Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1737 (2006)[1]

New trends and challenges for Euro-Mediterranean migration policies

Parliamentary Assembly

1. The traditional role of the Mediterranean as an economic and cultural crossroads has assumed even greater significance since the 1990s and its geopolitical situation has taken on even more importance. At the same time, the Mediterranean has seen a sharp rise in migration movements, both from the Balkans to the western parts of the continent and from North Africa to Europe.

2. Unfortunately, this increase in migration flows has also proved lucrative to criminal networks of traffickers and smugglers who exploit the hardship of potential migrants and cause human tragedies, which can lead to the death of migrants or modern slavery.

3. Such tragedies should not, however, make us lose sight of the fact that migration can also be seen in a positive light, as it also represents an opportunity. Typically, among the most recent migrants, we find women and young people who have taken this step voluntarily. They are no longer relocating under family reunification arrangements.

4. The immense economic gap between the two shores of the Mediterranean nonetheless continues to prompt illegal immigration which Council of Europe member states are attempting to halt in diverse ways: some opt for restrictive policies involving draconian and sometimes non-judicial deportation procedures which can give rise to human rights violations, others opt for regularisation policies.

5. For its part, the European Union is attempting to harmonise asylum procedures, in particular accelerated procedures, or to externalise or decentralise and even relocate such procedures to the countries on the southern shore, as has recently been seen with Libya. However, the European Parliament has warned that it would find it unacceptable for foreigners to be grouped together in external transit centres designed to process asylum applications.

6. It is undeniable that the demographic situation will mean that by the middle of the century, the number of people living on both shores will be roughly the same. Given the falling birth rate and ageing of the population in Europe, this should prompt a review of migration policies.

7. The Parliamentary Assembly welcomes the final declarations of the 1st and 2nd Euro-Mediterranean Parliamentary Forums on Migration organised in Cyprus on 20 and 21 October 2003 and Rome on 23 and 24 May 2005, respectively, by the Committee on Migration, Refugees and Population. It believes that the Council of Europe and, in particular, its European Committee on Migration (CDMG) and the European Centre for Global Interdependence and Solidarity (North-South Centre) are invaluable forums for intergovernmental deliberation and discussion on new Euro-Mediterranean migration policies.

1. Text adopted by the Standing Committee acting on behalf of the Assembly on 17 March 2006 (see Doc. 10763, report of the Committee on Migration, Refugees and Population, rapporteur: Mr Danieli).

8. In the light of the foregoing, the Assembly calls on the governments of Council of Europe member states, in close co-operation with non-member Mediterranean countries, to:

8.1. frame their migration policies so that migration is viewed as a natural phenomenon and not a problem. This will help demystify migration and help ensure that it is no longer seen uniquely from a security point of view;

8.2. rationalise and manage more efficiently the available administrative resources for the reception of foreigners and for processing asylum and naturalisation applications;

8.3. comply to the letter with international human rights protection conventions in all operations to prevent or deal with illegal migration and, in particular:

8.3.1. guarantee the right to leave one's country;

8.3.2. guarantee unimpeded access to asylum procedures for people in need of international protection;

8.3.3. ensure that return measures are applied in keeping with human rights standards and with due regard for safety and dignity;

8.3.4. avoid returning irregular migrants to countries where they would be at risk of persecution or human rights violations;

8.3.5. avoid secondary migration movements by sending back migrants to non-European countries, whose nationality they do not have and by which they have merely transited;

8.3.6. examine and take account in all cases of the root causes of these migration movements.

9. The Assembly also calls on the European Council, the European Commission and the European Parliament to take the above considerations into account.

10. The Assembly calls on the countries on the southern and eastern shores of the Mediterranean which are not member states of the Council of Europe and which took part in the 1st and 2nd Euro-Mediterranean Parliamentary Forums on Migration to consult and co-ordinate on migration at regional level and co-operate with Council of Europe member states in this field, by collaborating, for example, with its CDMG and continuing to work together with the North-South Centre.

11. The Assembly strongly urges the countries participating in the Barcelona Process to actively pursue their partnership practices and the co-development strategy in the Euro-Mediterranean area, in consultation with the countries from which migration flows originate, including through parliamentary dialogue and co-operation, so as to draw up and adopt as swiftly as possible a unified Euro-Mediterranean regulatory framework.

12. The Assembly also recommends that the Committee of Ministers:

12.1. encourage Council of Europe member states and the countries that attended the 1st and 2nd Euro-Mediterranean Parliamentary Forums to sign and ratify the United Nations International Convention on the Rights of all Migrant Workers and Members of their Families and other international conventions on the protection of migrant women and young migrants and encourage Council of Europe member states to sign and ratify the European Convention on the Legal Status of Migrant Workers (ETS No. 93);

12.2. ask the CDMG to involve non-member Mediterranean countries in its activities;

12.3. call on the North-South Centre to enlarge the number of its member states to include all other Mediterranean countries whether or not they are members of the Council of Europe;

12.4. further develop political and cultural co-operation with the countries on the southern and eastern shores of the Mediterranean;

12.5. urge member states and the countries that attended the 1st and 2nd Euro-Mediterranean Parliamentary Forums to encourage student and teacher mobility and training exchanges, in particular by setting up a Euro-Mediterranean university;

12.6. encourage further discussion on the setting up of a Euro-Mediterranean migration observatory and on a large-scale information programme on the risks associated with illegal immigration, bearing in mind the valuable experience of the CDMG and the North-South Centre and taking advantage, if appropriate, of the North-South Centre's facilities for setting up such an observatory;

12.7. help give fresh impetus to the Barcelona Process, begun in 1995, by emphasising in its closer contacts with the European Union the contribution which the Council of Europe and the North-South Centre could make to that process;

12.8. focus serious attention on, and give greater visibility to, the issue of migrant women by means of special initiatives involving all Euro-Mediterranean countries.