

1789 (LIV). Exploitation of labour through illicit and clandestine trafficking

The Economic and Social Council,

Recalling its resolution 1706 (LIII) of 28 July 1972 and General Assembly resolution 2920 (XXVII) of 15 November 1972,

Recalling the provisions of the Universal Declaration of Human Rights, which proclaim that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind,

Considering that effective action to prevent exploitation of the victims of illegal trafficking in labour requires comprehensive measures designed to enhance the protection of human rights in respect of foreign workers,

1. Urges once again States to ratify the relevant conventions of the International Labour Organisation, in particular the Convention concerning Migration for Employment (Revised 1949),¹¹⁰ and to conclude, as appropriate, bilateral agreements relating to migration for employment;

2. Welcomes the valuable work being undertaken by the International Labour Organisation to strengthen the international machinery for the protection of migrant workers and the decision of its Governing Body to place this matter on the agenda of the fifty-ninth session of the International Labour Conference, and expresses the hope that the Conference will take action leading to the adoption of measures which will have the effect of affording adequate protection to all migrant and other foreign workers and will reduce the opportunities for labour to be exploited by illicit or clandestine trafficking;

3. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to consider this question as matter of priority at its twenty-sixth session, in the light of United Nations instruments in the field of human rights, and to recommend what further measures may be necessary for the protection, without distinction, of the human rights of foreign workers, taking into account the discussion of this question in the General Assembly, the Economic and Social Council and the Commission on Human Rights;

4. Requests the Commission on the Status of Women to examine the question of the exploitation of the victims of clandestine traffic in labour, especially young women, taking into account in this connexion the discussion in the Commission on Human Rights,¹¹¹ and to report to the Economic and Social Council;

5. Requests Member States to submit to the Secretary-General such material, studies and suggestions as they deem relevant, for transmission to the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on the Status of Women at their next sessions, with reference to paragraphs 3 and 4 above;

6. Requests the Commission on Human Rights to consider this question as a matter of priority at its thirtieth session.

*1858th plenary meeting
18 May 1973*

¹¹⁰ See *Conventions and Recommendations, 1919-1966* (International Labour Office, Geneva, 1966), Convention No. 97, p. 743.

¹¹¹ See *Official Records of the Economic and Social Council, Fifty-fourth Session, Supplement No. 6 (E/5265)*, chap. V.

1790 (LIV). Question of international legal protection of the human rights of individuals who are not citizens of the country in which they live

The Economic and Social Council,

Reaffirming the principles of the sovereign equality of States and of non-interference in domestic affairs,

Emphasizing that non-citizens must observe the laws in force in the States in which they reside, and particularly must refrain from activities prejudicial to the political and economic interests of these States,

Recalling the provisions of the Universal Declaration of Human Rights, which proclaim that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind,

Noting, however, that in practice States often make certain distinctions between their own nationals and others,

Noting further that, while these distinctions are provided for in certain international instruments in the field of human rights, no general examination has been made by the United Nations of the extent to which such instruments are applicable to individuals who are not citizens of the State in which they live,

1. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to consider as a matter of priority, at its twenty-sixth session the problem of the applicability of existing international provisions for the protection of human rights to individuals who are not citizens of the country in which they live, to consider what measures in the field of human rights, including the possibility of a declaration, would be desirable, and to submit appropriate recommendations to the Commission on Human Rights at its thirtieth session;

2. Requests the Commission on Human Rights to consider this question as a matter of priority at its thirtieth session on the basis of the report of the Sub-Commission at its twenty-sixth session;

3. Urges States, pending the adoption of further measures in this field, to accord the highest practicable level of protection to all individuals who are not their citizens but who are nevertheless under their jurisdiction;

4. Calls upon all States to respect the right of individuals to communicate with duly appointed consular officials sent by the State of which they are nationals and, as appropriate, to have access to them, in accordance with the relevant rules of international law;

5. Decides to consider this question at its fifty-sixth session.

*1858th plenary meeting
18 May 1973*

1791 (LIV). Question of the punishment of war criminals and of persons who have committed crimes against humanity

The Economic and Social Council,

Recalling General Assembly resolution 2583 (XXIV) of 15 December 1969, in which the Assembly drew attention to the special need for international action in order to ensure the prosecution and punishment