

Churches Committee for Migrants in Europe

THE COUNCIL OF EUROPE AND MIGRATION

by

John Murray and Jan Niessen

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INTRODUCTION

This Briefing Paper is an abridged version of a document entitled Activities of the Council of Europe in the field of migration. That document served as an information paper at the 4th Conference of European Ministers responsible for Migration Affairs (Luxembourg, 17-18 September 1991) and gives a survey of Council of Europe activities relevant to migration, the situation of migrants and community relations. In addition to the intergovernmental activities carried out under the auspices of the European Committee on Migration (CDMG), information is given on activities carried out by many other Council of Europe bodies which have a bearing on migration and the situation of migrants. The document concentrates on the period since 1987, when the Third Conference of European Ministers responsible for Migration Affairs was held.

As an organization devoted to the promotion of respect for human rights and social justice, the Council of Europe has a longstanding tradition of concern with the situation of migrants in its Member States. The Churches Committee for Migrants in Europe (CCME) has consultative status with the Council and is in that capacity involved in many of its activities in the field of migration.

By publishing this Briefing Paper the CCME wants to bring the Council's many activities to the attention of a wider public. The summary gives basically the same information as the original document except that it omits the chapters on the European Convention on the Legal Status of Migrant Workers, the European Social Charter, the European Convention on Human Rights and the section on the Steering Committee on Human Rights. A forthcoming CCME Briefing Paper will deal with international conventions and how they can be used by non-governmental organizations.

For the full text of the information paper and further information about the activities in the field of migration, the readers are invited to contact Mr. John Murray who is the Secretary of the European Committee on Migration (Council of Europe, BP 431 R6, F-67006 Strasbourg Cedex - Tel 88.41.21.67 and fax: 88.41.27.85).

The CCME gratefully acknowledges Mr. Murray's co-operation in preparing this Briefing Paper.

Jan NIESSEN
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I MIGRATION

A EUROPEAN COMMITTEE ON MIGRATION (CDMG)

The main intergovernmental body responsible for migration activities in the Council of Europe is the European Committee on Migration (CDMG), whose terms of reference are, *inter alia*, "to continue developing European co-operation on migration, on the condition and social integration of populations of migrant origin as well as on the social condition of refugees". An additional responsibility given to the CDMG by the Committee of Ministers is to act as preparatory body for the Conferences of European Ministers responsible for Migration Affairs and to co-ordinate the follow-up to those conferences, having regard to relevant decisions of the Committee of Ministers. In recognition of the multidisciplinary nature of questions related to migration, the CDMG is authorised to co-operate as appropriate with other intergovernmental committees and this has been particularly important in the field of community relations. Details of the CDMG's recent and current activities are set out below.

1. Legal, economic and social situation of migrant workers and members of their families

Recommendations and reports

Over the years, the Committee of Ministers has adopted a large number of Resolutions and Recommendations for the benefit of migrant workers and members of their families. Among the more significant of these texts are:

- Resolution (69) 7 on return of migrant workers to their home country
- Resolution (70) 35 on school education for the children of migrant workers
- Resolution (74) 15 on equal treatment of national and migrant workers in the following sectors: working conditions, remuneration, dismissal, geographical and occupational mobility
- Resolution (76) 11 on equal treatment for national and migrant workers with regard to vocational guidance, training and retraining
- Resolution (78) 33 on the reunion of families of migrant workers in Council of Europe member States
- Resolution (78) 44 on clandestine immigration and the illegal employment of foreign workers
- Recommendation N R (79) 10 concerning women migrants
- Recommendation N R (80) 14 concerning the vocational reintegration of migrant workers who return to their countries of origin

- Recommendation N R (84) 9 on second-generation migrants
- Recommendation N R (88) 6 on social reactions to juvenile delinquency among young people coming from migrant families
- Recommendation N R (88) 14 on migrants' housing

Furthermore, many reports have been prepared on these issues during recent years. They are available on request from the Secretariat.

The legal situation of long-stay migrants in host countries

The legal status of migrants varies according to whether they possess, or can acquire, the nationality of the country in which they live. The Council of Europe seeks to ensure that migrants with foreign nationality, and particularly those who have settled down permanently in the host country, enjoy the fullest possible legal protection. This is seen as an essential basis for successful integration.

