

Recommendation 1449 (2000)¹

Clandestine migration from the south of the Mediterranean into Europe

Parliamentary Assembly

1. The Parliamentary Assembly is deeply concerned at the number of victims of clandestine migration in the Mediterranean and by the extremely dangerous and inhuman conditions in which clandestine migrants, a large number of whom are women and minors, find themselves every day.
2. The Assembly notes the absence of exact figures and a shortage of reliable studies concerning clandestine migration from the south of the Mediterranean into Europe.
3. The Assembly believes that living under clandestine conditions invariably deprives people of their fundamental and social rights and their human dignity and exposes them to insecure living conditions for as long as they remain clandestine.
4. The Assembly recalls that emigration is a fundamental human right.
5. The Assembly considers that the complex problems caused by clandestine migration into and within the Council of Europe's member states require urgent solutions to which the Organisation can and must contribute in an active and specific manner.
6. The Assembly is convinced that this phenomenon, which is particularly pronounced in the Mediterranean, cannot be remedied without open and innovative dialogue and lasting co-operation between the countries on its northern and southern shores, and that the ever closer involvement in the Assembly's work of the states on the southern shore of the Mediterranean, such as Morocco, would be a decisive step in the battle against the true causes of clandestine migration.
7. The Assembly acknowledges that clandestine migration is not restricted to the Strait of Gibraltar alone and that illegal migrants also come from regions other than North Africa, in particular eastern Europe, South America and sub-Saharan Africa.
8. The Assembly recalls its earlier work on the strengthening of co-operation in the Mediterranean, for example its [Recommendation 1359 \(1998\)](#) on sustainable development in the Mediterranean and Black Sea basins, its [Recommendation 1329 \(1997\)](#) on the follow-up to the Mediterranean Conference on Population, Migration and Development (Palma de Mallorca, 15-17 October 1996), its [Recommendation 1306 \(1996\)](#) on migration from the developing countries to the European industrialised countries, its [Recommendation 1249 \(1994\)](#) on co-operation in the Mediterranean Basin, its [Recommendation 1211 \(1993\)](#) on clandestine migration: traffickers and employers of clandestine migrants, and its [Recommendation 1154 \(1991\)](#) on North African migrants in Europe.
9. The Assembly considers that promoting mobility and free circulation of people in Europe on the one hand and stepping up border controls on the other is somewhat contradictory and counter-productive for co-operation in the Mediterranean Basin.

1. Assembly debate on 28 January 2000 (8th Sitting) (see [Doc. 8599](#), report of the Committee on Migration, Refugees and Demography, rapporteur: Mrs Guirado). Text adopted by the Assembly on 28 January 2000 (8th Sitting)



10. The Assembly is convinced that the restrictions on lawful migration actually increase the likelihood of people entering Europe illegally and strengthen the image of a Fortress Europe, and that clandestine migration in the Mediterranean has increased since the early 1990s, suggesting that the action taken to date has been of limited effect.
11. The Assembly notes that these measures are an ever stronger incentive to those who exploit the hopes of others in what is in fact a cruel traffic in human beings, using increasingly sophisticated and inhuman means to make money out of clandestine migration.
12. The Assembly is alarmed at the increasing number of women, minors and other vulnerable persons among clandestine passengers.
13. The Assembly considers that restrictions of this kind have no humanitarian foundation and that the groups they hit worst are those most in need of practical solutions to the hardship and inequalities and development differentials they experience daily in their countries south of the Mediterranean.
14. The Assembly therefore recommends that the Committee of Ministers:
 - 14.1. invite the Spanish authorities to set up a permanent migration monitor in southern Spain (the most sensitive point of entry for Mediterranean-Europe emigration) in conjunction with the Council of Europe. Its chief objective would be to analyse the intrinsic dynamics of clandestine migration and the outlook for migration movements across the Mediterranean, and to conduct research into the number of clandestine migration victims as well as the causes and effects of clandestine migration in the Mediterranean and the impact and practices of trafficking in human beings and organised crime in the region;
 - 14.2. establish or step up dialogue with the competent authorities, ministries and non-governmental organisations on the southern shores of the Mediterranean with a view to implementing on-going co-operation on the economic, political and sociological causes of the problem;
 - 14.3. make this co-operation a reality, involving the International Organization for Migration (IOM), through new joint approaches to such sensitive issues as:
 - a. the possibility of temporary or seasonal work for migrants;
 - b. the role of consulates in the implementation of visa policies;
 - c. the readmittance of clandestine migrants;
 - d. police co-operation between the two shores of the Mediterranean;
 - e. the role of third party states and states of destination;
 - 14.4. support the corresponding policies of decentralised co-operation, as promoted by the Congress of Local and Regional Authorities of Europe;
 - 14.5. support the "trans-Med", programme of the Council of Europe's North-South Centre in the fields of awareness-raising, information on the social and cultural phenomena linked to immigration and the role migrants can play in co-operation and development in both the country of arrival and the country of origin;
 - 14.6. promote, in co-operation with the IOM, notably in the framework of its strategy on the western Mediterranean, an education and information policy on clandestine migration, both north and south of the Mediterranean;
 - 14.7. consider the possibilities, at a forthcoming quadripartite meeting, of the MEDA programme financing projects and programmes designed to improve the humanitarian situation of clandestine migrants in the Mediterranean;
 - 14.8. invite the member states, particularly those on the northern shore of the Mediterranean:
 - a. to step up bilateral co-operation with the southern shore of the Mediterranean in the field of illegal migration;
 - b. to set up independent structures to receive clandestine migrants and ensure that their fundamental rights are respected after their arrival;
 - 14.9. invite the receiving states to develop, in co-operation with non-governmental organisations and local authorities, training and development aid programmes at local level in the migrants' countries of origin.