. ARBOUR (United Nations High Commissioner for Human Rights) said the substance of the Convention and the work of the Committee cut right across issues of economic, social, cultural, civil and political rights and addressed a wide range of pertinent contemporary concerns. She and her Office would support the Committee's work in every way possible, bearing in mind that resources were not always commensurate with ambitions.

MEETING WITH REPRESENTATIVES OF INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS (agenda item 8)

12. The CHAIRPERSON welcomed the representatives of the organizations present, who he hoped would be able to advise the Committee in its task of ensuring the smooth implementation of the Convention. Input from the specialized agencies would be particularly helpful in the drafting of lists of issues arising from States parties' reports. He recalled that the International Labour Organization was a key agency partner with a role specified in the Convention, and he invited the representative of that organization to open the discussion.

13. Mr. SWEPSTON (International Labour Organization (ILO)), referring to articles 2 and 5 of the Convention, said that the practicalities of ILO participation would need to be worked out. As in its work with other treaty bodies, efforts would be made to provide clear indications of the relationship between the relevant ILO conventions and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and information on States parties' performance under the ILO conventions. His organization would also be able to make available a growing body of technical work on specific issues and on the situation of migrant workers in various countries.

14. Ms. ANGARITA (United Nations Population Fund (UNFPA)) said the International Conference on Population and Development, held in Cairo in 1994, had noted that migration had major implications for poverty, development, demographic and gender dynamics, national and international security and inter-State relations. Since then, migration had figured on the agenda of every major international conference, and a recent global survey conducted by UNFPA had shown that 73 per cent of the developing countries responding had taken action to influence international migration.

15. UNFPA supported research on migration and development, organized meetings and workshops on migration topics, supported the enhancement of national capacity for the collection of migration statistics, including gender-relevant migration data, and advocated addressing the special concerns of women migrants, including the elimination of discrimination and violence. It also provided assistance in meeting the reproductive health needs of women in emergency and refugee situations.

16. UNFPA was seeking to enhance countries' ability to respond to migration-related issues, promote orderly migration flows and address the needs of migrants. It facilitated regional policy dialogue by supporting the International Migration Policy Programme and government policies and initiatives, particularly in the Latin American region; it had also provided assistance to the Arab League, the Economic Commission for Europe (ECE) and the Economic and Social Commission for Western Asia (ESCWA). It supported activities focusing on human trafficking and had recently published a document highlighting the salient developments in migration since the International Conference on Population and Development.

17. In addition, UNFPA supported internal migration research in many countries in Asia and Latin America. A meeting of experts would be held in Morocco in May 2005 on international migration and the Millennium Development Goals. UNFPA was committed to working closely with the treaty bodies to ensure national follow-up to their recommendations. Its work in that regard consisted of submitting country briefing notes to the committees, providing technical support to Governments for the drafting of State party reports, disseminating committee recommendations and providing support to NGOs.

18. The CHAIRPERSON welcomed the news that an expert meeting was to be held on international migration and the Millennium Development Goals, and urged UNFPA to draw attention at the meeting to the human rights aspects of migration, since the Goals focused largely on economics and development.

19. Ms. HOLST (United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that there was a section for international migrations and multiculturalism within the UNESCO Division of Social Sciences Research and Policy. The section's objectives were to improve the protection of the human rights of migrants, promote respect for cultural diversity in multicultural societies, improve the balance between policies promoting diversity and policies promoting social integration, improve national policies for addressing the impact of migration on society in sending, transit and receiving countries, contribute to the global fight against human trafficking and exploitative migration, and strengthen the capacity, sustainability and effectiveness of diaspora networks as a means of promoting "brain gain", rather than the "brain drain", through the use of information communications technologies.
20. UNESCO had contributed to the work of the Steering Committee of the Global Campaign for the Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. In 2003, UNESCO had published an information kit on the Convention in English, French, Spanish and Russian, which had been widely distributed to Governments, journalists, NGOs and other stakeholders. An updated information kit would be published in the aforementioned languages and Arabic by the end of 2005 and would be available on the Internet. UNESCO had been researching obstacles to the ratification of the Convention, and had published 20 country reports on that issue, all of which could be accessed online. The organization would continue to carry out country studies, and would plan follow-up activities in specific countries, beginning in the Asia Pacific region, to bring stakeholders and Governments together to plan further action to encourage ratification. Work was also under way to explore the human rights aspects of migration, in particular the right to leave a country and the implications of the non-existence of the complementary right to enter and settle in a country.
21. Ms. CARLANDER (Global Commission on International Migration) said that although there was a considerable body of international law pertaining to the human rights of migrants, many countries were reluctant to sign the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Considerable campaign work was already being carried out by NGOs to promote ratification of the Convention, but additional promotional strategies were required. Although many of the core human rights instruments had been widely ratified and were applicable to migrants, including irregular migrants, they were often inadequately implemented. For that reason, there was a need for a campaign to promote the full implementation of the core human rights treaties. Migrants should be made fully aware of their rights, entitlements and obligations through pre-departure training programmes and employers should be informed of their obligations towards migrant employees. Local and international human rights organizations and civil society organizations could play a particularly important role in that regard.
22. The CHAIRPERSON said that the final report of the Global Commission could be an important tool for encouraging ratification of the Convention.
23. Ms. REDPATH (International Organization for Migration (IOM)) said that IOM had recently established a department of international migration law to promote the dissemination and understanding of international migration law, training and capacity-building, and to promote the incorporation of international migration law in comprehensive migration management

