Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 11526
11 February 2008

Immigration from sub-Saharan Africa

Report
Committee on Migration, Refugees and Population
Rapporteur: Mr Jean-Guy BRANGER, France

Summary

Migratory flows from Africa currently make up the largest share of migration into Europe. In this context, migrants from Sub-Saharan Africa form a specific group. They are larger in number than the migrants from the Maghreb region or migrants from other continents who come via Africa. In addition, this migration mostly involves people seeking to enter Europe by irregular channels by any means possible and at the risk of their lives or involves persons who have entered Europe regularly, but overstayed their temporary visas and are now living there irregularly.

European states therefore have a particular responsibility towards these migrants, whose reasons for migrating vary greatly and who do not intend returning to their countries of origin. While stepping up border controls can help slow down the flows, it is unable to stop them. The wide range of legislation in Europe results in migrants "shopping around" and the rapid growth in the informal sector enables them to integrate in an environment with which they are familiar. At the same time, however, they suffer discrimination in access to health, housing and education.

The report makes a number of proposals to help improve the situation.

Contents **Page**

A. Draft resolution 3
B. Explanatory memorandum, by Mr Jean-Guy Branger 5
1. Introduction 5
2. The causes of migration 5
3. Types of migration 6
4. Spotlight on the progression of migration 7
5. Spotlight on clandestine migration across the Sahara 7
6. The challenges faced by Europe 8
7. Transnational policies on Sub-Saharan immigration 9
8. The difficult move towards European migration policies 10
9. Conclusions: possibilities for the future 10

A. Draft resolution

1. Africa is the continent most affected by migration. Allowing for the inaccuracy of the statistics, some 2 to 4 million people migrate legally or illegally from Sub-Saharan Africa every year within or outside of Africa. The figure is increasing in relation to internal migration, which is made more difficult by the armed conflicts which currently affect 24 African countries, either directly or indirectly, and the closure of borders by some of them. At the same time, the brain drain, the appeal of the West and the existence in some countries of large diasporas (pull factors) are combining with the difficulty in finding properly paid employment and a feeling that Africa is stuck in an endless crisis (push factors) to further increase this migration in spite of the risks involved for those concerned.

2. The removal of Sub-Saharan migrants is often difficult or impossible because of their refusal to indicate their real countries of origin, the lack of readmission agreements when the countries are known, the efforts of associations defending undocumented migrants to prevent their removal by air, or physical resistance by the migrants concerned who seek to stir up disorder among the other passengers or damage the aircraft used with the assistance of people waiting for them at the airport.

3. The relevant migratory flows increase the stocks of migrants already settled in the host countries and, combined with the many children born there, form an increasingly high-profile community of African origin, whose size sometimes triggers xenophobic reactions.

4. The motivations of these migrants, whether economic, family-related, social or political, are extremely varied and are becoming more so. As states have different legislation in spite of the gradual harmonisation of European policies, migrants naturally choose the countries which will benefit them the most and involve the lowest risk, particularly of being deported. This shopping around is adding to the shifting nature of migration processes and also contributing to the feminisation of migration.

5. The Parliamentary Assembly believes that Europe is therefore facing several challenges in terms of controlling irregular migration and managing informal economic activity, which existed before the mass arrival of Sub-Saharan immigrants but has been boosted by their presence and which, paradoxically, helps them to integrate into their host countries. At the same time, Europe may benefit from the arrival of a younger population likely to reduce the impact of the unfavourable demographic trends currently affecting it.

6. However, in spite of legislation against racism and discrimination, European states are not all able to guarantee that all migrants settling in their countries will be fairly treated in terms of access to health care, education, decent housing and properly declared paid employment.

7. The Assembly considers that, bearing in mind the specific nature of Sub-Saharan migration, and in order to enable every country to take decisions in full knowledge of the facts, it seems vital to focus on four main strands: accurate knowledge of migratory flows; dealing with specific migratory movements; gradual harmonisation of European legislation; and aid for Africa and the strengthening of the ties between host countries and countries of origin.

8. Therefore, the Assembly calls on member states to:

8.1. In terms of knowledge and comprehensive management of migratory flows:

8.1.1. set up national and regional migration observatories;

8.1.2. keep local settlement registers so as to monitor the integration and movements of the migrants in order to take in or assist population groups often experiencing great difficulty;

8.1.3. make removals from the country more secure by using closely supervised international charter flights, with guarantees of prior judicial procedures and the establishment of contractual procedures with the countries agreeing to readmit the persons concerned, while ensuring respect for their human rights.

