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FOURTH CONFERENCE OF EUROPEAN MINISTERS RESPONSIBLE FOR MIGRATION AFFAIRS

(Luxembourg, 17-18 September 1991)

CONCLUSIONS AND RESOLUTION adopted by the Conference

CONCLUSIONS

During their meeting in Luxembourg on 17 and 18 September 1991, the European Ministers responsible for migration affairs held an exchange of views on the current migration situation in Europe and the changes which have recently taken place.

First of all, the Ministers examined the present migration situation and the new trends. In this context, they recognised that freedom to travel, as provided for in international agreements, did not imply freedom to settle in another country.

The present migration situation in the member States of the Council of Europe has the following features:

- a) In many countries, the number of legal entries of foreign workers has remained at a low level compared with the 1960s and the early 1970s. However, legal immigration, mainly on the basis of family reunion, is continuing. This, together with births to migrant parents, generally has the effect of making the current age structure of these countries more youthful. Despite the improved economic prospects of some countries of origin and despite the measures taken in certain host countries to encourage migrants* to return, a great number of migrants have remained in the host countries. It is a general rule that once migrants have settled down with their families in the host country and their children have grown up there, it becomes more and more probable that they will remain.
- b) Most of the countries of Southern Europe, which for decades were emigration countries par excellence, have become immigration countries, as was emphasised by the International Conference on Migration in Rome from 13 to 15 March 1991, which dealt in particular with questions of South-North migration.
- c) The profound transformations which have been taking place in the countries of Central and Eastern Europe since 1989 have already had and will continue to have a substantial effect on migration phenomena. Indeed, in some of these countries movements of persons contributed directly to the liberalisation process. At the Conference of Ministers on the movement of persons from Central and Eastern European countries, held in Vienna on 24 and 25 January 1991, these phenomena were analysed and ways of dealing with the resulting problems were proposed.
- d) During the last decade, irregular migration has reached disquieting levels. Experience shows that collective regularisations are not a solution to this problem. However, some countries have taken the view that well-regulated, temporary migration and acceptance of a certain number of transfrontier workers could to some extent help to reduce this type of movement.
- e) The dramatic increase in the number of asylum-seekers in Western Europe and in certain countries of Central Europe, such as Hungary and Czechoslovakia, results mainly from the fact that many people try to evade immigration restrictions through the provisions of the 1951 Geneva Convention relating to the status of refugees, as

* N.B. Where the term "migrant" is used in these Conclusions it should be understood as referring not only to migrant workers and their families but also to those referred to in many countries as "immigrants", "ethnic groups" or "persons of immigrant origin".

well as through national measures permitting people to stay for humanitarian reasons. In order to fulfil the obligations they have subscribed to, the contracting parties to the Geneva Convention of 1951 have to examine requests for refugee status case by case. Asylum procedures have frequently become overloaded and the duration of the examination of cases have become too long. The resulting delays may encourage further misuse of the asylum process.

The Ministers observed that since their preceding Conferences the member States have continued their efforts, carried out increasingly in common, to control better all these forms of migration but are conscious that the problems related to these population movements are becoming more and more complex. Almost all the member States of the Council of Europe are under strong pressure for migration even though unemployment continues to affect a large part of the population, including legally resident migrants. This pressure for migration results in particular from the economic, social and demographic imbalances between different parts of the world, political instability and insecurity in many countries and violations of fundamental human rights. It is also a consequence of the historic changes in the countries of Central and Eastern Europe. This new situation calls for new policy approaches and instruments based on an analysis of the root causes of migration and a growth in co-operation and harmonisation among all European governments on migration questions.

