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DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Study on the effects of racial discrimination in the field of
education, training and employment as it affects the children
of minorities, in particular those of migrant workers

Report of the Secretary-General

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I. INTRODUCTION

1. At its forty-first session, the General Assembly considered a progress report of the Secretary-General on the study on the effects of racial discrimination in the field of education, training and employment as it affects the children of minorities, in particular those of migrant workers (A/41/552), presented to the Assembly pursuant to its resolutions 38/14 of 22 November 1983, 39/16 of 23 November 1984 and 40/22 of 29 November 1985. By its resolution 41/94 of 4 December 1986, the General Assembly acknowledged the further progress made in preparing the study and authorized the Secretary-General to make further efforts to obtain additional information and views from Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council and to solicit relevant information and views from those that have not yet replied, and requested him to submit the final study to the General Assembly at its forty-second session. In this connection, the Secretary-General had in his report observed that, considering the paucity of replies received at that time, further efforts should be made to obtain additional information from States and organizations that had not yet replied. In response to the Secretary-General's invitation to furnish further information, two Governments, one specialized agency, one intergovernmental organization and five non-governmental organizations replied. This information, together with that previously supplied by Governments, specialized agencies and non-governmental organizations (see A/40/694/Add.1 and A/41/552), forms the basis for the present composite report.

II. INTERNATIONAL STANDARDS RELEVANT TO THE STUDY

2. A large number of international standards developed by the United Nations and its specialized agencies contain provisions that serve to help protect the children of minorities and migrant workers from racial discrimination in education, training and employment. The most relevant legal instruments are:

(a) Charter of the United Nations;

(b) Universal Declaration of Human Rights (General Assembly resolution 217 A (III));

(c) International Covenant on Economic, Social and Cultural Rights (resolution 2200 A (XXI), annex);

(d) International Covenant on Civil and Political Rights (resolution 2200 A (XXI), annex);

(e) United Nations Declaration on the Elimination of All Forms of Racial Discrimination (resolution 1904 (XVIII));

(f) International Convention on the Elimination of All Forms of Racial Discrimination (resolution 2106 A (XX), annex);

(g) International Convention on the Suppression and Punishment of the Crime of Apartheid (resolution 3068 (XXVIII), annex);

(h) Convention (No. 111) concerning discrimination in respect of employment and occupation; 1/

(i) Convention against Discrimination in Education; 2/

(j) United Nations Educational, Scientific and Cultural Organization Declaration on Race and Racial Prejudice; 3/

(k) Declaration on the Rights of the Child (resolution 1386 (XIV)).

III. ANALYSIS OF INTERNATIONAL STANDARDS AND INFORMATION
AND VIEWS RECEIVED FROM GOVERNMENTS, SPECIALIZED
AGENCIES AND NON-GOVERNMENTAL ORGANIZATIONS REGARDING
THEIR IMPLEMENTATION

A. The principle of non-discrimination

3. Principle 1 of the Declaration on the Rights of the Child (General Assembly resolution 1386 (XIV) of 20 November 1959) asserts that every child shall enjoy all the rights set forth in the Declaration and "shall be entitled to these rights, without distinction or discrimination on account of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, whether of himself or of his family".

4. In the draft convention on the rights of the child (E/CN.4/1985/64, annex I), the wording is similar, but it is specified that State parties shall extend all the rights set forth "to each child in their territories" without distinction.

5. The following information and views have been received from Governments, specialized agencies and non-governmental organizations:

(a) Governments

1. Cyprus

"The educational legislation of Cyprus guarantees the right to education, training and employment of all citizens without any prejudice as to race, colour or national or ethnic origin. No person has ever been denied the right to education and training on grounds of race, colour or national or ethnic origin and no case of such discrimination has ever been brought to justice.

The three small minorities of Maronites, Armenians and Latins, composing respectively 0.42, 0.33 and 0.07 per cent of the population, enjoy the same rights as the other citizens of the Republic of Cyprus in the fields of education, training and employment."

2. Qatar

"... As regards the effects of racial discrimination in the field of education, training and employment, the following negative aspects were listed:

(a) Wasting the potential of a large number of human beings who could make an important contribution to social, economic and human development throughout the world;

(b) Depriving mankind of skills, talents and experience that could contribute to progress in all areas of life;

(c) Creating vast numbers of negative, complex and malevolent factors that do not contribute to world civilization, but are instead destructive thereof;

(d) Establishing a policy of rigid exclusion that produces deep feelings of inferiority, with the anti-social and uncivilized consequences that such a complex gives rise to;

(e) Destroying certain areas of the world (infected by racial discrimination);

(f) Promoting a spirit of intrigue, disunion, discord and schism among the peoples of the world;

(g) Wasting time, efforts and money on matters with a negative return, contrary to trends in the contemporary world."

(b) Specialized agencies

World Health Organization

WHO submitted a report on an international Conference on "Apartheid and Health", held at Brazzaville, Congo, in November 1983. In its conclusions on health implications of racial discrimination and social inequality, the Conference stated the following:

"The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

"Blacks in South Africa do not have fundamental human rights in the above conceptualization of the term, since they are discriminated against in almost every aspect of daily life. This report demonstrates on virtually every page how economic and social inequalities, stratified particularly by colour of skin, determine disease patterns and health care in South Africa. Political belief, too, is a major factor in mental and physical well-being in this country, in which political arrests, harassment, detention without trial, torture and political banning orders are almost a way of life for opponents of the régime, black or white.

"Health care and disease patterns are everywhere determined by social and economic conditions. What makes South Africa distinct is, first, the magnitude of the differences and secondly, the racial ordering of those differences. South African apologists have long sought genetic reasons for the distribution of disease, or have blamed it on black ignorance, poor personal hygiene and inability to control population growth. The real reasons are to be found in the establishment and consolidation of white monopoly over the economy at the expense of blacks. Apartheid laws legitimate and reinforce the economic and social disadvantages of blacks, and this finds clear expression in the health status of the population." 4/

(c) Non-governmental organizations

Defence for Children International

Defence for Children International submitted a study entitled "Discrimination and children in cross-cultural perspective", which contained the following information:

"Discrimination is prejudice made manifest. Prejudice provides the ideological climate that allows discrimination to flourish. Discrimination, in turn, provides behaviourable justification for, and reinforcement of, the attitudes of prejudice.

"Discrimination exacts a very special toll from those least able to afford it (children) in two ways: firstly, the special impact on children of general patterns of discrimination, secondly, particular patterns of discriminatory behaviour towards children." 5/

B. Protection of children of ethnic, of religious and linguistic minorities

6. Among the contemporary standards for the protection of these minorities, reference should be made to the Convention against Discrimination in Education adopted by UNESCO in 1960. Under article 5, paragraph 1 (c), States parties agree that:

It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use or the teaching of their own language, provided however:

- (i) That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities ...

