

# Report of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Thirty-first session (2–11 September 2019)

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#### I. Decisions adopted by the Committee

#### Decision 31/1

1. Upon the resignation of Ahmadou Tall as a member of the Committee and its Chair, on 11 September 2019, during its thirty-first session, the Committee elected former Vice-Chair, Can Ünver, as Chair, in accordance with rules 13, 14, 15 and 18 of its rules of procedure. Mr. Ünver continued to serve as Chair of the Committee until the expiry of Mr. Tall's anticipated term as Chair, in April 2020.

#### Decision 31/2

2. Following the resignation of Mr. Tall as a member of the Committee and its Chair, on 27 December 2019, in accordance with article 72 (6) of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Committee approved the candidate put forward by the Government of Senegal, Fatima Diallo, to replace Mr. Tall as a member of the Committee until the expiry of his term, on 31 December 2021.

#### Decision 31/3

3. The Committee decided to provide non-governmental organizations, including migrants' organizations and national human rights institutions, with the option of not attending the public informal meeting of the Committee on States parties to be reviewed during the respective session held during its first meeting, and of attending instead a separate, closed meeting with the Committee, to be held at another time during the session.

#### Decision 31/4

4. At the end of its mission to Baku, from 12 to 14 September 2019, the Committee decided to establish a working group on follow-up to the mission and to select Álvaro Botero Navarro, Ermal Frasheri and Prasad Kariyawasam as its members.

#### Decision 31/5

5. In follow-up to a meeting with States on 4 September 2019, during its thirty-first session, the Committee decided to send letters to all signatory States to the Convention and to States that are not party to the Convention requesting them to consider ratifying or acceding to it.

#### **Intersessional decision 1**

6. Given that the thirty-second session of the Committee, initially scheduled to be held in Geneva from 30 March to 9 April 2020, was postponed until further notice owing to the coronavirus disease (COVID-19) pandemic, the Committee decided that Mr. Ünver would continue as Chair until the Committee was able to hold formal Bureau elections at its thirty-second session. It also decided that Mr. Botero Navarro, whose current term as Rapporteur of the Committee would end in September 2020, would continue as a member of the Bureau.

#### II. Organizational and other matters

#### A. States parties to the Convention

7. On 20 May 2020, the date of submission of the present report, there were 55 States parties to the Convention. During the period covered by the present report, one additional State, Fiji, acceded to the Convention, on 19 August 2019, with a reservation indicating that it did not consider itself bound by the provisions of article 92 (1) of the Convention. The Convention was adopted by the General Assembly in its resolution 45/158 of 18 December 1990 and entered into force on 1 July 2003, in accordance with the provisions of its article 87 (1).

8. A list of States that have signed, ratified or acceded to the Convention is contained in annex I. The updated status of the Convention, together with the texts of declarations and reservations and other relevant information, may be found in the United Nations Treaty Collection online at <a href="http://treaties.un.org">http://treaties.un.org</a>, maintained by the Treaty Section of the Office of Legal Affairs, which discharges the depositary functions of the Secretary-General.

#### B. Meetings and sessions

- 9. The Committee held its thirty-first session at the United Nations Office at Geneva from 2 to 11 September 2019. The session consisted of 14 plenary meetings (see CMW/C/SR.430–437 and 443). The provisional agenda (CMW/C/31/1) was adopted by the Committee at its 430th meeting, held on 2 September 2019.
- The thirty-second session of the Committee, initially scheduled to be held from 30 March to 9 April 2020 in Geneva, was postponed until further notice owing to the COVID-19 pandemic. The Committee reiterates the severity of the current health crisis and urges international cooperation, shared responsibility, multilateral engagement and solidarity in response. It will coordinate with the United Nations human rights treaty bodies, the special procedures of the Human Rights Council, in particular the Special Rapporteur on the human rights of migrants, the United Nations Network on Migration, other United Nations agencies and civil society organizations to assist and support States in their responses to COVID-19, in line with the Convention and the Global Compact for Safe, Orderly and Regular Migration. While all the human rights treaty bodies have postponed their meetings in Geneva until further notice, the Committee will continue to review the impact of the COVID-19 crisis and State responses to the pandemic on the human rights of all migrant workers and members of their families in the States parties to the Convention. The Committee has taken innovative measures to strengthen its intersessional work remotely, including by making increased use of modern information and communications technology, in order to continue discharging its mandate.

#### C. Membership and attendance

- 11. At the ninth meeting of the States parties to the Convention, held at United Nations Headquarters in New York on 10 June 2019, seven members were elected to replace those whose terms were due to expire on 31 December 2019, in accordance with article 72 (1)–(5) of the Convention. Three members of the Committee were re-elected: Mohammed Charef (Morocco), Lazhar Soualem (Algeria) and Can Ünver (Turkey). The newly elected members are Khaled Cheikhna Babacar (Mauritania), Edgar Corzo Sosa (Mexico), Pablo César García Sáenz (Guatemala) and Myriam Poussi (Burkina Faso). In accordance with article 72 (5) (a) of the Convention, the newly elected members of the Committee will serve for a term of four years, beginning on 1 January 2020.
- 12. Following the resignation of Mr. Tall as a member of the Committee and its Chair, on 16 December 2019, the Government of Senegal nominated Ms. Diallo to replace Mr. Tall as a member of the Committee until the expiry of his term on 31 December 2021. On 27 December 2019, the Committee approved, in accordance with article 72 (6) of the Convention, her nomination by Senegal.
- 13. All the members of the Committee attended its thirty-first session, except for Md. Shahidul Haque and Marco Núñez-Melgar Maguiña.
- 14. Regrettably, as of 2020, the Committee has only two female members, making its membership one of the least balanced in terms of gender of all the treaty bodies. The list of the members of the Committee as at 20 May 2020, together with the duration of their terms of office, is contained in annex II to the present report.

#### D. Solemn declaration

- 15. In accordance with rule 11 of its rules of procedure, each member of the Committee, before assuming her or his duties after her or his first election, shall make a solemn declaration in open Committee. The standard practice of the Committee is for newly elected members to be requested to make the solemn declaration at the opening of the first session held in Geneva following their election. Nevertheless, since the thirty-second session of the Committee has been postponed, the newly elected members made the solemn declarations in written form, and they were then made public by posting them on the web page of the Committee, in order to have a functioning Committee with the inclusive participation of all its members in this exceptional context.
- 16. The four experts who were elected as new members of the Committee at the ninth meeting of States parties to the Convention, Mr. Babacar, Mr. Corzo Sosa, Mr. García Sáenz and Ms. Poussi, as well as Ms. Diallo, who was nominated by the Government of Senegal and approved by the Committee to replace Mr. Tall as a member of the Committee, made their solemn declarations by 14 April 2020.<sup>1</sup>

#### E. Election of officers

- 17. Upon Mr. Tall's resignation as Committee member and Chair, on 11 September 2019, during its thirty-first session, the Committee elected former Vice-Chair, Mr. Ünver, as Chair, in accordance with rules 13, 14, 15 and 18 of its rules of procedure. Mr. Ünver continued to serve as Chair of the Committee until the expiry of Mr. Tall's anticipated term as Chair, in April 2020.
- 18. Owing to the postponement of its thirty-second session, the Committee decided that Mr. Ünver would continue as Chair until the Committee was able to hold formal Bureau elections at its thirty-second session. It also decided that Mr. Botero Navarro, whose current term as Rapporteur of the Committee would end in September 2020, would continue as a member of the Bureau. At its thirty-second session, the Committee will elect three Vice-Chairs, following the departure of former Vice-Chairs Jasminka Dzumhur and María Landázuri de Mora as members of the Committee on 31 December 2019 and the election of former Vice-Chair, Mr. Ünver, as Chair at the thirty-first session.

#### F. Future meetings of the Committee

- 19. The Secretary-General decided to postpone the thirty-second session of the Committee until further notice, owing to the COVID-19 pandemic. At the time of submission of the present report, the plan was to reschedule the thirty-second session, initially scheduled for 30 March to 9 April 2020, to be held at the United Nations Office at Geneva from 28 September to 16 October 2020, adding one week to the initially scheduled two-week period from 5 to 16 October 2020. Whether the thirty-second session of the Committee can take place as planned and its format will depend on the development of the COVID-19 pandemic and the lifting of travel restrictions by States parties to the Convention, in particular.
- 20. The thirty-third session of the Committee is planned to be held at the United Nations Office at Geneva for a three-week period in March or April 2021, also adding one week to the initially scheduled two-week period.
- 21. During its thirty-first session, the Committee decided to provide non-governmental organizations, including migrants' organizations and national human rights institutions, with the option of not attending the public informal meeting of the Committee on States parties to be reviewed during the respective session held during its first meeting, and of attending instead a separate, closed meeting with the Committee at another time during the session.

