



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

List of issues prior to the submission of the sixth periodic report of Mexico*

Section I

A. General information

1. Bearing in mind the Committee's previous recommendations (see CMW/C/MEX/CO/2, para. 16), please provide information on the compatibility of the Migration Act of 2011 with the provisions of the Convention. In particular, please provide information on the measures taken to address the concerns raised by the Committee regarding the establishment of adequate safeguards for the right to due process in cases of detention and deportation (return, expulsion), the right of access to information, the gender perspective and the protection of children, in particular unaccompanied children, in the context of migration (see CMW/C/MEX/CO/2, para. 15). Please also explain the measures taken to ensure the full implementation of the law at the federal, state and municipal levels, providing details on the budgets allocated and on the coordination, monitoring and evaluation of processes and the impact of other recently enacted legislation, such as the Act on the Protection of the Rights of Children and Adolescents. Please also provide information on the circumstances and difficulties, if any, that affect the implementation of this policy. Please also provide updated information on the Special Migration Programme 2014-2018, including information on how the rights of the Convention have been addressed in this programme. Please cite cases that illustrate the effective implementation of this programme at the federal, state and local levels and its impact on the rights of migrant workers and their families (Mexicans living in other countries and foreigners residing in Mexican territory or in transit through it). Please include specific information on protocols and actions aimed at ensuring that migration documents can be obtained by persons in situations of vulnerability (lines of action 3.2.7 and 3.2.8) and by women migrant workers independently of their partners. Please indicate what policies, programmes and actions are in place to address and prevent the causes of irregular migration among Mexicans, paying particular attention to socioeconomic conditions, different forms of violence, and discrimination on ethnic, gender and other grounds. Please indicate what short- and long-

* Adopted by the Committee at its twenty-fifth session (29 August to 7 September 2016).



term comprehensive policies and programmes are being implemented and what the results of these programmes are. Please also indicate whether any regional initiatives are being undertaken in collaboration with Central American States and the United States of America in order to address the structural causes of migration in the region in a coordinated and comprehensive manner.

2. As the Committee understands it, once the amendments currently being made to article 33 of the Constitution have entered into force, there will no longer be any grounds for maintaining the reservation to paragraph 4 of article 22 of the Convention (see CMW/C/MEX/CO/2, para. 9). Please provide information on any progress made in that regard. In particular, please indicate whether the act implementing article 33 of the Constitution has been applied and confirm whether the reservation is to be withdrawn imminently.

3. Please indicate whether the State party has taken steps to ratify the International Labour Organization (ILO) Convention concerning Migration for Employment (Revised 1949) (No. 97) and the ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (No. 143), as recommended by the Committee (see CMW/C/MEX/CO/2, para. 13).

4. Please indicate how the amendments made as part of the constitutional reform of 2011 in the area of human rights have strengthened the powers of the National Human Rights Commission and the state human rights commissions to investigate serious human rights violations and whether complaint mechanisms, legal assistance and other services, including helplines, are offered by the National Human Rights Commission to the public in general and to migrant workers and members of their families in particular. Please indicate whether the National Human Rights Commission carries out visits to migrant detention centres and shelters for Mexican migrants who have been repatriated from their countries of employment or transit. In the case of detention centres, please describe what steps have been taken to ensure that migrants are detained only as an exceptional measure of last resort and what steps have been taken to put an end to the practice of detaining children, adolescents and migrant families.

5. In view of the federal nature of the State party, please describe the measures taken to ensure that the laws of all federal entities (states) and municipal entities are fully harmonized in line with the Convention and that mechanisms for institutional coordination are in place in order to safeguard the rights enshrined in the Convention for all migrant workers and members of their families. Please include information on both state and municipal policies and practices in the areas of migration, labour, child protection, combating trafficking in persons, access to justice and any other policies and practices that might impact on the rights of migrant workers and members of their families.