frameworks. The department's first publication had been an international migration glossary, which had been distributed to all Committee members. A project based on the glossary was under way in the Middle East, with a view to establishing a common regional terminology on migration.

24. IOM carried out capacity-building work by conducting international migration law workshops and training seminars for government officials, which included a component on the Convention. Such activities were currently being carried out in Kazakhstan, Kyrgyzstan and Senegal. IOM was also conducting a dialogue with the Governments of 10 Asian sending countries, with particular emphasis on the content of the Convention, and had recently secured funding for a five-day course on international migration law in San Remo, Italy.

25. Copies of the International Agenda for Migration Management, a policy framework that was being developed in the context of international migration law, had been distributed in the meeting room. Regarding the reporting process, IOM had field offices in 23 of the 29 States parties to the Convention, and could provide technical assistance to the Governments of those countries.

26. The CHAIRPERSON welcomed the establishment of an international migration law department within IOM, noting that the Committee could call on it for advice in examining State party reports. The IOM international migration glossary would be a useful tool in the Committee's upcoming discussions on terminology.

27. Ms. O'HARA (Office of the United Nations High Commissioner for Refugees (UNHCR)) said that although not all aspects of the Convention were automatically relevant to refugees and stateless persons, there were several provisions that were of interest to UNHCR. In countries with no legal framework for the protection of migrant workers or persons in irregular migration situations, migrants often sought protection through asylum, which had negative implications for asylum systems.

28. UNHCR submitted confidential comments to treaty bodies on the asylum situation in countries of particular concern. Such comments could be submitted to the Committee in the event that a lack of migration legislation was having a negative effect on asylum procedures in a particular State party. General discussions with the Committee would be useful, since some migration issues, although perhaps not sufficiently relevant to UNHCR to warrant a written communication, could be of interest in the context of a debate with other stakeholders. The Committee should discuss the substance of the Convention, as well as the articles of the other core human rights instruments that were relevant to the Committee, with the other treaty bodies.

29. The CHAIRPERSON said that the Committee would be particularly interested in dialogue with UNHCR on the issue of the transition between asylum and migration.

30. Mr. REICHENMILLER (World Bank) said that for many years the World Bank had been involved in migration issues from the perspectives of economics and development. Considerable research, to which the World Bank could contribute, was still necessary to support fieldwork on migration issues. The 2005 edition of the World Bank's flagship publication Global Economic Prospects would be exclusively dedicated to migration and development. Although the World Bank had rarely been associated with human rights, it was increasingly approaching

human rights from an operational standpoint. The Bank's activities were linked to the key human rights principles of transparency, participation, non-discrimination, equity and empowerment, and a human rights perspective was increasingly adopted in the World Bank's migration-related activities in the field.

31. Mr. TARAN (International Labour Office) said that a rights-based approach to migration management was not yet a fait accompli: indeed, it was being hotly contested. The very fact that a rights-based approach was being discussed was a tribute to the efforts of civil society and trade unions to promote the Convention, and was a reflection of the Convention's slow but sure progress. However, strong challenges were being lodged: for example, the United States Under-Secretary of State responsible for migration had stated that he did not believe that a multilateral rights-based framework on migration was either feasible or achievable, and one academic had argued that the Convention should either be discarded or amended, since it had been ratified by so few States and remained unacceptable to so many. In fact, many States would accept the Convention if the section on irregular migrants was removed.