The UNESCO Convention also states that the education in these schools should not be of a lower standard than the general standard laid down by the competent authorities for the educational system as a whole. The Convention further provides that attendance at the schools established for minorities shall be optional.

7. An important standard for the protection of minorities is contained in article 27 of the International Covenant on Civil and Political Rights, which reads as follows:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

8. The principle of non-discrimination plays a major role in protecting minorities within the framework of general and universal norms for the protection of all people in all countries. The principle of non-discrimination was reaffirmed, strengthened and developed in the Convention on the Elimination of All Forms of Racial Discrimination adopted by the General Assembly in its resolution 2106 A (XX) of 21 December 1965. Under article 5 of this Convention, States parties undertake to guarantee equal treatment in the enjoyment of civil, political, economic, social and cultural rights to everyone without distinction as to race, colour or national or ethnic origin.

9. The revised draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, under consideration by the Commission on Human Rights, contains the following provisions:

1. (Persons belonging to) (national or) ethnic, linguistic and religious minorities (hereinafter referred to as minorities) have the right to respect for, and the promotion of, their ethnic, cultural, linguistic and religious identity without any discrimination.

2. (Persons belonging to) minorities have the right to life, liberty and security of persons and all other human rights and freedoms without discrimination. 6/

10. The following information and views have been received from Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations:

(a) Governments

Lesotho

"... The rights of ethnic, religious and linguistic minorities are affirmed and protected by law in Lesotho. The Lesotho Human Rights Act No. 24 of 1983, providing for rights of individuals, states in section 2 that:

'Every individual shall be entitled to the rights and freedoms recognized and guaranteed in this Act without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, property, birth and other status. These rights, amongst other things, comprise:

'(a) The right to work, to free choice of work and equal pay for equal work without discrimination;

'The right to education and to freely take part in the cultural life of the community.'"

(b) Specialized agencies

Food and Agriculture Organization of 2
United Nations

FAO submitted its comments on the preliminary study (A/40/694/Add.1) and stated that the "legal provisions safeguarding the human rights of the children of minorities are at present contained in a number of international conventions and declarations that have a rather uneven coverage. It might therefore seem desirable to envisage the preparation of an international legal instrument specifically addressed to the children of minorities and designed to make more explicit and homogeneous the protection of human rights provided by the existing standards. This would serve to develop a more co-ordinated approach within the United Nations system. While it is essential that the effects of racial discrimination be eliminated in the field of education and training, it should also be recognized that any action designed to ensure equality of educational opportunity and treatment for children of minorities is bound to be ineffective and result in further marginalization unless equal access to employment opportunities is provided to the more disadvantaged groups of the population ..."

(c) Regional intergovernmental organizations

Organization of American States

"... The Inter-American Commission on Human Rights has not yet dealt with cases pertaining specifically to the rights of the children of migrant workers.

"However, we have addressed studies with regard to the treatment and rights of minorities. In 1984, we published a Report on the Situation of Human Rights of a Segment of the Nicaraguan Population of Miskito Origin (DEA/SER.L/V/II, doc.10.Rev.1). In it, we address the problems associated with the relocation of the Miskito populations of Nicaraguan origin within Honduras and their native Nicaragua ..."

(d) Non-governmental organizations

Minority Rights Group

"Many people belong to minorities by virtue of their religion, race, views or lifestyle. These minorities are often viewed with suspicion and, in some cases, insidious prejudice or discrimination can lead to overt violence and oppression. The world is a very harsh and hopeless place in the eyes of those groups who are the victims.

"Conflicts with minorities are at the heart of many social and political crises. It is the attitudes of majorities, however, that cause the problems rather than the mere existence of minorities.

"Since its foundation over 20 years ago the Minority Rights Group, an international human rights charity, has tried to speak out on minority/majority issues. The Group investigates and publicizes the position of many disadvantaged groups around the world, including ethnic and religious groups, indigenous peoples, migrant workers and refugees ..."

C. Protection of children of migrant workers

11. General standards protecting children of migrant workers from racial discrimination may be found in the International Covenant on Economic, Social and Cultural Rights (General Assembly resolution 2200 (XXI), annex), article 2, paragraphs 2 and 3. The term used in article 2, paragraph 2, "without discrimination" was introduced to replace "without distinction" in order to allow States more latitude to distinguish between certain categories of individuals, such as nationals and non-nationals.

12. The International Covenant on Civil and Political Rights clearly excludes non-nationals from the rights specified in article 25. It explicitly states that every citizen shall have the right and the opportunity to take part in the conduct of public affairs, to vote and to be elected, and to have access, on general terms of equality, to public service in his country.

13. At the same time, the International Covenant on Civil and Political Rights makes certain provisions for non-citizens. Under article 13, an alien lawfully in the territory of a State has the right not to be arbitrarily expelled.

14. Other articles in the International Covenant on Civil and Political Rights allow more than one interpretation as to the applicability to non-citizens. The provision in article 12 that everyone lawfully within the territory of a State has "the right to freedom of movement and freedom to choose his residence" (para. 1), and the right of everyone to "leave any country" (para. 2) are not always viewed as unrestricted rights for non-nationals. Thus, during the discussion of this issue in the Commission on Human Rights two points were made. On the one hand, several speakers noted that it might be considered legitimate or necessary for a State to impose restrictions on these rights for migrant workers under certain

circumstances. On the other hand, it was widely felt that any such restrictions should be consistent with the other rights recognized in the present Covenant and attention was drawn to the importance of the general provisions on non-discrimination in article 2, paragraph 1. 7/

15. The distinction between citizens and non-citizens is clearly made in the International Convention on the Elimination of All Forms of Racial Discrimination. Article 1, paragraph 2, stipulates that the Convention "shall not apply to distinctions, exclusions, restrictions or preferences made by a State party to this Convention between citizens and non-citizens". Paragraph 3 reads:

Nothing in this Convention may be interpreted as affecting in any way the legal provisions of States parties concerning nationality, citizenship or nationalization, provided that such provisions do not discriminate against any particular nationality.

These provisions permit States to make distinctions between citizens and aliens qua aliens. However, they do not exclude aliens from the protection of the Convention in other respects.

16. Specific standards protecting the rights of migrant workers may be found in the International Labour Organisation Conventions No. 97 of 1949 and No. 143 of 1975, and Recommendation No. 151 of 1975. 8/ Convention No. 97 provides that treatment no less favourable than that applied to nationals must be granted by States to immigrants lawfully within their territory, without distinction as to nationality, race, religion or sex. Convention No. 143 concerns the promotion of equality of opportunity and treatment of migrant workers. Recommendation No. 151 protects both migrant workers and members of their families who are lawfully in their country of residence.