<sup>&</sup>lt;sup>1</sup> See www.ohchr.org/EN/HRBodies/CMW/Pages/Membership.aspx.

# G. Participation in the thirty-first meeting of the Chairs of the human rights treaty bodies

22. Mr. Ünver participated as Chair of the Committee in the thirty-first meeting of the Chairs of the human rights treaty bodies, held in New York from 24 to 28 June 2019. During that meeting, the 10 Chairs of the treaty bodies agreed on a position paper on the future of the treaty body system (A/74/256, annex III). The position paper builds on the achievements made under General Assembly resolution 68/268 in order to further strengthen the treaty body system. The proposals of the Chairs to their respective Committees are implementable over a period of one and two years. They aim to streamline reporting and align procedures, including by offering the simplified reporting procedure to all States for periodic reports, for which the treaty bodies will develop a standard list of issues prior to reporting. They also aim to introduce progressively a coordinated schedule of country reviews in accordance with fixed cycles. Moreover, the proposals aim to reduce unnecessary duplication, limit the lists of issues prior to reporting in principle to 25 questions, and coordinate the lists to ensure that the dialogues arising from them are comprehensive and do not include substantively similar questions during the same period. In the position paper, the Chairs also agreed that there were considerable benefits to conducting dialogues with States parties at a regional level by small delegations composed of some Committee members, whereas the recommendations would continue to be adopted by the Committee as a whole. The Chairs also held consultations with representatives of States, United Nations entities and civil society organizations and met with the Secretary-General and the Deputy Secretary-General.

#### H. General comments

- 23. During its thirty-first session, Mr. Botero Navarro, coordinator of the Committee's working group on the development of a general comment on the right to liberty of migrant workers and members of their families and freedom from arbitrary detention, updated the Committee on the progress made on the zero draft. The main goal of the general comment is to provide authoritative guidance to States on implementing their obligations under the Convention, specifically article 16 on the right to liberty and freedom from arbitrary detention. Through the general comment, the Committee also aims to assist States in implementing the Global Compact for Safe, Orderly and Regular Migration and to assist other stakeholders in carrying out related advocacy initiatives.
- 24. As at 1 April 2019, the Committee had received more than 40 contributions from States, United Nations agencies and entities, international organizations, civil society organizations, migrants' organizations, national human rights institutions and academia, including submissions from 2 States parties to the Convention, 1 State signatory to the Convention and 5 States not party to the Convention. The Committee had received 20 contributions from 38 civil society organizations, 3 from national human rights institutions and 6 from academia. It continued to receive support from the International Human Rights Clinic of the University of Virginia School of Law, which assisted in preparatory work and legal research on global and regional standards and jurisprudence. Furthermore, eight United Nations agencies and entities and international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR), the International Organization for Migration (IOM) and the Office of the United Nations High Commissioner for Refugees (UNHCR), submitted substantive contributions during the consultative process. It is worth noting that the Committee received submissions from the 5 continents, and detailed information on the situation of migrant workers in migrant detention in 37 States. Such a response demonstrates the success of the consultation process, which has enabled the Committee to ensure that, through the general comment, it will be able to address global trends and patterns of increased immigration detention in all regions.<sup>2</sup>
- 25. The first reading of the zero draft of the general comment was planned for the thirty-second session, scheduled to take place from 30 March to 9 April 2020. However, owing to

<sup>&</sup>lt;sup>2</sup> See www.ohchr.org/EN/HRBodies/CMW/Pages/GC5.aspx.

its postponement, the Chair has undertaken intersessional consultations with Committee members to conduct the first reading remotely.

#### I. Promotion of the Convention

- 26. Members of the Committee and its secretariat continued to promote the Convention and the human rights of migrant workers and members of their families by: (a) participating in conferences, meetings, workshops and side events of United Nations entities and other international organizations, including OHCHR, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the International Labour Organization (ILO), the United Nations Children's Fund (UNICEF), IOM, the United Nations Network on Migration, the Organization of American States and civil society organizations; (b) advising States parties on treaty implementation and the reporting process; (c) contributing to publications on the human rights of migrant workers and on other migration-related issues; and (d) participating in various forums with academics, students and others. The following Committee members reported on activities at the thirty-first session and during the intersessional period, until 20 May 2020: Mr. Botero Navarro, Mr. Charef, Ms. Dzumhur, Mr. Frasheri, Ms. Landázuri de Mora, Azad Taghi-Zada, Mr. Tall and Mr. Ünver.
- 27. The Committee continued its advocacy for a human rights-based approach grounded in international human rights law in the implementation of and follow-up to the Global Compact for Safe, Orderly and Regular Migration. On 7 June 2019, the Chair of the Committee and the Special Rapporteur on the human rights of migrants sent a letter to explore the possibility of involving international human rights mechanisms in the International Migration Review Forum mentioned in the Global Compact for Migration (General Assembly resolution 73/195, annex). On 27 June 2019, Mr. Tall addressed another letter to all permanent missions to the United Nations in New York and Geneva. On 19 July 2019, the General Assembly adopted resolution 73/326, in which it requested the Secretary-General to ensure that the expertise of the United Nations system as a whole, including specialized agencies, funds and programmes, related organizations and regional economic commissions, as well as all relevant special procedure mandate holders and treaty bodies, in accordance with their respective mandates, giving due regard to Geneva-based expertise, was coordinated to support the State-led forums and to facilitate their participation therein. The participation of the treaty bodies and special procedures in the forums beginning in 2022 has thus been ensured.
- The Committee's working group on the Convention and the Global Compact for Migration, which is coordinated by Mr. Charef and of which Mr. Botero Navarro, Ms. Landázuri de Mora, Mamane Oumaria and Mr. Soualem are members, continued its activities during the thirty-first session. Mr. Charef led the preparation of a first draft of a comparative analysis of the Convention and the Global Compact, which the Committee may decide to develop into a general comment. With a view to implementing General Assembly resolution 73/326, the working group decided to prepare, under the leadership of Ms. Landázuri de Mora, a guidance paper on aligning the International Migration Review Forum and the reviews in the respective regions beginning in 2020, as appropriate, with the concluding observations of the Committee in order to improve the process and outputs of the Forum. Committee members are also available to participate in relevant consultations and the sessions of the Forum themselves. Mr. Oumaria is in charge of a position paper of the Committee for the Global Forum on Migration and Development that addresses the coexistence of the Convention and the Global Compact. The working group will also facilitate the participation of Committee members in meetings and conferences of the United Nations Network on Migration and explore opportunities to ensure wider ratification of the Convention on the margins of the implementation of, and follow-up to, the Global Compact, and continue to coordinate the participation of Committee members in related events alongside the Special Rapporteur on the human rights of migrants.
- 29. In a note verbale dated 25 July 2019, the Government of Mauritius informed the Committee that although Mauritius had not yet signed and ratified the Convention, it

supported the global process of reviewing the Global Compact for Migration from a human rights perspective.