32. He agreed with the representative of the Global Commission that additional strategies were required for promoting ratification. The challenges facing the Convention could only be met when between 50 and 60 States had ratified it, but after 14 years the Convention still had only 29 States parties. He was disappointed that the dynamic leadership of the Steering Committee of the Global Campaign had lost impetus, since global inter-organizational leadership was essential for promoting ratification. Global measures must be taken to complement the initiatives being carried out in certain regions, particularly since regional activities often went unrecognized in global forums. Without such measures, the Committee's credibility was likely to be called into question in future.

33. Regarding the rights-based approach to migration, the 2004 International Labour Conference had called on ILO to develop a non-binding, multilateral rights-based framework for labour migration management, taking into account labour migration needs and State sovereignty. An expert meeting would be held in September 2005, which he hoped would revise and endorse the draft framework in preparation for its adoption by the ILO Governing Body in November 2005.

34. ILO was aware of the importance of the practical implementation of rights in the field. With support from the European Union, it was carrying out fieldwork in East Africa, which had resulted in a call for further advocacy campaigns for the ratification of the migration-related ILO conventions and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by Kenya, Uganda and the United Republic of Tanzania. The East African Community had recently agreed to draft a protocol on the free circulation of persons within the territory of those three countries.

35. A few weeks previously, ILO had convened the first ever tripartite conference of Maghreb countries on labour migration. The proposals adopted by the five participant countries included one to promote the ratification of the ILO Migration for Employment Convention (Revised), 1949 (No. 97), the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and one to ensure the strict

implementation of, inter alia, the provisions regarding equal treatment, equality of opportunity and remuneration, and social security. The key stakeholders in those regions were therefore on record as having undertaken not only to ratify but also to ensure implementation of the instruments concerned.

36. The CHAIRPERSON said he agreed that inter-agency institutional capacity in respect of migrant workers' rights was still diffuse. The Committee would welcome any ideas on how it might be strengthened.

37. One way of handling current challenges to the rights-based approach was to insist that such an approach had been adopted in the basic building blocks of the human rights system, in particular the Universal Declaration of Human Rights.

38. Mr. CARRIÓN-MENA said that while he understood that the Global Commission for International Migration had not yet finalized its report, he wondered whether it would at least urge States Members of the United Nations to ratify the Convention.

39. Mr. EL-BORAI said that the Committee must continuously emphasize that the operational aspects of migration could not be separated from the human rights aspects. With regard to irregular work, it was curious that the Agreement Establishing the World Trade Organization (WTO) addressed trade in goods and services but ignored the movement of labour, probably because poor countries were more affected than rich countries by denial of freedom of movement. The Committee had a clear mission to promote the Convention as it stood, with the provisions regarding irregular migration.

40. The degree of protection enjoyed by migrant workers in receiving countries depended on the goodwill of those countries rather than on objective social and legal criteria. Countries tended to tolerate workers' irregular status while their services were needed but to expel them as soon as they had served their purpose. Globalization accentuated capital flows into rich developed countries and hence also flows of migrants from the poorest countries. The same criteria must therefore be applied to migration and employment as to flows of goods and capital.

41. Ms. CUBIAS MEDINA urged intergovernmental organizations to adopt a rights-based approach to migration issues. The countries of her region advocated the holistic management and modernization of migration from a human rights and development perspective. All migrants had rights, regardless of their status, as reaffirmed by the Inter-American Court of Human Rights in its Advisory Opinion OC-18 and the International Court of Justice in its Judgment in the case of Avena and other Mexican Nationals (Mexico v. United States of America). Renegotiation of the Convention was out of the question. It was important to stress the rights-based approach to migration without trepidation in all regions and international forums. She urged the organizations represented at the meeting to promote ratification in that context.

42. Mr. GAKWANDI said that the Committee had to fulfil its challenging mandate of monitoring migrant rights around the world with only 10 members and only two weeks of meetings each year. The Committee's lack of resources made it easier for those seeking to marginalize its work to succeed. It was therefore reassuring to hear that the Committee could

count on the assistance of intergovernmental organizations in obtaining the information it needed for effective monitoring and in drawing up lists of issues to raise with States parties. He also welcomed the undertakings given to assist States parties in preparing their reports.

43. The CHAIRPERSON said he hoped that a day of general discussion could be held at the next session on misconceptions regarding the provisions of the Convention. The Committee was obviously opposed to the idea of reopening negotiations on the Convention, which might lead to a reversal of the values it sought to promote. The Convention was designed to protect a vulnerable group, just like the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, and had been adopted by consensus by the United Nations General Assembly after 10 years of negotiations.