8.2. In terms of dealing with specific migratory movements:

8.2.1. offer an alternative to political asylum for migrants who were not persecuted by the authorities but by another ethnic group in their country or by armed groups operating unlawfully;

8.2.2. organise personalised supervision of migrant students, in co-operation with their countries of origin and the consulates or embassies in those countries, so as to smooth the path of academic success for some and the return home or entry into employment of others;

8.2.3. adopt binding legislative measures to deal with prenatal migration and prevent unlawful procedures in the area of paternal and adoption migration;

8.2.4. facilitate cultural migration by issuing appropriate visas.

8.3. In terms of the harmonisation of European legislation:

8.3.1. co-operate in harmonising legislation on family reunification;

8.3.2. co-operate in harmonising legislation on medical assistance for irregular migrants;

8.3.3. co-operate in harmonising legislation on learning the language of the host country;

8.3.4. co-operate in harmonising legislation on admitting the children of irregular migrants to schools.

9. In order to expand aid to Sub-Saharan Africa and ties between countries of origin and host countries, the Assembly calls on member states to:

9.1. develop public awareness of Africa and encourage twinning arrangements and facilitate decentralised cooperation projects;

9.2. develop a central register of specialists in the various African languages capable of conversing with nationals of countries of origin when they have difficulties communicating with the authorities;

9.3. provide financial incentives for legal remittances to countries of origin by bearing part of the costs;

9.4. encourage transfers of know-how by members of diasporas to their countries of origin by introducing simplified visa procedures and a system for making up some of the earnings lost by those who travel for that purpose;

9.5. take the necessary measures for respecting the religious traditions and cultural practices of immigrants from Sub-Saharan Africa;

9.6. impose penalties on practices that violate human rights such as female circumcision and all forms of genital mutilation;

9.7. establish or strengthen positive discrimination measures for Sub-Saharan immigrants, in particular in the fields of education, housing and health;

9.8. mobilise the maximum amount of resources to curb or halt the pandemics crippling growth in the infected regions of Sub-Saharan Africa.

10. With a view to gradually bringing the procedures applicable to migrants from Sub-Saharan Africa into line with those for other migrants, the Assembly reminds member states of the need to comply with the following provisions:

10.1. that all migrants from Sub-Saharan Africa are provided with a document specifying their rights and duties;

10.2. that they are provided with the services of an interpreter in their own language;

10.3. that conditions in transit and detention centres are made more humane;

10.4. in such centres, that proper differentiation between categories of migrants is ensured in the processing of flows of migrants and asylum seekers;

10.5. that host countries seek to conclude readmission agreements and expand assistance for the return home of persons not granted asylum;

10.6. that the countries concerned step up efforts to combat smuggling networks and impose stricter penalties on them;

10.7. that the countries concerned step up controls and impose stricter penalties on the underground labour market.

B. Explanatory memorandum, by Mr Jean-Guy Branger[1]

1. Introduction

1. In terms of migration "flows" (inward and outward), Africa is the continent most affected by migration. External migration flows involve between 2 and 4 million people every year. Permanent or seasonal internal migration involves between 16 and 25 million, with the share declining steadily as external migration increases. The causes of migration are the armed conflicts which currently affect 24 African countries, the closure of borders by some of these countries and the brain drain which drives members of the elite towards countries in the north. Some cases of internal migration occur when refugees flee from one country to another because of wars or famine, with migrant numbers here varying between 2 and 6 million a year. In contrast, displaced persons (currently numbering 12 million, almost half of whom are in Sudan) remain within their country of origin, in an equally vulnerable position.

2. With regard to migrant "stocks" (migrants settled in a host country), between a quarter and a third of some 200 million migrants worldwide come from Africa. More specifically, migration from Sub-Saharan Africa currently accounts for between 3.5 and 8 million people in Europe, mainly concentrated in seven countries: Belgium, France, Italy, the Netherlands, Portugal, Spain and the United Kingdom.

3. These statistics are not accurate. Most of the data relate to the period between 1998 and 2002 and have been taken from censuses which record only those who were willing or able to be included in the survey. Irregular migration is not factored into the calculations of the total number of migrants. The usual definition of an immigrant as a person over the age of 18 plays down the level of migration flows. For example, the recorded figures of 40 000 Malians residing in France, 40 000 DRC nationals in Belgium and 100 000 Nigerians in the United Kingdom must be multiplied by between 3 and 8 to reflect the size of the migrant communities settled in these countries, including any children born in the host country.