- From 12 to 14 September 2019, at the invitation of the Government of Azerbaijan and further to the meeting held in Baku in December 2015 (A/71/48, para. 36), the Committee had the invaluable opportunity to hold a regional meeting in Baku and to continue its constructive dialogue on site. The Committee had a number of fruitful meetings with senior officials of the Government of Azerbaijan, including the Minister of Labour and Social Protection of the Population, the Chief of the State Migration Service, the Director of the International Law and Treaties Department of the Ministry of Foreign Affairs and the Commissioner for Human Rights (Ombudswoman), and representatives of civil society organizations. On 13 September 2019, the Committee held a well-attended interactive dialogue in a public session with senior government officials, members of the diplomatic community and representatives of international organizations, among others. The Acting Deputy Head of the Migration Policy and Legal Support Department of the State Migration Service made a presentation on the Government's strategies to advance and protect the rights of migrant workers, which was followed by substantive thematic briefings by the Committee experts and an open debate with exchanges of great relevance. The Government of Azerbaijan expressed its commitment to supporting the Committee as an ally to champion the promotion of the Convention in the region by promoting further ratifications, raising awareness about its provisions, disseminating background materials and supporting advocacy and capacity-building activities. Following the discussions, the Committee decided to establish a working group on follow-up to the mission to Azerbaijan with the purpose of furthering the promotion of the Convention and its ratification in the region. Mr. Botero Navarro, Mr. Frasheri and Mr. Kariyawasam are the working group members.
- 31. On 9 October 2019, the secretariat met with the Permanent Representative of the Republic of Azerbaijan to the United Nations Office and other international organizations in Geneva to debrief him about the Committee's mission. Following that, the working group on follow-up to the mission to Azerbaijan devised a road map to coordinate promotional activities in relation to the Convention, particularly to increase the number of States parties thereto, for the consideration of and implementation by the Committee, the Government of Azerbaijan and OHCHR.
- 32. The Committee sent letters to all signatory States requesting that they consider ratifying the Convention, and to States parties that had not yet made the declaration under article 77 of the Convention recognizing the competence of the Committee to consider individual communications. The Committee also followed up with States that had made a commitment during the universal periodic review process to consider ratifying the Convention.
- 33. On 30 May 2019, the Chair of the Committee, the Rapporteur on the Rights of Migrants of the Inter-American Commission on Human Rights, the Special Rapporteur on the human rights of migrants, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Chair of the Working Group on Enforced or Involuntary Disappearances issued a joint press release on the disappearance of Venezuelan migrants after a shipwreck in the Caribbean Sea on 24 April 2019, while heading to Trinidad and Tobago. In the press release, the States of origin and destination were urged to work together to search for and identify those who had disappeared and provide much-needed assistance to their families.<sup>3</sup>
- 34. On 17 October 2019, the Chair presented the Committee's annual report, covering its twenty-ninth and thirtieth sessions, to the Third Committee of the General Assembly (A/74/48). The Chair spoke of the unprecedented movement of people in human history (271.6 million migrants in the world, almost half of whom were women). He called on States to end the criminalization of irregular migration, which was not an act against a person, property or national security. During the ensuing interactive dialogue, the representatives of Azerbaijan, Colombia, Indonesia and Turkey expressed strong support for the Committee and for the Convention as a valuable tool to address the rights of migrants and their vulnerability to human rights violations. The representative of the European Union reiterated

<sup>&</sup>lt;sup>3</sup> See www.oas.org/en/iachr/media\_center/PReleases/2019/131.asp.

its commitment to the protection of migrants, especially women and children, stressing their vulnerability. The representatives of Indonesia and Turkey called for more States to ratify the Convention to broaden the geographical coverage of the Committee. The Chair of the Committee also participated in an interactive dialogue held during a side event to the seventy-fourth session of the General Assembly entitled "2020 and beyond: vision for the treaty body system", held in New York and attended by some 70 representatives of States, among others. The Chair also met with representatives of the Permanent Missions of Azerbaijan, Tunisia, Turkmenistan and Uzbekistan.

- 35. On 18 October 2019, on the margins of the meetings of the Third Committee of the General Assembly in New York, the Chair of the Committee held a joint press conference with the Special Rapporteur on the human rights of migrants.
- 36. On 18 December 2019, the Chair of the Committee and the Special Rapporteur on the human rights of migrants issued a statement to mark International Migrants Day, urging States to put human rights at the centre of migration policies and debates and to step up their efforts to combat hate speech. While the Global Compact for Safe, Orderly and Regular Migration provided an invaluable means for ensuring that the human rights of women, men, girls and boys were respected at all stages of migration, its implementation required full international cooperation, including among States in the same region, and strong action within countries. The Chair and the Special Rapporteur urged all States to ratify the Convention, stressing that it complemented the Global Compact and that the Global Compact was firmly founded on the Convention. One of the key aspects of a human rights-based approach to migration was to ensure that gender issues were placed at the heart of migration policies and practices so that they were developed taking into account the particular situations of migrant women and girls.<sup>4</sup>
- 37. The Chair and Mr. Charef participated in the twelfth Global Forum on Migration and Development, held in Quito from 21 to 24 January 2020. The key subjects were: (a) providing regular pathways from crisis to safety; (b) facilitating social and economic inclusion; (c) shaping public narratives on migration and migrants; (d) communicating effectively with migrants; (e) supporting arrival cities through policy coherence and multi-stakeholder partnerships; and (f) harnessing migration for rural transformation and development. The platform for partnerships sessions fostered the exchange of practices, policies and lessons learned among stakeholders. The Forum provided the Chair and the coordinator of the working group on the Convention and the Global Compact for Migration with an opportunity to advocate for convergence between the two instruments and the integration of a rights-based approach in the nexus between migration and sustainable development. The thirteenth Global Forum on Migration and Development will be hosted by the United Arab Emirates in January 2021.
- 38. On 15 and 16 April 2020, the Chair and the Committee secretariat participated in a webinar entitled "Beyond 2020 the way forward for treaty bodies: from a vision to a plan", jointly organized by the Geneva Human Rights Platform, a project of the Geneva Academy of International Humanitarian Law and Human Rights, and Columbia University, in coordination with OHCHR. The event provided an opportunity for the treaty bodies to develop and give form to the elements presented in the position paper on the future of the treaty body system (A/74/256, annex III).
- 39. On 26 May 2020, the Committee and the Special Rapporteur on the human rights of migrants issued a joint guidance note on the impacts of the COVID-19 pandemic on the human rights of migrants. They drew attention to the fact that the COVID-19 pandemic is having serious and disproportionate effects on migrants and their families globally, particularly migrants who are in an irregular situation or are undocumented. They also highlighted the significant economic contributions of migrants to society and their valuable contributions on the front lines of the responses to COVID-19, and recognized the measures adopted by States to protect migrants and their families during the crisis. They provided recommendations to States on how to better protect the human rights of migrants and their

See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25436&LangID=E.

families, irrespective of their migration status, in line with States parties' obligations under the Convention and international human rights law in general.<sup>5</sup>

- 40. On 21 June 2019, Ms. Dzumhur participated in an expert seminar held in Geneva on the role of the United Nations human rights mechanisms in monitoring the implementation of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas. On 18 July 2019, she gave a presentation on the challenges and obstacles to managing migration in the Balkans at the Balkan Studies Centre of the International University of Sarajevo. In September 2019, Ms. Dzumhur met the Special Rapporteur on the human rights of migrants in Sarajevo, during his country visit to Bosnia and Herzegovina. From 12 to 14 November 2019, she participated in a summit held in Nairobi, jointly organized by the United Nations Population Fund (UNFPA) and the Governments of Kenya and of Denmark entitled "Promoting promises", at which she advocated for the human rights of migrants, highlighting the relevant provisions of the Convention and the Committee's jurisprudence on the protection of people on the move, particularly vulnerable groups such as women and children. On 26 and 27 November 2019, she spoke at an international conference held in Kyiv on the protection of the rights of the child in armed conflicts and migration.
- Mr. Botero Navarro, together with former Committee member Pablo Ceriani Cernadas, participated in a capacity-building workshop on reporting to the treaty bodies and on applying the Convention domestically, held in Banjul from 30 June to 6 July 2019, organized by the OHCHR Regional Office in West Africa. The Gambia ratified three international human rights instruments in 2018: the Convention, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance. The main objective of the workshop was to train senior government officials, including judges and prosecutors, on the integration of the provisions of the Convention and the ILO conventions into national law following the accession by the Gambia to the Convention. During the workshop, the experts recommended that a thorough and comprehensive examination of the current legal framework take place and that efforts be made to identify specific norms of national law that were in contravention with the rights enshrined in the Convention. Laws that might necessitate revision following the accession of the Gambia to the Convention included the Immigration Act of 1965, the Gambia Nationality and Citizenship Act of 1965 and the Labour Act of 2007.
- On 22 April 2019, Mr. Botero Navarro participated in a panel discussion entitled "The human rights crisis in Central America, migrant disappearances and transnational responsibility", hosted by the International Human Rights Clinic at Boston University School of Law, the Pardee School of Global Studies Initiative on Forced Migration and Human Trafficking, and the Boston Coalition for the Inter-American Human Rights System. On 22 May 2019, he spoke as the author of the hypothetical case and judge of the final round of the 2019 Inter-American Human Rights Moot Court Competition, hosted by the American University Washington College of Law, in Washington D.C. On 11 June 2019, he participated in the keynote panel discussion on "Global and regional cooperation on migration" at the international cross-disciplinary workshop on migration in Latin America, hosted by the University of Edinburgh, United Kingdom of Great Britain and Northern Ireland. On 12 June 2019, he participated in a panel discussion entitled "The United Nations' human rights legal framework: the importance of the human rights treaties and its treaty bodies", hosted by the American University Washington College of Law and the American Society of International Law, held in Washington D.C. On 26 June 2019, he participated in a panel on "Strengthening the United Nations joint response to statelessness" at the World Conference on Statelessness, hosted by the Institute on Statelessness and Inclusion in The Hague, Netherlands. On 27 June 2019, he also participated in the grand challenges panel discussion on "Addressing statelessness in mixed migration contexts" at the same World Conference on Statelessness. On 12 August 2019, Mr. Botero Navarro participated in the regional course on international refugee law hosted by UNHCR in San José. On 12 November

<sup>&</sup>lt;sup>5</sup> See www.ohchr.org/Documents/Issues/Migration/CMWSPMJointGuidanceNoteCOVID-19Migrants.pdf.