17. The draft International Convention on the Protection of the Rights of All Migrant Workers and Their Families under consideration by the General Assembly contains an article (7), which reads as follows:

"Each State Party to this Convention undertakes, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within its territory or subject to its jurisdiction the rights provided for in this Convention without distinction of any kind on the basis of sex, race, colour, language, religion or convictions, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status." 9/

18. The following information and views have been received from Governments and specialized agencies:

(a) Governments

1. Cyprus

"... In Cyprus there is not a minority of migrant workers. Only a limited number of highly skilled experts may be employed in Cyprus for short periods of time ..."

2. Denmark

"... In Denmark, the Joint Council of Youth, a member of the Danish Refugee Board, is responsible for the integration of refugees, and several member organizations of the Council engage in specific local projects for the integration of refugees. 10/ Similar projects will be established for immigrant workers and their children."

3. France

Presenting the seventh periodic report of France to the Committee on the Elimination of Racial Discrimination, the representative of that country reported that there was no difference of treatment, based on the family situation, origin, political or religious opinions, between French citizens among themselves or between French citizens and immigrant workers and their families, and that special organizations had been established to help schoolchildren in difficulty, most of whom are children of migrant workers. 11/

(b) Specialized agencies

1. Food and Agriculture Organization of the United Nations

"... Although the international standards attempt to cover all aspects of the human rights of the children of minorities and migrant workers, it is apparent that these do not exclude completely the possibility of adopting discriminatory practices against them at the national level. Experience of some major labour-importing countries indicates that unequal treatment of migrants and members of their families is closely linked to deeply-rooted culture practices and prejudices. Therefore, FAO strongly supports the types of action proposed in paragraph 16 of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, which calls upon States to use effectively education, teaching and training to create an atmosphere for the eradication of racism and racial discrimination."

2. International Labour Organisation

Research being done shows that co-operation between a country of origin and a host country is a sine qua non, especially for programmes directed at the reintegration of second-generation migrants in the country of origin.

However, the lack of co-operation for which the second-generation migrants bear the consequences results from the fact that the interests of the countries of origin and the host countries are often mutually exclusive. The aim of the joint programme was to facilitate a real integration professionally, socially and culturally of these migrants in the host country, or in case of voluntary repatriation, in the country of origin.

D. Education and training

19. International legal instruments contain several provisions pertaining to equal access to education and training and the development of programmes to combat racist ideas and attitudes.

20. Access to education and the forms of education specified in the Declaration on the Rights of the Child are beyond the current reality for most children in the world. The Declaration says in Principle 7 that:

The child is entitled to receive education, which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture, and enable him, on a basis of equal opportunity, to develop his abilities, his individual judgement, and his sense of moral and social responsibility, and to become a useful member of society.

21. The draft convention on the rights of the child is also far-reaching in the norms it sets for education. According to draft article 15, States parties would recognize the right of the child to education. It is then specified that:

With a view to achieving the full realization of this right on the basis of equal opportunity, they shall in particular:

(a) Make primary education free and compulsory as much as possible;

(b) Encourage the development of different forms of secondary education systems, both general and vocational, to make them available and accessible to all children, and take such measures as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education equally accessible to all on the basis of capacity by every appropriate means.

22. Reference should also be made to article 26 of the Universal Declaration, article 13 of the International Covenant on Economic, Social and Cultural Rights, the UNESCO Convention against Discrimination in Education, and the UNESCO Declaration on Racism and Racial Prejudice of 1978.

23. Moreover, article 29 of the Draft International Convention on the Protection of the Rights of All Migrant Workers and Their Families provides as follows:

Children of all migrant workers shall have the basic right of access to education on the basis of equivalence with nationals of the State concerned.

Access by children of any migrant worker to public pre-school educational institutions or schools shall not be refused or limited by reason of the irregular situation with respect to stay or employment of either parent or by reason of the irregularity of their own stay in the receiving State. 12/

24. The following information and views have been received from Governments, specialized agencies and non-governmental organizations:

(a) Governments

1. Austria

"... In Austria, efforts have been made to integrate children of migrant workers into the school system and to provide teaching in the mother tongue for children of Yugoslav and Turkish parents ..." 13/

2. Canada

"... In Canada, provincial Governments have an obligation under the Charter of Human Rights and Freedoms to implement affirmative action programmes in their various departments and agencies. The object of such programmes is to remedy the situation of persons belonging to minority groups owing to their race, colour, ethnic or national origin or who are discriminated against in employment or in education ..." 14/

3. Cyprus

"The educational legislation of Cyprus guarantees the right to education, training and employment of all citizens without any prejudice as to race, colour or national or ethnic creed. No person has ever been denied the right to education and training on grounds of race, colour or national or ethnic origin and no case of such discrimination has ever been brought to justice.

"Racial discrimination is practised by Turkey in the part of Cyprus that is still occupied by the Turkish armed forces. Only primary schools are functioning in the occupied areas. The occupation authorities impose many difficulties in the distribution of textbooks and writing material and the delivery of circulars and other informative material sent by the Ministry of Education to the schools in the occupied areas.

"The students attending secondary schools in the areas controlled by the Government of the Republic face many difficulties in matters of contact with their parents who live in the occupied areas, and they are in fact very often prevented by the occupation authorities from rejoining them on the occasion of school and public holidays."

4. France

"Policy for immigrant children

"French policy provides for:

"(a) Extra French language classes for children who need them, in the form of beginners' classes at the primary level and adaptation classes at the secondary level, together with classes after normal school hours. The purpose of these classes is to raise foreign children's knowledge of French to a minimum level that will enable them to be integrated into normal classes. They are involved as closely as possible in the regular activities of their school, in which some classes (physical education, drawing) are attended by all pupils, French and foreign alike. The aim is, in fact, to establish inter-cultural education;

"(b) Complete equality of rights and assistance accorded to foreign pupils and French pupils, in particular with regard to scholarships at the secondary - and even, henceforward - university levels;

"(c) Education in the language and culture of origin, with the aim of facilitating both the integration of foreign pupils and, if necessary, their return to their country of origin. At the primary level, under bilateral agreements concluded with countries that have a considerable number of children in France, classes are given by qualified foreign teachers, nominated and remunerated by the authorities of their country of origin. At the secondary level, a similar situation exists with regard to the conduct of optional activities.

"New measures have been adopted in particular with regard to:

"...

"The training of teachers, educators and leaders. At present, 16 training and information centres for the schooling of migrant children (CEFISMs) organize activities for the various categories of primary or secondary teachers who have immigrant children in their classes. These centres contribute in particular to the training of teachers who give special French classes for immigrant children. They also provide information and continuing training to foreign teachers.

