

CONSEIL DE L'EUROPE —————
————— COUNCIL OF EUROPE

Strasbourg, 4 June 1987
FCM87.129

Restricted
MMG-3 (87) 22 déf.

THIRD CONFERENCE OF EUROPEAN MINISTERS
RESPONSIBLE FOR MIGRATION AFFAIRS

Oporto (Portugal), 13-15 May 1987

—————
CONCLUSIONS

CONCLUSIONS OF THE
THIRD CONFERENCE OF EUROPEAN MINISTERS
RESPONSIBLE FOR MIGRATION AFFAIRS

The European Ministers responsible for Migration Affairs in the member States of the Council of Europe together with Finland and Yugoslavia met in Oporto from 13 to 15 May 1987 at the invitation of the Government of Portugal. The general title of this Third Conference of European Ministers was: "Migrants in Western Europe: present situation and future prospects".

The Conference was also attended by representatives of the Parliamentary Assembly of the Council of Europe, the Chairman of Governing Body and the Governor of the Resettlement Fund and representatives of the Standing Conference of Local and Regional Authorities of Europe and the Consultative Committee on the European Convention on the Legal Status of Migrant Workers.

The Commission of the European Communities, OECD, ILO and ICM took part in the Conference as observers and submitted information papers on the activities of their respective organisations. Observer status was also granted for the first time to the non-governmental organisations which participate in the work of the European Committee on Migration (CDMG), namely: European Trade Union Confederation (ETUC), Union of Industries of the European Community (UNICE), International Christian Union of Business Executives (UNIAPAC), International Social Service (ISS), International Catholic Migration Commission (ICMC) and Churches Committee on Migrant Workers in Europe (CCMWE).

Preparations for the Conference were made by the European Committee on Migration, an intergovernmental committee set up by the Committee of Ministers of the Council of Europe.

The Conference debates were organised around three themes:

- I. Results and follow-up action to the conclusions of the First and Second Conferences of European Ministers responsible for Migration Affairs.
- II. Community relations and participation by migrants in the society of the host countries.
- III. Bilateral and multilateral co-operation as regards migrants' voluntary return and reintegration in their countries of origin.

The discussions under theme I were based in part on a report by the consultant, Mr Jonas Widgren (former Under-Secretary of State for Immigration, Sweden), entitled "International Migration - New Challenges to Europe". For theme II, discussion papers were submitted by the Federal Republic of Germany, Italy, Luxembourg, the Netherlands and Sweden, and for theme III discussion papers were submitted by Belgium, France, Greece and Portugal.

RECENT TRENDS IN EUROPEAN MIGRATION

The Ministers noted that policies on the admission of migrant workers have, for a number of years, continued to keep the inflow of labour at a level lower than that prevailing in the 1960s and early 1970s. Moreover, the inflow of members of the families of those admitted as migrant workers has in general diminished in volume. Some migrants ⁽¹⁾ return to their countries of origin, but it is now clear that in many cases most have settled down in the host countries, where they and their descendants now form a permanent part of the resident population. At the same time, ease of travel and communication makes it easier nowadays for migrants who so wish to keep up their contacts with their country of origin and so better to maintain their cultural identity in the host country.

The need to ensure the active and successful participation of migrants in the host society is a pressing one, especially in the case of young people of immigrant origin who grow up with values and expectations very different from those their parents had when they emigrated. The Ministers noted that the Council of Europe's efforts to ensure that migrants and their descendants enjoy the fullest possible rights in the society in which they live are of continuing importance. In particular, they noted that, since their last conference, the Consultative Committee on the European Convention on the Legal Status of Migrant Workers has started its work. The Ministers of the States Parties to the Convention called on the other member States to re-examine the possibility of signing or ratifying this Convention.

Despite the curbing of labour migration into the member States, the total foreign population continues to increase in many of these states. This is partly because of the natural demographic growth of the resident foreign population whose birth rate is, in general, still relatively high in a situation where low average levels of fertility prevail. There is also, however, a continuing inflow of foreigners into the member States; it is estimated that in the period since the first Conference (1980) the average annual inflow into the principal receiving countries could have totalled about 700,000 a year (this is a gross figure which includes asylum-seekers but does not take account of departures). Most of these migrants are not admitted for purposes of employment, but rather for purposes of family reunion or on humanitarian grounds.

