

# DECLARATION on principles of governing external aspects of migration policy

## Introduction

Declaration on principles of governing external aspects of migration policy (Conclusions of the Presidency, Edinburgh, 2 December 1992. SN 456/92). A follow-up to the 1989 Declaration (24 above). Reiterating importance of measures to prevent migration from outside the Community, including trade, development aid and readmission agreements.

# DECLARATION on principles of governing external aspects of migration policy

## Reference:

SN 456/92

# DECLARATION ON PRINCIPLES OF GOVERNING EXTERNAL ASPECTS OF MIGRATION POLICY

Conclusions of the Presidency - Edinburgh, December 12 1992

- i) The European Council, meeting at Edinburgh, discussed the question of migratory pressures.
- ii) It noted with satisfaction that profound political changes now permit greater ease of travel and contacts throughout Europe.
- iii) It reaffirmed its intention to ensure that the Community and its Member States remain open to the outside world, not only through personal and cultural exchanges, but also through their commitment to a liberal trading system, by playing their full part in assisting the developing world, and by establishing a framework of political and economic relations with third countries and groups of third countries. In this, the European Council reaffirms the principles of its Declaration at Rhodes in December 1988.
- iv) The Member States of the European Communities reaffirmed their commitment to honour in full their obligations under the 1950 European Human Rights Convention, the 1951 Geneva Convention on the status of refugees and the 1967 New York Protocol.
- v) It was conscious of the particular pressures caused by the large movements of people fleeing from the conflict in the former Yugoslavia particularly given the harsh winter conditions.
- vi) It noted the pressures on Member States resulting from migratory movements, this being an issue of major concern for Member States, and one which is likely to continue into the next decade.
- vii) It recognized the danger that uncontrolled immigration could

be destabilizing and that it should not make more difficult the integration of third country nationals who have legally taken up residence in the Member States.

- viii) It stressed the need to reinforce the fight against racism and xenophobia in line with the joint declaration adopted by the European Parliament, the Council and the Representatives of the Member States, meeting within the Council, and the Commission on 11 June 1986 and with the Declaration on racism and xenophobia adopted by the European Council in Maastricht.
- ix) It was convinced that a number of different factors were important for the reduction of migratory movements into the Member States: the preservation of peace and the termination of armed conflicts; full respect for human rights; the creation of democratic societies and adequate social conditions in the countries of emigration. Co-ordination of action in the fields of foreign policy, economic co-operation and immigration and asylum policy by the Community and its Member States could also contribute substantially to addressing the question of migratory movements. The Treaty on European Union, notably its Titles V and VI, once in force, will provide an adequate framework for this coordinated action.
- x) It took note of the declaration adopted on the occasion of the Development Council on 18 November 1992 on aspects of development co-operation policy in the run-up to 2000, including the recognition of the role which effective use of aid can make in reducing longer term migratory pressures through the encouragement of sustainable social and economic development.
- xi) It noted that, in line with the views of the United Nations High Commissioner for Refugees, displaced people should be encouraged to stay in the nearest safe areas to their homes, and that aid and assistance should be directed towards giving them the confidence and the means to do so, without prejudice to their temporary admission also in the territory of Member States in cases of particular need.
- xii) It welcomed the progress made by Ministers with responsibility for Immigration matters under the work programme endorsed at the Maastricht European Council, and in particular the adoption of recommendations on expulsion, resolutions on manifestly unfounded applications for asylum on host third countries and conclusions on countries in which there is generally no serious risk of persecution (1). It recognised the importance of such measures against the misuse of the right of asylum in order to safeguard the principle itself.
- xiii) It also welcomed the work on east-west migration of the Berlin and Vienna Groups, and encouraged the Berlin Group to prepare a draft resolution for agreement by Ministers.
- xiv) It resolved to take forward those more general migration-related issues set out in the Maastricht work programme that go wider than the direct responsibilities of the Ministers with

responsibility for Immigration matters.

xv) It recognised the importance of analysing the causes of immigration pressure, and analysing ways of removing the causes of migratory movements

xvi) It agreed that the approach of the Community and its Member States, within their respective spheres of competence, should be guided and informed by the following set of principles:

- 1. they will continue to work for the preservation and restoration of peace, the full respect for human rights and the rule of law, so diminishing migratory pressures that result from war and oppressive and discriminatory government;
- 2. displaced people should be encouraged to stay in the nearest safe area to their homes, and aid and assistance should be directed towards giving them the confidence and the means to do so without prejudice to their temporary admission also in the territory of Member States in cases of particular need;
- 3. they will further encourage liberal trade and economic co-operation with countries of emigration, thereby promoting economic development and increasing prosperity in those countries, and so reducing economic motives for migration;
- 4. to the same end, they will ensure the appropriate volume of development aid is effectively used to encourage sustainable social and economic development, in particular to contribute to job creation and the alleviation of poverty in the countries of origin, so further contributing in the longer term to a reduction of migration pressure;
- 5. they will reinforce their common endeavours to combat illegal immigration;
- 6. where appropriate, they will work for bilateral or multilateral agreements with countries of origin or transit to ensure that illegal immigrants can be returned to their home countries, thus extending co-operation in this field to other States on the basis of good neighbourly relations;
- 7. in their relations with third countries, they will take into account those countries' practice in readmitting their own nationals when expelled from the territories of the Member States;
- 8. they will increase their co-operation in response to the particular challenge of persons fleeing from armed conflict and persecution in former Yugoslavia. They declare their intention to alleviate their plight by actions supported by the Community and its Member States directed at supplying accommodation and subsistence,

including in principle the temporary admission of persons in particular need in accordance with national possibilities and in the context of a coordinated action by all the Member States. They reaffirm their belief that the burden of financing relief activities should be shared more equitably by the international community;

xvii)The European Council urges those Member States who have not already done so to ratify the Dublin Asylum Convention as part of their coordinated action in the field of asylum; it will then be possible to extend such arrangements under a convention parallel to the Dublin Convention, giving priority to neighbouring European countries where these arrangements could be mutually beneficial. The European Council calls for the necessary action to be taken so that the External Frontiers Convention can come into effect at an early date.

Footnote 1:

The resolutions on manifestly unfounded applications for asylum and on host third countries and the conclusions on countries in which there is generally no serious risk of persecution have been accepted by Germany under the reservation of a modification of her fundamental law, and by Denmark and the Netherlands subject to a Parliamentary scrutiny reservation.