



Strasbourg, 17 September 2002

MMG-7 (2002) 1

**7TH CONFERENCE OF MINISTERS RESPONSIBLE FOR MIGRATION AFFAIRS,  
HELSINKI, 16 – 17 SEPTEMBER 2002**

**FINAL DECLARATION**

---

1. The 7th Conference of European Ministers responsible for Migration Affairs was held in Helsinki on 16 and 17 September 2002 at the invitation of the Finnish government, with the Finnish Former Prime Minister Mr Harri Holkeri in the Chair.
2. The Conference elected Ms Tarja Filatov, Finnish Minister of Labour and Ms Elisabeth Rehn, Former Minister of Defence and Equality Affairs of Finland as Vice-Chairs.

3. The Conference was attended by Ministers of the Council of Europe member states or their representatives<sup>1</sup> as well as their counterparts from the Holy See, Japan, Algeria, Egypt, Morocco and Tunisia, the Committee of Ministers, the Parliamentary Assembly, the Congress of Local and Regional Authorities of the Council of Europe, the Commissioner of Human Rights, the Council of Europe Development Bank, the European Parliament and the European Commission.

4. The International Labour Office (ILO), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the European Free Trade Association (EFTA), the International Organization for Migration (IOM), the Inter-governmental Consultations on Asylum, Refugee and Migration Policies (IGC), the International Centre for Migration Policy Development (ICMPD), the Budapest Group, the Churches Commission for Migrants in (CCME), the International Catholic Migration Commission (ICMC), the European Trades Union Confederation (ETUC) and the Union of Industrial and Employers' Confederations of Europe (UNICE) also attended the Conference as observers.

5. The general theme of the conference was:

**“Migrants in our societies: policy choices in the 21<sup>st</sup> century”.**

6. The Ministers discussed the challenges in connection with integration policies and with migration management and ways of dealing with them.

7. The Ministers noted that, over the last century Europe has been a destination for migration in all its forms. In recent years, persecution, war, human rights violations, political, ethnic and religious conflicts and economic social and demographic imbalances in various parts of the world have caused millions to seek entry and residence in other countries, including Council of Europe member states.

8. Irregular migration continues to increase and irregular migrants often find themselves in a very precarious situation, and at the mercy of criminal elements involved in trafficking in human beings for the purpose of labour or sexual exploitation.

9. The economic, social, cultural and political integration of migrants lawfully residing in European countries is a factor of social cohesion of the host state. This can only be achieved through a comprehensive and coherent policy of integration which will improve community

---

<sup>1</sup> Member States of the Council of Europe: Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russia, San Marino, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, "the former Yugoslav Republic of Macedonia", Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland.

relations and contribute towards a better understanding between migrants and their receiving societies.

10. The events of 11th September 2001 had an adverse impact on the image of some migrant and ethnic minority groups with the consequent danger of rising discrimination and xenophobia. A concerted effort on the part of the public authorities and local communities (politicians, local governments, educational and social services, mass-media and NGO's) would counteract discrimination and xenophobia and play an active role in informing public opinion to play their part in ensuring that the majority does not associate migrants with criminality.

11. The Council of Europe provides European states with a valuable forum in which to devise migration and integration policies, which are founded on human rights, democracy and the rule of law.

12. The Council of Europe Development Bank (CEB), in accordance with its Articles of Agreement gives priority to aid to refugees, displaced persons and migrants. The Bank provides loans for investment projects aiming to implement member States policy in response to migration and refugees issues. These projects are designed to address the long-term aspects of management of migration flows, and to achieve social integration of migrant populations.

13. The Ministers took note of the proposal from the Secretary General to create a structure to implement the strategy and subsequently monitor the progress made.

14. The Council of Europe has provided numerous legal instruments and proposed strategies for the development of coherent and integrated policies in the member states. These texts remain valid for the development of these policies.

15. The Member States of the EU are committed to developing a common policy on asylum and migration and European legislation in these areas is now being adopted.

16. European countries welcome the contribution of the large number of regular immigrants on European soil to the continent's cultural diversity and to its social and economic development. They should therefore ensure a commitment to full integration based on the mutual obligations of migrants and the receiving society. However, irregular migration may constitute a threat to the rights of migrants and a risk to social cohesion.

17. It is now becoming increasingly evident that policies and strategies drawn up by the receiving countries would work better if a closer cooperation and dialogue could be established between the countries of origin and transit and receiving countries.

