

and Swaziland—as a result of the continued influx of children from South Africa seeking freedom from repression and also an opportunity to further their studies,

*Having examined* the reports of the Secretary-General<sup>45</sup> on the progress achieved in regard to the assistance required by and provided to these refugees in Botswana, Lesotho and Swaziland,

*Recognizing* that the needs of South African student refugees are also imposing serious pressures on Zambia,

1. *Endorses* the measures taken by the Secretary-General and the United Nations High Commissioner for Refugees for the mobilization of a programme of assistance to South African student refugees in Botswana, Lesotho and Swaziland;

2. *Notes with appreciation* the generous contributions of the Governments of Botswana, Lesotho and Swaziland in providing asylum and making available educational facilities for student refugees;

3. *Notes with satisfaction* the contributions so far made by Member States and intergovernmental and non-governmental organizations and United Nations agencies;

4. *Expresses concern*, however, that the total assistance received to date falls short of the needs;

5. *Urges* all Governments, intergovernmental and non-governmental organizations and United Nations agencies to contribute generously towards the assistance programmes for these student refugees, both through financial support and by offering the necessary opportunities for their care and subsistence, education and vocational training;

6. *Requests* all agencies and programmes of the United Nations system, including in particular the United Nations Educational, Scientific and Cultural Organization, the United Nations Development Programme, the United Nations Trust Fund for South Africa and the United Nations Educational and Training Programme for Southern Africa, to assist the High Commissioner in carrying out the humanitarian task entrusted to him;

7. *Requests* the Secretary-General and the High Commissioner to strengthen their efforts for the mobilization of emergency financial and other appropriate forms of assistance for these student refugees in Botswana, Lesotho, Swaziland and Zambia;

8. *Further requests* the Secretary-General:

(a) To undertake a similar programme of assistance for South African student refugees in Zambia;

(b) To arrange for a review of the matter in time for it to be considered by the Economic and Social Council at its sixty-fifth session;

(c) To report to the General Assembly at its thirty-third session.

*105th plenary meeting  
16 December 1977*

### **32/120. Measures to improve the situation and ensure the human rights and dignity of all migrant workers**

*The General Assembly,*

*Recalling* the terms of the Universal Declaration of Human Rights<sup>46</sup> and of the International Convention

on the Elimination of All Forms of Racial Discrimination,<sup>47</sup>

*Considering* the Vienna Convention on Diplomatic Relations of 1961<sup>48</sup> and the Vienna Convention on Consular Relations of 1963,<sup>49</sup>

*Considering also* the Migrant Workers (Supplementary Provisions) Convention, 1975,<sup>50</sup> and the Recommendation concerning Migrant Workers, 1975,<sup>51</sup> adopted by the General Conference of the International Labour Organisation,

*Recalling* its resolutions concerning migrant workers, in particular resolutions 3449 (XXX) of 9 December 1975 and 31/127 of 16 December 1976, and Economic and Social Council resolutions 1749 (LIV) of 16 May 1973 and 1926 (LVIII) of 6 May 1975, in which the Council affirmed the need for the United Nations to consider the situation of migrant workers in an interrelated manner and in relation to general factors which have a bearing on human rights and human dignity,

*Aware* that the problem of migrant workers continues to be of major importance to many countries, that it is becoming increasingly serious in certain regions and that the Commission on Human Rights and other relevant organs of the United Nations should take immediate measures to ensure the human rights and dignity of all migrant workers,

*Emphasizing* its serious concern at the *de facto* discrimination suffered by alien workers in some countries despite the legislative and other efforts exerted to prevent and punish it,

*Believing further* that the problem of migrant workers is becoming more serious in certain regions for transient political and economic reasons and for social and cultural reasons,

*Recalling* that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, and that in that context the families of migrant workers are entitled to the same protection as the migrant workers themselves,

*Aware* of the work done in the field of migrant workers by the specialized agencies, particularly the International Labour Organisation, and by some United Nations organs, such as the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

*Appreciating*, in particular, the efforts which the United Nations Educational, Scientific and Cultural Organization continues to exert in the field of migrant workers,

*Convinced*, in particular, that an effort at close co-operation between the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organization will contribute to the improvement of the situation of migrant workers,

*Aware* of the efforts made by countries of origin to facilitate the return of migrant workers and their reintegration into the economic and social life of their country,

*Having regard* to Economic and Social Council resolution 2083 (LXII) of 13 May 1977,

<sup>47</sup> Resolution 2106 A (XX), annex.

<sup>48</sup> United Nations, *Treaty Series*, vol. 500, No. 7310, p. 95.

<sup>49</sup> *Ibid.*, vol. 596, No. 8638, p. 261.

<sup>50</sup> International Labour Office, *Official Bulletin*, vol. LVIII, 1975, Series A, No. 1, Convention No. 143.