- 2019, he spoke at the session on engagement and advocacy at the celebration marking the twentieth anniversary of the mandate of the Special Rapporteur on the human rights of migrants, held at the Universidad Iberoamericana in Mexico City. From 28 to 30 November 2019, he participated in the panel of experts on good international practices in the context of mixed migratory movements to be replicated locally at the international seminar on the present and the future of human rights public policies, held in Medellín, Colombia. On 9 December 2019, Mr. Botero Navarro participated in the session on mixed migration and human rights at the special course on "Refugees, internally displaced persons and migrants: legislative and practical protection with a focus on Central and North America", hosted in Mexico City by the International Association of Professionals in Humanitarian Assistance and Protection and Tufts University.
- 43. As the Committee's focal point for the 2020 review by the General Assembly of the status of the human rights treaty bodies, Mr. Frasheri led the development of the Committee's position on working towards a common treaty body contribution to the review. The position was adopted by the Committee at its thirty-first session. Mr. Frasheri also gave a lecture at Harvard Law School on the achievements of and challenges facing the Committee regarding the protection of migrant workers and members of their families. He supported the University of Uppsala's efforts to submit research on the draft general comment on the right to liberty of migrant workers and members of their families and freedom from arbitrary detention.
- 44. Mr. Ünver participated as keynote speaker in the national conference on the rights of migrants held in Tunis on 3 and 4 May 2019. He advocated for wider ratification of the Convention, while also noting that many Governments had seen the Convention as a threat to their sovereignty and national security. He added that it had become widely accepted that cross-border movements were a global concern that could not be adequately addressed by enacting harsh policies. Although labour migration was vital to destination countries with ageing populations, it was still rejected, particularly when it involved semi-skilled and unskilled migrants. Mr. Ünver also spoke as a panellist on securitization and the human rights of migrants within the framework of the Convention at an international congress on security held in Ankara on 19 and 20 September 2019, and participated in a closed strategy meeting on 19 November 2019 organized by the Turkish institution for Turks abroad.
- 45. On 21 and 22 October 2019, with a view to promoting the implementation of Human Rights Council resolution 34/17 on regional arrangements for the promotion and protection of human rights, Mr. Charef participated in a workshop organized by the National Institutions, Regional Mechanisms and Civil Society Section of OHCHR on regional arrangements for enhancing cooperation between the United Nations and regional mechanisms in combating racism, racial discrimination, xenophobia and related intolerance and for implementing the Durban Declaration and Programme of Action. Mr. Charef also spoke, as a panellist, on cooperation in relation to groups in focus, specifically minorities, refugees, migrants, persons of African descent and indigenous peoples, at an event held in Geneva. In his role as Director of the Regional Observatory for Migration at Ibn Zohr University, Mr. Charef organized a workshop on the role of civil society from the 10 States of the Western Mediterranean Forum in the implementation of the Global Compact for Safe, Orderly and Regular Migration, held in Agadir, Morocco, on 29 November 2019. The civil society organizations that participated in the workshop focused their discussions on the shared responsibilities of countries of departure, transit and destination to protect the human rights of all migrants, many of whom faced discrimination. They also spoke about the increasing criminalization of irregular migrants, including through illegal and arbitrary detention, human trafficking and sexual exploitation, forced labour and slavery. At the same workshop, the Chair and the Secretary of the Committee took the opportunity to promote the Convention and called upon civil society organizations to advocate for its ratification in their engagement with States. Of note is the establishment of a permanent peoples' tribunal by civil society organizations to bring States to justice for their human rights records on migration and alleged human rights violations and abuses perpetrated against migrants. The next session of the tribunal was scheduled to be held in Tunis in March 2020.
- 46. On 6 May 2020, Mr. Corzo Sosa participated in a virtual session of the regional consultation of experts from the Americas on the elaboration by the Committee on the Elimination of Discrimination against Women of a general recommendation on trafficking

in women and girls in the context of global migration, held in Panama City from 6 to 15 May 2020, and organized by that Committee in collaboration with OHCHR, IOM, the Joint United Nations Programme on HIV/AIDS, the United Nations Development Programme, UNHCR, UNICEF, the United Nations Office on Drugs and Crime and UN-Women.

- 47. On 30 October 2019, the Committee secretariat attended a mini-retreat organized by the OHCHR migration team on the Office's work related to people on the move, which was identified as an emerging global concern, or "frontier issue", in the United Nations Human Rights Management Plan 2018–2021.6 One of the objectives of the Plan is to ensure that the human rights of all migrants, particularly those in vulnerable situations, are protected. The Committee secretariat used that opportunity to brief participants on the Committee's planned activities for 2020, including the development of the general comment and of a number of ongoing thematic studies, including the comparative analysis of the Convention and the Global Compact for Migration.
- On 11 December 2019, the Committee secretariat, with the Special Rapporteur on the human rights of migrants and staff of the OHCHR migration team, attended the first annual meeting of the United Nations Network on Migration, which brought together representatives of the United Nations system, civil society organizations and other stakeholders. As a member of the Executive Committee of the Network, OHCHR facilitated a plenary discussion on the work of the Network at national and regional levels. On 12 December 2019, they attended the briefing to Member States on the Network organized by the Network secretariat and officiated by the IOM Director General in his role as Network coordinator. On 4 March 2020, the secretariat also participated in a briefing organized by the United Nations Network on Migration on its workplan, particularly on pilot countries and proposed frameworks to assist Member States undertaking regional reviews of the Global Compact for Migration in 2020. According to the IOM Director General, the United Nations multi-partner trust fund to support the global compact for safe, orderly and regular migration is fully operational and will begin to support the implementation of the Global Compact in a number of countries in 2020. The vision and guiding principles of the Compact, including the prerogative of national sovereignty, the centrality of human rights and the rule of law and the vital importance of gender-responsive and child-sensitive approaches, will provide guidance for the regional review process.<sup>7</sup>

#### J. Meeting with States parties

- 49. The Committee held a successful meeting with States parties and other stakeholders on 4 September 2019, during its thirty-first session. Over 25 permanent missions of both States parties and States not party to the Convention were represented, along with United Nations agencies and civil society organizations, with over 50 participants in total. The Committee provided an overview of the status of ratification, including the benefits and challenges and advocacy for wider ratification, challenges relating to the effective protection of the rights of migrants, and the complementarity between the Convention and the Global Compact for Safe, Orderly and Regular Migration. It also gave an update on the general comment on the right to liberty of migrant workers and members of their families and freedom from arbitrary detention.
- 50. Representatives of the Permanent Missions of Azerbaijan, Burkina Faso, Morocco, Mozambique and the Philippines expressed their Governments' support for the Committee and for the promotion of the ratification of the Convention. A representative of the Permanent Mission of Mozambique highlighted the critical role that regional economic communities, such as the Southern African Development Community and the Economic Community of West African States, should play in addressing hate speech and xenophobic attacks against migrants, alluding to an unprecedented wave of violence being perpetrated against African migrants in South Africa. The representative of Morocco stressed that 60 per cent of the 36 million African migrants remained in Africa. He said that Morocco had regularized 24,000 of the 28,000 irregular migrants in the country and that its policy was in favour of detaining

<sup>&</sup>lt;sup>6</sup> See www.ohchr.org/Documents/Publications/OMP\_II.pdf.

<sup>&</sup>lt;sup>7</sup> See https://migrationnetwork.un.org/coordinators-briefing-4-march-2020.

migrants in administrative centres. The representative of the Permanent Mission of Azerbaijan briefed States about the efficiency of the e-visa system, the e-government platform and the Public Council under the State Migration Service.

51. After the meeting, the Chair sent letters to all the permanent missions represented at the meeting requesting those States that had not already done so to sign, ratify or accede to the Convention.

#### K. Adoption of the report

52. The present annual report to the General Assembly was scheduled to be adopted by the Committee during its thirty-second session. Since the session has been postponed, owing to the COVID-19 pandemic, the Committee approved the report electronically.