6. Please provide information on the measures taken by the State party during the last five years to promote and raise awareness of the Convention throughout its territory, including through coordination with federal and municipal authorities. Please also include updated information on measures taken to provide permanent and continuous training to officials involved in the protection of migrants' rights, including public prosecutors, judges, magistrates and personnel involved in the administration of justice, as recommended by the Committee (see CMW/C/MEX/CO/2, para. 22) and to federal, state and municipal officials working in child protection agencies and in the areas of employment and labour rights; members of the security forces; teachers; health workers; representatives of civil society institutions; representatives of organizations of Mexicans abroad; and the general public. In all cases, specify the budgets allocated to the training programmes and explain how they address issues relating to gender; children; lesbian, gay, bisexual, transgender and intersex persons; indigenous peoples; people of African descent; racial discrimination; and victims of trafficking and other crimes in the context of migration.

7. Please provide information on the implementation of the Convention, including details on opportunities and resources to facilitate the participation of representatives of civil society working on issues related to the rights of migrant workers; children; women; lesbian, gay, bisexual, transgender and intersex persons; indigenous peoples; and people of African descent, particularly in the context of migration. Please indicate whether civil society organizations were involved in drafting the replies to the present list of issues.

B. Information relating to the articles of the Convention

1. Part II of the Convention

Article 7

8. Please explain how federal legislation, in particular the Constitution, the Migration Act and the Federal Labour Act, ensure that all migrant workers and members of their families enjoy the rights provided for in the Convention, without distinction of any kind, and whether that legislation covers all the prohibited grounds for discrimination enumerated in the Convention and in other international treaties. Please provide information on all steps taken by the State party to ensure non-discrimination, effective protection of labour rights and gender equality in all matters relating to migration policy, both in law and in practice, including in the temporary work programmes for Mexican nationals in the United States of America and Canada.

2. Part III of the Convention

Articles 8 to 23

9. Bearing in mind the Committee's previous concluding observations (see CMW/C/MEX/CO/2, para. 30), please provide up-to-date information on the measures taken to protect undocumented migrants and their families from kidnappings, extortion, sexual abuse and other serious human rights violations, including any involvement or acquiescence by security forces, migration officers or other State officials in such acts. Please indicate whether the Comprehensive Strategy for Preventing and Combating the Kidnapping of Migrants provides for the thorough investigation of such acts, and indicate whether the role of the National Human Rights Commission has been expanded in this regard. Please provide information on the steps taken to ensure that those responsible for such crimes (particularly in cases involving State officials and authorities) have been investigated, prosecuted and convicted, and specify the charges laid and sentences imposed, as recommended by the Special Rapporteur on extrajudicial, summary or arbitrary executions.

10. Please describe the specific measures in place to protect women migrants in transit to the United States (both Mexican and foreign nationals) from all types of crime and, in particular, from different forms of violence and sexual abuse, and to provide victims with reparation. Please provide quantitative and qualitative data on the results achieved, challenges faced and successes registered by these measures, taking into account the guidelines set out by the Committee on the Elimination of Discrimination against Women in its general recommendation No. 26 on women migrant workers.

11. The Committee has received reports of numerous cases of disappearances of migrants, including children, and of involvement or acquiescence by staff of the National Institute for Migration, police officers and other public officials at the federal, state and municipal levels in some of those cases. Please provide detailed information on the steps taken to guarantee a comprehensive response to each of those cases. In particular, please provide the following information:

(a) Please describe the measures taken to give effect to the recommendations made by the Committee on Enforced Disappearances in 2015 (CED/C/MEX/CO/1) calling upon the State party to investigate disappearances of migrants, to prosecute those responsible and to provide adequate protection for informants, experts, witnesses and defence counsels. Please indicate what consideration has been given to the recommendations relating to the drawing up of guidelines and protocols for the Unit for the Investigation of Crimes against Migrants of the Office of the Attorney General of the Republic. Please indicate what human and material resources have been allocated to that Unit and to the Mexican External Support Mechanism for Search and Investigation of the Office of the Attorney General of the Republic. Please provide information on cases of disappearances that have been reported to the administrative and judicial authorities, as well as on the outcome of each case. Please also report on all measures taken, including those taken in connection with the State's duty to investigate and prosecute, to protect witnesses and to guarantee the right to justice of the victims and their family members, including those who reside in the country of origin of the victims, in response to such acts over the last five years and, in particular, in response to the following cases of large-scale massacres of migrants:

