



Convention on the Rights of the Child

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Committee on the Rights of the Child

Views adopted by the Committee under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, concerning communication No. 61/2018 *, **

Communication submitted by: D.N. *et al.*
Alleged victim: The authors
State party: Switzerland
Date of communication: 22 November 2018
Subject matter: Family reunification

1. The authors of the communication are D.N. *et al.*, four Eritrean children. In 2011, they and their mother obtained refugee status in Switzerland. Their father joined them in 2016; his asylum application was rejected on 23 April 2018 by the Federal Administrative Court. The authors submit that the authorities of the State party never contacted them to enquire about whether they wished to live with their father. The authors also claim that, by repealing article 51 (2) of Asylum Act No. 142.31 on family reunification, the State party has violated the Convention. Specifically, the authors submit that the State party, by preventing them from living with their father, has violated their rights under articles 2, 3, 16, 18 and 22 of the Convention.

2. On 28 November 2018, the Committee, acting through its working group on communications, decided to register the communication and dismiss the request for interim measures consisting in the suspension of the expulsion of the authors' father.

3. On 23 February 2019, the authors informed the Committee that their father had obtained a residency permit in Switzerland; therefore, there was no longer a risk that he would be returned to Eritrea. The authors requested that the communication be discontinued.

4. At a meeting on 31 May 2019, the Committee, having considered the authors' request, decided to discontinue the consideration of communication No. 61/2018 in accordance with rule 26 of its rules of procedure under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

* Adopted by the Committee at its eighty-first session (13–31 May 2019).

** The following members of the Committee participated in the consideration of the communication: Suzanne Aho Assouma, Aissatou Alassane Sidikou, Amal Salman Aldoseri, Hynd Ayoubi Idrissi, Bragi Gudbrandsson, Philip Jaffe, Olga A. Khazova, Cephaz Lumina, Gehad Madi, Faith Marshall-Harris, Benyam Dawit Mezmur, Mikiko Otani, Luis Ernesto Pedernera Reyna, José Ángel Rodríguez Reyes, Ann Marie Skelton, Velina Todorova and Renate Winter.

