IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE
TO COMBAT RACISM AND RACIAL DISCRIMINATION

Study on the effects of racial discrimination in the field of
education, training and employment as it affects the children
of minorities, in particular those of migrant workers

Report of the Secretary-General

CONTENTS

I. INTRODUCTION .................................................. 1 - 3

II. INFORMATION AND VIEWS RECEIVED FROM GOVERNMENTS, SPECIALIZED
AGENCIES AND NON-GOVERNMENTAL ORGANIZATIONS ................. 4 - 88

A. Information and views received from Governments .......... 4 - 21

1. Austria ................................................................. 4

2. Canada ............................................................... 5

3. Denmark .......................................................... 6

4. France .............................................................. 7 - 8

5. Germany, Federal Republic of ................................. 9

A/41/150.
CONTENTS  (continued)

<table>
<thead>
<tr>
<th>Paragraphs</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Panama</td>
<td>10</td>
</tr>
<tr>
<td>7. Poland</td>
<td>11</td>
</tr>
<tr>
<td>8. Qatar</td>
<td>12-14</td>
</tr>
<tr>
<td>9. Union of Soviet Socialist Republics</td>
<td>15-16</td>
</tr>
<tr>
<td>10. United Kingdom of Great Britain and Northern Ireland</td>
<td>17-21</td>
</tr>
<tr>
<td>B. Information and views received from specialized agencies</td>
<td>22-58</td>
</tr>
<tr>
<td>1. Food and Agriculture Organization of the United Nations</td>
<td>22-25</td>
</tr>
<tr>
<td>2. International Labour Organization</td>
<td>26-51</td>
</tr>
<tr>
<td>3. United Nations Educational, Scientific and Cultural Organization</td>
<td>52-58</td>
</tr>
<tr>
<td>C. Information and views received from non-governmental organizations</td>
<td>58-88</td>
</tr>
<tr>
<td>III. NATIONAL AND INTERNATIONAL EXPERIENCES IN DEALING WITH THE EFFECTS OF RACIAL DISCRIMINATION ON CHILDREN</td>
<td>89-113</td>
</tr>
<tr>
<td>IV. RECOMMENDATIONS THAT HAVE BEEN MADE FOR DEALING WITH THE EFFECTS OF RACIAL DISCRIMINATION ON CHILDREN</td>
<td>90-113</td>
</tr>
</tbody>
</table>
I. INTRODUCTION

1. At its fortieth session, the General Assembly considered a preliminary report of the Secretary-General on the study on the effects of racial discrimination in the field of education, training and employment as it affects the children of minorities, in particular those of migrant workers (A/40/694/Add.1), presented to the Assembly pursuant to its resolutions 38/14 of 22 November 1983 and 39/16 of 23 November 1984. By its resolution 40/22, adopted on 29 November 1985, the Assembly acknowledged the progress made in preparing the study and authorized the Secretary-General to solicit relevant information and views from Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council and to submit the final study to the Assembly at its forty-first session.

2. Section II of the present report contains a summary of the information and views received from 10 Governments, three specialized agencies and three non-governmental organizations. Section III contains a summary of national and international experiences in dealing with the effects of racial discrimination on children, and section IV consists of recommendations that have been made for dealing with the effects of racial discrimination on children.

3. Considering the paucity of replies received so far, it is the view of the Secretary-General that further efforts should be made to obtain additional information from states and organizations that have not yet replied. A fuller response would facilitate the eventual finalization of this study based on a global perspective of the issues relevant to the subject-matter.

II. INFORMATION AND VIEWS RECEIVED FROM GOVERNMENTS, SPECIALIZED AGENCIES AND NON-GOVERNMENTAL ORGANIZATIONS

A. Information and views received from Governments

1. Austria

4. In Austria, efforts have been made to integrate the children of migrant workers into the school systems and to provide teaching in the mother tongue for children of Yugoslav and Turkish parents. It was noted that approximately 12 per cent of the children of Yugoslav workers were sent to special schools because of their inability to cope with the German language. The Government has provided specially trained teachers and developed a special curriculum for Turkish schoolchildren. 1/

2. Canada

5. In Canada, provincial Governments have an obligation under the Charter of Human Rights and Freedoms to implement affirmative action programmes in its various departments and agencies. The object of such programmes is to remedy the situation of Persons belonging to minority groups owing to their race, colour, ethnic or national origin or who are discriminated against in employment or in education.

/...
Such programmes may be introduced voluntarily after they have been approved by the Human Rights Commission; they may also be commended by the latter following investigation or be imposed by a court upon presentation of evidence of discrimination against a particular group. 2/

3. Denmark

6. In Denmark, the Joint Council of Youth, a member of the Danish Refugee Board, is responsible for the integration of refugees, and several member organizations of the Council engage in specific local projects for the integration of refugees. Similar projects will be established for immigrant workers and their children. 3/

4. France

7. The Government of France reported that there was no difference of treatment, based on the family situation, origin, political or religious opinions, between French citizens among themselves or between French citizens and immigrant workers and their families, and that special organizations had been established to help schoolchildren in difficulty, most of whom are children of migrant workers.

8. Moreover, national languages of immigrant children were taught in secondary schools. There were two exceptions on which measures were currently being undertaken, namely, the teaching of the languages spoken by Yugoslav and Turkish residents. 4/

5. Germany, Federal Republic of

9. The Government stated that foreign employees had the same status as German nationals under labour and social legislation, the same unemployment and social welfare benefits as unemployed Germans and a legal claim to social assistance for themselves and their families. 5/

6. Panama

10. The Government of Panama stated that, although its labour legislation with respect to migrant workers is non-discriminatory, it protects its nationals, foreigners married to Panamanian women or those with 10 years' legal residence in Panama. It referred to its international obligations in this respect, namely, the ratification of the ILO Convention (No. 111) Concerning Discrimination in Respect of Employment and Occupation and the UNESCO Convention against Discrimination in Education.

