

Check against delivery

**Committee on the Protection of the Rights of All Migrant Workers
and Members of Their Families**
18th Session



Opening Address by
Mr. Simon Walker, Chief of Section,
Human Rights Treaties Division
OHCHR

Geneva, 15 April 2013

Mister Chairperson,
Distinguished members of the Committee
Ladies and Gentlemen,

It is my pleasure to welcome you, on behalf of the High Commissioner for Human Rights, Ms Navi Pillay, and the Director of the Treaties Division, Mr. Ibrahim Salama, to the eighteenth session of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families. By way of introduction, I am the counterpart of Wan-Hea Lee in regard to the other treaty bodies serviced by OHCHR. In my Section, we service the HRCte, CESCR, CAT, CERD and CED. I am delighted to promote cross fertilization and mutual support by joining you this morning.

Treaty Body Strengthening Process

The most prominent issue of common concern is undoubtedly the treaty body strengthening process. All treaty bodies are requested to inform the meeting of Chairpersons on a biannual basis on the progress made, including at its next meeting to be held in May. Allow me to commend the Committee at the outset for moving forward in implementing the simplified reporting procedure on a strict reporting

calendar, which are key recommendations presented in the report of the High Commissioner.

Regarding the guidelines on the independence and impartiality of treaty body members, endorsed by the Meeting of Chairpersons last June in Addis Ababa, I wish to inform you that all Committees have indicated their intention to consider how they can incorporate them in their rules of procedure. At this stage, CEDAW, CRC, CRPD, and SPT have formally adopted the Addis Ababa guidelines. I encourage you to continue your review of this important document at your present session.

This month and the next promise to be eventful. The co-facilitators of the Intergovernmental Process on the strengthening of the treaty body system, the Ambassadors of Iceland and Indonesia, after being re-appointed last December, expressed their intention to finish the process by May following a series of informal consultations. They began this year in February and continued last week in New York. You have each been provided with information on these discussions and I understand that you will be meeting with the co-facilitators during this session.

The contribution of human rights treaty body experts to the thematic discussions was highly valued by the co-facilitators and Member States. A number of issues were discussed, including

documentation and conference services, the simplified reporting procedure, webcasting and videoconferencing, and the nomination and election process. The co-facilitators have emphasized that any savings made in the final outcome should be reinvested in the treaty body system and capacity development. At your meeting with the co-facilitators later in the session you will have the opportunity to discuss any of these matters.

At the same time, the report of the High Commissioner on treaty body strengthening submitted to the General Assembly in June 2012 spawned so much interest that our Office has had to continue to respond to many detailed queries, particularly about the Comprehensive Reporting Calendar. In this regard, we note that the discussions are entering a phase where concrete choices are being deliberated, especially those that would affect the overall cost of such an approach. In addition, the co-facilitators have requested OHCHR and the UN Office at Geneva to act on another proposal presented in the report, which is to cost the backlogs of reports and individual communications every two years. They have asked OHCHR to estimate what would be needed to eliminate the current backlogs.

Budget Crisis

Distinguished members of the Committee,

You were recently sent information on the budgetary constraints facing the United Nations and OHCHR. We are unfortunately anticipating system-wide cuts of 100 million USD in the regular budget of the UN Secretariat for the 2014-2015 biennium, of which 4.5 million USD will likely be drawn from OHCHR's regular budget. Despite the fact that 70 per cent of these cuts must be in staff costs, I am pleased to inform you that the CMW secretariat will not be affected by these measures at this point in time. However, while the Office will continue to do its utmost to provide the best possible servicing to the treaty bodies, it seems inevitable that we all have to make some sacrifices. The treaty bodies are being asked to further rationalize their working methods and practices in the light of the above. In this regard, CMW is commended for agreeing to green its sessions since much of the information for the session is provided on CD-Rom, saving much staff time and paper.