#### III. Methods of work

- 53. During its thirty-first session, the Committee, in line with its long-term programme of work, continued its cooperation with relevant United Nations agencies, offices, entities and other partners, including ILO, IOM, UN-Women, UNICEF and the Working Group on Arbitrary Detention.
- 54. During its thirty-first session, the Committee adopted a letter addressed to the Permanent Mission of Turkey to the United Nations Office and other international organizations in Geneva in follow-up to its concluding observations. Ms. Landázuri de Mora updated the Committee's programme of work for 2018–2020 and submitted it to the Committee members for approval during the thirty-first session. All members of the Committee committed to working towards achieving the goals and related activities contained in the programme of work. Individual members were designated as coordinators of certain activities, taking the lead in implementing the respective activities and coordinating with the Bureau and the secretariat. The programme of work is available from the secretariat in English, French and Spanish.

## IV. Cooperation with bodies concerned

- 55. The Committee continued to cooperate with United Nations specialized agencies, intergovernmental organizations, civil society organizations and national human rights institutions. While welcoming their contributions in relation to the consideration of the reports of States parties, the Committee encouraged them to cooperate more actively with it by submitting country-specific information, including during the intersessional period, which had been prolonged owing to the COVID-19 pandemic.
- 56. The Committee continued its close cooperation with ILO, which provided assistance in a consultative capacity, in accordance with article 74 (5) of the Convention, and with IOM, UNHCR, UNICEF and UN-Women.
- 57. As members of the UN-Women expert working group for addressing women's human rights in the Global Compact for Safe, Orderly and Regular Migration, Ms. Dzumhur, Ms. Landázuri de Mora and Mr. Ünver worked on advocacy documents and initiatives to ensure that the human rights of all women and girls in migration were at the core of the Global Compact.
- 58. During its thirty-first session, the Committee held a videoconference with the Population Division of the Secretariat, which is based in New York, on the compilation of data on international migration. The Committee and UNFPA decided to strengthen cooperation in terms of collecting data and sharing information of relevance to people on the move and to hold a videoconference during every session of the Committee.

- 59. The Committee continued to cooperate with the Special Rapporteur on the human rights of migrants, including by issuing a joint press release on International Migrants Day. During its thirty-first session, the Committee met with the Special Rapporteur, who briefed the Committee on his activities, including his forthcoming country visits, the thematic report he had presented to the Human Rights Council in June 2019, which focused on the impact of migration on migrant women and girls (A/HRC/41/38), and his thematic report to the General Assembly on good practices and initiatives on gender-responsive migration legislation and policies (A/74/191). He also briefed the Committee on his advocacy initiatives related to the Global Compact for Migration, relevant conferences and meetings with stakeholders and activities aimed at promoting the Convention.
- 60. During its thirty-first session, the Director of the Institute on Statelessness and Inclusion briefed the Committee and the Committee on the Rights of the Child on the right to a nationality for migrant workers and the specific human rights implications of statelessness in the context of migration. She stressed that statelessness was estimated to affect at least 15 million people globally and that the problem was growing, as the number of children born stateless each year was more than the number of stateless persons who succeeded in acquiring a nationality.<sup>9</sup>
- 61. During its thirty-first session, the Committee met with the OHCHR migration team and was briefed on the migration-related activities of OHCHR, including advocacy initiatives to ensure a human rights-based approach to implementing the Global Compact for Migration, ensuring a role for OHCHR and the human rights mechanisms in the implementation of and follow-up to the Global Compact, various country visits, outreach to field presences on migration, capacity-building initiatives and publications.

### V. Reports of States parties under article 73 of the Convention

62. The Committee notes that, as at 20 May 2020, 18 States parties had not yet submitted their initial and periodic reports due under article 73 of the Convention. Annex III contains a table showing the due dates of the reports of States parties.

# VI. Consideration of reports submitted by States parties in accordance with article 74 of the Convention

#### A. Adoption of lists of issues and lists of issues prior to reporting

63. At its thirty-first session, the Committee adopted two lists of issues prior to reporting, one in relation to a State party that had accepted to report under the simplified reporting procedure, namely Burkina Faso, and one in relation to a State party that had been notified under rule 31 bis of the provisional rules of procedure (A/67/48 and A/67/48/Corr.1, para. 26), namely Belize. Owing to the evolving COVID-19 pandemic and the postponement of its thirty-second session, the Committee was not in a position to adopt additional lists of issues and lists of issues prior to reporting in session. It is looking into options for their online adoption remotely.

State party	Type of report (due since)	Symbol of list of issues prior to reporting
Belize	Combined initial to third periodic reports (5 September 2016)	CMW/C/BLZ/QPR/1-3
Burkina Faso	Second periodic report (13 September 2018)	CMW/C/BFA/QPR/2

<sup>&</sup>lt;sup>8</sup> See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25436&LangID=E.

<sup>&</sup>lt;sup>9</sup> Institute of Statelessness and Inclusion, *The World's Stateless* (Oisterwijk, Netherlands, Wolf Legal Publishers, 2014).

#### B. Adoption of concluding observations

- 64. At its thirty-first session, the Committee considered the second periodic report of Argentina and the third periodic reports of Bosnia and Herzegovina and Colombia in relation to the implementation of the Convention, and adopted concluding observations with respect to those States parties, in accordance with article 74 of the Convention.
- 65. Due to the postponement of its thirty-second session, the Committee had to reschedule the consideration of the combined initial to third periodic reports of Cabo Verde and the second periodic reports of Chile, Paraguay and Rwanda with respect to the implementation of the Convention, and the adoption of the concluding observations thereon, in accordance with article 74 of the Convention.
- 66. The concluding observations adopted by the Committee at its thirty-first session are available from the Committee's web page<sup>10</sup> and from the Official Document System of the United Nations (http://documents.un.org) under the symbols indicated below.

State party	Symbol of concluding observations
Argentina	CMW/C/ARG/CO/2
Bosnia and Herzegovina	CMW/C/BIH/CO/3
Colombia	CMW/C/COL/CO/3

- 67. At its thirty-first session, the Committee considered the information received from Turkey on follow-up to the concluding observations on its initial report (CMW/C/TUR/CO/1/Add.1). Comments and observations by States parties on the concluding observations are available from the Committee's web page, 11 under the relevant session number.
- 68. All documents issued in connection with sessions of the Committee can be found on the web page of the Committee.<sup>12</sup>

 $<sup>^{10} \ \</sup> See \ www.ohchr.org/EN/HRBodies/CMW/Pages/CMWIndex.aspx.$ 

<sup>11</sup> Ibid.

<sup>12</sup> See http://tbinternet.ohchr.org/\_layouts/TreatyBodyExternal/SessionsList.aspx?Treaty=CMW.

# Annex I

# States that have signed, ratified or acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as at 20 May 2020

State	Signature or succession to signature	Ratification, accession or succession
Albania	-	5 June 2007 <sup>a</sup>
Algeria	-	21 April 2005 <sup>a</sup>
Argentina	10 August 2004	23 February 2007
Armenia	26 September 2013	-
Azerbaijan	-	11 January 1999 <sup>a</sup>
Bangladesh	7 October 1998	24 August 2011
Belize	-	14 November 2001 <sup>a</sup>
Benin	15 September 2005	6 July 2018
Bolivia (Plurinational State of)	-	16 October 2000 <sup>a</sup>
Bosnia and Herzegovina	-	13 December 1996 <sup>a</sup>
Burkina Faso	16 November 2001	26 November 2003
Cabo Verde	-	16 September 1997 <sup>a</sup>
Cambodia	27 September 2004	-
Cameroon	15 December 2009	-
Chad	26 September 2012	-
Chile	24 September 1993	21 March 2005
Colombia	-	24 May 1995 <sup>a</sup>
Comoros	22 September 2000	-
Congo	29 September 2008	31 March 2017
Ecuador	-	5 February 2002 <sup>a, b</sup>
Egypt	-	19 February 1993 <sup>a</sup>
El Salvador	13 September 2002	14 March 2003 <sup>c</sup>
Fiji	-	19 August 2019 <sup>a</sup>
Gabon	15 December 2004	-
Gambia	20 September 2017	28 September 2018
Ghana	7 September 2000	7 September 2000
Guatemala	7 September 2000	14 March 2003 <sup>d</sup>
Guinea	-	7 September 2000 <sup>a</sup>
Guinea-Bissau	12 September 2000	22 October 2018 <sup>e</sup>
Guyana	15 September 2005	7 July 2010

