

## **CMW-CRC Joint General Comment on the Human Rights of Children in the Context of International Migration**

### **Summary**

**Event:** Consultation with States and other stakeholders on the CMW-CRC Joint General Comment on the Human Rights of Children in the Context of International Migration, sponsored by the Global Migration Centre of the Graduate Institute of International and Development Studies

**Dates:** 2 May 2017 from 6:15 to 8:00 pm

**Venue:** Graduate Institute of International and Development Studies, Auditorium Ivan Pictet B (Chemin Eugène-Rigot 2A, Geneva)

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On 2 May 2017, the Global Migration Centre of the Graduate Institute for Human Rights of Geneva and OHCHR hosted a consultation with States and other stakeholders on the CMW/CRC zero draft of the joint general comment on children in the context of international migration. The meeting was a public one and participants includes over 90 representatives from the Permanent Missions in Geneva, UN agencies and entities, treaty body experts, civil society and academia.

Mr. Vincent Chetail, Director of the Global Migration Center opened the consultation. Mr. Benyam Dawit Mezmur, Chair of the CRC and Mr. Pablo Ceriani, Vice-Chair of CMW provided an overview of the joint general comment followed by interventions from the participants. Mr. Brad Smith of HRTB moderated the session.

Comments on the zero draft were very positive and encouraged the Committees to develop very clear guidance on children in detention, to address more fully racial discrimination and xenophobia; to ensure appropriate guidance on age-related analysis; to address the issue of asylum-seekers and refugees; to further expand issues relating to health, education and access to justice, including firewalls; to provide clearer guidance on family unity and reunification, including in relation to non-refoulement; to include children left behind and children with disabilities; to further emphasize the right to development; and to expand and clarify trafficking in children. In addition to the above comments, some States were concerned about the scope of the joint general comment given that many States were not party to the CMW. In this regard, the audience was assured that the joint general comment draws upon both Conventions, however, it is squarely based in the CRC and so would be applicable to all States parties to the CRC and CMW. It was also highlighted that the CMW provides for minimum standards and does not go beyond obligations that already exist in other core international human rights treaties but places them into the context of migrant workers and members of their families.

The participants were also informed of other consultations taking place and to provide written inputs by the end of June 2017.