(i) The clandestine mass graves uncovered in San Fernando, Tamaulipas, in August 2010;

(ii) The 49 sets of remains discovered in Cadereyta, Nuevo León. In particular, please comment on arrests of members of criminal groups and the involvement of public officials, indicating whether the public officials involved were dismissed and prosecuted;

(b) Please provide an update on the cooperation agreement for the identification of human remains and the establishment of the committee of forensic experts. Please also provide information on the progress made by the forensic committee to date in identifying the remains of migrants and indicate whether the victims' family members are recognized as indirect victims, whether they receive regular updates and whether they can play an active role in the forensic committee's work. Please describe the measures taken to foster regional coordination with States of origin in this connection and to ensure that family members can be involved from their countries of origin and have access to effective administrative and/or judicial mechanisms to protect their rights and to seek redress for violations of those rights;

(c) Please confirm whether the office of the special prosecutor for crimes against migrants has been created and provide an overview of its functions, the actions that it has undertaken and the outcome of those actions. Please provide similar information on any special prosecutor's offices created by other States for that purpose;

(d) Please describe the measures and programmes adopted to prevent migrants in transit from falling victim to organized crime and crimes perpetrated by public officials in the State party's territory. Please describe the guidelines and criteria used by migration officers to identify undocumented migrants in the course of immigration checks performed on roads and elsewhere in the national territory. Please indicate whether racial or ethnic profiling is used for this purpose and how the rights of children and the inclusion of a gender perspective are guaranteed during such checks. Please provide detailed information on the authorities (federal, state or local) empowered to carry out immigration checks in the territory of the State party;

(e) Please report on the impact that extending control mechanisms throughout the whole territory, particularly on roads and at transport stations, has had on the risks faced by migrant workers and their families, including children, as a result of geographical issues,

the state of repair of alternative routes and, in particular, the presence of organized and common crime along the routes that they are forced to take.

12. Please indicate the number of humanitarian visas that have been granted since the entry into force of the 2011 Migration Act and its implementing regulations of 2012. In particular, please provide data on the number of permits issued to unaccompanied minors, who, in accordance with article 52 (section V) of the Act, must be issued humanitarian visas when it is consistent with the best interests of the child. Please also comment on reports received by the Committee suggesting that, in most cases, humanitarian visas are granted to the victims and witnesses of serious crimes, while asylum seekers remain unaware that they too could be eligible for this visa and, instead, are deprived of their liberty and, in some cases, returned to their country of origin. In addition, please indicate whether steps have been taken to ensure that the staff of the National Institute for Migration and other agencies, such as the National Scheme for the Comprehensive Development of the Family, systematically inform all migrants, in particular unaccompanied minors, of their right to apply for a humanitarian visa.

13. Please provide detailed information on the steps taken to investigate complaints of harassment, corruption and abuse of authority by law enforcement officials, in particular those working in the National Institute for Migration, including reports of extortion and arbitrary detention of migrant workers and their families. Please also provide information on the number of complaints received and investigated in the last five years and on the steps taken to investigate, prosecute and convict the officers responsible, specifying the nature of the charges laid and the sentences imposed.

14. Bearing in mind the Committee's previous recommendations on migrant children, in particular unaccompanied children, and adolescents (see CMW/C/MEX/CO/2, para. 56), please provide up-to-date information on the following:

(a) Please explain the functions assigned to the authorities established pursuant to the General Act on the Rights of Children and Adolescents (2014) to provide comprehensive protection for the rights of children and adolescents with regard both to Mexican and to foreign migrant children, as well as the steps taken to ensure that those functions are effectively performed. Please provide details on action taken to prepare and implement the procedures for determining the best interests of the child, in accordance with chapter 19 of the General Act and article 74 of the Migration Act, for each case of an unaccompanied migrant child that has been separated from his or her family. In particular, describe how the procedures work, what agencies or offices are involved and what short-term protection measures and long-term solutions can be adopted in accordance with each child's circumstances. Please provide statistical data on the solutions found, based on the best interests of the child, for all cases from 2011 to the present;

