

trade union information

No. 9 AUGUST 1974

FORTNIGHTLY JOURNAL FOR TRADE UNIONS

produced by the Community's trade union division

(Information Directorate-General)

REPRODUCTION AUTHORISED

Special number - International action in favour of nigrant workers

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1. INTRODUCTION

Demands for action in favour of migrant workers in the industrial countries of Europe have been reflected by demands for international action. The problems of migrant workers are by their nature international problems, affecting both countries of origin and countries of reception of migrant workers. International action can harmonise at the level of the best the social conditions accorded and migrant workers.

This special number of "Trade Union Information" does not attempt to give a comprehensive survey of international activities in respect of migrant works. it takes only two points of focus in this field, namely the June 1974 session of the International Labour Organisation and the fact that the Commission of European Communities is due to present an action programme for migrant worke to the Council of Ministers before the end of 1974. It presents the positic which the international trade union movement has been taking up in connection with these two events.

2. EUROPFAN COMMUNITY OPENS SOCIAL FUND TO MIGRANT WORKERS

The Commission of the European Communities is due to present to the Council of Ministers a programme of action in respect of migrant workers before the of 1974. A special working party of the Commission on migration problems has finalised its work for the Commission.

Meanwhile, as reported in "Trade Union Information" No. 6 (July 1974) the Council of Ministers has agreed to make migrant workers eligible to obtain credits under article 4 of the European Social Fund.

The Fund will be able to intervene in the following circumstances :

- "integrated" programmes for migrant workers of Community origin, covering preparations before departure and up to reception in the country of immigration;
- crientation actions : workers who are nationals of third countries (the number of such workers in the Community is estimated at 6.2 million) will be able to benefit from certain measures in their country of immigration, mainly concerning their reception and in certain cases vocational training;
- training of social workers and orientation staff: the Social Fund will be able to make grants for the training or supplementary training of persons looking after the reception of migrants.

This opening of article 4 of the Social Fund to migrant workers does not exclude them from the scope of actions designed to combat structural unemployment under article 5 (The Social Fund caters for two types of actions :

1) those under article 4 directly linked to repercussions on employment of Community policies, such as in textiles or agriculture;

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2) those under article 5 aimed at absorbing structural unemployment in certain regions).

The Council of Ministers (Education) has adopted Commission proposals for action to solve the educational problems faced by the children of migrant workers resident on the territory of the Community (more than one million between the ages of 4 and 18). The Commission's proposals were summarised in "Trade Union Information" No. 2 April (II) 1974.

3. <u>WORLD COLFFIDERATION OF LABOUR SETS OUT CUIDELINES FOR ACTION</u> CONCERNING MIGRANT WORKERS

The World Confederation of Labour adopted a wide-ranging statement in 1972 on The WCL and Migration"; its Commission for Migrant Workers has now published a new report (prior to the 1974 International Labour Conference) giving its views on the texts of the proposed ILO Conventions and Recommendations concerning migrant workers and at the same time setting out the ideological basis for its action in this field.

The report examines the responsibility of the international capitalist system for the massive exodus of labour. It affirms that the rich countries reap most benefit from the situation and that the countries of departure, as well as the migrants themselves, pay the price of immigration. WCL action is centres around three themes:

1. Encouraging one single fight by the whole of the working class

Depite the partial progress made here and there thanks to the action of the trade unions, the working classes in industrialised countries are nevertheless dependent on the capitalists and are exploited. This can be seen on various levels in industry: level of responsibility or training, age, sex or race.

But analyses of the situation have proved, despite differences in remuneration or job, that engineers, trained labourers, shop assistants, bank clorks, the emigrant, all suffer the same fate.

Therefore, trade union action must be undertaken by all and on all problems. This means that this international struggle must be thought out by all members of society, no matter what their qualification, sex or nationality.

2. Undertaking an offensive struggle against capitalism

We know that for the time being immigration is, for the industrialised countries, the best way which they have of ensuring their economic growth, of contributing to their ideology (production - consumption) and of continuing their domination of the poor countries.

If the trade unions want to put an end to this system of exploitation and make a true attack on its causes, they must take action beyond the more action

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beyond the mere action of social reform. The capitalist system is capable of accepting these "realistic" claims which are compatible and may be included in their ideology. Therefore, to simply carry out social reform and no further action, would simply be consolidating the capitalist regime.