The Committee of Experts on the Legal Situation of Long-Stay Migrants in Host Countries (MG-JU) was set up to review various aspects of the legal situation of long-stay migrants in host countries and to propose ways of strengthening their status where possible. The Committee gave particular attention to security of residence and problems associated with family reunion. The CDMG has recently submitted to the Committee of Ministers the final activity report containing in particular a set of proposals aimed at harmonising the legal situation of long-stay migrants in host countries. These proposals, which in many cases go beyond the existing legal situation in member States, should be seen as objectives which States might seek to attain progressively. The proposals can be seen as a step in the direction of achieving a right of permanent residence for long-stay migrants, as proposed by the Parliamentary Assembly in its Recommendation 1082 (1988).

Employment and unemployment of migrants

A group of consultants have recently carried out under the responsibility of the CDMG, a study of the employment situation of migrants, giving special attention to the situation of women and young people. In their final report the experts set out a brief analysis of the employment and unemployment problems faced by migrants and make a number of recommendations for measures which could be taken to improve the situation.

2. Community relations project

During the period 1987-1991, the Council of Europe has been carrying out a co-ordinated multidisciplinary project on community relations and this has formed the main part of the work of the CDMG during this period. Among the aspects which have been considered are the role of local and national government, the

education system, the media, the social services and non-governmental organisations of all kinds in improving community relations and creating better understanding between migrants (and populations of immigrant origin) and the host society. Both the problems and the opportunities presented by cultural diversity are being explored, and an assessment is being made of the effectiveness of various ways of tackling discrimination or hostility on nationality, ethnic or racial grounds. Under the overall authority of the CDMG, the Committee of Experts on Community Relations (MG-CR) is responsible for planning, implementing, co-ordinating and evaluating the work carried out as part of the project. It ensures that the different elements are related to one another and that a unified approach to community relations questions as a whole is developed and maintained. It has also been responsible for developing working relationships with the other Council of Europe bodies capable of contributing to this multidisciplinary project.

As a way of familiarising senior policy-makers in the community relations field with the practical problems experienced at the local level, one of the MG-CR's annual meetings is held in an area with an ethnically diverse population in one of the member States. A routine working meeting is thus combined with a study visit. The field studies have taken place in Birmingham, Berlin, Lyon, Barcelona and Stockholm.

As a result of its field visits it has become increasingly apparent to the MG-CR that town planning policies and the housing situation of the immigrant communities have a direct impact on the community relations situation in any given district. For this reason, a meeting of housing and town planning experts was organised in June 1990.

A series of meetings has been organised by the MG-CR on different kinds of discrimination and the most effective ways of combating them. A meeting was also held on the role of the police in an ethnically and culturally diverse society. It emerged from these meetings that the problem of violence and harassment motivated by hostility on nationality, ethnic or racial grounds is a grave social issue requiring further study.

The CDMG organised a joint conference with the Council for Cultural Co-operation (CDCC) in 1989 on the educational and cultural aspects of community relations. A meeting was also organised in 1989 to exchange experience on how different countries have tackled the problems arising from conflicts between the laws and customs of cultural and religious groups of foreign origin and the laws and administrative practices of the member States (eg in the field of family law, dress and diet).

Cultural diversity presents new challenges to the public services in various fields and has implications for the education and training of officials and personnel. A meeting was held in October 1990 on the response of the health services to the needs of an ethnically and culturally diverse population.

The MG-CR has now adopted its final report on the community relations project. This document brings together the results of the project and puts forward proposals for an integrated policy in the field of community relations. It received

the endorsement of the European Ministers responsible for migration affairs at their fourth conference, held in Luxembourg in September 1991 and it is being discussed in detail at the Closing Conference of the project in The Hague in November 1991.

3. Experiments in intercultural education

As a means of giving expression to the Committee of Ministers' Recommendations to the member States on the education of migrant workers' children, the CDMG has organised for a number of years, in co-operation with the Council for Cultural Co-operation, a series of experiments in intercultural education. The experiments, which had to comply with various intercultural guidelines, took place either in the host country or in the countries of origin; their aim was to foster the harmonious integration of children into the education system of the country in which they live. The experiments were selected and evaluated by a Joint Group of Experts, whose task was to see whether their organisation and methodological approach met the needs of migrants' children, were suitable for wider application in the educational systems as a whole and conformed to the guidelines laid down by the Council of Europe.

The last set of experiments took place in the school year 1990-91. An educational evaluation of the programme was carried out by the Joint Group of Experts and has been published by the Council of Cultural Co-operation.

