



UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW)

Day of General Discussion on “the role of migration statistics for treaty reporting and migration policies”

OHCHR, Palais Wilson, Geneva, 22 April 2013

First Floor Conference Room

Background Note Prepared by the Secretariat

PART I

A. Introduction

On 22 April 2013, the UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (the Committee) is organizing a half-day general discussion in Geneva on the importance of migration statistics for treaty reporting and migration policies.

The full morning discussion will take place during the eighteenth session of the Committee at the United Nations Office in Geneva (Palais Wilson). It is a public meeting in which representatives of governments, UN bodies and specialised agencies, intergovernmental organisations and non-governmental organisations are invited to participate.

Although much debated, international migration is often misunderstood. Facts and figures are seldom available or lack quality and timely relevance resulting in uncertainty about the numbers of migrant workers who are in countries of transit and destination as well as statistics about migratory movements and the human rights situation of migrant workers and their families. Further, data gaps on precisely which individuals or groups are counted as migrants, their location, origin, and period or time when they moved may make it difficult to adequately target policies and programmes towards migrant workers.

In this context, the Committee is of the view that better information, including better migration statistics and their rigorous analysis can play a useful role in the protection of human rights and in the design of evidence-based policies and decision making. The Committee has repeatedly highlighted to States parties the need for reliable, high-quality information to better understand the situation of migrant workers and their families, to assess the implementation of the Convention and improve the design of policies and programmes.

Through an exchange of the different experiences and good practices in the systematic collection and analysis of migration data, participants will learn about the challenges to closing gaps in methodologies, quality and practices as well as the solutions that are being adopted to gain information on the protection of rights and that data on habitually “hidden” populations - including irregular migrants, migrant domestic workers, migrants in administrative detention, children of migrants - are also reflected.



Focus and objectives:

- To exchange relevant information on the challenges and good practices for the collection and analysis of migration statistics, including existing tools and databases;
- To share good practices on data protection relating to the collection of personal data of migrants, particularly with regard to vulnerable groups (including children, migrants in an irregular situation, and on health information such as HIV status); and
- To understand how information can be used by different actors for the benefit of the group of people on which data is being collected. Examples include: the development of policies and programmes regarding migration and reaching out to migrant workers and their families by government and non-governmental service providers involved in the protection of the human rights of migrants. Concretely, the Committee hopes the discussion will provide States parties with existing good practices to implement the Committee's recommendations regarding migration statistics for treaty reporting.

The discussion will serve to: (1) increase awareness about the need of migration statistics for developing sound policies related to the protection of migrant workers and their families; (2) to improve States party reports to the Convention, by highlighting the need to include updated disaggregated statistical data; and (3) to raise awareness of ethical issues related to collecting personal data on migrants and respecting the principle of "do no harm".

B. Format and outcome

After a general introduction, a panel discussion will focus on the good practices in obtaining reliable and quality migration statistics including information on:

1. States and local governments which have good data collection and analysis systems;
2. Collaboration with non-governmental actors for obtaining reliable information on statistics relating to the informal sector or on migrants workers in an irregular situation and members of their families and other "hidden" populations;
3. Inter-State cooperation; and
4. Data protection and privacy.

An informal summary of the debate will be posted on the OHCHR website.

C. Participation

The format of the discussion is designed to enable participants to exchange views through a frank and open dialogue. Questions and brief comments are welcome from all participants, the Committee therefore asks participants to avoid presenting formal statements during the discussion. Interpretation will be provided in English, French and Spanish.

Written contributions are invited on the issues and topics mentioned, within the framework outlined above. The deadline for the written contributions is 15 April 2013. The Committee is especially interested in receiving information about good practices. Please refer to the guidelines posted on the CMW web site for participants for information on how to register for participation in the discussion day and for submission of contributions.

D. Accreditation

Please fill out the conference registration form available on the web site and send it to the Secretariat by email: cmw@ohchr.org by 8 April 2013.

For more information please contact the Secretariat, Committee on Migrant Workers, Office of the UN High Commissioner for Human Rights, Mr. Bradford Smith, at: bsmith@ohchr.org or the Secretariat cmw@ohchr.org.



PART II

1. The context

At the international level, the need for better government data collection and analysis on migration has been emphasised continuously. The Committee has, in various occasions, requested States parties to take measures to improve migration data collection in order to better understand the situation of migrant workers and their families and better protect their human rights. The Committee is aware that major challenges, for example the collection of data on vulnerable or “invisible populations” of migrant workers, such as children and migrants in an irregular situation persist but also notes there have been important steps forward.

The Committee has identified these groups as vulnerable because of the discrimination, exclusion, exploitation and violation of their rights that they may face. In order to protect migrant workers and members of their families through the design of relevant and effective policies, it is key to know their situation

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

The ICRMW constitutes the broadest normative framework in international law for the protection of the rights of migrant workers and members of their families, and guidance for States on how to develop labour migration policies while respecting the human rights of migrants. One of the Convention's key values is making explicit that the set of fundamental rights contained in the Universal Declaration of Human Rights, the International Covenants and other core international human rights instruments, also need to be articulated in national law for all migrant workers and members of their families, in order to ensure that these rights are indeed applied universally.

The Convention applies to the entire migration process of migrant workers and members of their families. It describes their rights and related protection at all stages of that process: during preparation, recruitment, departure and transit; stay in states of employment; and their return to or resettlement in countries of origin or residence.

3. Further reading

- Center for Global Development, *Migrants Count*, May 2009
- Brussels Global Forum on Migration and Development, 2007
<http://www.gfmd.org/en/meetings/2007>
- OHCHR, *The International Convention on Migrant Workers and its Committee*; OHCHR Human Rights Fact Sheet No. 24 (rev.1).
- OHCHR Regional Office for Europe, *Migrant Workers' Rights in the Europe*, 2011
http://europe.ohchr.org/Documents/Publications/Migrant_Workers.pdf
- International Labour Organization (ILO), *International Labour Migration: A rights-based approach*, 2010.
- International Organization on Migration (IOM), *The World Migration Report*, 2010.
- United Nations Statistical Division (1998), *Recommendations on Statistics of International Migration*, Statistical Papers Series M, No. 58, Rev.1 (ST/ESA/STAT/SER.M/58/Rev.1), New York.