

6th Conference of European Ministers responsible for Migration Affairs

Warsaw, 16-18 June 1996

Final Communiqué

Introduction

The Ministers responsible for Migration Affairs of the 39 member States of the Council of Europe¹, together with their colleagues from Australia, Belarus, Bosnia and Herzegovina, Canada, Croatia, the Holy See, the USA and the Federal Republic of Yugoslavia met in Warsaw at the invitation of the Polish government from 16 to 18 June 1996. The Ministers focused their discussions on the following themes:

- Review of the implementation of community relations policies
- Migration flows in the wider Europe.

Results of the review of community relations policies

The Ministers examined the results of the review of the implementation of community relations policies which they had called for at their previous Conference in Athens in November 1993 (see document MMG-5-(93) 4). Integration has become a major goal of public policy in all States with large, legally settled populations of immigrant origin. Moreover, at a time when questions to do with migration and the integration of immigrants are more than ever at the centre of political and public debate, integration is becoming a need in all countries.

The review shows that there is a growing convergence of policies on the following points:

- the need to ensure a legal status for legally settled immigrants and to grant them progressively a stable right of residence;
- the need to provide means for real participation by immigrants in decision-making processes in society;
- the need to take determined action against racism, xenophobia and discrimination;
- the need for effective measures to promote equal opportunities for immigrants and persons of immigrant origin;
- the need to place integration policy within the context of a comprehensive approach to the problems of social exclusion, while not neglecting the specific problems faced by immigrants.

¹ Albania, Andorra, Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, "The former Yugoslav Republic of Macedonia", Turkey, Ukraine, United Kingdom.

Integration and community relations questions calling for particular attention

In spite of this growing convergence of policies, serious problems of community relations remain, and the integration process is sometimes less successful than originally hoped. The Ministers expressed particular concern about the unresolved problems highlighted by the review, and underlined the urgent need to introduce or strengthen policies designed to overcome the obstacles to equality of opportunities. Thus, they asked the European Committee on Migration (CDMG) to pay particular attention to the following questions in its future work on integration and community relations:

- how to reduce the very high levels of unemployment found in some groups of immigrant origin;
- how to integrate and motivate marginalised young people of the second and third immigrant generations;
- how to enable non-governmental organisations, the social partners and others to play a full part in promoting equal opportunities for immigrants and good community relations;
- how to ensure that victims of discrimination and racially or ethnically motivated violence and harassment are able to obtain effective assistance and redress;
- how to ensure that public services meet the needs of an ethnically and culturally diverse population;
- how to ensure integration through appropriate language training.

The community relations report and its follow-up

The Ministers recognised the continuing relevance of the report *Community and ethnic relations in Europe* (MG-CR (91) 1 final) which had established itself as a valued point of reference for integration policy in European countries. Welcoming the fact that it had already been translated into several European languages, and encouraging translations into further languages, they recalled the decision made at their Fourth Conference, held in Luxembourg in 1991, "to disseminate the report widely among interested circles in each country and to promote debate on it both publicly and within official bodies responsible for policy or consultation in the field of migration and the integration of immigrants" (see document MMG-4 (91) 9 final).

The Ministers also warmly welcomed the results of the follow-up project *The integration of immigrants: towards equal opportunities* which had spelled out in detail how to apply the principles of the community relations report in practice at the local level. They took note of the final report of this project (MMG-6 (96) 2), and of the series of publications to which it had given rise, and commended them to the attention of policy-makers in European countries. Considering that this work had shown the value of exchanging information and experience on good practice in the field of integration and community relations, the Ministers encouraged the appropriate Council of Europe bodies to re-examine the possibilities for developing network-building in this field.

The Ministers launch a new project on "Tensions and tolerance"

The Ministers went on to launch formally the new Council of Europe project entitled *Tensions and tolerance: building better integrated communities across Europe*. In doing so, they called on the CDMG to give particular attention to the points mentioned in paragraph 4 above, and also to the application of integration and community relations policies in the newer immigration countries of Southern Europe and in the countries of Central and Eastern Europe which were just beginning to face the issues of integration. The Ministers noted that the general principles of community relations were of relevance not only to immigrants but also to other groups.