Considering that emigration is not the solution to the problems of the countries of origin and that the industrialised countries of Western Europe cannot at present accept an increase in immigration for permanent residence, the Ministers, having in mind the results of the Vienna and Rome Conferences,

AGREED that:

- a) bilateral and multilateral co-operation should be developed and strengthened in order to reach a better economic balance between countries of origin and host countries;
- b) programmes of productive investment in the emigration regions should be encouraged;
- c) the possibilities offered by the Social Development Fund of the Council of Europe should be used to promote job creation in the disadvantaged regions of European countries;
- d) in order to contribute to their economic development, training projects and appropriate assistance should be implemented in the countries of origin on the basis, inter alia, of bilateral agreements;
- e) diversified possibilities should be encouraged for short stays for such purposes as training and work experience, particularly through the conclusion of bilateral and multilateral agreements on the exchange of young people, trainees and specialists;
- f) full and realistic information should be made available to potential migrants on the regulations for entry and stay and on employment and living conditions in the host countries;
- g) irregular immigration and illegal work should be combated not only by disseminating better information about immigration regulations etc, as set out in paragraph (f) above, but also by applying rigorously sanctions against organisers of clandestine immigration networks and employers, or any other appropriate measure;

- h) the new immigration countries should be enabled to benefit from the experience of the traditional immigration countries.

The Ministers took due note of the issues arising in connection with the reintegration of migrant workers who return voluntarily to their countries of origin. In this connection, they emphasised the need for close bilateral and multilateral co-operation between the countries of origin and host countries. They also emphasised the value of assisting, where applicable, migrants who return voluntarily to their country of origin.

The Ministers observed that the lawful migration which has taken place in recent decades has had some beneficial effects on the economy and, in the short term, on the demographic structure of the industrialised countries. But the effects on the very nature of the societies of the host countries have been even greater; the society of these countries has been modified by migration and will no doubt change further. These changes have not taken place, and will not take place, without difficulties but this is a gradual process which should yet add, notably through intensified international cooperation, strength, diversity and depth to our societies.

In this connection, they considered that the economic and social integration of migrants lawfully settled in European countries is a matter of top priority. A policy of this kind, carried out at national as well as local level, comprises in particular the definition and implementation of a secure legal status and must take account of the many problems facing migrants and their families. To this end the following objectives should be pursued:

- on the one hand, to encourage migrants rapidly to become an integral part of their new community so that they can fulfil themselves there and identify themselves with it; and
- on the other hand, to facilitate the expression, within their new community, of their own culture and ideas.

Furthermore, taking a long-term view, the Ministers observed that European governments are becoming increasingly aware of the need to improve the conditions for harmonious and creative relations between the host and migrant communities, and recognised that special measures are needed to ensure this.

For this reason they welcomed the fact that the Council of Europe has carried out a series of activities in this field, in particular the multidisciplinary project on community relations, ie relations between migrants and the host population, which was carried out during the period 1987-91, under the responsibility of the European Committee on Migration (CDMG). This project has demonstrated that central government, local authorities, the education system, the media, the social services and nongovernmental associations and organisations of all kinds have a part to play in improving community relations and in creating better understanding between migrants and host societies. It has also indicated ways in which discriminatory or hostile behaviour on grounds of nationality, religion, ethnic origin or race can be combated.

In order to underline the importance they attach to the matters dealt with at this Conference the Ministers have adopted the attached Resolution. It is clear that migration will continue to be one of the principal challenges confronting European society and the Ministers accordingly emphasised the role of the Council of Europe in this field, especially in the identification of common or convergent responses to the problems resulting from these developments.

During an exchange of views mainly devoted to the strategies to be followed in cases of mass inflows of persons fleeing their country, the Ministers proposed the setting up of an urgent

relief system which would make possible the speedy implementation of emergency measures (early warning, reception, information of the public in the receiving countries and, as far as possible in the country of origin, organisation of medical and humanitarian ' aid, assistance with return and reintegration in the country from which they come) in cooperation with other States in a spirit of solidarity. They requested the Secretary General of the Council of Europe to make proposals to this effect as a matter of urgency, having first consulted the national and international agencies and organisations specialised in such matters, it being understood that overlapping and duplication of work must be avoided.

Finally, the Ministers expressed their gratitude to their Luxembourg colleague and his staff for the admirable organisation of the Conference and thanked the Greek Minister for inviting them to hold the Fifth Conference of European Ministers responsible for Migration Affairs in his country.