4. However, there are institutes, research establishments and university departments in Europe which collect data about migrants' actual lives in their host countries and are therefore able to supply information, or correct information that has been oversimplified, about migrants from Africa. The ACERD network (World Directory of Population Study and Research Centres) lists 704 centres, including over 200 in Europe, while the RIERDEN database (International Index for Demography Studies and Research in Europe) lists 500 centres, including over 160 in Europe. Co-ordination is currently performed by the Committee for International Co-operation in National Research in Demography (CICRED), an NGO based at the French National Institute of Demographic Studies (INED) in Paris.

2. The causes of migration

5. In the case of migration from Sub-Saharan Africa, a distinction must be made between the structural causes which have existed for many years and the cyclical factors that might speed up or slow down the rate of migration flows. Among the reasons for migration, some are related to people's desire to leave (push factors) and the others to the appeal of Europe in Sub-Saharan Africa (pull factors).

6. The push-type structural causes include population growth that outstrips economic growth; urban development in Africa giving rise to poverty, poor quality of life and conflicts; African populations' uncertainty about their physical safety, medical care, economic conditions and food supplies; and corruption and misappropriation of the aid granted by donors or lenders, which does not primarily go to those who need it most. The pull factors mainly involve the widening gap between standards of living in the rich countries and Africa's most attractive countries; continuing demand for a flexible and inexpensive workforce in rich countries; the tradition of migration to Europe among members of extended families, particularly from the Senegal River region; and, lastly, a desire on the part of young people for more independent individual and family lives.

7. The push-type cyclical factors include the creeping spread of drought and desertification (often linked to population growth), and, in the longer term, the effects of global warming. The pull factors involve pressure from nationals of the countries of origin who rely on money being sent back to improve their own circumstances, and the decline in migrants' remittances to family members who stayed behind; the increase in family reunification in European countries; and inadequate immigration checks in host countries, particularly with regard to short-stay visas. On top of this comes the development of a particular view of migration enhanced by the information passed on and the gifts brought back by returning migrants. The relevant

1. The rapporteur wishes to thank Dr Jean-Paul Gourévitch, senior consultant, for his assistance in the preparation of the report.

migration is facilitated by the increasing professionalism of networks of people smugglers and the profitable nature of such smuggling, which results in migrants falling into debt and sometimes having to interrupt their journeys to find the means to pay for the next stage, as well as in the growth of parallel economic networks.

3. Types of migration

8. In the past, distinctions were made between three main types of migration: the migration of labour, family migration and political migration. There are now four types of migration, each with its own variants.

9. In the case of the migration of workers, the migrants take up employment in another country, either permanently (permanent migration) or on a short-term basis (seasonal migration). There are several variants here. One of the most important is student migration. For example, students from Africa account for over half of all foreign students in France, and nobody knows how many return to their country of origin after their studies. Yet, according to all the reports consulted, students from Sub-Saharan Africa who come to study in Europe, with or without grants, find it very difficult to complete their education. There are economic, cultural and psychological/ physiological reasons for this. The host countries do not intervene in the process, tending to be unaware of both the group concerned and its difficulties. The migration of skills (brain drain) is exacerbated by lobbying and offers of employment from rich countries. Celebrity migration involves sports and music stars, also extending to their immediate circle, and encourages young people to aspire to similar career paths. Musicians, film directors, artists, creative workers and sports and show-business stars need to be able to travel abroad constantly for professional purposes. However, visa formalities are often long, or serve as a deterrent. Shuttle migration entails a succession of journeys between the host country and the country of origin in order to sell goods imported from the latter, returning home with goods which are unavailable there. This is less widespread in Africa than in east European countries, but does extend to trade in drugs, animals, plants, medicines and works of art, etc. Lastly, sex-trade migration particularly affects women from English-speaking African countries, as well as the procurers who live off their earnings, but it also occurs in French and Portuguese-speaking countries in Africa.

10. Family migration is the process whereby women and children travel to join their husbands/fathers in the countries where they are employed, either legally through the provisions on family reunification or illegally by overstaying temporary visas and hoping subsequently to be granted legal residence status. It includes variations such as marital migration whereby a husband or bride is sought in the country of origin and is then brought back to the host country, or migrants set off for a host country, with or without a promise in advance, with a view to marriage to, or a long-term relationship with, one of its nationals. Other variants place migrants in vulnerable situations or give rise to criminal trafficking. In prenatal migration, the migrant comes to give birth in a host country with better health services in the hope that the child will have the nationality of the country in which he/she is born and will go to school in that host country, and that the parents will subsequently obtain the status of legal immigrants. In the case of paternal migration, women offer to sell the paternity of their offspring to undocumented immigrants to enable them to obtain legal residence status: this trade is a recent phenomenon which is thought to be growing rapidly. Lastly, in the case of adoption migration, African children are transferred legally or on humanitarian pretexts from their countries of origin to European families wishing to adopt them.

