



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

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## Statement by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families on its relationship with civil society organizations, adopted at its twenty-first session (1–5 September 2014)

1. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (hereafter “the Committee”) considers that its close cooperation with civil society organizations (CSOs) that work on migrant workers’ human rights is extremely important for the promotion and implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (hereafter “the Convention”).
2. The purpose of the present statement is to clarify and strengthen the Committee’s relationship with CSOs and to enhance the role of CSOs in the implementation of the Convention by States parties at the national level. In the practice of the Committee, CSOs include, among others, non-governmental organizations, trade unions and academic institutions.
3. CSOs play an important role in and contribute to the Committee’s activities before and during the reporting process, pursuant to article 73 of the Convention, and often have a catalytic role in enhancing implementation of the Convention at the national level. Since 2004, CSOs have submitted alternative reports to State party reports for the Committee’s consideration. The sixth Meeting of chairpersons of human rights treaty bodies in 1995 stressed the central function of CSOs in providing reliable information necessary for the conduct of activities of the treaty bodies. As a result, the Committee included in its rules of procedure, as revised in 2004, rule 28 on submission of information, documentation and written statements by other bodies, which stipulates that “the Committee may invite specialized agencies and organs of the United Nations, as well as inter-governmental organizations and other concerned bodies (including national human rights institutions, non-governmental organizations, and other bodies), to submit, for consideration by the Committee, written information on such matters dealt with in the Convention as fall within the scope of their activities”. Rule 28 is in conformity with article 74, paragraph 4, of the Convention.

### Implementation of the Convention

4. Whenever appropriate and feasible, it is desirable that governments involve CSOs in various aspects of the promotion and implementation of the Convention and the Committee’s concluding observations. That should in no way compromise the legal obligation of the State party to be solely accountable for the implementation of the



Convention. The Committee recommends that States parties facilitate and promote the participation of CSOs in their activities relating to the implementation of the Convention and the Committee's concluding observations. In addition to cooperating with the States parties on implementing the concluding observations of the Committee, the Committee also encourages CSOs to widely disseminate the Convention, the reports of the States parties and the Committee's concluding observations and general comments and to undertake other promotional activities relating to the Convention and the human rights of migrant workers.

#### **Role of civil society organizations in the reporting process**

5. The Committee, through its rules of procedure and its practice of holding informal meetings with CSOs, has created a space for CSOs to contribute to the reporting process and review by the Committee of States parties' implementation of the Convention.

6. Taking note of the fact that consideration of States parties' reports by the Committee is based on a constructive dialogue with States parties, the Committee considers it necessary that the dialogue be based on information received not only from States parties, United Nations offices and specialized agencies, other international and regional entities and national human rights institutions, but also from CSOs. That should ensure that the Committee is provided with comprehensive information on the implementation of the Convention in the State party concerned.

7. CSOs are encouraged to provide alternative reports to States parties' reports, and to include information on the implementation of some or all of the provisions of the Convention or specific themes focusing on gaps in the implementation of the Convention or the Committee's concluding observations. The reports should be brief, generally not more than 10 pages, and provide country-specific information on priority issues for the State party concerned regarding the Convention. It is also useful for the reports to include suggested questions and/or specific recommendations to the State party for consideration by the Committee.

#### **Consultation and inputs into the State party report**

8. The Committee recommends that States parties consult CSOs when they prepare initial or periodic reports, pursuant to article 73 of the Convention, and make the reports available to all sectors of civil society. The Committee often asks States parties whether CSOs have been consulted in the preparation of their reports and whether there has been collaboration and transparency in the reporting process. The role played by CSOs in providing information for the report of the State party should not exclude the possibility of the NGO submitting an alternative report.

#### **Alternative reports and presentation of oral information at the meetings of the Committee**

9. The Committee welcomes alternative written reports, as well as oral presentations by CSOs to the Committee during the session. CSOs are also invited to attend the constructive dialogues with States parties, as observers. The practice of the Committee has been to provide a time slot in its programme of work for a public informal meeting with CSOs on the first day of the session. During the informal meetings, CSOs make oral presentations of their written reports on matters covered by the Convention and respond to questions from Committee members. There are additional opportunities for CSOs to provide information to the Committee during private lunch hour briefings.

**Inputs on and use of the Committee's general comments**

10. The Committee encourages CSOs to provide inputs on general comments being developed by the Committee and to make use of the general comments in their promotional activities relating to the Convention and the human rights of migrant workers.

**Support to individual petitions**

11. CSOs are encouraged to provide assistance to alleged individual victims or groups of victims of human rights violations under the Convention by submitting communications to the Committee, in accordance with article 77 of the Convention, once that provision has entered into force.

**Enhancing global reach**

12. The Committee welcomes inputs from national and international CSOs and notes that, owing to logistical and financial constraints, it is not always feasible for CSOs to attend the Committee's sessions in Geneva. The Committee therefore welcomes the use of new technologies for enhanced communication with all regions during its sessions, including teleconferencing and videoconferencing, when available.

13. The Committee recognizes the important role of CSOs in promoting awareness of the Convention and the Committee's concluding observations, general comments and other outputs. It encourages CSOs and other stakeholders to contribute to the process of translating those documents into local languages, with the aim of enhancing the outreach and awareness of the Convention and other outputs of the Committee.

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