Liberia 22 September 2004 -	State	Signature or succession to signature	Ratification, accession or succession	
Indonesia   22 September 2004   31 May 2012     Jamaica   25 September 2008   25 September 2008     Kyrgyzstan   -	Haiti	5 December 2013	-	
Jamaica       25 September 2008       25 September 2003"         Kyrgyzstan       -       29 September 2003"         Lesotho       24 September 2004       -         Liberia       22 September 2004       -         Libya       -       18 June 2004"         Madagascar       24 September 2014       13 May 2015         Mali       -       5 June 2003"         Mauritania       -       22 January 2007"         Mexico       22 May 1991       8 March 1999'         Montenegro       23 October 2006"       -         Morocco       15 August 1991       21 June 1993         Mozambique       15 March 2012       19 August 2013         Niger       -       18 March 2009"         Nigeria       -       26 October 2005"         Nigeria       -       27 July 2009"         Palau       20 September 2011       -         Paraguay       13 September 2000       23 September 2008         Peru       22 September 2004       14 September 2005         Philippines       15 November 1993       5 July 1995         Rwanda       -       15 December 2008"         Saint Vincent and the Grenadines       -       29 October 2010"	Honduras	-	9 August 2005 <sup>a</sup>	
Lesotho	Indonesia	22 September 2004	31 May 2012	
Lesotho	Jamaica	25 September 2008	25 September 2008	
Liberia       22 September 2004       -         Libya       -       18 June 2004"         Madagascar       24 September 2014       13 May 2015         Mali       -       5 June 2003"         Mauritania       -       22 January 2007"         Mexico       22 May 1991       8 March 1999f         Morocco       15 August 1991       21 June 1993         Mozambique       15 March 2012       19 August 2013         Nicaragua       -       26 October 2005"         Niger       -       18 March 2009"         Nigeria       -       27 July 2009"         Palau       20 September 2011       -         Paraguay       13 September 2000       23 September 2008         Peru       22 September 2004       14 September 2005         Philippines       15 November 1993       5 July 1995         Rwanda       -       15 December 2008"         Saint Vincent and the Grenadines       -       29 October 2010"         Sao Tome and Principe       6 September 2000       10 January 2017         Senegal       -       9 June 1999"         Serbia       11 November 2004       -         Seychelles       -       15 December 1994" <td>Kyrgyzstan</td> <td>-</td> <td>29 September 2003<sup>a</sup></td>	Kyrgyzstan	-	29 September 2003 <sup>a</sup>	
Libya - 18 June 2004 <sup>a</sup> Madagascar 24 September 2014 13 May 2015  Mali - 5 June 2003 <sup>a</sup> Mauritania - 22 January 2007 <sup>a</sup> Mexico 22 May 1991 8 March 1999 <sup>f</sup> Montenegro 23 October 2006 <sup>g</sup> -  Morocco 15 August 1991 21 June 1993  Mozambique 15 March 2012 19 August 2013  Nicaragua - 26 October 2005 <sup>a</sup> Niger - 18 March 2009 <sup>a</sup> Nigeria - 27 July 2009 <sup>a</sup> Palau 20 September 2011 -  Paraguay 13 September 2000 23 September 2008  Peru 22 September 2004 14 September 2005  Philippines 15 November 1993 5 July 1995  Rwanda - 15 December 2010 <sup>a</sup> Saint Vincent and the Grenadines - 29 October 2010 <sup>a</sup> Sao Tome and Principe 6 September 2000 10 January 2017  Senegal - 9 June 1999 <sup>a</sup> Serbia 11 November 2004 -  Seychelles - 15 December 1994 <sup>a</sup> Sierra Leone 15 September 2000 -  Sri Lanka - 11 March 1996 <sup>a</sup> Syrian Arab Republic - 2 June 2005 <sup>a</sup> Tajikistan 7 September 2000 8 January 2004 <sup>a</sup> Togo 15 November 2001 -	Lesotho	24 September 2004	16 September 2005	
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Palau       20 September 2011       -         Paraguay       13 September 2000       23 September 2008         Peru       22 September 2004       14 September 2005         Philippines       15 November 1993       5 July 1995         Rwanda       -       15 December 2008a         Saint Vincent and the Grenadines       -       29 October 2010a         Sao Tome and Principe       6 September 2000       10 January 2017         Senegal       -       9 June 1999a         Serbia       11 November 2004       -         Seychelles       -       15 December 1994a         Sierra Leone       15 September 2000       -         Sri Lanka       -       11 March 1996a         Syrian Arab Republic       -       2 June 2005a         Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004a         Togo       15 November 2001       -	Niger	-	18 March 2009 <sup>a</sup>	
Paraguay       13 September 2000       23 September 2008         Peru       22 September 2004       14 September 2005         Philippines       15 November 1993       5 July 1995         Rwanda       -       15 December 2008a         Saint Vincent and the Grenadines       -       29 October 2010a         Sao Tome and Principe       6 September 2000       10 January 2017         Senegal       -       9 June 1999a         Serbia       11 November 2004       -         Seychelles       -       15 December 1994a         Sierra Leone       15 September 2000       -         Sri Lanka       -       11 March 1996a         Syrian Arab Republic       -       2 June 2005a         Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004a         Togo       15 November 2001       -	Nigeria	-	27 July 2009 <sup>a</sup>	
Peru       22 September 2004       14 September 2005         Philippines       15 November 1993       5 July 1995         Rwanda       -       15 December 2008a         Saint Vincent and the Grenadines       -       29 October 2010a         Sao Tome and Principe       6 September 2000       10 January 2017         Senegal       -       9 June 1999a         Serbia       11 November 2004       -         Seychelles       -       15 December 1994a         Sierra Leone       15 September 2000       -         Sri Lanka       -       11 March 1996a         Syrian Arab Republic       -       2 June 2005a         Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004a         Togo       15 November 2001       -	Palau	20 September 2011	-	
Philippines       15 November 1993       5 July 1995         Rwanda       -       15 December 2008a         Saint Vincent and the Grenadines       -       29 October 2010a         Sao Tome and Principe       6 September 2000       10 January 2017         Senegal       -       9 June 1999a         Serbia       11 November 2004       -         Seychelles       -       15 December 1994a         Sierra Leone       15 September 2000       -         Sri Lanka       -       11 March 1996a         Syrian Arab Republic       -       2 June 2005a         Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004a         Togo       15 November 2001       -	Paraguay	13 September 2000	23 September 2008	
Rwanda       -       15 December 2008 <sup>a</sup> Saint Vincent and the Grenadines       -       29 October 2010 <sup>a</sup> Sao Tome and Principe       6 September 2000       10 January 2017         Senegal       -       9 June 1999 <sup>a</sup> Serbia       11 November 2004       -         Seychelles       -       15 December 1994 <sup>a</sup> Sierra Leone       15 September 2000       -         Sri Lanka       -       11 March 1996 <sup>a</sup> Syrian Arab Republic       -       2 June 2005 <sup>a</sup> Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004 <sup>a</sup> Togo       15 November 2001       -	Peru	22 September 2004	14 September 2005	
Saint Vincent and the Grenadines  Sao Tome and Principe  6 September 2000  10 January 2017  Senegal  - 9 June 1999 <sup>a</sup> Serbia  11 November 2004  - 15 December 1994 <sup>a</sup> Sierra Leone  15 September 2000  Sri Lanka  - 11 March 1996 <sup>a</sup> Syrian Arab Republic  - 2 June 2005 <sup>a</sup> Tajikistan  7 September 2000  Timor-Leste  - 30 January 2004 <sup>a</sup> Togo  15 November 2001	Philippines	15 November 1993	5 July 1995	
Sao Tome and Principe       6 September 2000       10 January 2017         Senegal       -       9 June 1999a         Serbia       11 November 2004       -         Seychelles       -       15 December 1994a         Sierra Leone       15 September 2000       -         Sri Lanka       -       11 March 1996a         Syrian Arab Republic       -       2 June 2005a         Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004a         Togo       15 November 2001       -	Rwanda	-	15 December 2008 <sup>a</sup>	
Senegal       -       9 June 1999a         Serbia       11 November 2004       -         Seychelles       -       15 December 1994a         Sierra Leone       15 September 2000       -         Sri Lanka       -       11 March 1996a         Syrian Arab Republic       -       2 June 2005a         Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004a         Togo       15 November 2001       -	Saint Vincent and the Grenadines	-	29 October 2010 <sup>a</sup>	
Serbia       11 November 2004       -         Seychelles       -       15 December 1994a         Sierra Leone       15 September 2000       -         Sri Lanka       -       11 March 1996a         Syrian Arab Republic       -       2 June 2005a         Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004a         Togo       15 November 2001       -	Sao Tome and Principe	6 September 2000	10 January 2017	
Seychelles       -       15 December 1994a         Sierra Leone       15 September 2000       -         Sri Lanka       -       11 March 1996a         Syrian Arab Republic       -       2 June 2005a         Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004a         Togo       15 November 2001       -	Senegal	-	9 June 1999 <sup>a</sup>	
Sierra Leone       15 September 2000       -         Sri Lanka       -       11 March 1996 <sup>a</sup> Syrian Arab Republic       -       2 June 2005 <sup>a</sup> Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004 <sup>a</sup> Togo       15 November 2001       -	Serbia	11 November 2004	-	
Sri Lanka       -       11 March 1996 <sup>a</sup> Syrian Arab Republic       -       2 June 2005 <sup>a</sup> Tajikistan       7 September 2000       8 January 2002         Timor-Leste       -       30 January 2004 <sup>a</sup> Togo       15 November 2001       -	Seychelles	-	15 December 1994 <sup>a</sup>	
Syrian Arab Republic- $2 \text{ June } 2005^a$ Tajikistan7 September 20008 January 2002Timor-Leste- $30 \text{ January } 2004^a$ Togo15 November 2001-	Sierra Leone	15 September 2000	-	
Tajikistan 7 September 2000 8 January 2002 Timor-Leste - 30 January 2004 <sup>a</sup> Togo 15 November 2001 -	Sri Lanka	-	11 March 1996 <sup>a</sup>	
Timor-Leste         -         30 January 2004 <sup>a</sup> Togo         15 November 2001         -	Syrian Arab Republic	-	2 June 2005 <sup>a</sup>	
Togo 15 November 2001 -	Tajikistan	7 September 2000	8 January 2002	
	Timor-Leste	-	30 January 2004 <sup>a</sup>	
Turkey 13 January 1999 27 September 2004	Togo	15 November 2001	-	
	Turkey	13 January 1999	27 September 2004	