"The mutual acceptance of attestations issued at the various levels of education. School attendance certificates issued to migrant children in their country of origin are taken into consideration in France for purposes of admission to schools and collèges." 15/

5. Lesotho

"As a matter of principle, children of foreigners resident in Lesotho are free to enrol at any school of their parent's choice in Lesotho.

"The Lesotho education system has no segregation. Thus the Lesotho Education Order No. 32 of 1971, which, amongst other things, provides for compulsory education of every child, states that the provisions of this law shall apply to the education of school-going pupils in Lesotho irrespective of race, colour or creed. Section 3 (d) of this Order provides that 'it shall be the duty of everyone concerned with the education of a child to ensure that he shall be protected from practices which may foster racial or any other form of discrimination. He shall be brought up in a spirit of understanding, tolerance, friendship amongst peoples; peace and universal brotherhood'. There has never been any case of complaint of discrimination against children of foreigners attending schools in Lesotho.

"...

"School-going children are admitted at any schools, ranging from primary to university level, in the same way as citizens. Indeed, the Government of Lesotho has from time to time been receiving assistance from the Office of the United Nations High Commissioner for Refugees in the form of scholarships at primary, secondary, vocational, technical and university levels to help refugees in Lesotho."

6. Poland

During the examination of the eighth periodic report of Poland 16/ by the Committee on the Elimination of Racial Discrimination, the representative of that country stated that education in Poland was open to all groups of the population without any restriction or racial discrimination. Measures aimed at mobilizing national public opinion against the evils of racism, racial discrimination and apartheid are initiated and carried out both by the Government and by non-governmental organizations. Poland receives victims of racial discrimination for medical treatment and rehabilitation and each year grants scholarships for higher education to victims of such discrimination.

7. Qatar

"... There are some special schools for children belonging to the various foreign communities who do not speak Arabic, the official language used in the public schools, e.g. members of the English, Indian, Pakistani, Iranian and French communities ..."

8. Union of Soviet Socialist Republics

"...

"Irrespective of their race, nationality, ethnic origin, descent or colour, citizens of the USSR enjoy all the social, economic, civil and political rights affirmed and guaranteed in the Constitution of the USSR.

"...

"The further development of Soviet multinational society goes hand in hand with improvements in the legislation. Thus, for example, on 27 November 1985 the Supreme Soviet of the USSR adopted an Act 'On Amendments to the Fundamental Principles of Legislation of the USSR and the Union Republics on Public Education in connection with the Guidelines for the Reform of General-Education and Vocational Schools'.

"The new revision of the above-mentioned Fundamental Principles approved by this Act reaffirms that the basic principles of public education in the USSR are, inter alia:

Equal right to education for all Soviet citizens irrespective of origin social or property status, race or nationality, sex, language, attitude to religion, type and nature of occupation, domicile or other circumstances,

Freedom of choice of the language of instruction, and instruction in the native language or in the language of another people of the USSR (article 4).

"It is also reaffirmed that the right of Soviet citizens to education is to be guaranteed, in particular, by 'the opportunity for school instruction in the native language' (article 3).

"Under Article 20 of the Fundamental Principles, 'pupils at general-education schools shall be granted the opportunity of studying in their native language or in the language of another people of the USSR. Parents or persons acting in loco parentis have the right to choose for their children a school with the language of instruction of their choice. In addition to the language of instruction, pupils may, if they so desire, study the language of another people of the USSR'.

"In the new revision, the following provision has been added under this article: 'For the study, together with the native language, of the Russian language, which has been voluntarily adopted by the Soviet people as the means of communication between different nationalities, at educational institutions where instruction is not given in the Russian language the necessary conditions shall be created to ensure fluency in these languages and a uniform standard of general education, due account being taken of the national characteristics of the population of the Union Republics'.

/...

"As before, the new revision of the Fundamental Principles emphasizes that 'uniformity shall be achieved in the system of secondary general education by applying common principles in the organization of the teaching and educational process and by ensuring a fundamentally uniform content and uniform standard of general secondary education throughout the territory of the Soviet Union, full account being taken of the national characteristics of the population of the Union Republics' (article 21).

"All of these provisions are strictly applied in practice.

"With a view to inculcating in the younger generation an attitude of resolute opposition to racism and racial discrimination and developing a sense of internationalist duty, material concerning the nationality policy of the Soviet State is included in the syllabuses of secondary schools for junior and senior pupils throughout the Soviet Union, in courses on the subjects 'Native language', 'Literature', 'History', 'Geography', 'Social science' and 'Fundamentals of the Soviet State and law'. In addition, senior pupils at secondary schools study issues relating to the struggle against racism and racial discrimination, apartheid, genocide and the vestiges of colonialism in the courses 'Social science', 'Fundamentals of the Soviet State and law' and 'Modern History'."

9. United Kingdom of Great Britain and Northern Ireland

"...

"The Government continues to attach great importance to the teaching of the English language to all children for whom English is not the mother tongue. Without a good command of English, ethnic minority pupils are unlikely to be able to participate fully, and on an equal basis, in school and adult life.

"The Government continues to be particularly concerned that the education provided in schools should reflect the ethnic and cultural diversity now found in the United Kingdom. ..." 17/

(b) Specialized agencies

1. International Labour Organisation

The causes that lead immigrant children to leave school without appropriate certificates are, in most cases, identical: insufficient knowledge of the language of the host country, lack of information about the education system and differences with the education system in the country of origin.

Studies undertaken in 1981 and 1982 in other European countries - Belgium, Denmark, France, Luxembourg and the United Kingdom - show a similar trend: a successful education is hampered by linguistic and cultural barriers, which in turn are the main causes of a professional failure.

The European Centre for the Development of Professional Education furnished information about attempts undertaken in a number of countries to develop a common strategy as regards the professional education of young migrants. Different socio-political contexts in a number of host countries generate a necessity for different approaches with respect to such a common strategy.

It is a fact that almost everywhere in Europe the number of second-generation migrants at the school age is on the increase and that they constitute a significant proportion of the migrant workers in a host country. This means that gradually the problem arises not only on the qualitative level (young migrants who leave school without qualifications) but also on a quantitative level. This trend requires urgent political measures and technical solutions. The directive of the European Community (EEC 77/486) pertaining to the schooling of children of migrant workers, which entered into force in July 1981, may be recalled in this connection.

One of the common strategies undertaken in many countries is directed at bridging the language gap in the host country. However, learning a second or third language in a foreign country is impossible without the children of the migrant workers having a basic knowledge of their own mother tongue. Therefore, education of young children in nursery schools nowadays takes place in the mother tongue of the child. It is becoming more standard practice for countries of origin to send qualified teachers to host countries in order to provide basic education to young children of migrant workers in their mother tongue. Mastery of the language of the country of residence not only increases the social mobility of the young migrant worker, it is also the corner-stone to a real integration into the educational system of the host country. A study undertaken in the Federal Republic of Germany shows that such an integration leads to the following positive results:

- (a) Children of migrant workers do not face more or different problems in the educational process than children of the host country;
- (b) Only 10 per cent of the children feel discriminated against by their teachers;
- (c) Their motivations and prospects for a professional career do not differ much from those of children of the host country;
- (d) The number of failures is comparable to that of children of the host country.