The Ministers noted that the increase in the number of asylum-seekers entering the member States constitutes one of the most striking developments since the last Conference. Not all asylum-seekers succeed in obtaining the status of political refugee and a number of member States have taken measures to try and improve the process of distinguishing between genuine refugees and people who are making use of the asylum system as a means of evading immigration controls. Therefore, aware of the possible dangers of such measures for genuine refugees, the Ministers reaffirmed the member States' commitment to their traditions of the admission and protection of refugees. Considering also that the social problems of refugees are to a certain extent comparable with those experienced by other categories of migrants, the Ministers noted that the terms of reference of the Council of Europe's European Committee on Migration had recently been extended to cover the social condition of refugees.

¹ Note: The term "migrants" is used in these conclusions to refer to migrant workers and their families and to those referred to in many countries as "immigrants", "ethnic groups" or "persons of immigrant origin".

The Ministers also reverted to the question of clandestine migration, a problem to which they devoted much attention at their Second Conference. While it is difficult to know for certain whether clandestine immigration is increasing or decreasing, the Ministers again stressed the need for close bilateral and multilateral co-operation in dealing with this phenomenon. They noted with satisfaction that, in accordance with their wishes expressed at the Second Conference, the Council of Europe had organised two meetings of Senior Officials on clandestine migration and unauthorised migrants. A number of proposals for intensified intergovernmental co-operation had been made at these meetings and various follow-up activities were in progress within the Council of Europe.

Another new development to which the Ministers drew attention is the fact that the traditional "sending countries" of Southern Europe have now become "receiving countries" for growing numbers of immigrants. Most of these immigrants come from the Third World.

In order to deal with this new phenomenon, and with the large number of clandestine or undocumented migrants, the countries concerned are adapting their legislation and their social policies.

The Ministers also observed that the geographical pattern of migration affecting European countries has changed considerably.

Whereas emigration used, for the majority of member states, to be an essentially European phenomenon, an increasingly high proportion of migrants and asylum-seekers now come from countries outside Europe. This migration has now become a world phenomenon, and is no longer a largely regional matter.

The Ministers observed that the pressure to migrate to Europe from other parts of the world is likely to continue at a high level for the foreseeable future. The modern ease of travel and the general tendency towards the internationalisation of society will ensure that migration remains a key policy issue in the years to come. It has to be recognised that this will be the case for as long as the differences in the level of economic development and the rate of population growth between "North" and "South" remain so sharp. Migration problems are but one aspect of world imbalances of all kinds, and they give added impetus to the search for policies which will enable more balanced world development to take place. This is inevitably a long-term goal which will require increasing dialogue and closer international co-operation.

*

* *

The Ministers noted that the Council of Europe remains the appropriate forum for studies and exchanges of experience on migration.

COMMUNITY RELATIONS AND PARTICIPATION BY MIGRANTS IN THE SOCIETY OF THE HOST COUNTRIES

1. Community relations

The Ministers observed that the population of most of the member States has become more diversified, particularly from the cultural point of view, owing to the presence of migrant populations of various origins. One of the challenges of the coming years is to create the conditions for the population of the host country and the communities of migrant origin to live together harmoniously and creatively. The Ministers therefore consider that if the member States are to derive benefit from the new elements of cultural and social life brought by the migrant communities, it is important to adopt a community relations policy and to apply it consistently in all areas of society.

The Ministers are, moreover, of the opinion that governments need to take the lead in showing the importance they attach to community relations and in setting an example through policies and actions designed to create a propitious climate and the necessary conditions for the integration of migrants into the host society. There is also a great deal which can be done by local government to promote good community relations especially in areas with large populations of foreign origin. It is clear, too, that this is a task not only for government but for society as a whole. Thus, the non-governmental sector, and especially migrants' associations, can also play an important part by means of information and educational work, by creating personal links between the different communities and by setting a good example in the conduct of its own affairs. Governments should therefore support and stimulate such efforts undertaken by appropriate organisations, including migrants' organisations.

The Ministers agreed that community relations policies should cover the following aspects:

(a) Protection against discrimination and hostility

The Ministers condemned in the strongest terms all acts of hostility, discrimination and violence on grounds of social or ethnic origin, race, religion or culture. They agreed to work for the elimination of discrimination, hostility and violence in their countries by adopting appropriate measures, where necessary of a legal and administrative character. In this connection they noted with interest that some countries have created new instruments aiming at the elimination of discrimination and hostility. They welcomed the June 1986 Declaration of the institutions and the member States of the European Communities against racism and xenophobia and also wished to recall the Declaration on Intolerance adopted by the Committee of Ministers of the Council of Europe on 14 May 1981.