7. Poland

11. With reference to the education of minorities, the Committee on the Elimination of Racial Discrimination asked the Government of Poland to provide information on the percentage of minority teachers and whether special school...
existed to train them and 

train minority youth for other professions. The
Government stated that education was open to all groups of the population without
any restriction or racial discrimination and each year it granted scholarships for
higher education to victims of such discrimination. 6/

8. Qatar

12. The Government of Qatar reported that there are some special schools for
children belonging to the various foreign communities who do not speak Arabic, the
official language used in the public schools, e.g., members of the English, Indian,
Pakistani, Iranian and French communities.

13. With regard to employment, children of residents are employed in various
occupations, in both the public and private sectors. Priority for employment is,
however, given to citizens.

14. As for the effects of racial discrimination in the field of education,
training and employment, the following negative aspects were listed:

(a) Wasting the potential of a large number of human beings who could make an
important contribution to social, economic and human development throughout the
world;

(b) Depriving mankind of skills, talents and experience that could contribute
to progress in all areas of life;

(c) Creating vast numbers of negative, complex and malevolent factors that do
not contribute to world civilization, but are instead destructive thereof;

(d) Establishing a policy of rigid exclusion that produces deep feelings of
inferiority, with the anti-social and anti-civilized consequences which such a
complex gives rise to;

(e) Distracting certain areas of the world (infected by racial
discrimination);

(f) Promoting a spirit of intrigue, disunion, discord and schism among the
peoples of the world;

(g) Wasting time, efforts and money on matters with a negative return,
contrary to the trends in the contemporary world.

9. Union of Soviet Socialist Republics

15. The Government of the Union of Soviet Socialist Republics stated that,
irrespective of their race, nationality, ethnic origin, descent or colour, citizens
of the USSR enjoy all the social, economic, civil and political rights affirmed and
guaranteed in the Constitution of the USSR and that all Soviet citizens have equal
rights to education, freedom of choice of the language of instruction and
instruction in the native language. Pupils may, if they so desire, study the
language of another people of the USSR.
16. At educational institutions where instruction is not given in the Russian language, the necessary conditions shall be created to ensure fluency in these languages and a uniform standard of general education, due account being taken of the national characteristics of the population of the USSR. Uniformity shall be achieved in the system of secondary general education by applying common principles in the organization of the teaching and educational process and by ensuring a fundamentally uniform content and uniform standard of general secondary education throughout the territory of the Soviet Union. Material concerning the nationality policy of the Soviet State is included in the syllabuses of secondary schools for junior and senior pupils throughout the Soviet Union, in courses on the following subjects: native language, literature, history, geography and social science. In addition, senior pupils at secondary schools study issues relating to the struggle against racism and racial discrimination, apartheid, genocide and the vestiges of colonialism in the courses entitled "Social science", "Fundamentals of the Soviet State and law" and "Modern history".

10. United Kingdom of Great Britain and Northern Ireland

17. The Government stated that it had accepted the findings of its Committee of Inquiry into the Education of Children from Ethnic Minority Groups. The Government was determined to improve the performance not only of ethnic minority children, but also of white children from the majority of the population. It proposed to remove obstacles to advancement, notably by promoting the teaching of English as a second language. 7/

18. It furthermore reported that a Manpower Services Commission (MSC) was established on 1 January 1974 under the Employment and Training Act of 1973 to run the public employment and training services in the United Kingdom. The policy of MSC is to make its services available equally to all, regardless of ethnic origin, and all its programmes are developed in accordance with this policy. In implementing this policy, MSC specifically targets provisions in areas of greatest need, such as the inner cities, which also usually tend to be areas of high ethnic minority concentration. MSC also provides programmes which are mounted specifically for ethnic minorities where they have special needs, such as language training.

19. The Government continues to attach great importance to the teaching of the English language to all children for whom English is not their mother tongue. Without a good command of English, ethnic minority pupils are unlikely to be able to participate fully, and on an equal basis, in school and adult life.

20. The Government continues to be particularly concerned that the education provided in schools should reflect the ethnic and cultural diversity now found in the United Kingdom. To this end, the criteria for the approval of initial teacher training courses in England, Wales and Northern Ireland, which is being applied by the Council for the Accreditation of Teacher Education, set up in 1994, include a requirement that all teachers should be prepared to teach the full range of pupils whom they are likely to encounter in an ordinary school, with their diversity of "ability, behaviour, racial background and ethnic and cultural origins". 8/
21. In addition, the Government of the United Kingdom would like to draw the attention of the Secretary-General to the following educational materials by which the Department of Employment encourages local authority career services to promote racial harmony and the elimination of racial discrimination:

(a) A Memorandum of Guidance, which contains guidance from the Secretary of State for Employment to Local Authorities on the need to ensure that all young people, of whatever ethnic background, are fully aware of the full scope and range of opportunities to broaden their career horizons;

(b) The Careers Service Manual, which has recently been revised in consultation with the Commission for Racial Equality, contains guidance on equal opportunity policies;

(c) The Careers Bulletin, which is published three times per year and supplied to careers officers, has many articles and features on the subject of equality of opportunities;

(d) The Careers Service Annual Report, which is supplied to a wide readership, has a section specially devoted to "equal opportunities". This section reported on the establishment of links between organizations participating in the Government's Youth Training Scheme (YTS) and young people from ethnic minorities, for the purpose of attracting more young people from ethnic minorities into YTS;

(e) Booklets entitled "Approaches to Careers Service Practice", which are issued to all careers services, include one devoted to working with young people from ethnic minorities;

(f) Publicity material (for use by individual careers services to supplement their own initiatives) includes posters, leaflets and booklets, distributed by the Department of Employment, together with the Manpower Services Commission, the Careers Occupation Information Centre and the Commission for Racial Equality.