18. Conscious of these developments and determined to strengthen throughout this century the process of integration for a united and diverse Europe,

We, the Ministers of the Council of Europe member states, responsible for Migration Affairs,

**UNDERTAKE :**

**General Principles:**

19. to develop and implement policies on migration and integration that are founded on the principles of human rights, democracy and the rule of law thus ensuring orderly migration, social cohesion and respect for the individual.
20. to consider integration as an interactive process based upon mutual willingness to adapt by both migrants and the receiving society.
21. to promote the principles of tolerance and non-discrimination and to eliminate all discriminatory policies and practices which are inconsistent with international human rights instruments.
22. to ensure, for refugees and asylum-seekers, the observance of the full provisions of the Geneva Convention relating to the Status of Refugees and its 1967 Protocol and of the relevant instruments of the Council of Europe, and to adopt, where appropriate, other forms of protection for persons in need, such as temporary and/or subsidiary protection.
23. to promote peace, the protection of human rights and economic and social development worldwide thus creating better conditions for the future and reducing the need for people to flee from situations of conflict, poverty and human rights abuse.

**Challenges for integration policy - Managing diversity in a democratic society:**

24. drawing from the reports on “Diversity and cohesion: new challenges for the integration of immigrants and minorities” and on “Framework for integration policies” to promote societies based on equal rights, obligations and opportunities, common values inherent to a democratic society and cultural diversity.
25. to promote an open and welcoming society and to encourage the participation of lawfully residing migrants in economic, social, cultural and political life by, inter alia:
  - a. recognising the positive contribution that migrants make to society;
  - b. associating the host community and migrants in activities aimed at promoting mutual understanding;
  - c. encouraging migrants and receiving society to undertake common activities in favour of the local community and development of civil society;
  - d. implementing introduction programs for newcomers, actively encouraging immigrants to learn the language of the receiving country as well as to understand and respect the institutions and the fundamental values of host society;

- e. training public officials to understand and value ethnic and cultural diversity and be aware of the gender perspective;
  - f. adopting appropriate measures to accommodate the needs of vulnerable persons such as children, the elderly, disabled persons and persons who have been traumatised or physically harmed by torture and war;
  - g. ensuring family reunification and the acquisition of citizenship/nationality of the receiving country by long-term immigrants and recognised refugees, in conformity with national legislation and the Recommendation R(2002) 4 of the Committee of Ministers on the legal status of persons admitted for family reunification.
26. to promote equal access to employment for lawfully residing migrants by, inter alia:
- a. facilitating the assessment of qualifications and skills and access to vocational training, inter alia, by stressing the importance of the equivalence of vocational qualifications and skills ;
  - b. recognising the equivalence of diplomas at the European level ;
  - c. ensuring equal treatment with regard to recruitment, career promotion, employment conditions and salary ;
  - d. adopting diversity management in human resources policies of enterprises and of governmental and non-governmental organisations ;
  - e. encouraging the participation of migrants in trade-unions and company committees, thus contributing to their integration at the work place.
27. to reinforce regulations and monitoring of decent work conditions in accordance with relevant European and international standards to prevent exploitation, irregular employment, and to reduce unfair competition with national workers.
28. to strengthen anti-discrimination legislation and practical measures to combat violence, discrimination, including harassment against migrant workers at the work place, taking into account relevant Council of Europe, EU and international instruments.

### **Challenges for migration management policies**

29. drawing from the report “Towards a migration management strategy”, to promote the migration management strategy and to intensify dialogue to effectively manage migration issues.
30. to develop channels of legal migration by, inter alia:
- a. pursuing open and transparent policies regarding labour migration and elaborating, if necessary, provisions on the legal status of temporary workers;