44. Mr. TARAN (International Labour Office) said that with Algeria's ratification of the Convention and Albania's ratification of ILO Convention No. 97, a total of 70 States had ratified at least one of the three complementary instruments defining the basic rights of migrant workers. ILO, with 55 years of experience in monitoring compliance with Convention No. 97, would doubtless be able to offer the Committee valuable assistance in that regard. But perhaps the most important area in which ILO and other organizations could help the Committee was in working to provide States and civil society with the operational ability to regulate and manage migration. Most abuses occurred in circumstances where no such mechanisms existed.

45. Coordination was also needed in the area of advocacy. The Committee was small but its voice counted provided that it remained discreet. There would be opportunities to write editorials for newspapers and to talk to government officials and diplomats. The 15 States that had signed the Convention but not ratified it should be encouraged to enact the necessary legislation as soon as possible.

46. Ms. ANGARITA (United Nations Population Fund) said that in a world of rampant injustice it was essential to build up a strong countervailing force - hence the need for a united response to the issues that had been raised. She undertook to report to UNFPA headquarters on the need for field offices to ensure that the problems of migrant workers were given greater visibility through work with both Governments and civil society.

47. Ms. CARLANDER (Global Commission on International Migration) said that the Global Commission's final report had not yet been finalized. A report on the right to leave, which had been commissioned under its research programme, would shortly be published on its web site.

48. Mr. ALBA said that, as a member of the Global Commission, he was not in a position to express an opinion on what the final report would contain. However, the presence of a member of the Commission secretariat at the meeting was a positive sign that the Committee's views would be taken into account. He was confident that some kind of appeal would be made to Governments to take action to respect the human rights of all migrants, regardless of their status. Moreover, he was optimistic that the international community was moving in the right direction on the issue of migration.

49. Mr. CARRIÓN-MENA said that the Global Commission document distributed in the meeting room contained an objective analysis of the administrative and other difficulties that were impeding ratification of the Convention and presented useful suggestions for States parties.

50. He was concerned about the proposal to reopen negotiations on a Convention that had taken 10 years to finalize and a further 14 years to enter into force. The fact that economic or political circumstances had changed did not mean that the human condition or the need to respect human dignity had changed. He was therefore pleased to hear that the organizations represented at the meeting would assist in disseminating awareness of the Convention and in promoting ratification from an exclusively humanitarian point of view.

51. Mr. BRILLANTES wondered whether the comment by the representative of the Global Commission to the effect that many core human rights instruments had already been ratified implied that there was no need to ratify the Convention.

52. The accelerating pace of accession to the Convention was encouraging. He was well placed to identify with the plight of migrant workers because they included some 8 million of his Philippine compatriots. Only 29 of the 130 countries in which they worked had ratified the Convention and the Philippines had been forced to conclude bilateral labour agreements on their behalf. Malaysia was currently foisting agreements on many South-East Asian countries, including Cambodia, Indonesia, Myanmar and the Philippines. He wondered whether such agreements ran counter to the Committee's advocacy efforts and served as a deterrent to increased accession to the Convention.

53. Ms. CARLANDER (Global Commission on International Migration) said that she was by no means questioning the value of ratifying the Convention. She had simply meant to draw attention to other human rights instruments that were also relevant to migrant workers.

54. The document mentioned by Mr. Carrión-Mena had been published as part of the "Global Migration Perspectives" series. The documents in the series were prepared by individual researchers and helped inform the Global Commission's work.

55. Mr. TARAN (International Labour Office) said that the proliferation of bilateral agreements that failed to comply with international standards was disturbing. Of even greater concern was the possible emergence of legally binding regional guidelines or codes of practice that were in contradiction with international instruments. In the framework of its regional cooperation activities, ILO therefore promoted the harmonization of migration-related bilateral agreements and guidelines with the relevant international instruments.

56. A comprehensive body of international jurisprudence testified to the relevance to migrant workers of a wide range of international human rights instruments. The Committee might wish to draw on the relevant experience of other treaty bodies when considering State reports.

57. The CHAIRPERSON said that States' scepticism towards the Convention weakened the entire United Nations human rights system. The provisions of the Convention were reflected in other human rights instruments and States' failure to ratify the Convention called into question their commitment to apply, without discrimination, the human rights norms they had accepted under those instruments.