(b) Please indicate what steps have been taken in accordance with article 111 of the implementing regulations of the General Act on the Rights of Children and Adolescents to cease the practice of placing migrant children and adolescents — whether they are children separated from their families, unaccompanied children or children accompanied by their parents or some other adult responsible for them — in administrative detention at migrant holding centres or any other closed facility. Please indicate what alternative measures have been established and implemented so that, when and as necessary, children and their families can be accommodated at open-type facilities intended to safeguard their rights during the determination of what action would be in the best interests of the child or such other procedure as may be in place to safeguard those rights. Please provide statistical data on all alternative measures applied from 2011 to the present. Please provide information on the child welfare agencies or offices that oversee such facilities and procedures; on the budgetary and other resources, including at the federal, state and

municipal levels; and on whether the objective of protecting children's rights is considered to have priority over the objectives of the migration control policy;

(c) In view of the increase observed in returns of unaccompanied children since 2011, please provide information on the steps taken to ensure that repatriation is ordered only after a determination that that is the best solution based on the principle of the best interests of the child and after ascertaining that conditions exist for the child's safe care and custody upon return to the country of origin, as recommended by the Committee (see CMW/C/MEX/CO/2, para. 56) and by the Committee on the Rights of the Child, in its general comment No. 6 on the treatment of unaccompanied and separated children outside their country of origin, and that no other alternative would better protect the interests and rights of each child and adolescent;

(d) Please indicate what steps have been taken to guarantee the right of all unaccompanied children to a guardian, the right to legal assistance, the right to be heard and the right to other guarantees of due process, including access to justice, during procedures to determine what action would be in the child's best interests or during migration or other procedures that could have an impact on his or her rights. Please provide qualitative and quantitative information on the implementation of those steps, including measures taken by local governments, programmes to train legal advisers and guardians, and the resources allocated to ensure that those guarantees are effective.

15. Bearing in mind the Committee's previous recommendations (see CMW/C/MEX/CO/2, para. 42), please provide information on the legislative, institutional and administrative measures taken to ensure that all migrants, including those who opt for voluntary repatriation, are properly informed of their rights in a language they understand. Please provide details on the steps taken to ensure that staff of the National Institute for Migration receive appropriate training to identify asylum seekers and persons entitled to complementary protection and refer them to the National Commission for Assistance to Refugees (COMAR) and other appropriate agencies or offices. Please comment on the reports received by the Committee to the effect that staff often discourage migrants from filing a request for asylum and, as a result, they are subjected to prolonged periods of detention and, in some cases, repatriation.

16. Please provide information on the pilot project on alternatives to detention that was launched in 2015 by the National Institute for Migration and COMAR as a way to validate and enhance procedures for the identification, referral and subsequent processing of detained migrants and asylum seekers. Please indicate how that initiative complies with the provisions of the 2011 Migration Act. Indicate as well whether the project takes account of the special protection needs of vulnerable migrants and asylum seekers who are being held in detention, such as pregnant women, victims or survivors of violence or torture and members of the lesbian, gay, bisexual, transsexual and intersex community. Please provide, in particular, information on other measures implemented to ensure that the State party is in full compliance with the Convention, on the basis of the Committee's general comment No. 2 on the rights of migrant workers in an irregular situation and members of their families, particularly with regard to the use of detention only as an exceptional measure and one of last resort, the obligation to give priority to alternative measures to deprivation of liberty and the duty to cease the practice of placing migrant children in detention.

17. Please explain all steps taken under article 70 of the 2011 Migration Act to ensure that free legal assistance is available to migrants who are detained at holding centres subject to special security measures (detention) or procedures for repatriation or deportation. Please provide statistical and qualitative information on the implementation of those steps.

