Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 11638
17 June 2008

Situation of longstanding refugees and displaced persons in South-Eastern Europe

Reply to Recommendation[1]: Recommendation 1802 (2007)
Committee of Ministers

1. The Committee of Ministers has carefully studied Recommendation 1802 (2007) of the Parliamentary Assembly on the situation of longstanding refugees and displaced persons in South-Eastern Europe. It thanks the Assembly for providing an up-to-date and panoramic picture of the situation in that region, emphasising both progress made and action still needed to improve conditions for the return of refugee and displaced populations even further. It has transmitted the recommendation to the member states, and communicated it to the European Committee on Migration (CDMG), the Committee of Experts on Roma and Travellers (MG-S-ROM) and the Steering Committee for Human Rights (CDDH), for information and possible comments. The comments received are appended.

2. The Committee of Ministers reaffirms the position taken in this field in the Action Plan adopted by the 3rd Summit of Heads of State and Government of the Council of Europe (Warsaw, May 2005). The Council of Europe is pursuing its efforts to devise and implement policies on migration and integration based on the principles of respect for human rights, democracy and the rule of law, for the purpose of ensuring orderly migration, social cohesion and respect for individuals.

3. The Committee of Ministers wishes to inform the Assembly that it regards the return, integration and reintegration of refugees, displaced persons and persons under humanitarian protection as one of the main challenges facing the countries of South-Eastern Europe, and one of the continuous priorities for action by the Council of Europe in the field of migration. The Committee of Ministers acknowledges the progress achieved and welcomes the national endeavours as well as bilateral and regional co-operation or initiatives in this matter. It supports further efforts in finding appropriate solutions to the outstanding issues.

4. The Committee of Ministers recalls that the CDMG's work in this area is based on several major principles, to which it would like to draw the attention of the Parliamentary Assembly and the member states in the region. It considers that policies on community relations should be inspired by the principles laid down in its Recommendation No. R (92) 12, that is, security of residence for lawful migrants, determined action to bring about real equality of opportunity, effective measures to combat racism and xenophobia, the fullest possible participation of migrants in the life of the host community, and openness to the cultures and customs of migrants. These policies should also, as decided by the European Ministers responsible for migration affairs at their last conference (Helsinki, September 2002), promote an open and welcoming society, favouring full and comprehensive participation by all in economic, social, cultural and political life, mutual understanding, and a willingness to adjust on the part of both majority and minority communities.

5. The Committee of Ministers refers to the public policy recommendations elaborated by the CDMG in its main texts on integration and community relations, especially its reports on community relations in Europe (1991) and on diversity and cohesion: new challenges for the integration of immigrants and minorities (2000), as well as its framework of integration policies (2000) and its series of publications on the various aspects of community relations (for example, access to employment, religion, the fight against racist and xenophobic

1. Adopted by the Committee of Ministers on 11 June 2008, at the 1029th meeting of the Ministers' Deputies.

violence, the problems of women, and police training). It informs the Assembly that migration management and the integration of migrants and their families will remain priorities in this field in the 2008 Programme of Activities. The Committee of Ministers also refers to its Recommendation Rec(2006)6 on internally displaced persons.

6. The Committee of Ministers urges all the governments and competent authorities concerned in the region to take note of paragraph 14.1 of the recommendation and, in particular, to implement the instruments mentioned by the Parliamentary Assembly. Taking note of the views and suggestions expressed in this recommendation, the Committee of Ministers underlines the importance, for the whole region, of providing an adequate response to the needs of refugees, returnees and internally displaced persons (IDPs) through finding a durable solution for their voluntary and sustainable return or their local integration.

7. Finally, the Committee of Ministers has asked its chair to send the recommendation and this reply to the Congress of Local and Regional Authorities of the Council of Europe, the Commissioner for Human Rights and the governing board of the Council of Europe Development Bank.

Appendix – Opinion of the European Committee on Migration (CDMG) on Parliamentary Assembly Recommendation 1802 (2007)

1. The European Committee on Migration (CDMG) welcomes the attention of the Parliamentary Assembly of the Council of Europe to the situation of longstanding refugees and internally displaced persons (IDPs) in South-Eastern Europe. The CDMG reminds the Committee of Ministers that its members from South-Eastern Europe have identified, as one of their major challenges for the region and priorities for future action by the Council of Europe, the return and (re)integration of refugees, IDPs and persons under humanitarian protection.

2. This topic was one of several topics relevant to migration and integration that were presented and discussed during an exchange of views on the challenges and priorities for SouthEastern Europe at the 53rd meeting of the CDMG (Strasbourg, 14-16 May 2007). Other topics included labour migration within and out of the region, assistance in the implementation of readmission agreements, voluntary returns and the reintegration of returnees and relations with diasporas. The CDMG has agreed that these topics should be reflected in the proposals that it is currently preparing for the attention of the Committee of Ministers for future activities on migration, integration and community relations.

3. Notwithstanding the proposals for possible future activities, the Committee of Ministers may wish to remind the Parliamentary Assembly and draw the attention of the member states in the region to the important body of advice and guidance on policy and practice that the CDMG has developed on integration and community relations. It considers that this body of advice and guidance can be usefully drawn upon and applied in the context of the issues raised by the Parliamentary Assembly's recommendation, and in particular the recommendations mentioned in paragraphs 14.1.7 and 14.1.8.

4. The CDMG reminds the Committee of Ministers that its work in this area is based on several important principles, to which it may wish to draw the attention of the Parliamentary Assembly and member states in the region. In the opinion of the CDMG, community relations policies should be based on the principles set out in Recommendation No. R (92) 12 of the Committee of Ministers, namely: security of residence for lawful migrants; determined action to bring about real equality of opportunity; effective measures to combat racism and xenophobia; the fullest possible participation of migrants in the host society; and an attitude of openness to migrants' cultures and customs. Moreover, they should, as undertaken by the European Ministers responsible for migration affairs at their last conference (Helsinki, September 2002) promote an open and welcoming society that encourages the full participation of everyone in economic, social, cultural and political life and the mutual understanding and willingness of majority and minority communities to adapt.

5. The CDMG refers, in particular, to the advice set out in its principal texts on integration and community relations; notably its reports on community and ethnic relations in Europe (1991) and diversity and cohesion: new challenges for the integration of immigrants and minorities (2000) and its framework for integration policies (2000), as well as its series of publications on different aspects of community relations (for example, access to employment, religion, tackling racist and xenophobic violence, problems faced by women, and police training).

6. The CDMG also wishes to draw the attention of the Parliamentary Assembly to its ongoing co-operation with the Office of the United Nations High Commissioner for Refugees (UNHCR). It wishes to inform the Parliamentary Assembly that it is currently preparing, together with the UNHCR office in Bosnia and Herzegovina, a conference that is aimed at assisting the Government of Bosnia and Herzegovina in developing viable and effective policies on the integration of refugees and IDPs. The conference should take place in Mostar at the beginning of 2008.