4. Work planned for the future

The programme of intergovernmental activities for 1991 includes a new project entitled "Migration, demography and employment". A new joint specialist group on migration flows, demographic trends and employment held its first meeting in Autumn 1991. The project is being carried out jointly under the authority of the European Committee on Migration (CDMG) and the European Population Committee (CDPO). The joint specialist group will study migration flows and their impact on the social and economic situation in European States. In addition, problems connected with migration movements and their impact on national policies, particularly regarding employment, will be identified with a view to further study. It is planned to complete the project by the end of 1993.

The CDMG has recently put forward a proposal for another new project to be entitled "The integration of immigrants: towards equal opportunities". This proposed project would replace the community relations project, which is coming to an end at the end of 1991 and would seek in particular to examine the practical application of some of the principles laid down in the final report of the community

relations project. The aim would be to promote exchanges of experience between people and organisations involved in developing practical action to promote integration and equal opportunities for migrants and populations of immigrant origin.

B. EAST-WEST MIGRATION IN EUROPE

At the invitation of the Federal Minister of Foreign Affairs of Austria, and with the assistance of the Secretary General of the Council of Europe, a Conference of Ministers on the movement of persons from Central and Eastern European countries was held in Vienna on 24 and 25 January 1991. The Conference was attended by Ministers and officials from the member States of the Council of Europe, together with all the States of Central and Eastern Europe and Australia, Canada and the United States of America. While welcoming the fundamental political changes which are making it possible for people to travel freely throughout Europe, Ministers were aware of the need to take steps to avoid the development of disorderly migration movements within Europe. They expressed the desire that all the participating States should concert their efforts and enter into a dialogue with a view to making national policies on migration flows - concerning both migrants originating from Central and Eastern Europe and migrants in transit through these regions - more compatible with one another. They made a number of recommendations to this end including the following:

- policies and rules on asylum should be harmonised and measures should be taken to prevent multiple applications for asylum;
- information should be exchanged on labour market conditions and on laws, regulations and practices concerning aliens, foreign labour and immigration;
- economic development policies should be strengthened with a view to preventing disorderly migration;
- illegal employment of unprotected workers should be combated;
- short-term movements such as exchanges of young people, fixed-period training and employment opportunities, contract employment and other forms of temporary employment should be promoted, it being understood that the situation in most of the countries concerned does not allow an increase in immigration on a permanent basis;
- harmonising policies and practices on the movements of persons, visas and frontier formalities;
- co-operation to promote the economic and social reintegration of persons returning voluntarily to their countries of origin;
- possible conclusion of readmission agreements.

It was further agreed that the Senior Officials from the States attending the Conference should continue to meet in order to take further the process initiated in Vienna and to ensure appropriate follow-up to the recommendations made. The

Senior Officials have met twice since the Conference and a third meeting is planned for January 1992. At their meeting on 21 and 22 March 1991, the Senior Officials took note of information supplied by the German delegation on assistance for economic development in the countries of Central and Eastern Europe and the Swiss delegation agreed to collect and circulate details of various development initiatives of a micro-economic nature capable of reducing the pressure for immigration from disadvantaged regions of Central and Eastern Europe. The Hungarian delegation was entrusted with the responsibility for a study on the scope and coverage of existing information systems in the field of migration in Europe with a view to identifying what needs are not yet met and proposing measures to fill these gaps. Furthermore, the Senior Officials examined a document prepared by the Swedish delegation concerning the modalities of the exercise of the right to freedom of movement of persons and the Swedish delegation agreed to continue its work on this subject.

A number of specialised meetings on these topics have been held in recent months and the results of these activities will be reviewed at the Senior Officials next meeting in Strasbourg in January 1992.

II OTHER WORK IN THE FIELD OF LAW AND HUMAN RIGHTS

A SOCIAL SECURITY

The European Interim agreements on Social Security

The European Interim Agreements on Social Security of 1953 cover between them all the branches of social security. Public or social assistance and certain other schemes are however excluded. Ratified by 17 member States, these agreements represented a first step towards equality of treatment in the field of social security between the nationals of all the member States of the Council of Europe. The protocols to each agreement extend their provisions to refugees as defined by the Convention Relating to the Status of Refugees.

Each agreement gives, within its own field, effect to the following two principles: firstly equal treatment in each Contracting State between its own nationals and the nationals of other Contracting States; and secondly the extension to the nationals of all Contracting States of the benefits derived from the bilateral or multilateral conventions concluded between two or more Contracting States.