18. Bearing in mind article 16 of the Convention and general comment No. 2 of the Committee, please provide the following information:

(a) The measures in place to uphold the principle of exceptionality in the detention of (adult) migrants to ensure that detention is used only as a measure of last resort;

(b) The grounds that would warrant the use of that exceptional measure, the administrative or judicial authority competent to order it, the safeguards in place to ensure that any such decision is duly founded, as well as the guarantees for the right to effective recourse, including access to justice;

(c) Whether specific protocols or procedures exist to identify, prevent the detention of and provide assistance to persons in special situations of vulnerability, such as asylum seekers, pregnant or nursing women, victims of human trafficking or domestic violence, members of the lesbian, gay, bisexual, transsexual and intersex community, children and adolescents;

(d) Qualitative and quantitative information on the alternative measures to detention that are available, broken down by type, month/year of application, and sex and nationality of the person involved;

(e) Description of the measures and protocols in place to ensure access to places of detention (migrant holding centres) for organizations that promote and defend the rights of migrants and asylum seekers and for civil society in general.

19. Please provide information on the steps taken to prevent irregular transit migration through Mexico under the Southern Border Programme, including statistical information, broken down by age, sex and nationality, on detentions, repatriations, deportations and denial of entry at border checkpoints (international airports, ports and land border crossings). Please comment on the reports received by the Committee to the effect that, since the launching of the Southern Border Programme in 2014, there has been a significant increase in the number of detentions and deportations of migrants in irregular status, in particular children, including unaccompanied children. Please indicate whether units of the armed forces hold or have held assigned functions in migration procedures. If so, please explain the applicable legal framework and foundations and provide information on the impact of involvement by such units, as well as on the training provided to members of the armed forces with regard to rights under the Convention and other international human rights instruments.

Article 23

20. Please describe in detail the policies and measures implemented to ensure consular protection for migrant workers and their families in the United States, including those in irregular status, in particular with regard to:

(a) The provision of free legal assistance in cases of detention or expulsion;

(b) Family reunification procedures whereby children or, as applicable, parents can be reunited with their family in that country;

(c) Ensuring that parents and children are not separated as a result of a deportation order issued by the State of destination, for which purpose please provide details on the measures available to ensure access to legal assistance and the right to justice for migrant workers and their children in the destination country in the event of such procedures;

(d) Preventing unaccompanied Mexican children from being returned to the State party's territory from across the border with the United States without prior assessment and determination of the best interests of the child through a procedure that includes appropriate procedural guarantees, including the right of the child to be heard;

(e) Preventing unaccompanied children or children accompanied by their mothers from being detained in the destination country on grounds of their migration status.

21. Please provide as well, bearing in mind the Committee's previous recommendations (see CMW/C/MEX/CO/2, para. 44), information on the steps taken to ensure access to free legal assistance for Mexican migrant workers who have been repatriated by a destination country. Please provide information on the working arrangements used by consular representatives to maintain contact and communications with the Mexican diaspora in order to know their needs, problems and expectations with a view to those arrangements becoming a regular consular service or formal support for the migrant community.

22. Please confirm whether the State party has lodged any complaints or taken any actions to protest regulations issued by the United States that would affect migrants in its territory, or whether any other diplomatic or political action has been taken in that regard.

Articles 25 to 30

23. Please provide information on steps taken to ensure, in practice, the right to equal treatment for migrant workers and members of their families, in particular women migrant workers, especially in the farming, manufacturing and domestic work sectors, and to effectively monitor their working conditions. Please also indicate what mechanisms have been established to provide labour and legal protection such that migrant workers enjoy treatment that is no less favourable than that accorded to nationals with regard to remuneration and working conditions. Please include information on steps taken to promote the rights of migrant workers abroad, including with regard to male and female migrant sex workers.

24. Please provide information on the steps taken by the State party to ensure, in law and in practice, that migrant workers and members of their families have adequate access to health-care services, including emergency health care, in line with the Committee's general comment No. 2 and with general comment No. 14 (2000), on the right to the highest attainable standard of health, of the Committee on Economic, Social and Cultural Rights.

25. Bearing in mind the Committee's previous recommendations (see CMW/C/MEX/CO/2, para. 38), please indicate the progress made in ensuring protection for undocumented women migrant workers against all forms of exploitation and abuse. In addition, please provide detailed information on the situation of women migrant workers in domestic service, specifying what measures have been adopted to strengthen the supervision of their working conditions, to investigate and punish those responsible for abuses against them and to inform them of available mechanisms for lodging complaints against their employers and of measures adopted to facilitate the regularization of their migration status.