State	Signature or succession to signature	Ratification, accession or succession
Uganda	-	14 November 1995 <sup>a</sup>
Uruguay	-	15 February 2001 <sup>a, h</sup>
Venezuela (Bolivarian Republic	c of) 4 October 2011	25 October 2016

a Accession

<sup>&</sup>lt;sup>b</sup> On 12 January 2018, Ecuador made a declaration recognizing the Committee's competence under articles 76 and 77 of the Convention to receive and consider inter-State and individual communications.

<sup>&</sup>lt;sup>c</sup> On 23 January 2015, El Salvador made a declaration recognizing the Committee's competence under articles 76 and 77 of the Convention to receive and consider inter-State and individual communications.

<sup>&</sup>lt;sup>d</sup> On 11 September 2007, Guatemala made a declaration recognizing the Committee's competence under articles 76 and 77 of the Convention to receive and consider inter-State and individual communications.

<sup>&</sup>lt;sup>e</sup> On 22 October 2018, Guinea-Bissau made a declaration recognizing the Committee's competence under article 76 (1) of the Convention to receive and consider inter-State communications.

<sup>&</sup>lt;sup>f</sup> On 15 September 2008, Mexico made a declaration recognizing the Committee's competence under article 77 of the Convention to receive individual communications.

<sup>&</sup>lt;sup>g</sup> Succession to signature.

<sup>&</sup>lt;sup>h</sup> On 13 April 2012, Uruguay made a declaration recognizing the Committee's competence under article 77 of the Convention to receive individual communications.

## **Annex II**

# Membership of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families as at 20 May 2020

Name of member	Country of nationality	Term expires on 31 December
Khaled Cheikhna <b>Babacar</b>	Mauritania	2023
Álvaro Botero Navarro	Colombia	2021
Mohammed Charef	Morocco	2023
Edgar Corzo Sosa	Mexico	2023
Fatima <b>Diallo</b>	Senegal	2021
Ermal <b>Frasheri</b>	Albania	2021
Pablo César García Sáenz	Guatemala	2023
Md. Shahidul <b>Haque</b>	Bangladesh	2021
Prasad Kariyawasam	Sri Lanka	2021
Mamane Oumaria	Niger	2021
Myriam Poussi	Burkina Faso	2023
Lazhar Soualem	Algeria	2023
Azad <b>Taghi-Zada</b>	Azerbaijan	2021
Can Ünver	Turkey	2023

Chair: Can Ünver

Rapporteur: Álvaro Botero Navarro

## **Annex III**

# Submission of reports under article 73 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as at 20 May 2020

State party	Type of report	Date due	Session at which list of issues prior to reporting under the simplified reporting procedure was adopted: Due date of replies thereto	Date report received	Session at which report (will be) examined
Albania	Initial	1 October 2008	-	6 October 2009	Thirteenth (2010)
	Second	1 November 2015 <sup>a</sup>	-	19 December 2016	Thirtieth (2019)
	Third	1 May 2024	-	-	-
Algeria	Initial	1 August 2006	-	3 June 2008	Twelfth (2010)
	Second	1 May 2012	-	7 December 2015	Twenty-eighth (2018)
	Third	1 May 2023	-	-	-
Argentina <sup>b</sup>	Initial	1 June 2008	-	2 February 2010	Fifteenth (2011)
	Second	1 October 2016	Twenty-eighth (2018): 1 May 2019	26 July 2019	Thirty-first (2019)
	Third	1 October 2024	-	-	-
Azerbaijan <sup>b</sup>	Initial	1 July 2004	-	22 June 2007	Tenth (2009)
	Second	1 May 2011	-	26 October 2011	Eighteenth (2013)
	Third	1 May 2018	Twenty-ninth (2018): 1 March 2020	4 February 2020	Thirty-second (2020)
Bangladesh	Initial	1 December 2012	-	28 December 2015	Twenty-sixth (2017)
	Second	1 May 2022	-	-	-
Belize	Initial	1 July 2004	Eighteenth (2013): 1 January 2014	-	Twenty-first (2014), in the absence of a report and of a delegation
	Combined initial to third	5 September 2016	Thirty-first (2019): 1 November 2020	-	-
Benin	Initial	1 November 2019	-	-	-
Bolivia	Initial	1 July 2004	-	22 January 2007	Eighth (2008)
(Plurinational State of)	Second	1 July 2009	-	18 October 2011	Eighteenth (2013)
	Third	1 July 2018	-	29 November 2018	-
Bosnia and	Initial	1 July 2004	-	2 August 2007	Tenth (2009)
Herzegovina	Second	1 May 2011	-	12 August 2011	Seventeenth (2012)
	Third	1 October 2017	-	1 November 2017	Thirty-first (2019)
	Fourth	1 October 2024	-	-	-

State party	Type of report	Date due	Session at which list of issues prior to reporting under the simplified reporting procedure was adopted: Due date of replies thereto	Date report received	Session at which report (will be) examined
Burkina Faso <sup>b</sup>	Initial	1 March 2005	-	6 November 2012	Nineteenth (2013)
	Second	13 September 2018	Thirty-first (2019): 1 May 2020	-	Thirty-second (2020)
Cabo Verde	Initial	1 July 2004	Twentieth (2014): 1 April 2015	-	Twenty-third (2015), in the absence of a report and of a delegation
	Combined initial to third	9 September 2016	-	2 August 2018	Thirty-second (2020)
Chile	Initial	1 July 2006	-	9 February 2010	Fifteenth (2011)
	Second	1 October 2016	Twenty-eighth (2018): 1 May 2019	15 May 2019	Thirty-second (2020)
Colombia	Initial	1 July 2004	-	25 January 2008	Tenth (2010)
	Second	1 May 2011	-	18 October 2011	Eighteenth (2013)
	Third	1 May 2018	-	2 May 2018	Thirty-first (2019)
	Fourth	1 October 2024	-	-	-
Congo	Initial	1 July 2018	-	-	-
Ecuador <sup>b</sup>	Initial	1 July 2004	-	27 October 2006	Seventh (2007)
	Second	1 July 2009	-	23 November 2009	Thirteenth (2010)
	Third	1 July 2015	Twenty-fifth (2016): 1 May 2017	3 May 2017	Twenty-seventh (2017)
	Fourth	1 October 2022	-	-	-
Egypt	Initial	1 July 2004	-	6 April 2006	Sixth (2007)
	Second	1 July 2009	Twenty-sixth (2017): 1 May 2018	-	-
El Salvador <sup>b</sup>	Initial	1 July 2004	-	19 February 2007	Ninth (2008)
	Second	1 December 2010	Sixteenth (2012): 6 May 2013	19 February 2014	Twentieth (2014)
	Third	1 May 2019	-	-	-
Fiji	Initial	1 December 2020	-	-	-
Gambia	Initial	1 January 2020	-	-	-
Ghana	Initial	1 July 2004	Eighteenth (2013): 1 January 2014	31 August 2014	Twenty-first (2014)
	Second	5 September 2019	-	-	-
Guatemala <sup>b</sup>	Initial	1 July 2004	-	8 March 2010	Fifteenth (2011)
	Second	1 October 2016	Twenty-seventh (2017): 1 November 2018	1 November 2018	Thirtieth (2019)