In Denmark, migrant workers and their children benefit from special assistance in order to facilitate their participation in the educational process. This special assistance falls within the framework of legislation that was enacted in favour of handicapped persons.

As far as problems with education in the country of origin are concerned, research done in the framework of the UNDP/ILO European Regional Project

revealed that children of migrant workers face problems similar to those that are experienced when they enter the educational system in the host country, such as language problems, confrontation with a different environment, lack of knowledge of school structures and the inability of school personnel to appreciate the knowledge of a second language that the child mastered abroad. These same causes lead inevitably to the same effects: children leave schools without diplomas and cannot enter higher educational institutions and therefore are doomed to enter the labour market at a low level.

In Italy, 23 out of 100 Italian children follow high school education, while only 9 out of 100 Italian children born abroad successfully finish high school. Therefore children of migrant workers face serious educational problems, whether in the host country or in their native country.

The European Centre for the Development of Professional Education conducted an inquiry into the social and economic reintegration of returning Italian migrants, mainly from Switzerland, Belgium and the Federal Republic of Germany.

The main conclusion was that migrants who faced serious difficulties in the educational and professional job-training process abroad were more motivated to return than those who had less difficulties. Nevertheless, it puts a returning migrant with a deficient education and training at a disadvantage with respect to his compatriots with a better education and training.

The Government of Yugoslavia developed a system that is directed at the reintegration of children of migrant workers upon their return to Yugoslavia. The federal provinces and republics choose, prepare and pay teachers to teach children of Yugoslav migrant workers abroad. The judicial basis for this arrangement is the social contract, which deals with the organization of education and the training of Yugoslav citizens abroad. Its principal objectives are: assistance to the second-generation migrant in order to protect and develop his cultural identity, encourage his contacts with his native country and prepare him for an eventual return. The educational activities of Yugoslav teachers abroad include children of migrant workers, in nursery, primary and secondary schools. In order to make this education abroad as beneficial as possible for the child, pedagogical and didactical seminars are organized by the Yugoslav authorities for those teachers who work with children of migrant workers abroad.

2. United Nations Educational, Scientific and Cultural Organization

"With regard to education in general, children of immigrant parents were disadvantaged. The reasons for this are still being analysed, but certainly some conclusions have been reached. Children of immigrant parents are first of all handicapped with regard to language. On this there is no agreement as to whether education in the mother tongue would facilitate educational

of all handicapped with regard to language. On this there is no agreement as to whether education in the mother tongue would facilitate educational mobility or would, on the other hand, restrict social mobility in the wider society. It should be noted that some immigrant groups, e.g. Surinamese in the Netherlands, while sharing the same language as the host country or a variant of this language, nevertheless do not do as well at school as the children of Dutch parents.

"A crucial question is that of culture and the extent to which cultures (with or without languages) can be maintained and recognized as valuable within the school systems."

(c) Non-governmental organizations

1. Defence for Children International

Defence for Children International submitted a paper clipping file with relevant newspaper articles. One article gave a survey on the schooling of children of migrant workers within several European countries: Belgium, Denmark, France, Federal Republic of Germany, Luxembourg, the Netherlands, Sweden, Switzerland and the United Kingdom. 18/

In general, Turkey has the greatest number of children of its nationals in foreign schools (700,000), followed by Algeria (300,000), Portugal (250,000) and Morocco (150,000). This influx of children of migrant workers poses multiple problems: arrival and reception, teaching of the language of the host country, teaching of mother tongue and culture, training of teachers in multiculturalism.

During the school year 1980/81, 912,000 children of migrant workers were enrolled in the French school system. This represented 10.3 per cent of children in the primary and 6.6 per cent of them in the secondary level of education. Training centres for teachers were established between 1975 and 1980 to help teachers adapt to the culture, Arab Moslems comprising more than half of the foreign pupils. In addition, modern teaching techniques were developed; educational priority zones were established and foreign teachers who can teach in their respective mother tongues were recruited through bilateral agreements.

The number of children of Turkish migrant workers stood in mid-1982 at 540,000. The prediction was made that by 1985 one out of 10 pupils in the Federal Republic of Germany would be Moslem. The rest of the foreign pupils come from countries including Greece, Yugoslavia, Italy and Spain.

There exists no central organisms to train teachers in receiving foreign pupils; this is organized by every federal State separately. In Bavaria there are schools where from first to fourth grade everything, except German, is taught in the mother tongue. In Baden-Wurtemberg, 300 French teachers have been recruited since 1977 to teach at the first and second levels. Rhineland/North Westphalia has 1,200 foreign teachers to work in schools. Foreign teachers are normally called back after five years.

Proportionally, Sweden makes the most extensive efforts with respect to its ethnic minorities. Training of bilingual teachers (Finnish/Swedish) started in 1975, but a 1976 law stipulates that all immigrants are entitled to a bilingual education. Sweden opposes the importation of foreign teachers in order to avoid political conflicts. Migrant children constitute 70 per cent of the school-going generation, and of these 40 per cent are Finnish. The rest come from Yugoslavia (10 per cent), the Federal Republic of Germany (5.5 per cent), Denmark (5.2 per cent) and Norway (2.3 per cent). The sharp increase of teachers teaching in the mother tongue forced the Government to establish a training programme for those teachers in 1977.

Since 1984, the Government of the Netherlands has established a policy of positive discrimination in favour of children of migrant workers. Special courses in Dutch language are given to children of migrant workers and teaching of native culture takes place. Schools prefer the immediate integration of foreign children without having to go through transition classes. However, there is also teaching by immigrant teachers of native languages and cultural integration in the curriculum. Such teachers need to have obtained the basic teaching requirements in their respective countries.

Belgium has the highest total of foreign pupils in school (10-16 per cent), but the number of children of migrant workers is much higher in French-speaking Belgium than in the Flemish-speaking part. Most children are the children of Italian, Spanish, Turkish, Greek and Moroccan migrant workers. Primary schools train foreign teachers (those coming from Italy are themselves already of the second generation) how to teach children of migrant workers. However, according to Belgian law, courses in the mother tongue cannot be given during normal hours, except for some experiments authorized by the Government. Foreign Governments may through their embassies organize courses in the national languages at their own expense. At the time of writing, Italy had recruited 200 teachers, Spain 60 and Greece 45. The European Community holds some bilingual courses under its auspices.

