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**RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND ALL FORMS OF
DISCRIMINATION**

**Written statement* submitted by the World Federation of Trade Unions (WFTU),
a non-governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 January 2004]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The previous session of the Commission on Human rights recognized, in its Resolutions, that racism, racial discrimination, xenophobia and the related forms of intolerance come from motives of race, colour, ancestry or national or ethnic origin and that the victims can undergo multiple or aggravated forms of discrimination for other related reasons.

It was pointed out, furthermore, that poverty, underdevelopment, marginalization, social exclusion and the economic disparities, are closely associated with such cruel practices and contribute to the persistence of racist attitudes and practices which, in turn, generate more poverty.

In such sense, it becomes a drama that shakes the world as every day it brings new deaths among those that flee from misery and look to the First World for the solution of their problems regardless of the risks of the passage and becoming, when arriving, citizens of second category.

They are necessary, but despised. They accumulate material objects, but they lose their values. They can even be victims of the xenophobia or racism.

The First World protects itself from them by means of humiliating measures, persecutions and with the construction of walls to prevent their continued arriving at their coasts and borders. The United States is the best example of this, although the European nations are not left far behind.

Most of the world population is in the so-called Third World and many of them see in emigration the only solution to the serious social consequences accumulated in the North - South economic relations aggravated by the present imposed model of neoliberal globalization that causes the increase of the differences between rich and poor.

The migratory flows from the South towards the countries of the North keep increasing because the causes of this exodus do not disappear.

Every year thousands of people, who look for economic improvements, try to reach, by any route, the desired world that the propaganda of the industrialized countries idealizes.

The Straits of Gibraltar in Europe, the Wall on the border between the United States with Mexico, and other walls, are places of terror and suffering, which cause every year the death in the attempt to arrive at the Promised Land of thousands of people, without counting those who disappear in this dramatic statistic.

Those that arrive at the receiving countries come to occupy the jobs rejected by the nationals, to cover the lack of young or trained manual labour, although they do not receive their elementary rights and are accused of being the cause of all the social difficulties.

The South bleeds with such policies, because more and more the talents of the more qualified persons among their people are stolen while, in not few countries, the expulsion of illegal immigrants continues, with true methods of apartheid.

For the Mafias that are dedicated to the illegal traffic in people, it continues being big business, while increasing by this practice phenomena like prostitution, drug trafficking and other social evils.

In the Old Continent, or near the Mexican border with the United States, or in other regions, the dilemma of thousands of people who are victims of the migratory flow does not seem to have a solution, and that will be increased by the more and more dramatic inequalities of our planet, which constitute a true challenge for humanity.

Nevertheless, and even though the fact that the International treaty on the protection of the rights of migratory workers and its relatives took effect the past July 1st., and in spite of its economic importance and of the enormous amount of people concerned, migratory workers frequently are not protected by that legislation and are considered like a cheap, docile and flexible labour force.

This instrument, designed to improve the conditions of life of an enormous amount of people who look for employment outside their countries, was preceded by a World-wide Campaign to promote its ratification that involved the alliance of three agencies of the United Nations system and of non-governmental organizations that for more than 20 years battled to obtain its realization. In the International Labour Organization the criterion of an international consensus is spreading around the idea that the regulation of international labour migration cannot be left in the hands only of national interests and mechanisms of market. Also it is judged that it is necessary to act through bilateral and multilateral agreements and by means of attachment to the international norms.

The workers who migrate in irregular form are especially vulnerable to exploitation and abuse because the threat of arrest and deportation prevents any type of union association and exposes them to dangerous labour conditions.

It is for these reasons that the World Federation of Trade Unions:

- urges the taking of actions in favour of the adoption, by the Governments, of the International treaty on the protection of the rights of migratory workers and their relatives, which took effect the 1st. of July of 2003.
- calls for the condemnation of manifestations and acts of racism, racial discrimination, xenophobia and connected forms of intolerance against migrants and the stereotypes that usually are applied to them.
- claims to reaffirm the sentence on all forms of racial discrimination and xenophobia in the access to the employment, professional formation, lodgings, instruction, health care services, and social services destined for public use.
- requires that, in accordance with their national legislation and the international legal instruments applicable to which they have adhered, that governments submit for judicial control all violations of labour laws with respect to the conditions of work of migrant workers, in particular the ones relative to their remuneration and conditions of health and security at work.

- appeals for the ratification of what was decided in the previous session of the Commission on Human Rights relative to what must be put into practice, without justifications that conceal lack of political will for it, the commitments and recommendations related to the promotion and protection of the human rights of migrants which appear in the Declaration and Program of Action of Durban.
- condemns the persistence and reappearance of neo-Nazism, neofascism and of violent nationalistic ideologies wrapped in racial or national prejudices, and asserts that those phenomena are not justified in any case nor under any circumstance.
- adds itself to the commitment to organize a world-wide campaign for the total elimination of racism, racial discrimination, xenophobia and the connected forms of intolerance, which was adopted in the 59th session of the Commission on Human rights.
- reaffirms its conviction that the migratory phenomenon, legal and illegal, will keep increasing as long as the misery and the poverty in the Third World Countries continues, a situation that grows because of the imposition of an economic model that globalizes social injustice.