11. Social migration is the choice migrants make to settle in a country whose social legislation offers them better access to assistance and housing. The most common variant is medical migration whereby migrants come to a country where they will receive a better level of health care, where they are sometimes entitled to free medical treatment as irregular migrants, and from which they cannot be deported precisely because of their state of health. However, it is also necessary to note the migration of minors, in which case “accompanied” minors are sent to a host country in the expectation that the social services there will look after them if the “parent” disappears.

12. Political migration mainly involves asylum being sought by victims of political or religious persecution by governments or unlawful armed groups. Environmental migration is the result of threats to the planet (desertification, global warming, natural disasters) or local industrial developments (construction of dams and ports) which alter the geography or hydrography of countries of origin, leading migrants to settle in safer countries, either temporarily or for good.

13. Other forms of migration from rich countries to emerging countries (migrants moving for tax reasons, migrant entrepreneurs and people retiring abroad) barely concern Sub-Saharan Africa.

4. Spotlight on the progression of migration

14. The result of the above diversification, in the light of the policies and specific laws in each state, and despite the gradual European harmonisation of migration policies, is an increasingly widespread tendency for migrants to shop around. Migrants, with the support of the existing diaspora, naturally choose the country which will benefit them the most and involve the lowest risk, particularly of being deported. This shopping around is gradually replacing the older tradition of choosing a country where the migrant speaks the same language and where a large diaspora already exists. It may involve several stages such as temporary settlement in a transit country where the migrants work to pay for the next stage in their journey or entry into a country with more open borders from which migrants then travel to the country of their choice thanks to the relative ease of movement within the Schengen area.

15. The other main changes relate to the shifting nature of migration processes which, instead of involving an either/or choice between settling and coming or being sent back home, now operate according to varied strategies involving transit countries, stop-off points, round trips and co-ordinated routes, and the increased amount of medical and social immigration encouraged by the attention given in host countries to the most disadvantaged population groups. There is also the feminisation of migration (47%), which fosters commercial and creative activity, but also involves a very high rate of inactivity among those women who cannot find or do not look for work in the host country.

16. These trends, which are boosting migration flows, are also causing some tension among sections of the population in host countries, sometimes verging on xenophobia. The racism directed against “blacks” which is gradually taking over from racism against North Africans, and which sometimes brings with it a backlash of anti-white racism, is taking hold in countries where these conspicuous minority groups are present in large numbers and assert their demands. It readily draws on accusations of polygamy and illiteracy against some members of these communities, and on the petty crime recorded in neighbourhoods where they are in the majority, overlooking the fact that these conspicuous minorities are not reported to play much part in serious crime.

5. Spotlight on clandestine migration across the Sahara

17. The transit countries of Mauritania, Morocco, Libya and, to a lesser extent, Tunisia and Algeria are currently faced with significant numbers of migrants from Sub-Saharan Africa (at least 100 000 people a year) who pass through their territory while heading for Europe or, alternatively, try to stay there while waiting for an opportunity to cross the Mediterranean. It is thought that there are currently between 1 and 1.5 million migrants in transit in Libya and roughly 100 000 in Mauritania and Algeria, with slightly fewer in Tunisia and Morocco. Libya’s pan-African policy in the 1990s, which had drawn in many Africans, has become more anti-migration since 2000, forcing migrants from Sub-Saharan Africa to seek alternative routes. Morocco has arrested and sent back several thousand migrants from Sub-Saharan Africa. There are also between 2.2 and 4 million migrants currently living in Egypt.

18. These countries act as gathering places and embarkation points near to the European El Dorado. It is 1 500 kilometres from the suburbs of Dakar to the Canary Isles. A shorter journey is possible (850 km) for anyone crossing by boat from the Mauritanian coast. The Spanish enclaves of Ceuta and Melilla in Morocco, which have been overwhelmed by migrants several times despite the building of their protective walls, are a safer option than the Strait of Gibraltar, which is under constant surveillance from the air and by patrol boats on the lookout for vessels transporting irregular migrants. The Italian islands of Pantelleria, Lampedusa and Sicily are close to the coasts of Tunisia and Libya. Other destinations could become bridgeheads in the future, for instance Malta, Cyprus, the Azores and Madeira. Some recent statistics seem to indicate that the flow of irregular migrants has slowed (officially,5 200 arrived in Italy by sea in the first half of 2007, against the 2006 figure of 9 300), as the effectiveness of the FRONTEX system has increased, and following the tragedies in the Mediterranean given wide coverage by the popular press. Confirmation over a longer period is needed.

