

Recommendation 796 (1976)¹

20th progress report of the Special Representative of the Council of Europe for National Refugees and Over-Population

Parliamentary Assembly

The Assembly,

1. Having considered the 20th progress report of the Special Representative of the Council of Europe for National Refugees and Over-Population ([Doc. 3815](#)) ;
2. Appreciating the work recently accomplished by the Special Representative and his Advisory Committee in favour of migrant workers and their families in the fields of equality of treatment between migrant and national workers with regard to vocational guidance, training and retraining, the model work contract and the school career and health record ;
3. Reaffirming the importance which it attaches to a close association of representatives of the Assembly with the work of intergovernmental bodies concerned with the problems of migrant workers ;
4. Noting that the recent economic recession has created a wide range of problems for all parties concerned with migration for employment, and in particular for the migrant workers themselves and for the countries of origin ;
5. Emphasising the need for action to be taken by the sending countries to improve the arrangements for resettling and readapting returning migrants ;
6. Stressing the importance of co-operation between the receiving and sending countries with the aim of taking measures for returning migrants in the fields of vocational training and retraining, reemployment, social services, housing, children's education and their reintegration in the school systems in the countries of origin ;
7. Recalling Article 19, paragraph 6, of the European Social Charter, whereby the contracting parties undertake "to facilitate as far as possible the reunion of the family of a foreign worker permitted to establish himself in the territory" ;
8. Recalling its [Recommendation 786 \(1976\)](#), which emphasised the need to increase the efforts made by the Council of Europe in the fields of teaching of languages for migrant workers and schooling of their children through special classes ;
9. Deeply concerned that, despite the prolonged efforts of the Committee of Ministers, the draft European Convention on the Legal Status of Migrant Workers, on which the Assembly gave an opinion in January 1971, has not yet been adopted ;
10. Considering that the situation of the distressed populations in Cyprus has by no means improved,

1. See [Doc. 3885](#), report of the Committee on Population and Refugees. Text adopted by the Standing Committee, acting on behalf of the Assembly on 7 December 1976.



11. Recommends that the Committee of Ministers invite the governments of the member states :
 - a. to ensure that migration policies are so framed that migrant workers are not the main victims of economic recession, and that cyclical fluctuations are not allowed to alter the principles underlying the policy of employing foreign workers in countries where foreign manpower is regarded as an integral part of the national labour force ;
 - b. to encourage all appropriate measures to prevent any discrimination between migrant and national workers with respect to selection for redundancy ;
 - c. to ensure a uniformity of definition of unemployment both for national and foreign workers, and that migrant workers are placed on an equal footing with nationals as regards the rights and duties pertaining to unemployment ;
 - d. to arrange for co-operation between receiving and sending countries in the event of economic recession, so as to facilitate the occupational and social reabsorption of migrant workers obliged to return to their countries of origin, particularly through the adoption of long-term social protection measures and the provision of occupational training and retraining facilities ;
 - e. to provide the necessary incentives for the transfer of capital and industries into emigration countries, with the aim of creating new job opportunities in the regions with a labour surplus ;
12. Recommends that the Committee of Ministers :
 - a. inform the Assembly, in order to enable it to consider what measures might appropriately be taken to support the work of the Committee of Ministers in this area, of the precise difficulties which now stand in the way of adoption of the draft European Convention on the Legal Status of Migrant Workers, and consider communicating to the Assembly the text of the draft which is currently under consideration ;
 - b. enable the Special Representative to study the appropriate measures for the reunion of migrant workers' families within member states of the Council of Europe, by including this activity in the Work Programme for 1977 ;
 - c. provide the necessary funds to increase the number of experimental language classes for migrant workers, sponsored by the Council of Europe, from two to four, and the special classes for the children of migrant workers from eight to twelve ;
 - d. bear in mind, subject to the outcome of discussion in the proposed joint working group, the interest of the Assembly in continuing to be associated closely with the work of intergovernmental bodies concerned with the problems of migrant workers ;
 - e. resume consideration of the proposals made by the Special Representative in his medium-and longterm plan for the distressed populations in Cyprus, as adopted by the Assembly in [Recommendation 756 \(1975\)](#).