For the first arrivals in Luxembourg there are reception classes to bring up the level of French/German. Thirty-five per cent of the school-going pupils are children of migrant workers, of whom 14 per cent are Italians and 9.5 per cent are Portuguese. Their numbers with respect to primary and secondary education are 30 per cent and 15 per cent respectively. Courses in native language and culture are only given outside normal school hours; some experiments try integration in the normal hours.

In Switzerland, since 1978, with respect to teaching of foreign language and culture, the Conference of Swiss Cantonal Teachers has ordered that two hours will be integrated into the normal teaching hours at the primary level; such teaching will be optional at the secondary level.

In Denmark, there are some 10,000 foreign pupils in school, coming from Yugoslavia, Turkey and Pakistan. They are integrated into the normal class system, but receive three to five hours' teaching per week in their mother tongue.

In the United Kingdom, most of the immigrants come from Commonwealth countries, so are not strictly foreign in the legal sense or as regards language. Most of them have a Moslem cultural background: Pakistanis, Bengalis, black Africans, Jamaicans. The Home Secretary (the Minister of the Interior), not the Minister of Education, is responsible for their integration. A 1966 law allows local authorities whose population includes over 2 per cent of immigrants to obtain reimbursement of 75 per cent of the cost of training, teaching and reception of these immigrants.

2. International Federation of University Women

The International Federation of University Women referred to the Nairobi Forward-looking Strategies for the Advancement of Women 19/ and in particular to the paragraphs relating to migrant women and to minority indigenous women. "In fact the conditions of women in these social groups have a definite effect on their children. As pointed out in paragraph 300, 'in addition to their lack of adequate education, skills and resources, migrant women may also face severe adjustment problems due to differences in religion, language, nationality, and socialization as well as separation from their original families'. Evidently, these problems are reflected on the children. We therefore agree with the Forward-looking Strategies that special attention should be given to the situation of migrant women, particularly with respect to protection and maintenance of family unity, health care and employment. The distinctive role of women in sustaining the identity of their people should also be emphasized."

3. International Society of Social Defence

Information submitted by the International Society of Social Defence indicated that Italy had enlarged the assistance it provided with respect to the schooling and education of children of migrant workers, the cost of which is borne by the Government. Children of migrant workers suffer more from dire living conditions than their parents in the host country.

It is further stated that, in Switzerland, school organizations have been established in order to help to overcome the language barrier that children of migrant workers face and in order to integrate them into the traditions and customs of the host country.

4. Minority Rights Group

"... Seventy-two concise, accurate and readable reports have been published on groups ranging from Aboriginal Australians to Rastafarians. An average of five new reports are published each year in addition to the revision and updating of previous reports. All of these are suitable as teachers' resources, especially the two on Teaching about Prejudice and Children's Rights.

"Over the last three years the Group has broadened its reach by establishing an Education Department, with two teachers working as Education Officers. These Officers, one primary and one secondary, offer a school support programme. This can take the form of advice, workshop sessions, curriculum support and in-service training.

"The Education Department has also published resources suitable for use in schools or by teachers. These include a slide/tape (or video) set called Minorities: Who do they think they are? This is a straightforward pack looking briefly at minority issues as they affect three groups: native Americans, uncouthables and travellers.

"Also available is an education pack on prejudice, human rights and minority groups for use in secondary schools: Profile on Prejudice. It consists of a teacher's handbook with suggested activities on labelling, stereotyping and media bias. Included are three profiles on travellers, Palestinians and native Americans, using the words of members of the groups themselves.

"The two most recent publications, one just out and the other due soon, are aimed at teachers of 8 to 13-year-old students. The first looks at the hills of Sri Lanka: Tea and the Tamils. Through topics on 'Everyday Life', 'Moving' and 'Tea' it investigates the situation faced by the Tamils. The other publication is a photo-pack and handbook on Urban Travellers in Britain. Both contain plenty of information but are primarily sources of ideas and activities for direct use in the classroom."

5. Women's International Democratic Federation

"Children in South Africa and Namibia, equally with their parents, are victims of the brutal system of apartheid. The black children of South Africa and Namibia, who are children of the majority of the oppressed people, are victims of racism and racial discrimination in all fields of human endeavour. Despite protests against the inferior type of education for blacks, there have been no significant changes on the part of the régime to improve the situation.

"The pattern of exploitation and oppression of the children of Namibia does not vary in any way from that of their counterparts in South Africa. The Namibian children are also subjected to the cruel realities of the apartheid system."

6. World Confederation of Organizations of the Teaching Profession

The organization submitted the conclusions that were reached at an International Seminar on Education of Migrant Workers' Children in Europe, which took place at Marrakesh, Morocco, in April 1986. The representatives of

the teacher's organizations from the host countries and the countries of origin considered present trends in the migration phenomenon, the educational conditions of migrants' children and the consequences of these problems on the teachers conditions and their organizations.

The migratory phenomenon in Europe has been concerned, during the last 10 years, with some structural mutations, which involved a change from a migratory model by rotation to a migratory familial model, allowing the renewal in the same place of the migrant work-force. As a result, the migration of families has not led to a break of relationship with the countries of origin. However, new types of links seem to be established between these families and those that have stayed in their home country. The migrant workers' children should be one of the human groups able to create links between different cultures and to contribute a better understanding between peoples.

Faced with the present labour market, young people 25 years of age and under, together with women, suffer the greatest difficulties.

An increasing xenophobia or racism inside the host countries is connected with the economic crisis. This makes the situation of migrants in all aspects of their social and professional life more difficult, in spite of the actions of an anti-racism movement.

At present, the educational systems in most host countries do not assure success in school for all pupils. Children, who are socially underprivileged, are more particularly faced with failure; among these are the migrants' children. This failure has many causes, mainly external to the school itself, such as poor living conditions, aggravated by large concentrations of people in certain areas, inadequate housing and social environment.

In order to put schools in a position to attain these objectives, significant progress could be accomplished by implementing the following measures:

(a) Improvement of the living and working conditions of all families and exclusion of all forms of discrimination;

(b) Development of nursery schools and pre-primary education for all;

(c) Ensuring for all migrants' children a mastery of the language of the host countries, a condition vital for success in school. This should be followed by the development of structures to facilitate the reception and location of new arrivals in order to enable their integration into the normal structures of the education system as soon as possible;

(d) Individualization of the learning process and development of different teaching methods, for a greater success for all;

(e) Integration of the curricula of the contents of the diverse cultures that are brought by the migrant children and promotion of intercultural education for all. It is necessary to develop research programmes; and new text books, new pedagogical technologies, school libraries, as well as the number of resource centres available, should be increased and their contents enriched;

(f) Organization of the teaching of the languages and cultures of the countries of origin inside the school timetable, when that is possible, and inclusion of teachers from the countries of origin in the teaching teams;

(g) Encouragement to the migrants' children to study their language of origin, as a modern language, without a break when they change from one course or from one school to another;

(h) Promotion of participation of migrant families in the educational process;

(i) Encouraging the learning of the language of the host country by families, in particular among the women, in order to facilitate the actions of teachers and associations for adult education;

(j) Development of co-operation between teachers and social workers working with the migrant workers;

(k) Provision, by bilateral agreements, of structures facilitating re-entry into the school system of the country of origin;

(l) Preparation of the teachers of the host countries for the teaching of migrants' children; preparation of the teachers of the countries of origin to work inside the education system of the host countries; organization of bilateral exchanges of teachers during the initial training or during school activity; this teachers' training should include a knowledge of the civilization, of the history of migratory phenomena, of the present situation of countries of origin and of the diversity of migrant people in the host countries.