B. Information and views received from specialised agencies

1. **Food** and Agriculture Organization of the United Nations

22. The Food and Agricultural Organization of the United Nations (FAO) submitted its comments on the preliminary study (A/40/694/Add.1), and stated that the legal provisions safeguarding the human rights of the children of minorities are at present contained in a number of international conventions and declarations which have a rather uneven coverage. It might therefore seem desirable to envisage the preparation of a international legal instrument specifically addressed to the children of minorities and designed to make more explicit and homogenous the protection of human rights provided by the existing standards. This would serve to develop a more co-ordinated approach within the United Nations system.

23. Although the international standards attempt to cover all aspects of the human rights of the children of minorities and migrant workers, it is apparent that these do not exclude completely the possibility of adopting discriminatory practices against them at the national level. Experience of some major labour-importing
countries indicates that unequal treatment of migrants and members of their families is closely linked to deeply-rooted cultural practices and prejudices. Therefore, FAO strongly supports the types of action proposed in paragraph 16 of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination 9/ which calls upon States to use effectively education, teaching and training to create an atmosphere for the eradication of racism and racial discrimination (see A/40/694/Add.1, paras. 39 and 40).

24. In many instances, rural young men and women have less access to educational opportunities than their urban counterparts. At times, racial discrimination plays a role in this situation. With its mandate in rural and agricultural development, FAO continues to stress the need for rural youth to have access to educational opportunities at all levels, in particular, to agricultural training at the post-secondary level.

25. While it is essential that the effects of racial discrimination be eliminated in the field of education and training, it should also be recognized that any action designed to ensure equality of educational opportunity and treatment for children of minorities is bound to be ineffective and result in further marginalization unless equal access to employment opportunities is provided to the more disadvantaged groups of the population.

2. International Labour Organisation

26. Two regional seminars, sponsored under the Regular Programme of Technical Co-operation of the International Labour Organisation (ILO), on non-discriminatory employment practices in the Caribbean region and the southern African subregion came to different conclusions as far as the grounds of discrimination was concerned.

27. In the Caribbean region, in general, occurrence of discrimination on the basis of race, colour, social or national origin was not seen as a major problem in the region. 10/ However, discrimination on the grounds of social origin was determined to occur through the patronage system which is strongly adhered to in most of the countries. 11/

20. In the southern African sub-continent, the most prevalent discriminatory practices were based on sex, political opinion, tribal extraction and marital status, while to a far lesser extent, social origin was identified as a ground of discrimination. 12/

29. The United Nations Development Programme (UNDP) and ILO developed a joint programme of action in 1980 for a period of five years, entitled “European Regional Project for Second-generation Migrants”. Under its auspices, a number of regional seminars took place which focused on situations in which children of migrants find themselves in the host country with respect to education, training and employment. It was shown that being a migrant proved to have adverse consequences in these key fields and therefore put the child of the migrant worker, the second-generation migrant, on an even more unequal basis with children in the host country.
30. Research heinq done in this field shows 'hat co-operation between a country of origin and a host country is a sine qua non, especially for programmes directed at the reintegraion of second-generation migrants in the country of origin. However, the lack of co-operation for which the second-generation migrants bear the consequences results from the fact that the interests of the countries of origin and the host countries are often mutually exclusive. The aim of the joint programme was to facilitate a real integration professionally, socially and culturally of these migrants in the host country, or in case of voluntary repatriation, in the country of origin.

31. The crucial point for second-generation migrants is that an insufficient basis of education unconditionally leads to a restricted labour market and consequently diminishes the possibilities to change jobs or make promotions.

32. The causes which lead children to leave school without appropriate certificates are, in most cases, identical: insufficient knowledge of the language of the host country, lack of Information about the education System and differences with the education system in the country of origin.

33. A poll taken in 1980 in Germany showed that 60 per cent of the persons interviewed had failed to obtain a diploma, which is an indispensable tool for further professional schooling. Moreover, the number of young migrants who quit on-the-job training is twice as high for children of migrant workers as for nationals. Once they enter the job market at a low level, the migrant workers are more prone to suffer from unemployment than are the children of nationals.

34. Studies undertaken in 1981 and 1982 in other European countries - Belgium, Denmark, France, Luxembourg and the United Kingdom - show a similar trend: a successful education is hampered by linguistic and cultural barriers, which in turn are the main causes of a professional failure.

35. The European Centre for the development of professional education furnished information about attempts undertaken in a number of countries to develop a common Strategy as regards the professional education of young migrants.

36. Different socio-political contexts in a number of host countries generate a necessity for different approaches with respect to such a common strategy.

37. It is a fact that almost everywhere in Europe the number of second-generation migrants at the school age is on the increase and that they constitute a significant proportion of the migrant workers in a host country. This means that gradually the problem not only poses itself on the qualitative level (young migrants who leave school without qualifications) but also on a quantitative level. This trend requires urgent political measures and technical solutions. The directive of the European Economic Community (EEC 77/486) pertaining to the schooling of children of migrant workers, which entered into force in July 1981, may be recalled in this connection.

38. One of the common strategies undertaken in many countries is directed at bridging the language gap in the host country. However, learning a Second or third language in a foreign country is impossible without the children of the migrant workers having a basic knowledge of their own mother tongue. Therefore, education
of young children in nursery schools nowadays takes place in the mother tongue of the child. It is becoming more standard practice for countries of origin to send over qualified teachers to host countries in order to provide basic education to young children of migrant workers in their mother tongue.