Survey

Distinguished members of the Committee,

Mr. Salama has asked me to thank you for taking part in the survey that was sent last December related to your level of satisfaction with the support of the secretariat. Forty-five out of 172 experts completed the survey which, given the busy end-of-year period, we consider to be quite a good response rate. The Division was pleased

that 83.7 percent of respondents rated secretariat support either satisfactory or very satisfactory. A similar survey will be sent out at the end of this year and we hope that as many of you as possible will provide us with this important feedback.

Human Rights Activities Relevant to CMW

Distinguished members of the Committee,

Allow me to briefly outline interventions by the High Commissioner and other human rights mechanisms that are relevant to the work of CMW. The High Commissioner sent out letters on 18 December 2012, as part of activities undertaken for UN International Migrants Day, commending those States that accepted, during the first cycle of the Universal Periodic Review (UPR), the recommendation to consider ratifying the ICRMW.

A joint statement for UN International Migrants Day entitled "Migrants deserve full recognition as rights holders" was also issued for International Migrants Day by various experts, including the Special Rapporteur on migrants, Mr. Crépeau, and your Chair, Mr. El Jamri. The statement, in addition to recognizing the contributions of migrants and reaffirming that human rights are rights for all persons, including migrants, also called on States to ratify the Convention.

UN experts also issued a statement expressing outrage at the beheading on 9 January of Rizana Nafeek, a national of Sri Lanka and

a domestic worker in Saudi Arabia, as violating international human rights treaty obligations. This tragic case underscores the importance of the need for States to ratify the Convention to protect the human rights of migrant workers.

Following a visit to Greece in December 2012 as part of a regional study of the human rights of migrants at the borders of the European Union, the Special Rapporteur on the rights of migrants made recommendations both to Greece and the European Union especially focusing on the plight of the growing number of irregular migrants trapped in Greece on their way to other European Union destinations. He stressed the need for an EU-wide approach based on human rights.

The UN Committee on the Rights of the Child held a day of general discussion last September in Geneva on “The rights of all children in the context of international migration”. The report includes a strong recommendation for States to expeditiously and completely cease the detention of children on the basis of their own or their parents’ migration status. It affirms that the detention of a child due to migration status constitutes a child rights violation and contravenes the principle of the best interests of the child. The contribution of your designated representative that Day, Mr. Tagidzhade, was much appreciated, and in turn, I do not doubt that the report of Day will

prove useful to this Committee as it reflects on the rights of children affected by migration.

High-Level Dialogue on International Migration and Development

Distinguished members of the Committee,

As you are aware, the General Assembly will hold a High-Level Dialogue on International Migration and Development during its sixty-eighth session from 3 to 4 October 2013, which will provide a unique opportunity to take stock of the progress accomplished in the global discussion about migration policies worldwide. The Dialogue will include a roundtable on the human rights of all migrants. OHCHR is actively preparing for the high level dialogue, including the endorsement of a set of human rights based key messages on migration, the preparation of an analytical report on migration and human rights which would specifically consider how attention to the rights of migrants can be strengthened within the governance framework of migration at the international level, as well as other initiatives. I understand that the Migration Advisor at OHCHR will provide more information on OHCHR activities in this regard.

On 20 February 2013, IOM together with DESA and UNDP organized a roundtable in New York entitled: Towards the 2013 High-Level Dialogue on International Migration and Development: Measures to ensure respect for and protection of the human rights of all

migrants, as well as to prevent and combat smuggling of migrants and trafficking in persons, and to ensure regular, orderly and safe migration.

Conclusion

Finally, I would like to introduce your new Secretary, Mr. Bradford Smith, who was previously the Secretary of CEDAW for the past two and a half years. At the same time, I wish to thank your outgoing Secretary, Mr. Jakob Schneider, for his excellent work with the Committee. I am sure we all wish them well in their new functions.

Without further delay, I would like to conclude by wishing you a very successful and productive 18th session. I would be pleased to respond to any questions or comments that Members may wish to pose.

Thank you, Chair.
