

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

RECOMMENDATION No. R (79) 10

OF THE COMMITTEE OF MINISTERS TO MEMBER STATES CONCERNING WOMEN MIGRANTS¹

*(Adopted by the Committee of Ministers on 29 May 1979
at the 305th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress ;

Guided by the principle of equality of opportunity and treatment between men and women workers and by the provisions of the European Social Charter contained in Articles 4, sub-paragraph 3, 18 and 19 concerning respectively the right of men and women workers to equal pay for work of equal value, the right to engage in a gainful occupation in the territories of other Contracting Parties, and the effective exercise of the right of migrant workers and their families to protection and assistance ;

Having regard to the European Convention on the Legal Status of Migrant Workers and to Resolutions (74) 15 and (76) 11 as far as the principle of the equality of treatment of national and migrant workers is concerned ;

Convinced that in the context of genuine European integration member states could usefully formulate a migration policy providing for the implementation and development of preventive measures in the social, cultural and educational life of women migrants,

Recommends that the governments of member states :

1. ensure that :
 - i. national legislation and regulations concerning women migrants be fully adapted to existing international standards which are in force for their countries ;
 - ii. effective equality of opportunity and treatment between migrant and national women workers is ensured in practice by efficient and systematic monitoring of the implementation of national legislation and regulations ;
2. envisage, without prejudice to any provisions more favourable to women migrant workers provided for in national legislation or international agreements, the following steps :
 - i. *in respect of information*
 - to develop close collaboration between the sending and receiving countries so as to provide women migrants before departure and during residence with any necessary information about living and working conditions in the receiving country ;

1. When the recommendation was adopted, the Representative of the *Federal Republic of Germany*, referring to Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies, reserved the right of his government to comply or not with the text of the second and third sub-paragraphs of paragraph 2.iv of the recommendation.

— to see to it that this information is provided in a language which they can understand ;
— to set up as far as possible and, where they already exist, improve and promote social services and provide them with the necessary means :

a. to assist women migrants to adapt to the social environment of the receiving country, notably by providing better reception facilities such as housing, hostels, crèches, schools, etc. suited to their needs and those of their families ;

b. to inform women migrants and particularly unmarried mothers, widows and divorcees, through all appropriate channels and during their residence in the receiving country, about their legal rights and obligations, as well as the related legal and administrative machinery—including the procedure for the recovery of maintenance payments set up in 1967 by the Committee of Ministers of the Council of Europe—that may protect and assist them with the necessary administrative formalities ;

c. to help women migrant workers adapt to their working environment by giving them information about their specific rights and obligations, about services available to them and the opportunities for vocational training, and to encourage employment services to be associated if necessary with all these information activities ;

ii. *in respect of conditions of residence and work*

— to take all appropriate measures to prevent discrimination between indigenous women workers and migrant women workers, both in the case of redundancy and, where national legislation permits, in the case of subsequent re-engagement ;

— to ensure that in conformity with the national legislation the unemployed wives of migrant workers and their dependent children can keep their residence permit and be provided with appropriate social and administrative assistance in exercising their rights if their husbands lose their jobs, as long as the husband's residence permit remains valid ;

— to see to it that women migrant workers who are made redundant and are compelled to leave the country of employment retain all their acquired rights or rights in the process of being acquired, in conformity with the national legislation and regulations ;

iii. *in respect of living conditions and socio-cultural development in general*

— to take adequate steps to promote the adjustment of women migrants to the social and professional environment of the receiving country ;

— to see to it that the conditions of access to and enjoyment of child care facilities are based, as far as possible, on a criterion of equality with national workers ;

— to promote public awareness and understanding among the population of the specific problems of women migrants ;

— to ensure that the competent authorities take initiatives and measures in close co-operation with organisations, including those for women migrants—to promote cultural self-fulfilment among women migrants, provide for their socio-cultural advancement and foster communication with the social environment of the receiving country ;

iv. *in respect of basic training, vocational guidance and promotion*

— to increase the resources enabling women migrants to take advantage of language classes corresponding to their needs and, if need be, reading and writing classes, in accordance with Resolution (68) 18 of the Committee of Ministers ;

— to extend to women migrants the benefit of vocational guidance, vocational training and permanent education ;

— to enable women migrant workers to enjoy, on the same footing as indigenous women workers, the vocational retraining and rehabilitation facilities provided by the competent services and to support, notably in the framework of international agreements, all measures to further their promotion and ensure their resettlement should they change their occupation in the receiving country or return to their countries of origin ;

3. report to the Secretary General of the Council of Europe every five years on measures taken to give effect to this recommendation.