The national organizations participating in the seminar undertook:

(a) To use their influence with their Governments, to support the claims for education, working conditions and teacher training that facilitate the achievement of these objectives;

(b) To improve the teachers' awareness concerning inter-cultural education;

(c) To develop the bilateral relations between teachers organizations of the countries of origin and those of the host countries, in order to keep each other informed about the evolution of the situation and the measures necessary to overcome the new difficulties;

(d) To encourage all kinds of school exchanges between host countries and countries of origin.

7. World Federation of Democratic Youth

The World Federation of Democratic Youth pointed out that the majority of people are living in such situations that access to education, training and subsequent employment for their children is becoming impossible due to poor social and human conditions. The Federation reported also on the seminar held under its auspices in Sweden in 1986 on the theme, "Young migrants and youth and their country of stay: together for equal social and political rights against unemployment, racism, chauvinism and xenophobia".

One background paper of that Seminar dealt with a programme of immigration and the treatment of immigrants in Sweden. Immigrants, and especially their children, should have access to education in their mother tongue. A suggestion was made to have obligatory mother tongue tuition for immigrant children as early as the nursery school level. With respect to teaching, it was stated that qualified teachers in Swedish as a foreign language are not yet available.

The fact that immigrant youths complete less senior high school education than do Swedish youths make, their situation on the labour market harder. The immigrant's social situation should improve and the labour and educational barriers should be abolished. The conclusion, therefore, was that serious action against racism and racial discrimination of immigrants should form part of an obligatory education at different levels of senior high school education.

Another paper dealt with the situation of young migrants in the Federal Republic of Germany. It stated that about 4.6 million migrants live there, the largest groups coming from Turkey, Greece, Portugal, Yugoslavia, Italy and Spain. Young immigrants were particularly affected by bad education and unemployment.

With respect to education, it was stated that preparatory classes for young migrants were necessary. Moreover, information on the school system was needed for the migrant parents. The school system at the primary level should engage specially trained teachers to cope with the language problems of children of migrant workers.

8. World Union of Catholic Women's Organizations

The World Union of Catholic Women's Organizations reported that it had undertaken an educational programme to combat illiteracy for the women of an American Indian minority group, the Tobas, in Argentina. Within a two-year period about 30 women from 16 to 70 years old benefited from the programme.

E. Employment

25. General standards protecting migrant workers and their children may be found in the Universal Declaration on Human Rights (article 23) and the International Covenant on Economic, Social and Cultural Rights (article 7).

26. Detailed standards are contained in ILO Convention No. 143 (1975), concerning promotion and equality of opportunity and treatment of migrant workers, and Recommendation No. 151 of 1975. Moreover, the draft International Convention on the Protection of the Rights of All Migrant Workers and their Families, in article 53, provides that "the spouse and children of a migrant worker whose authorization of residence or admission is without limit of time shall be permitted free choice of employment ...". It also stipulated that "States parties to the present Convention shall pursue a policy aimed at granting priority in respect of employment ...". 20/

27. The following information and views have been received from Governments and specialized agencies:

(a) Governments

1. Federal Republic of Germany

During the examination of the eighth periodic report of the Federal Republic of Germany by the Committee on the Elimination of Racial Discrimination, the representative of that country stated that foreign employees had the same status as German nationals under labour and social legislation, the same unemployment and social welfare benefits as unemployed Germans and a legal claim to social assistance for themselves and their families. 21/

2. Lesotho

"Lesotho labour legislation is non-discriminatory. Employment is provided where available on the grounds of competence and qualification for the particular job. Sometimes refugees have been given priority on humanitarian grounds."

3. Panama

The Government of Panama stated that, although its labour legislation with respect to migrant workers is non-discriminatory, it protects its nationals, foreigners married to Panamanian women or those with 10 years' legal residence in Panama. It referred to its international obligations in this respect, namely, the ratification of the ILO Convention (No. 111) Concerning Discrimination in Respect of Employment and Occupation and the UNESCO Convention against Discrimination in Education.

(b) Specialized agencies

1. International Labour Organisation

Two regional seminars, sponsored under the Regular Programme of Technical Co-operation of ILO, on non-discriminatory employment practices in the Caribbean region and the southern African subregion came to different conclusions as far as the grounds of discrimination were concerned.

In the Caribbean region, in general, occurrence of discrimination on the basis of race, colour, social or national origin was not seen as a major problem in the region. However, discrimination on the grounds of social origin was determined to occur through the patronage system, which is strongly adhered to in most of the countries.

In the southern African sub-continent, the most prevalent discriminatory practices were based on sex, political opinion, tribal origin and marital status, while to a far lesser extent, social origin was identified as a ground for discrimination.

The United Nations Development Programme (UNDP) and ILO developed a joint programme of action in 1980 for a period of five years, entitled "European Regional Project for Second-generation Migrants". Under its auspices, a number of regional seminars took place, which focused on situations in which children of migrants find themselves in the host country with respect to education, training and employment. It was shown that being a migrant proved to have adverse consequences in these key fields and therefore put the child of the migrant worker, the second-generation migrant, on an even more unequal basis with children in the host country.

The crucial point for second-generation migrants is that an insufficient educational basis inevitably leads to a restricted labour market and consequently diminishes the possibility of changing jobs or being awarded promotions.

In the Federal Republic of Germany, certain categories of children of migrant workers have been entitled, since July 1984, to a special work permit under the following conditions: they have to join one of the parents in the Federal Republic of Germany before they turn 18 years old; they have to prove either that they graduated from high school, or that they finished professional training or were at least engaged in professional training for a period of 10 months.

In France, migrant workers have benefited, since October 1984, from special protection in case of unemployment. A convention signed between the Social Action Fund for migrant workers and the National Labour Fund aims at better protection for the migrant worker if he loses his job because of industrial restructuring.

In Sweden, special language facilities and interpreter services are provided in employment services to accommodate migrant workers.