39. Mastery of the language of the country of residence not only increases the social mobility of the young migrant worker, it is also the cornerstone to a real integration into the educational system of the host country. A study undertaken in the Federal Republic of Germany shows that such an integration leads to the following positive results:

(a) Children of migrant workers do not face more or different problems in the educational process than children of the host country.

(b) Only 10 per cent of the children were discriminated against by their teachers.

(c) Their motivations and prospects for a professional career do not differ much from those of children of the host country.

(d) The number of failures is comparable to that of children of the host country.

40. In Denmark, migrant workers and their children benefit from special assistance in order to facilitate their participation in the educational process. This special assistance falls within the framework of legislation which was enacted in favour of handicapped persons.

41. In the Federal Republic of Germany, certain categories of children of migrant workers have been entitled, since July 1984, to a special work permit under the following conditions: they have to join one of the parents in Germany before they turn 18 years old; they have to prove either that they graduated from high school, or that they finished professional training or were at least engaged in professional training for a period of 10 months.

42. In France, the migrant workers have benefited, since October 1984, from special protection in the case of unemployment. A convention signed between the Social Action Fund for migrant workers and the National Labour Fund aims at a better protection for the migrant worker if he loses his job because of industrial restructuring.

43. In Sweden, special language facilities and interpreter services are provided in employment services to accommodate migrant workers.

44. Since January 1984, unemployment insurance has been compulsory in Switzerland for persons over 18 years of age. Young migrants are exempted from paying back their unemployment insurance fees which were due if they entered the labour market. 14/.

45. In order to facilitate social integration and increase social mobility of the migrant workers, the Netherlands and Belgium changed their nationality laws in 1984. In the Netherlands, third generation migrants, children born in Holland of
foreign parents who were also born there of grandparents who migrated to Holland, automatically acquire Dutch nationality at birth. In Belgium, the child of a migrant worker born in Belgium can obtain Belgian nationality through a declaration which attributes that nationality. 15/

46. Another aspect of the question of the effects of racial discrimination as it affects children of migrant workers in the fields of education, training and employment should still be considered, namely, what are the effects, if any, on the educational, social and professional reintegration in the country of origin if the migrant family repatriates.

47. As far as problems with education in the country of origin are concerned, research done in the framework of the UNDP/IL0 European Regional Project revealed that children of migrant workers face problems similar to those which are experienced when they enter the educational system in the host country, such as language problems, confrontation with a different environment, lack of knowledge of school structures and the inability of school personnel to appreciate the knowledge of a second language which the child mastered abroad. These same causes lead inevitably to the same effects: children leave school without diplomas and cannot enter higher educational institutions and therefore are doomed to enter the Labour market at a low level.

48. In Italy, 23 out of a 100 Italian children follow high school education, while only 9 out of a 100 Italian children born abroad successfully finish high school. Therefore, children of migrant workers face serious educational problems, whether in the host country or in their native country. 16/

49. The European Centre for the Development of Professional Education conducted an inquiry into the social-economic reintegration of returning Italian migrants, mainly from Switzerland, Belgium and the Federal Republic of Germany.

50. The main conclusion was that migrants who faced serious difficulties in the educational and professional job-training process abroad were more motivated to return than those who had less difficulties. Nevertheless, it puts a returning migrant with a deficient education and training in a disadvantageous position with respect to his compatriots with a better education and training. 17/

51. The Government of Yugoslavia developed a system that is directed at the reintegration of children of migrant workers upon their return to Yugoslavia. The federal provinces and municipalities choose, prepare and pay teachers to teach children of Yugoslavian migrant workers abroad. The judicial basis of this arrangement is the social contract, which deals with the organization of education and the training of Yugoslavian citizens abroad. 18/ Its principal objectives are: assistance to the second-generation migrant in order to protect and develop his cultural identity, encourage his contacts with his native country and prepare him for eventual return. The educational activities of Yugoslavian teachers abroad include children of migrant workers in nursery, primary and secondary schools. In order to make this education abroad as beneficial as possible for the child, pedagogical and didactical seminars are organized by the Yugoslavian authorities for those teachers who work with children of migrant workers abroad. 19/
3. United Nations Educational, Scientific and Cultural Organization

52. The United Nations Educational, Scientific and cultural Organization (UNESCO) sponsored a project on the effects produced by certain social or economic measures to the prejudice or benefit of certain social groups (e.g., immigrants) in situations of peace or social conflict. This project took the form of a comparative study between Belgium, France and the Netherlands.

53. As far as national policies were concerned, it was generally found that these were based on the assumption of the lack of long-term stability of the majority of immigrant groups. Policies therefore tended not only to be short-term, but to be linked closely with the policy towards immigration first and last to policies of return.

54. Since even second-generation immigrant children were expected to return, there have been no serious efforts at confronting problems of assimilation nor of multi-culturalism, although both had been subjects of public debate. In addition there were no overall policies (including housing and social services), but mainly a number of ad hoc measures taken as problems arose.

55. One result of this was that problems of the second-generation were closely linked to problems of the immigrant parents. With regard to education in general, children of immigrant parents were disadvantaged. The reasons for this are still being analysed, but certainly some conclusions have been reached.

56. Children of immigrant parents are first of all handicapped with regard to language. On this there is no agreement as to whether education in the mother tongue would facilitate educational mobility or would, on the other hand, restrict social mobility in the wider society. It should be noted that some immigrant groups (e.g., Surinamese in the Netherlands), while sharing the same language as the host country or a variant of this language, nevertheless do not do as well at school as the children of Dutch parents.