- b. setting down clear rules on the recruitment and legal status of the foreign workforce, both permanent and temporary, taking into account the concerns of migrants (improving qualifications and vocational training, preparing and assisting return and renewing contracts at well-defined intervals);
  - c. making available to potential migrants, where possible, in an appropriate language, complete and clear information on the conditions of admission, residence and work as well as on living conditions and culture of the country of destination, its political and legal system (regulations on migration), situation on the work market.
31. to combat smuggling and trafficking of human beings and migrant exploitation by, inter alia:
- a. developing national policies and plans of action in order to ensure the effective protection of and assistance to victims of smuggling and trafficking, especially women and children as well as unaccompanied minors;
  - b. promoting information campaigns against trafficking in human beings;
  - c. promoting research and analysis on various methods of state response to the phenomena of illegal migration and trafficking in human beings in the countries of origin, transit and destination;
  - d. implementing stronger penal sanctions against traffickers; the control of sensitive sectors, employers' sanctions and finding out flexible and humane solutions respecting the human dignity of irregular migrants;
  - e. ensuring that the return to the country of origin of victims of trafficking only take place in a dignified and safe manner respectful of human rights, particularly the rights to private life and family life.
32. to set up a sustainable and close bilateral and multilateral co-operation between receiving, transit and origin countries in order to:
- a. improve the exchange of information to combat irregular migration, clandestine channels and trafficking in human beings;
  - b. prevent irregular migration by enhancing legal provisions (penal, fiscal and civil);
  - c. combat efficiently traffickers and criminal gangs through co-operation with countries of origin and transit;
  - d. deal with irregular migrants in co-operation with other countries (receiving, transit and origin countries) with a view to finding appropriate solutions with due respect to human rights.

## **ENCOURAGE**

33. those member States who have not yet done so to consider the possibility of signing and/or ratifying :
- the European Convention on the Legal Status of Migrant Workers (ETS 93);
  - the European Convention on Establishment (ETS 19);
  - the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (ETS 165);
  - the European Agreement on Au Pair Placement (ETS 68);
  - the European Convention on Medical and Social Assistance and its Protocol (ETS 14);
  - the European Interim Agreement on Social Security Schemes Relating to Old Age, Invalidity and Survivors and its Protocol(ETS 12);
  - the European Interim Agreement on Social Security other than Schemes for Old Age, Invalidity and Survivors and its Protocol(ETS 13);
  - the European Convention on Social Security (ETS 78) and its Supplementary Agreement;
  - the European Social Charter and Additional Protocol (ETS 35 and 128);
  - the revised European Social Charter (ETS 163);
  - the Convention on the Participation of Foreigners in Public Life at Local Level (ETS 144);
  - the European Convention on Nationality (ETS 166) ;
  - Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms and
  - other relevant Council of Europe instruments likely to improve the situation of migrants.
34. those member States who have not yet done so to consider the possibility of joining the Council of Europe Development Bank (CEB).
35. Member States of the Council of Europe Development Bank to make full use of the opportunities provided by the Bank's loans and to present investment projects aimed at the social integration of refugees or migrants in the receiving country or their voluntary return to their country of origin.

## **RECOMMEND THAT:**

36. the Committee of Ministers of the Council of Europe implement the following Plan of Action:

### **Regional and international co-operation**

- strengthen the dialogue and partnership between member States and, when relevant, non-member States, taking into account existing bilateral and multilateral agreements on migration issues and take steps in identifying possible legal gaps;

- develop a closer and sustained co-operation with international organisations and NGO's;
- draft co-operation agreements among origin and receiving countries with a view to valuing and/or transferring the migrants' competences ;
- develop programmes with countries of other regions in order to protect the rights of migrants.

### **Demographic dimension of Migration**

- propose a long term perspective of migration and integration and implement adequate statistical surveys to better understand :
  - the dynamics of migration movements and migrant populations;
  - the labour market needs;
- facilitate and harmonise demographical data on the characteristics of immigrant populations at the national as well as international level.

### **Integration policies**

- elaborate and promote new integration policies which are based on the conclusions of the present declaration and relevant Council of Europe texts;
- elaborate and make effective use of adequate evaluation and monitoring instruments (integration indicators).

### **Access to Minimum rights**

- entrust the competent committees to look into issues affecting human dignity, including those issues relating to the effective enjoyment of minimum rights for persons in need.

### **Comprehensive Migration Management Strategy**

- follow up the Athens' Conference on Irregular Migration and Dignity of the Migrant: Co-operation in the Mediterranean Region by establishing a regular dialogue and partnership between countries of origin, transit and destination countries on ways of ensuring orderly migration, social cohesion and the rights of the individual by organising roundtables, seminars and workshops;
- consider further means for the implementation of the orderly migration management strategy (CDMG (2000)11 rev) and entrust the CDMG to submit proposals to this effect;
- set up a network of receiving cities to study the impact of migration and integration at the local level and to evaluate how these cities face the challenge, in close co-operation with the Congress of Local and Regional Authorities.

37. At the end of the meeting, the Ministers thanked the Finnish Authorities for the excellent organisation of the Conference and for their hospitality.