The European Convention on Social Security

The European Convention on Social Security of 1974 applies to all general social security schemes and special schemes, whether contributory or non-contributory. It does not however cover social or medical assistance schemes, benefit schemes for victims of war or to special schemes for civil servants. The Convention was created as a multilateral instrument on social security for people moving within the territory of the Contracting Parties, especially migrant workers. In its preamble, the Convention affirms "the principle of equality of treatment for nationals of the Contracting Parties, refugees and stateless persons, under the social security legislation of each Contracting Party, and the principle that the benefits under social security legislation should be maintained despite any change in residence by the protected persons within the territories of the Contracting Parties."

More particularly, the Convention guarantees the four principles of international social security law: the equality of treatment between nationals and non-nationals, the unity of the applicable legislation, the conservation of rights accrued or in the course of acquisition, and the payment of benefits abroad.

The Convention (ratified by 8 member States of the Council of Europe) is only directly applicable in respect of part of its provisions. These include the general provisions, the rules for determining the applicable legislation, as well as for the opening of rights and calculation of benefits. Those provisions which are not immediately applicable serve as a model for subsequent bilateral and multilateral agreements.

Recommendation No R (79) 7 of the Committee of Ministers concerning the speeding up of payment of mixed career pensions

Aware of the need to ensure that migrants and their dependants receive the benefits to which they are entitled by virtue of international social security agreements without delay, R (79) 7 recommends member governments to implement a system of permanent recording of identification data including nationality, registration or identification numbers and any other information useful for reconstructing migrant workers' careers based on a procedure which can be combined within the framework of the application of Regulation 574/72 of the Council of the European Communities.

Recommendation No R (90) 14 of the Committee of Ministers on the Preparation of an information brochure on the social security rights and obligations of migrant workers and of their families

Aware of the difficulty that migrant workers have in obtaining adequate information on their rights and obligations, this recommendation includes the outline of a brochure which the member States of the Council of Europe are encouraged to use in disseminating information on social security. The outline brochure is in 2

parts, the first containing a general description of the national social security system, and the second a description of the protection afforded by different international instruments for the co-ordination of social security.

Recommendation R No (91) 3 of the Committee of Ministers on the social security protection of seconded workers

In noting that the secondment of workers is an expanding practice, particularly on account of the development of large economic areas and the intensification of international economic relations, and in considering that secondment is a specific form of migration, this instrument recommends member States to take all necessary measures at national level and international level to ensure the effective social security protection of seconded workers in accordance with the guiding principles set out in its appendix.

B LEGAL CO-OPERATION

Ad hoc Committee of Experts on the legal aspects of territorial asylum, refugees and stateless persons (CAHAR)

At its meeting in September 1991, the CAHAR continued its exchanges of views on recent developments in the law of the member States as well as on the practical problems which member States have to face up to in the fields covered by the Committee. It was informed about the Conclusions of the Seminar on Asylum being organised by the Austrian authorities in Vienna on 6 and 7 September 1991 as part of the follow-up to the Vienna Conference. It drew up an opinion on Assembly Recommendation 1149 (1991) on Europe of 1992 and refugee policies.

Committee of Experts on the mobility of European citizens (CJ-MC)

The work of this new Committee, which will work under the authority of the European Committee on Legal Co-operation (CDCJ), should also be seen in connection with the follow-up to the Vienna Conference. Depending on the progress of the work by the Vienna Group in this field, the Committee of Experts will study the technical aspects of the free-movement of persons in Europe.

Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality

At its fourth meeting held from 5 to 7 March 1991, the Committee of Experts on Multiple Nationality (CJ-PL) adopted the text of a draft Second Protocol amending the Convention on the Reduction of Cases of Multiple Nationality (1963). It has since also adopted the draft Explanatory Report on the Second Protocol.

This text gives spouses of different nationalities the possibility of acquiring each other's nationality, in addition to their own. The other text is concerned with second-generation migrants and provides that they may, subject to certain conditions, acquire the nationality of the host country without losing their original nationality.

C EQUALITY OF WOMEN AND MEN

The European Committee for Equality between Women and Men (CEEG) has always taken into consideration the particular situation of women migrants and frequently made reference to the difficulties they encounter.

The CEEG has organized a Seminar on action against traffic in women and forced prostitution (Strasbourg, 25-27 September 1991), a problem which is giving rise to growing international concern. The traffic in women is organised on a large scale and is international. The majority of the women are trafficked from South-East Asia, Latin America and some part of Africa to Western Europe, North America and the Middle East. Moreover, women are trafficked from one European country to another one.

It usually concerns women who are lured under false pretences (job offer, contractual marriage). These women find themselves in a situation of more or less total dependence on the trafficker so that they are not able to escape from his compulsion. Another group of women travel voluntarily, using an intermediary, and are more or less aware of what they are to expect. These women are often also under compulsion, because they have few opportunities to insist on agreed arrangements about, e.g., wages and working hours.