The Ministers also considered that an effort should be made to reduce as far as possible, on the one hand, those cases where the law provides for a distinction between the social rights of nationals and legally resident foreigners and, on the other hand, unjustified disparities of resources, since these can give rise to tension.

(b) Living with cultural differences

The Ministers reaffirmed the right of migrants to have their cultural identity respected. They considered, on the one hand, that governments should look with favour on action aimed at helping migrants to maintain their cultural identity and, on the other hand, that cultural policies should be designed to encourage interaction between the different cultures so that they can be a source of mutual enrichment to the population as a whole. Differences between the customs and lifestyles of the migrants and the host population can, however, give rise to conflicts which may reinforce prejudices against migrants. It is therefore important to work out practical solutions to such difficulties and to recognise that, while all residents are required to respect the laws of the country in which they live, a degree of mutual adaptation will be necessary for all concerned.

(c) Contribution of the education system to the improvement of community relations

The Ministers considered that the education system has a vital part to play in creating the conditions for good community relations. In order to prevent the emergence of xenophobic or racist attitudes, schools should do all they can to correct stereotypes of different peoples and to promote a sympathetic understanding of the distinctive cultures and lifestyles of migrants.

In this connection the Ministers underlined the relevance of the measures contained in Recommendation No. R (84) 18 of the Committee of Ministers Co member States entitled "The training of teachers in education for intercultural understanding, notably in a context of migration".

(d) Contribution of the mass media to the improvement of community relations

The Ministers considered that, while fully respecting the independence of the media, governments and other authorities concerned can act directly by ensuring that the law is respected and by disseminating accurate information about their community relations policies and about the positive contribution of migrants to the economy and to society. Moreover, governments and other authorities concerned can encourage efforts to make journalists and editors aware of the danger of purveying stereotypes of migrants. The Ministers noted in this context that, on the one hand, there have been interesting attempts in a number of member States to incorporate such concerns into the training of journalists and, on the other hand, there have been good examples of co-production and exchange of programmes between countries of origin and host countries.

(e) Training of officials

Officials who come into contact with members of the public need to receive instruction on how to advise migrants in an equitable manner. Such officials play a vital role in mediating the host society to them, and misunderstandings can create considerable resentment on both sides. In the training of police officers, who often have to bear the brunt of any suspicion and hostility existing between migrants and the host society, particular attention needs to be paid to questions of human rights. The Ministers called for international exchanges of experience on the methods used in different countries to promote better relations between migrants and public officials of all kinds.

Finally, the Ministers warmly welcomed the launching of a community relations project within the Council of Europe's intergovernmental programme of activities. They considered that the project would be a valuable source of information and guidance for national policy-makers responsible for community relations questions. They stressed that, in view of the wide scope of community relations, the project must be a multidisciplinary one, making full use of the expertise of all relevant Council of Europe bodies.

2. Participation

The Ministers agreed that community relations policies can only achieve their aims if migrants have the opportunity of participating fully in the economic, social and cultural life of the society of which they form part. This implies in particular:

(a) A secure legal status

Governments should, if necessary, take all appropriate measures to consolidate migrants' rights to residence and access to the labour market, especially for young people born or brought up in the country of residence. They should also reconsider, where necessary, the conditions governing family reunion, with the aim of avoiding unjustified practical obstacles.

The acquisition of the nationality of the country of residence is an important condition for full participation in the host society. It should be made easier for the children of migrants.

The Ministers noted, moreover, that young migrants may sometimes feel a sense of belonging to the host country at the same time as a sense of identification with the country of their parents.

In this connection, the Council of Europe will continue to study the questions related to dual nationality.

(b) A voice in the decision-making process

While accepting that the question of political rights for foreigners raises delicate legal and political problems, the Ministers emphasised that the search for satisfactory solutions should continue and that it would be interesting to monitor the experience of certain countries concerning participation at the local level.

In this connection, they called for the widespread adoption of, at least, consultative machinery for foreigners at municipal level and for their participation by consultative means, in the decision-making processes at various levels, in so far as they affect the lives of migrants.

(c) Action to equip migrants for full participation in the labour force

Where migrant workers are heavily concentrated in the economic sectors experiencing difficulties, it is necessary to design for workers affected by industrial restructuring vocational retraining courses which build as far as possible on their existing skills and fit them to take up employment in expanding sectors.

When jobs not requiring qualifications are lost, suitable training should be offered, on the same basis as for nationals, in order to fit migrant workers for more skilled jobs in the same industry. Efforts should be undertaken to make young people of migrant origin aware of the importance of such training and they should be actively encouraged to undertake it.