26. Please indicate how the amended constitution of 2011 and other laws recognize the right to registration at birth and ensure that officials of the civil registry and other relevant federal and state authorities register all children of migrant workers born in the State party, without discrimination and irrespective of the parents' migration status.

27. Please provide information on migrant workers' access to social security, the arrangements at the national level for them to contribute to and receive a pension from the system and the international agreements and conventions designed to safeguard social security benefits for Mexican migrant workers in countries of destination.

3. Part IV of the Convention

Article 44

28. Please provide information on the steps taken to promote and protect the right to family life for migrant workers and members of their families in the State party and in countries of employment, including information on programmes and policies designed to facilitate family reunification of Mexican nationals with Mexican migrant workers and other relatives living abroad, especially in the United States. Please indicate what procedures and measures are in place to protect the right to family life for migrant workers in the State party, including the right of unaccompanied children to have their parents join them in the State party or to join their parents who live in the country of origin or a third country, in keeping with the particular circumstances of each case and the principle of the best interests of the child. Please also indicate whether there is a mechanism allowing regular and safe short-term visits, whether in the country of origin or of destination.

4. Part V of the Convention

Article 58

29. Please provide information on programmes for migration status regularization that have been set up since 2011 and on their impact and assessments of their effectiveness in reducing irregular migration in the territory of the State party. Please indicate specific measures covering frontier migrant workers and their impact.

5. Part VI of the Convention

Article 64

30. Please provide information on the steps taken, such as consultation and cooperation with other States, to promote sound, equitable and humane conditions in connection with the international migration of migrant workers and members of their families, through bilateral and multilateral agreements, including policies and programmes, especially with the United States, Canada and countries of Central America and the Caribbean. Please include information on how these measures have been incorporated into migration policies and programmes in general and on whether their implementation has reduced the number of violations of the rights of migrant workers and members of their families. In particular, please include information on cooperation with the authorities of other States to protect migrants who are victims of offences and to punish those responsible. Please describe how these agreements protect rights and procedural guarantees in the event of detention, repatriation and expulsion and how they facilitate and safeguard the right to family reunification, in countries of origin, transit and destination; how they address cases of human rights violations and disappearance of migrants in transit and the search for and identification of migrant victims of these and other offences; and how victims and their families are ensured effective access to justice and reparation in the country in which they find themselves. Please provide information on the challenges that the Government and institutions face with regard to, inter alia, Cuban nationals who migrate from various countries in the region and whose final destination is the United States.

31. Please provide information on the impact of these agreements with respect to the social, economic, cultural and other needs of migrant workers and members of their families, especially in terms of collaboration and cooperation among all national actors since 2012.

Article 67

32. Please describe the programmes and measures put in place to ensure the appropriate reintegration of migrant workers and members of their families who return voluntarily or by force to their country of origin. Please indicate the steps taken to ensure that, in the case of Mexican migrant workers who return or are returned from the United States, any children born in that country have effective access to education, health care and other rights and that if they wish to apply for Mexican citizenship — and are entitled to do so under the relevant national legislation — they can gain recognition of their Mexican nationality through an accessible, affordable and simple procedure. Please also indicate the actions taken by the State party with regard to Mexican women who, as a result of deportation from the United States, are separated from their children who hold United States nationality. Please also describe the actions designed to provide comprehensive support in such cases, including legal assistance and access to justice in order to maintain legal custody of their children in the United States, psychosocial assistance and other services needed in each individual case. Please include qualitative and quantitative data on these actions and their results.