The Seminar made proposals for strategies and measures effectively to fight and prevent the traffic in women and forced prostitution, and to provide assistance and support to the women concerned, in consultation with governmental bodies, non-governmental organisations and prostitutes' organisations both within and outside Europe.

III EDUCATION, CULTURE AND YOUTH

A EDUCATION

In the first half of the 1980's the Council for Cultural Cooperation (CDCC) carried out an important project on the education and cultural development of migrants. It had two primary objectives: to develop and improve educational activities likely to motivate migrant children and adults, and to explore and promote socio-cultural activities of interest to them. Both objectives aimed at managing social integration

while understanding and respecting existing cultural, ethnic and religious diversity. These objectives were pursued essentially through the evaluation of concrete projects going on in the field, analysis of the main problems in these areas and the exchange of information at courses and seminars.

The concluding report on the project stressed the importance of a genuinely intercultural approach to solving problems resulting from multiculturalism, an approach based on opportunities for communication and exchange between the various cultural and ethnic groups.

This raised a number of issues for education, in particular:

- how to respond to the need for learning the majority language and the language of origin;
- rethinking the content of education and teaching methods at all levels;
- managing race relations, changing xenophobic and racist attitudes;
- addressing the need for equality of opportunity in education and on the labour market.

A number of follow-up activities have been carried out with a view to ensuring the implementation of the following principles in the member States:

- the need to base all studies in this field on the human being, considered as a culture-bearer, rather than on cultures viewed as systems or institutions;
- the abandonment of the antithesis "host culture - migrant population culture" in order to achieve a comprehensive conception of a "mosaic" of different cultures, thus going beyond the strict framework of migration;
- the adoption - in relation to a multicultural society - of an intercultural approach conceived as cultural interaction, cross-fertilisation and mutual enrichment with the ultimate aim of integrating all "foreign" communities, whilst avoiding assimilation as the identity of each culture must be respected;
- a conviction that recognition of an individual's membership of a given community should not lead to him or her to be purely and simply identified with that community;
- the need - in view of the progressive stabilisation of migrant populations in their host societies - to move on from "specific institutional" management of migrants' problems to a global, "common-law" approach capable of fostering access for each individual - whether immigrant or indigenous - to the same social, educational and cultural facilities.

Although the project as such has come to an end, the Council for Cultural Cooperation has decided that all its work should reflect the intercultural approach. This goes beyond the issues raised by the presence of migrants in society; it is now considered that education should respond to the different needs of all the various groups that go to make up a society in such a way as to promote communication and interaction between them.

In addition, as part of the Council for Cultural Cooperation's teacher training programme, several fellowships are awarded each year in the field of migrants' education or intercultural education.

A number of current projects of the CDCC touch on the situation of immigrants vis-à-vis the education system. Thus, the project on adult education and social change, which is scheduled to finish in 1992, has been examining the needs of various adult groups with particular difficulties. For example, the work on the long-term unemployed and on older people has taken into account the situation of unemployed and elderly migrants respectively.

A new project entitled "A secondary education for Europe" is in its early stages. This can also be expected to give attention, *inter alia*, to the provision for appropriate education for an increasingly multicultural and multi-ethnic society.

B CULTURE

The general theme of the Sixth Conference of European Ministers responsible for cultural affairs, held in Palermo in April 1990, was: "The multicultural society - a challenge to cultural policy". The Ministers adopted a Declaration on multicultural society and European identity in which, *inter alia*, they reaffirm that the richness of European culture stems from the diversity and vitality of its national, regional and local cultures and from its openness to spiritual, intellectual and artistic trends from other parts of the world. The Ministers also adopted a Resolution on initiatives, ways and means likely to promote a dialogue between cultures. In this text the Ministers note with interest the work already carried out within the Council of Europe on multicultural issues (referring specifically to Project No. 7 on the education and cultural development of migrants and to the CDMG's community relations project) and state that "the political, cultural and social challenges posed by a multicultural society are of sufficient importance to require sustained governmental attention in all fields". They affirm that "they intend to ... promote measures designed to achieve a harmonious balance between the expression of minority identities and cultures and access to the common cultural heritage of all Europeans". They agree to develop intercultural dialogue and encounter and they recommend the Committee of Ministers of the Council of Europe to invite the Secretary General "to ensure that information and experience are exchanged on the issues raised by multicultural society" and "that the various initiatives undertaken in this field are coordinated and that the fullest possible use is made of the work undertaken in the sectors concerned".

