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Abstract

Human Rights Council (HRC)

"Human Rights of Migrant Workers"

General Introduction to the topic of migrant workers

The topic of migrant workers has been existing ever since payment in return for labour was introduced. Both women and men leave their homelands in search of work elsewhere, often in order to improve their current standard of living. Some of the major reasons for workers to emigrate include poverty, the inability to earn enough to support oneself or one's family, civil wars, social unrest, discrimination, persecution and insecurity in their homelands. Sometimes, at a distance, conditions in industrially developed countries seem better than in LDCs (Less Developed Countries) or poor countries.

However, migrant workers often have to deal with problems of adjustment. They might for example be confronted with discrimination in the field of employment but they may also have to handle unsatisfactory living conditions, low incomes, high rents, housing shortages and local prejudice against foreign elements in the community. Furthermore, their integration into the social environment of receiving States without loss of their cultural identity is another problem which has been subject of international debate.

Action has already been taken on an international level in order to promote the rights of migrant workers and their families. In December 1990, the General Assembly adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. Efforts have been made to ensure that the rights of migrant workers are protected and respected.

One of the most important institutions concerning this topic is the International Labour Organization (ILO). This organization has been in the forefront of efforts to secure and maintain a fair deal for migrant workers and their families since the 1920ies.

Other organizations and departments of the United Nations Organization (United Nations Commission for Social Development; United Nations Educational, Scientific and Cultural Organization; United Nations Children's Fund) have given particular attention to the educational needs of the children of migrant workers and the protection of their rights.

Recent UN conferences with regard to migrant workers such as the World Conference on Human Rights (Vienna, 1993), the International Conference on Population and Development (Cairo, 1994), the World Summit for Social Development (Copenhagen, 1995) and the Fourth World Conference on Women (Beijing, 1995) have all urged States to guarantee the protection of the human rights of all migrant workers and their families. They have emphasized the importance to foster harmony and tolerance between migrant workers and the rest of the society. Furthermore, they have achieved that States committed themselves to ensure that concrete and effective measures against the exploitation of migrant workers will be taken.

The current situation of migrant workers considering the special circumstances of the current economic crisis

Nonetheless, at present, all countries – both developed and developing, poor and rich – face an economic crisis that has large impact on the labour market. There is no continent, no region of the world, which does not have its contingent of migrant workers and there is none of them left unaffected by the global financial crisis. Among the countries most affected by the current developments are Russia, China, the Persian Gulf region but also European countries such as Spain and Italy.

The UN Human Rights Council has already discussed the fact that the global crisis will have an especially huge impact on the livelihoods of vulnerable and already marginalized groups, including women, children, disabled people, refugees and immigrants. The crisis has slowed down demand for products produced in sectors like construction in which a major part of migrant workers are employed. Therefore, migrant workers are among the first to be effected and lose their job despite the fact that prior to the crisis, this sector had been one of the major engines of growth for many countries.

In history we have experienced that an economic crisis also has large social impact. When jobs become more scarce, a rise in social tensions and xenophobia can be witnessed and migrant workers are at special risk of discrimination and abuse.

Given that some countries may take increasingly protectionist stances, the options for formal migration will narrow rapidly. As a result, migrants abroad may face increasingly difficult conditions, with fewer employment opportunities and may face greater discrimination and stigmatization. This will lead to more undocumented migrants who may seek to work without authorization which would make them even more vulnerable.

UN Secretary-General Ban Ki-moon recognizes precarity of the situation and said that “protecting the rights and livelihoods of millions of migrant workers during the global slowdown will benefit economies,” He has also urged all nations to “ensure through their domestic legislation and political and social framework to protect and promote the human rights of migrant workers”.