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The impact of the global economic crisis on migration in Europe

Migrants and refugees: a continuing challenge for the Council of Europe

Reply to Recommendation¹: Recommendation 1910 (2010) and Recommendation 1917 (2010)
Committee of Ministers

1. The Committee of Ministers has given close attention to Parliamentary Assembly Recommendations [1910 \(2010\)](#) on “The impact of the global economic crisis on migration in Europe” and [1917 \(2010\)](#) on “Migrants and refugees: a continuing challenge for the Council of Europe”. It has drawn both recommendations to the attention of the governments of member states to bear them in mind where appropriate. It has also forwarded them to the relevant committees,² the comments of which have been taken into account in this reply. In view of the link between these two recommendations, the Committee of Ministers has chosen to give a joint reply to them.

2. The Committee of Ministers is conscious of the many challenges that are facing member states as a result of the strong and growing influence of migration on European societies. It acknowledges that many of these challenges call for particular vigilance with regard to the protection of human rights and respect for the rule of law, and possibly more so in the current global economic climate.

3. It also agrees that in addressing migration or migration-related questions, the Council of Europe should take a human rights’ approach, with a view to strengthening and protecting the core values of the Organisation in this field. It notes with satisfaction the focus given by the Assembly, *inter alia*, to the protection of human rights of migrants, asylum seekers, refugees and displaced persons; to promoting cultural diversity and integration of migrants and to combating xenophobia, discrimination and trafficking in human beings which fall within the core objectives of the Organisation.

4. On a general note, the Committee of Ministers would first highlight the extensive standard-setting and policy work already carried out in the intergovernmental sector on migration-related issues. Such activities have addressed questions such as integration, legal and social protection of migrants and persons of migrant background, life projects for unaccompanied minors, but also questions such as the impact of the financial crisis on the social security systems and the labour markets. It would stress the importance of promoting the implementation of the existing standards and policies in this field with a view to furthering their impact in member states.

1. Adopted at the 1103rd meeting of the Ministers’ Deputies (19-20 January 2011).

2. The European Committee on Migration (CDMG), the European Committee for Social Cohesion (CDCS), the Steering Committee for Human Rights (CDDH), the European Commission against Racism and Intolerance (ECRI), the European Committee of Social Rights (ECSR), the Governmental Committee of the European Social Charter, the European Committee on Legal Co-operation (CDCJ) and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).



5. The Committee of Ministers also considers it important to draw attention to the relevant work carried out by the various monitoring mechanisms of the Council of Europe alongside the European Court of Human Rights, such as the European Committee of Social Rights (ECSR), the European Commission against Racism and Intolerance (ECRI) and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), as well as the work of the Commissioner for Human Rights. The activities and procedures of these bodies are efficient tools in identifying problems in member states and proposing solutions.

6. In this respect, it would in particular draw attention to the revised European Social Charter which can be considered an instrument to protect migrant workers both in so far as several of its articles (18, 19 and E) expressly guarantee protection and assistance to migrants and their families and prohibit discrimination, and in that it provides for monitoring procedures to check that states are honouring their commitments. This is reflected in the Committee's regular conclusions on the reports presented by states on the fulfilment of their obligations to nationals of other states party in their countries and in several of its decisions on collective complaints.

7. The ECRI for its part, continues to pay careful attention to the situation of migrants, refugees and asylum-seekers and the manner in which they are affected by racism, racial discrimination, xenophobia and related forms of intolerance, including with regard to access to social rights such as education, employment and health care. It continues to make recommendations to the authorities of Council of Europe member states, in the context of its country-by-country monitoring work, on steps that they can take to combat such phenomena. It monitors closely the impact of the economic crisis on racism and racial discrimination

8. The Commissioner for Human Rights pays particular attention to the protection of the human rights of migrants (including asylum seekers) as he considers they are one of the most vulnerable social groups in need of effective protection by member states. He has engaged in dialogue with the authorities of certain member states regarding migration policies and practices which raise serious issues of compatibility with Council of Europe and international human rights standards. In addition to this constructive dialogue, migration-related issues have also been covered in a number of documents published by the Commissioner, such as country visit reports, issue papers, viewpoints and human rights comments. On 17-18 February 2011, a seminar entitled "Human Rights Dimensions of Migration in Europe" will be organised in Istanbul in the framework of the Turkish Chairmanship of the Committee of Ministers, in co-operation with the Office of the Commissioner.

9. The Assembly will be aware, that in the context of the priorities and reforms of the Organisation, a general review of the Council of Europe's activities in the field of migration is currently under way. 2011 may therefore be regarded as a transition year. The aim of this review is to take stock of the situation with a view to streamlining work in this area to achieve better co-ordination and retain activities with high impact. First measures have been taken by the Secretary General with a view to promoting transversal co-ordination of activities related to migration, with all pertinent stakeholders (member states, European Union, UNHCR and other international organisations and civil society), also with a view to enhancing external visibility and co-operation of the Organisation's action in the field of migration. These developments are clearly in line with the Assembly's position that addressing the human rights and integration of migrants and refugees calls for a transversal and coordinated approach, with the contribution and expertise of various actors within the Organisation, from other organisations – particularly the European Union – and in member states.

10. Against this background, the Secretary General will take stock of the situation during the coming year and make proposals for the Programme and Budget in 2012 and beyond. The Assembly's recommendations are therefore timely, as they contain many relevant and interesting proposals. It would invite the Secretary General to bear them in mind, together with the substantive input provided by the concerned intergovernmental bodies on these recommendations, when elaborating his proposals in this field.