19. Contrary to a widely held belief, there is a very broad range of potential candidates for irregular migrants. It is not the poorest who emigrate, as migrants need financial, intellectual, social and relational assets in order to succeed. In almost all the cases observed, migrants’ journeys are under the control of African or North African mafias or subcontractors working for international mafias, which are networks with a professional set-up taking the opportunity to cash in on the trafficking of migrants and which inspire trust because they are ethnically or linguistically close to the would-be migrants

20. Many migrants do not have documents, either because they come from countries without proper population registers and where “official” documents are very expensive, because the people who smuggled or accompanied them have confiscated the documents until they pay the full cost of their voyage or, most

frequently, because they have destroyed them so as to avoid being sent back to their countries of origin. As some European countries have taken steps so that any individuals who cannot produce their documents are immediately removed from the country, many migrants prefer to take their chance with forged documents. This has resulted in an industry which is highly developed on both shores of the Mediterranean, is very lucrative because of the high prices charged for documents and sometimes operates in broad daylight in the vicinity of embassies. It is sustained by thefts of blank documents and by counterfeiting. Forged document detection procedures are not all of the same standard in Europe's various countries, not all of which have the most sophisticated technologies available. The forged document trade, as migrants themselves admit, enables extensive fraud to take place. The trade is not limited to migrants from Sub-Saharan Africa, although it is particularly widespread in their case, often corresponding to habits acquired in states where corruption is widespread and a lax attitude tends to be taken by the authorities.

21. Many migrants, whether legal or illegal, have difficulty explaining themselves to the authorities. There are large numbers of ethnic groups in Africa, with a variety of languages. But there is a pool of specialists in Europe, most of them born in Africa, capable of identifying their compatriots and talking to them in their own language. There is no central register that could be used to call in these specialists when difficulties arise. In the context of Sub-Saharan migration, bringing such a central register into operation should be a priority. Specialists would be called in by the authorities on a voluntary basis and would be paid for their services.

22. According to the surveys carried out, however, it seems that most irregular migrants are persons who have obtained a short-stay visa and have remained in their host country once it has expired. The deterrent measures taken when visas are issued (production of an invitation, payment of a deposit refundable on return, etc.) have had little effect. Such migrants enjoy the solidarity of the diaspora settled in the country, which puts them up or helps them to obtain housing, a job or social benefits enabling them to survive. What is more, for humanitarian, legal or political reasons, no host country has embarked on a procedure whereby the family, the village, or even the country which encouraged such migration is financially penalised. The consequences observed are a lengthening of visa issuing procedures, an increase in the number of documents required to obtain visas and a decline in the number of visas granted. Shopping around by migrants has also begun prior to departure, with some embassies having a reputation for being more "generous" than others. Once an entry visa for a country has been obtained, migrants can move on to the country where they wish to settle for good.

23. Removals to Sub-Saharan Africa carried out by the police by order of the courts, once all remedies have been exhausted, are possible only by air. Charter flights have a poor public image. However, political leaders' calls for civil disobedience, associations' attempts to prevent such removals, airlines' reluctance to accept persons being expelled, fellow passengers' calls for resistance in order to "set free the people in chains" and physical resistance by the persons being removed, causing damage to the aircraft used, sometimes with the assistance of people waiting for them at the airport, mean that removals by ordinary means of transport are not secure. The relevant arrangements also drastically limit the numbers of removals possible.

6. The challenges faced by Europe

24. Immigration from Sub-Saharan Africa involves four major challenges for Europe: that of an alternative to the ageing of its population, that of the need to combat discrimination, that of controlling the black economy and, lastly, the less well-known challenge of managing the informal economy.

25. Immigration from Sub-Saharan Africa increases both the migration balance and the fertility rate. However, can it offset the effects of the "demographic winter" currently affecting Europe, which is causing a decline in the working population and problems with the funding of pensions and social protection? That would require the immigration primarily to be labour immigration or, in the longer term, the children of the immigrants to find employment in the formal sector, in line with the needs of the host countries.

26. Although they have strong legislation against discrimination, are European countries really able to guarantee that migrants settling there will receive fair access to housing, employment, health care and education? The difficulties observed in various European countries where immigrants are concentrated in "problem" neighbourhoods, which they themselves often regard as "ghettos", show that, in spite of the authorities' efforts to reconcile order with progress and, indeed, to implement positive discrimination, the road to equal opportunities is still long.