Article 68

33. Bearing in mind the Committee's previous concerns and recommendations (see CMW/C/MEX/CO/2, para. 50), please provide disaggregated data on cases of trafficking in persons recorded in the past five years. Please provide information on the mandate and powers of the Interministerial Commission established in 2013 under the General Act on the Prevention, Punishment and Eradication of Human Trafficking and the Provision of Protection and Assistance to Trafficking Victims, indicating how it exercises its functions, including the investigation, prosecution and court treatment of traffickers. Please also provide detailed information on the National Programme for the Prevention and Punishment of Trafficking in Persons 2010-2012 and on the establishment of shelters for girls and women victims of trafficking. Please provide information on reports received by the Committee which indicate that there is a pattern of discrimination against Central American migrants, especially women, on the part of the public prosecution service of Chiapas when investigating cases of trafficking in persons.

Section II

34. The Committee invites the State party to provide concise information (three pages maximum) regarding the protection of migrant workers and members of their families with respect to:

- (a) Bills or laws, and their corresponding regulations;
- (b) Institutions (and their mandates) or institutional reforms;
- (c) Policies, programmes and action plans covering migration, and their scope and financing;
- (d) Recent ratifications of human rights instruments, including the ILO Convention concerning Migration for Employment (Revised 1949) (No. 97), ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (No. 143) and the ILO Domestic Workers Convention, 2011 (No. 189);
- (e) Recent comprehensive studies on the situation of migrant workers and members of their families.

Section III

Data, official estimates, statistics and other information, if available

35. Please indicate what measures have been adopted to systematically compile disaggregated data on migrants through the establishment of a national information system on migration, as recommended by the Committee in its previous concluding observations (see CMW/C/MEX/CO/2, para. 18). In that connection, please provide disaggregated statistical data (by sex, age, nationality and reason for entry into, transit through or exit from the country) and information on migration flows and their characteristics as they relate to the rights under the Convention and other international instruments, taking into account data from federal, state and municipal entities.

36. Please provide, if available, updated disaggregated statistical data and qualitative information for the past five years (unless otherwise indicated) on:

(a) Migrant workers detained in the State party in migrant holding centres and prisons and Mexican migrant workers detained in countries of transit or employment, including those being held because of their migration status;

(b) Migrant workers and members of their families who have been repatriated, expelled or deported from the State party, disaggregated by age, sex, nationality and reason for expulsion;

(c) The number of migrant children in the State party who are unaccompanied or separated from their parents, in particular the number of children detained in migrant holding centres or other closed facilities, disaggregated by age, sex and nationality and by whether or not they are accompanied and the reason for their detention; the number of accompanied and unaccompanied children who have been repatriated to their country of origin and the reason for this decision; and the number of unaccompanied children who have been reunited with parents living in the State party or in the United States or have been issued with a residence permit for the State party on humanitarian or other grounds;

(d) Remittances received from Mexican nationals working abroad, in absolute numbers and as a percentage of gross domestic product;

(e) Reported cases of trafficking in migrants and investigations, prosecutions and conviction of the perpetrators (including data disaggregated by sex, age, nationality and purpose of trafficking);

(f) Legal services provided to migrant workers and members of their families in the State party and to Mexican nationals working abroad or who are in transit through third countries;

(g) The number of women who have sought asylum on grounds of gender-based violence and the number of unaccompanied children who have sought asylum, and the outcomes of their applications;

(h) Regarding cases of migrants who are victims of trafficking, abduction, disappearance, murder, torture, deprivation of liberty or gender-based violence, please provide information on the number of reports received at the federal and local levels, indicating the nationality and sex of the complainant. Of these reports, please indicate how many have led to an investigation, how many have been brought before a judge, and how many convictions have been handed down and against how many people. Please specify whether any public officials have been convicted and how many were relieved of their duties and are in prison or are standing trial. Please indicate how many migrants who are victims of offences and human rights violations have obtained reparation, what financial

resources are allocated to dealing with such cases and what efforts are being made regarding shelters for victims of such offences.

37. Please provide additional information on any important developments and measures being taken to implement the Convention that are considered a priority.

38. Please submit an updated core document in accordance with the requirements of the common core document set out in the “Harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents”, approved at the Fifth Inter-Committee meeting of the human rights treaty bodies in June 2006 (HRI/GEN.2/Rev.6).

39. The Committee may take up any and all aspects of the rights of migrant workers and members of their families under the Convention during the dialogue with the State party.