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The trade unions must not only refuse to be integrated into the economic and political system which exists but they must also fight in an offensive manner for the acceptance of their aims and methods against the capitalist structures.

3. Encouraging the development of the countries of origin

The WCL reaffirms the right of all workers to live and work, with their families, where and when they please. But this must be their own free choice. Trade unionism should contribute to giving man the freedem to choose his own way of life.

In the present state of affairs, the great majority of migrant workers are forced to leave their countries because of economic and political factors. This explains under-development and contributes to the continuation of under-development.

Solidarity with the community of origin, is another factor which the WCI must strive to propote. Also, on general level, whilst respecting the individual choice of each person, trade unionism should try to encourage a return of the migrants to their countries of origin, rather than encouraging their integration and assimilation into the countries of arrival.

Such orientation, in accordance with the development of the countries of departure calls for certain choices to be made in particular with regard to the culture of the immigrants themselves.

This also calls for trade unionism to adopt a different attitude towards immigration. Constant pressure should be exercised on the governments of the countries of arrival and departure, to set up a form of compensation for the actual exploitation by making cooperation agreements between the countries of arrival and departure for the "technical" training of militants and for the development of trade union organisations in the countries of departure. This i <u>one</u> very important element in our fight for the joint development of all peoples, and in our struggle against the regimes of dictatorship, fascism or nec-colonialism.

4. DECLARATION OF THE DETALWORKERS INTERNATIONAL CONFERENCE ON MIGRANT MOREERS

A joint migrant-workers' conference of the International Metalworkers' Federation (which represents 13 million metalworkers in all continents) and the European Metalworkers' Federation was held in Geneva on 13 and 14 May 1974.

In a declaration on the conditions of migrant workers, the delegates decided to :

- denounce the inadmissible living and working conditions of migrant ... workers;

- demand equal economic, social and trade union rights for migrant workers;
- demand that all government agreements unfavourable to migrant workers be revised with trade union participation;
- deplore the harshness and hostility of government immigration authorities which lead migrant workers to acts of desperation;
- condemn the illegal smuggling of labour, demand that all migrant workers who were illegally introduced into a country be permitted to stay in that country and work; demand that those responsible for the smuggling be rigorously tracked down and that their names be published not only in their country of origin but also in all the host countries;
- considering all the present problems created by the economic crisis which threatens the standard of living, employment, and all the progress made by trade unions, urge all affiliated organisations to do all in their power to ensure that migrant workers are not the first viotims of this situation;
- insist that migrant workers have the freedom of choice either to integrate in the host country, or to return to their country of origin, and demand that all measures be taken to guarantee this freedom of choice;
- consider that in the long run, massive emigration of labour could have negative effects in the country of origin and that industrial development should be aided in these countries by investing capital where labour is abundant and within the bounds of the country's programme of development;
- recommend that all affiliated organisations include in their collective bargaining negotiations demands that investments be directed to underdeveloped regions and that the question of social infrastructures also be raised;
- demand that trade unions be given the right to participate in all decisions concerning employment and living and working conditions of migrant workers;
- urge trade unions to ensure that men, as well as women, migrant workers are given the opportunity for full participation in trade union responsibilities at all levels, and on the same footing as / nationals;
- consider that one of the main conditions for social integration is the participation of migrant workers in communal affairs with the right to vote at communal level;

- urge affiliated federations to make sure that vocational training is available for migrant workers and, so as to eliminate language barriers, demand that lessons in the language of the host country be given to migrant workers during working hours and be paid for by the employer;
- underline the fact that the equality of rights for migrant workers as well as all the above mentioned demands in this declaration, are applicable to both men and women workers.

The Conference called for full participation of the trade unions in the formulation of international policies and action by the European Economic Community and the International Labour Organisation. It further approved the initiative of the International Confederation of Free Trade Unions in calling a World trade union conference on migration of workers.

A work programme covering migrant workers in the metal industry as well as more general questions was adopted. Meetings on specific problems should be organised among the trade unions concerned "and with the direct participation of migrant workers themselves."

. ICFTU MIGRANT WORKERS CHARTER

The International Confederation of Free Trade Unions held a World Conference on Migrant and Stateless Workers on 3 and 4 June 1974 in Geneva. Major items on the agenda were: economic and social consequences of migrant workers' rights, the rights of stateless workers and the organisation of migrant workers into trade unions.