<sup>51</sup> *Ibid.*, Recommendation No. 151.

<sup>45</sup> A/32/65 and Add.1.

<sup>46</sup> Resolution 217 A (III).

1. *Calls upon* all States, taking into account the provisions of the relevant instruments adopted by the International Labour Organisation and of the International Convention on the Elimination of All Forms of Racial Discrimination, to take measures to prevent and put an end to all discrimination against migrant workers and to ensure the implementation of such measures;

2. *Invites* all States:

(a) To extend to migrant workers having regular status in their territories treatment equal to that enjoyed by their own nationals with regard to the enjoyment of fundamental human rights, with particular reference to equality of opportunity and of treatment in respect of employment and occupation, social security, trade union and cultural rights and individual and collective freedoms;

(b) To promote and facilitate by all means in their power the implementation of the relevant international instruments and the adoption of bilateral agreements designed, *inter alia*, to eliminate the illicit traffic in alien workers;

(c) To take all necessary and appropriate measures to ensure that the fundamental human rights and acquired social rights of all migrant workers, irrespective of their immigration status, are fully respected under their national legislation;

3. *Invites* Governments of host countries to make arrangements for adequate information and reception facilities and to put into effect policies relating to training, health, social services, housing and educational and cultural development for migrant workers and their families, and to guarantee the free exercise by them of activities calculated to preserve their cultural values;

4. *Further invites* Governments of countries of origin to give the widest possible dissemination to information designed to provide migrant workers with the fullest possible knowledge of their rights and obligations and to ensure their effective protection;

5. *Invites* all States to intensify efforts to enlighten public opinion in host countries on the importance of the contribution made by migrant workers to economic and social development and to raising the level of living in such countries;

6. *Calls upon* host countries and countries of origin which consider it useful to do so to co-operate with a view to facilitating the reintegration of migrant workers into their countries of origin, regard being had to socio-economic conditions in the latter countries;

7. *Invites* the United Nations Educational, Scientific and Cultural Organization and the International Labour Organisation to ensure jointly, by appropriate means, very wide dissemination of information calculated to eliminate the stereotypes and prejudices which led to the *de facto* discrimination suffered by migrant workers;

8. *Invites* Governments of host countries to give consideration to adopting definitive measures to promote in their territories the normalization of the family life of migrant workers through family reunion;

9. *Calls upon* all States to give consideration to ratifying the Migrant Workers (Supplementary Provisions) Convention, 1975, adopted by the General Conference of the International Labour Organisation;

10. *Calls upon* the United Nations organs and competent specialized agencies, including the International Labour Organisation, to continue devoting their attention to this question;

11. *Recommends* that the Commission on Human Rights and the Economic and Social Council should consider this question fully and in depth at their next sessions, in collaboration with the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and other interested agencies of the United Nations system, on the basis of the instruments adopted and the documents and studies prepared by the United Nations and the specialized agencies, including the study on the exploitation of labour through illicit and clandestine trafficking<sup>52</sup> and the report of the Seminar on the Human Rights of Migrant Workers, held at Tunis from 12 to 24 November 1975.<sup>53</sup>

105th plenary meeting  
16 December 1977

### 32/121. Protection of the human rights of certain categories of prisoners

*The General Assembly,*

*Bearing in mind* the provisions of the Universal Declaration of Human Rights,<sup>54</sup> in particular its articles 5, 10 and 19,

*Recalling* article 19 of the International Covenant on Civil and Political Rights,<sup>55</sup> which guarantees to everyone the right to hold opinions and to freedom of expression, subject only to such restrictions as are provided by law and are necessary for the respect of the rights or reputation of others or for the protection of national security or of public order, or of public health or morals,

*Recalling also* the prohibition against torture and other cruel, inhuman or degrading treatment or punishment which is laid down in article 7 of the International Covenant on Civil and Political Rights,

*Noting*, in this connexion, further efforts to eliminate torture which have been made in the United Nations and which have been reflected in the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975,

*Further recalling* article 14 of the International Covenant on Civil and Political Rights, which provides that all persons, in the determination of any criminal charge against them, are entitled to a fair hearing by a competent, independent and impartial tribunal established by law,

*Recognizing* the importance of full respect for the human rights and fundamental freedoms of all persons detained or imprisoned as a result of their struggle against colonialism, aggression and foreign occupation and for self-determination, independence, the elimination of *apartheid* and all forms of racial discrimination and racism, and the termination of all these violations of human rights,

<sup>52</sup> E/CN.4/Sub.2/L.640.

<sup>53</sup> ST/TAO/HR/50.

<sup>54</sup> Resolution 217 A (III).

<sup>55</sup> Resolution 2200 A (XXI), annex.