



**CONSIDERATION OF REQUESTS FOR THE
INCLUSION OF AN EMERGENCY ITEM IN THE ASSEMBLY AGENDA**

**Request for the inclusion of an emergency item
in the agenda of the 128th Assembly of the Inter-Parliamentary Union
submitted by the delegation of Mexico**

On 20 March 2013, the President of the IPU received from the delegation of Mexico a request for the inclusion in the agenda of the 128th Assembly of an emergency item entitled:

“Unaccompanied migrant children around the world”.

Delegates to the 128th Assembly will find attached the text of the communication submitting the request (Annex I), as well as an explanatory memorandum (Annex II) and a draft resolution (Annex III) in support thereof.

The 128th Assembly will be required to take a decision on the request of the delegation of Mexico on Saturday, 23 March 2013.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution which clearly define the scope of the subject covered by the request. The Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a major event of international concern on which it appears necessary for the IPU to express its opinion. Such a request must receive a two-thirds majority of the votes cast in order to be accepted;
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted;
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject;
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.

**COMMUNICATION ADDRESSED TO THE PRESIDENT OF THE IPU BY
THE LEADER OF THE MEXICAN DELEGATION**

Mexico City, 15 March 2013

Dear Mr. President,

In accordance with the relevant rules of the Inter-Parliamentary Union, in particular Assembly Rule 11.1, I am honoured to submit a request for the inclusion of an emergency item in the agenda of the 128th IPU Assembly, which will take place in Quito (Ecuador), from 22 to 27 March 2013 entitled:

“Unaccompanied migrant children around the world”.

Please find attached an explanatory memorandum and draft resolution in support of this request.

Please accept, Mr. President, the assurance of my highest consideration.

Yours sincerely,

(signed)

Gabriela CUEVAS BARRÓN
Leader of the Mexican Delegation

UNACCOMPANIED MIGRANT CHILDREN AROUND THE WORLD

Explanatory memorandum submitted by the delegation of Mexico

In the Québec City Declaration adopted at the 127th IPU Assembly parliaments were urged to protect diversity and human rights as universal values and to adopt, promulgate and enforce laws to that end.

Mindful of the need to respect human rights as enshrined in international treaties and in the light of the growing regional and international concern about the plight of children and young people, we wish to include on this Assembly's agenda the consequential issue of unaccompanied migrant children and adolescents.

According to information received by UNICEF, in 2010 the number of migrants around the world stood at 214 million. Approximately 128 million lived in developed countries and 74 million in developing countries. The same data suggested that 33 million migrants were aged under 20, 15 per cent of the total migrant population worldwide. In view of the regrettable dearth of international statistics on the number of unaccompanied migrant children, universal methods must be devised for collecting reliable data and ensuring that all the sectors concerned are kept informed of these migratory flows.

The problem of migrant children and adolescents, whether accompanied or not, is increasingly being acknowledged as a matter of deep concern worldwide. When they attempt to cross borders, migrant children are highly vulnerable to exploitation and trafficking and are likely to fall victim to criminal activity. Protecting the rights of the child must therefore be a priority for all IPU Members. These children must be treated with dignity by all national authorities, their rights must be respected and family reunification must be ensured.

Children and adolescents might decide to travel to other countries unaccompanied for a variety of reasons: to be reunited with their families, to improve their standard of living by working abroad or to escape domestic violence, crime or sexual exploitation.

Whatever the reason, unaccompanied migrant children are exposed to serious violations of their physical integrity and human rights. Inter alia, they might have accidents (resulting in asphyxia, dehydration or injury); be lured into organized crime networks; be forced into sexual or labour exploitation; suffer institutional maltreatment when they are repatriated; or lose their lives while travelling or crossing borders.

When they reach their destinations many of these minors work in unsafe conditions and become extremely vulnerable to exploitation, whether in the workplace or sexually.

These children live in a constant state of human rights abuse. In addition to the risks to which they are exposed, they cannot attend school, which slows down their development, and it goes without saying that they are deprived of basic rights, such as the rights to food, health and family life.