Since January 1984, unemployment insurance has been compulsory in Switzerland for persons over 18 years of age. Young migrants are exempted from paying back their unemployment insurance fees that were due if they entered the labour market.

In order to facilitate social integration and increase social mobility of migrant workers, Belgium and the Netherlands changed their nationality laws in 1984. In the Netherlands, third-generation migrants, children born in the country of foreign parents who were also born there of grandparents who migrated to the Netherlands, automatically acquire Netherlands nationality at birth. In Belgium, the child of a migrant worker born in Belgium can obtain Belgian nationality through a declaration that attributes that nationality.

2. United Nations Educational, Scientific and Cultural Organization

UNESCO stated that the issues of appropriate housing and employment were interrelated: the first is directly related to school performance and to attitudes within the schools; the second is related to job expectation and to school performance. The level of youth unemployment therefore also affects performance, particularly where there is a correlation between youth employment and the second generation.

IV. CONCLUSION

28. The international community has demonstrated its concern for the problems faced by children of minorities, particularly those of migrant workers, by taking action on several levels.

29. In the field of standard setting, instruments of general bearing as well as more specialized ones cover a wide spectrum of those concerns (see sect. II). The completion and entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Their Families will enhance the already existing body of international law in this field and become a milestone in the protection of the children of migrant workers. It is therefore hoped that the Working Group will soon finish its important work, paving the way for accession to and ratification of the Convention.

30. In the area of international supervision of human rights conventions through the reporting system, the issue of the protection of children of minorities and those migrant workers has been addressed by States parties in their reports and by the expert supervisory bodies during the examination of those reports.

31. Studies mandated by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (A/41/552, paras. 91 and 93-97) and international seminars held under the Programme of Advisory Services in the human rights area and under the Decade to Combat Racism and Racial Discrimination (*ibid.*, paras. 98-103) have focused on the need for special protection of the children of minorities and

migrant workers and have made recommendations in that direction. International agencies, regional intergovernmental and non-governmental organizations have directly or indirectly included the protection of these children in their agenda.

32. In order to facilitate further discussion of ways and means of dealing with the effects of racial discrimination on children, the following is a summary listing of measures taken and recommendations made by Governments, international organizations, expert meetings and studies mandated by United Nations bodies in the fields of education and employment and other areas. This summary list is based on information communicated to the Secretariat or available in the documentation of the relevant bodies, such as the Committee on the Elimination of Racial Discrimination and the Sub-Commission on Prevention of Discrimination and Protection of Minorities:

(a) Education

- (i) Making education accessible to all children of minorities or migrant workers on the basis of equality and non-discrimination, while at the same time respecting their identities and cultural heritage;
- (ii) Provision of teaching facilities in the mother tongue for children of migrant workers, including at the secondary level;
- (iii) Training teachers, in particular to integrate children of migrant workers into the school system;
- (iv) Teaching immigrant children the language of the host country in order to improve their performance there;
- (v) Implementation of affirmative action programmes in order to remedy the situation of persons belonging to minority groups owing to their race, colour, ethnic, or national origin, or who are discriminated against in education;
- (vi) Establishing, wherever possible, special schools for children belonging to minority groups, while at the same time guaranteeing their right to enter any school of their choice;
- (vii) Inclusion in the school curricula of children and youth of the subject of human rights, with special emphasis in the primary stages of education on the equality of all human beings and the evils of racial discrimination.

(b) Employment

- (i) Implementation of affirmative action programmes in order to remedy the situation of persons belonging to minority groups, according to their race, colour, ethnic or national origin, or persons who are discriminated against in employment;
- (ii) Granting to foreign employees the same rights as to employees who are citizens of the host country.

- (c) Other
- (i) Accessibility of recourse procedures to all persons, citizens, non-citizens or groups, on the basis of equality;
 - (ii) Development of programmes for the integration of the children of migrant workers and refugees to the host country;
 - (iii) Within the European framework, continuation of the European Regional Project for Second Generation Migrants, as proposed by ILO, to facilitate integration, professionally, socially and culturally, of these migrants in the host country, or, in case of voluntary repatriation, in the country of origin;
 - (iv) Provision of national legislation with respect to migrant workers on a non-discriminatory basis;
 - (v) Consideration, as suggested by FAO, of the drafting of an international convention concerning the children of migrant workers.

Notes

- 1/ United Nations, Treaty Series, vol. 362, No. 5181.
- 2/ Ibid., vol. 429, No. 6193, p. 93.
- 3/ United Nations Educational, Scientific and Cultural Organization, Records of the General Conference, Twentieth Session, Paris, 24 October-28 November 1978, Vol. I, Resolutions, pp. 61-65.
- 4/ "Apartheid and Health", WHO, 1983, p. 254.
- 5/ David A. Feingold, "Discrimination and children in cross-cultural perspective", Defence for Children International, 1985.
- 6/ E/CN.4/1986/WG.5/WP.1.
- 7/ See Official Records of the General Assembly, Tenth Session, Annexes, agenda item 28 (part II), document A/2929, chap. VI, paras. 51-57. See also document A/C.3/35/13.
- 8/ United Nations Treaty Series, vol. 120, No. 1616, p. 71; International Labour Office, Official Bulletin, vol. LVIII, 1975, series A, No. 1; and ibid., Recommendation No. 151.
- 9/ Adopted on second reading by the Working Group, A/C.3/42/WG.1/WP.1/Rev.1.
- 10/ Second periodic report of Denmark: (CERD/C/131/Add.6).

Notes (continued)

- 11/ Seventh periodic report of France (CERD/C/117/Add.2) (See Official Records of the General Assembly, Fortieth Session, Supplement No. 18 (A/40/18)).
- 12/ Adopted on second reading by the Working Group, A/C.3/42/WG.1/WP.1/Rev.1.
- 13/ Sixth periodic report of Austria (CERD/C/106/Add.12).
- 14/ Seventh periodic report of Canada (CERD/C/107/Add.8).
- 15/ Seventh periodic report of France (CERD/C/117/Add.2).
- 16/ Eighth periodic report of Poland, CERD/C/118/Add.21 (see Official Records of the General Assembly, Fortieth Session, Supplement No. 18 (A/40/18)).
- 17/ Ninth periodic report of the United Kingdom of Great Britain and Northern Ireland (CERD/C/149/Add.7).
- 18/ Roger Lans, "La scolarization des migrants en Europe", Le Monde, 4 July 1982, pp. 13 and 14.
- 19/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.
- 20/ Article adopted provisionally on first reading by the Working Group, A/C.3/39/WG.1/WP.1.
- 21/ Eighth periodic report of the Federal Republic of Germany, CERD/C/118/Add.19 (see Official Records of the General Assembly, Fortieth Session, Supplement No. 18 (A/40/18)).