Recognising the importance of the contribution made by the Council of Europe to reflection and practice in the field of integration and community relations, the Ministers requested the CDMG to work during the coming years towards the preparation of a new major report building on the community relations report but reflecting more recent developments and the widening membership of the Council of Europe.

The European Commission against Racism and Intolerance (ECRI)

The Chair of the European Commission against Racism and Intolerance (ECRI) informed the Ministers about the work of this body. Noting the great relevance of the Council of Europe's work on integration and community relations to questions of racism, xenophobia and intolerance, the Ministers expressed the wish that the CDMG and the ECRI should work together increasingly closely and also coordinate their efforts with those of the European Union.

Commitment by the Ministers to building better community relations

Having reviewed the work of the Council of Europe in the fields of community relations policies, integration and the building of tolerance, the Ministers committed themselves to pursuing such policies actively. In this connection, they especially emphasised the importance of guaranteeing to persons of immigrant origin a sound legal status and equal opportunities for participation in the different sectors of society. They also stressed the importance of objective information, education and vocational training for the maintenance of social well-being in today's multicultural societies and to combat the prejudices threatening harmonious community relations. They took note of the increasing opportunities to foster dialogue and exchange of information, experience and ideas between local and national government and representatives of associations, cultural groups and religious communities. They also felt that the contribution of communities of immigrant origin to the development of the host countries should be better advertised, that the recognition of different cultural realities in a given society should be promoted and that public opinion in European countries should be made aware that Europe is not only an area where foreigners are received but also one which people leave to settle abroad.

European migration five years after the Vienna Conference

The Ministers took advantage of this gathering of migration Ministers on a very broad geographical basis to take a fresh look at pan-European migration trends five years after

the Vienna Conference of Ministers on the movement of persons from Central and Eastern European countries. Although the massive East-West flows that seemed possible in 1991 have not in fact come to pass, the migratory potential, in particular from East to West as well as from South to North, remains very high. The stabilisation of migration flows observed since 1994 in some receiving countries is mainly the result of measures taken by those countries. The last few years have seen a growth of increasingly complex migration movements across the European continent and it is proving difficult to manage migration in Europe and to confine it to legal channels. Significant progress has been made towards the goals laid down in Vienna of harmonising the management of migration in Europe but much remains to be done in order to adapt migration legislation and policies to the needs and realities of present-day Europe.

Problems of mass flight

Events in Europe during recent years have shown the importance of continued efforts by governments and international fora to address problems caused by mass flights of population.

Coping with migration pressure

It is clear that strong pressure for immigration into European countries, both from other European countries and from other parts of the world, will be maintained for the foreseeable future. This comes at a time when, with continuing economic difficulties and high unemployment, European countries see fewer possibilities for admitting new migrants. States have to find ways of keeping control of immigration while respecting human rights and their international obligations - including children's rights as stated in the United Nations Convention on the rights of the child, the right to respect for family life, the right to marry the person of one's choice and to found a family, as well as guaranteeing protection to refugees as defined by the Geneva Convention and to persons seeking protection on humanitarian grounds. There is a need for new thinking about migration policies in order to find long-term solutions. One way forward would be to tackle the root causes of migration by intensifying bilateral and multilateral cooperation with migrants' countries of origin, as is called for in the Barcelona Declaration adopted at the Euro-Mediterranean Conference in November 1995. In recognising the links between migration and socio-economic development in the countries of origin, the Ministers committed themselves to further investigating the root causes of migration and strengthening international cooperation in order to bring them under control.

Short-term migration

The Ministers also observed that short-term migration movements are increasing in both volume and diversity (students, trainees, seasonal workers, project workers, etc). They expressed the view that short-term migration, rather than permanent immigration for settlement, should be seen as a predominant pattern for the future. The aim must be to ensure that these movements take place within legal channels and are not misused as a means to permanent settlement. Ministers noted that bilateral agreements play an important role in achieving this goal and encouraged the conclusion of such agreements between Council of Europe Member States. The Ministers also welcomed the work

already carried out by the Council of Europe on short-term migrants and hoped that it would be pursued.