57. A crucial question is that of culture and the extent to which cultures (with or without language) can be maintained and recognized as valuable within the school systems.

58. Housing and employment are also important: the first is directly related to school performance and to attitudes within the schools; the second is related to job expectation and to school performance. The level of youth unemployment therefore also affects performance particularly where there is a correlation between youth employment and the second generation.

C. INFORMATION AND VIEWS RECEIVED FROM NON-GOVERNMENTAL ORGANIZATIONS

1. Category I

Women's International Democratic Federation

59. Children in South Africa and Namibia, equally with their parents, are victims of the brutal system of apartheid. The black children of South Africa and Namibia, who are children of the majority of the oppressed people, are victims of racism and
racial discrimination in all fields of human endeavour. Despite protests against the inferior type of education for blacks there have been no significant changes on the part of the régime to improve the situation.

60. The per capita expenditure on a white pupil still remains seven times higher than that on an African pupil, and there is still a wide gap in the teacher-pupil ratio between whites and blacks. Education for Africans has deteriorated to such an extent that the majority of pupils leave school semi-illiterate, and very few enter universities. The percentage of black standard-10 pupils gaining university entrance has fallen dramatically in the last 13 years, from 33 per cent to less than 10 per cent.

61. South African economy commercial agriculture is well known for its super-exploitation of child labour, especially of children in the “part-time workforce”.

62. A pilot study of extensive livestock farming found that of the 615 part-time workers employed on the 10 farms surveyed, 129 or 25 per cent were 18 years of age or under. Of these youth and children, more than 98 per cent were female. It was estimated that no fewer than 51 per cent of the seasonal workers who did not live on the farms were children of school-going age. Women and children of farm workers are subjected to forced farm labour.

63. In the bantustans, the slave-like conditions of workers are even more appalling. In the Ciskei Bantustan there were substantial numbers of children among carrot and Brussels sprouts picking.

64. The part-time work that women and children undertake is predominantly labour-intensive, involving heavy, physical manual labour.

65. The pattern of exploitation and oppression of the children of Namibia does not vary in any way from that of their counterparts in South Africa. The Namibian children are also subjected to the cruel realities of the apartheid system.

2. Category II

(a) International Society of Social Defence

66. Information submitted by the International Society of Social Defence indicates that Italy has enlarged the assistance it provides with respect to the schooling and education of children of migrant workers, the costs of which are borne by the Government. Children of migrant workers suffer more from dire living conditions than their parents in the host country.

67. It is further alleged that, in Switzerland, school organizations have been established in order to help to overcome the language barrier that children of migrant workers face and in order to integrate them into the traditions and customs of the host country.
68. The organization submitted the conclusiona that were reached at an International Seminar on Education of Migrant Workers' Children in Europe, which took place at Marrakech, Morocco, in April 1986.

69. The representations of the teachers organizations from the host countries and the countries of origin, which met in Marrakech from 3 to 5 April 1986, during the seminar on "Education of Migrant Workers' Children in Europe" considered the present trends of the migration phenomenon, the educational conditions of migrants' children and the consequences of these problems on the teachers' conditions and their organizations, which are described in the following paragraphs.

70. The migratory phenomenon in Europe has been concerned, during the last 10 years, with some structural mutations, which involved a change from a migratory model by rotation to a migratory familial model, allowing the renewal in the same place of the migrant work-force. As a result, the migration of families has not led to a break of relationship with the countries of origin. However, new types of links seem to be established between these families and those that have stayed in their home country.

71. The migrant workers' children should be one of the human groups able to create links between different cultures and to contribute to a better understanding between peoples.

72. The participants organizations repeated that: among the origin of migratory phenomenon, it was without doubt, the maintenance of an unjust international economical order that has enclosed the countries of origin inside their underdevelopment. The participants organizations invited Governments to build a new international economical order which would give all countries the right to control their own resources and the utilization of those resources.

73. The migration phenomenon has been concerned with a relatively stable rate of increase, in spite of the crisis and its consequences for employment, and also the decisions taken to stop the migration flux and to facilitate the return.

74. The presence of migrants in Europe is characterized by a large number of young people (those of 25 years of age and under represent 40 per cent to 50 per cent of the total), and also by the development of second and third generation of migrants, which creates new problems concerning their situation.

75. Some changes are being considered, regarding the composition of migrant population in Europe, with the increase of migrants coming from a number of new countries.

76. As with other changes, there is a new pattern of migrants' activity in the work sector. In fact, it is obvious that there has been an increase of workers in the tertiary sector, mainly in commerce. The migrant population is very vulnerable in the face of unemployment. The migrants are the first to be involved with the consequences of technological changes.
77. Faced with the present labour market, the young people, 25 years of age and under, together with women, suffer the greatest difficulties.

78. An increasing xenophobia or racism, inside the host countries is connected with the economical crisis. This makes the situation of migrants in all aspects of their social and professional life more difficult, in spite of an anti-racism movement.

79. To insert the migrant workers in the European countries, an important question is: how and at what level the migrant worker and his family have the right to participate in the management of the society in which they live? The reply to this question differs from country to country and ha8 to be studied in depth.

80. To reintegrate the migrant workers and their families in their countrie of origin, a number of diverse measures have been taken, but these have proved inadequate and without effect. The problems are the most grave. The migrants' identity and their double cultural attendance are not fully considered in the educational and cultural policies of the host countries and are little considered in the actions of certain countries of origin. This situation should be a preoccupation for all. Some co-ordinated and concerted solutions are necessary, which involve a better co-operation established on equal terms between Governments and organizations of the country of origin and the host countries. These solutions should avoid the affirmation of cultural identity for and reply to the demands of young people and should facilitate better mutual exchanges which give the possibility for the development of inter-cultural education.

