



UN Committee on Migrant Workers (CMW): 29th Session, 3-12 September 2018

State reports reviewed: Madagascar, Mozambique

Lists of Issues adopted: Azerbaijan, Bosnia and Herzegovina,  Colombia, Venezuela

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RESUME:

- No SOGIESC recommendations were made during the Session.
- One SOGIESC-inclusive question was made for [Colombia](#), to report on:
 - Any protocols or procedures for the identification, non-detention and care of people in special situations of vulnerability, including the LGBTI community.

- Next Session: [1 to 29 April 2019](#)
 - Countries (main review): Albania, Guatemala, Libya, Tajikistan
 - Countries (for LOI): Cabo Verde
 - Countries (for LOIPR): Bolivia, Sao Tome and Principe, Syrian Arab Republic
 - NGO report deadline: 11 March 2019 (to cmw@ohchr.org)

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1. SUMMARY

The UN Committee on Migrant Workers (CMW) published four Lists of Issues (LOIs) and two sets of Concluding Observations as a result of its [29th Session](#) (3 to 12 September 2018).

Questions on LGBTI persons were sent to one State party (Colombia), out of the four that were issued LOIs (Azerbaijan, Bosnia and Herzegovina, Colombia and Venezuela).

There were no SOGIESC¹ recommendations in the Concluding Observations for the two States reviewed during the Session (Madagascar and Mozambique).

No stand-alone recommendations or questions were made for LB women, TI persons or SOGIESC issues. In the one List of Issues addressing SOGIESC, the LGBTI community was mentioned as one of several vulnerable groups.

1.1. Concluding Observations

During its 29th Session, the CMW reviewed the initial reports of two State parties: Madagascar and Mozambique. No SOGIESC recommendations were issued by the Committee in its concluding observations to either State, nor was SOGIESC brought up in the constructive dialogues.

Correspondingly, the Committee had not raised SOGIESC questions in the States' lists of issues prior to reporting (LOIPR) adopted at its 26th Session. There were no civil society submissions for either State.

| Country | SOGIESC in previous CO* | SOGIESC in LOIPR** | SOGIESC in the constructive dialogues*** | SOGIESC in CSS**** | SOGIESC in current CO* |
|----------------------------|-------------------------|--------------------|--|--------------------|------------------------|
| Madagascar | N/A | No | No | N/A | No |
| Mozambique | N/A | No | No | N/A | No |

*Concluding Observations

**List of Issues Prior to Reporting

***According to the press releases

****Civil Society Submissions

Text in bold links to the source material.

1.2. Lists of Issues (LOIs) and Lists of Issues Prior to Reporting (LOIPRs)

During its 29th Session, the CMW produced questions for four States that are to be reviewed in the future: LOIs for Bosnia and Herzegovina and Colombia, and LOIPRs for Azerbaijan and Venezuela.

Among the four, only [Colombia](#) was requested to provide information pertaining to SOGIESC. The Committee asked the State to report on any protocols and procedures in place for identification, non-detention and care of vulnerable groups in migration, including LGBTI persons. There were no stand-alone questions on SOGIESC.

Finally, Azerbaijan was the only State to receive a civil society submission, which did not make reference to SOGIESC issues.

Bosnia and Herzegovina and Colombia will have their State reports reviewed during the CMW's [31st Session](#) on 2-11 September 2019. The Session dates for Azerbaijan and Venezuela (simplified reporting procedure) have yet to be determined.

¹ SOGIESC: Sexual orientation, gender identity and expression, and sex characteristics

2. COMPILATION OF CONCLUDING OBSERVATIONS

No Concluding Observations contained SOGIESC recommendations.

States with no SOGIESC recommendations:

- Madagascar
- Mozambique

3. COMPILATION OF LISTS OF ISSUES

Colombia – List of Issues – 29th Session, 8 October 2018, 3rd review²

II. Information relating to the articles of the Convention

C. Part III of the Convention

Articles 8 to 22

18. In the light of article 16 of the Convention and the Committee's joint general comments with the Committee on the Rights of the Child No. 3 (2017), on the general principles regarding the human rights of children in the context of international migration, and No. 4 (2017), regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return:

[...]

(c) Please indicate whether specific protocols or procedures are in place for the identification of persons in special situations of vulnerability (such as asylum seekers, pregnant or breastfeeding women, victims of human trafficking or domestic violence, members of the lesbian, gay, bisexual, transgender and intersex (LGBTI) community, children and adolescents) and for ensuring that they are not held in detention and receive proper care;

[...]

States with no SOGIESC questions:

- Azerbaijan
- Bosnia and Herzegovina
- Venezuela

² [CMW/C/COL/Q/3](#)

4. CIVIL SOCIETY SUBMISSIONS

No submissions by civil society addressed SOGIESC issues.

There was only one civil society submission for the Session (Azerbaijan).