Illegal and irregular migration

The growth in illegal and irregular migration of various kinds continues to cause concern, and the Ministers are pleased to note the emergence of the Budapest Group as a forum for tackling such problems in addition to the key part played by the cooperation carried out within the framework of the European Union and with the relevant international organisations. They expressed concern at the exploitation of men and women by traffickers and by employers of illegal workers and expressed the hope that the Council of Europe would investigate further these serious abuses of human rights. The Ministers committed themselves to taking adequate national measures to combat illegal migration and illegal employment as well as to look for ways of strengthening international cooperation in this field.

In this connection, the Ministers recalled that the right of any person to enter the territory of his or her own country is a fundamental right forming part of human rights and they emphasised the obligation placed on each State under international law to readmit its own nationals.

The migration situation in Central and Eastern Europe

Meeting in Poland, Ministers were particularly alive to the problems being faced by the countries of Central and Eastern Europe which are increasingly finding themselves in the role of transit countries for migrants aiming to enter Western Europe, as well as becoming destination countries in their own right as the process of economic transition advances and as other countries reinforce their controls. They affirmed the principle of strengthened European cooperation in dealing with migration issues and agreed that in solving their specific problems Western European countries would take account of the interests of Central and Eastern Europe. In this context, the situation of migrants stranded in transit deserved international attention. States and international organisations were urged to do all they could to assist the countries of Central and Eastern Europe in developing migration legislation and policies appropriate to their needs and in accordance with international standards and in ensuring wide dissemination of this new legislation.

The Ministers acknowledged the problems arising from the trend towards return, repatriation and resettlement of persons following the political changes in Central and Eastern Europe. They underlined the need for cooperation between the countries concerned and the necessity of taking proper measures (which might include specific programmes) to promote integration in the countries of origin or the areas of new settlement.

Conference of CIS and relevant neighbouring States

Considering the Programme of Action adopted by the Regional Conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States, held in Geneva on 30 and 31 May last, the Ministers noted that the Council of Europe, which shares the principles set out by the Conference, is prepared, in

the framework of its activities, to cooperate as necessary in achieving the aims which were fixed. In view of the importance of the follow-up process, it will also include the participation by the Council of Europe in the steering group which is being established. As for the Joint Operational Strategy, put forward by the UNHCR and the IOM, special attention should be devoted to the coordination of activities in fields where the Council of Europe has developed specific expertise, such as, among others, integration of legally settled migrants and issues of citizenship and statelessness.

The need for a comprehensive approach to migration questions

Having carried out a wide-ranging survey of the issues arising for European countries in the field of migration and integration, the Ministers underlined the need to develop a comprehensive approach taking in not only the pressing needs of management of immigration, including efficient control, but also longer-term concerns such as integration and the root causes of migration. They affirmed the necessity for continuing discussions at the pan-European level in order to consider the whole range of issues and, in this connection, welcomed the decision to continue the work of the Vienna Group of Senior Officials within the framework of the relevant Council of Europe committees, the CDMG and the Ad hoc Committee of Experts on Legal Aspects of Territorial Asylum, Refugees and Stateless Persons (CAHAR). Given that other international bodies are actively developing efficient cooperation on immigration control matters, the Ministers were of the opinion that the Council of Europe was well fitted, by its experience and its wide geographical coverage, to develop a comprehensive approach to migration in Europe and to help define principles for orderly migration movements into and within Europe. The Ministers hoped that it would be possible to make progress in this direction through the new project being undertaken by the CDMG entitled "Managing migration in the wider Europe". It would be natural, in the light of the Organisation's general vocation, that it should pay particular attention to the rights of migrants, to the social integration of legally settled migrants and to the wider questions of community relations.

It was generally felt that for adequate functioning of migration and integration mechanisms and procedures, good coordination within member States between all administrations involved is essential.

Conclusion

The Ministers expressed their warmest thanks to their Polish colleague for inviting them to meet in Warsaw and for the admirable organisation of the Conference. They decided to make arrangements for a further Conference as soon as new developments made it necessary for the European Ministers responsible for migration affairs to meet again.