The main speakers at the Conference were Francis Blanchard, ILO Director-General; Ernest Glinne, Belgian socialist MP and former Minister of Labour; Otto Kersten, ICFTU General Secretary; Habib Achour, General Secretary of the Tunisian trade union federation UCTT; S. Thondaman, General Secretary of the Ceylon Workers' Confederatior, and Max Diamant, former Head of the Foreigr Workers' Section of the German union IG METALL.

The Conference adopted a Migrant Workers' Charter. This has a preamble recalling the basic trade union task of achieving full employment in all countries and pledging that the ICFTU "will promote common efforts by countries of immigration and emigration to bring jobs to workers, on the basis of active labour market policies and strong regional policies". The ICFTU is also seen as "an international rallying point for the efforts of its affiliated national centres and associated international trade secretariats to prevent exploitation of migrant workers and to improve their conditions of work and life in general

The Charter itself is divided into five sections :

- A. Equality of rights with nationals;
 - B. Residence and family reunion;
 - C. Overcoming linguistic and other handicaps of migrant workers;
 - D Cultural questions, education of children and return home;
 - E. Trade union participation in decisions concerning migrant workers.

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The first article of section A deals with employment rights and is as follows :

The employment rights of migrant workers, men and women, should be equal to those of national workers. This principle should apply particularly in the following fields

- a) remuneration and related benefits;
- b) conditions of work;
- c) security of tenure of cmployment;
- d) opportunities for seeking new employment;
- e) access to employment and vocational guidance services;
- f) access to all vocational training and retraining schemes;
- g) opportunities for using skills acquired either in the country of origin or in the country of reception;
- h) opportunities for promotion.

The second article affirms that "migrant workers should have access to the same social conditions as nationals and examines social security, tax allowances for dependents and housing problems.

The last article of this section deals with participation in community activities of the country of reception. The key part to be played by the trade union is stressed: "Ligrant workers should have the same rights as national workers to join trade unions in the country of reception, to express their aspirations through them and to hold any office in them". They should have "the freedom to express their social, political, cultural and religious opinions". Finally, concerted efforts should be made to bring migrant workers into community activities.

In connection with section B, residence, the Charter states that "migrand workers who have been authorised to take up work in a country should be allowed to stay in that country as long as they wish and have a job there". There should be safeguards against expulsion, and power of expulsion which should be in the hands of a court, allowing for all due processes of law.

In regard to family reunion, migrant workers should be allowed to bring their family to join them as soon as adequate housing is available. Where the family remains in the country of origin, visits to them during holidays should be allowed without any loss of residence rights. Alternatively, the migrant worker could be visited by his family for a reasonable period. Public authorities and employers should facilitate such travel.

Section C, measures for overcoming handicaps of migrant workers, deals with preparations for departure, reception and information. As regards language problems, the authorities and the employers of the country of reception should facilitate the teaching of the language of the area to migrant workers and their families. Figrant workers should be enabled to attend an appropriate number of lessons in the local languages during working hours without loss of pay. Language courses should be organised with the collaboration of the trade unions. A major point in connection with vocational training of migrant workers is that they "should be encouraged to undertake vocational training which is not only relevant to their advancement in the country of reception, but would also enable them to find suitable employment in the country of origin, in case of return there".

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 Λ further part of this section deals with health of migrant workers and industrial safety.

Section D lays stress on the need for bilingual and bi-cultural facilities for nigrant workers and their families - "The authorities of the country of reception should facilitate activities of migrant workers in connection with their native culture. Likewise, these authorities should also stimulate the interest of the national population in the cultures of major groups of migrant workers." The educational needs of migrant workers' children are considered and importance is attached to giving them the opportunity to study the language of their country of origin. Problems of resettlement of migrant workers and their families in their country of origin are finally examined.

The last section stresses the need for multilateral governmental agreements on migrant workers conditions, to be supplemented by bilateral agreements where multilateral agreements are not yet in force. Trade unions should participate in taking all decisions concerning migrant workers at local, national and international levels.

Statement on control over immigration for employment purposes

This statement, which accompanies the Charter, first reiterates ICFTU support for articles of the Universal Declaration of Human Rights affecting migration of persons, particularly the affirmation that "everyone has the right to leave any country, including his own, and to return to his country". Nevertheless, governments have a duty to keep a strict control over immigration for employment purposes. "Lack of such control makes the execution of a coherent policy on migration of workers impossible."