81. The education of migrant workers' children in Europe should prepare them for life and provide a general and vocational training, suitable with the needs of today. A global education should assure the maintenance of cultural and linguistic links with the countries of origin. It should contribute to an autonomy which facilitates their actual choice for an integration in the country they desire. It is vital that a complete equality to have access to all levels and all types of training should be formally and really ensured between the children of host countries and migrants' children.

82. At present, the educational systems in most host countries do not assure success in school for all pupils. Children, who are socially under-privileged, are more particularly faced with failure; among these are the migrants' children. This failure has many causes, mainly external to the school itself, such as poor living conditions, increased by large concentration of people in certain areas, housing and social environment.

83. The migrants' children, who desire success, have also to overcome other difficulties, which are specific: the length of the immigration period, their age when they came into the country, existence of non-existence of their prospect to return and particular linguistic difficulties.

84. In order to put schools in the position to realize these objectives, significant progress could be accomplished in these fields by implementing the following measures: 
(a) To improve the living and working conditions of all families and to exclude all forms of discrimination;

(b) To develop nursery schools and preprimary education for all;

(c) To secure for all migrants' children the mastery of the language of the host countries, a condition vital for success in school. This should be followed by the development of structures to facilitate the reception and location of new arrivals in order to enable their integration into the normal structures of the education system, as soon as possible;

(d) To individualize the learning process and develop different pedagogies for a greater success for all;

(e) To integrate in the curricula the contents of the diverse cultures that are brought by the migrant children and to facilitate an inter-cultural education for all. It is necessary to develop some programmes for research; and new textbooks, new pedagogical technologies, school libraries, as well as the number of resource centres available, should be increased and the contents enriched,

(f) To organize the teaching of the languages and cultures of the countries of origin inside the school timetable, when that is possible, and to integrate the teachers from the countries of origin in the teaching teams;

(g) To facilitate for the migrants' children the study of their language of origin, as a modern language, without a break when they change from a course or from one school to another;

(h) To facilitate participation of migrant families in the educational process;

(i) To encourage the learning of the language of the host country by families, in particular the women, in order to facilitate the actions of teachers and associations for adult education?

(j) To develop co-operation between teachers and social workers, working with the migrant workers;

(k) To foresee, by bilateral agreements, some structures facilitating the integration in the school system of the country of origin;

(l) To prepare the teachers of the host countries for the teaching of migrants' children? to prepare the teachers of the countries of origin to act inside the education system of the host countries: to organize some bilateral exchanges of teachers during the initial training or during school activity; this teachers' training should include the knowledge of the civilization, of the history of migratory phenomenons, of the present situation of countries of origin and of the diversity of migrant people in the host countries.

85. The national organizations Participating in the seminar undertake:
(a) To use their influence with their Governments, to support the claims for education, working conditions and teachers' training which facilitate the realization of these objectives.

(b) To improve the teachers' consciousness of inter-cultural education!

(c) To develop the bilateral relations between teachers organizations of the countries of origin and those of the host countries, in order to inform each other about the evolution of the situation and the necessary measures to meet the new difficulties.

(d) To encourage all kinds of school exchanges between host countries and countries of origin.

86. The national organizations demand to be consulted for the establishment of agreements between Governments concerning the problems of education of migrants' children.

87. The teachers' associations of the countries of origin demand to be consulted about the recruitment and the training of teachers.

88. The teachers' organizations participating in the seminar demand that the World Confederation of Organizations of the Teaching Profession and its constituent federations support the facilitation of exchanges between organizations from countries of origin and host countries and they demand the right to intervene with intergovernmental organizations in order to facilitate the promotion of these proposals.

III. NATIONAL AND INTERNATIONAL EXPERIENCES IN DEALING WITH THE EFFECTS OF RACIAL DISCRIMINATION ON CHILDREN

89. In order to facilitate further discussion of ways and means of dealing with the effects of racial discrimination on children, the following sample survey of the areas of activities indicated by Governments and international organizations is provided. The selection is based on information communicated to the Secretariat or available in the documentation of the relevant bodies, such as the Committee on the Elimination of Racial Discrimination and the Sub-Committee on Prevention of Discrimination and Protection of Minorities:

A. Education

(a) Provision of teaching facilities in the mother tongue for children of migrant workers;

(b) Training teachers, in particular to accommodate children of migrant workers into the school system;

(c) Implementation of affirmative action programmes in order to remedy the situation of persons belonging to minority groups owing to their race, colour, ethnic or national origin, or who are discriminated against in education;
(d) Teaching of the national languages of immigrant children at the secondary school level;

(e) Access to education being made open to all groups of the population without restriction or racial discrimination.

(f) Teaching immigrant children the language of the host country in order to improve the performance of such ethnic minority children.

(j) Establishing special schools for children belonging to migrant workers.

B. Employment

(a) Implementation of affirmative action programmes in order to remedy the situation of persons belonging to minority groups, according to their race, colour, ethnic or national origin, or persons who are discriminated against in employment.

(b) Granting to foreign employees the same status as citizens of the host country.

C. Social

(a) Development of programmea for the integration of the children of migrant workers and refugees to the host country.

(b) Continuation of the European Regional Project for Second Generation Migrants, as proposed by ILO, to facilitate integration, professionally, socially, and culturally, of these migrants in the host country, or, in case of voluntary repatriation, in the country of origin.

(c) UNESCO sponsored a project of a comparative study on the effects produced by social or economic measures to the prejudice or benefit of certain social groups in situations of peace or social conflict.