Since then, the Council for Cultural Cooperation has agreed in principle to launch a new project on cultural action in disadvantaged districts; multicultural issues arising from the cohabitation in such areas of populations of diverse ethnic origins will be at the centre of the concerns of this new project. As well as carrying out a scientific analysis of the problem, the project, which will last for three years, will

aim to make an evaluation and inventory of successful cultural experiments in deprived districts and to set up a network of the people involved.

C INTERNATIONAL YOUTH MOBILITY

A new project on international youth mobility was included in the 1991 inter-governmental programme of activities. The project, which will be carried out by the European Steering Committee for Intergovernmental Cooperation in the Youth Field (CDEJ), aims to promote mobility of young people throughout the European continent, thus helping young Europeans to take advantage of the new situation in which the right to freedom of movement has been generally recognised. The project will deal with all forms of mobility except migration for purposes of taking up paid employment.

At its meeting in April 1991 the CDEJ took the following decisions:

- consultants will be engaged to prepare reports and proposals on the simplification of administrative procedures for mobility and on social protection for young people travelling within Europe (especially concerning sickness, maternity, accidents and repatriation);
- a group of specialists (JE-S-MO) was set up to draw up a report on ways of achieving the objectives of mobility in the fields of education, culture, environmental protection and sport;
- a consultant will be engaged to prepare a report on the harmonisation of bilateral and multilateral agreements on youth mobility and youth exchanges; the CDEJ will then decide whether to set up a working group to take the matter further.

D EAST-WEST ACADEMIC MOBILITY

Greater mobility of students and university teachers and researchers is a long-standing objective of the Council of Europe. Over the years, several conventions and recommendations have been adopted.

The Standing Conference on University Problems (CC-PU) is now actively engaged in facilitating the mobility of academic staff and students within the European continent as a whole. To this end it adopted, at its meeting in Berlin in March 1991, a Memorandum on simplification of visa requirements and East-West academic mobility. Considering that visa and other administrative requirements imposed by States are a significant practical obstacle to greater academic mobility, especially from countries in Central and Eastern Europe, the Memorandum urges governments to accelerate the processing of visas for university students and staff,

to issue multiple entry visas to such persons and waive or reduce visa fees, particularly for young people.

IV LOCAL AND REGIONAL AUTHORITIES

A PARTICIPATION OF FOREIGNERS IN LOCAL PUBLIC LIFE

The Committee of Ministers instructed the Steering Committee on Local and Regional Authorities (CDLR) to prepare a draft Convention which would not be confined to the question of voting rights in local elections but would cover all the problems posed by the participation of foreigners in local public life.

The draft Convention includes three main chapters:

- freedoms of opinion, assembly and association;
- consultative bodies to represent foreigners at local level;
- the right to vote in local authority elections.

It is designed to allow states to become contracting parties by accepting at least one chapter, while leaving open the possibility of subsequent acceptance of the remaining chapters.

In 1990 the Committee of Ministers considered the draft Convention submitted by the CDLR and authorised the Steering Committee for Human Rights to draft an opinion on the text. In the light of this opinion, which raised a number of substantial points concerning in particular the relationship between the draft Convention and the European Convention on Human Rights, the Committee of Ministers asked the CDLR to reconsider the draft Convention. The CDLR has submitted a revised text for consideration by the Committee of Ministers and this final text has recently been formally adopted.

B STANDING CONFERENCE OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE (CLRAE)

On 21 October 1987, the CLRAE adopted Resolution 183 (1987) on foreigners in regional and local communities. In this Resolution, the Standing Conference called on governments to adopt "an ambitious, generous and realistic policy towards foreigners" and makes a number of precise recommendations to territorial authorities for measures to be taken in relation to labour and employment, social affairs, housing, the media, and education. It also instructed its Committee on Social and Cultural Affairs to contribute to the Council of Europe's community

relations project by organising an exchange of experience on action which can be taken by local authorities to develop harmonious co-existence between foreigners and the host community, to combat discrimination and xenophobia and to improve the social and vocational status of foreigners and persons of foreign or immigrant origin.

