



Recommendation 1187 (1992)¹

Relations between migrants and trade unions

Parliamentary Assembly

1. Today, in most of the member states of the Council of Europe migrant worker membership of trade unions is much lower than that of indigenous workers.
2. In some countries the trade unions are very sensitive to the problems of migrants, welcoming them openly and even going so far as to set up specialised internal departments. In other countries, the attitude of the trade unions is more reserved, and the integration of migrants into union life is hindered by the barrier represented by their status as aliens.
3. Very often the reluctance of the unions to deal with immigration questions has encouraged the proliferation of migrants' associations, which have been perceived as competing with trade union organisations. Nevertheless, the migrants consider their associations to be vital for the purpose of complementing union action in all matters concerning their integration into the host society.
4. But the firm where he works, and the working world in general, remain the prime contact of the migrant worker with the host country. The unions have a privileged role and position for supporting a multicultural integration policy which enables indigenous workers to avoid the pitfalls of racism and xenophobia, while ensuring that migrants have equal opportunities of employment and in society.
5. The provisions on union rights in the European Social Charter and the European Convention on the Legal Status of Migrant Workers, which are open for signature only to the member states of the Council of Europe, apply only to lawfully residing migrant workers who are nationals of the Contracting Parties. This same restriction also appears in the Community Charter of the Fundamental Social Rights of Workers, which is confined to nationals of the member states of the European Community.
6. In the case of workers who are unlawfully residing, the exercise of union rights either is not legally possible, or is regarded as an activity which increases the risks of expulsion.
7. The Assembly therefore recommends that the Committee of Ministers :
 - 7.1. examine ways to extend the application of union rights, defined in the European Social Charter and the European Convention on the Legal Status of Migrant Workers, to all lawfully residing workers, regardless of their country of origin ;
 - 7.2. study the question of the union rights of migrant workers who are unlawfully residing, so as to enable them to be protected against labour traffickers and employers who do not fully respect their obligations ;
 - 7.3. instruct the European Committee on Migration (CDMG) to undertake a study, in close co-operation with the union organisations, on the participation of migrants in trade unions in the member states of the Council of Europe, covering questions such as the right to join unions, social rights at the place of work and the exercise of responsibilities within the union ;
 - 7.4. associate the representatives of trade unions and migrants' associations more closely with the activities of the Council of Europe, particularly in respect of intercommunity relations ;

1. Assembly debate on 8 May 1992 (8th Sitting) (see [Doc. 6590](#), report of the Committee on Migration, Refugees and Demography, Rapporteur : Mr Worms). Text adopted by the Assembly on 8 May 1992 (8th Sitting).



Recommendation 1187 (1992)

7.5. invite those member states which have not yet signed or ratified the European Convention on the Legal Status of Migrant Workers to do so as soon as possible.