D. Legislation

(a) Provision of national legislation with respect to migrant workers on a non-discriminatory basis;

(b) Consideration, as suggested by FAO, of the drafting of an international convention concerning the children of migrant workers.

IV. RECOMMENDATIONS THAT HAVE BEEN MADE FOR DEALING WITH THE EFFECTS OF RACIAL DISCRIMINATION ON CHILDREN

90. In order to enable the General Assembly to consider future activities necessary for dealing with the effects of racial discrimination on children, a recapitulation is provided below of the principal recommendations which have so far
been made by experts within the United Nations system for dealing with the effects of racial discrimination on children.

91. Mr. Santa Crux, in his study for the Sub-Commission on Prevention of Discrimination and Protection of Minorities entitled "Racial Discrimination", made the following recommendations:

Problems of discrimination in the economic and social spheres stem from differences in living standards, which are an expression of the lack of an authentic equality of social and economic opportunities. The hard road that leads to the elimination of racial discrimination is similar to the one that must be traversed by the poorest strata of underdeveloped societies in their progress towards conditions of life more compatible with human dignity and more egalitarian. Therefore, action on the national and international levels to accelerate economic and social development in developing countries represents one of the most effective means of eliminating or reducing de facto discrimination in the economic and social spheres. A dynamic education policy which guarantees access to education - including higher education for all citizens - is the surest way of eliminating de facto discrimination in the sphere of education and other sources of culture. The Special Rapporteur attaches particular importance to the inclusion in the curricula of education of children and youth of the subject of human rights, with special emphasis, in the primary stages of education, on the equality of all human beings and the evils of racial discrimination.

92. UNESCO is the international agency most competent to continue to urge measures to realize these objectives, which should be carried out in conjunction with other international and regional organizations. UNESCO is encouraged to implement the provisions of the Convention against Discrimination in Education of 1960. The Special Rapporteur recommends continued co-operation between the Sub-Commission on Prevention of Discrimination and Protection of Minorities and UNESCO, with a View to the elimination of racial discrimination.

93. Mr. Capotorti made the following recommendations in his study on "The rights of persons belonging to ethnic, religious and linguistic minorities": Education is another field in which enormous efforts are necessary to promote the culture of the members of minority groups. It is self-evident that their culture will not develop if they are denied the right to education or are treated in a discriminatory manner in the field of education. Indeed the available information suggests that for a variety of reasons - historical circumstances, deprivation, low level of economic development, inferior social status, prejudice on the part of the dominant sectors of society, de facto segregation - members of some groups confront in a number of countries severe obstacles in their quest for equality in the field of education. Educational policy should therefore be considered a key element in evaluating the situation of persons belonging to ethnic and linguistic groups as regards their right to enjoy their own culture. It is imperative that all States apply strictly the principle of non-discrimination and equality in the matter of education and adhere to the principles set forth in the UNESCO Convention against Discrimination in Education. The establishment, whenever possible, of special schools for children belonging to minority groups should be regarded...
as a fundamental measure for the educational development of persons belonging to minority groups. However, it is equally important that: their right to enter any school of their choice, whether or not minority schools are available, should be guaranteed.

94. The use of the languages of minority groups in the educational system is a crucial test for determining the ability of these groups to maintain and develop their own characteristics. Languages being an essential element of culture, the capacity of a minority group to survive as a cultural group is in jeopardy if no instruction is given in its language. Therefore, the efficiency of measures concerning the cultural life of a group deprived of instruction in its own language is open to question. 22/

95. It must be recognized, however, that in some countries—developing countries in particular—there are practical difficulties that can impede the use of languages of minority groups as languages of instruction. The additional cost to Governments of the special arrangements necessary for this purpose is one of these factors. The question is whether closely linked with the economic position of the countries concerned. Providing instruction in minority languages generally involves the construction of new buildings, the printing of new textbooks (and often an enormous work of translation) and the training of new staff. The rules governing the use of minority languages in the school system differ from country to country, from group to group within a country, and also according to the level of instruction envisaged. Indeed, measures that may be considered practical at the primary level may not necessarily be applicable at the secondary or at the university level. Attention is drawn to that part of the study which contains an analysis of the problems confronted by Governments in this connection. 23/

96. He furthermore suggested the drafting of a declaration on the rights of members of minority groups within the framework of article 24 of the International Covenant on Civil and Political Rights. 24/

97. Mrs. Warzazi, in her study on "Exploitation of labour through illicit and clandestine trafficking", made the following recommendations: to institute at the national level a policy of giving migrant children ready access to primary, secondary, technical and university education in the country, while at the same time safeguarding their moral and mental balance by teaching their mother tongue and preserving their identity and cultural heritage to adopt measures designed to encourage parents to allow their children to pursue their studies; 25/ to co-operate closely with the authorities of the host country with a view to seconding teaching staff or providing indigenous teachers with every assistance in order to familiarize them with the language and the social and cultural background of migrant children. 26/

98. A Seminar on the Promotion and Protection of the Human Rights of National, Ethnic and other Minorities came to the following conclusions: 27/

(a) The twin problems of the elimination of discrimination and the promotion and protection of the human rights of national, ethnic and other minorities are of world-wide scope and significance,
The promotion of the human rights and of the equal participation of members of such minorities in the political, economic, social and cultural life of a country, in accordance with the principles contained in the International Covenants on Human Rights, is an important responsibility of every State.

The members of minority groups who are citizens of the countries in which they live should have the same rights and duties as the other citizens.