This was the genesis of the International Conference organised by the CLRAE (in cooperation with the community relations project and the City of Frankfurt-am-Main) from 29-31 May 1991 on the theme "Multiculturalism in the City: The integration of immigrants". The Conference, which brought together representatives of many European cities, was based on the presentation of case studies by twelve cities selected for their innovative approach to integration and community relations questions. The Conference adopted the "Frankfurt Declaration", entitled "Towards a new municipal policy for multicultural integration in Europe". The Declaration covers the following topics:

- giving local authorities wider powers in the field of integration policy;
- the basic rights of immigrants and the principle of non-discrimination;
- effective participation by immigrants in local political life;
- pluralist cultural and education policy;
- intercultural social action;
- integration in the world of work;
- town planning and housing policy.

The CLRAE is requested in the Declaration to promote and develop a wider European exchange of experience on these topics.

V POPULATION STUDIES

A EUROPEAN POPULATION COMMITTEE (CDPO)

The European Population Committee follows the demographic situation and trends in the member States in order to advise the Committee of Ministers on their implications for public policy.

The CDPO publishes an annual report on "Recent demographic developments in Europe" providing comparative data and analysis on factors affecting population change, including international migration, population of foreign citizenship and net migration.

Most of the current activities are related to the preparation of the 1993 joint Council of Europe-UN ECE/UNFPA European regional conference on population. In addition the following projects are of particular relevance to migration:

1. The future of Europe's population

The aims of this project are to analyse recent trends in relational and reproductive behaviour, migration and mortality, and to assess alternative scenarios pointing out possible policy implications. It is being carried out by a team of consultants with a view to preparing a background document for the European regional conference on population.

2. Migration, demography and employment

This project is being carried out jointly with the European Committee on Migration. Its scope and objectives are described above.

VI ACTIVITIES OF THE PARLIAMENTARY ASSEMBLY IN THE MIGRATION FIELD

Within the Parliamentary Assembly, work on the situation of migrants in the member States has been pursued mainly by the Committee on Migration, Refugees and Demography. The work has found expression in a series of reports which have led to numerous recommendations. In them, the Assembly has called upon the Committee of Ministers and the governments of member States to act to improve the living and working conditions of migrants in the host societies.

In recent years the Assembly has adopted the following texts in the migration field:

Recommendation 1058 (1987) on migratory flows concerning Latin America

European migrants who have settled in Latin America have specific educational and cultural needs which the countries of origin must take into account. Among these migrants there are some who wish to return to Europe, but that is possible only if the governments of the States concerned undertake to solve the problems of social protection and nationality which arise.

Recommendation 1066 (1987) on the social protection of migrant workers and their families

Inequalities in respect of social protection exist, depending on the country of origin of the migrants. In order to attenuate them, the Council of Europe should harmonise the social security systems of the member States and encourage non-member States, from which some migrants come, to accede to the European Convention on Social Security.

Recommendation 1070 (1988) on the problems of Yugoslav migrants and the development of relations between Yugoslavia and the Council of Europe

There are more than 500,000 Yugoslav workers living in Council of Europe member States. If their problems are to be tackled more effectively, relations with Yugoslavia should be strengthened and representatives from that country should be invited to participate in the work of the European Committee on Migration.

Recommendation 1081 (1988) on problems of nationality in mixed marriages

A report of the Assembly's Committee on Legal Affairs and Human Rights underlies this text on the economic and social problems facing spouses in mixed marriages and in children born of those marriages, which are fairly frequent among second-generation migrants. It is therefore necessary that the Council of Europe should examine the various problems which result from multiple nationalities in this type of marriage.

Recommendation 1082 (1988) on the right of permanent residence for migrant workers and members of their families

The majority of migrants who have settled in Council of Europe member States will remain there in the years ahead. The governments of member States must recognise the right of migrants, irrespective of their country of origin, to reside permanently on their territories when they have lived there for at least five years.

Recommendation 1089 (1988) on improving community relations

In November 1987, the Assembly organised an event entitled "Enjoying our diversity" which enabled members of parliament, experts, civil servants, trade unionists, teachers, journalists and representatives of migrants' associations to discuss schemes for the improvement of relations between the host society and migrants and immigrant minorities. The conclusions served as a basis for this Recommendation, in which the Assembly whole heartedly supports the community relations project undertaken by the CDMG.

Recommendation 1093 (1989) on the education of migrants' children

Despite the agreement on principles for intercultural education, there are still divergences between host countries and countries of origin when it comes to the practicalities of the education of migrants' children. Consultation must therefore be promoted between education officers in the countries concerned so as to overcome these divergences and at the same time improve the dissemination of information about the Council of Europe's activities in this field.

Recommendation 1125 (1990) on the new immigration countries

Since the mid-80s, the emigration countries of Southern Europe have become new immigration countries. The immigration experienced by the countries of industrialised Europe could help the new host countries to formulate coherent, overall policies to cope with the new situation. The Council of Europe should assist in this transfer of experience.

