



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/1996/L.25
9 April 1996

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-second session
Agenda item 11

MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS
AND DIGNITY OF ALL MIGRANT WORKERS

Chile, Iraq*, Mongolia*, Nepal, Philippines, Portugal*, South Africa*
and Thailand*: draft resolution

1996/... Violence against women migrant workers

The Commission on Human Rights,

Recalling its resolution 1995/20 of 24 February 1995, General Assembly resolutions 47/96 of 16 December 1992, 48/110 of 20 December 1993, 49/165 of 23 December 1994 and 50/168 of 22 December 1995, as well as Commission on the Status of Women resolutions 38/7 of 18 March 1994, 39/7 of 31 March 1995 and 40/- of 21 March 1996,

Taking note with concern of the report of the Working Group on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its twentieth session (E/CN.4/Sub.2/1995/28 and Add.1), in particular its observations with respect to the treatment of migrant workers,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Acknowledging the attention given to violence against women migrant workers in the report of the Special Rapporteur on violence against women, its causes and its consequences,

Stressing that the promotion of the human rights of women constitutes an integral part of the human rights activities of the United Nations, as reaffirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,

Welcoming the conclusions and recommendations made by recent international conferences, including the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women, on the promotion and protection of the rights and fundamental freedoms of women, including women migrant workers,

Noting the large numbers of women from developing countries and from some countries with economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families, as a consequence of poverty, unemployment and other socio-economic conditions, while recognizing that it is the duty of sending countries to protect and promote the interests of their citizens who seek or receive employment in other countries, to provide them with appropriate training or education and to apprise them of their rights and obligations in the countries of employment,

Concerned by the continuing reports of grave abuses and acts of violence committed against the persons of women migrant workers by some employers in some host countries,

Encouraged by some measures adopted by some receiving countries to alleviate the plight of women migrant workers residing within their areas of jurisdiction,

Reiterating that acts of violence directed against women impair or nullify their enjoyment of their human rights and fundamental freedoms,

1. Determines to prevent and eliminate all forms of violence against women and girls;

2. Calls upon States to adopt measures for the effective implementation of the Declaration on the Elimination of Violence against Women, including applying them to women migrant workers, as well as all relevant measures emanating from recent world conferences;

3. Encourages States to enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society;

4. Also encourages States to adopt and/or implement and periodically to review and analyse legislation to ensure its effectiveness in eliminating violence against women, emphasizing the prevention of violence and the prosecution of offenders, and to take measures to ensure the protection of women subjected to violence and that they have access to just and effective remedies, including compensation and indemnification and healing of victims, and for the rehabilitation of perpetrators;

5. Reiterates the need for States concerned, specifically the sending and receiving States of women migrant workers, to conduct regular consultations for the purpose of identifying problem areas in promoting and protecting the rights of women migrant workers and ensuring health, legal and social services for them, adopting specific measures to address these problems, setting up, as necessary, linguistically and culturally accessible services and mechanisms to implement these measures and, in general, creating conditions that foster greater harmony and tolerance between women migrant workers and the rest of the society in which they reside;

6. Encourages States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, as well as the Slavery Convention of 1926;

7. Request the United Nations High Commissioner for Human Rights, the Centre for Human Rights and the Special Rapporteur, as well as all relevant bodies and programmes in the United Nations system, when addressing the issue of violence against women to give particular attention to the issue of violence perpetrated against women migrant workers;

8. Welcomes the scheduled holding from 27 to 31 May 1996 of a United Nations expert group meeting on the issue of violence against women migrant workers, with the participation of the Special Rapporteur on violence against women, pursuant to General Assembly resolution 50/168, to submit recommendations for improving coordination of the various efforts of United Nations agencies on the issue of violence against women migrant workers and to develop concrete indicators as a basis of determining the situation of

women migrant workers for submission, through normal channels, to the General Assembly at its fifty-first session;

9. Invites trade unions to support the realization of the rights of women migrant workers by assisting them in organizing themselves so as to enable them better to assert their rights;

10. Invites the Special Rapporteur on violence against women to continue to include among the urgent issues pertaining to her mandate the violence perpetrated against women migrant workers and to consider including her findings in her report to the Commission on Human Rights at its fifty-third session;

11. Decides to continue to consider the question at its fifty-third session under the relevant agenda item.