RESOLUTION

THE MINISTERS meeting in Luxembourg on 17 and 18 September 1991 for the fourth Conference of European Ministers responsible for Migration Affairs,

Bearing in mind the results of the Conference of Ministers on the movement of persons coming from Central and Eastern European countries, held in Vienna on 24 and 25 January 1991 and of the International Conference on Migration, held in Rome from 13 to 15 March 1991;

Observing that the political and economic transformations which have been taking place in the countries of Central and Eastern Europe are associated with new intra-European migration flows necessitating the development of a co-ordinated policy approach by all European countries;

Welcoming the fact that, as a consequence of fundamental political changes, it is becoming possible to travel freely throughout Europe, this being crucial for the maintenance of free societies and flourishing cultures;

Noting, however, that freedom to travel, as provided for in international treaties, does not imply freedom to settle in another country;

Conscious that at the present time, the situation in most European countries does not allow an increase in immigration for permanent residence;

Observing that there has been a dramatic increase in the number of asylum-seekers in Western Europe as well as in certain countries of Central Europe, resulting mainly from the fact that many people attempt to make use of the provisions of the 1951 Geneva Convention relating to the status of refugees as well as national measures permitting people to stay for humanitarian reasons, in order to evade immigration restrictions.

Noting that as a result of massive economic, social and demographic imbalances between different parts of the world, as well as political problems and natural disasters, there is continuing pressure for migration into European countries;

Noting, however, that migration cannot be regarded as the means of solving the problems of the countries of origin;

Recognising that it must be the goal of the international community to reduce mass movements by seeking to address their root causes and to establish international strategies to meet new migration challenges.

Noting that, despite the limited opportunities for labour migration in recent years, considerable numbers of foreign nationals have come to European countries under family reunion provisions or as asylum-seekers;

Aware that considerable numbers of irregular migrants* are present in many European countries, often living in extremely precarious conditions and vulnerable to all kinds of exploitation;

Convinced of the importance of developing further reflection on demographic trends in the context of migration;

Considering that as a result of migration flows during recent decades, substantial populations of different national or ethnic origins from those of the host society, and who initially came as temporary migrants, have now settled down permanently in most of the member States of the Council of Europe;

Convinced, therefore, that the integration of lawfully resident migrants and populations of immigrant origin must be an important objective of government policy;

Convinced that governments have a vital part to play, in co-operation with regional and local authorities and non-governmental bodies, especially immigrant organisations and solidarity organisations, in creating the conditions for good community relations;

Welcoming the fact that in the period since the last Conference the Council of Europe has carried out a comprehensive multidisciplinary project on community relations;

RESOLVE:

to reinforce their co-operation on all aspects of migration policy, with the aim of:

- bringing about the greatest possible freedom for persons to travel lawfully within the European continent;
- combating irregular migration in an effective manner and preventing unlawful residence, it being understood that unless migration takes place in an orderly manner there would be harmful effects on policies aiming at the integration of migrants admitted for long-term residence;
- continuing the process of reflection at international level on the arrangements for applying the provisions of the Geneva Convention relating to the status of refugees (1951) so as to take account of recent migration flows evading immigration legislation;
- improving respect for human rights and contributing to the economic, social and political development of the countries of origin so as to combat the causes that may lead many people to migrate;
- examining various forms of well-organised temporary employment, which could help both to increase the professional knowledge of those concerned and to reduce irregular immigration;

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- assisting the process of reintegration of migrant workers returning voluntarily to their countries of origin.

DECLARE:

that governments need to adopt explicit policies on community relations questions and to ensure that they are put into practice across the whole range of government action;

that an active policy in the field of community relations should be based on the following principles:

- security of residence for lawful migrants, especially those who have lived in the host country for many years;
- determined action to bring about real equality of opportunity, especially in the fields of training, employment and housing, and to combat all forms of discrimination;
- effective measures to combat racism and xenophobia, including both well-designed measures in the field of information and education and the enactment of appropriate legislation;
- encouraging the fullest possible participation of migrants and persons of immigrant origin in the life of the society of the country in which they live;
- an attitude of openness towards the cultural life and customs brought by migrants in so far as they are compatible with national law.

INVITE the governments of the member States of the Council of Europe, and of the other States participating in the Conference, to examine carefully the proposals contained in the final report of the community relations project;

DECIDE to disseminate this 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;

INVITE the Committee of Ministers to instruct the competent Council of Europe bodies to continue and develop their activities on the integration of immigrants into host countries and on community relations questions, especially by promoting a continuing exchange of experience between all those concerned with different aspects of community relations in the participating States.