Recommendation 1148 (1991) on the Europe of 1992 and migration policies

Completion of the internal market in the European Community in 1993 will result in more freedom of movement for goods, capital, services and persons. It will involve dismantling the internal frontiers between the Twelve, but tighter controls at the external frontiers. In conjunction with the European Community, the Council of Europe should examine migratory movements within Europe and towards Europe, so as to avoid divergences in 1993 between immigration policies in the member States and non-member States of the Community.

Recommendation 1154 (1991) on North African migrants in Europe

The fact that more than two million North African migrants are settled in Europe is now no longer a temporary situation but a permanent one. The Council of Europe must provoke wide-ranging dialogue between the political leaders in the host countries, the countries of origin and representatives of North African migrants, so as to define together the broad outlines of an integration policy.

VII SOCIAL DEVELOPMENT FUND

The Social Development Fund is a European financial institution with a social purpose, which was set up on 16 April 1956 by the Committee of Ministers of the Council of Europe under a Partial Agreement (Resolution (56) 9). It is attached to the Council of Europe, but in accordance with the Third Protocol to the General Agreement on Privileges and Immunities of the Council of Europe, it has full legal personality and in particular the right to carry out any operation related to its statutory aims.

Any member State of the Council of Europe can join the Social Development Fund. Initially it had eight member States - Belgium, France, Federal Republic of Germany, Greece, Iceland, Italy, Luxembourg and Turkey. Thirteen other States have subsequently joined - Cyprus, Malta, the Holy See, Switzerland, Liechtenstein, Portugal, Sweden, Spain, Norway, the Netherlands, Denmark, San Marino and Finland.

The conditions under which non-member States of the Council of Europe can accede are laid down by the Fund's Governing Body.

In January 1986, the Fund signed an association agreement with Yugoslavia for a five-year period to finance job creation schemes and so make it easier for migrants to return home.

According to Article II of the Articles of Agreement, the purpose of the Fund is to help the member States "in solving the problems with which European countries are or may be faced as a result of the presence of surplus elements of population, including national refugees, while providing or guaranteeing loans ...".

A dynamic interpretation of this objective has enabled the Fund's organs to match their action to new situations. That adaptation will continue so as to reflect the objectives of balanced development policy in Europe.

A high proportion of projects, especially in the field of job creation and the construction of low-cost housing, is designed to help the member States absorb returning immigrants and prevent migration.

The Fund's principal activities at the present time are as follows:

- aid to national refugees and regions hit by natural disasters;
- reduction of unemployment by the creation or preservation of permanent jobs, including seasonal jobs, at a comparatively lower cost, without excluding preservation of jobs by introducing automation, especially in less developed regions;
- vocational training: establishment of vocational training and retraining centres for young people, workers and, where appropriate, middle management administrative staff;
- creation of infrastructures (for example, communications networks, water, electricity or gas supply) to facilitate social and economic development in development areas or regions defined as such by the central authorities of the country in question;
- development of regions or areas which are declining or economically and socially disadvantaged, not excluding aid to tourist industries in these regions, ie: schemes to curb or prevent rural depopulation or urban concentration; creation of hostels and reception centres for refugees and migrant workers;
- rehousing of low-income groups; education and public health schemes; slum clearance, urban renewal for social purposes;
- construction of housing in connection with the establishment or development of industrial areas.

Over the years, the Fund has financed projects with a very positive impact on environmental protection. At the present time the Fund's organs are examining the desirability of extending the Fund's areas of activity to include protection of the environment.

The Fund's own resources consist of capital subscribed by the member States in the form of participating certificates and reserves.

In October 1990 the Governing Body decided to increase the Fund's capital, offering the member States participating certificates for subscription to an amount of 1,000,000,000 ECUs. At 9 July 1991, the Fund's subscribed capital amounts to 1,055,496,000 ECUs, of which 129,727,000 are paid up. The amount of reserves at 31 December 1990 was 252,438,000 ECUs.

This increase in capital was decided on in order to strengthen the Fund's financial basis and meet the needs expressed by present and future member States with a view to forthcoming accessions to the Fund by countries of Central and Eastern Europe, once they have become members of the Council of Europe.

Loans granted in 1990 reached the figure of 884 million ECU.

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Churches Committee for Migrants in Europe

General Secretary: Jan Niessen

174, rue Joseph II

B-1040 Bruxelles

Tel: 32 (2) 2302011 - Fax 32 (2) 2311413

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