A particular effort must be made to ensure that young people of migrant origin have real equality of opportunity in employment. Here the link with community relations policies is especially close since young migrants who feel that they have no hope of economic and social advancement may well reject the values and institutions of the host society and withdraw to the margins of society.

It is therefore very important to reinforce the approaches to education and vocational training which enable young people of migrant origin to overcome the difficulties they often face in obtaining employment appropriate to their abilities (eg additional language teaching, specially adapted vocational and pre-vocational training and remedial courses).

(d) Action to improve the situation of migrant women

As a result of both family reunion and independent migration, women now make up a large part of the migrant population. They play a vital role in the relationship between the younger generation and the host society. Steps should be taken to ensure that migrant women benefit from mother and child care facilities on the same basis as nationals. Furthermore, governments should particularly make sure that, within the framework of their authorisation to work, if such is necessary, migrant women have the same possibilities of access to employment and the same protection as other workers in the host country. The human and financial resources needed for integrated language and literacy programmes for migrant women should also be provided. The promotion of equality between women and men is as important for immigrants as for the indigenous population.

(e) Language problems

The Ministers stressed the fact that a good basic knowledge of the language of the host country is a basic element in all participation. Governments should encourage migrants to learn the language and make provision for appropriate courses of instruction.

Moreover, where necessary, interpretation services should be available so as to help migrants communicate with health, social and other public services.

(f) Encouragement of cultural participation by communities of migrant origin in the host society

Activities undertaken by communities of migrant origin in the field of culture and the arts, especially art, literature, music, dance, theatre and fashion, should be encouraged.

VOLUNTARY RETURN AND REINTEGRATION OF MIGRANTS IN THE COUNTRIES OF ORIGIN

Return to the country of origin must be on the basis of free choice by the individuals concerned. This implies that migrant workers are in a position to make an informed decision, and this is why they must, in the first place, have adequate information both on the measures

designed to promote social and economic integration in the host country and on the possibilities for reintegration in their countries of origin.

The Ministers observed that the return of the family to the country of origin sometimes presents problems resembling the ones posed by emigration to the host country. This means that some of the measures which were needed for integration into the host country now become necessary for reintegration into the country of origin. For this reason, the Ministers were of the opinion that reintegration programmes should be planned as part of the co-operation between countries of origin and host countries. In order to help people reintegrate into the society of the country of origin, measures should be taken to promote the education of young people (girls and boys;

vocational training adapted to the needs of the economy of the country of origin), vocational and social reintegration for adults, especially women, and to deal with problems with employment, housing and social benefit.

From a very practical point of view reintegration assistance programmes, where they exist, raise various questions to which satisfactory solutions will have to be sought, in particular:

- the assistance given in order to take genuine reintegration possible,
- the vocational training and retraining preparatory to returning which may be given to workers wishing to return to their country;
- the special situation of minor children having returned with their parents.

The Ministers also underlined the need to conclude, or where necessary revise, bilateral and multilateral agreements enabling migrant workers having returned to their countries of origin to maintain their acquired rights or rights being acquired, in so far as this is in conformity with the provisions of the social security schemes in the host countries.

The Ministers also expressed the wish that Council of Europe member states should, where necessary, make it possible, by means of bilateral or multilateral agreements, for migrant workers who have returned to their countries of origin to be reintegrated into the social security schemes of these countries.

Furthermore, the Ministers observed that co-operation for the reintegration of migrant workers should also be carried out on a multilateral basis in order to promote the development of the traditional emigration regions by means of projects such as the establishment of businesses and co-operatives, the setting up of vocational training centres and the construction of housing. To this end, full use should be made of the possibilities offered by the Resettlement Fund of the Council of Europe.

Finally, the Ministers called for further study of return migration in order to arrive at a better understanding of the magnitude of the phenomenon and its consequences for migrant workers, for countries of origin and for host countries.

*

* *

Finally, the Ministers expressed their warmest thanks to the Government of Portugal for inviting the Conference to Oporto. They greatly appreciated the efficiency with which the Portuguese authorities had made all the necessary arrangements which had greatly

The Ministers expressed their satisfaction that an informal session had been organised. This had, in their opinion, been the occasion for a free and interesting exchange of views. They expressed the wish that this experiment should be repeated in future and that more time should be allocated to it.

They also took note with satisfaction of the intention expressed by Luxembourg to organise the fourth Conference of European Ministers responsible for Migration Affairs, the date of which would be announced by the Luxembourg authorities in due course.