

**Speech by Mrs Maud de Boer-Buquicchio
Deputy Secretary General of the Council of Europe**

**Conference on
"Migration in the Mediterranean: prospects for the future"**

**Hotel Corinthia San Gorg, St George's Bay,
Malta, 10-11 April 2003**

Migration: Human rights and development

Minister,
Ladies and Gentlemen,

Dear Minister,

As you recalled our discussion which took place in your office last Autumn and which was the starting point for this conference, I would like to take this opportunity to thank you for having reacted so quickly and to have enabled this conference to take place; and, of course, to thank you for your hospitality.

Migration is a subject that leaves few of us indifferent, when often the heart overcomes the mind and clouds the debate. I hope that this forum will be one of many, leading to sustained co-operation between the states and societies that form the Mediterranean region, and share its shores.

At this time of grave international tension, I would like to thank all of you for participating, notwithstanding the uncertainties created by the war in Iraq, and for demonstrating your belief and commitment in the value of international co-operation. I welcome in particular the participants from North Africa (Algeria, Morocco, Tunisia, Egypt and Libya).

Why have we invited you to this conference?

The Council of Europe has almost since its very inception in the aftermath of the Second World War held the issues of migration close to its priorities. Internal freedom of movement and the right to emigrate are enshrined in 1963 Protocol 4 of the European Convention of Human Rights. The rights of migrants are protected in the European Convention on Establishment of 1955; the European Social Charter of 1961 and its 1996 revised version; the European Convention on the Legal Status of Migrant Workers of 1977; the Convention on the Participation of Foreigners in Public Life at Local Level of 1992; and there are many others.

The Council of Europe Development Bank was also established, partly, to help finance projects for refugees and migrants; and this sector remains one of its

priority areas of activity to this very day. (Indeed, the role of the international financial community is the topic of this afternoon's session.)

However, migration has changed fundamentally over the last decade or so; and the challenges that it presents for us here today are very different. Europe has changed with the fall of the Berlin wall in 1989 and the Council of Europe now unites 45 countries stretching from the Atlantic to the Pacific and sharing the common values of human rights, democracy and the rule of law. Our World has changed, and migration has become globalised in just the same way as trade, communication, politics, and business. And with it the need for Europe to co-operate more actively with countries of origin and transit.

In response to these challenges, the Ministers of the Council of Europe member States responsible for Migration Affairs met in Helsinki last September to discuss the theme: *Migrants in our societies: policy choices in the 21st Century*. As you just recalled, Minister, they took note of the complex nature of the challenges: the rise in irregular migration, the exploitation of migrants by traffickers, the persistence of xenophobia, racism and discrimination, and the important social and economic impact of migrants on both their countries of origin and destination.

At the end of their discussions, the Ministers recommended that the Committee of Ministers of the Council of Europe implement a plan of action, one of the pillars of which concerns the promotion of regional and international co-operation and, in particular, the strengthening of dialogue and partnership between member and non-member States.

We believe that this dialogue can lead to a constructive and positive approach to the management of migration that would help the migrants to benefit from a legal framework protecting their basic rights and avoiding exclusion. No new dividing lines should be drawn. Central to this approach is the principle of the respect of the dignity of the person. This entails the right of migrants to be treated with dignity and not as criminals who need to be controlled and subjected to criminal sanctions. To this, of course, must be balanced the legitimate concerns of states, not only host states, but also those of countries of origin and transit.

What is a human rights approach to migration?

Let us take an example of a successful approach from one of the Mediterranean countries: Greece. (This completes, Minister, your description of what Malta has achieved). Through successive legislative initiatives in 1991, 1997 and 2001 Greece has successfully combined integration and regularisation of irregular migrants with a policy of temporary immigration and seasonal migration based on co-operation with neighbouring countries of origin.

As a result, Greece has been able to reconcile equality and human dignity for the migrant with the national economic needs. The Secretary General for Greeks Abroad of the Greek Ministry of Foreign Affairs, Mr Demetri Dollis, may say a few more words about this today.

This is the basis of the Council of Europe's migration management strategy: to develop and implement policies on migration *and* integration that are founded on the principles of human rights, democracy and the rule of law, thereby ensuring orderly migration, social cohesion and respect for the individual. It also means taking into account the development needs of countries of origin and transit.

Unfortunately, some governments continue to adopt an ambiguous attitude to migrants: on the one hand, exploiting their labour; whilst on the other hand refusing to recognise their social rights.

If governments continue to approach migration in a fragmented manner, dealing separately and on their own with issues such as asylum, undocumented migrants, informal labour, countries of destination and origin alike will be confronted with serious threats to democracy and human rights. Let us not forget the recent rise in extremist parties and xenophobic feelings in several European countries. An unstable political context and a large ratio of informal to formal labour are also major obstacles to sustainable development. A concerted implementation of the Council of Europe migration strategy in all member States would be a significant step to overcoming this compromise on human rights.

What will happen after Malta?

We are committed to promoting regional co-operation, and this will continue. This conference in Malta is part of a continuing process.

In October 2001 we organised with the Greek authorities a conference on *Irregular migration and the dignity of migrants: Co-operation in the Mediterranean region* in Athens; Algeria, Egypt, Morocco and Tunisia took part in the Helsinki conference; a regional Round Table meeting *on Labour Migration In Europe: An Alternative To Irregular Migration?* was held in Sofia in October 2002, and another round table meeting is planned for Kyiv this autumn.

More importantly, there are structural proposals to create a political platform with countries of origin and of destination that would meet twice a year for one day after each meeting of the European Committee on Migration; and in addition to this a Migration Agency to implement and enhance the Council of Europe's Migration Management Strategy. This proposal for a migration management structure, in which the Parliamentary Assembly is also actively interested, could result in a regional forum uniting North and South, East and West. The Greek Government has already confirmed its support for such an agency, and offered to host it in Athens.

The discussions over the next two days will provide an opportunity to discuss these proposals and the form that they should take.

Other aspects of regional and international co-operation, identified in the Helsinki plan of action, will also be given full attention. Namely,

- development of closer and sustained co-operation with both international organisations and NGOs
- co-operation agreements between countries of origin and destination with a view to the recognition of migrants' skills, and
- development of programmes of co-operation with third countries to protect the rights of migrants.

The proposed European Migration Agency would play an important role in these subjects.

Our North-South Centre, the European Centre for Global Interdependence and Solidarity in Lisbon will also play an important role in promoting regional co-operation. I should say, continue to, as it already has a trans-Mediterranean programme. It is represented today by Mr Hans-Peter Furrer and Ms Fifi Benaboud. Indeed, Mr Furrer has agreed to be the moderator for our conference.

The last few weeks have been dominated by the war in Iraq, and the death, misery and distress caused to thousands of innocent people. The geo-political implications of this international conflict are not yet known: but we already know that many will not hesitate to exploit, for their own destructive purposes, the divide between East and West, between Islam and Christianity, between European and Arabic civilisations. Ramadan has already been celebrated. On Sunday, it is Palm Sunday. It is time for reconciliation and new hope. Let us hope that our own discussions on subjects of common interest between us will (instead of distrust) contribute to a better climate of mutual understanding, co-operation and support.

Thank you.