27. The above points show that, in spite of their common desire to combat irregular migration, the deterrent policies implemented, the negative signals sent out to the nationals of countries of origin, tightened border controls and the attempts to process the claims of asylum seekers before they arrive in Europe, European countries are failing to contain rapidly rising immigration. Could the situation actually be any different while the

gap between living conditions in the North and in the South continues to widen and when, confronted with immigration pressure from Africa, Europe is incapable of speaking with one voice and harmonising its procedures?

28. The informal economy, from its most acceptable forms (exchanges of services) right through to serious criminal activities (trafficking and money laundering), accounts for an average of between a fifth and a quarter of European countries' GDP. It sustains whole networks which redistribute part of their earnings to those close to them so as to develop neighbouring communities' loyalty to their suppliers and encourage, if not impose through intimidation, a code of silence about their practices. It poses a challenge to a Europe based on compliance with national and international legislation, which can no longer contain it but is attempting to manage it. Although migration from Sub-Saharan Africa did not create this informal economic activity, which was already in existence, it is responsible for much of its expansion, which, paradoxically, helps migrants to integrate into their host countries. Another consequence is the development of "ethnic business", which is not unique to Sub-Saharan immigration but does concern it. Some business sectors such as hairdressing, catering, cleaning and local grocery shops are in the hands of veritable ethnic networks which have made them their preserve and offer employment to newcomers while keeping out immigrants from other backgrounds wishing to enter them. This ethnic business trend is accentuated by the fact that recently arrived migrants often encounter difficulties in finding conventional employment, especially when there are no counterbalances to management in the firms concerned. They therefore fend for themselves and set up local ethnic businesses, with entire neighbourhoods being settled by immigrants from one country.

29. To discourage migrants from leaving home and risking their lives in illegal immigration attempts, European countries generally advocate granting extensive development aid so that Africans stay in their own countries. The aid is provided through individual or voluntary-sector initiatives, and also involves bilateral or multilateral contributions from states and other donors and lenders. Many reports indicate that it is commonly misappropriated, frequently ineffective, generates dependence rather than productivity and has not yet attained a sufficiently high profile to trigger a significant response among the population groups concerned. The population in host countries plays only a small part in the process, as it often fails to differentiate between Africans from different countries and ethnic groups, which all have their own specific traditions, cultures, religions and social practices. Only twinning arrangements and decentralised co-operation involving the local population can facilitate contacts between Europe and Africa and make it possible not only to meet the specific needs of any given population group, but also to provide the follow-up which is often lacking in development aid processes.

30. With informal transfers taking place in the suitcases of returning migrants and via networks of small traders, and with a significant percentage being charged for secure methods such as Western Union transfers, there is less and less incentive to make cash transfers, which in any case are becoming less substantial as families are reunited. Immigrants prefer to keep funds for forthcoming arrivals, rather than spending on activities that they will be unable to monitor closely. Remittances nevertheless total more than the aid granted to countries of origin by host countries. Thought needs to be given to the relevant issues so as to find a win-win procedure of benefit to both sending and receiving countries.

31. Migrants permanently settled in their host country have information available to them and have acquired all kinds of technical know-how which might be useful to their compatriots who have stayed put. Transfers of migrants' know-how to their home countries by members of the diaspora have already been tried out with encouraging results in the Maghreb region. While arrangements of this kind would probably not escape some abuse and might encourage emigration, these drawbacks would be largely offset by the benefits of the transfer of know-how and the strengthening of the ties between countries of origin and host countries.

7. Transnational policies on Sub-Saharan immigration

32. The migration policy of the African Union (AU). Although the need to help African countries to develop so that immigration and, in particular, the brain drain can be curbed is constantly emphasised, the African Union's policies remain unclear. The AU seems paralysed by internal divisions and incapable of resolving conflicts that arise on the continent or of taking action against trafficking in women and children. It has drawn up charters to protect migrants and refugees, but does not implement them.

33. The policy pursued by donors and lenders. Having gradually abandoned the "trade not aid" slogan in the face of the terrible poverty in Africa, they have no defined policy. Their efforts are limited to providing emerging countries with conditional aid to end spiralling debt, and to providing emergency funds for combating pandemic diseases such as malaria, Aids and tuberculosis. In return, they profit from supplying technical

assistance, equipment and consumer goods, but are unable to exercise control over the arms trafficking in which some of the wealth being created in Africa is now invested or to enable exporting countries to profit from sales of their goods on international markets.