Canada a servicio	Tuna	Date her	Session at which list of issues prior to reporting under the simplified reporting procedure was adopted: Due date of replies	Date report received	Session at which report
State party	Type of report		thereto		(will be) examined
	Third	1 May 2024	-	-	-
Guinea	Initial	1 July 2004	Twentieth (2014): 1 April 2015	22 July 2015	Twenty-third (2015)
	Second	9 September 2020	-	-	-
Guinea-Bissau	Initial	1 February 2020	-	-	-
Guyana	Initial	1 November 2011	Twenty-fourth (2016): 1 October 2017	9 April 2018	Twenty-eighth (2018)
	Second	1 May 2023	-	-	-
Honduras	Initial	1 December 2006	Twenty-second (2015): 1 March 2016	28 April 2016	Twenty-fifth (2016)
	Second	1 October 2021	-	-	-
Indonesia	Initial	1 September 2013	Twenty-fourth (2016): 1 May 2017	28 April 2017	Twenty-seventh (2017)
	Second	1 October 2022	-	-	-
Jamaica	Initial	1 January 2010	Twenty-third (2015): 15 January 2017	-	Twenty-sixth (2017), in the absence of a report
	Combined initial and second	1 May 2019	-	-	-
Kyrgyzstan <sup>b</sup>	Initial	1 January 2005	Nineteenth (2013): 1 June 2014	10 June 2014	Twenty-second (2015)
	Second	24 April 2020	-	-	-
Lesotho	Initial	1 January 2007	Twenty-first (2014): 5 September 2015	1 December 2015	Twenty-fourth (2016)
	Second	1 May 2021	-	-	-
Libya	Initial	1 October 2005	Twenty-seventh (2017): 1 November 2018	27 March 2019	Thirtieth (2019)
	Second	1 May 2024	-	-	-
Madagascar	Initial	1 September 2016	Twenty-sixth (2017): 1 May 2018	8 August 2018	Twenty-ninth (2018)
	Second	1 October 2023	-	-	-
Mali	Initial	1 October 2004	-	29 July 2005	Fourth (2006)
	Second	1 October 2009	Sixteenth (2012): 6 May 2013	1 October 2013	Twentieth (2014)
	Third	1 May 2019	-	-	-
Mauritania	Initial	1 May 2008	Twenty-first (2014): 5 September 2015	13 October 2015	Twenty-fourth (2016)

State party	Type of report	Date due	Session at which list of issues prior to reporting under the simplified reporting procedure was adopted: Due date of replies thereto	Date report received	Session at which report (will be) examined
	Second	1 May 2021	-	-	-
Mexico <sup>b</sup>	Initial	1 July 2004	-	14 November 2005	Fifth (2006)
	Second	1 July 2009	-	9 December 2009	Fourteenth (2011)
	Third	1 April 2016	Twenty-fifth (2016): 1 May 2017	19 May 2017	Twenty-seventh (2017)
	Fourth	1 October 2022	-	-	-
$Morocco^b$	Initial	1 July 2004	-	12 July 2012	Nineteenth (2013)
	Second	13 September 2018	-	-	-
Mozambique	Initial	1 December 2014	Twenty-sixth (2017): 1 May 2018	14 August 2018	Twenty-ninth (2018)
	Second	1 October 2023	-	-	-
Nicaragua	Initial	1 February 2007	Twenty-second (2015): 1 March 2016	31 August 2016	Twenty-fifth (2016)
	Second	1 October 2021	-	-	-
Niger <sup>b</sup>	Initial	1 July 2010	Twenty-second (2015): 1 March 2016	25 July 2016	Twenty-fifth (2016)
	Second	1 October 2021	-	-	-
Nigeria	Initial	1 November 2010	Twenty-third (2015): 15 January 2017	-	Twenty-sixth (2017), in the absence of a report and of a delegation
	Combined initial and second	1 May 2018	-	-	-
Paraguay <sup>b</sup>	Initial	1 January 2010	-	10 January 2011	Sixteenth (2012)
	Second	1 May 2017	Twenty-eighth (2018): 1 May 2019	13 November 2019	Thirty-second (2020)
Peru <sup>b</sup>	Initial	1 January 2007	-	14 August 2013	Twenty-second (2015)
	Second	24 April 2020	-	-	-
Philippines <sup>b</sup>	Initial	1 July 2004	-	7 March 2008	Tenth (2009)
	Second	1 May 2011	Sixteenth (2012): 6 May 2013	13 March 2014	Twentieth (2014)
	Third	1 May 2019	-	-	-
Rwanda	Initial	1 April 2010	-	21 October 2011	Seventeenth (2012)
	Second	1 October 2017	Twenty-eighth (2018): 1 May 2019	16 January 2020	Thirty-second (2020)

State party	Type of report	Date due	Session at which list of issues prior to reporting under the simplified reporting procedure was adopted: Due date of replies thereto	Date report received	Session at which report (will be) examined
Saint Vincent and the Grenadines	Initial	1 February 2012	Twenty-fourth (2016): 1 May 2017	-	Twenty-eighth (2018), in the absence of a report and of a delegation
	Initial and second	1 May 2019	-	-	-
Sao Tome and Principe	Initial	1 May 2018	Thirtieth (2019): 1 March 2020	-	-
Senegal <sup>b</sup>	Initial	1 July 2004	-	1 December 2009	Thirteenth (2010)
	Combined second and third	1 November 2014	Twenty-second (2015): 1 January 2016	25 February 2016	Twenty-fourth (2016)
	Fourth	1 May 2021	-	-	-
Seychelles	Initial	1 July 2004	Twentieth (2014): 1 April 2015	21 August 2015	Twenty-third (2015)
	Second	9 September 2020	-	-	-
Sri Lanka <sup>b</sup>	Initial	1 July 2004	-	23 April 2008	Eleventh (2009)
	Second	1 November 2011	Eighteenth (2013): 1 July 2014	3 May 2016	Twenty-fifth (2016)
	Third	1 October 2021	-	-	-
Syrian Arab Republic	Initial	1 October 2006	-	21 December 2006	Eighth (2008)
	Second	1 October 2011	-	-	-
	Third	1 October 2016	-	23 December 2019 <sup>c</sup>	-
Tajikistan	Initial	1 July 2004	-	3 December 2010	Sixteenth (2012)
	Second	1 May 2017	-	2 May 2017	Thirtieth (2019)
	Third	1 May 2024	-	-	-
Timor-Leste	Initial	1 May 2005	Twentieth (2014): 1 April 2015	1 September 2015	Twenty-third (2015)
	Second	9 September 2020	-	-	-
Turkey <sup>b</sup>	Initial	1 January 2006	Twentieth (2014): 1 April 2015	8 April 2016	Twenty-fourth (2016)
	Second	1 May 2021	-	-	-
Uganda	Initial	1 July 2004	Eighteenth (2013): 1 July 2014	31 March 2015	Twenty-second (2015)
	Second	24 April 2020	-	-	-
$Uruguay^b$	Initial	1 July 2004	-	30 January 2013	Twentieth (2014)
	Second	1 May 2019	-	1 November 2019	-

State party	Type of report	Date due	Session at which list of issues prior to reporting under the simplified reporting procedure was adopted: Due date of replies thereto	Date report received	Session at which report (will be) examined
Venezuela (Bolivarian Republic of)	Initial	1 February 2018	Twenty-ninth (2018): 1 March 2020	9 March 2020	Thirty-second (2020)

<sup>&</sup>lt;sup>a</sup> Extension requested until 1 February 2016.



<sup>&</sup>lt;sup>b</sup> States parties that have accepted the simplified reporting procedure of the Committee, by which the lists of issues prior to reporting adopted by the Committee and the written replies to the lists of issues prior to reporting shall be considered as the initial or periodic reports under article 73 (1) (b) of the Convention. The Committee may also adopt lists of issues prior to reporting in cases where it decides to review the implementation of the Convention in the absence of a report, under rule 34 of its rules of procedure (CMW/C/2).

 $<sup>^{\</sup>ensuremath{c}}$  Combined second and third periodic reports.