



OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS



Violence against women migrant workers

Commission on Human Rights resolution 2002/58

The Commission on Human Rights,

Recalling all previous resolutions on violence against women migrant workers adopted by the General Assembly, the Commission on the Status of Women, the Commission on Crime Prevention and Criminal Justice and the Commission on Human Rights, as well as the Declaration on the Elimination of Violence against Women,

Reaffirming the outcomes of the World Conference on Human Rights, held at Vienna in June 1993, the International Conference on Population and Development, held at Cairo in September 1994, the Fourth World Conference on Women, held at Beijing in September 1995, and the World Summit for Social Development, held at Copenhagen in March 1995, and their five-year reviews, specifically as the results pertain to women migrant workers,

Recalling the adoption by the General Assembly in its resolution 55/25 of 15 November 2000 of the United Nations Convention against Transnational Organized Crime and its two additional protocols, the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

Welcoming the pertinent provisions that apply to women migrant workers in the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/CONF.189/12, chap. I),

Reaffirming the necessity of eliminating racial discrimination against migrants, including migrant workers, in relation to issues such as employment, social services, including education and health, as well as access to justice, and that their treatment must be in accordance with international human rights instruments, free from racism, racial discrimination, xenophobia and related intolerance,

Emphasizing the need for accurate, objective, comprehensive and comparable information, as well as for a wide and systematic exchange of experiences and lessons learned by individual countries in protecting and promoting the rights and welfare of women migrant workers for policy formulation and joint action,

Noting the large numbers of women from developing countries and from some countries with economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of, inter alia, poverty, unemployment and other socio-economic conditions, and acknowledging the duty of sending States to work for conditions that provide employment and security for their citizens,

Deeply concerned over the continuing reports of grave abuses and acts of violence committed against the persons of women migrant workers by some employers in some host countries,

Encouraged by some measures adopted by some receiving States to alleviate the plight of women migrant workers residing within their areas of jurisdiction,

Recognizing the importance of continued cooperation at the bilateral, regional and international levels in protecting and promoting the rights and welfare of women migrant workers,

1. *Takes note* of the report of the Secretary General on violence against women migrant workers (E/CN.4/2002/90);

2. *Welcomes* the report of the Special Rapporteur on the human rights of migrants (E/CN.4/2002/94 and Add.1), particularly the observations made on violence against women migrant workers, and encourages her to continue to address the issue of violence against women migrant workers, in particular the problem of gender-based violence and of discrimination, taking into account the conclusions in the report of the Secretary-General;

3. *Calls upon* concerned Governments, in particular those of countries of origin and destination, if they have not yet done so, to put in place penal sanctions to punish perpetrators of violence against women migrant workers and, to the extent possible, to provide the victims of violence with the full range of immediate assistance, such as counselling, legal and consular assistance, temporary shelter and other measures that will allow them to be present during the judicial process, to safeguard their dignified return to the country of origin as well as to establish reintegration and rehabilitation schemes for returning women migrant workers;

4. *Invites* the States concerned, specifically countries of origin and destination, to consider adopting appropriate legal measures against intermediaries who deliberately encourage the clandestine movement of workers and who exploit women migrant workers in violation of their human dignity;

5. *Urges* States to seek full respect for, and compliance with, the Vienna Convention on Consular Relations of 1963, especially as it relates to the right of foreign nationals, regardless of their legal and immigration status, to communicate with a consular officer of their own State in the case of arrest or detention and to be informed without delay of this right;

6. *Encourages* States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the United Nations Convention against Transnational Organized Crime and its two additional protocols, the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as the Slavery Convention of 1926;

7. *Requests* the Secretary-General to submit to the Commission at its sixtieth session a comprehensive follow-up report on the problem of violence against women migrant workers, taking into account the views of States and based on all available information from authorities and bodies within the United Nations system, intergovernmental organizations and other sources, including non-governmental organizations;

8. *Decides* to continue its consideration of this question at its sixtieth session under the appropriate agenda item.

55th meeting

25 April 2002

[Adopted without a vote.

E/2002/23 - E/CN.4/2002/200, .see chap. XIV.]