34. The policy of NGOs and humanitarian organisations is to try and deal with the most pressing problems first, given their limited resources and the levels of violence and poverty and the numbers of flashpoints in Africa. There has not been enough tangible progress in co-development, preventive medicine and the education of girls to make people more aware that Africa has boundless potential for development, and that its future lies in the hands of its own people.

35. The policy of the European Union. The European harmonisation of migration policies has seen considerable progress through the Schengen Agreements, the SIS, the Dublin Convention, the Maastricht and Amsterdam treaties and the Tampere, Thessaloníki and Rabat summits. But there are some stumbling blocks: the specific characteristics of different legislation, the measures taken by countries to protect their labour markets, the cautiousness over opening up to non-EU countries and, more generally, a distrust of immigration from Sub-Saharan Africa, regarded as an immigration of settlers rather than of a workforce.

8. The difficult move towards European migration policies

36. The move towards European migration policies is far from complete. Europeans are divided over many issues, with regard both to the control of flows and to the management of stocks. Legislation varies and is sometimes non-existent, while many questions remain, each involving different responses.

37. This is true, for instance, of the reunification of families. To whom should it apply? Married couples, unmarried couples, civil partnerships, couples in proven stable relationships, homosexual couples or polygamous families? How far does it extend (ascendants, descendants, adopted children)? What is the age limit for the latter? What resources are required by the receiving person? Should social benefits be taken into account or only wages? Should bank guarantees be provided? What size of accommodation is required according to the number of persons taken in; for how long are the residence permits valid and to what benefits are the persons concerned entitled?

38. The same is also true of medical assistance. Many migrants, and not just those who come for medical reasons, arrive in their host country in a worrying state of health. Countries have not taken advantage of this situation to bring their legislation more closely into line. Who should benefit from the medical assistance, that is, only regular or also irregular migrants? How should their medical files be drawn up and what liaison should there be with the country of origin regarding previous treatment? What is the maximum length of stay and treatment in cases of serious or terminal illness? What arrangements are made for payment: deposit by the patients, respective shares paid by the state and the patients? What is the status of patients who recover: immediate departure, deferred departure or settlement allowed in the host country?

39. The learning of the host country's language, which is gradually becoming a requirement, varies in significance depending on the categories of persons required to learn the language (permanent or temporary immigrants, extension of the requirement to ascendants and descendants), the required level of knowledge and whether or not entrance exams are held. Is training provided for migrants? Is it provided before or after arrival, is it compulsory or optional, and do decisions involving granting of residence, deferral or return to the country of origin depend on it?

40. Respect for religious practices and traditions also presents lawmakers with major challenges and is not always positively viewed in the host country. Most of the migrants now arriving from Sub-Saharan Africa are Muslims and experience significant difficulties in practising their religion in acceptable conditions. Furthermore, some of their traditional practices (female circumcision, polygamy, etc.) shock the vast majority of the public, but not all countries penalise them in the same way.

9. Conclusions: possibilities for the future

41. In response to these circumstances, researchers and policy makers have tried to outline a vision of a 21st-century Europe where globalisation and internationalisation will regulate movements of people, messages and goods. There are a number of distinct possibilities based on various disputed predictions of demographic and geopolitical developments.

42. There are several scenarios: the scenario of a "Fortress Europe" which holds out against the surge of Sub-Saharan migrants as well as multicultural scenarios where social and cultural diversity coexist peacefully in Europe.

43. In scenarios reflecting vulnerability, migration flows are regarded as unavoidable and questions are raised about the ensuing risks for European states threatened with financial collapse (public debt, overvaluation of the euro), political problems (militant Islam), environmental difficulties (pollution) or technological hazards (cyber-crime). Various forms of development aid (debt cancellation, co-development, re-migration, private investment and virtual immigration) are advocated in order to slow down immigration.

44. Under proactive scenarios, Europe overcomes its weaknesses through a policy encouraging longer working hours, while youth unemployment is reduced and the fertility rate increased. The idea is that greater productivity and better-targeted consumer spending will create employment niches (jobs providing assistance to individuals, running sports and cultural activities and providing services within the community) which will enable poorly trained immigrants to find adequately paid employment in line with their skills.

45. Lastly, under scenarios of openness, in response to its declining population and geopolitical influence, Europe works with other powers. This open approach was initially focused on eastern Europe ("Greater Europe from Ireland to the Urals") and then on the Balkans and Turkey. Today, it has moved towards a Euro-Mediterranean partnership (Barcelona Agreement, Rabat Conference, Tangiers appeal by President Sarkozy of France), which would create an area of free trade, or even of free movement, on both sides of the Mediterranean, and could foster the South-South co-operation which is still in its early stages.