99. A Seminar on the Human Rights of Migrant Workers made the following recommendations: 28/

(a) Receiving Governments should bear in mind humanitarian considerations in the treatment of illegal migrant workers. The human rights of these workers should be fully respected. Receiving Governments should do all in their power to ameliorate the position of migrants and to protect them from inhuman or degrading treatment;

(b) All Governments should ensure that individual complaints relating to discrimination in or concerning employment can be dealt with by the courts or other appropriate tribunals. A general guide to the rights of appeal open to migrants should be made available to them free of charge. In addition to providing guidance and information on the right of appeal, it should, as far as possible, outline the steps to be taken by migrant workers and the procedures followed during the hearing of the appeal.

(c) The United Nations should prepare a model bilateral agreement on migrant workers for use by States. This model agreement should contain as a minimum the essential ingredients contained in ILO Convention No. 143 and ILO Recommendation No. 151. It should be drafted by the Commission on Human Rights and recommended to States by a resolution of the United Nations General Assembly. Governments should, whenever possible, endeavour to conclude bilateral agreements containing the elements indicated above and, when the model bilateral agreement has been completed, they should endeavour to make full use of it.

100. A Seminar on the Elimination of All Forms of Racial Discrimination made the following recommendations: 29/

Legislation and education: There was general agreement that legislation and education had a very important role to play in the elimination of racial discrimination and prejudice. The law could be used to eliminate manifestations of racial discrimination and education, from the very earliest stages, would implant a sense of human dignity and help the progressive forces in society to achieve their goal in eliminating racial discrimination. It was generally agreed that the assignment of priorities in the use of these two instruments was a matter to be determined by the States concerned. Further, it was emphasized that administrative action at the national level should complement legislation and education.

101. A Round Table of University Professors and Directors of Race Relations Institutions on the Teaching of Problems of Racial Discrimination recommended that human rights documents, including those concerned with racial discrimination, should be disseminated among minority groups in their respective languages. 30/
102. A seminar held under the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination on “Political, economic, cultural and other factors underlying situations leading to racism, including a survey of the increase or decline of racism and racial discrimination” made the following recommendation:

The seminar recommends that the proposed African Commission on Human Rights should make suitable arrangements for dealing with the prevention of discrimination and protection of minorities.

103. Two regional seminars, held under the Decade to Combat Racism and Racial Discrimination, on recourse procedures and other forms of protection available to victims of discrimination and activities to be undertaken at the national and regional levels, recommended the following action:

(a) The granting of material resources to developing countries in an abundant and adequate way was necessary in order to promote the type of international co-operation needed to guarantee the development of peoples including minorities.

(b) The seminar recognized that, in view of the diversity of peoples, cultures, traditions and religions in the Asian and Pacific region, there was a need for concerted effort and continued vigilance to be taken by all Governments of the region, individually and collectively, to counter manifestations of discrimination, to guard against potential discrimination and to protect the rights of minorities, indigenous populations, migrant workers, refugees and other disadvantaged groups.

(c) Taking into account the varying levels of economic development of countries of the region, and also bearing in mind that in many of those countries poverty and underdevelopment could limit the efforts of Governments to promote and to protect human rights, the seminar recognized that national and local institutions for the promotion and protection of human rights alone, for the prevention of discrimination and the protection of minorities, indigenous populations, migrant workers, refugees and other disadvantaged groups, needed to be adapted to the needs and conditions of each country. In the experience of Asian and Pacific countries, institutions or procedures for the prevention of discrimination and for the protection of the rights of minorities encompassed judicial or other formal machinery, administrative machinery, conciliatory machinery, social machinery and local or indigenous machinery. All such machinery could be utilized by countries of the region in accordance with their own circumstances and needs in combating discrimination and in protecting the rights of minorities, indigenous populations, migrant workers, refugees and other disadvantaged groups.

(d) The conditions of access to recourse procedures should be as broad as possible so as to ensure all persons, citizens, non-citizens or groups equal access to them.

(e) In the drafting of the Declaration on the Rights of Minorities, the Commission on Human Rights should take due account of the needs of minority groups to participate in the Governments of their respective countries and to enjoy improved standards of living.
(f) The Asian-African Legal Committee should undertake a comparative study and draft model legislation for the prevention of discrimination and the protection of minority with special reference to the Asian and Pacific region. 37/

Notes

1/ See the sixth periodic report of Austria (CERD/C/106/Add.12).

2/ See the seventh periodic report of Canada (CERD/C/107/Add.8), paras. 321 and 322.

3/ See the seventh periodic report of Denmark (CERD/C/131/Add.6).

4/ See the seventh periodic report of France (CERD/C/117/Add.2).

5/ See the eighth periodic report of the Federal Republic of Germany (CERD/C/118/Add.19).

6/ See the eighth periodic report of Poland (CERD/C/118/Add.21).

7/ See the eighth periodic report of the United Kingdom of Great Britain and Northern Ireland (CERD/C/118/Add.7).

8/ See the ninth periodic report of the United Kingdom of Great Britain and Northern Ireland (CERD/C/119/Add.7).


11/ Ibid., para. 38.


14/ Ibid., pp. 18 and 19.

15/ Ibid., p. 21.


17/ Centre européen pour le développement de la formation professionnelle, "Jeunes migrants, les voleurs difficiles vue un stratégie commune de formation professionnelle" (Second Tripartite Seminar, Granada, 3-7 May 1982), pp. 14 and 15.
Notes (continued)


19/ Ibid., p. 23.


22/ Ibid., para. 604.

23/ Ibid., para. 607.

24/ Ibid., para. 617.


26/ Ibid., p. 192.


28/ ST/TAG/HR/50, para. 142.

29/ ST/TAG/HR/34, para. 176.


33/ ST/HR/SE1.A/13, para 145.

34/ Ibid., para. 147.

35/ Ibid., pars. 150.

36/ Ibid., para. 157.

37/ Ibid., para. 160.