

THE CHARTER OF RIGHTS FOR MIGRANT WORKERS IN SOUTHERN AFRICA

The Charter of Rights for Migrant Workers was formulated and approved at a meeting held in Lusaka, Zambia, in April 1978. Present were delegations of the Governments of Mozambique, Lesotho, Botswana, Swaziland and Angola, as well as of Ethiopia, Kenya, Madagascar, Somalia, Tanzania and Zambia and of the Liberation Movements of Southern Africa. The meeting, called Conference on Migrant Labour in Southern Africa, analysed and discussed the effects of the export of labour on the economies of the region.

The resolutions approved on the plenary session reported the destroying impact of the migrant labour system in all the regions which were obliged to export labour due to the intervention of the South-African economy in the region. One of the principal exigences would be to make an end at that system as soon as possible by the implementation of an adequate program. The conference reaffirmed the rights of the migrant worker and concluded that the liberation of the states which were recruiting labour from the apartheid system would require an increase of independent development projects. The main aim was to dynamise strategies creating employment.

Here we publish the integral text of that important and progressive Charter.

CHARTER OF RIGHTS FOR MIGRANT WORKERS IN SOUTHERN AFRICA

We Representatives of the State and Peoples of Southern Africa;
Noting that 'apartheid' has been declared a crime against humanity by the United Nations General Assembly,
Recognizing that the migratory labour system is one of the major instruments of 'apartheid',
Mindful of the gross indignities it inflicts on workers, who are denied many of their basic human rights,
Noting that it undermines family life and disrupts agrarian economies,
hereby pledge ourselves to strive for the abolition of the migratory labour system practised in South Africa, and, pending its elimination, agree to the present Charter of Rights for Migrant Workers in Southern Africa.

RIGHTS OF ASSOCIATION, MOVEMENT AND RESIDENCE

1. All workers shall have the right to:
 - a. Form and join trade unions of their own choice;
 - b. Participate in collective bargaining on equal terms with all other workers regardless of race, sex, political affiliation or religion;
 - c. Withhold their labour by strike action in support of their demands.
2. All workers shall have the right to freedom of movement and shall not be required to carry a pass or similar document.
3. All workers shall have the right to be accommodated near their place of work with their families in suitable houses under home ownership schemes or to reside elsewhere if they choose so to do.
4. All workers shall have the right of occupation free from colour bar, job reservation and all other forms of discrimination.
5. Every worker regardless of race or sex, shall have the right to work, choose his occupation, and change from one employer to another without loss of accrued benefits and claims to promotion.
6. All workers, without exception, shall have the right to equal pay for equal work.

7. All workers shall have equal rights to vocational training and adult education for the purpose of acquiring skills and increasing their awareness.

RIGHT TO A DECENT STANDARD OF LIVING

8. Every workers is entitled to a minimum basic wage sufficient for the maintenance of the health and well being of his family.
9. All workers shall have the right to adequate protection against occupational accidents and disease by means of approved safeguards and close supervision by an independent industrial and farming inspectorate operating in conjunction with workers' representatives.
10. All workers and their families shall have an equal and absolute right to adequate, immediate and effective compensation for death or disability arising out of occupational diseases and accidents.
11. All workers shall have a right to:
 - a. Free medical services for themselves and their families;
 - b. Sick leave and, where applicable, maternity leave with full pay;
 - c. Annual paid holidays.
12. All workers shall be entitled to retire on full pension or with a gratuity proportionate to their period of service.
13. All workers shall have a right to determine, their terms and conditions of employment through collective bargaining.
14. All workers shall have a right to unemployment benefits.
15. All women workers shall have the right to participate in all sectors of the economy without discrimination in respect of wages, training, job allocation or pension benefits.

Adopted by the Conference on Migratory Labour in Southern Africa, at Lusaka, Zambia, on 7 April 1978.