The meeting was suspended at 12.15 p.m. and resumed at 12.35 p.m.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 3) (continued)

58. The CHAIRPERSON invited the Committee to discuss the possibility of holding a day of general discussion at its forthcoming session in December 2005. An informal paper describing the purpose of such an event, as well as possible topics for debate, had been circulated to the members. The four proposed topics concerned misconceptions and realities of the rights contained in the Convention; the Convention as a tool for enhancing development; the administrative detention of migrants; and measures to eradicate irregular or clandestine movements of migrants.

59. While misconceptions about the Convention's intent and provisions were certainly pertinent, the topic in its current formulation took a somewhat negative approach to the promotion of the Convention. A discussion on the role of the Convention in the promotion of development, however, could not be more timely, in view of the forthcoming high-level dialogue of the General Assembly devoted to international migration and development. The presentation of an outcome document at the General Assembly's high-level dialogue would enhance the Committee's visibility and profile. Given the time required for preparing the topic, however, he doubted whether it would be feasible to schedule such a discussion for December 2005.

60. Ms. CUBIAS MEDINA said that the intrinsic link between the provisions of the Convention and development warranted special attention and the General Assembly's high-level dialogue would be an ideal forum in which to promote the Convention's role in that regard. The question of misconceptions about the Convention, on the other hand, might best be raised directly with the signatory States. Discussion of the remaining topics appeared somewhat premature when more basic issues were yet to be resolved.

61. Mr. ALBA said that preparations for discussing the topic concerning misconceptions were already quite advanced, although he agreed that a more positive angle might be preferable. States' concern over the implications of the Convention required an urgent, and positive, response and there was no need to be defensive about its provisions. The topic concerning the role of the Convention in enhancing development might need to be more clearly defined; as it stood, he was uncertain as to the approach to be taken and the nature of related issues that would need addressing.

62. Mr. CARRIÓN-MENA, endorsing the statement made by Mr. Alba, suggested combining the two topics. When discussing the intent and provisions of the Convention, reference could be made to the way in which the protection of migrant workers and their families contributed to promoting development.

63. The CHAIRPERSON said that the four topics should ideally be addressed on separate occasions, thus ensuring a focused debate and giving the secretariat time to prepare each topic. He noted that studies dealing with misconceptions were already available.

64. Mr. EL JAMRI said that a discussion on misconceptions could help bring the rather dispersed promotional activities carried out so far into focus. Moreover, with the entry into force of the Convention, signatory States felt increasingly compelled to justify their failure to ratify it.

A discussion and analysis of the various reasons for that failure might facilitate the preparation of an adequate response. In that connection, the value of the Convention, including its role in enhancing development, could be discussed in depth.

65. Mr. EL-BORAI said that the four topics were of equal importance. For practical reasons, discussion of the Convention's role in development might best be deferred. The question of misconceptions of the intent and provisions of the Convention was rather extensive and might exceed the scope of a one-day discussion. In the light of daily reports of deaths of illegal migrants, the issue of illegal migration and the related question of the administrative detention of migrants was highly topical and a day of general discussion might provide an adequate framework within which to address that issue.

66. The CHAIRPERSON proposed changing the wording of the first topic to read "misconceptions and promotion of the rights contained in the Convention". The other three topics could then be incorporated as subheadings, thus facilitating a discussion, albeit not in depth, on all matters relevant to the promotion of the Convention. The question of the role of the Convention as a tool for development could be further developed on another occasion.

67. Mr. GAKWANDI said that claims that the failure to ratify the Convention resulted from misconceptions about the Convention were not necessarily genuine. The failure to ratify was often politically motivated and the Committee should not waste time and resources on attempts to counter such perceived misconceptions. Instead, the Convention should be analysed in terms of the opportunities it offered to address difficulties arising in the context of international migration, including the question of the administrative detention of migrants. Discussing policy matters such as measures to eradicate irregular or clandestine movements of migrants as proposed in the fourth topic did not fall within the Committee's mandate.

68. The CHAIRPERSON said that, on the contrary, the wording of the fourth topic faithfully reflected the contents of article 68 of the Convention and thus fell within the Committee's mandate.

69. Mr. TARAN (International Labour Office) said that the forthcoming high-level dialogue of the General Assembly would certainly address issues such as programme priorities and the coordination of efforts by United Nations and other agencies in the area of migration and development. In that connection, it was crucial to draw attention to the need to incorporate a human rights perspective in global migration management, and the Committee was well placed to do precisely that. He therefore encouraged the Committee to incorporate recommendations on the important link between migration, development and human rights in the document to be submitted to the General Assembly to ensure that human rights were placed on the international community's migration and development agenda.

The meeting rose at 1.05 p.m.