In terms of migration, Mexico is a country of origin, transit and destination, thanks to which Mexicans are acutely aware of the importance of the issue. According to Mexico's National Institute of Migration, between 2002 and 2011 358,473 migrant children were repatriated from the United States of America. In 2012, 17,129 minors were repatriated from the United States, 79.3 per cent of whom were unaccompanied and 35.6 per cent were aged under 11.

Over the past 12 years, Mexico has successfully implemented specific strategies aimed at enhancing the protection of migrant children and adolescents. Over the same period major programmes have been launched to ensure that during the repatriation process the human rights of migrant children and adolescents are not jeopardized. One example is the inter-institutional programme for the care of minors at borders, under which special units are set up to look after unaccompanied migrant children and adolescents.

In 2008, the National Institute of Migration implemented the model for the protection of unaccompanied children and adolescents, which provides for the appointment of child protection officials. They are federal migration officers who specialize in looking after migrant children and adolescents, in particular unaccompanied ones.

The design and operation of this protection model involved 17 federal government bodies and three international organizations, IOM, UNHCR and UNICEF. It is innovative in that it places the rights of the migrant child at the centre. Subsequently, Mexico has undertaken to safeguard migrant children's rights while they are in the country. Although more remains to be done, definite progress has been made.

Children who travel alone are protected under the UN Convention on the Rights of the Child, in effect since 2 September 1990, and various other international human rights treaties. Nevertheless, we must work together through our laws and policies to:

1. Tackle the reasons why children are forced to leave their families and migrate to other countries.
2. Ensure that the State looks after unaccompanied migrant children, with emphasis on offering training for those working in welfare, public safety, migration and the civil service in general and establishing care centres for this high-risk population group.
3. Establish legal principles that, above all, guarantee the rights of the child, which IOM and UNICEF list as follows:
 - The principle of the best interest of the child;
 - The principle of non-discrimination;
 - The right to participation;
 - The right to life, survival and development;
 - The principle of family reunification;
 - The right to protection from violence;
 - The principle of non-refoulement;
 - The guarantee of due process.
4. Initiate the necessary measures and legal reforms to harmonize the criteria applied by all IPU Members for drawing up statistics and to make it easier for governments to size up the situation and take measures to help migrant minors, and migrants in general.
5. Set up coordination, communication and cooperation mechanisms for the protection of migrant children's rights, bearing in mind that the rights of the child know no borders.

UNACCOMPANIED MIGRANT CHILDREN AROUND THE WORLD

Draft resolution submitted by the delegation of MEXICO

The 128th Assembly of the Inter-Parliamentary Union,

- (1) *Concerned* at the situation facing thousands of children around the world, who for a variety of reasons are forced to leave their countries and families and run the risk of travelling unaccompanied, imperilling their safety and physical integrity and exposing themselves to human rights abuses,
- (2) *Recognizing* the importance of promoting international and regional agreements for affording migrant children, in particular when unaccompanied, requisite care,
 1. *Urges* parliaments to promote national policies on unaccompanied children and adolescents, offering training for and raising the awareness of police officers, migration officials and authorities, welfare and health administrations and civil servants in general, with regard to the treatment of minors;
 2. *Also urges* parliaments to do all they can to ensure that migration officials are specially prepared for taking care of and protecting children, appoint special Ombudspersons, provide legal aid and counselling, guarantee consular assistance and facilitate access to justice;
 3. *Further urges* parliaments to ensure that children's economic, social and cultural rights are respected, including the rights to education and health, through the establishment of special care centres,
 4. *Calls on* all parliaments to take the necessary measures and legal reforms in order to:
 - Harmonize the criteria used by all IPU Members to draw up statistics, in order to make it easier for governments to assess the situation and take measures accordingly,
 - Take parliamentary action to criminalize all violations of the safety, physical integrity or human rights of unaccompanied migrant children, including the failure to assist a child in danger;
 5. *Also calls on* all parliaments to establish legal principles that protect the rights of the child, including: the best interest of the child; the principle of non-discrimination; the right to participation; the right to life, survival and development; the principle of family reunification; the right to protection from violence; the principle of non-refoulement; and the guarantee of due process.