46. The current problems of migrants from Sub-Saharan Africa clearly need to be tackled from the broader perspective of the 21st century, where, as some politicians say, "Africa is Europe's future". At the same time, futurologists are not decision makers and none of them are capable of solving the immediate problems facing those who take in migrants from Sub-Saharan Africa. However, in order to expose generalisations and stereotypes, to replace knee-jerk reactions with proper reflection, to avoid waffle and emotive approaches and to combat unspoken resentments, hasty conclusions, ill-judged comments and statements that go too far, proper information must be provided as an absolute priority. The Assembly must therefore review the issues that remain obscure and the questions that have not yet been looked into so that heightened awareness of the importance, complexity and impact of Sub-Saharan migration enables Europe to move towards the definition of a migration policy that is welcoming, strict and effective.

Reporting committee: Committee on Migration, Refugees and Population.

Reference to committee: Doc. 10717 and Reference No. 3148 of 25 November 2005 – Reference extended until 30 May 2008.

Draft resolution unanimously adopted by the committee on 22 January 2008.

Members of the committee: Mrs Corien W.A. **Jonker** (Chairperson), Mr Doug Henderson (1st Vice-Chairperson), Mr Pedro **Agramunt** (2nd Vice-Chairperson), Mr Alessandro **Rossi** (3rd Vice-Chairperson), Mrs Tina Acketoft, Mr Ioannis **Banias**, Ms Donka **Banović**, Mr Akhmed **Bilalov**, Mr Italo Bocchino, Mr Jean-Guy **Branger**, Mr Márton **Braun**, Mr André **Bugnon**, Lord **Burlison**, Mr Mevlüt **Çavuşoğlu**, Mr Sergej Chelemendik, Mr Christopher Chope, Mr Boriss **Cilevičs**, Mrs Minodora **Cliveti**, Mr Telmo Correia, Mr Ivica **Dačić**, Mr Joseph Debono Grech, Mr Taulant Dedja, Mr Nikolaos **Dendias**, Mr Mitko Dimitrov, Mr Karl Donabauer, Mr Tuur **Elzinga**, Mr Valeriy **Fedorov**, Mr Oleksandr Feldman, Mrs Doris **Fiala**, Mr Paul Giacobbi, Mrs Gunn Karin Gjul, Mrs Angelika Graf, Mr John Greenway, Mr Tony Gregory, Mr Andrzej **Grzyb**, Mr Michael **Hagberg**, Mrs Gultakin **Hajiyeva**, Mr Davit **Harutyunyan**, Mr Jürgen Herrmann, Mr Bernd Heynemann, Mr Jean **Huss**, Mr Ilie **Ilaşcu**, Mr Tadeusz **Iwiński**, Mr Mustafa Jemiliev (alternate: Mrs Olena Bondarenko), Mr Tomáš **Jirsa**, Mr Reijo **Kallio**, Mr Hakki **Keskin**, Mr Egidijus **Klumbys**, Mr Dimitrij Kovačič, Mr Andros Kyprianou, Mr Geert **Lambert**, Mr Massimo Livi Bacci, Mr Younal Loutfi (alternate: Mrs Aneliya **Atanasova**), Mr Andrija Mandić, Mr Jean-Pierre Masseret, Mr Slavko Matić, Mr Giorgio Mele, Mrs Ana Catarina Mendonça, Mr Gebhard **Negele**, Mr Hryhoriy **Omelchenko**, Mrs Vera Oskina, Mr Morten **Østergaard**, Mr Grigore Petrenco, Mr Cezar Florin **Preda**, Mr Gabino Puche, Mr Milorad Pupovac, Mrs Mailis Reps, Mrs Michaela **Sburny**, Mr André Schneider, Mr Samad Seyidov, Mr Steingrímur J. **Sigfússon**, Mrs Miet **Smet**, Mr Giacomo Stucchi, Mr Vilmos Szabó, Mrs Elene **Tevdoradze**, Mr Tuğrul **Türkeş**, Mrs Özlem **Türköne**, Mrs Rosario **Velasco García**, Mr Michał **Wojtczak**, Mr Andrej Zernovski, Mr Vladimir Zhirinovsky, Mr Jiří Zlatuška.

NB: The names of those members present at the meeting are printed in bold.

See 18th Sitting, 18 April 2008 (adoption of the draft resolution); and Resolution 1611.