The statement stresses that all immigration of workers should pass through official employment agencies. It draws attention to the problem of "international trafficking in workers" and condemns the practices of certain employers:

The person who transforms the stay of a foreign worker entering a country without authorisation or right to seek employment into an illegal act is the employer who engages him illegally. Foreign workers thus engaged are liable to suffer substandard wages and working conditions, and frequently no social security arrangements are made on their behalf. Trade unions are in no position to defend the interests of such workers.

The ICFTU requests its affiliates to call on their governments :

a) to keep a strict control over immigration for employment purposes

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- b) to take action against international trafficking in workers, coordinating their efforts with those of other governments to obtain the elimination of particular routes of international trafficking in labour;
- c) to enact legislation embodying severe sanctions against employers who engage foreign workers illegally and obliging them, where social security arrangements have been avoided, to make retroactive social security payments on behalf of the workers concerned; and
- d) to ensure that changes to stricter policies on control of immigration for employment purposes should not affect foreign workers already established in the country in illegal employment, whose position should be regularised.

The statement calls on the International Labour Organisation to take all the above factors into account in any new convention on migration in abusive conditions and urges the UN Commission on Human Rights to undertake intensified action to combat international trafficking in workers.

6. ICFTU PAMPHLET ON YOUNG MIGRANT WORKERS

The International Confederation of Free Trade Unions has published a pamphlet on "The Problems of Young Migrant Workers".

This is the report of a study session organised from 11 to 15 June 1973 in Fulda (Federal Republic of Germany) by the youth sections of the ICFTU and the German trade union federation DGB.

7. ILO INTENSIFIES ACTION ON HIGRANT WORKERS

The International Labour Organisation has dealt with problems of migrant workers since its inception in 1919. A major landmark in its work is the Migration for Employment Convention (Revised) of 1949. Thanks to resolutions of the International Labour Conferences in 1971 and 1972, sponsored by the Workers' Group, the ILO has brought action on migrant workers to the forefront of its activities.

The item "migrant workers" was on the agenda of the 1974 International Labour Conference just ended. It decided on the adoption of a Convention on migrations in abusive conditions and on equality of opportunity and treatment, as well as a Recommendation on equality of opportunity and treatment (supplementary to the Convention), on social policy, employment and residence in countries of immigration. A resolution on the expansion of ILO activities for migrant workers was adopted. In accordance with ILO practice, the Convention and the Recommendation will come back to next year's Conference for a final discussion before being adopted.

The Convention deals first with migrations in abusive conditions, or international trafficking in workers. A member Country should determine whether such movements depart from, pass through or arrive in its territory. It should adopt all necessary measures against the organisers of illicit and/or clandestine movements of migrants for employment. Any such organisers, as well as any person employing workers who have immigrated in such conditions, should be made subject to severe penal sanctions, including imprisonment.

As regards equality of opportunity and treatment, the proposed Convention builds on the prescriptions of earlier Conventions and requires Kember Countries to undertake to pursue a national policy designed to promote equality of opportunity and treatment in respect of employment and occupation, of trade union rights and individual and collective freedoms for persons who as migrant workers or as members of their families are lawfully within their territory.

The Convention gives high priority to consultations and cooperation by governments with representative employers' and workers' organisations. It also recognises the need for educational programmes designed to secure the acceptance and observance of policies laid down.

The supplementary Recommendation covers equality of opportunity and treatment in more detail, as well as social policy (uniting of families, protection of the health of migrant workers and social services) and employment and residence.

A resolution on future ILO action in the field of migrant workers notes with satisfaction the comprehensive programme on migrant workers already arranged by the ILO. It calls on the Director-General to give priority to the problem of migration and to prepare a coordinated programme of action to obviate the need for emigration; also to give particular attention to the elimination of discrimination in respect of employment of migrant workers. The resolution calls for expansion of research activities under the World Employment Programme, exploring the link between emigration on the one hand and development and employment on the other, thereby preparing the ground for technical assistance measures in countries of emigration. Case studies should be undertaken of various possibilities of the transfer of industry and employment opportunities o the countries from which migrant workers come. Steps should be taken towards the purposeful organisation of return migration and the integration of returning migrants in the development process.
